

Agenda

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East Area Planning Committee

Date: **Wednesday 3 August 2011**

Time: **6.00 pm**

Place: **The Old Library, Town Hall**

For any further information please contact:

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If you would like help to understand this document please call Mathew Metcalfe, Democratic Services Officer on or email mmetcalfe@oxford.gov.uk in advance of the meeting.

East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Stephen Brown	Carfax;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Jean Fooks	Summertown;
	Councillor Bryan Keen	Cowley;
	Councillor Gill Sanders	Littlemore;
	Councillor Dick Wolff	St. Mary's;

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any of the following items.

3 UNIVERSITY OF OXFORD, ROOSEVELT DRIVE, OXFORD - 11/01054/FUL

1 - 20

The Head of City Development has submitted a report which details a planning application for the demolition of 4 existing buildings (including Richards, Waco and Badenoch Buildings). Erection of 2 medical research buildings on 3 floors plus basement to accommodate Nuffield Department of Medicine and Kennedy Institute, to include laboratories, offices, stores, workshops and ancillary spaces. Provision of hard and soft landscaping, cycle parking and rearrangement of car parking. (Amended Plans).

Officer recommendation: Approve subject to conditions.

4 CAVALIER PUBLIC HOUSE, COPSE LANE - 11/01681/FUL

21 - 42

The Head of City Development has submitted a report which details a planning application for the proposed redevelopment to provide 58 ensuite student rooms with shared facilities and wardens room on three floors.

Officer recommendation: Approve subject to conditions.

5 FORMER DHL SITE, SANDY LANE WEST - 11/01550/FUL

43 - 52

The Head of City Development has submitted a report which details a planning application for the change of use from Class B8 (storage and distribution) to a builders merchant (sui generis) for the display, sale and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage and associated external alterations, together with the demolition of adjacent redundant buildings.

Officer recommendation: Approve subject to conditions.

6	BRICKLAYERS ARMS, 39 CHURCH LANE, MARSTON - 11/01331/FUL	53 - 66
	<p>The Head of City Development has submitted a report which details a planning application for the conversion and alteration to public house to form 1x4 bedroom dwelling. Erection of 5 dwellings (2x3 bedroom, 2x4 bedroom and 1x5 bedroom). Alterations to existing access. Erection of garages and provision of car parking and landscaping.</p> <p>Officer recommendation: Approve subject to conditions.</p>	
7	10 COLERIDGE CLOSE - 11/01574/FUL	67 - 72
	<p>The Head of City Development has submitted a report which details a planning application for the erection of 2 storey side extension to provide additional 1 bed flat at ground floor and additional bedroom at first floor for existing flat to create 2 bed flat. Provision of car parking, bin and cycle storage. (Amended plans).</p> <p>Officer recommendation: Approve subject to conditions.</p>	
8	162-164 HOLLOW WAY - 11/00765/FUL	73 - 84
	<p>The Head of City Development has submitted a report which details a planning application for the demolition of existing building. Erection of 2x2 storey building accommodating 19 student study rooms plus warden's accommodation. Provision of cycle and bin storage.</p> <p>Officer recommendation: Approve subject to conditions.</p>	
9	2 MORTIMER DRIVE - 10/03257/FUL	85 - 94
	<p>The Head of City Development has submitted a report which details a planning application for a two storey side and rear extension. (Amended plans).</p> <p>Officer recommendation: Approve subject to conditions.</p>	
10	9 BEARS HEDGE, OXFORD - 11/00623/CT3	95 - 100
	<p>The Head of City Development has submitted a report which details a planning application for a single storey rear extension.</p> <p>Officer recommendation: Approve subject to conditions.</p>	

11	74 BALFOUR ROAD - 11/00703CT3	101 - 106
	<p>The Head of City Development has submitted a report which details a planning application for a single storey extension to provide ground floor bedroom shower room and entrance lobby to accommodate disabled tenant.</p> <p>Officer recommendation: Approve subject to conditions.</p>	
12	PLANNING APPEALS	107 - 112
	<p>To receive information on planning appeals received and determined during June 2011.</p> <p>The Committee is asked to note this information.</p>	
13	FORTHCOMING PLANNING APPLICATIONS	
	<p>These items are for information only and are not for discussion or determination at this meeting.</p> <ul style="list-style-type: none">(a) 69 Cherwell Drive, Oxford – 11/01858/FUL(b) SAE Oxford, 33 Armstrong Road – 11/01569/FUL(c) 47 Rymers Lane, Oxford – 11/01512/FUL(d) Land at Hundred Acres Close, Oxford – 11/01297/CT3(e) Conservative Club, 19 Between Towns Road, Oxford – 11/01680/FUL(f) Junction of Cottessmore Road and Wynbush Road – 11/0127/FUL	
14	MINUTES	113 - 116
	<p>Minutes of the meeting held on 6 July 2011.</p>	
15	DATES OF FUTURE MEETINGS	
	<p>All meetings will start at 6.00pm in the Town Hall.</p> <p>Wednesday 7 September 2011 Thursday 8 September 2011 (if necessary)</p> <p>Thursday 6 October 2011</p> <p>Wednesday 2 November 2011 Thursday 3 November 2011 (if necessary)</p> <p>Tuesday 6 December 2011 Friday 9 December 2011 (if necessary)</p>	

Wednesday 4 January 2012

Thursday 5 January 2012 (if necessary)

Wednesday 1 February 2012

Thursday 2 February 2012 (if necessary)

Wednesday 7 March 2012

Thursday 8 March 2012 (if necessary)

Tuesday 3 April 2012

Friday 5 April 2012 (if necessary)

DECLARING INTERESTS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;

(Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;

 - (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
 - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application(or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting,
6. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Agenda Item 3

East Area Planning Committee

3rd August 2011

Application Number: 11/01054/FUL

Decision Due by: 7th July 2011

Proposal: Demolition of 4 existing buildings (including Richards, Waco and Badenoch Buildings). Erection of 2 medical research buildings on 3 floors plus basement to accommodate Nuffield Department of Medicine and Kennedy Institute, to include laboratories, offices, stores, workshops and ancillary spaces. Provision of hard and soft landscaping, cycle parking and rearrangement of car parking. (Amended Plans)

Site Address: University Of Oxford Roosevelt Drive, Site Plan **Appendix A**

Ward: Churchill Ward

Agent: DPDS Consulting Group

Applicant: University Of Oxford

Recommendation: East Area Planning Committee is recommended to support the proposed development for the reasons set out below and subject to conditions, but defer to Officers to issue the decision notice on completion of an accompanying legal agreement to secure the financial contributions listed.

Reasons:

- 1 The proposed development would represent an efficient use of existing land designated for research. The buildings are considered to be appropriate in scale, massing and appearance for their intended use and form an appropriate relationship to other similar buildings on the Old Road Campus. There would be no harm to the character and appearance of the Old Road or Roosevelt Drive street scene. Neither would it harm any residential amenities. The development would have no adverse impact on existing trees or hedges, ecology, hydrology or ground water, particularly in relation to Boundary Brook and the nearby SSSI.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all

other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Landscape plan required
- 5 Landscape carry out after completion
- 6 Landscape hard surface design - tree roots
- 7 Landscape underground services - tree roots
- 8 Tree Protection Plan (TPP) 1
- 9 Arboricultural Method Statement (AMS) 1
- 10 Arch - Implementation of programme
- 11 Contamination
- 12 Ecology
- 13 Public Art - Scheme Details & timetable
- 14 FRA
- 15 SUDS detailed scheme reqd
- 16 Construction Traffic Management Plan
- 17 Cycle Parking - details, secured and covered
- 18 Travel Plan – Revised details
- 19 Noise - mechanical plant and attenuation
- 20 Lighting – details of external lighting

Contributions:

County Council

£218,000 contribution towards transport infrastructure and mitigation measures to ensure adequate local site access, which could include CPZs, improvements to walking and cycling and bus access.

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
- CP11** - Landscape Design
- CP13** - Accessibility
- CP14** - Public Art
- CP17** - Recycled Materials
- CP18** - Natural Resource Impact Analysis
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise

CP22 - Contaminated Land
TR1 - Transport Assessment
TR2 - Travel Plans
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR5 - Pedestrian & Cycle Routes
TR7 - Bus Services & Bus Priority
TR9 - Park & Ride
TR13 - Controlled Parking Zones
NE12 - Groundwater Flow
NE14 - Water and Sewerage Infrastructure
NE15 - Loss of Trees and Hedgerows
NE20 - Wildlife Corridors
DS36 - Inst of Health Sc, Old Rd - Med Research

Core Strategy:

CS9_ - Energy and natural resources
CS11_ - Flooding
CS12_ - Biodiversity
CS13_ - Supporting access to new development
CS17_ - Infrastructure and developer contributns
CS18_ - Urb design, town character, historic env
CS19_ - Community safety
CS29_ - The universities
CS27_ - Sustainable economy

Other Material Considerations:

Supplementary Planning Documents:

- Planning Obligations
- Natural Resource Impact Analysis
- Parking Standards, Transport Assessment and Travel Plans

Relevant Site History:

There has been a great deal of planning history on the Old Road Campus. Of particular note is the recent application for the Cancer Research Buidling located immediately south of the application site:

05/02194/FUL: Demolition of two existing buildings. Erection of cancer research building totalling 13,772 sq m. of floorspace on 4 levels including basement, plus plant rooms and enclosure at roof levels (Amended Plans). Approved 10.07.06 and constructed.

Public Consultation:

The University undertook pre-application public consultation with local residents, groups, institutions and organisations. An initial meeting was held in January 2011 to explain and discuss the proposals with local Residents Associations and Groups and Wards Councilors. This was followed by discussion at the Heading Forward

Organisation, which is an umbrella organisation for institutions and authorities in Headington. A public exhibition was held in March 2011 to with local residents, associations and city-wide groups were invited. This was well attended and a further session was held in April. The consultation process led to changes and modifications of the proposal, for example moving the NDM building further away from the boundary with Old Road by 2m, to help address concerns of height and proximity to houses. The other main area of concern was traffic related issues and the University considered that it would be difficult to modify the scheme in a way that would have a significant impact on traffic conditions. However, measures to address any impact were identified in the Oxford University Travel Plan and site specific Travel Plan, and through developer contributions.

Representations Received:

Comments received can be summarised as follows:

- Building façade would be overbearing
- Out of character with street scene
- Un-neighbourly outlook for resident's
- Dominant presence of building would have an impact on visual amenity
- Unprecedented scale and proximity to Old Road
- Increased traffic
- Increase in light and noise pollution
- Increased surface water run-off and sewage pollution
- Unnecessary intrusion on the wildlife corridor
- Area already over-developed
- Oxford University has not reached its Core Strategy Policy CS 25 target (3000 or less students should live in private accommodation in order to get planning permission for academic expansion).
- The Kennedy Institute of Rheumatology is world renowned and has been responsible for the most significant new therapies for rheumatological disease to be discovered in the last fifty years.
- Biomedical research is of critical importance and the two new buildings will further enhance the University's significant contribution towards understanding prevention and cure of common diseases and conditions of the 20thC.
- The location at the Old Road Campus adjacent to existing high-quality clinical facilities, world-leading scientists and working hospitals will provide enormous benefit to musculoskeletal disease research and patient treatment.
- Will enhance the diversity of research facilities here and availability for collaborative working.

Statutory and Internal Consultees:

Environment Agency Thames Region: No objection subject to conditions. See main body of report.

Thames Water Utilities Limited: No objection

Thames Valley Police: Historically there have been a number of cars and bicycles stolen from the area of the proposed development. No objections are raised to the application and no further comments to make.

Natural England: No objection subject to conditions. See main body of report.

English Heritage Commission: No comment to make

Environmental Development: No objections raised. Recommend conditions on contamination, details of external lighting, details of mechanical plant and noise attenuation.

Oxfordshire County Council Countryside Services: Footpaths 111 and 115 run to the north and west of the site. The footpaths should not be reduced in width in anyway.

Strategic Planning Consultations Team: No comment.

County Drainage Team Manager: Due to the risk of flooding further down Boundary Brook a substantial reduction in discharge rates is recommended. No details of what 'appropriate' SUDS will be used. Drainage designs and calculations to be submitted. Discharge rates seem excessive. Implementation of the Flood and Water Management Act 2010 could result in reconsideration as to how water can be discharged from the site from the preliminary ideas outlined (see main body of report).

Officers Assessment:

Site Description and Proposal:

1. The Old Road University Campus is situated within the Headington area, located off Roosevelt Drive and bounded to the north by Old Road and residential properties opposite. To the west and south are the institutions of Park Hospital and Churchill Hospital. To the east are the residential properties on Mileway Gardens separated by the Boundary Brook and Wildlife corridor that runs along the eastern boundary of the site.
2. It is proposed to demolish several existing buildings (Badanoch, WACO, Richards, B669) and erect two new purpose built research buildings; one to the north of the campus and the other to the south between the Rosemary Rue building and the green Cancer Research building. The northern building is to accommodate the Nuffield Department of Medicine (NDM) and southern building is for the Kennedy Institute of Rheumatology (KI). The NDM will accommodate a new research facility called the Target Discovery Institute. This is a new collaborative research unit created jointly by the Nuffield Dept. of Medicine and Oxford University. It will undertake biomedical research to investigate drug target discovery for various diseases. The KI is a world renowned institute undertaking biomedical research into musculoskeletal disease, including rheumatoid and osteoarthritis. It is of note that both Institutes would be located close to the major orthopaedic and rheumatologic referral centre at the Nuffield Orthopaedic Centre (NOC) Hospital and the Botnar Musculoskeletal Research Institute, also on the NOC site.
3. The NDM building would provide 5577m sq of accommodation over 3 levels plus basement. The KI building would provide 6314m sq floor space, again over three floors plus basement. Both buildings process a part fourth level which would contain all the mechanical plant and ventilation required to serve the buildings. The development would also involve the re-organisation of existing car and cycle parking, but no additional car parking is proposed. 114 additional cycle parking spaces would be provided however and 74 existing ones replaced totaling 188 spaces in all.

4. The development would provide improved accommodation for existing staff who work on campus and at other sites within the city and it also would provide a new research facility for the KI that currently resides in London. The applicant therefore estimates that there would be a net increase in staff numbers of 150 when the buildings are fully occupied.

Issues:

5. Officers consider the main determining issues are:
 - Principle of Development
 - Design and Appearance
 - Residential Amenities
 - Traffic and Parking
 - Flood Risk, Sustainable Drainage and Impact on Boundary Brook and SSSI.
 - Trees and Landscaping
 - Ecology
 - NRIA and Sustainability
 - Archaeology

Principle of Development:

6. The proposed development site forms part of the larger Old Road Campus which is designated in the Local Plan under Policy DS36 as being suitable for medical research. The Policy states that although the site is extensively developed, there is scope for further redevelopment through replacement of older buildings with modern replacements at appropriate density and scale. This Policy has been saved by the Core Strategy pending future development plan documents.
7. The development proposes to remove existing older buildings and provide modern replacement ones, appropriate to their proposed use for research and intended occupier(s). Although the site is extensively developed the proposal would make best and efficient use of existing land for its designated purpose.
8. Comment has been made by residents that this development should not be approved because the University has not achieved its target of 3000 of less students living outside university provided accommodation in accordance with Policy CS25 of the Core Strategy. This policy relates to provision of new academic/ teaching floor space, whereas this development is research orientated. In any event, the University has confirmed that they have in fact met this target, and a copy of their supporting letter is attached at Appendix B.
9. The principle of the development is therefore considered acceptable, subject to other Policies in the Local Plan and Core Strategy.

Design and Appearance:

10. The KI Building is three storeys high with plant room at roof level. It measures approximately 14.8m-16.8m to main parapet level and approximately 18.6m

high to 20.8m high plant room roof (front to rear). The variances in height take account of the fall in ground level from east to west across the site. The appearance of the building has been refined further to public consultation and amended plans show the building reflecting both the finer grain detail of the proposed NDM Building and taking colour accents from the adjacent green Cancer Research Building. It has a strong vertical emphasis to its overall appearance. The front (east) elevation has a totally glazed ground floor entrance area where it is intended to install some public art, reflecting the work undertaken. Materials proposed are grey cladding panels and coloured louvres over windows in shades of green. The fourth floor contains the plant and has been set back from the front and side elevations to reduce the impact and allow maintenance. There are 10 flues rising from the plant roof between 3.5m and 1m in height. Due to its location this building would be mostly screened from public views by the Cancer Research and Richard Doll buildings that front Roosevelt Drive.

11. The NDM building is also three storeys and approximately 14.8-16m to parapet and 18.8m- 20m high to plant room roof at fourth floor, again taking account of the fall in ground level east to west. The building has been designed with a more horizontal emphasis achieved through the use of coloured louvres across the body of the main building. These louvres also give the building a finer grain and is proposed to be coloured in a palette of browns. The building is an unusual shape, dictated by the curve of the access road to the car parks, with a pointed front elevation within which is a full height atrium that extends from basement to third floor. The majority of the windows are on the southern elevation where the main laboratories write-up areas are located. There are limited windows only on the northern elevation due to the functional needs of the laboratories themselves.
12. The NDM building is approximately 34m at its closet point to the northern boundary of the Campus with Old Road. Between it and the road is a wide band of trees and hedge screening, approximately 15m in depth that provides mature and well established screening. Views from within and outside the site would be therefore glimpsed most of the year when the majority of the trees are in leaf though the buildings would be more visible during winter months.
13. It is considered that the proposed buildings are of an appropriate scale, height and massing for their intended use and relate well to the existing buildings on the Old Road Campus, for example the Cancer Research building adjacent which is of similar height and massing, and other institutional buildings nearby. Their design and appearance is also considered to be architecturally appealing and appropriate for their intended function. There would be no adverse impact on the character and appearance of Old Road or Roosevelt Drive due to their locations within the site, distance to the boundary and existing screening.

Residential Amenities:

Scale of the Buildings:

14. Comments have been received that the proposed buildings are too high and

would adversely affect day/ sunlight and appear overbearing and dominant in views from existing properties opposite on Old Road. The applicant has submitted additional sectional plans that show cross sections from several properties on Old Road through to the nearest (NDM) building. There would be a distance in excess of 50m from the closest properties on Old Road (Nos. 58 & 63) to the NDM building and in excess of 105m to houses on Mileway Gardens to the east. The parapet level of the proposed building would be of a similar height (approx 2m higher) to the roof height of No.63 because the land rises steeply up on the northern side of Old Road on which the property sits. Old Road also slopes steeply in a westerly direction so that the parapet level of the building would be higher than the roof heights of Nos. 51 and 57 Old Road by approximately 4-7m but the distances to the new building also increase. As indicated, between the houses and the NDM is a wide band of trees (including mature specimens) approximately 15m to 20m deep and an approximately 3m high hedge forming the northern boundary itself. The trees provide a good level of screening and there is no intention to remove these trees. In parts the canopy is reduced due to the tree species such as mature Pine, allowing some views in to the site from various points along Old Road including the elevated positions of houses opposite.

15. Whilst it is acknowledged that the new building is closer to these residential properties than existing buildings on the Campus, it is considered that the distance between them provides sufficient mitigation such that the building would not appear too high or appear overbearing to either Old Road or Mileway Garden properties. Neither would it result in any loss of day or sunlight to those properties. Whilst it would be possible to see the building at various points through gaps in the trees, particularly in winter months, Officers again consider that the distance together with the sensitive design and proposed use of materials means that it would not appear visually intrusive.

Light Pollution:

16. Concern has also been raised about light pollution at night from the Campus buildings. University Staff do not work regular office hours and as a result it is not uncommon for buildings to be lit late at night. In response the NDM building has been specifically designed to minimise light spillage by locating secondary labs that are less often used out of hours to the northern side of the building and minimising the size and number of windows on that northern elevation. The tree belt will also offer some degree of screening, more so when the trees are in leaf. It is considered therefore that due to the distance between buildings, together with the proposed layout and fenestration proposed, there would be no significant adverse impact on residents from light spillage from within the building. The KI buildings is farther away from residential properties and against the background of the Cancer Research Buildings about which residents have previously voiced concern and would be also blocked from views by the NDM. Officers do not consider there would be a significant adverse impact. Details of any external lighting of the site proposed can be secured by condition to minimise impact.

Noise:

17. A Noise Assessment has been submitted in support of the application in

response to concerns of local residents expressed prior to submission of the application that the development would create additional noise, especially at night or early morning. The buildings were therefore designed to ensure noisier plant was contained within the fourth floor, as part of the building, and that any open ventilation is south facing away from Old Road. A noise survey was carried out to determine existing noise levels in the area. It is proposed that noise attenuation measures will be incorporated into the buildings to ensure that noise levels do not exceed current background noise and thus prevent “noise creep”. Details of the proposed mechanical plant including anticipated sound attenuation measures can be secured by condition.

Traffic and Parking:

18. A Transport Assessment (TA) was submitted in support of the application and states that the Old Road campus currently has 251 existing car parking spaces and the proposed development would not increase this number. Current travel modes to the Campus show 55% for non-car modes and 45% by car. There is a restrictive parking policy on site controlled by limited parking permits. The proposal seeks to maintain and increase this non-car share mode and decrease car modes. Traffic generated to and from the development will represent no change to existing flows and therefore the impact on the local road network will remain unchanged. However a small increase is anticipated outside peak hours for deliveries although the University is consolidating its delivery service to reduce vehicles throughout all University sites. The TA acknowledges that car parking surrounding the site is governed by Controlled Parking Zones (CPZ) regulations except for streets further afield such as Divinity Road and The Slade. It goes on to state that various new measures will be introduced to meet the demands of the extra increase of 150 staff and refers to measures set out in both the Oxford University and Old Road Campus Travel Plans.
19. It concludes that development will have no effect on road traffic at the key junctions of Old Road with Churchill Drive and Gypsy Lane. It also states that there will be an increase in travel to the site by modes other than the car but the travel demand can be addressed by a range of measures such as improved bus access, cycle facilities, expansion of Thornhill Park and Ride site and the introduction or expansion of CPZs to prevent overspill parking.
20. The Highway Authority (HA) has commented that it welcomes this proposal being brought forward with no extra car parking on the site and accompanied by a robust Travel Plan. It is noted that although there are no additional car parking spaces proposed the car parking area will be reconfigured and reorganized to equal the same numbers as existing. However the HA does not agree that there will be no increase in car traffic.
21. Trip generation from the existing campus as undertaken on December 2010 weekday indicated the highest flow was 161 vehicles per morning peak hour (including 18 cyclists) and 101 vehicles (including 9 cyclists) in the evening peak hour. Deliveries were also analysed on the same day and between 7am and 7pm and totalled 95 vehicles made up of LGV's 51%, HGV's 33% and

cars 16%. Trip generation for the 'new' staff of 150 in number is split in to the following modes on a daily basis;-

Car - Zero

Cycle - 47% of all trips,

Bus - 24% of all trips

Walk- 22% of all trips

Other (including drop off and motorcycles) - 7% of all trips.

22. The HA considers that even with tightly controlled car parking on site and a strong Travel Plan, 45% of existing staff at the Old Road Campus currently drive to work and thus it can be assumed that 45% of additional staff (150) would also do so. Even if there were no new trips to the site itself there would be likely trips to the area surrounding the site, with cars potentially parking on streets with no parking controls.
23. The HA considers therefore that additional measures are needed in order to protect sensitive residential areas from further congestion and to encourage all users to the site to seek alternative modes than the private car. These measures could be secured in part via financial contribution in accordance with the Planning Obligations SPD towards:
 - Controlled Parking Zones (CPZ's) in the Divinity Road and Lye Valley area (the two closest areas where on street parking is currently uncontrolled).
 - Cycling and walking infrastructure.
 - Enhanced Park and Ride bus services.
 - An eastbound bus shelter on Old Road, close to the application site.
24. Contribution towards Thornhill Park and Ride are not now required as the County has recently secured funding from Central Government which will enable the 500 space expansion to go ahead. Planning permission is already in place and it is anticipated that construction will commence in the next financial year. The HA therefore request a sum of £218,000 towards other measures to mitigate the impact of the development in transport terms.
25. The HA also supports improvements to cycle and pedestrian links to the site, as mentioned in the TA and would like to see improved signage and road surfacing. It also welcomes the increase cycle parking proposed, which should be Sheffield stands. Separately a new pedestrian footway along the northern side of Roosevelt Drive secured from a previous development will commence construction shortly.
26. Officers agree with the HA that no additional car parking is acceptable but that some car trips are likely to be generated to the site from new staff, particularly in the first instance until the KI and staff are fully relocated to Oxford. In addition, the University operates a parking permit system where staff have to apply for permits; meet the stringent criteria; and pay a fee related to their salary. Details are attached as **Appendix C** to this report. Furthermore the University's strong Travel Plan also encourages other modes of transport through increased cycle parking, shower facilities, car share programmes etc. Overall the proposed development is therefore considered acceptable in

highways terms subject to the conditions listed at the head of the report and the accompanying financial contributions.

Flood Risk, Sustainable Drainage and Impact on SSSI and Boundary Brook:

27. A Flood Risk Assessment (FRA) and Hydrological Assessment (HA) were submitted in support of the application. Much concern has been raised about the developments potential impact on the Lye Valley Site of Special Scientific Interest (SSSI) and Boundary Brook from both local residential and statutory consultees. Initially the Environment Agency (EA) objected as the FRA failed to demonstrate that the site could be developed successfully without increasing surface water and groundwater flood risk. Natural England (NE) also sent a similar initial response stating there was insufficient information to determine the impact on the Lye Valley SSSI, including groundwater flows, and potential erosion of Boundary Brook from run off.
28. The FRA was subsequently amended in response to both the EA and NE to provide additional information. This included further details of a sustainable drainage scheme. The development is not appropriate for soakaways due to the ground composition and therefore attenuation tanks are proposed of sufficient capacity to control discharge below the recommended limit of 28 l/s (peak runoff and storm events) and allow for +20% climate change and for phase two development at the site. The FRA concludes that the development is appropriate for the site as the site lies within Flood Zone 1 where annual flooding is less than 0.1% (1 in 1000 yr event). An outline surface water drainage strategy has been developed for the site in line with PPS25 requirements and the EA recommendations. The primary method for discharging surface water runoff from the site would be by discharging directly to the Boundary Brook to the west of the site. It goes on to say that this approach would ensure that the additional surface water runoff generated by the development does not increase the risk to flooding elsewhere. At detailed design stage, pollution control measures would be agreed upon to ensure that all discharges to ground water are of appropriate quality.
29. In response to Natural England a HA was submitted which concludes that given that groundwater in the area of the site is expected to flow from higher ground to the northeast to lower ground of Boundary Brook to the southwest, construction of the proposed basement would have no affect on the groundwater flows towards upper reaches of the Lye Brook (adjacent to Peat Moors) and hence would not impact on the groundwater regime of the northern area of the Lye Valley SSSI. Furthermore, whilst there would be some impact on groundwater in the immediate vicinity of the site, this would not have any impact on the groundwater regime of Boundary Brook in the lower reaches of the SSSI (adjacent to Lye Valley/ Town Furze). It also concludes that there would be no impact on ground water or surface water abstractions or discharges.
30. Both Natural England and the Environment Agency were re-consulted on the revised FRA and the HA. Both have withdrawn their initial objections and are satisfied that their earlier concerns have been addressed, subject to conditions

being imposed ensuring the development is built in accordance with the FRA and the SUDs strategy and requiring further SUDs details to ensure control of surface water runoff rates, water quality and that discharge should not exceed 23 l/s.

31. Officers are also now satisfied that the development would not cause a risk to flooding or adversely harm the Lye Valley SSSI or Boundary Brook and thus no objection is therefore raised. Further details and implementation of SUDs can be secured via conditions, as requested by the EA and NE.

Trees and Landscaping:

32. There is a wide band of trees, including several mature specimens, and mature hedging that runs along the northern boundary of the site with Old Road. No removals are proposed as part of this proposal and the new NDM building would not have any adverse impact on this tree/ planting belt. Within the site are several trees around the Richards, Rosemary Rue and Kitchen buildings that are proposed to be removed. However their loss would not have a significant adverse effect on public amenity and therefore no objection is raised.
33. Limited further landscape planting is proposed at this stage. It would be difficult to provide additional tree planting in the northern tree area due to the canopy of existing mature trees. However, some further shrub planting of common British species is proposed, which ties in with recommendations made in the Ecology Appraisal, (see below). This planting can be secured by condition. In terms of the wider landscaping of the Campus as a whole, there is an intention to create an open green area and planting in front of Rosemary Rue and between the two new buildings, which is currently car parking. However this would form part of a future planning application for the second phase development of the site.

Ecology:

34. An Ecological Appraisal was submitted with the application which states that the existing buildings' modern construction and external lighting makes them unsuitable for roosting bats, and that the areas proposed for the two new buildings are of low ecological value. The tree band to the north represents an area of greater value however. It recommends implementation of measures in a Biodiversity Enhancement Plan to encourage and protect ecology and wildlife such as sustainable drainage systems to be installed to prevent impact on the SSSI and the wildlife corridor to the west, reduced external lighting, good tree management practices, bat and bird boxes, and native shrub planting. Officers concur with the findings and recommendations of the report, which can be secured by appropriate conditions.

NRIA and Sustainability:

35. Two NRIA and Energy Strategies have been submitted, one for each building. The NDM NRIA achieves a score of 8 out of a maximum of 11 points. The

building includes high thermal mass components, a mixed ventilation strategy (natural and fan), sensory lighting, solar control glazing and shading using extensive brise soleil, louvers and internal blinds. Combined Cooling Heating and Power renewable technology has been chosen to reach the optimal renewable and low carbon technology providing heating and cooling. Ground source heat pumps and photovoltaics are also considered possibilities but require further investigation. Rainwater harvesting will serve the WC's and any possible external irrigation taps.

36. The KI NRIA also achieves a score of 8 out of a maximum of 11 points. The building is designed in the same way as NDM incorporating measures as set out above. However it proposes only Combined Heat and Power for hot water provision instead of CCHP.
37. Officers consider that adequate energy efficiency measures are shown as being provided for both buildings, in accordance with the NRIA SPD and their implementation can be secured by condition.

Public Art:

38. The University intends to commission an artist to undertake public art to accompany the proposals which would be fully integrated into the design of the KI building. It is proposed that it would be located at the glazed entrance to the ground floor of the KI building and would reflect the work undertaken there. No firm details have been provided at this stage and it is therefore appropriate to secure them and implementation by condition.

Archaeology:

39. A satisfactory archaeological desk based assessment has been submitted for this site by Wessex Archaeology (2011). The site has moderate potential for prehistoric and Roman activity. It lies in an area that has not been subject to extensive archaeological investigation. However kilns belonging to the important 1st-4th century local Roman pottery industry have been recorded 500m to the south at the Churchill Hospital and 500m to the east at the Nuffield Orthopaedic Hospital. It is therefore considered that due to the current site constraints, the likely extent of previous terracing, and the results of the geotechnical survey that further archaeological investigation is necessary and should consist of a watching brief, which could be secured by condition.

Conclusion:

40. The proposed development would represent an efficient use of existing land designated for research. The buildings are considered to be appropriate in scale, massing and appearance for their intended use and form an appropriate relationship to other similar buildings on the Old Road Campus. There would be no harm to the character and appearance of the Old Road or Roosevelt Drive street scene. Neither would it harm any residential amenities. The development would have no adverse impact on existing trees or hedges, ecology, hydrology or ground water, particularly in relation to Boundary Brook and the nearby SSSI.

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: 11/01054/FUL

Contact Officer: Felicity Byrne

Extension: 2159

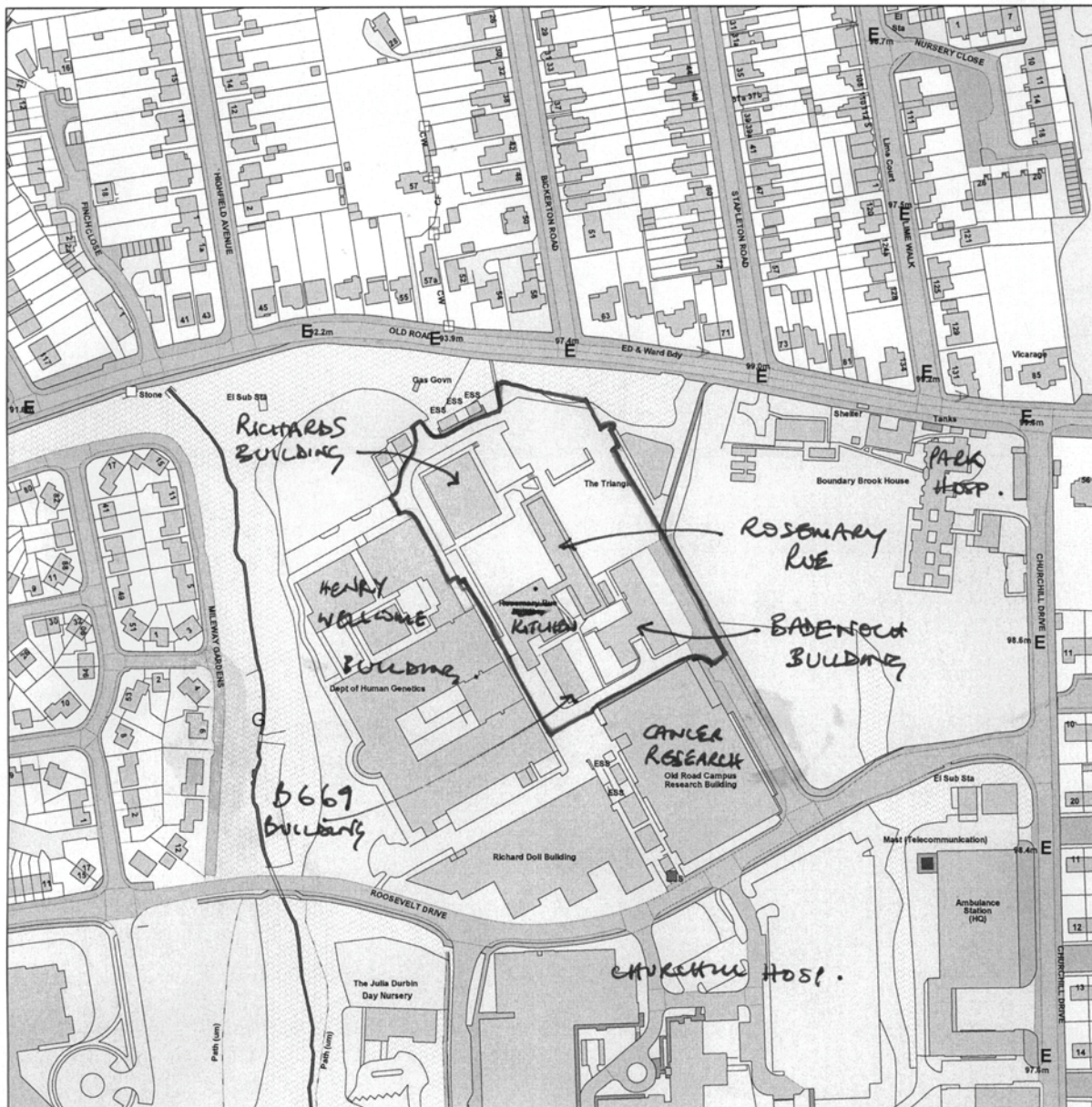
Date: 12th July 2011

11/01054/FUL Old Road Campus, Roosevelt Drive

Appendix A



GIS by ESRI (UK)



Scale : 1:2500

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	25 July 2011
SLA Number	Not Set

ESTATES DIRECTORATE
The Malthouse, Tidmarsh Lane, Oxford OX1 1NQ



Ms Felicity Byrne
Oxford City Council
Planning Control and Conservation team
Ramsay House
10 St Ebbe's Street
Oxford OX1 1PT

Ref: 668/space/planning

Date: 8th July 2011

Dear Ms Byrne

Planning application ref 11/01054/FUL – Kennedy and NDM Buildings at Old Road Campus

The City Council has requested clarification of the position regarding the number of students living outside University and College accommodation in connection with the above application. We note that this request has arisen in line with the City Council's Core Strategy requirement that this number should be below 3,000 and differences between figures in the City's Annual monitoring statement and evidence submitted by Oriel College in their recent planning appeal

The Property Working Party (PWP) report referred to by Oriel College in their appeal was written as an internal University planning document, largely looking at the central University's own accommodation needs and its investment properties. The data used was the best available to those colleagues servicing the PWP at the time and was considered adequate for raising the issues within the central University about the need to provide appropriate levels of student accommodation.

PWP Report/student accommodation monitoring data comparison

The table below compares the figures in the PWP report with the figures which the University provided to the City Council in June last year, and which both parties have agreed should be the basis for the future monitoring of student numbers living outside University and College-provided accommodation. The City Council's own Annual Monitoring Report April 2009 – March 2010, published December 2010, p21 item 1.21 gives further breakdown on some of the actual figures included in the table.

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	PWP forecast (summer 2009)	June 2010 agreed figures (1 Dec 2009 student data)	Notes
Number of students (prior to adjustment)	Equivalent figure not given	20,973	
Adjustment for students not considered full-time	Equivalent figure not given	(2,700)	As in previous monitoring rounds – excludes part-time and visiting students, post-graduate researchers in year 4 plus and writing-up, students working full-time in NHS (post-grad medical). See City Council's Annual Monitoring Report for further detail.
Revised number of students of students	18,126	18,273	
Adjustment for certain full time students	(562)	(520)	Students not in Oxford or previously excluded from figures (students who are studying abroad, who are members of staff, who live with parents). See City Council's Annual Monitoring Report for further detail.
Adjustment for students already living in Oxford City prior to entry onto the course	Data not available	(395)	Data only available from 1 December 2009 dataset
Adjustment for students with a term time address outside of Oxford City	Data not available	(309)	Data only available from 1 December 2009 dataset
Total students after all adjustments	17,564	17,049	Total number of students excluded from calculation of 2009/10 figure, as agreed with OCC, is 3,924
Current units of accommodation	(14,058)	(14,058)	As appears in City Council's Annual Monitoring Report, based on information provided by Colleges during 2009
In planning	(303)	(303)	Further 303 units with planning permission
No of students assumed to be living in the community	3,203	2,688	

The following points should be noted:

- The 2009/10 student accommodation data provided by the University to the City Council was based on the student data set as at 1 December 2009 with further adjustments as indicated above.
- The PWP report data was a forecast, although the general alignment of numbers in the tables indicates that these are relatively consistent when compared on a like-for-like basis.
- The biggest difference between the two datasets is that the actual figures for 2009/10 have a further adjustment made for students already living in Oxford City prior to entry on to the course and for students with a term time address outside Oxford City. In the past, it has not been possible to make this adjustment from the data available.

I trust the above answers the questions raised concerning any disparity in the figures.



At the time of writing the University is compiling the student number data for 2010/11. The 2010/11 figures, when available, will be prepared consistently with the same dataset used for 2009/10. Once prepared, the University will be happy to release this to the City (upon receipt of a written request).

As was noted at the time of the Planning Inspector's review of the Core Strategy, the University predicted that the growth in student numbers would be fairly small, with an expectation that the number of undergraduates would decrease and that there would be a slight rise in the post-graduate population. This position has not changed and clearly some of this increase will be students that are excluded from the figures used for monitoring.

If there are to be further discussion on the issue of student accommodation numbers and its impact on the Headington area, then it would be useful to include this on the agenda for a future 'Headington Forward' group meeting - the quarterly get-together of representatives of the residents groups and the institutions based in that area (including both Universities) and representatives from the City and County Council.

Yours sincerely

Colin George

Estates Strategy Manager



Oxford University Estates Directorate
Estates Strategy Manager

Briefing Note – car-parking permit scheme

- The University has limited parking at most of its Oxford sites;
- Generally all University functional sites within Oxford come under University's car-parking arrangements;
- Of the total number of parking spaces available across the estate a number of spaces are allocated for departmental use (operational spaces). These spaces are intended for use principally by visitors, service engineers etc. and the like.. Departments bid for such spaces on the basis of their headcount. A charge is levied. If spaces are routinely used for staff parking then the University reserves the right to remove spaces from the Department's allocation;
- The remainder of non-operational spaces are considered to be available to staff on a 'hunting' basis. Permits are allocated to Departments on a per capita basis.
- Permit ratios are generally set to ensure that there are adequate spaces for the numbers of staff who might park (allowing that at any one time permit holders may be on leave, etc.). For example, from 2011/12, the number of permits issued for hunting spaces at Old Road is 1.6 permits per space. This has been reduced from the ratio used in previous years to overcome the possibility of permit holders not being able to park on site and then parking in surrounding roads rather than going back to the Park and Ride.
- Departments themselves allocate permits on the basis of greatest need - so account may be taken of whether staff have limited mobility, are part-time and need to arrive on site outside of general working periods, need to arrive early or leave late when public transport links are least effective, etc.. There is no presumption to grant a permit to those that live furthest away or within certain zones – each pass is issued on the individual case of need. The issuing of permits on the basis of seniority is discouraged;
- Staff have to pay for parking permits. The charge for 'peak permits' is a percentage of the permit holder's salary. The aim is to have a charge rate that makes use of the Park and Ride, or public transport, a desirable alternative to driving into work;
- The income from parking permits is put into a sustainable transport fund which the University uses to help departments implement non-car travel initiatives. This has been used to fund new bicycle shelters, pool bicycles for staff to move between sites, cycle awareness training, showering facilities and the like;
- The number of car parking spaces and the allocations to departments are reviewed each year. Abuse of parking regulations may lead to withdrawal of permits. The University has a car-parking working group to review allocations, recommend changes to policy and the like;
- The University operates its own clamping service to discourage abuse of its parking regulations by those within and outside the University;
- The University promotes the adoption of non-car transport initiatives – interest-free loans are available for the purchase of already discounted bus and train season tickets, salary sacrifice schemes have been promoted to encourage cycle purchase, and the like.

Further information is available from the OUED website: <http://www.admin.ox.ac.uk/estates/travel/>

Colin George
July 2011

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East Area Planning Committee

- 3rd August 2011

Application Number: 11/01681/FUL

Decision Due by: 20th September 2011

Proposal: Proposed redevelopment to provide 58 ensuite student rooms with shared facilities and wardens room on three floors

Site Address: The Cavalier Public House 148-150 Copse Lane
(Site Plan – Appendix 1)

Ward: Headington Hill And Northway Ward

Agent: John Philips Planning
Consultancy

Applicant: I And O Ltd.

Recommendation: Resolve to **grant planning permission** and delegate authority to officers to issue the decision notice upon completion of the Legal Agreement for the following reasons:

- 1 The principle of development was established under planning permission reference 10/03215/FUL. The principle of student accommodation and the loss of the public house has been accepted in accordance with policy RC18 of the Oxford Local Plan and CS25 of the Oxford Core Strategy. The scale, form and appearance of the current proposal is almost identical to the approved scheme. The retail element was considered the most contentious element, giving rise to concerns about traffic generation, the current scheme seeks to omit this element which is considered to be acceptable. Matters of site management can be secured by planning condition which is consistent with Core Strategy policy CS25. Contributions are to be secured to mitigate any impact on City and County services and infrastructure, these also include £5,000 towards Speed Activated Signs outside the New Marston School. The application accords with policies CP1, CP6, CP8, CP9, CP10, CP11, CP20, CP21, RC18 and HS19 of the Oxford Local Plan 2001 - 2016, and policies CS2, CS17, CS18 and CS25 of the Oxford Core Strategy 2026.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the

development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Site Levels
- 4 Full-time students only
- 5 Details of Occupier posted on Building
- 6 Warden or student representative
- 7 Student Accommodation - Management Controls
- 8 No music between 0000 - 1000
- 9 Details of the artificial lighting
- 10 Materials (and their arrangement within the turret element)
- 11 Means of Enclosure
- 12 Landscape Plan
- 13 Planting Plan
- 14 Landscaping on completion
- 15 Landscape management plan
- 16 Bin and cycle storage
- 17 Sustainable drainage
- 18 No cars
- 19 Construction Traffic Management Plan
- 20 Suspected Contamination - Risk Assess
- 21 Remove site from Controlled Parking Zone
- 22 Fire Hydrant

Legal Agreements: The following contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure. The contributions set out below are indexed linked to values at 2006 levels and should be increased accordingly to the real value at the time of payment.

£3,399 towards libraries

£5,000 towards 2no Speed Activated Signs

£8,004 towards cycle safety measures

£3,480 towards indoor sport

£350 Administration and monitoring

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

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

CP11 - Landscape Design

CP20 - Lighting

CP21 - Noise
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
RC18 - Public Houses
HS19 - Privacy & Amenity

Oxford Core Strategy 2026

CS2_ - Previously developed and greenfield land
CS17_ - Infrastructure and developer contributions
CS18_ - Urban design, town character, historic environment
CS25_ - Student accommodation

Other Material Considerations:

- PPS 1 – Delivering Sustainable Development
- PPS3 - Housing
- PPG 13 – Transport
- Planning Obligations-Supplementary Planning Document
- Parking Standards, Transport Assessments and Travel Plans-Supplementary Planning Document
- Regional Spatial Strategy for the South East

Relevant Site History:

10/03215/FUL – Demolition of existing public house. Erection of two and three storey building accommodation for retail store and 35 student study bedrooms. Provision of bin and cycle storage. (Amended Plans) - approved

Representations Received: One comment has been received, the issues can be summarised as follows:

- Increase from 35 to 58 student bedrooms could increase traffic and noise
- Condition limiting music after midnight too late. Should be 10pm to 10am if not at all
- Noise on streets at night
- Restriction on visitor parking permits needed

Statutory and Internal Consultees:

Highways and Traffic – No comments. Officers will update Committee at the meeting
Environmental Health – No objections subject to conditions relating to land remediation.

Natural England – No objection.

Officers Assessment:

Site Description and Proposal

1. The application site comprises the Cavalier Public House, located on the junction of Copse Lane and Eden Drive. The existing building sits prominently within the site and stands at two storeys in height. The prominence is increased by the plinth beneath the building which increases its overall height and the gable features on the Copse Lane and Eden Drive corner of the building. The site is vacant but when operational the public house was served by car parking to the front and rear along with a small beer garden also at the rear.
2. The area is predominately residential and is characterised by the two storey residential properties set back from the footway behind low boundary walls or fences and front gardens. The land rises sharply to the south of Copse Lane and as a result the buildings on the south side of the road are set at a higher level than the street.
3. The application proposes the demolition of the existing building and the erection of a two and partly three storey building, accommodating 58 en-suite student study bedrooms and communal space over three floors. 62 cycle parking spaces are proposed within the site, with 18 additional spaces proposed for visitors along the Copse Lane frontage. Two lay-by disabled car parking spaces are also proposed on Copse Lane.
4. Further to the above, the proposals also involve public realm improvements with the new hard landscaping and tree planting along both road frontages, and the realignment of the footpath along Copse Lane to accommodate the new lay-by parking.
5. Officers consider the principal issues in this case to be:
 - Principle of Development
 - Built Form and Appearance
 - Impact on Residential Amenity
 - Parking and Highways
 - Planning Obligations
 - Ecology

Background

6. Planning permission was granted in June 2011 (ref 10/03215/FUL) for the demolition of the existing building and the erection of a two and partly three storey building, a retail unit and 7 student study bedrooms on the ground floor and 28 study bedrooms on the 1st and 2nd floors. The current scheme differs in the following ways:
 - Retail unit omitted
 - 23 additional study bedrooms

- Cycle parking and bin storage externally located with store area
 - Slight realignment of Copse Lane frontage
 - Minor elevational changes which are immaterial within the context of the approved scheme
7. In all other regards the proposals are identical to the previous application. In assessing the impact of the changes officers would point out that the approved application is a material consideration that should be given substantial weight. In other words it is the extent to which the current proposals impact upon the area above and beyond that already approved which should be considered. The principle can not be revisited. The previous committee report is attached as **appendix 2**.

Omission of Retail Element

8. The applicant has indicated that they have been unable to secure an occupier for the retail unit. In the light of this they now propose to omit it from the development. There is no policy requirement to provide a retail unit at this location, there is an existing Neighbourhood Shopping Frontage on Cherwell Drive and Tesco are now likely to move into the old Friar Public House site. It should also be noted that some of the public comments received under the previous application did not support the retail element (see appendix 2). The Committee in granting planning permission were also concerned about its impact on the highway due to traffic generation.
9. Officers raise no objection to the omission of the retail element.

Student Accommodation

10. The principle of student accommodation at this site was established in granting planning permission under reference 10/03215/FUL. Since that application was determined by the North East Area Committee the policy context has changed with the adoption of the Core Strategy. Within the Strategy policy CS25 states that the provision of purpose built student accommodation will be supported where it would not adversely affect residential amenity. The policy goes on to state that in granting planning permission a scheme of management and prevention of students bringing cars into the City should be secured.
11. In consideration of the principle established by approved application officers would raise no objection to student accommodation on this site. The additional 23 bedrooms would intensify the approved use, however the impact of this is not considered to be substantially greater than that already approved. Further, any impact can be mitigated through management controls, including an on-site warden, which officers would recommend be secured by condition. Therefore the increase in rooms is considered to be acceptable.
12. In relation to car parking, the site will be removed from the Controlled

Parking Zone and so there will be no entitlement to park on street. In addition a clause will be included in all tenancy agreements notifying residents that they are not permitted to bring cars into Oxford. It is recommended that these matters be secured by condition.

Form and Appearance

13. The scale and mass of the proposal is no greater than that of the approved application. There are some very minor alterations to the appearance; Figure 1 shows the elevational changes which officers consider would result in only slight changes to the appearance of the building within the context of the approved. These elevational changes are considered to be acceptable.

Figure 1 – Approved and Proposed Elevations



Approved Copse Lane Elevation



Proposed Copse Lane Elevation



Approved Eden Drive Elevation



Proposed Eden Drive Elevation

14. The Committee will note that the most obvious change is the turret element. This has been increased in size slightly, which in itself is not significant. However, its materials give it a denser appearance. Officers raise no objection to the principle of its size, however, the use of the correct materials, and in particular their arrangement, will be essential to the success of this element of the building. Officers recommend a condition which requires samples of materials to be submitted for agreement, and that their arrangement within the turret element is reviewed.

Parking/Highways

15. At the time of drafting this report the Highway Authority have not provided comments. Officers will update the Committee at the meeting. However, in the absence of those comments officers can confirm that the site will be removed from the controlled parking zone and with that future residents and visitors will not be eligible to parking permits. In addition a condition is recommended to ensure that future residents, through tenancy agreements, are required not to bring cars into the City.
16. The application proposes 62 cycle parking spaces in secure areas, whilst there is in addition 18 visitor cycle parking spaces proposed on the Copse Lane frontage. This level of provision greatly exceeds the requirements of the Oxford Local Plan.
17. There is likely to be an increase in cycle generation and in line with the Planning Obligations Supplementary Planning Document a contribution of £8,004 will be required towards improving the cycle network to and from the colleges.

Planning Obligations

18. In addition to the cycle safety contribution further contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure. The contributions set out above are indexed linked to values at 2006 levels and should be increased accordingly to the real value at the time of payment. As a result of the size of the units proposed the contributions have been calculated on the basis of 58 additional students. These contributions will need to be secured by legal agreement prior to any grant of planning permission.

Ecology

19. The site is within close proximity to the New Marston Meadows Site of Scientific Interest. However, due to the nature and scale of the proposal, Natural England has raised no objection to the proposed application. Officers therefore consider the scheme to be acceptable in relation to ecology.

Conclusion: The principle of development was established in granting the previous application. The differences between that scheme and the proposed scheme, as set out above, are not considered to give rise to unacceptable adverse impacts that could not be mitigated by condition or obligation. Officers therefore consider the application to be acceptable and would recommend that Committee resolve to grant planning permission but to delegate authority to officers to issue the permission on completion of the legal agreement to secure the above contributions, and subject to the conditions set out above.

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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 11/01681/FUL, 10/03215/FUL

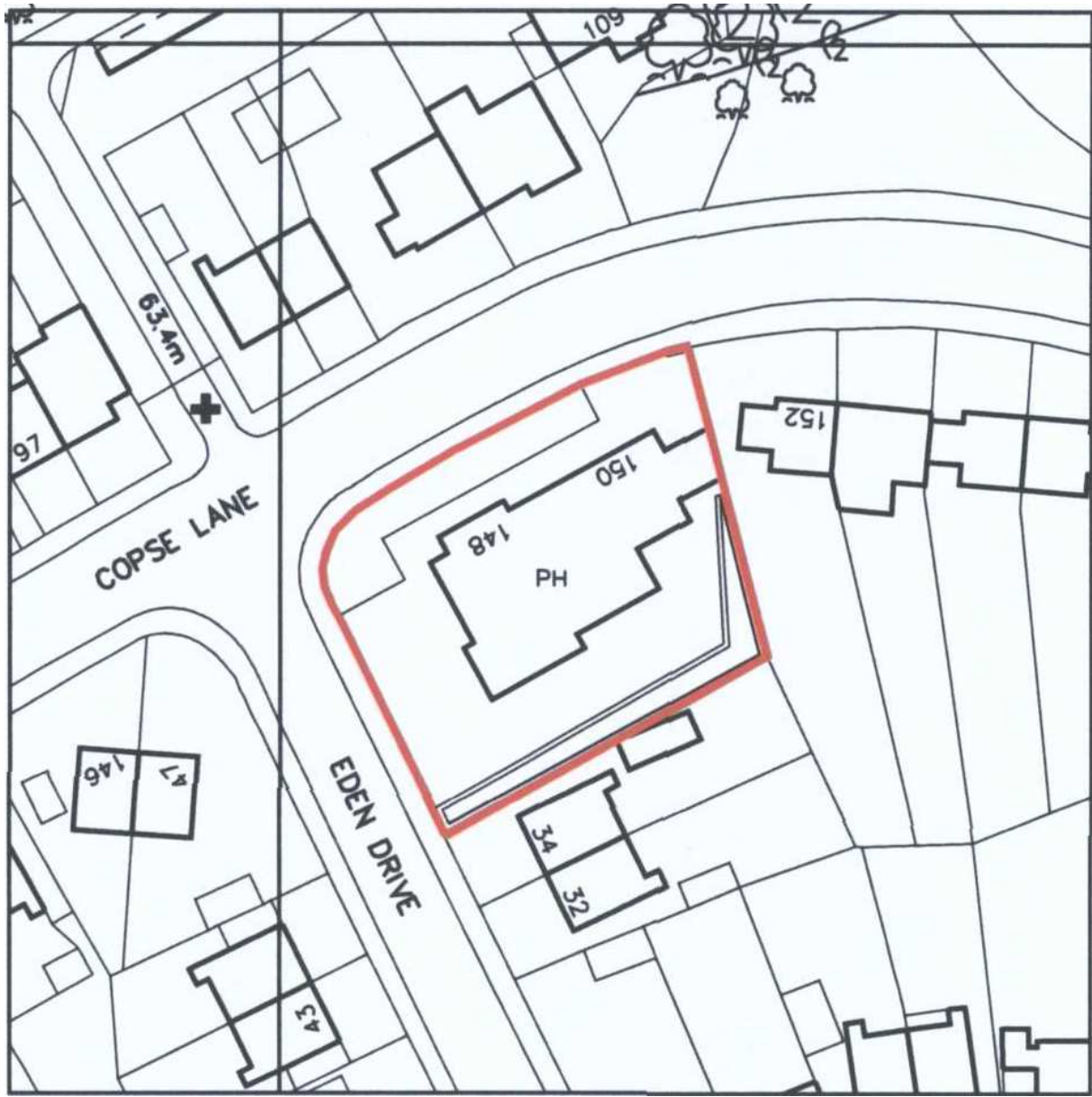
Contact Officer: Steven Roberts

Extension: 2221

Date: 20th July 2011

Appendix 1

Site location Plan



Appendix 2

North East Area Committee

- 19th April 2011

Application Number: 10/03215/FUL

Decision Due by: 2nd March 2011

Proposal: Demolition of existing public house. Erection of two and three storey building accommodation for retail store and 35 student study bedrooms. Provision of bin and cycle storage. (Amended Plans)

Site Address: The Cavalier Public House 148-150 Copse Lane Oxford
Oxfordshire

Ward: Headington Hill And Northway Ward

Agent: John Philips Planning
Consultancy

Applicant: I And O Limited

This report should be read in conjunction with the officer's report to the North East Area Committee dated 17th March 2011 (attached as appendix 1).

At the meeting of the 17th March 2011 the committee resolved to defer the application to allow officers to discuss with the Highway Authority concerns raised regarding highway safety and possible conflict with New Marston Primary School in the event that the school expands in the future.

The highway authority has been reconsulted and they maintain their position of no objection. They have stated that it would not be reasonable to take into consideration the possible expansion of New Marston Primary School when no firm proposal is in place. They have confirmed that there are presently the following highway safety measures in place at this location:

- 'School Keep Clear' markings on the carriageway
- Double yellow lines indicating no parking or waiting on the school side of the road
- School Crossing patrol; at start and end of school times
- 'Slow' sign on carriageway at approach to school
- Flashing lights operated by patrol and school signage
- 20mph speed limits

In addition to these safety measures the applicant has offered to provide financial contributions towards two Vehicle Activated Speed signs, to be placed near to the school. The highway authority supports this approach. It should also be noted that the pub could be converted into a retail shop without the need for planning permission, in the event of which the various benefits of the application could not be secured.

In the light of the maintained support of the highway authority and the additional safety measures offered by the applicant, officers raise no objection to the proposal on highway safety grounds. Officers would however, in addition to the conditions and obligations set out in the report attached as appendix 1, add a further obligation requiring the payment of £5,000 towards the two Vehicle Activated Speed signs.

Background Papers: 10/03215/FUL

Contact Officer: Steven Roberts

Extension: 2221

Date: 5th April 2011

North East Area Committee

- 15th March 2011

Application Number: 10/03215/FUL

Decision Due by: 2nd March 2011

Proposal: Demolition of existing public house. Erection of two and three storey building accommodation for retail store and 35 student study bedrooms. Provision of bin and cycle storage. (Amended Plans)

Site Address: The Cavalier Public House 148-150 Copse Lane Oxford
(Site Location – Appendix 1)

Ward: Headington Hill And Northway Ward

Agent: John Philips Planning
Consultancy

Applicant: I And O Limited

Recommendation: Resolve to **grant planning permission** and delegate authority to officers to issue the decision notice upon completion of the Legal Agreement. For

the following reasons:

- 1 The proposal is considered to be an efficient and appropriate use of the site according with Local Plan policy CP6, HS14 and RC8. The matters of management of the student accommodation can be adequately controlled by condition as advocated by policy HS14. The loss of the public house has been justified and in the context of the proposals, that comply with the Councils above land use policies, is acceptable in accordance with Local Plan policy RC18. The scale, form and appearance of the new building would relate to its context and would offer enhancements to the public realm through landscaping and tree planting on this prominent corner in accordance with Local Plan policy CP1, CP6, CP7, CP8, CP9, CP10 and CP11. The proposal would preserve the residential amenities of neighbouring properties in accordance with Local Plan policy CP10 and HS19.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted. Specific matters relating to parking can be adequately controlled through a condition removing the site from the Controlled Parking Zone. This approach is consistent with Local Plan policy HS14.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Site Levels
- 4 Full Time Students Only
- 5 Details of Management Agent on Building
- 6 On site Warden
- 7 Housing Management Service Specification
- 8 No Amplified Music Audible Outside Building between 00.00 and 8.00
- 9 External Lighting Scheme
- 10 Sample External Materials
- 11 Boundary details before commencement
- 12 Landscape plan required
- 13 Tree Planting Details
- 14 Landscape Carry out by completion
- 15 Landscape management plan
- 16 Bin and Cycle Storage
- 17 Sustainable Drainage Scheme
- 18 No Student Cars

- 19 Construction Traffic Management Plan
- 20 Details of Mechanical Plant
- 21 Suspected contamination - Risk assess
- 22 Variation of Road Traffic Order

Legal Agreements:

- 1 - Contribution towards the Library service - **£1,832**
- 2 – Contribution towards Indoor Sports Facilities - **£2,100**
- 3 - Contribution towards cycle safety measures - **£4,830**

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP2** - Planning Obligations
- CP3** - Limiting the Need to Travel
- CP5** - Mixed-Use Developments
- CP6** - Efficient Use of Land & Density
- CP7** - Urban Design
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP12** - Designing out Crime
- CP15** - Energy Efficiency
- CP16** - Renewable Energy
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HS14** - Speculative Student Accommodation
- HS19** - Privacy & Amenity
- CP20** - Lighting
- CP21** – Noise
- RC8** – Neighbourhood Shopping Centres
- RC9** - Individual Shops
- RC18** - Public Houses

Core Strategy – Proposed Changes

- CSP18** - Infrastructure & Developer contributions
- CSP19** - Urban design townscape char & historic environment
- CSP26** - Student accommodation
- CSP32** - Retail

Other Material Considerations:

- PPS 1 – Delivering Sustainable Development

- PPS 4 – Planning for Sustainable Economic Growth
- PPG 13 – Transport
- Planning Obligations-Supplementary Planning Document
- Parking Standards, Transport Assessments and Travel Plans-Supplementary Planning Document

Relevant Site History: None

Representations Received: The following comments have been received:

Derwent Avenue: 57, 59, 61

Coniston Avenue: 72

Copse Lane: New Marston Primary School

- Increase in traffic
- Risk to pupils of New Marston Primary School resulting from additional traffic
- No need for more shops in this area
- Design is visually sensitive and could add to the area.
- Site on blind bend, opposite school and public open space. Risk of conflict with people and vehicles. No need for new shop
- Too many students in the area already. Affordable housing would be better
- The shop could compromise viability of other shops in the area

Statutory and Internal Consultees:

Highways and Traffic – No objection subject to conditions and contributions towards cycle safety measures within the area. See officers assessment below for more detail.

Environmental Health – No objections subject to conditions relating to land remediation.

Thames Water Utilities Limited – No objections relating to surface water drainage and water.

Issues:

- Loss of Public House
- Retail
- Student Accommodation
- Form and Appearance
- Impact on Neighbouring Properties
- Parking and Traffic
- Planning Obligations

Officers Assessment:

Site Description and Proposal

14. The application site comprises the Cavalier Public House, located on the junction of Copse Lane and Eden Drive. The existing building sits

prominently within the site and stands at two storeys in height. The prominence is increased by the plinth beneath the building which increases its overall height and the gable features on the Copse Lane and Eden Drive corner of the building. The site is vacant but when operational the public house was served by car parking to the front and rear along with a small beer garden also at the rear.

15. The area is predominately residential and is characterised by the two storey residential properties set back from the footway behind low boundary walls or fences and front gardens. The land rises sharply to the south of Copse Lane and as a result the buildings on the south side of the road are set at a higher level than the street.
16. The application proposes the demolition of the existing building and the erection of a two and partly three storey building. On the ground floor the new building will accommodate approximately 2500sqft of retail space, 7 student study bedrooms, two cycle stores accommodating 15 cycle parking spaces as well as bin storage for the students, and bin storage for the retail unit. On the 1st and 2nd floor the building will accommodate a further 28 student study bedrooms.
17. Further to the above, the proposals also involve public realm improvements with the new hard landscaping and tree planting along both road frontages, the realignment of the footpath along Copse Lane and provision of new lay-by parking, which will also serve as a delivery bay.

Loss of the Public House

18. Local Plan policy RC18 relates to the loss of public houses and states that this will only be acceptable if one or more of the following criteria are met:
 - (a) No other potential occupier can be found following a realistic marketing exercise
 - (b) Substantial evidence of non-viability has been submitted
 - (c) Alternative public houses to meet the needs of the local community
19. In regard to criterion (a) the site has been marketed by Savills since the start of 2010. The marketing particulars indicate that it was marketed as a development opportunity and the guide price of £400,000 probably reflects this. No detailed evidence has been provided in relation to the level of interest in the premises for a public house use and therefore officers are not of the view that criterion (a) has been satisfied.
20. The application is accompanied by a Viability Assessment produced by Thomas E. Teague. This document provides a detailed analysis and uses CAMRA's Public Housing Viability Test. The report indicates that sales have declined significantly since 2006 and that weekly alcohol sales had before closure fallen below £1000. The report also concludes that the site would not lend itself well as a destination pub. Whilst it is of reasonable size, has off street car parking and a beer garden, officers would agree with the conclusion that at this location the premises would be highly unlikely to become a destination pub. In this regard and considering the

conclusion of the viability test officers are of the view that the applicant has demonstrated the non-viability of the premises as set out in criterion (b) of local plan policy RC18.

21. In regard to criterion (c) the applicant has made reference to eight pubs within approximately 1 mile of the application site. Whilst this seems like a wide area of search officers are of the view that as a local community public house the non-viability of the premises demonstrates that the community would travel to visit public houses. In this regard the search area adopted by the applicant is probably a fair reflection. The site is also highly sustainable with excellent bus links and cycle routes. Officers therefore consider that criterion (c) of policy HS18 has been satisfied.
22. In the light of the above officers are of the view the loss of the public house, within the context of the proposals is acceptable.

Retail

23. The starting point in considering the retail element of the proposals is PPS4 - *Planning for Sustainable Economic Growth*. The main thrust of PPS4 is to support local centres and promote consumer choice. It supports proposals that seek to strengthen the vitality of local centres. The application site is approximately 300m away from the Cherwell Drive Neighbourhood Shopping Centre which is between the junction of Cope Lane and Marsh Lane, with the petrol station opposite also forming part of the small commercial centre.
24. The proposed shop unit whilst having a modest amount of car parking (4 spaces) is for all intent and purposes a community shop. The unit is not of a scale that it would detract from the main shopping centre of Headington and in relation to the Cherwell Drive shopping area the proposed retail unit would as advocated by PPS4 offer further choice therefore reinforcing the vitality of the centre rather than detracting from it. In this regard officers raise no objection to the retail element of the proposals.

Student Accommodation

25. The City Council wishes to see an increase in the proportion of university students housed in purpose built accommodation. Local Plan policy HS14 states that planning permission will only be granted for speculative developments when there are adequate occupancy restrictions, that there are appropriate management controls in place and measures to prevent occupiers from bringing cars into the City, and that the development would not unacceptably affect the amenities of local residents. These measures can be secured by condition and this approach is consistent with policy HS14.
26. Officers recognise the general local concern that student accommodation within residential areas can lead to noise and disturbance and a perceived imbalance in the population. However, there is no technical evidence to

support the latter view, nor does policy HS14 raise the population mix as an issue that should be considered in assessing applications for purpose built accommodation in residential areas. The purpose of the accommodation is to remove students from market housing rather than increasing overall numbers.

27. In relation to the matter of noise and disturbance officers would point to the existing use and that a public house by its very nature can result in a high level of activity. A residential block in contrast would be an improvement in this regard and it is important to draw a distinction between students that live in rented houses and those that reside in purpose built accommodation. The latter offers the opportunity to house students in one place where management controls can be secured and enforced. This would be achieved by condition as advocated by policy HS14.
28. The site is highly sustainable in that it has good transport links along with access to local services and shops. In addition it is ideally placed for students studying in Headington. In this regard subject to the above matters being controlled by condition and that the site be removed from the Controlled Parking Zone to prevent future residents from having cars, officers would raise no objection to the proposed student use.

Form and Appearance

29. Copse Lane is predominantly residential in use and the properties are traditional in architectural form and appearance, being largely two storeys in height. However, due to the increase in gradient from north to south, the properties on the southern side of Copse lane stand higher than the road. Along Eden Drive this change in level is more obvious and as a result the ground level of No 34 Eden Drive, immediately to the north of the application site, is approximately 2.5m higher than Copse Lane.
30. Due to the change in levels and the size of the existing pub, which incorporates prominent gables on the Copse Lane and Eden Drive corner, the building stands prominently within the street. Apart from its prominence, which makes the pub a focal point, the building is not of any significant architectural merit. Officers are therefore of the view that its replacement with a well designed and sensitive scheme that would meet the Councils other policy objectives would be acceptable.
31. In plan form the proposed building is 'L' shaped with development focused along the two road frontages. The Copse Lane elevation stands at two storeys, rising to three storeys at the northeast corner adjacent to the road junction. The Eden Drive elevation is two and a half storeys, although part of this is below street level due to the change in levels along Eden Drive.
32. The proposals have sought to use the change in levels to maximise the level of development whilst not appearing out of context. At its ridge

therefore the three storey element is only 0.5m higher than the existing pub, although its eaves are actually 1.8m lower. As a result of this the three storey part of the building would be seen in much the same way, in scale terms, to the two prominent gable features on the northwest corner of the existing building.

33. The proposed building in response to its traditional context incorporates a pitch roof and uses materials common to the area, i.e. brick, tile and render. Whilst not deviating from this design approach, the two street frontages have been treated slightly differently due to the different levels. The Copse Lane elevation takes its lead from the adjoining row of houses, being positioned along a similar building line and incorporating set backs at regular intervals which break up the mass of the elevation. The activity of the frontage and alterations to the public realm, with new landscaping and tree planting, would be of benefit to the streetscape.
34. The Eden Drive elevation is two and a half storeys in height, although at street level this appears less due to the change in levels. The building uses a similar theme to the Copse Lane elevation, incorporating a set back to break up the elevation thus reducing its mass. However the challenge is how to work with the levels whilst not appearing out of place within the streetscene. The proposal attempts to work with the changing levels and as such is set down from No 34 Eden Drive. The elevation therefore appears as a continuation, albeit more contemporary, of the streetscene.
35. In consideration of the objectives of Local Plan policy CP8 and CP10, which requires development to appreciate its context by creating an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area, and in doing so maintaining, enhancing or creating street frontages, officers consider the proposals to be an appropriate response to the characteristics of the area. Whilst the proposal will introduce a larger building than is on site at present, for the reasons set out above and the in the light of the opportunity for tree planting to soften the building edge, officers are satisfied that in visual terms the proposal will be acceptable.

Impact on Neighbouring Properties

36. Policy HS19 states that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
37. By reason of the existing and proposed building/use there will inevitably be an impact on neighbouring properties. This is not however to say that the impact would be unacceptably harmful. The impact of the proposed uses has been addressed above and officers will not therefore go into this issue again.
38. The 'L' shaped layout apart from providing active frontages along both

roads also ensures that the proposed building does not impinge upon the daylight to the rear gardens or windows of adjoining properties to an unacceptable degree. The 45degree rule would be complied with.

39. In relation to privacy the new building along both frontages of the site introduces rear facing windows that will be directed towards the rear gardens of Nos 34 Eden Drive and No 152 Copse Lane. Rear windows of the Copse Lane wing are landing windows and are in excess of 18m away from the boundary. In addition due to the difference in levels the opportunity to gain views into the rear garden of No 34 Eden Drive would be minimal. The applicant has nevertheless proposed tree planting along the boundary to maintain privacy.
40. The rear facing windows of the Eden Drive wing are habitable, however they are in excess of 17m away from the boundary and due to levels and existing and proposed boundary treatment overlooking would not be significant to the living conditions of the adjoining property.

Parking and Traffic

41. The application is accompanied by a Transport Statement to compare the existing traffic movements and the proposed movements to/from the site. With regard to the existing pub, which is now closed, the consultants have looked at sites elsewhere in the country and compared their traffic characteristics and used the trips to predict the Cavalier PH movements. The figures show that on a daily basis a public house of this size operating fully would generate around 250 movements.
42. The new development of a retail unit and student bedrooms will generate more trips according to this information but all if not most would be pass by trips or linked trips, that is trips already on the network and calling by for goods associated with the convenience store etc. The numbers of trips anticipated are relatively low and due to its location within a residential area with good public transport links it is expected that a large number of shoppers would be local. The student accommodation would be car free and would therefore not generate any movements except for those associated with the disabled space and maintenance.
43. There is likely to be an increase in cycle generation and in line with the Planning Obligations Supplementary Planning Document a contribution of £4968.00 (£138 x number of rooms 36) will be required towards improving the cycle network to and from the colleges.
44. At present adjoining the site fronting on to Copse Lane there is a space which is taken up with parking and at times there are 4 to 5 vehicles parked on this area. The proposals incorporate changes to the highway to accommodate a lay-by on Copse Lane for short time customer parking and for delivery and service vehicles. With the creation of a proposed delivery zone and parking this will be a benefit as cars and customer parking will take place within this area.

45. Given the busy nature of the adjacent highway network and the proximity of New Marston Primary School, a Construction Traffic Management Plan will be required to be submitted for consideration and approval before implementation of any permission that may be granted. Officers would recommend a condition to secure this detail.
46. In the light of the above the County Council as Highway Authority raise no objection to the proposal.

Planning Obligations

47. In addition to the cycle safety contribution further contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure. The contributions set out above are indexed linked to values at 2006 levels and should be increased accordingly to the real value at the time of payment. As a result of the size of the units proposed the contributions have been calculated on the basis of 35 additional students. These contributions will need to be secured prior to any grant of planning permission.

Conclusion: The proposal is considered to be an efficient and appropriate use of the site. Whilst the loss of the pub is regrettable its loss has been justified and the replacement uses are consistent with the Councils land use policies relating to retail and student accommodation. The scale, form and appearance of the new building would relate to its context and would offer enhancements to the public realm through landscaping and tree planting. The proposal would preserve the residential amenities of neighbouring properties.

In the light of the above officers consider that on balance the proposals are acceptable and accord with the Local Plan. The Committee is therefore recommended to resolve to grant planning permission but to delegate authority to issue the permission to officers on completion of the legal agreement to secure the above contributions.

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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 10/03215/FUL

Contact Officer: Steven Roberts

Extension: 2221

Date: 28th February 2011

East Area Planning Committee

3rd August 2011

Application Number: 11/01550/FUL

Decision Due by: 7th September 2011

Proposal: Change of use from class B8 (storage and distribution) to a builders merchant (sui generis) for the display, sale and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage and associated external alterations, together with the demolition of adjacent redundant buildings

Site Address: Former DHL Site Sandy Lane West Oxford Oxfordshire

Ward: Littlemore Ward

Agent: Mr Stuart Taylor

Applicant: Mr Ronan Mellett

Recommendation:

Committee is recommended to support the proposal but defer the application in order to allow completion of a Unilateral Undertaking and to delegate to Officers the issuing of the notice of permission subject to conditions on its completion.

Reasons for approval:

- 1 It is considered that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 as the modernisation of the site is considered acceptable. It will help secure employment use important to Oxford's economy. It will make efficient use of the land and will help bring a vacant, run down building back into use.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plns
- 3 Samples
- 4 Details of gates

- 5 Details of acoustic fencing
- 6 Tree Protection Plan (TPP) 1
- 7 Arboricultural Method Statement (AMS) 1
- 8 Details of cycle parking
- 9 Opening hours

Legal Agreement

Financial contribution of £1500 to implement a waiting restriction along Ledgers Close are sought which should be secured through a unilateral undertaking with Oxfordshire County Council.

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** - Creating Successful New Places
- CP13** - Accessibility
- TR1** - Transport Assessment
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- EC9** - Warehousing

Core Strategy

- CS20_** - Cultural and community development
- CS28_** - Employment sites

Other Material Considerations:

- PPS1 Delivering Sustainable Development
- PPS4 Planning for Sustainable Economic Growth

Relevant Site History:

Former DHL Site Sandy Lane West

50/00355/M_H - Use of land as lorry parking space and new vehicular access (Site of Ledgers Close and former BRS Site Sandy Lane West). PER 29th June 1950.

59/00912/M_H - Erection of a transshipping and storage shed for car bodies and other goods. Site for office block, engineers service station, vehicle wash. PER 14th August 1959.

63/00221/M_H - British Road Services Spring Lane Littlemore - Warehouse. PER 22nd May 1963.

66/00910/M_H - British Road Services Depot Sandy Lane West - Extension of service station. PER 23rd March 1966.

69/00192/M_H - British Road Services Ltd Sandy Lane West - Retention of 'Iris' hut and prefabricated building. TEM 30th April 1969.

69/00337/M_H - British Road Services Ltd Sandy Lane West - Pedestrian access from Spring Lane. PER 18th June 1969.

69/00472/M_H - Erection of toilet block adj. to existing building. PER 20th June 1969.

70/00427/M_H - British Road Services Limited Sandy Lane West - Erection of polydrome air structure as temporary covered storage. TEM 21st August 1970.

74/00142/SONA - British Road Services Ltd Sandy Lane West - One sign. REF 10th July 1974.

75/00005/SON_H - British Road Services Depot Sandy Lane West - Mess room and locker room. PER 16th April 1975.

77/00342/SON_H - British Road Services Depot Sandy Lane West - Proposed erection of mess room and locker room. PER 15th August 1977.

78/00248/SONA - British Road Services Depot Sandy Lane West - One double-sided internally illuminated box sign. REF 11th July 1978.

82/00294/SON - British Road Services Depot Sandy Lane West - Change of use form existing warehouse / industrial use to vehicle auction building and land. PER 15th October 1982.

82/00517/SON - British Road Services Depot Sandy Lane West - Office block. PER 6th December 1982.

86/00010/PN - British Road Services Depot Sandy Lane West - Erection of warehouse with ancillary office block. PER 28th February 1986.

86/00856/PN - British Road Services Depot Sandy Lane West - Erection of a warehouse and ancillary office block. PER 18th March 1987.

87/00117/PN - British Road Services Depot Sandy Lane West - Extension to a warehouse. PER 13th April 1987.

87/00198/PN - British Road Services Depot Sandy Lane West - Canopy to warehouse. PER 6th May 1987.

87/00938/PN - Extension to an office block. PER 27th January 1988.

88/00457/PN - British Road Services Depot Sandy Lane West - Extension to warehouse canopy. PER 7th July 1988.

92/00426/NF - BRS Depot Sandy Lane West - Retention of screened enclosure to vehicle washing area. REF 22nd June 1992.

92/01146/NF - B.R.S Ltd. Depot Sandy Lane West - Retention of existing vehicle wash facility in new building. Provision of landscaping to Spring Lane (amended siting). PER 12th July 1995.

07/02809/FUL - Redevelopment of the existing employment site to provide 18 x B1(c), B2, B8 industrial units and warehouse units (8 with ancillary trade sales) and one builders merchant (Sui Generis), and a parking area for Stagecoach vehicles. Floodlighting. PER 18th June 2008.

09/00144/FUL - Erection of single storey building for use as mess room and store in association with bus depot.. PER 25th February 2009.

09/00790/PDC - Erection of new substation. PNR 30th April 2009.

11/00406/PDC - To move the existing site access gate. Fence erected together with access gates to make the yard secure. Existing canopy on the South end of the building be removed and the existing single storey office at the South East corner of the building be demolished.. SPL 2nd March 2011.

Travis Perkins, Chapel Street

09/02518/OUT - Demolition of existing buildings on site. Outline application (with all matters reserved) for up to 2100sq m of class B1(a) offices and up to 200 student study rooms. Provision of cycle and car parking, landscaping and ancillary facilities.. PER 22nd September 2010.

Representations Received:

No comments received.

At the time of writing this report the consultation process had not ended. Therefore any further comments received will be reported verbally.

Statutory and Internal Consultees:

Thames Water: no objections

Environment Agency: application deemed to have a low environmental risk

Highway Authority: see below

Thames Valley Police: No objection to the application however there are opportunities to design out opportunities for crime and promote community safety.

Littlemore Parish Council: no objection subject to neighbours and building regulations.

At the time of writing this report the consultation process had not ended. Therefore any further comments received will be reported verbally.

Issues:

Change of Use

Highways/Traffic

Officers Assessment:

Site Description

1. The application site is located to the south east of the city centre, to the south of the eastern bypass and is accessed via Ledger Close off Sandy Lane West. Currently on site are three industrial warehouse buildings and

associated service yards.

Proposal

2. The application proposes a change of use of building A from class B8 (storage and distribution) to a builders merchant (sui generis) for the display, sale and storage of building, timber and plumbing supplies, plant and tool hire. The largest of the existing buildings (building A) is to be retained whilst the other two are to be demolished.
3. Also included in the proposal are modifications to the existing building inc. improvements to the external appearance of the building in the form of cladding and a new roof, new rainwater goods, removal of redundant metal clad canopy to south elevation, re-instatement of low level brickwork walls following demolition of other buildings, new warehouse doors to west elevation, new entrance canopy and glazed entrance door and screen to the west elevation to improved the buildings entrance with a dedicated visitor and disabled parking area; a new mezzanine to provide storage is to be located directly above the new entrance and counter space.
4. Outside the service yard it is proposed to house the new product storage facilities; the existing brickwork wall facing Ledger Close is to be refurbished and re-pointed and the service yard generally will be partly re-surfaced with levels adjusted to suit the site entrance; an acoustic reflective barrier fence is to be installed around a significant extent of the proposed service yard and new entrance gates are proposed off Ledger Close.

Assessment

Change of Use

5. Planning permission was granted in June 2008 for the redevelopment of the whole of the former DHL site to provide 18 x B1(c), B2, B8 industrial units and warehouse units (8 with ancillary trade sales) and one builders merchant (Sui Generis), and a parking area for Stagecoach vehicles (ref.: 07/02809/FUL). Included within the permission was a sui generis use in a similar location to the existing building under consideration. Therefore the modernisation and redevelopment of the site has already been established along with a sui generis use
6. Given the current economic climate it is currently not possible to implement phase two of the 07/02809/FUL permission therefore it is proposed to reuse the existing building on site for sui generis purposes i.e. a builders merchant. The intended occupier is Travis Perkins.
7. Travis Perkins currently occupies a site on Chapel Street in Oxford. However this site has been granted outline permission for up to 2100sq m of class B1(a) offices and up to 200 student study rooms. The site is also not fit for purpose as the buildings are reaching the end of their life and the

site is too small. Therefore there is a need for Travis Perkins to relocate.

8. Travis Perkins is a timber and builders merchant supplying products to trade professionals and builders. According to Travis Perkins data approximately 90% of sales are to trade customers with the remaining 10% being cash customers. Approximately 65% of customers confirm orders by telephone/fax thus allowing Travis Perkins to deliver directly to them. Travis Perkins in Oxford currently employs 14 full time equivalent jobs which will be transferred to the new site along with the creation of 4 additional full time equivalent jobs.
9. An area of trade counter is proposed within the building which comprises 20% of the total floor space along with a showroom. The showroom is related to one of Travis Perkins other trade facias Benchmarx Kitchens and Joinery. They are a trade only specialist outlet supplying kitchens and joinery products. The showroom covers an area of 130sqm (5% of the total gross internal area) and therefore it does not impact on the proposed use i.e. sui generis.
10. There is no definition of a trade counter provided in legislation, circulars or guidance notes, however, the term generally relates to a small discrete area separated from the rest of the premises in which specialist purchases are made, usually by tradesmen, either from a small display or some form of catalogue or computerised system. In such operations purchased goods are typically retrieved from elsewhere in the premises, sometimes through a separate entrance for bulky goods that cannot be passed easily over the counter and the sales may be ancillary to the main use of the premises.

Highways/Traffic

11. The proposed use of the building being sui generis in nature makes it difficult with any great degree of confidence to predict the traffic generation. This is particularly true with the diverse nature of the sales. The Transport Statement uses traffic generation figures (TRICS) for builders merchants from the original transport statement provided with the original planning application for the whole site and concludes there will be a slight reduction in the average peak hour movement over the previous use of the building (B8). However it acknowledges there will be an increase in the morning peak hour.
12. The goods vehicles delivering to the site are likely to be large vehicles by the very nature of the materials being carried. Cars currently park along Ledgers Close and it is considered that parking restrictions should be placed on Ledgers Close to restrict this to increase the road safety of the access.
13. Therefore the Highway Authority has no objection to the proposal subject to a contribution of £1500 to implement the waiting restriction. This should be secured through a unilateral undertaking.
14. Within the OLP there are no specific car parking standards for Sui Generis uses therefore the nearest equivalent has been used. In this case

General industry (B2)/Storage and Distribution (B8) which requires 1 space per 35sqm up to 235sqm; 1 space per 300sqm thereafter. In this case that would equate to a requirement of 15 car parking spaces. 18 spaces are proposed which includes 2 disabled ones. This is considered acceptable.

15. Again within the OLP there are no specific cycle parking standards for Sui Generis uses. However there is one for other developments which uses a guide of 1 space per 5 people. A total of 18 people are to be employed thus requiring a minimum of 4 cycle parking spaces. Provision for 8 cycles has been shown on the submitted drawings which is considered acceptable. No details have been submitted. These are requested via a condition.

Other issues

16. The layout of the site is dictated by the retention of the existing building and service yard.
17. An Acoustic Assessment Report was submitted with the application. Officers in Environmental Development are reviewing the report and have a number of questions about the assessment. They have requested further information from the applicant and are awaiting feedback. This will be reported verbally.
18. Thames Valley Police Crime Prevention Design Advisor advises reinforcing the cladding wall with a lining of welded mesh or similar to help reduce the opportunity of accessing the building; installation of a monitored alarm system and CCTV; install British standard tested and certified doors, windows and shutters. An informative will be added to inform the applicant.

Conclusion:

19. For the reasons given above and taking into account all other matters raised it is considered that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 the modernisation of the site is considered acceptable. It will help secure employment use important to Oxford's economy. It will make efficient use of the land and will help bring a vacant, run down building back into use.

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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

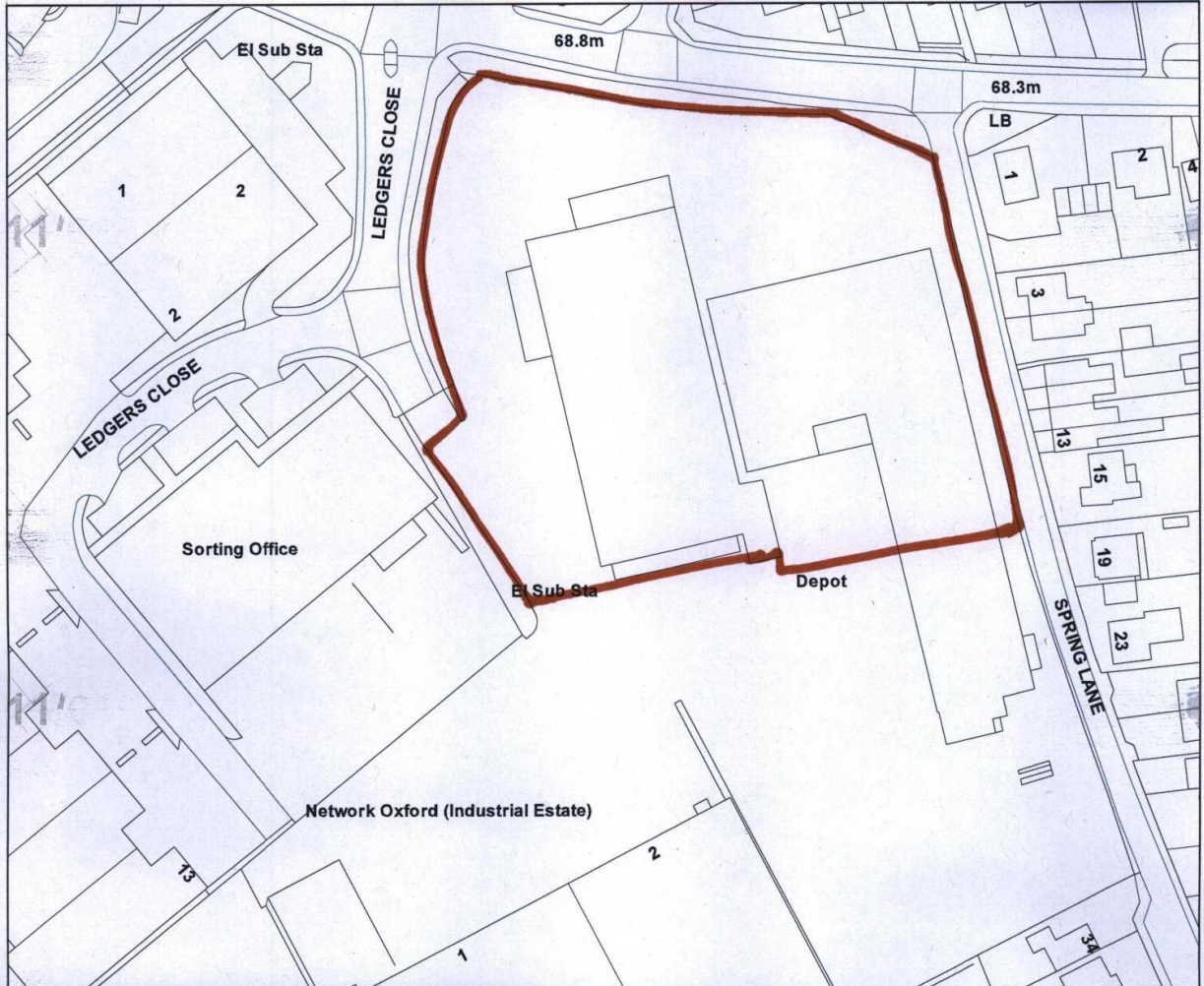
Contact Officer: Lisa Green

Extension: 2614

Date: 12th July 2011

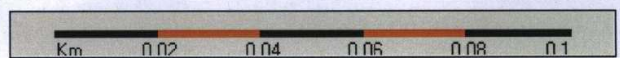
11/01550/FUL

Former DHL Site, Sandy Lane West



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	18 July 2011
SLA Number	Not Set

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East Area Planning Committee

3 August 2011

Application Number: 11/01331/FUL

Decision Due by: 11th July 2011

Proposal: Conversion and alteration to public house to form 1 x 4-bedroom dwelling. Erection of 5 dwellings (2 x 3-bedroom, 2 x 4-bedroom and 1 x 5-bedroom). Alterations to existing access. Erection of garages and provision of car parking and landscaping. (Amended Plans)

Site Address: Bricklayers Arms 39 Church Lane Marston [Appendix 1]

Ward: Marston Ward

Agent: John Philips Planning
Consultancy

Applicant: Danescroft Commercial
Developments Limited

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the existing public house building and the surrounding development and would preserve the special character and appearance of the Old Marston Conservation Area. Revised plans have been received that take on board comments made by the Oxford Preservation Trust and the Council's Conservation officers and there are no objections to the scheme on highway or tree grounds. The proposal therefore complies with adopted policies contained within both the Core Strategy 2026 and the Oxford Local Plan 2001 - 2016.
- 2 A number of letters of objection have been received and the comments made have been carefully considered. However it is considered that the views put forward do not constitute sustainable reasons for refusal that could be justified at appeal and that the imposition of appropriate conditions will ensure an acceptable standard of residential development.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Development in accordance with approved plans
- 3 Design - no additions to dwelling
- 4 Samples in Conservation Area
- 5 Boundary details before commencement
- 6 Garage not for living accommodation
- 7 Relocate cider press
- 8 Landscape plan required
- 9 No felling lopping cutting
- 10 Landscape carry out by completion
- 11 Tree Protection Plan (TPP) 1
- 12 Arboricultural Method Statement (AMS) 1
- 13 Arch - Implementation of programme + historic Saxon, medieval, post medieval and early modern remains.
- 14 Construction Travel Plan
- 15 Cycle parking details required
- 16 Car/cycle parking provision before use
- 17 Driveway to be porous
- 18 Sample panel to be erected on site
- 19 Joinery details to be submitted
- 20 Repair of public house
- 21 Drawn/Photo records & Interventions - Bricklayers Arms,
- 22 Details of driveway
- 23 Sustainable construction details
- 24 Contaminated land assessment

- 25 Provision of bat boxes/swallow/swift nest boxes
- 26 Obscure glaze and fix shut below 1.7 metres rear bedroom window [pub conversion]
- 27 Development to take place in accordance with the recommendations of the ecology appraisal.
- 28 Details of bin stores
- 29 Details of sustainability measures including PV panels on roof

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
- CP11 - Landscape Design
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- NE15 - Loss of Trees and Hedgerows
- NE16 - Protected Trees
- HE7 - Conservation Areas
- HS19 - Privacy & Amenity
- HS21 - Private Open Space
- RC18 – Public Houses

Core Strategy

- CS2_ - Previously developed and greenfield land
- CS9_ - Energy and natural resources
- CS10_ - Waste and recycling
- CS11_ - Flooding
- CS12_ - Biodiversity
- CS18_ - Urban design, townscape character, historic environment
- CS19_ - Community safety
- CS23_ - Mix of housing

Other Material Considerations:

This application is in or affecting the Old Marston Conservation Area.

- PPS1 – Delivering Sustainable Development
- PPS3 – Housing
- PPS5 – Planning and the Historic Environment
- PPG13 – Transport

Relevant Site History:

Various applications to extend and alter the public house building and its garden area.

Representations Received:

5 letters of objection. The main points raised can be summarised as follows:

- The loss of another local pub is not welcomed
- 5 additional dwellings in the pub car park is overdevelopment and the site is too cramped for so many houses
- Little regard has been given to privacy and amenity space
- The design of the new houses would appear out of keeping with the conservation area
- The development will generate more traffic
- Has a full viability test been carried out in respect of the pub?
- The road width on the bend in the road near the pub is just over 4 metres and already constitutes a danger as there is no footway
- Large vehicles have difficulty negotiating this bend
- Loss of privacy to 31 Church Lane
- Loss of another village facility
- The village needs affordable housing for young people, not large new houses

Statutory and Internal Consultees:

Oxford Preservation Trust, Marston Parish Council, Thames Water Utilities Limited, Internal - Conservation Section, Internal - Conservation - Trees, Drainage Team Manager, English Heritage Commission, Internal - Development Control, Internal - Conservation - Archaeology, Thames Valley Police, Oxfordshire County Council Countryside Service, Highways And Traffic.

Marston Parish Council

No objection – pleased to see the site being put to good use, although sad to lose the pub. Suggest 'Bricklayers Close'.

Thames Water

No objections on grounds of either waste or surface water infrastructure

Oxford Preservation Trust

This area of Old Marston retains its village feel and character in spite of its position within an urban area. The Trust is disappointed that the plans result in the loss of the public house; however if this loss is to be allowed the redevelopment must be managed in a sensitive manner. The Trust is pleased to see that the applicants have taken a minimal intervention approach to the conversion of the pub but have

concerns about the overall development. 5 large houses will create a densely populated site that is out of character with the Old Marston Conservation Area. This together with the choice of external design, results in a suburban feel that is inappropriate and out of place in relation to neighbouring properties
We ask that this application be refused

Oxfordshire County Council – Countryside Services

Old Marston Footpath 1 runs to the southeast, east and northeast of the site and is well used and defined. It must not be reduced in width in any way. The applicants must be advised that no materials, plant or temporary structures of any kind should be deposited on or adjacent to the path that may obstruct or dissuade the public from using the route while development takes place. Any damage to the surface of the path caused by the construction/demolition of the development will be the responsibility of the applicant or their contractors to put right/make good.

Oxfordshire County Council as Local Highway Authority

Having reviewed the Transport Statement submitted with the application, the HA accept that there is unlikely to be a significant intensification in vehicular movements associated with the site as a result of the development. No objection subject to the following conditions/informatives:

- Private road agreement for the maintenance of the new access
- Section 278 agreement for the highway adoption of the visibility splay to the south
- The provision of at least 2 secure and sheltered cycle parking spaces per unit
- The provision of car and cycle parking prior to occupation
- Retention of garages to maintain an appropriate level of off street parking
- Submission of a Construction Travel Plan
- All ground resurfacing to be SUDS compliant

Thames Valley Police

No objections

English Heritage

No comments

Issues:

- Principle
- Loss of the public house
- Form and appearance
- Impact on neighbours
- Highways and parking
- Trees
- Private amenity space

- Balance of dwellings
- Ecology

Sustainability:

The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal constitutes a sustainable form of development that would make more efficient use of an existing brownfield site.

The Design and Access statement accompanying the application states that energy and water consumption across the site will be minimised by employing all or in part the following measures:

- High performance double glazing
- 'A' rated condensing gas boilers
- High levels of insulation to floors, walls and roofs
- Passive solar gain via orientation and layout
- PV panels on roof
- High levels of natural lighting and ventilation
- Grade 'A'; appliances where supplied
- Integrated energy management controls
- User information, highlighting energy efficiency
- Water butts for rainwater collection
- Flow restrictions fitted to all taps, dual flush cisterns and baths with smaller profiles requiring less water to fill

Officers Assessment:

Site location and description

1. The site, which extends to 0.2 hectares, comprises the now closed Bricklayers Arms Public House together with its garden area and substantial car park. The site lies at the junction of Butts Lane and Church Road and the frontage of the pub building faces south towards St. Nicholas's Church.
2. The site is largely flat and has a number of mature trees and established hedges. It shares a common boundary with numbers 35 – 38 Church Lane, a property called Atlast in Church Lane and numbers 28 – 30 Church Lane.
3. The site lies in the Old Marston Conservation Area and is surrounded by residential dwellings.

The Proposal

4. The application seeks planning permission for the conversion and alteration of the former public house to form a four bedroom dwelling which would be served by a new single garage and private, gravel drive. The application also seeks planning permission for the erection of 5

dwelling and a detached double garage on the former pub car park and garden area. These mix of dwellings would comprise 2 x 3 bedroom, 3 x 4 bedroom and 1 x 5 bedroom.

5. The existing access would be retained and the visibility splays improved. The existing established trees on the site would for the most part be retained with the existing hedge along Butts Lane being retained but cut back. An existing cider press from the pub garden would be retained and relocated adjacent to the access. A new double garage would serve units 1 and 2, units 3 and 5 would have integral garages and unit 4 would have two car parking spaces.
6. At the request of your officers, amended plans have been submitted that reduce the size, bulk and height of the new dwellings and improve the detailing of the development such that it is now considered to be more appropriate on this sensitive site within the Old Marston Conservation Area.

Principle

7. PPS3 identifies the need to make efficient use of land and this is reflected in policy CP6 of the Oxford Local Plan which states that development proposals should make efficient use of land by making the best use of site capacity; however it goes on to say that this should be in a manner that does not compromise the character of the surrounding area. The site constitutes previously developed land and therefore there is no 'in principle' objection to its redevelopment. However there is a need to justify the loss of the existing public house in terms of policy RC18 of the Oxford Local Plan and also to ensure that any new development preserves or enhances the special character and appearance of the conservation area.

Loss of public house

8. Policy RC18 of the Oxford Local Plan states that planning permission will only be granted for the change of use of a public house if one or more of the following criteria are met:
 - No other potential occupier can be found following a realistic effort to market the premises for its existing use
 - Substantial evidence of non-viability is submitted and
 - It is demonstrated that suitable alternative public houses exist to meet the needs of the local community
9. The application is accompanied by an Expert Witness Report which addresses the above criteria. In respect of marketing, the report states that the pub was advertised for a 6 – 7 month period between June and December 2010 at a market price of £500,000 and that no licensed trade offers were received. Offers were received but all of these related to parties wishing to acquire the premises for alternative uses. The applicant purchased the site in December 2010 since when the pub has been

closed and boarded up.

10. In terms of viability the report concludes that:

- The business provides insufficient profit to provide the owners with a liveable income
- The return on the investment required does not reflect the risk
- Nationally beer volumes continue to be in decline which introduces additional risk to the business
- There is strong local competition with all units competing for trade within a declining market
- Given the location of the Bricklayers Arms, on a residential back street, it is unlikely that it would attract destination led business but would rather rely on local custom

11. Regarding alternative pubs nearby, the report concludes that The Red Lion in Oxford Road, Marston provides all of the facilities previously available at the Bricklayers Arms and is capable of meeting the needs of the local community. This pub has recently been re-fitted and is a popular local venue. The report also refers to the Three Horseshoes in Old Marston; however there is an extant planning permission and listed building consent to convert this property into two dwellings.

12. Officers have carefully considered the content of the Expert Witness Report and have concluded that a 6 – 7 month marketing exercise is inadequate to show that there is no demand for the existing pub business. Therefore criteria [a] of policy RC18 has not been satisfactorily addressed. However the policy only requires that one of the criteria is met and officers take the view that the details regarding non-viability have been thoroughly addressed and a justification made for the loss of the pub on this ground alone. In addition The Red Lion public house is only a short walk away from the application site and is a similar, alternative pub to the former Bricklayers Arms.

Form appearance and impact in the Conservation Area

13. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for developments that show a high standard of design, that respect the character and appearance of the area and use materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 suggests that the siting, massing and design of any new development should create an acceptable visual relationship with the form, grain, scale, materials and detailing of the surrounding area and policy CP10 states that planning permission will only be granted where proposed developments are sited to ensure acceptable access, circulation, privacy and private amenity space.

14. Policy HE7 of the Oxford Local Plan states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation areas and their settings.

15. The site lies in the Old Marston Conservation Area which is characterised by a mix of development but which has a traditional village feel in the area around St. Nicholas Church and including the application site. In PPS5 – Planning for the Historic Environment, the Government has re-affirmed its commitment that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. A heritage asset is defined as a *“building, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are valued components of the historic environment”*.
16. The Government recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained in the long term but it does say that it is desirable for development to make a positive contribution. It goes on to say that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the asset, the greater the presumption in favour of conservation should be.
17. The Bricklayers Arms is a key building in the conservation area and acts as a landmark building in views along Church Lane. Its conversion to a dwelling would involve the removal of the more modern, single storey rear additions and the erection of a new, two storey extension. The front elevation of the building would remain largely unchanged and the removal of the unsightly, modern extensions would positively improve the appearance of the building. There has been a recent fire in the pub building; however damage is limited to the roof area and will not affect the proposed plans for a residential conversion.
18. The application has been the subject of pre-application discussions with officers and revised plans have been submitted during the processing of the application which address concerns raised in respect of the size, bulk and detailing of the new houses and garages and the retention of certain trees on the site. The new dwellings would be erected using multi-red facing brick and render for the external walls and clay tiles for the roofs. The heights of the new dwellings would be approximately 7.8 metres with feature front gables some 8.5 metres high. The general roof height would equate with the height of the building at 35 – 38 Church Lane on the western boundary of the site.
19. At the request of officers, an old cider press from the pub garden would be retained and relocated adjacent to the access.

Impact on neighbours

20. Policy HS19 of the Oxford Local Plan states that planning permission will only be granted for development that adequately provides both for the protection and/or creation of the privacy or amenity of the occupiers of the proposed and existing neighbouring, residential properties.

21. As regards the pub conversion, a two storey rear extension is proposed which would provide a kitchen at ground floor level and a bedroom above. The plans show a secondary bedroom window that would look towards the amenity space of the flats at 35 – 38 Church Lane at close range [6.3 metres]. It is considered that this window should be obscure glazed and non-opening below 1.7 metres above floor level to ensure there is no overlooking into the private amenity space of the neighbouring occupiers.
22. The building most directly affected by the proposal would be the flatted development on the western boundary of the site at 35 – 38 Church Lane. This is laid out as 3 flats and there is a small, shared amenity space. The building has two high level kitchen windows on its rear wall which would face towards the development but these windows do not have any outlook and would therefore not be adversely affected.
23. Officers have expressed concerns in pre-application discussions that the erection of a single and double garage in close proximity to the amenity space enjoyed by the occupiers of these flats would result in an unacceptable sense of enclosure for these flat occupiers. The single garage would have a maximum height of 3.4 metres and its roof would slope away from the flat's amenity space. The design of the double garage has now been amended to incorporate a cat-slide roof that would slope away from the flats and be less overbearing. It is therefore now considered that these two garage structures are acceptable in terms of the amenity enjoyed by the occupiers of numbers 35 – 38.
24. The proposed unit 1 would be sited 2 metres away from the flatted building but would have no habitable room windows on its side elevation. In terms of other residential dwellings at the rear of the site, it is proposed to retain the existing tree screen and the distances to neighbour boundaries exceed 10 metres. In view of this, it is considered that the proposed development would not adversely impact the amenities enjoyed by the occupiers of adjacent residential occupiers.

Highways and parking

25. Oxfordshire County Council as Local Highway Authority are not raising an objection to the application on highway safety grounds. The LHA has concluded that there is unlikely to be any significant intensification in vehicular movements associated with the site as a result of the development but have recommended that a number of conditions be imposed on any planning permission. These are set out earlier in this report.

Trees

26. The application is accompanied by an Arboricultural Report which includes details of an assessment of the quality of the existing tree stock; technical information on the dimensions of trees; a partial tree restraints plan and a

tree protection plan based on the implications of the proposed scheme.

27. The scheme proposes to retain the most important aboriginal features on the site, these being the large weeping willow tree [T7] near the existing car park access and the vegetation along the northern boundary and along the Butts Lane boundary. However this hedgerow is very sparse and of poor quality and it will be necessary for this to be replaced with new hedge planting.
28. Revised plans have been submitted that show the retention of tree T6, a cockspur thorn together with a slight relocation of unit 5 to move it further away from the roadside hedge. The garage to unit 4 has also been removed from the scheme to reduce the enclosure of the garden area and future pressure to remove trees in the rear garden.
29. The revised plans are considered to be acceptable in terms of the retention and protection of the existing trees on the site.

Private amenity space

30. Policy HS21 of the Oxford Local Plan states that planning permission will not be granted for development proposals involving residential uses where poor quality or insufficient private open space is proposed. It goes on to say that each dwelling should have access to a private, amenity space and that family dwellings of two or more bedrooms should have exclusive use of a private garden which should generally have a length of 10 metres.
31. The plans show that all the private gardens serving the new dwellings would have lengths of at least 10 metres although units 1 – 4 do have quite extensive tree cover in their rear gardens which may result in pressure to fell or lop trees to improve the amount of sunlight reaching the rear gardens.
32. The pub conversion would also have its own private garden which would be at the side and rear of the building and would include the willow tree and its canopy.

Balance of dwellings

33. The Balance of Dwellings [BoDS] Supplementary Planning Document [SPD] was adopted in January 2008 to elaborate upon the provisions of the Oxford Local Plan and to ensure the provision of an appropriate mix of dwelling sizes in the different neighbourhood areas described in the SPD. These are red, amber and green. The application site lies within an amber area wherein new developments of between 4 – 9 units should include a mix of dwelling sizes to include a minimum of 30% three bedroom units. Policy HS8 of the Oxford Local Plan relating to mix of dwellings has now been superseded by policy CS23 of the Core Strategy.
34. The proposal is for a total of 6 new dwellings, including the pub conversion

which would comprise 2 x 3 bedroom, 3 x 4 bedroom and 1 x 5 bedroom. This provides 30% three bedroom units as required by BoDS but would also provide more than 50% 4+ bedroom dwellings. This was pointed out to the agent in pre-application discussions with the suggestion that the pub conversion should provide a further three bedroom unit. However this suggested alteration to the mix of dwellings has not been taken on board.

35. There is no requirement in the BoDS matrix for amber sites for the provision of any one or two bedroom units. The scheme is very close to being fully BoDS compliant with just one bedroom being at issue and in the case of units 1 and 3, both four bedroom dwellings, the fourth bedroom is small [3.2 x 2 metres and 2.2 x 2.2 metres] and may be more appropriate for use as a study. It is therefore considered that in this particular case the strict application of BoDS in terms of the provision of larger dwellings could be seen as being over prescriptive and there is insufficient harm that would warrant a refusal of the application on the issue of the mix of dwellings.

Ecology

36. The application is accompanied by an Ecology Appraisal which deals specifically with a habitat survey and a bat survey. The appraisal concludes that no notable or protection species were found on the site and overall the site was found to have little ecological interest. The appraisal goes on to highlight the following:

- Any site clearance work should take place outside the nesting season, typically from March to August
- A survey of the small, potential bat roosting feature on the outside of the building would be recommended immediately prior to demolition
- The site could be enhanced for the benefit of wildlife by installing sparrow and bat boxes at suitable locations around the site
- New planting should use native species.
- A swallow/swift nest box should be installed at the eaves of two new buildings on the site.

37. The conclusions of the Ecological Appraisal have been considered by officers who broadly concur with the findings. Appropriate conditions are recommended.

Conclusion:

38. The proposal forms an appropriate visual relationship with the existing public house building and the surrounding development and would preserve the special character and appearance of the Old Marston Conservation Area. Revised plans have been submitted that take on board comments made by the Oxford Preservation Trust and Council officers and there are no objections to the scheme on highway or tree ground. The proposal therefore complies with adopted policies contained within both the Core Strategy 2026 and the Oxford Local Plan 2001 – 2016.

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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

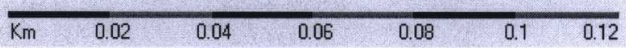
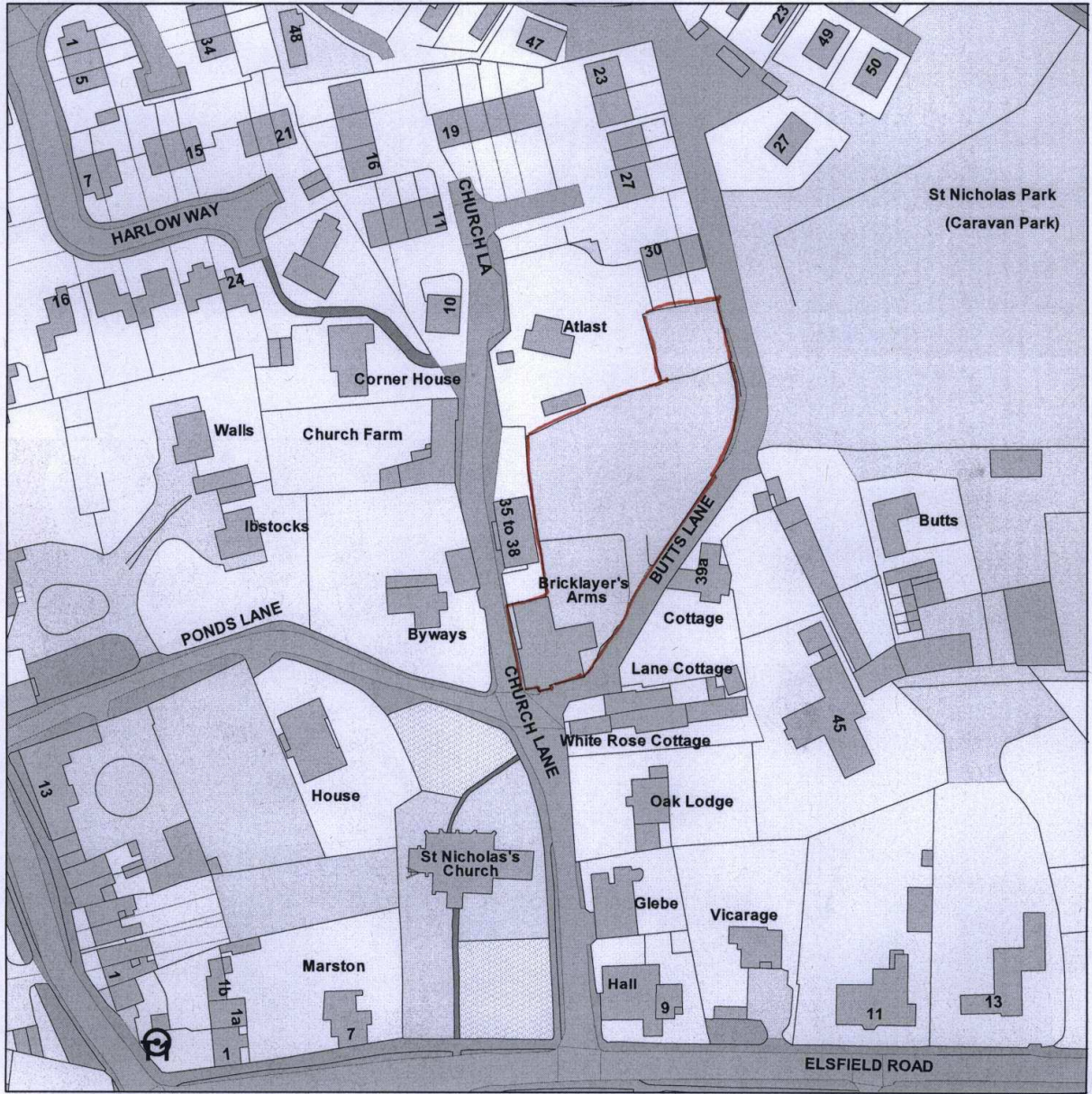
11/01331/FUL

Contact Officer: Angela Fettiplace

Extension: 2445

Date: 14th July 2011

(Appendix 1 below)



Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

East Area Planning Committee

3rd August 2011

Application Number: 11/01574/FUL

Decision Due by: 5th August 2011

Proposal: Erection of 2 storey side extension to provide additional 1 bed flat at ground floor and additional bedroom at first floor for existing flat to create 2 bed flat. Provision of car parking, bin and cycle storage. (Amended plans)

Site Address: 10 Coleridge Close Oxford Oxfordshire OX4 3JG

Ward: Cowley Ward

Agent: Mr Tariq Khuja

Applicant: Miss Yasmin Qume

Application Called In by Councillors Keen, Bance, Lygo and McManners

Reason: Potential overdevelopment of the site and associated car parking problems

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The principle of constructing the extension proposed has already been established under permission 10/03198/FUL and is therefore considered acceptable. The level and quality of amenity space and parking provision proposed is considered to be sufficient with no material impact on neighbouring residential amenity occurring from the proposals. Consequently the proposals accord with policies CP1, CP6, CP8, CP9, CP10, TR3, TR4, HS19 and HS21 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans

- 3 Materials - matching
- 4 Landscape Plan
- 5 Landscaping Completion
- 6 Cycle/Parking Provision
- 7 Demolish/Reconstruct Boundary Wall

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
- CP10** - Siting Development to Meet Function\l Needs
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HS19** - Privacy & Amenity
- HS21** - Private Open Space

Core Strategy

- CS18_** - Urb design, town character, historic env

Other Material Considerations:

- PPS1** – Delivering Sustainable Development
- PPS3** – Housing

Relevant Site History:

07/00047/FUL - Retention of house in use as two 1 bed flats – Permitted April 2007

09/02092/FUL - Erection of two-storey two-bedroom detached dwelling – Refused November 2009

10/02089/FUL - Erection of two storey side extension to provide a new 1 bed house. Provision of new off street car parking space, bin and cycle storage – Refused September 2010

10/03198/FUL - Erection of two storey side extension and increase in size of existing 2 x 1-bedroom dwelling to 2 x 2-bedroom flats – Permitted January 2011

Representations Received:

No comments received

Statutory and Internal Consultees:

Oxfordshire County Council - Highways Authority

No objection subject to the following conditions:

- Existing front wall demolished and reconstructed to 0.6m in height to provide pedestrian visibility and improve access to the parking provision;
- Alterations to dropped kerbs at applicant's expense;
- A minimum of two secure and sheltered cycle spaces per dwelling;
- Proposed vehicle and cycle parking must be provided prior to occupation;
- Parking provision must be allocated one per unit;
- A minimum of 0.8m distance retained between parking spaces and extension in order to maintain pedestrian access to the front door;
- Any ground resurfacing must be SUDS compliant.

Issues:

Design

Amenity Space

Impact on Neighbouring Amenity

Highways/Parking

Sustainability:

The proposal aims to make the best use of urban land and recognises the aims of sustainable development in that it will create extended accommodation within an existing residential area well served by public transport and close to essential services, amenities and employment opportunities.

Officers Assessment:

Site Description

1. The application site relates to one of a pair of semi-detached family sized houses that has been subdivided into 2 x one-bedroom flats, one at ground floor level and the other at first floor level. The building is of mid-twentieth century construction and is located within a residential area consisting of dwellings of similar age and design and of no real architectural merit.

Description of Proposal

2. The application seeks permission for a two storey side extension to provide an additional self contained one bedroom flat at ground floor level and extend the existing first floor flat to create a two bedroom unit. A communal area for the two single bedroom flats is to be provided to the rear of the building and a larger private area is proposed for the two bedroom first floor flat. Car parking, bin and cycle storage is also proposed to be provided for each dwelling.

Design

3. Exactly the same form, scale and design of the extension proposed was permitted by the Council under reference 10/03198/FUL in January 2011 albeit to house extensions to the existing flats rather than incorporating a new one bedroom unit. Consequently officers are satisfied that it forms an appropriate visual relationship with the surrounding area and is therefore acceptable.

Amenity Space

4. An area to the rear of the building is proposed to be divided between the occupiers of both the existing and proposed flats. The one bedroom units are proposed to have a shared amenity space (measuring approximately 32 sq m) adjacent to the rear of the building that will include space for the storage of bins and cycles. One bedroom flats are not considered either suitable or likely to be occupied by families and therefore only a small amount of amenity space is considered necessary to be acceptable and this could include an area shared with other dwellings. The amount and quality of the amenity space proposed is relatively generous and therefore considered acceptable in light of the requirements of policy HS21 of the Oxford Local Plan 2001-2016 (OLP).

5. The two bedroom first floor flat that would be created by the proposed extension is, as set out in the OLP, capable of accommodating a family and should therefore have an area of private open space. This is shown to be provided to the rear of the building, is separate from the communal amenity and also includes bin and cycle storage space. The area of private amenity space proposed is considered to be acceptable since it exceeds the guidance set out in the OLP (greater than 10m in length), is of a reasonable quality layout and which can be enhanced by further landscaping as required by the suggested planning condition.

Impact on Neighbouring Amenity

6. As stated earlier in the report, the extension as proposed has been previously approved by the Council; hence the impact on neighbouring amenity resulting from the building works has already been assessed and been considered acceptable by the Council. Therefore officers continue to regard the proposed extension as having minimal impact on the amenity of 11 Coleridge Close since it would appear neither overbearing to occupiers of the neighbouring dwelling or be in contravention of the Council's daylight guidance as detailed in Appendix 6 of the OLP. Officers also consider there to be no harm caused to the attached dwelling, No.9 Coleridge Close due its significant distance away from the proposed extension.

Highways/Parking

7. Three parking spaces are proposed to serve both the proposed new flat and the existing two flats which equates to one space per dwelling. Since two of the flats would be one bedroom units and the other a two bedroom unit, this level of parking provision accords with the maximum parking standards set out in Appendix 3 of the OLP and is consequently considered acceptable. In addition, the Highways Authority has raised no objection to the level of parking proposed. The level of parking to serve the neighbouring dwelling, No.11 Coleridge Close,

will not be affected by the proposed development.

Conclusion:

8. The proposed extension is considered to form an appropriate visual relationship with the surrounding area without harming the amenity of occupiers of neighbouring dwellings or highway safety. In addition, the size and quality of amenity areas proposed to serve both the proposed and existing flats is considered to be acceptable. Consequently officers consider the proposals to accord with policies CP1, CP6, CP8, CP9, CP10, HS19, HS21, TR3 and TR4 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

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:

Contact Officer: Matthew Parry

Extension: 2160

Date: 11th July 2011

11/01574/FUL

10 Coleridge Close



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	20 July 2011
SLA Number	Not Set

East Area Planning Committee

3rd August 2011

Application Number: 11/00765/FUL

Decision Due by: 12th May 2011

Proposal: Demolition of existing building. Erection of 2x2 storey building accommodating 19 student study rooms plus warden's accommodation. Provision of cycle and bin storage.

Site Address: 162-164 Hollow Way Oxford Oxfordshire OX4 2NL

Ward: Lye Valley Ward

Agent: Asset Max Ltd

Applicant: Speedy Property Solutions

Application Called in – by Councillors – Timbs, Clarkson, Van Nooijan and Humberstone for the following reasons – overdevelopment, parking nightmare, dangerous location, not correct site for student accommodation

Recommendation:

Committee is recommended to support the proposal but defer the application in order to allow completion of a Unilateral Undertaking and to delegate to Officers the issuing of the notice of permission subject to conditions upon its completion.

Reasons for approval:

- 1 Officers conclude that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore recommend approval as the loss of the retail unit has been justified and it will not reduce the present mix of uses within the Hollow Way Neighbourhood Shopping Centre below the requirement to retain at least 50% of the units within a retail (Use Class A1) use. The speculative student accommodation can be controlled in terms of full-time student occupancy and cars along with appropriate management controls. The buildings are considered to form an appropriate visual relationship with their surroundings and do not impact on the immediate neighbours in a significant way.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately

addressed and the relevant bodies consulted.

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Boundary details before commencement
- 5 Bikes and bins
- 6 Contaminated Land
- 7 Fire Hydrants
- 8 Window restrictors / obscure glazing
- 9 No cars
- 10 Day to day management
- 11 Full time students
- 12 Student accommodation only

Legal Agreement:

Financial contributions are sought as follows:

Oxfordshire County Council

Cycle safety measures: £138.00 per student bed space
Library contributions: £63.00 per student and £118.00 per wardens flat

Total: £3937.00

Admin Fee: £100.00

Oxford City Council

Indoor sport: £60.00 per student and £125.00 per wardens flat

Total: £1265.00

Admin Fee: £100.00

Should planning permission be granted, it has been agreed to complete two separate Unilateral Undertakings for the payment of the contributions.

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Developmt to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Developmnt to Meet Functionl Needs
CP11 - Landscape Design
CP13 - Accessibility
CP21 - Noise
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
RC8 - Neighbourhood Shopping Centres

Oxford Core Strategy (OCS)

CS1_ - Hierarchy of centres
CS2_ - Previously developed and greenfield land
CS12_ - Biodiversity
CS17_ - Infrastructure and developer contributns
CS18_ - Urb design, town character, historic env
CS19_ - Community safety
CS25_ - Student accommodation
CS28_ - Employment sites
CS29_ - The universities

Other Material Considerations:

PPS1 Delivering Sustainable Development
PPS9 Biodiversity and Geological Conservation
Planning Obligations Supplementary Planning Document
Circular 11/95 Use of Conditions in Planning Permission

Relevant Site History:

57/05753/A_H - Extension to form warehouse and alterations to shop. PER 22nd January 1957.

57/05886/A_H - Alterations to form bathroom and addition of fuel store. PER 12th March 1957.

72/03115/P_H - Erection of illuminated fascia sign. PER 21st June 1972.

72/26036/A_H - Change of use from shop to launderette and installation of new shop front. PER 21st June 1972.

80/00825/NF - New shop front. PER 17th October 1980.

81/00836/NF - First floor extension. REF 9th February 1982.

82/00209/NF - 1. Change of use of ground floor of No. 166 to offices (with retention of 1-bed flat on first floor). 2. Formation of staff car park and loading area at rear of No. 166. 3. Change of use of offices to stores in Nos. 162/164. REF 25th May 1982.

83/00584/S - Section 53 Determination as to whether use as business for hire/sale of small plant and power tools, with retail outlet, ancillary storage and residential house for manager, constitutes a material change of use (Nos. 162/164 and 166 Hollow Way). WDN 3rd August 1983.

83/00763/S - Section 53 Determination as to whether use of premises for tool hire and sales on the retail sales by Oxford Heating Limited is lawful. PNR 5th October 1983.

09/02129/FUL - Demolition of existing building. Erection of 2x3 bed houses over two storeys fronting Hollow Way. Erection of a two storey building to east of site fronting Horspath Road to provide 1x3 bed house, 3x2 and 2x1 bed flats. Provision of 7 car parking spaces, bin and cycle storage. WDN 17th December 2009.

Representations Received:

9 Fairfax Road, 216 Hollow Way, 166 Hollow Way, 158 Hollow Way, 9 Horspath Road, 169 Hollow Way, 160 Hollow Way, 1 Horspath Road.

Summary of Comments:

Overdevelopment
Loss of employment unit
Too many wardens controlled blocks in the Horspath Road area
No car parking provision
Increased noise
Block 1 encroaches on legally agreed right of access
Impact on garden
Ridgeline of block 2 higher than those at 160 and 166 Hollow Way
No control over obscure glazing
No details of boundary to south east of 116 Hollow Way
Bins too close to residential property with smell likely to be an issue.
Unclear how the brick wall supporting sheds are to be retained as the remainder of the buildings are to be demolished.
Access to third party land will be required in order to build.
Cracks in adjacent buildings likely to occur as a result of the development.
Too many Oxford Brookes accommodation in the area
No Objections subject to no increase in noise levels and no impact on traffic.

Statutory and Internal Consultees:

Natural England: see below.

Highway Authority: no objections

Thames Valley Police: no objections

Thames Water: no objections

Issues:

Principle
Planning Obligations
Design/Residential Amenity
Highway Issues
Cycle Parking
Protected Species/SSSI
Other Issues

Officers Assessment:

Site Description

1. The application site is currently occupied by a disused single storey retail unit, most recently used as a plant and tool hire company. The retail unit has a large glassed frontage onto Hollow Way and is situated between two detached residential properties to the north and south. Delivery and vehicular access into the building is from Horspath Road via a roller door as well as providing off-street parking. Access to the neighbouring property 166 Hollow Way is taken from an open area to the frontage along Hollow Way. To the east the site backs onto Horspath Road recreation ground. The character of the immediate surrounding area comprises mainly Victorian and post war residential properties. The existing building is mainly brick with metal and glass skylights.

Proposal

2. The application proposes the demolition of the existing retail unit and erection of 19 student rooms and wardens flat within two separate blocks.

Assessment

Principle/Loss of Employment use

3. It would appear that the last use of the site was as a Tool Hire Shop/Plant Hire depot which would be classed as an A1 use and *sui generis* (of its own class) use respectively, given the low levels of employment generated at the site, it is not considered that the site would strictly qualify as an 'employment-generating use'.
4. Therefore in policy terms the proposal would now be considered on the basis of the loss of a shop rather than an employment generating use, which in this case has been classed as being within the Hollow Way Neighbourhood Shopping Centre. The proposal therefore falls to be considered in relation to Policy RC8 of the OLP which states that planning permission will only be granted for the loss of a class A1 use in Neighbourhood Shopping Centres when

- a) evidence of a lack of viability is demonstrated to support a change of use;
 - b) the proportion of units at ground floor level in A1 retail use does not fall below 50% of the total units in the neighbourhood shopping centres;
 - c) non-residential uses such as other commercial or community uses will be considered on their individual merits and their added value in providing additional local facilities; and
 - d) changes of use to residential use are supported with substantial proof that commercial or community uses are not viable.
5. In terms of the present mix of uses within this collection of premises, the balance comprises 57.14% Class A1 retail, and if this unit were lost the percentage would not fall below the requirement to retain at least 50%.
 6. The evidence on lack of viability relates principally to a marketing exercise, which the application shows was for a limited period from March to April 09. The supporting information suggested that there was little interest, albeit only for a limited period. The additional evidence relates to the age of the property, its condition and location. Given the size of the premises involved it is much larger than a standard retail property that would normally cater for local neighbourhood requirements. In these circumstances it is not considered that there are any grounds to resist the loss of the retail use on this specific site. Similarly no objection would be raised to the loss of the existing building which has no merit and does not provide any positive contribution to the streetscape.
 7. In terms of the principle of providing purpose built student accommodation on the site, in his report on the examination into the Oxford Core Strategy the Inspector found the policy (student accommodation) restricted the provision of student accommodation to that related to the Universities, effectively placing an embargo on student accommodation to serve the needs of the many non-university colleges in Oxford.
 8. The City Council pointed to the greater emphasis of these other colleges on part-time courses and that a lot of their students take up lodging accommodation, so not adding to the pressures on the city's housing stock and limited development sites. Nevertheless, the Inspector put forward that some of the students at these other colleges will be full-time and are just as likely to require housing out in the community and put pressure on the housing market. Where full-time students are on courses of upwards of an academic year, the Inspector concluded that they are as likely as University students to be seeking their own housing as opposed to lodgings.
 9. Whilst removing the policy embargo would increase the competition for any available sites, provided any new accommodation was directed to full-time students, then the impact on the overall housing market would be very limited. These colleges also make their contribution to the local economy. He (the Inspector) found little reason, in terms of housing pressures, to discriminate against non-University colleges. It is not justified in equity terms and therefore the policy wording was changed to reflect this.

10. The policy (CS25) now states student accommodation will be restricted in occupation to students in full-time education on courses of an academic year or more. Appropriate management controls will be secured, including an undertaking that students do not bring cars to Oxford. These can be dealt with via conditions.
11. Therefore, in policy terms, the proposed loss of A1/ *sui generis* uses and provision of speculative student accommodation would be considered acceptable.

Design/Residential Amenity

12. The existing buildings on site are single storey with the elevation fronting Hollow Way giving the impression of being one and a half storey. The existing buildings are up to and on the boundary with the side elevation and garden of 160 Hollow Way and the side and rear garden boundaries of 166 Hollow Way. The existing building is set back from the footpath on Hollow Way by 5.4m and between 4m and 6m from the footpath along Horspath Road. The existing footprint covers an area of 414m².
13. The proposal shows two separate blocks. Block 1 fronts Hollow Way and houses the warden in a self contained one-bedroom flat with its own small area of private amenity space along with three post-graduate student en-suite bedrooms sharing a kitchen/living room. Block 2 fronts Horspath Road and houses the remaining 16 student bedrooms over two floors (8 per floor) with a shared kitchen/diner on each floor. Block 1 footprint covers an area of 64.45m² and block 2 an area of 230.31m².
14. The two storey building fronting Hollow Way (block 1) is detached and gives the appearance of an additional dwelling within the street scene. Numbers 160 and 166 are individual properties each with their own style, one slightly older with timber sash windows and one more modern with feature bay windows at ground floor level. Number 158 Hollow Way is part of a row of terraced properties all of similar design and appearance. The proposed building sits somewhere in the middle taking its window design from the first floor at 160 and has chimneys as do all the other properties within the vicinity. Block 1 is set slightly forward (0.8m) than the existing building. However it has been set away from the boundary with 160 Hollow Way by 1m but remains along the boundary with 166 Hollow Way but considerably reduced in length.
15. The existing building has a maximum height of 4.6m and the block 1 has a proposed height of 4.9m to the eaves and 6.7m to the ridge. It forms a rendered blank elevation with a part gable roof and part pitched. There are no windows in the side elevation of 166 Hollow Way therefore there will be no issues of loss of sunlight/daylight to habitable rooms or overlooking/loss of privacy. It is acknowledged that this elevation is higher than the existing building, however, the proposed building is nearly identical to its neighbours in terms of its height, bulk mass and design and there is considered to sit comfortably within and make a positive contribution to the streetscene. Although the proposed building will be taller adjacent to the boundary with 166

Hollow Way, this is considered to be duly compensated by block 2 being set away from the rear boundary, unlike the existing building. Therefore Officers consider overall the impact will be minimal on 166 Hollow Way.

16. Block 2 is seen within the context of Horspath Road as this is where it has its frontage. It is a larger building with a rectangular footprint. The front elevation has been broken up with two square gables and the rear at first floor with angled windows to prevent any overlooking. Both add interest to the front and rear elevations. The front elevation has been brought forward compared to the existing building and is now more in line with the side elevation of 166 Hollow Way and this design approach is considered to better compliment the streetscene. Block 2 does not breach the Council's daylight and sunlight guidance set out in Appendix 6 of the Oxford Local Plan 2001 -2016 in terms of the 45 degree line in the horizontal plane and 25 degree line in the vertical plane when taken from habitable room windows in the rear elevation of 166 Hollow way therefore it is considered to be acceptable in terms of policy HS19 and sunlight/daylight standards.
17. The proposal is considered to form an appropriate relationship and respect the character and appearance of the property and the area and is a visual improvement compared to the existing buildings. Overall it will not have a significant detrimental impact on the neighbouring properties.

Highway Issues

18. Policy CS25 of the OCS states appropriate management controls will be secured, including an undertaking that students do not bring cars to Oxford. This can be dealt with via a condition. The accommodation shall only be let on tenancies which include a clause to prevent the students bringing or keeping motor vehicles in the city. The Highway Authority has raised no objections in terms of highway safety etc and requests a condition requiring the proposal to be car free.
19. It terms of additional parking or congestion within the area, it is considered unreasonable to put in place controls to prevent visitors, tradesmen, deliveries, vans and taxis coming to the site as it would not meet all of the six criteria as laid out in Circular 11/95 (Use of Conditions in Planning Permission) which requires conditions to be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.

Cycle Parking

20. Policy TR4 of the OLP states that planning permission will only be granted for development that provides good access and facilities for pedestrians and for cyclists and complies with the minimum cycle parking standards shown in Appendix 4. For student accommodation 1 space per 2 residential students plus 1 space per resident staff is required. Therefore this application should provide 10.5 spaces. 22 cycle parking spaces are shown split into two separate locations within the site. Therefore there is more than adequate

cycle parking provision provided.

Protected Species/Site of Special Scientific Interest (SSSI)

21. The application site lies within 2km of the Lye Valley Site of Special Scientific Interest (SSSI). Natural England has considered the proposal and potential environmental impacts resulting from it upon the SSSI and concludes that the application is unlikely to have any implications for the SSSI.
22. However Natural England advises the proposals as presented may have the potential to affect species protected under European or UK legislation. In particular their concerns relate to the demolition of the current building and bats.
23. As a result of these comments Officers visited the property and observed the building from the parking areas and the neighbouring park. They conclude that there is unlikely to be a bat roost in the building. This is because there are very few gaps into the roof space, the building is currently in use, with security lighting on the walls of the buildings and it is in an urban setting. There are few mature trees near to the building. This is to be balanced against the fact the building is sited between the Oxford Golf course and Lye Valley area, and Shotover Hill SSSI, and a nearby record of a bat roost.
24. On balance Officers can conclude that it is unlikely that an offence under the Habitats Directive will occur.

Other Issues

25. Representations have been received from the owner of number 160 Hollow Way who is concerned about their rights of access over land to the frontage of the Hollow Way part of the site. Third party land and associated issues are not matters for the planning system and are legal matters to be dealt with by the relevant parties.
26. Control over obscure glazing will be dealt with via a condition
27. Details of remaining boundary treatments will be requested and controlled via a condition.
28. Extra noise has been raised as a concern. Details of the day to day management of the accommodation will be requested and a warden will be present on site. There is also other legislation to deal with excessive noise. Officers consider these measures appropriate.
29. The location of the bins has been raised in terms of smells. A requirement is to have the bins in a screened area (policy CP10 of the OLP). This proposal shows them in a covered area with doors on, although no details have been provided. Officers will request such details via a condition and this will ensure the bins remain covered and secure to prevent any smells escaping.

30. Various concerns have been raised by the neighbouring properties over the impact of the build on them and their properties in terms of walls, access, making good party walls etc. These issues are not planning issue and needs to be considered under other legislation and/or through discussions with the developer/builder.

Conclusion:

31. For the reasons given above and taking into account all other matters raised Officers conclude that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore recommend approval as the loss of the retail unit has been justified and it will not reduce the present mix of uses within the Hollow Way Neighbourhood Shopping Centre below the requirement to retain at least 50% of the units within a retail (Use Class A1) use. The speculative student accommodation can be controlled in terms of full-time student occupancy and cars along with appropriate management controls. The buildings are considered to form an appropriate visual relationship with their surroundings and do not impact on the immediate neighbours in a significant way.

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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

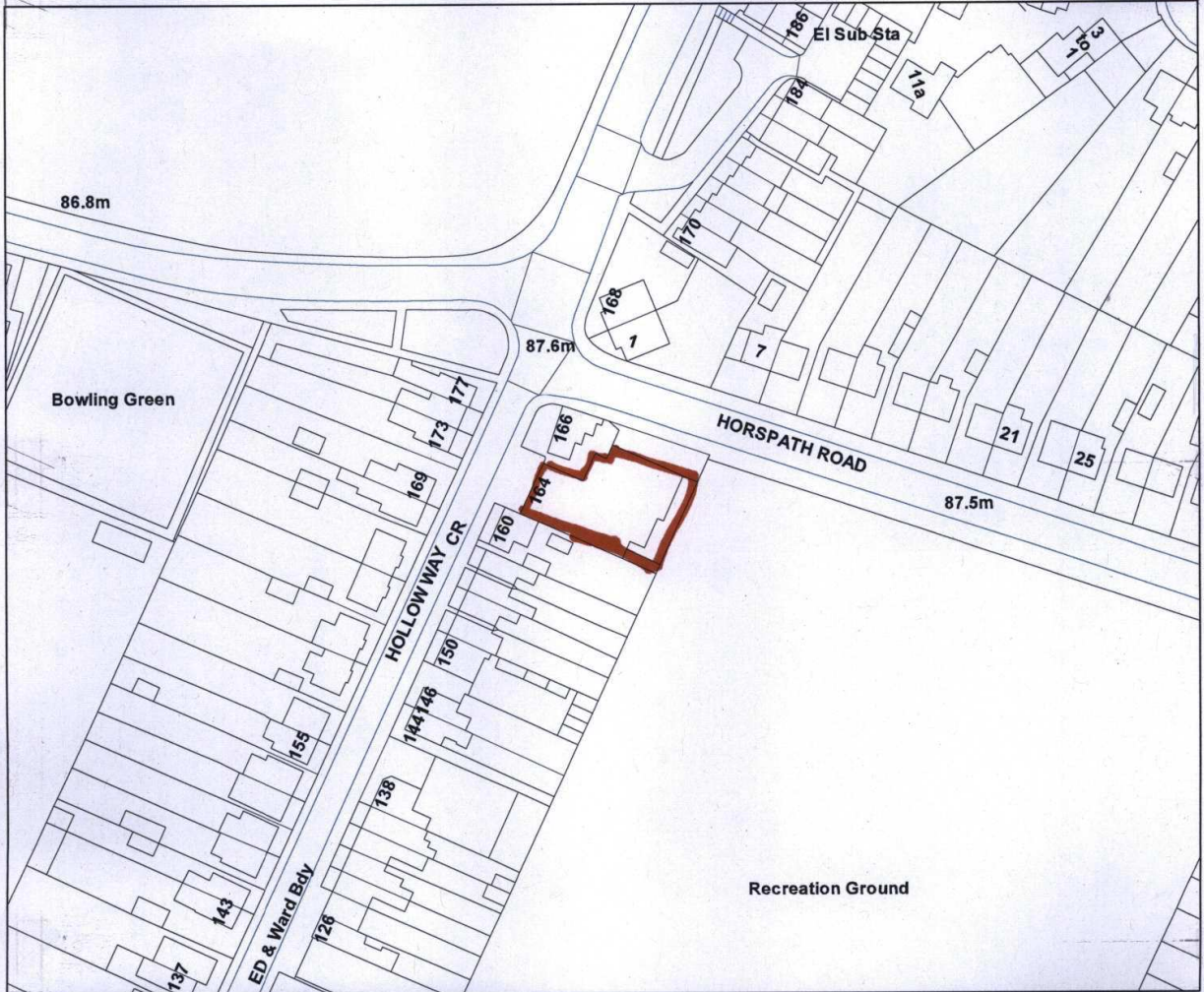
Contact Officer: Lisa Green

Extension: 2614

Date: 15th July 2011

11/00765/FUL

162-164 Hollow Way



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	19 July 2011
SLA Number	Not Set

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East Area Planning East Committee

3rd August 2011

Application Number: 10/03257/FUL

Decision Due by: 31st January 2011

Proposal: Two storey side and rear extension.

Site Address: 2 Mortimer Drive Oxford Oxfordshire OX3 0RR

Ward: Marston Ward

Agent: Mr Nadeem Khan

Applicant: Mr Zamir Hussain

Application Called in – by Councillors: Clarkson, Lygo, Van Nooijen and Rowley

for the following reasons –

- Overlooking
- Overdevelopment

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is not considered to be materially out of character with the existing house or local area, is unlikely to have a material effect on adjacent properties, and provides an appropriate level of parking for a house of this size in this location. The proposals therefore comply with Policies CP1, CP8, CP10, TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.
- 2 Various comments and objections have been received. The issues raised have been considered in the officer's report and conditions have been recommended to address any material issues.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit

- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Amenity no additional windows side or roof,
- 5 Design - no additions to dwelling
- 6 Amenity windows obscure glass First floor, north east facing side wall.
- 7 Removal of garage
- 8 Retention of parking
- 9 Details excluded submit revised plans the proposed rear facing windows, P/2-MD/002, P/2-MD/003, P/2-MD/004,

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs
- HS19** - Privacy & Amenity
- HS21** - Private Open Space
- TR3** - Car Parking Standards

Core Strategy

- CS18_** - Urban design, town character, historic environment

Other Material Considerations:

Oxford City Council Planning Design Guide 2 – Side Extension (Design Guide 2)

Manual for Streets

Relevant Site History:

78/00647/SON_H - Erection of garage.. PER 17th November 1978.

05/00925/FUL - Erection of 1 bedroom self contained accommodation at rear. (Amended plans). PER 21st June 2005.

06/02508/FUL - Erection of garden shed/store.. PER 23rd January 2007.

09/01627/FUL - Retention of porch to annex. Retention of shed conversion for use by annex.. PER 18th December 2009.

10/01974/FUL - Two-storey side extension and part two and single storey rear extension.. REF 8th September 2010.

Representations Received:

98 Oxford Road: Object – Fails to overcome previous reasons for refusal. Incremental overdevelopment and over intensification, reduction in amenity space, effect on environment, increased risk of flooding. Lack of access / emergency access to rear. Possible subdivision.

102 Oxford Road: Object – Overdevelopment, asbestos risk from demolition.

108 Oxford Road: Object – Previous development, potential to convert garage to living space. Out of scale, clumsy design, overlooking and overshadowing to adjoining gardens. Risk of damage to tree at number 108. Overdevelopment, dominant and overbearing, detrimental effect on adjoining properties.

110 Oxford Road: Object – Front corner of proposed extension abuts property at number 110 Oxford Road; potential for overhanging of eaves. Only access / emergency access to rear and property at rear is through house or garage extension. Increase in floor space. Garage could be converted to living accommodation at later date. Design, impact of solar panels, overlooking. Increased risk of flooding.

A number of additional comments have been received from 110 Oxford Road commenting on the amended plans. For the most part, they confirm that the comments above still apply, but have also raised useful points relating to the depiction of the hipped roof and numbering of plans, which have been addressed by further amendments and the dating of drawings to differentiate the various recent submissions.

Statutory and Internal Consultees:

Local Highway Authority: No objection.

Oxford Civic Society: Overdevelopment, inadequate garden space

Old Marston Parish Council: Object – Proximity to other dwellings, overdevelopment, out of keeping, inadequate parking, risk to ash tree.

Oxford Preservation Trust Marston Area, Old Marston Residents' Association, Highways And Traffic,

Issues:

Design
Effect on adjoining properties
Parking
Private amenity space

Officers Assessment:

Site description and background

1. 2 Mortimer Drive is a semi detached house, whose plot lies to the rear of several houses along Oxford Road. Previous permissions have allowed a structure in the garden to be occupied as a bungalow annex to the main house. In 2010, permission for a two-storey side extension and part two and single storey rear extension was refused under application 10/01974/FUL for the following reasons:
2. *The proposed extensions, by reason of their design, height, side and rear projection, proximity to the boundary, position on the house, bulk and overall scale would amount to an overdevelopment of the existing house, serving to unbalance the pair of semi detached houses and would introduce a jarring and incongruous element that would have a detrimental impact upon the visual amenity of the existing building and surrounding area. The proposals therefore fail to comply with Policies CP1, CP7, CP8, CP10 and HS19 of the adopted Oxford Local Plan 2001 – 2016.*
3. *Due to the side extension's height, depth, overall bulk and scale and its position on the boundary, it would lead to a material loss of light to the rear gardens of adjoining dwellings along with the creation of a sense of overbearing, leading to a material loss of residential amenity, contrary to policies CP10 and HS19 of the adopted Oxford Local Plan 2001 - 2016.*

Proposal

4. Permission is sought for a two storey side and rear extension. Attempts have been made to address the previous reasons for refusal. The scheme is substantially smaller in terms of floor space than that previously refused, and the side wall now runs parallel to the existing house, rather than along the side boundary of the site. It is noted that the plans have been further amended since submission to reduce the apparent bulk of the proposal and its roof.

Design

5. The Council expects new development to enhance the quality of the environment, and with this Policy CP1 is central to the purpose. This policy states that all new development should respect the character and appearance of the area. This view is taken a step further in Policies CP8 of the OLP and CS18 of the Core Strategy, which require all new development to demonstrate high quality urban design and ensure that the siting, massing and design creates an appropriate visual relationship with the built form of the local area.
6. Oxford City Council Planning Design Guide 2 – Side Extension seeks to ensure that pairs of semidetached houses are not unbalanced by side extensions that are not subordinate to the existing houses.

7. The proposed development is highly visible from the public domain. However, the reduction in scale and rationalisation of layout results in a more legible and cohesive design than that previously refused.
8. The front wall of the extension is set back from the front wall of the existing house by around 1 metre and the ridge is set down from the existing ridge by 0.45 metres. The proposed roof is hipped to reduce its bulk and of a generally legible design.
9. The main change from the previously refused application is the side wall which now runs perpendicular to the front wall and has been reduced in depth. This considerably reduces the overall bulk of the extension, particularly when viewed from the street and the result is an extension that remains subservient to the original house and pair of semis when viewed from the south east corner of the site and the public domain.
10. The small rear facing windows are not ideal from a design point of view and amended, larger windows are required through the suggested condition. Overall, the extension, whilst large is not considered materially of scale with the existing house and surrounding area. However, the site's capacity to absorb further development may well have been reached and it is therefore recommended that any grant of planning permission be conditional on no further development of the site without the benefit of planning permission from the Council and a requirement to remove the existing garage prior to commencement of development.
11. Subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is considered to preserve the character of the existing house and local area, is acceptable in design terms and complies with Policies CP1, CP8 and CP10 of the OLP and CS18 of the Core Strategy.

Effect on adjoining properties

12. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers, whilst Policy HS19 of the adopted Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that adequately provides both for the protection of the privacy or amenity of the occupants of proposed and existing neighbouring residential properties. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties.
13. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on daylight reaching the windows of neighbouring properties.
14. The proposal complies with the 45-degree guidance and is not considered likely to lead to a material loss of light to the windows of adjacent habitable rooms.

15. The reduction in the side extension's depth, overall bulk and scale and the revised position of the flank wall away from the boundary has reduced the impact on the gardens of rear gardens of properties along Oxford Road in terms of loss of light and overbearing, particularly on numbers 106 and 108.
16. An effect remains on the garden of 110 Oxford Road, but on balance, bearing in mind the orientation of the properties, the size of the gardens and the revised flank wall position, the effect is considered to be acceptable.
17. The insertion of windows into the flank wall further softens the appearance, but does increase the potential for overlooking and the perception of overlooking. One of these windows serves a bathroom and obscure glass is specified to this window. The other window serves a landing and the likelihood of actual overlooking is considered low. However, to reduce the perception of overlooking, it is recommended that any grant of planning permission be conditional on both of the side facing first floor windows being fitted with obscure glass, being fixed shut below eye –level and on no further windows being inserted to the flank wall. Subject to these conditions, the proposed development is not considered likely to lead to a material loss of amenity to adjacent occupiers and the proposals comply with policies CP1, CP10 and HS19 of the OLP.

Parking

18. Appendix 3 of the OLP gives a maximum standard of three parking spaces for a house with four or more bedrooms. The proposed extension will create a four / five bedroom house and provide two parking spaces to the frontage and a garage.
19. The proposed garage measures around 2 metres wide by 4.35 metres long, which is less than the 2.4 metres by 4.8 metres required for a conforming parking space. However the existing drive (that will be lost) is also substandard and impractical for access by a modern motor car. The effective level of compliant parking provided to the site will therefore remain unchanged.
20. Given that the parking standard given in appendix 3 is a maximum figure, the sustainable location of Mortimer Drive, with its proximity to local shops and bus services and subject to conditions requiring the retention of the existing parking, two spaces is considered sufficient for this location and the proposal complies with Policy TR3 of the adopted Oxford Local Plan 2001 – 2016.
21. Comments have been received from 110 Oxford Road suggesting that a condition of planning permission be imposed to ensure the garage be retained for car parking, but as the space within it does not meet the standard specification for a parking space, such a condition is considered unreasonable

Private amenity space

22. The adopted Oxford Local Plan requires that new dwellings should provide an amount of private open space to allow their occupants to enjoy fresh air and light in privacy. It goes on to say that where occupiers are likely to be children, then shared amenity space is not appropriate and, generally, the length of a private garden for a family house should be 10 metres.
23. Policy CP10 of the OLP states that permission will only be granted where developments are sited to ensure that outdoor needs are properly accommodated, including private amenity space and where buildings are orientated to provide satisfactory light, outlook and privacy. Policy HS21 states that planning permission will not be granted for development proposals where insufficient or poor quality private open space is proposed.
24. Bearing in mind that the proposals involve the removal of the garage, the area of private amenity space not covered by buildings or hard standing will increase and the proposals comply with policies CP1, CP10 and HS21 of the OLP in this regard.

Other issues

25. The following issues are raised through consultation responses:
26. The application is for an extension to a dwelling house and has been assessed as such.
27. The development site is not defined by the OLP proposals map to be within an area of low lying land and appears to be within Flood Zone 1. As surface treatments are to remain unchanged, it is not considered reasonable to justify refusal or imposition of a flooding related condition of planning permission.
28. No material effect on local wildlife or habitat has been identified.
29. Access for emergency services is available through the garage of the extension and the annex to the rear will remain within the 45 metres of the highway specified by Manual for Streets.
30. There are no protected trees within the local area. A neighbouring garden has a non-protected tree within about four meters away from the proposed flank wall. Although the tree is of some amenity value, it is not considered to be at sufficient risk from the development to justify refusal or imposition of a condition of planning.
31. The plans show the existing garage to be removed. This will increase the area of garden available, reduce the intensity of development on site and is to be welcomed. However removal of the garage will be difficult once the extension is constructed, particularly if it involves the removal of asbestos and it is considered reasonable to impose a condition of

planning permission requiring the existing be demolished and removed from site, prior to the commencement of works on the approved extension to the main house.

Conclusion:

32. It is considered that the current application is successful in addressing the reasons for refusal of the previous scheme (10/01974/FUL). The development is not considered to be materially out of character with the existing house or local area, is unlikely to lead to a material loss of amenity for the occupiers of adjacent properties, and provides an appropriate level of parking for a house of this size in this location. The proposals therefore comply with Policies CP1, CP8, CP10, TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy and the application is recommended for approval.

Human Rights Act 1998

33. 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.

34. 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

35. 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 10/03257/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 20th July 2011

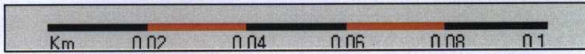
10/03257/FUL

2 Mortimer Drive



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	22 July 2011
SLA Number	Not Set

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East Area Planning Committee

3rd August 2011

-

Application Number: 11/00623/CT3

Decision Due by: 27th April 2011

Proposal: Single storey rear extension.

Site Address: 9 Bears Hedge Oxford Oxfordshire OX4 4JJ

Ward: Rose Hill And Iffley Ward

Agent: Corporate Assets

Applicant: Oxford City Council

The applicant is Oxford City Council, and determination at Committee is required.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is not considered to be materially out of character with the existing house or local area, is unlikely to have a significant effect on adjacent properties or parking pressure in the area, and does not result in an unacceptable loss of private open space at the property. The proposals therefore comply with Policies CP1, CP8, CP10, TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching

**Main Local Plan Policies:
Oxford Local Plan 2001-2016 (OLP)**

CP1 - Development Proposals
CP8 - Design Development to Relate to its Context
CP10 - Siting Development to Meet Functional Needs
HS19 - Privacy & Amenity
HS21 - Private Open Space
TR3 - Car Parking Standards

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

None relevant

Relevant Site History:

None relevant

Representations Received:

13 West View: No objection, comment that the area behind the house should not be used for the storing of materials.

Statutory and Internal Consultees:

Friends Of Iffley Village: No objections

Issues:

Design
Effect on adjoining occupiers
Private open space
Car parking

Officers Assessment:

Site description

1. The application site is an end of terrace house with areas of garden to three sides and a public path and area of public open space to the rear.

Proposal

2. Permission is sought to construct a single storey rear extension to the side of the house to provide a new bedroom and shower room for a disabled occupant.

Design

3. The Council expects new development to enhance the quality of the environment, and with this Policy CP1 is central to the purpose. This policy states that all new development should respect the character and appearance of the area. This view is taken a step further in Policies CP8 of the OLP and CS18 of the Core Strategy, which require all new development to demonstrate high quality urban design and ensure that the siting, massing and design creates an appropriate visual relationship with the built form of the local area.
4. The proposed development is easily visible from the public domain, but subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP and CS18 of the Core Strategy.

Effect on adjoining occupiers

5. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers, whilst Policy HS19 of the adopted Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that adequately provides both for the protection of the privacy or amenity of the occupants of proposed and existing neighbouring residential properties. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties.
6. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties. The proposal complies with the 45-degree guidance, is considered unlikely to have a material effect on adjacent properties, and complies with Policies CP1, CP10 and HS19 of the OLP.
7. No objections to the proposals have been received, but a comment has been made that the area behind the house should not be used for the storing of materials. An informative has been recommended to this effect.

Private open space

8. The adopted Oxford Local Plan requires that new dwellings should provide an amount of private open space to allow their occupants to enjoy fresh air and light in privacy. It goes on to say that where occupiers are likely to be children, then shared amenity space is not appropriate and, generally, the length of a private garden for a family house should be 10 metres.
9. Policy CP1 requires relevant development proposals to safeguard the amenities of adjoining land users and occupiers, whilst CP10 states that permission will only be granted where developments are sited to ensure that outdoor needs are properly accommodated, including private amenity space, where buildings are orientated to provide satisfactory light, outlook and

privacy, and where the amenity of other properties is adequately protected. Policy HS21 states that planning permission will not be granted for development proposals where insufficient or poor quality private open space is proposed.

10. The proposed development would result in the loss of private amenity space to the side of the property. However, the area to the rear of the property would be unaffected and preserve a maximum dimension of over 10 metres, in accordance with Policies CP1, CP10 and HS21 of the OLP.

Car parking

11. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. Policy TR3 states that planning permission will only be granted for development that provides an appropriate level of car parking spaces no greater than the maximum car-parking standards shown in the plan's Appendix 3, whilst policy NE10 requires developers to demonstrate appropriate provision to deal with surface water drainage.

12. The proposed extension will create a four bedroom house. Appendix 3 of the OLP gives a maximum standard of three parking spaces for a four bedroom house. However, in this case the intention is to provide a ground floor shower room and bedroom for an existing occupant, rather than deliberately add to the total number of bed spaces. Indeed, given that the ground floor facilities will increase the length of time the current occupant is likely to remain at the property, there is unlikely to be any increased pressure on parking as an immediate consequence of the development. Given that that the standard in Appendix 3 of the OLP is a maximum figure, and the sustainable location of Bears Hedge with its proximity to local shops and bus services, one space is considered sufficient for this location and the proposal complies with Policy TR3 of the adopted Oxford Local Plan 2001 – 2016.

Conclusion:

- 13. The development is not considered to be significantly out of character with the existing house or local area, is unlikely to have a material effect on adjacent properties or parking pressure in the area, and does not result in an unacceptable loss of private open space at the property. The proposals therefore comply with Policies CP1, CP8, CP10, TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy and the application is therefore recommended for approval.**

Human Rights Act 1998

14. 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.

15. 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

16. 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 11/00623/CT3

Contact Officer: Historic Application Officer

Extension:

Date: 21st July 2011

(Appendix 1 below)

9 Bears Hedge, Oxford, OX4 4JJ



Scale 1:1250

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31/01/2011



East Area Planning Committee

3rd August 2011

Application Number: 11/00703/CT3

Decision Due by: 5th May 2011

Proposal: Single storey extension to provide ground floor bedroom shower room and entrance lobby to accommodate disabled tenant.

Site Address: 74 Balfour Road Oxford Oxfordshire OX4 6AH

Ward: Blackbird Leys Ward

Agent: Corporate Assets

Applicant: Oxford City Council

NB: Determination by Committee is required as the applicant is Oxford City Council.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is not considered to be materially out of character with the existing house or local area, is unlikely to have a material effect on adjacent properties, and provides an adequate level of private amenity space. The proposals therefore comply with Policies CP1, CP8, CP10, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy. No comments or objections have been received from third parties.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

HS21 - Private Open Space

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

None relevant

Relevant Site History:

None relevant

Representations Received:

No comments received

Statutory and Internal Consultees:

No comments received

Issues:

Design

Effect on adjoining occupiers

Private open space

Officers Assessment:

Site description

1. 74 Balfour Road is a two storey end of terrace house, situated on Blackbird Leys within reasonable distance of local shops and bus services.

Proposal

2. Permission is sought to construct a single storey rear extension to provide access and a ground floor bedroom and bathroom for a disabled tenant.

Design

3. The Council expects new development to enhance the quality of the environment, and with this Policy CP1 is central to the purpose. This policy states that all new development should respect the character and appearance of the area. This view is taken a step further in Policies CP8 of the OLP and CS18 of the Core Strategy, which require all new development to demonstrate high quality urban design and ensure that the siting, massing and design creates an appropriate visual relationship with the built form of the local area.
4. The proposed development is not easily visible from the public domain, and a number of similar extensions are evident in the surrounding area. Subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP and CS18 of the Core Strategy.

Effect on adjoining occupiers

5. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers, whilst Policy HS19 of the adopted Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that adequately provides both for the protection of the privacy or amenity of the occupants of proposed and existing neighbouring residential properties. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties.
6. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
7. The proposal complies with the 45-degree guidance, is considered unlikely to have a material effect on adjacent properties, and complies with Policies CP1, CP10 and HS19 of the OLP.

Private Amenity Space

8. The adopted Oxford Local Plan requires that new dwellings should provide an amount of private open space to allow their occupants to enjoy fresh air and light in privacy. It goes on to say that where occupiers are likely to be children, then shared amenity space is not appropriate and, generally, the length of a private garden for a family house should be 10 metres.
9. Policy CP1 requires relevant development proposals to safeguard the amenities of adjoining land users and occupiers, whilst CP10 states that permission will only be granted where developments are sited to ensure that outdoor needs are properly accommodated, including private amenity space, where buildings are orientated to provide satisfactory light, outlook and privacy, and where the amenity of other properties is adequately protected. Policy HS21 states that planning permission will not be granted for

development proposals where insufficient or poor quality private open space is proposed.

10. The proposed development would result in the loss of private amenity space to the rear of the property. However the maximum depth of the garden would remain in excess of 10 metres, the width would remain at 8.5 metres, and it is considered that the amenity value of the lost garden space would be more than compensated for by the increase in amenity gained inside the house.
11. In any event, the remaining part of the garden is considered to be sufficient for sitting out, drying clothes and otherwise serving the dwelling and the proposals comply with policies CP1, CP10 and HS21 of the OLP.

Conclusion:

- 12. The development is not considered to be materially out of character with the existing house or local area, is unlikely to have a material effect on adjacent properties, and provides an adequate level of private amenity space. The proposals therefore comply with Policies CP1, CP8, CP10, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy and the application is recommended for approval.**

Human Rights Act 1998

13. 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.
14. 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

15. 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 11/00703/FUL

Contact Officer: Tim Hunter

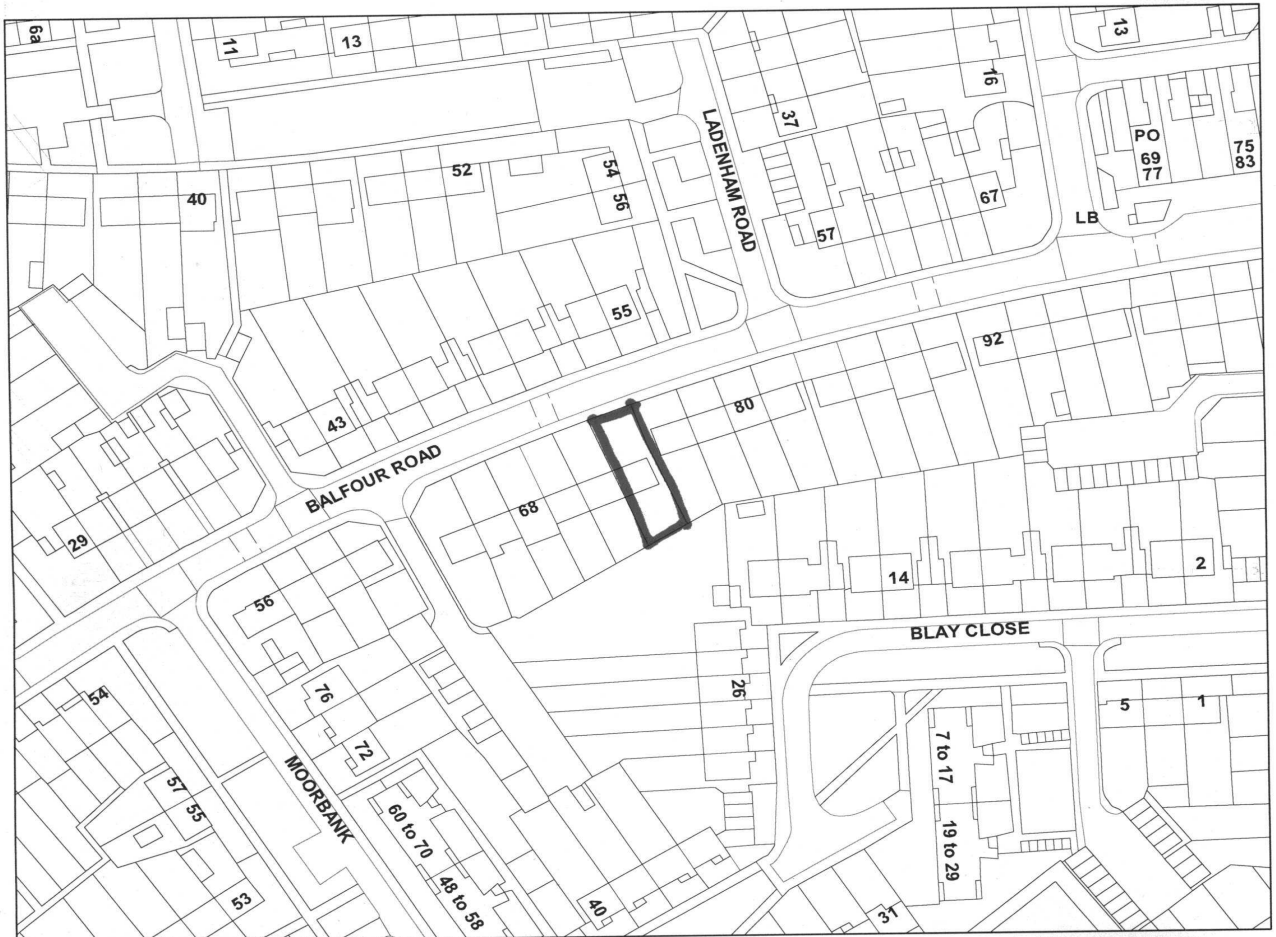
Extension: 2154

Date: 29th June 2011



11/00703/CT3

74 Balfour Road



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	19 July 2011
SLA Number	Not Set

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Agenda Item 12

Monthly Planning Appeals Performance Update – June 2011

Contact: Head of Service City Development: Michael Crofton-Briggs.
Tel 01865 252360.

1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 June 2011, while Table B does the same for the current business plan year, ie. 1 April 2011 to 30 June 2011.

Table A. BV204 Rolling annual performance (to 30 June 2011)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	(30%)	8 (62%)	5 (17%)
Dismissed	30	70%	5 (38%)	25 (83%)
<i>Total BV204 appeals</i>	43		13	30

Table B. BV204: Current Business plan year performance (1 April to 30 June 2011)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	3	(33%)	1 (33%)	2 (33%)
Dismissed	6	67%	2 (67%)	4 (67%)
<i>Total BV204 appeals</i>	9		3	6

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C. All planning appeals (not just BV204 appeals): Rolling year to 30 June 2011

	Appeals	Percentage performance
Allowed	18	(29%)
Dismissed	44	71%
All appeals decided	62	
Withdrawn	8	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during June 2011.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. If the appeal is against a delegated decision the relevant ward members receive a copy of this notification letter. If the appeal is against a committee decision then all members of the committee receive the notification letter. Table E, appended below, is a breakdown of all appeals started during June 2011. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D

Appeals Decided Between 1/6/11 And 30/6/11

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
10/02770/FUL	11/00014/REFUSE	DEL	REF	ALC	07/06/2011	COWLEY	39 Campbell Road Oxford Oxfordshire OX4 3PF	Two storey side extension and single storey rear extension.
10/01034/FUL	10/00067/REFUSE	DELCOM	D04	ALC	09/06/2011	MARST	The Friar Public House 2 Old Marston Road Oxford Oxfordshire OX3 0JP	Demolition of existing public house and erection of a two storey building comprising of retail store, provision of nine car parking spaces and pedestrian access. (amended description)
10/02509/FUL	10/00075/REFUSE	DEL	REF	DIS	14/06/2011	RHIFF	119 Rivermead Road Oxford Oxfordshire OX4 4UG	Change of use to 2 x 1 bedroom flats. Provision of communal garden, bin and cycle store.
10/03366/FUL	11/00020/REFUSE	DEL	REF	AWD	14/06/2011	RHIFF	27 Henley Avenue Oxford Oxfordshire OX4 4DJ	Proposed roof extension and provision of living accomodation in resultant roof space, construction of dormer windows.
10/03184/FUL	11/00016/REFUSE	DEL	REF	DIS	21/06/2011	MARST	21 William Street Oxford Oxfordshire OX3 0ES	Single storey rear extension.
10/00791/FUL	11/00006/COND	DEL	PER	DIS	24/06/2011	HINKPK	Ground And Lower Ground Floor Restaurant 1 Folly Bridge Oxford Oxfordshire OX1 4LB	Appeal against condition: This permission shall be for a limited period, expiring on 31st July 2012 when the building and works carried out under this permission shall be removed and the land reinstated to its former condition to the satisfaction of the Local Planning Authority unless prior to that date a renewal of the permission has been approved in writing by the Local Planning Authority.
Reason: The								temporary nature of the building(s) is such that it is considered inappropriate on a permanent basis.
10/03078/FUL	11/00008/NONDET		REF	DIS	24/06/2011	HINKPK	81 Wytham Street Oxford Oxfordshire OX1 4TN	Double storey side extension and detached double garage.

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
10/03121/LBC	11/00012/REFUSE	DEL	REF	DIS	28/06/2011	WOLVER	Church Farm House First Turn Oxford Oxfordshire OX2 8AH	Erection of entrance gates and piers.
10/03122/FUL	11/00013/REFUSE	DEL	REF	DIS	28/06/2011	WOLVER	Church Farm House First Turn Oxford Oxfordshire OX2 8AH	Erection of entrance gates and piers.
10/02313/CAC	11/00010/REFUSE	COMM	REF	DIS	30/06/2011	QUARIS	Land Rear Of 26 To 28 Quarry High Street Oxford Oxfordshire	Demolition of walls on the site. (Amended Description)
10/02130/FUL	11/00009/REFUSE	COMM	PER	DIS	30/06/2011	QUARIS	Land Rear Of 26 To 28 Quarry High Street Oxford Oxfordshire	Demolition of existing garage and sheds, along with reconstruction of stone wall to create new access. Construction of 6 houses (2 x 3-bed, 2 x 2-bed, 2 x 1-bed). Creation of associated private driveway, parking and new garage for No. 32 Quarry High Street and bin collection point. (Amended description) (Amended plans)

Total Decided: 11

TABLE E Appeals Received Between 1/6/11 And 30/6/11

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee;
 RECMND KEY: PER - Approve, REF - Refuse, SPL - Split Decision, NDA - Not Determined; TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

DC CASE NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
10/03141/FUL	11/00023/REFUSE	DEL	REF	W	Land To The Rear Of 184 Fern Hill Road Oxford Oxfordshire	LYEVAL	Demolition of bungalow. Erection of single storey building comprising 2 x 1 bed apartments. Provision of 2 off street car parking spaces.
10/03323/FLT	11/00022/REFUSE	DELCOM	PER	W	Telecommunications Mast Walton Well Road Oxford Oxfordshire	JEROSN	Removal of existing 15m high monopole. Installation of 17.5m high monopole with 6No. antennas and ancillary equipment cabinet.
11/00088/FUL	11/00025/REFUSE	DEL	REF	H	52 Morrell Avenue Oxford Oxfordshire OX4 1ND	STCLEM	Single storey rear extension.
11/00636/OUT	11/00026/REFUSE	DEL	REF	W	Garages To The Rear Of 1 3 5 7 And 9 Coppock Close Oxford Oxfordshire	QUARIS	Outline application with all matters reserved for the demolition of existing block of 11 garages. Erection of two storey building to provide 2 x 1-bedroom flats and 2 x 2-bedroom flats. Provision of car and cycle parking, bin store and amenity space.
11/00923/FUL	11/00024/REFUSE	DELCOM	PER	W	68 Abingdon Road Oxford Oxfordshire OX1 4PL	HINKPK	Loft conversion and alterations to existing roof involving flat roofed rear dormer windows.

Total Received: 5

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EAST AREA PLANNING COMMITTEE

Wednesday 6 July 2011

COUNCILLORS PRESENT: Councillors Darke (Chair), Rundle (Vice-Chair), Brown, Clarkson, Coulter, Fooks, Keen, Sanders and Wolff.

OFFICERS PRESENT: Mathew Metcalfe (Democratic Services) and Martin Armstrong (City Development)

13. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None.

14. DECLARATIONS OF INTEREST

Declarations of interest were declared as follows:

Councillor Van Coulter declared a personal interest in agenda item 8 (Old Headington Conservation Area Appraisal report on final draft) as he was a Member of the Governing Council of Ruskin College (Minute 20 refers)

Councillor Mary Clarkson declared a personal interest in agenda item 8 (Old Headington Conservation Area Appraisal report on final draft) as she was a resident of Old Headington and was awaiting legal advice concerning Ruskin Fields (Minute 20 refers).

15. FORMER OXFORD BUS DEPOT, 395 COWLEY ROAD, OXFORD - 11/01150/RES

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for reserved Matters of planning permission no. 09/01201/OUT, (for 2092sq.m of class B1 Business floor space and 106 student study rooms), seeking approval of appearance of block B and C and of the student accommodation block.

No requests to speak had been received from members of the public.

The Committee agreed to grant planning permission subject to the following conditions:

- (i) Develop in accordance with approved plans
- (ii) Raised height of blunt top railings; 1.8m
- (iii) Details of lighting bollards, inc. hours of illumination

16. LAND AT THE CORNER OF HORSPATH DRIFTWAY AND BLACKSTOCK CLOSE - 11/01410/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the installation of public art.

No requests to speak had been received from members of the public.

Members of the Committee raised general concerns on the process of how the design etc. was chosen and that there should be greater consultation and engagement with ward Councillors and the public.

The Committee agreed to grant planning permission subject to the following conditions:

- (i) Development begun within time limit
- (ii) Develop in accordance with approved plans
- (iii) Samples

17. 54 WILLIAM STREET, OXFORD - 11/00916/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the conversion of existing workshop/office to a 1 bed flat. Erection of new 2 storey building with room in roofspace to provide 1x1 bed flat and 1x2 bed flat. Provision of amenity space, bin and cycle storage. (Amended Plans and Description).

Three members of the public spoke against the application and one spoke in favour.

The Committee agreed not to grant planning permission for the following reason:

- (1) That, having regard to the extent of the site coverage by buildings, the limited amount of private amenity space, the narrow and inconvenient access to the proposed ground floor flat and dwelling at the rear of the site that would also be used to move cycles and bins and the conflict between the proposed locations of bin and cycle storage, the proposal would represent an overdevelopment of the site contrary to policies CP1 and CP10 of the Oxford Local Plan 2011-2016 and CS18 of the Oxford Core Strategy 2026.

Informative

The City council is not opposed to the principle of car free development.

18. 24 MILTON ROAD, OXFORD - 11/00378/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the erection of a 2 bedroom dwelling house.

No requests to speak had been received from members of the public.

The Committee agreed to grant planning permission subject to the following conditions:

- (i) Development begun within time limit
- (ii) Develop in accordance with approved plans
- (iii) Materials - matching
- (iv) Landscape plan, parking, vision splays
- (v) Implementation of parking and landscape

- (vi) Suspected contamination
- (vii) Bin and cycle storage
- (viii) Design – no additions to dwelling
- (ix) Amenity windows obscure glass rear facing bathroom and cloakroom

19. TEMPLARS SHOPPING PARK, BETWEEN TOWNS ROAD, OXFORD - 11/00461/POM - MODIFICATION TO LEGAL AGREEMENT

The Head of City Development submitted a report (previously circulated, now appended) the purpose of which was to seek the views of the Committee on a variation to a legal agreement relating to the retail park to allow up to 2500sq.m of floor space to be used for food sales.

One member of the public spoke in favour of the application.

The Committee agreed to the amendment of a planning agreement relating to the Retail Park so as to permit food sales for up to 2500sq.m of floor space.

20. OLD HEADINGTON CONSERVATION AREA APPRAISAL REPORT ON FINAL DRAFT

The Head of City Development submitted a report (previously circulated, now appended) which informed the Committee of the completion of public consultation on the Old Headington Conservation Area Appraisal and requested the endorsement of the amended appraisal for approval by the Board Member for City Development.

Councillor Van Coulter declared a personal interest as he was a Member of the Governing Council of Ruskin College.

Councillor Mary Clarkson declared a personal interest as she was a resident of Old Headington and was awaiting legal advice concerning Ruskin Fields.

Robert Lloyd-Sweet, (City Development) introduced the report and gave a brief verbal presentation.

Veronica Hurst on behalf of the Friends of Old Headington addressed the Committee and said how she and the Friends of Old Headington strongly supported the appraisal and welcomed being included at every stage of the process. She specifically congratulated the Officers who had engaged with the community and the Friends. She concluded by stating how impressive the contents of the appraisal were.

Councillor Rundle said that this was a model of how an appraisal should be conducted and it was good to see how responsive the Officers had been in considering all of the points raised during the consultation process. He added that the appraisal was a full and appropriate response following the public consultation. Councillor Clarkson supported the comments of Councillor Rundle and support was expressed generally by the Committee.

The Committee agreed:

- (a) To express its thanks and to congratulate officers for their work on the appraisal and to highlight how the response to the consultation was full and appropriate;
- (b) To warmly endorse the appraisal and to forward this and the comments made during the meeting to the Board Member, City Development (Councillor Colin Cook) for consideration.

21. PLANNING APPEALS

The Head of City Development submitted a report (previously circulated, now appended) which detailed planning appeals received and determined during May 2011.

The Committee agreed to note the report.

22. FORTHCOMING PLANNING APPLICATIONS

The Committee agreed to note that the following application would be submitted to a future meeting for consideration and determination.

- (a) Land at Hundred Acres Close – 11/01297/CT3
- (b) Meadow Lane Allotments, Fairacres Road – 11/0147/FUL
- (c) SAE Oxford, 33 Armstrong Road – 11/01569/FUL
- (d) Bricklayers Arms, 39 Church Lane, Marston – 11/01331/FUL

23. MINUTES

The Committee agreed to approve the minutes (previously circulated) of the meeting held on 1 June 2011.

24. DATES AND TIMES OF FUTURE MEETINGS

The Committee agreed:

- (a) To note the dates of future meetings;
- (b) To change the date of the October 2011 meeting to meet on Thursday 6 October 2011;
- (c) That future meetings should commence at 6.00pm and that this be reviewed after two further meetings.

The meeting started at 5.00 pm and ended at 7.05 pm