

Agenda Item 3

EAST AREA PLANNING COMMITTEE

1st February 2012

Application Number: 11/02946/VAR

Decision Due by: 14th February 2012

Proposal: Variation of condition 15 of planning permission 09/02802/VAR to allow occupation of the development by students in full time education on courses of one academic year or more.

Site Address: Part Territorial Army Centre Slade Barracks Mascall Avenue Oxford Oxfordshire – Appendix 1

Ward: Churchill Ward

Agent: John Philips Planning Consultancy

Applicant: Slade Properties Ltd

Recommendation: APPROVE

Reason for Approval

- 1 In light of changes to policies in the development plan resulting from the adoption of the Oxford Core Strategy 2026, new student accommodation developments are no longer required to be restricted to students attending either the University of Oxford or Oxford Brookes University. Consequently the variation of the condition to allow occupation by all full time students of Oxford academic institutions is considered acceptable and in compliance with policies CP1 of the Oxford Local Plan 2001-2016 and policy CS25 of the Oxford Core Strategy 2026.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Approved Plans
- 2 Planning Permission
- 3 Student Accommodation Occupiers
- 4 No Cars

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Development to Meet Functional Needs
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
HS19 - Privacy & Amenity

Core Strategy

CS2 - Previously developed and greenfield land
CS17 - Infrastructure and developer contributions
CS25 - Student accommodation

Other Material Considerations:

PPS1 – Delivering Sustainable Development
PPG13 – Transport

Relevant Site History:

06/01703/OUT - Demolition of existing buildings and structures. Outline application (seeking layout and access) for 276 student study rooms and communal facilities; 32 flats (14x1 bed, 18 x 2 bed); and 21 houses (15 x 3 bed, 4 x 4 bed, and 2 x 5 bed) on 2, 3 and 4 levels. Provision of 12 car parking spaces to serve student accommodation, and 82 spaces to serve residential accommodation. Amended access at junction of Blackstock Close and Horspath Driftway, public open space and ancillary facilities - Permitted 12th June 2007.

07/02261/FUL - Demolition of all existing buildings and structures on site, and closure of Mascall Avenue

(i) Erection of 353 student study rooms and ancillary facilities on 3 and 4 levels in linked blocks, with entrance from Horspath Driftway. Provision 180 cycle parking spaces plus 10 car parking spaces accessed via Blackstock Close.

(ii) Erection of 15x1 bed flats, 25x2 bed flats, 9x3 bed flats and 18x3 bed houses and 5x4 bed houses on 3 levels. Provision of 109 car parking spaces, 128 cycle parking spaces, bin stores and landscaping, accessed from Blackstock Close. (Amended plans and description) - Permitted 27th June 2008.

09/01205/FUL - Erection of 374 Student study rooms in linked blocks on 3 and 4 floors. Provision of 10 car parking spaces, 187 cycle parking spaces, bin storage facilities and landscaping. (Amendment to planning permission 07/02261/FUL) - Permitted 18th November 2009.

09/02802/VAR - Variation of condition 16 of planning permission 09/01205/FUL to allow occupation by students outside term time - Permitted 6th April 2010.

Representations Received:

No comments received

Statutory and Internal Consultees:

Environment Agency – No objection.

Officers Assessment:

Site Description

1. The application site relates to a student accommodation development located off Horspath Driftway and accessed via Blackstock Close. The land was formerly used as a Territorial Army centre. The site was relatively recently redeveloped following the grant of planning permission in 2007 to provide student accommodation comprising 374 bedrooms as well as 15x1 bed flats, 25x2 bed flats, 9x3 bed flats, 18x3 bed houses and 5x4 bed houses and associated car/cycle parking, landscaping etc. This development has now been completed.

Description of Proposal

2. The application seeks consent to vary condition 15 of planning permission 09/02802/VAR so as to allow occupation of the 374 student rooms by any full time student of an Oxford academic institution rather than solely those of the University of Oxford or Oxford Brookes University.

Impact of Allow Occupation by Students of any Oxford Academic Institution

3. The previously approved applications were assessed against the Council's adopted Local Plan which included policy HS14. This policy, inter alia, required new student accommodation developments to be restricted to housing students of the University of Oxford or Oxford Brookes University only. It was against this policy as well as others of the development plan that the previous planning applications were considered and hence an appropriately worded condition restricting occupancy to full-time students of these two universities was imposed.

4. Following the Examination in Public of the Council's now adopted Oxford Core Strategy 2026 the Inspector considered that continuing a planning policy restricting student accommodation to the University of Oxford and Oxford Brookes University was both unnecessary and unfair on other academic institutions. Consequently this policy requirement was not included in the final Adopted Oxford Core Strategy 2026 which included student accommodation policies that superseded those of the Local Plan.

5. On the basis of this recent development plan policy change, condition 15 of planning permission 09/02802/VAR is no longer considered to be reasonable or relevant to continue to make the student development acceptable.

6. Notwithstanding the above, the use of the student accommodation by students

of other academic institutions would not change the nature or intensity of use of the development and therefore there would be no consequent increase in any adverse environmental, highway or amenity impacts.

Conclusion:

7. The variation of condition 15 of planning permission 09/02802/VAR to allow occupation by students of any academic institution in Oxford would accord with policy CS25 of the Core Strategy which, in March 2011, superseded policy HS14 of the Local Plan under which the proposed condition variation would previously have been unacceptable. Consequently officers recommend that the application be approved.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 06/01703/OUT, 07/02261/FUL, 09/01205/FUL, 09/02802/VAR & 11/02946/VAR

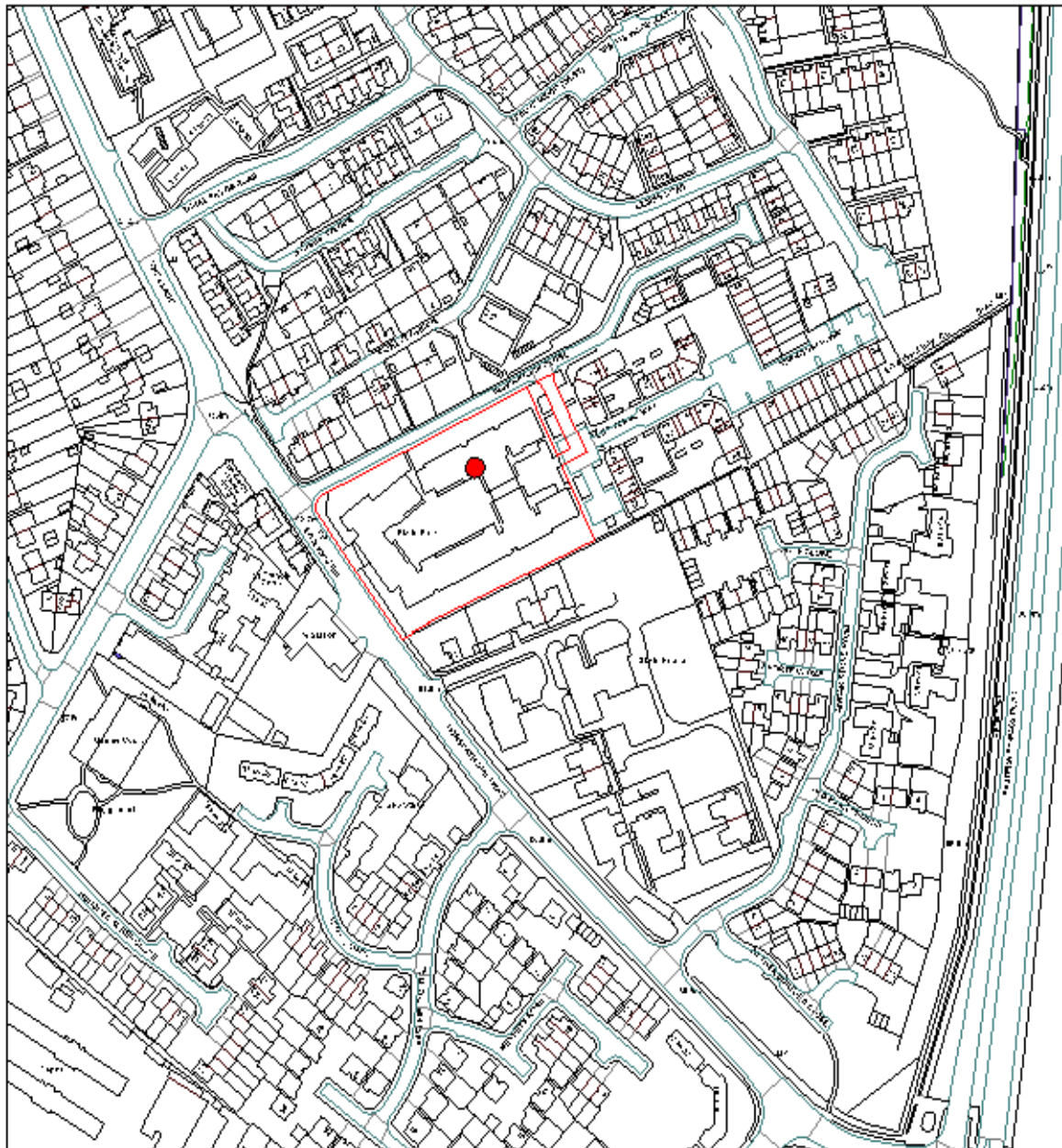
Contact Officer: Matthew Parry

Extension: 2160

Date: 20th January 2012

Appendix 1

Former Territorial Area Centre, Blackstock Close, Oxford



Scale : 1:2609

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Organisation	Oxford City Council
Department	City Development
Comments	11/02946/VAR
Date	20 January 2012
SLA Number	Not Set

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