

Agenda

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East Area Planning Committee

Date: **Tuesday 5 February 2013**

Time: **6.00 pm**

Place: **Oxford Town Hall**

For any further information please contact:

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If you would like help to understand this document please call Sarah Claridge, Democratic Services Officer on or email sclaridge@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 Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Dee Sinclair	Quarry and Risinghurst;

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.

3 THE LORD NUFFIELD CLUB, WILLIAM MORRIS CLOSE 12/02935/FUL

1 - 24

The Head of City Development has submitted a report which details a planning application for a change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas, access and parking along with associated landscaping. (Amended plans)

Officer recommendation: That the Committee SUPPORT the proposals in principle but defer the planning application in order to draw up an accompanying legal agreement and to delegate to officers the issuing of the notice of planning permission on its completion, subject to the following conditions.

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Landscape plan required
- 5 Landscape carry out after completion
- 6 Boundary details before commencement first occupation,
- 7 SUDS for car parking area
- 8 Parking and vehicle manoeuvring areas
- 9 Cycle parking details required
- 10 Provision of bin stores
- 11 Travel Plan and detailed SRTS
- 12 School Rolls - Travel Plan
- 13 School Rolls - traffic impact
- 14 Traffic Management Plans
- 15 Amenity no additional windows west, south or east,
- 16 Noise
- 17 Cooking odours
- 18 Biodiversity enhancements
- 19 Archaeology - Implementation of programme

4 **TEMPLARS SHOPPING PARK: 12/02855/POM**

25 - 32

The Head of City Development has submitted a report which details a planning application for the variation of the legal agreement relating to retail park to allow up to 20% of all retail units sales area to be for food sales

Officer recommendation: That the Committee AGREE to the amendment of a planning application relating to the Retail Park so as to permit up to 20% of all units sales area for food sales and delegate the issuing of the Deeds of Release to officers.

5 **RUSKIN HALL, DUNSTAN ROAD: 12/03124/EXT & 12/03123/EXT**

33 - 70

The Head of City Development has submitted a report which details two planning applications:

12/03124/EXT: extend the time limit for implementation of planning permission 09/00634/FUL (Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping).

12/03123/EXT: extend the time limit for implementation of 09/00636/FUL: Erection of student accommodation on 2 and 3 storeys (Block D). Cycle parking. Associated hard and soft landscaping

Officer recommendation: That the Committee APPROVE the applications subject to completion of a legal agreement and the following conditions for each application.

12/03123/EXT: Extension of time for the erection of student accommodation on 2 and 3 storeys (Block D). Cycle parking. Associated hard and soft landscaping. Previous application: 09/00636/FUL:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - samples
- 4 Sustainable Drainage
- 5 Contamination
- 6 Cycle parking
- 7 Students - No cars
- 8 Travel Plan
- 9 Construction Travel Plan
- 10 Construction no mud on highway
- 11 Arboriculture
- 12 Landscape plan
- 13 Planting season
- 14 Landscaping
- 15 Archaeology
- 16 NRIA
- 17 Student accommodation
- 18 Student accommodation - term time
- 19 Public Art
- 20 Lighting scheme
- 21 Drainage Strategy

S106 Contributions:

County:

£ 1890 towards Library infrastructure and book stock

£ 4140 towards Cycle improvements in the vicinity

City:

£ 1800 towards Indoor Sports

12/03124/EXT: Extension of time for the erection of 4-storey building (Block A) to provide student accommodation. Cycle parking. Associated hard and soft landscaping. Previous application: 09/00634/FUL:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Contamination
- 4 Cycle Parking
- 5 Students - No cars
- 6 Travel Plan
- 7 Construction Travel Plan
- 8 Construction no mud on highway
- 9 Arboriculture
- 10 Revised landscape and planting plan
- 11 Planting season
- 12 Landscape Management Plan
- 13 Programme of archaeological work
- 14 Natural Resource Impact Analysis (NRIA)
- 15 Students
- 16 Student Accommodation - out of term use
- 17 Public Art

S106 Contributions:

County:

£ 2591 towards Library infrastructure and book stock

£ 5934 Cycle improvements in the vicinity

City:

£ 2580 towards Indoor Sports

6 11A FAIRFAX ROAD: 12/03146/FUL

71 - 76

The Head of City Development has submitted a report which details a planning application for the erection of a single and two storey rear extensions.

Officer recommendation: That the Committee APPROVE the application subject to the following conditions.

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials to match existing
- 4 Surface Water Drainage and Biodiversity the conditions listed in the planning report.

To receive information on planning appeals received and determined during December 2012

The Committee is asked to NOTE this information.

8 **FORTHCOMING APPLICATIONS**

The following items are listed for information. They are not for discussion at this meeting.

12/03115/FUL - Plots 8040 and 8050, Alec Issigonis Way, Oxford Business Park North - Construction of motor vehicle dealership comprising two storey building housing workshops, MOT bays, storage plus single storey Valet building. Formation of new access plus 177 car parking spaces for customers, staff, workshops and car sales

12/01106/FUL – Cotuit Hall, Pullens Lane - Erection of 3 new buildings on 3 floors plus basement to provide teaching, residential and ancillary accommodation, together with underground common room to frontage. Refurbishment of existing Marcus and Brewer buildings, including alteration to existing elevations. Provision of new pedestrian footpath from Pullens Lane.

12/01107/CAC – Cotuit Hall, Pullens Lane - Demolition of existing upper and middle blocks of accommodation.

12/03240/FUL - Rye St Antony School, Pullens Lane - Two storey classroom building, single storey extension to Rendall Building and new entrance courtyard

12/03283/CAC - Rye St Antony School, Pullens Lane – Demolition of existing Bursary Building

12/02622/CT3 & 12/02623/CT3 – Parks Depot, Bury Knowle Park - Erection of 5 x 3-bed, 3 x 2-bed and 2 x 1-bed flats (use class C3) arranged around central courtyard together with cycle and bin store and Conservation Area Consent for demolition of brick shed and former mess building.

12/02848/OUT - Land North Of Littlemore Healthcare Trust, Sandford Road - Outline application (fixing access) for up to 140 residential units together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space.

12/02967/FUL - Parking Area And Part Sports Field, William Morris Close - Construction of two all weather playing pitches, plus a new residential development consisting of 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc accessed off Barracks Lane.

12/03053/OUT - Garages To The Rear Of 1 3 5 7 And 9 Coppock Close - Demolition of eleven garages. Erection of 2 x single storey, one bedroom detached dwellings with provision of private amenity space, 2 parking spaces

and cycle and bin storage.

9 MINUTES

81 - 86

That the minutes of the meeting held on 8 January 2012 be APPROVED as a true and accurate record.

10 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Tuesday 5th March 2013 (and Thursday 7th March if necessary)

Tuesday 16th April 2013 (and Tuesday 23rd April if necessary)

Tuesday 7th May 2013 (and Thursday 9th May if necessary)

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners..

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.

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East Area Planning Committee

-5th February 2013

Application Number: 12/02935/FUL

Decision Due by: 14th February 2013

Proposal: Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas, access and parking along with associated landscaping. (Amended plans)

Site Address: The Lord Nuffield Club, William Morris Close, **Appendix 1.**

Ward: Cowley Marsh Ward

Agent: Miss Grace Manning-Marsh

Applicant: Dr Russell Rook

Recommendation: Committee is recommended to support the proposals in principle but defer the planning application in order to draw up an accompanying legal agreement and to delegate to officers the issuing of the notice of planning permission on its completion.

Reasons for Approval

- 1 The need for additional school places in the City can appropriately be met on this site. Through a Community Access Package to be secured under a legal agreement, the local community will be able to make an acceptable level of use of many of the school's internal and external facilities. Subject to conditions and implementation of on-street measures, the additional traffic and parking likely to be generated by this proposal is judged not to have any adverse highways impacts. The external alterations to the building are appropriate in relation to the site and surrounding development, and the use of the building as a school will not have unacceptable detrimental impacts on the residential amenities enjoyed by adjacent properties. The proposal complies with adopted policies contained in the Core Strategy 2026 and the Oxford Local Plan 2011-2016.
- 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.

- 3 The Council considers that, by virtue of the provisions to be made under the section 106 agreement, 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.
- 4 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.

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 required
- 5 Landscape carry out after completion
- 6 Boundary details before commencement first occupation,
- 7 SUDS for car parking area
- 8 Parking and vehicle manoeuvring areas
- 9 Cycle parking details required
- 10 Provision of bin stores
- 11 Travel Plan and detailed SRTS
- 12 School Rolls - Travel Plan
- 13 School Rolls - traffic impact
- 14 Traffic Management Plans
- 15 Amenity no additional windows west, south or east,
- 16 Noise
- 17 Cooking odours
- 18 Biodiversity enhancements
- 19 Archaeology - Implementation of programme

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP21** - Noise
- CP23** - Air Quality Management Areas
- TR1** - Transport Assessment
- TR2** - Travel Plans
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows

HE2 - Archaeology

SR2 - Protection of Open Air Sports Facilities

Core Strategy

CS2_ - Previously developed and greenfield land

CS21_ - Green spaces, leisure and sport

CS20_ - Cultural and community development

CS13_ - Supporting access to new development

CS18_ - Urban design, town character, historic environment

CS16_ - Access to education

CS12_ - Biodiversity

Other Material Considerations:

National Planning Policy Framework

Policy Statement – planning for schools development, DCLG, August 2011, issued jointly by the Secretary of State for Communities and Local Government and the Secretary of State for Education

Relevant Site History:

02/02046/FUL - Demolition of sports and social club buildings, two houses, garages and outbuildings. Retention of sports ground and bowling green. Erection of new sports and social club, 63 dwellings comprising 23 x 2 bedroom flats in a 3 storey block and a terrace of 6 houses, 4 x 3 bedroom and 2 x 4 bedrooms in a 2 storey block (some with accommodation in roof space) 2 caretakers flats in the sports and social club building, accessed from Barracks Lane, with associated car parking (97 spaces). cycle parking and bin storage. Erection of 7 x 3 bedroom and 4 x 4 bedroom 2 storey terraced houses (some with accommodation in roof space) fronting Crescent Road and two 3 storey blocks of 21 x 2 bedroom flats, with associated car parking (32 spaces) accessed from Crescent Road. (Amended Plans). PER 8th December 2004.

Representations Received:

Two planning applications on adjacent parts of the former Lord Nuffield Club building and grounds were registered 5 days apart:

- the application which is the subject of this report (12/02935/FUL) for conversion of the former sports and social club building to a school with associated outside facilities on the northern part of the former recreation ground; and,
- an application (12/02967/FUL) for housing and two all-weather pitches on the southern part of the former recreation ground and the former car park: this application is to be presented to a future meeting of this Committee.

Local people have either commented on both applications in one response or as two or more responses. The applications are of course being assessed separately on their own merits but for simplicity and to reflect the interconnectedness of the

applications in the mind of most respondents, the public response is presented here as a single summary table in **Appendix 2**.

Statutory and Internal Consultees:

Sport England - objects to the proposal because it represents the loss of an area of playing field and the ancillary parking and building which provided changing rooms for the sports pitches and does not accord with any of the exceptions in Sport England's playing fields policy. Sport England would be more likely to support this proposal if the adjacent playing fields could be retained for use by the School and the Community, along with changing provision (potentially located within the School buildings) and parking.

Highways Authority – no objections subject to conditions relating to: the design and construction of the parking areas; submission of a Travel Plan and Safe Routes to School Study; retention of cycle parking facilities; schedule of school rolls; and submission of a Construction Travel Management Plan and a Service Delivery management Plan.

Thames Water Utilities Limited – no objections in relation to water supply and waste.

No comments have been received from: OCC Developer Funding Team, OCC Drainage Team Manager, Oxford Area Playing Fields Association, Oxford Sports Council, Oxford Civic Society, Open Spaces Society, Department of Education & Science, Oxfordshire Primary Care Trust.

THE SITE AND SURROUNDINGS

1. The site is located within a primarily residential area at the junction of Barracks Lane with William Morris Close. It is bounded to the east and west by residential development (properties in William Morris Close and on Hollow Way); to the north by Barracks Lane and the Southfield Golf Course beyond; and to the south by the playing fields associated with the former use of the land as a sports and social club.
2. The application site extends to 0.59ha. It comprises a large leisure-use building with a footprint of some 0.115ha (the former Lord Nuffield Sports and Social Club); together with open land immediately adjacent to the building extending for another 0.475ha.
3. The existing building is dark-red brick-built with some feature-banding brick work in a contrasting colour. The roof has pitched concrete slate side elements and a central area of flat roof. On its south wall it has an open viewing terrace; and on its east elevation it has two and single storey projections. It has powder coated aluminium gutters and powder coated aluminium windows and doors. It has a basement and 2 upper floors creating an external height of some 12.2m. It has a total internal floorspace of 2,704 sq. m. and a building footprint of 1,150 sq. m. It is fully air-conditioned and has a lift.

THE PROPOSAL

4. The proposal is to convert the former Lord Nuffield Sports and Social Club building (Use Class D2) and land immediately adjacent to a school for reception and primary age children (Use Class D1).
5. The school will be operated by Chapel Street Community Schools Trust under the Government's 'Free Schools' Programme. It is proposed to open in September 2013 with 60 pupils; rising by 60 pupils each year for 6 years until at full capacity the school will have 420 pupils in mixed boy and girl classes of target size 28. It is envisaged that there will be 22 full time and 23 part time employees at the site during the school day. The Trust intends to provide outstanding teaching and learning for children with a Christian ethos for a multi-cultural community supporting children of and families of all faiths and none. The school facilities are to be made available to the local community via a Community Access Package to provide a hub for local education and community activities. The Site Manager and associated staff will be responsible for access to the school out of hours and during the holidays.
6. The existing building structure is to be retained but with additional doors and windows to allow interior remodelling to accommodate classrooms and other school facilities. The existing air conditioning and other plant, and external lighting are to be retained.
7. Access to the school site will be from William Morris Close off Barrack's Lane. 18 staff parking spaces are proposed, together with 2 disabled and 2 visitor parking spaces, an in-and-out turning area some 43 metres long, a pupil drop-off zone 16.5 metres long and 36 cycle parking spaces. Bin and recycling storage is proposed in a position convenient for collection from William Morris Close.
8. External formal and informal soft and hard play and education areas are proposed within the site: the school would not be dependent on provision of pitches or other facilities outside the application site. The trees along the eastern boundary are to be retained and some additional planting and landscaping are proposed within the site including an educational nature area.
9. The stone boundary wall to the north will be retained; the residential fences along the eastern boundary will not be affected by this proposal. The southern boundary will be formed by a 2m open weld fence (with a secure access to the open space to the south if required).

DETERMINING ISSUES

- The principle of a new school in this location
- Loss of a community facility
- School development on protected open space
- Impact on local highways
- Impact on surrounding residential properties
- Other issues – archaeology and biodiversity

The principle of a new school in this location

10. The NPPF (March 2012) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are required to take a proactive, positive and collaborative approach to development that will widen choice in education by giving great weight to the need to create, expand or alter schools.
11. A statement had also been issued in August 2011 jointly by the Secretaries of State for Communities and Local Government and for Education setting out the Government's view that the creation and development of state-funded schools is strongly in the national interest; and underlining the Government's commitment to support their delivery through the planning system.
12. The County Council as education authority has commented in relation to this application that the school expansions already in progress, planned or being explored, will all be needed for the existing population, and may still prove insufficient. Options for further expansions are becoming limited, and new schools will be needed to support increased parental 'choice' and a better geographic distribution of supply and demand for any additional population growth. The location of the application site is regarded as being appropriate to meet this need.
13. In response to consultation on this proposal local residents have commented both against and in favour of this proposal. Those against may well accept the need for additional schools but for reasons of highway impact, loss of open space, and impact on local residential amenities do not accept that this is an appropriate site. Those in favour emphasise the need for additional school places and high quality education, and consider this to be a good use of a redundant building and a good site for a school being well connected to the local transport network.
14. Improving educational attainment is at the heart of the City Council's Corporate Plan, backed by a range of initiatives and financial and other resource investments. Policy CS16 of the Core Strategy states that the City Council will work with the County Council and other agencies to improve access to all levels of education, through new or improved facilities. In view of the County's analysis that the need for additional school places can appropriately be met on this site it can be asserted that this development is acceptable in principle in that it also accords with the aims of the City Council's Corporate Plan and Core Strategy. Significant benefits are therefore likely to accrue to the City's community as a whole in the development of a school on this site. Its acceptability in terms of planning policy and highway impact would still however need to be established.

Loss of a community facility

15. Policy CS20 of the Core Strategy aims to resist the loss of community facilities where the foreseeable need justifies their retention.

16. The former Club functioned as a community facility with public access. Local residents have commented on the value to them of community use of the building; that such facilities are still needed locally; and that rather than using it for a school, alternative community users and uses for the building could be found. Other local residents regard school use with community access as an acceptable use of the currently unused building.
17. When the administrators were seeking purchasers for the property, efforts were made by the City Council and others to see if it would be possible to continue the use of the Lord Nuffield Club as designed, but to no avail. The planning agent for the current owners of the site, has commented that during marketing of the site over a period of about 3 years there have been no offers of which they are aware to either continue a private club use or to provide public recreational facilities.
18. As a building approved under Use Class D1 for use for general leisure purposes, the former Club building could be converted, without further permission, for use for commercial leisure activities such as a cinema, concert hall, bingo hall or casino, dance hall, swimming bath, skating rink gymnasium or area for other indoor or outdoor sport and recreation. In contrast, the school use with public access to some of its internal facilities (including a large hall) out of hours and during holidays (secured through a Community Access Package) and with school staff managing community facilities, would allow for locally generated community use of the building (such as local clubs, sports teams, community meetings, drama groups, children's' and youth groups, fitness classes and so on). In this primarily residential environment such community generated uses may be regarded as preferable to alternative possibly large scale commercial leisure activities.
19. Therefore, subject to conclusion of a legal agreement which secures a satisfactory level and type of sustained community access, this proposal is regarded as providing continued community use of the building and therefore acceptable in terms of Policy CS20. Details of a community access package would require further dialogue with the applicant in the event of the planning application being supported by committee.

School development on protected open space

20. The recreational open space, of which this application site is a part, is a remnant of the larger recreational open space associated with the Morris Motors Social Club which previously owned and occupied the space. The site plan prior to redevelopment attached at **Appendix 3**.
21. In 2004 planning permission was given to demolish the Morris Motors Club buildings on Crescent Road and build a new club building (the Lord Nuffield Club which is now the subject of this application) enabled financially by housing development on part of the open space not used as playing pitches (William Morris Close) and on the demolished club house site on Crescent Road. The block plan from that application is attached as **Appendix 4**. This was contrary to planning policy which aimed to protect recreational open space but was regarded as expedient given that the social club use would be relocated and upgraded on

the site, and the main area of playing pitches would not be developed. Other important benefits included social housing and community access.

22. The application being considered for the school therefore represents a further significant reduction in the available area of recreational open space from that which existed prior to the 2004 permission for the redeveloped club. As the analytical drawing at **Appendix 5** shows, the application site as a whole constitutes 34% of the remaining recreation field, and aside from the building, the open space being taken by the school is 27% of the remaining recreation field. Sport England has raised an objection to the loss of this part of the larger playing field and the ancillary parking and building which provided changing rooms for the sports pitches.
23. In commenting on these proposals (for the school and the housing on the adjacent site) local residents have voiced almost unanimous opposition to any development of the open areas of the former club site. Only one respondent (to the housing scheme) commented that all-weather pitches would be a better use. The open space is highly valued by local residents and the majority consider that it should be retained as such for the following reasons (in summary):
 - has been well used by local people for 80 years and valued as an open green space, not redundant;
 - adds to the character of the area, part of green image of the city;
 - local and Government planning policy indicates it should be kept open
 - previous planning permission (for the Lord Nuffield Club) was conditional on retention of the open space – this should be upheld;
 - it should be safeguarded land for long term use;
 - the all-weather pitches do not allow for the informal recreation that people enjoy on this land;
 - no floodlighting means that public use restricted;
 - negative impact on local wildlife.
24. There is strong national and local planning policy protection for existing recreational and open green space. The NPPF states that the Government considers that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
25. The NPPF also indicates that urban green space may be worthy of protection as Local Green Space if it is:

- in reasonably close proximity to the community it serves;
 - demonstrably special to the local community and hold a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - local in character.
26. At the local level this site is protected as an open space under Policy SR2 of the Oxford Local Plan which resists the loss of open space where there is a need for the facility to be retained in its current location, or the open area provides an important green space for local residents. Exceptions to this policy can only be made where there is no need at all for the facility for the purposes of open space, sport or recreation or where there is a need for the development and there are no alternative green field sites and the facility can be replaced by equal or improved replacement facilities.
27. This site is also protected as an open space under Policies CS2 and CS21 of the Core Strategy. Policy CS2 allows the development of greenfield and previously developed land only if it is allocated for the proposed use or, in the case of housing proposals it is needed to maintain a five-year housing land supply. Policy CS2 only allows the allocation of open space for development if a need for the development can be demonstrated and if the open space is not needed for the well-being of the community it serves. Policy CS21 seeks to maintain an overall average of 5.75 ha of publicly accessible green space per 1,000 population. Under this policy losses of sports and leisure facilities will only be acceptable if alternative facilities can be provided of equal accessibility and if no deficiency is created in the local area.
28. The Council's Sites and Housing Plan which was recently approved by a Planning Inspector and is due for formal adoption by the Council on 18th February, contains some housing allocations on previously open private sports grounds. These sites were not specifically sought by the Council in order to prepare the plan but were suggestions for possible development sites proposed by landowners which were responded to by the Council in the context of the plan-making process. Each site was subjected to a rigorous and detailed assessment by the Council of its value and potential for formal and informal sport and its amenity value as green space; and also to public scrutiny through consultation and examination in public. The sites which have in part been allocated for development were required to retain at least 25% of the site area as unrestricted publicly accessible open space, suitably located and designed for practical public use. The Sites and Housing Plan was a discrete planning process specifically geared to identify sites to demonstrate a 5 and 10 year supply. This is now complete and achieved. Other development proposals now coming forward on green field and sports sites will be considered against the national and local plan policies described above.
29. In relation to national and local policy therefore it is important to establish whether the land is redundant for recreational use. The applicants have not submitted evidence to that effect. Local people made active use of the land prior

to its being fenced in mid-November 2012 when the current planning applications were submitted. Sport England and the Council's Leisure Services have identified a range of sporting and recreational uses to which the land as a whole could be put. The space is not therefore surplus to sport and recreation requirements or redundant for sports and recreation use. Although in private ownership and fenced off, the site retains the potential to be brought back as high quality provision for active formal or informal outdoor recreation.

30. The determining issues therefore in respect of the proposed school's incursion into the protected open space are:
- whether the benefits of developing a new school here which requires outdoor facilities that can only be accommodated on protected open space, outweighs the policy protection of the open space; and,
 - whether the proposed replacement provision would be equal to or better than the existing provision.
31. On the first point, in a previous section of the foregoing report, the need for and principle of development of a new school in this part of the city was accepted, as has its location within the former Club building subject to meeting planning policy constraints. It was established that significant benefits are likely to accrue to the City's community as a whole in the development of a school on this site. This assertion therefore weighs heavily in assessing the acceptability of the open space to be taken by the school.
32. On the second point, part of the Community Access Package proposed includes access to the external areas of the school. This offers the local community access (outside of school hours and in the holidays) to a grass play area, a grass amphitheatre, an all-weather Multi-Use Games Area (MUGA), and trim-trail equipment. The MUGA will be a fenced games area (2m minimum fence height) that will allow for at least 4 different sports to be played on it. It will be accessible without going onto the school grounds, so that it can be fully used by the community outside of school hours. It will be managed and maintained by the school at no cost to the council.
33. Taken together with the in-principle benefits of school development on this site, the level and type of community access proposed is regarded as being an acceptable alternative sport and recreational provision on this part of the protected open space. Reducing the former recreation area by the amount required by the school and in the location proposed still leaves a usable area in the rest of the site (in terms of size and configuration) which retains the potential to accommodate a range of outdoor sports to meet local needs.
34. Therefore, subject to conclusion of a legal agreement which secures a satisfactory level and type of sustained community access to the external areas and facilities of the school, this proposal is regarded as providing the opportunity for continued sport and recreational use by the local community on the former open site. It may therefore be regarded as being in accordance with the NPPF and acceptable in terms of Policies CS1, CS2 and CS21 of the Core Strategy and Policy SR2 of the Oxford Local Plan.

35. Further, this open space has a role within the local area as a green space and is protected as such under the NPPF and Policy CS 2 of the Core Strategy. It meets the requirements of the NPPF to be regarded as a Local Green Space (although its formal designation as such could only occur through the Local Plan process) in that:
- It is local in character and is adjacent to and bounded by the community it serves; and,
 - It is demonstrably special to the local community: local people have commented that:
 - until recently it was in active use by local people for formal recreation in association with the Club;
 - until it was fenced when the current planning applications were submitted (mid-2012) it was in regular use for spontaneous informal recreation, and dog walking;
 - it has visual amenity value as a green space, in defining the character of the area, as a relief to the density of development in the local area, and as a place for wildlife.
36. Apart from open weld fencing no structures are proposed by the school on this open space. The areas of additional hard surface will diminish but not eradicate the 'greenness' of the space, and there is also to be additional soft landscaping and tree planting. The openness of the space will therefore be retained as will its value as a 'green' visual amenity similar to a Local Green Space. In these terms also therefore the proposal may be regarded as acceptable.

Impact on local highways

37. The Local Highway Authority has considered the school application on its own merits (aside from the housing/pitches application on adjacent land).
38. The Authority regards the submitted Transport Assessment to be robust and agrees with the assumptions used and conclusions drawn: it acknowledges that the key issue in assessing the likely traffic generation of the school is the likely proportion of the pupils who will arrive by car. Officers of the Highway Authority considers it not un-reasonable to predict that 70% of pupils will arrive at this school by sustainable means, given that in this location there is a high resident population within walking distance. They consider that although 70% is higher than the national average, the location is an area with higher than average accessibility by sustainable means. The national average takes into account many places of an inaccessible nature or less accessible than the proposed site.
39. They have also considered the impact of the faith aspect of the school and the usual expectation that this would result in a larger catchment and generate a higher proportion of pupils arriving by car. This is not a faith school in the usual accepted understanding of the term – it is to be operated with a Christian ethos but would be open to people of all faiths and none. A figure of 30% expected Christian intake was suggested to the Highway Authority. The Authority regards this as a low proportion (indeed they would regard anything less than 50% as a

low proportion) and conclude that small changes in proportions would only translate into small differences in traffic generated.

40. The Authority urges a degree of caution however and makes it clear that its view is dependent upon the phased growth of the school (60 pupils per year) to allow sustainable travel to school habits to normalise. They suggest a condition to secure the phased growth of the school and request submission by the applicant of a more robust Green Travel Plan, a Safe Routes to School Study which has greater depth, a Construction Traffic Management Plan and a Service Delivery Management Plan all to be agreed prior to commencement of works on site.
41. The traffic generation based on these predictions and assumptions was used in capacity testing carried out as part of the Transport Assessment at the local junctions. This shows that the junctions will be able to operate within capacity.
42. Under the NPPF the Local Highway Authority may object to development proposals only if the traffic impact is assessed to be “severe”. In this case the traffic impact assessment of the proposed school is compared to the potential traffic impact of the range of activities which could take place in the building which is approved for D2 leisure uses (as noted above these include cinema, concert hall, bingo hall or casino, dance hall, swimming bath, skating rink gymnasium or area for other indoor or outdoor sport and recreation). Under this analysis the school impact is judged by the Authority to be comparable with or indeed have potentially less impact than the permissible leisure uses of the site.
43. Additionally the Authority notes that, the peak hours of traffic impact of a school do not coincide with the network peak. This is especially the case with respect to the PM peak. The AM peak in a location such as this tends to be earlier than the school peak delivery time. This is as a result of outward commutes taking place at an early hour and many of the drop-off journeys, if by car, being on the network already as a result of being a re-directed commute trip.
44. The Authority has therefore concluded that subject to conditions and implementation of on-street measures, the Free School proposal is acceptable in terms of safety, transport impact and development layout (subject to minor layout adjustments to be determined at the detailed design stage). The Highway Authority judges that the application does not raise any adverse highway impacts and raises no objections to it.
45. Local people are however extremely concerned that the development of a school on this site will adversely impact on the local highway network. Most objectors to the scheme raised highways impact as their first and often principle objection to it. They consider that the Transport Assessment is flawed and that the Green Travel Plan is inadequate. A residents’ survey of rat-running in the area has been submitted. A wide range of detailed comments about traffic, parking, circulation and on-site design are made in the public responses, the principal ones being:
 - there will be increased traffic generally on already heavily congested local roads and at junctions (Hollow Way/Barracks Lane/Horspath Road; Hollow

Way/Cowley Road/Garsington Road; and The Slade/Horspath Driftway) with more traffic to come because of developments in the wider locality which use this route including the Business Park;

- Barracks Lane is unsuitable for access to a school (plus housing and all-weather pitch developments); and that,
- the access point for new developments from Barracks Lane to William Morris Close will be dangerous and will adversely affect the amenities of local residents.

46. The applicants have stated in their submission that they wish to work positively with the local community and become a community hub. Daily problems with traffic and parking and negative interaction with the local community would clearly not serve that purpose. In order to help overcome the concerns of local people and to help meet the aims of the school, the applicants have been asked whether they would be prepared to accept an annual limit on the school roll (starting at 120 pupils then adding 60 each year) so that the actual traffic and parking implications of the school in operation can be assessed before additional pupils are accepted. In this way the school would only be allowed to grow in concert with implementation of any necessary highway improvements or other mitigation measures to deal with any highway problems being experienced. For different reasons this was the general approach (but with different limits) adopted at the relocated SS Phillip and James School at Aristotle Lane in North Oxford.
47. In response, the applicants have accepted the principle of a cap on pupil numbers as suggested. In time for consideration at the Committee meeting, they are undertaking additional work to assess the number of students that are driven to school in neighbouring schools in order to benchmark the numbers in the transport assessment; and are also submitting a more in depth travel plan. They have however requested that the initial cap be 300 pupils with the initial traffic impact review to take place at 240 pupils. This is for 2 reasons:
- i. because the traffic impacts of a new school are not linear throughout the pupil year groups. Those of a younger age (reception etc) are less likely to cycle and walk compared to the older years. In the applicants' view therefore it is important to allow the school to reach those year groups so that a more comprehensive understanding of the traffic impacts can be gained; and,
 - ii. in order for the school to be able to operate the usual admissions procedure (admissions are taken in January). If, as a result of the traffic study, the cap needs to be enforced at 300 then the pupils admitted the previous January will be unaffected.
48. This approach places significant risk on the applicants given that refusal of future growth may be an option for the City Council. In view however of local residents' daily experience of traffic in the local area and their significant fears about added traffic, this approach may be considered to be an acceptable way to progress the scheme given that the Highway Authority does not object to it. The recommendation is written with this condition included (set at 120 plus 60 each year). Members are asked to consider whether or not they would support this approach and at what level the cap should be set.

Impact on surrounding residential properties

49. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing DPD combine to require that development proposals incorporate high standards of design and respect local character.
50. Additional windows and doors are proposed in every elevation to facilitate conversion of the existing building to a school. On the east and west elevations which look towards existing residential properties these have been designed with high cills to allow light to penetrate but to prevent overlooking towards existing properties. The east elevation is 27 metres from the front of houses in William Morris Close; the west elevation is 89 metres from the rear of properties in Hollow Way
51. Policy CP 21 of the Oxford Local Plan specifically protects noise sensitive developments (including residential areas and education facilities) from new development which causes unacceptable levels of noise. Two local residents have commented adversely on the likely noise and general disturbance in their gardens of the outside activities of the proposed school particularly from the proposed 'amphitheatre'. The Council's Environmental Development service has been consulted on the proposals and do not recommend refusal on the grounds of noise from children playing nor on balance from the use of the external spaces by the community in the evenings and at weekends given that the external facilities are small scale. A noise condition is recommended for the internal plant.

Other issues

52. Archaeology - Policy CS18 of the Core Strategy safeguards the City's archaeological assets. This site is of archaeological interest and a condition is recommended requiring an archaeological investigation consisting of a watching brief.
53. Biodiversity – Policy CS 12 of the Core Strategy protects the City's biodiversity. An ecology report was submitted which is comprehensive and compliant with policy. The following relevant biodiversity features can be secured by condition:
 - a reptile survey and precautions regarding breeding birds;
 - retention of mature trees;
 - the planting scheme should include native species and climbers and be the subject of an agreed maintenance scheme;
 - lighting should take account of bat use of trees;
 - there should be bat and bird nest boxes on the mature trees; and,
 - a heated maternity roost for bats in the roof space on the south facing roof, built with camera access.

Conclusions

54. There is a need for additional school places in the City over and above the new schools and school expansion schemes in the pipeline. Locating a new school in this part of the City is acceptable in principle and this building is suitable for conversion to school use.
55. The incorporation of recreational land into the school site would normally be regarded as contrary to national and local policies which safeguard such land for the community. The need however for additional school places in the City and the ability to help meet that need on this site can be regarded as sufficient justification to override that protection given that a Community Access Package can be secured under a legal agreement to enable the local community to make good use of the school's external as well as its internal facilities.
56. Subject to conditions, the additional traffic and parking likely to be generated by this proposal is judged by the Highway Authority not to have any adverse highways impacts. The local community has however voiced significant and important concerns about the traffic situation they currently experience in the local area, about the adverse impacts which they believe added traffic will cause, about the assumptions and predictions which fed into the transport assessments, and about the Travel Plan, other mitigation and on-site design proposed. In order to progress the scheme a condition is suggested which places limits on the school roll. The limits can be released progressively if it can be seen that the traffic generated by the school is being satisfactorily accommodated on the local highway network with highway improvement works or other mitigating measures being undertaken as necessary.
57. The external alterations to the building are appropriate in relation to the site and surrounding development, and the use of the building as a school will not have unacceptable detrimental impacts on the residential amenities enjoyed by adjacent properties.
58. An objection to the proposal has been received from Sport England, and there has been a large number of objections and some comments of support from local people all of which have been given careful consideration. The need for improved schooling in the City however together with the Community Access Package and the cap on pupil numbers proposed means that the proposal complies with the identified exceptions to the relevant policies of the Core Strategy 2026 and the Oxford Local Plan 2011-2016.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying legal agreement. 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 subject to conditions and an accompanying legal agreement, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Contact Officer: Fiona Bartholomew

Extension: 2159

Date: 22nd January 2013

Appendix 2

Summary of Public Response to applications 12/02935/FUL and 12/02967/FUL

Comments of Objection
<p>Increased traffic generally on already heavily congested local roads and specifically at junctions (Hollow Way/ Barracks Lane/ Horspath Road; Hollow Way/Garsington Road; and The Slade/Horspath Driftway) with more traffic to come because of developments in the wider locality which use this route including at the Business Park:</p> <ul style="list-style-type: none">• Extra traffic dangerous for the many users of the local road network with narrow footways• Already suffer long waits at the traffic lights at the Hollow Way/ Barracks Lane/ Horspath Road junction – this has potential for gridlock• Restricted access for emergency vehicles• Difficult for local residents to get out of the area to go to work at peak times• The urban clearway in Hollow Way not well enforced creates extra local traffic difficulties• Already suffer from pollution from waiting traffic in the area – will get worse• The development is against Core Strategy Policy CS19 because there will be more accidents on Hollow Way
<p>Barracks Lane unsuitable for access to school/housing/pitch developments:</p> <ul style="list-style-type: none">• Will become bottleneck because Barracks Lane is dead end so people have to turn round in the access way• Poor visibility around many parked cars on Barracks Lane• Parking on both sides of Barracks Lane mean only one vehicle can pass along it• Parking on Barracks Lane will get worse and problems will arise as they did when the Club was running• Can't restrict parking on Barracks Lane because local people need it to park their cars who have no other option• Is heavily used by pedestrians, children and cyclists – access to Oxford Spire Academy – will become more dangerous
<p>Access point for new developments from Barracks Lane to William Morris Close:</p> <ul style="list-style-type: none">• Dangerous for children• Will adversely affect amenity of flats• There will be parents and staff school parking in nearby residential areas• There is often ice on the road at this junction• Poor visibility because of high wall at the junction
<p>Inadequacy of traffic assessments:</p> <ul style="list-style-type: none">• This will be the largest primary school in East Oxford• Wide catchment, people will come from far away – a much greater proportion will drive to school, too far for many to walk• Walking overestimated, driving underestimated• Unrealistic to expect primary school children to use alternative local transport

<p>Green Travel Plan inadequate:</p> <ul style="list-style-type: none"> • no real positive measures are suggested for achieving reduced car travel • Can penalties be introduced if the aims are not met?
<p>Transport Assessment poor:</p> <ul style="list-style-type: none"> • makes erroneous/misleading comparisons with non-free schools with a narrower catchment • Need better/more traffic surveys – one day not enough
<p>Open space should be retained:</p> <ul style="list-style-type: none"> • Has been well used by local people for 80 years and valued as an open green space, it is not redundant • Adds to the character of the area, part of green image of the city • Local and Government planning policy indicates it should be kept open • Previous planning permission (for the Lord Nuffield Club) was conditional on retention of the open space – this should be upheld • It should be safeguarded land for long term use • The all-weather pitches do not allow for the informal recreation that people enjoy on this land • No floodlighting means that public use restricted • Need to retain footpath from Crescent Road to Beresford Close • Negative impact on local wildlife
<p>Retain the former club building in community use:</p> <ul style="list-style-type: none"> • Needed locally with the closure of Temple Cowley Pools and Gym • Can find a user who will make it viable, many clubs looking for premises • A valuable local facility • Use for old people's clubs • Removal of essential local community sports facility unacceptable in view of Olympic legacy
<p>The need for the school:</p> <ul style="list-style-type: none"> • No need for a school – there are enough locally, will lead to other schools closing • Agree need for school but this is the wrong site for traffic reasons • Objection to faith based school – 40% Oxford residents not Christian
<p>The school and its site:</p> <ul style="list-style-type: none"> • Parents will also park in Crescent Road (unacceptable and dangerous) • Use of the footpath through Beresford Close is unsuitable because it goes through a car park not along a path; also not adopted and unlit, suffers anti-social behaviour • Significant impact to privacy of local residents • Inadequate on-site turning, set-down/drop-off area and parking for staff • Design unacceptable – bright modern colours and materials not appropriate • Future extensions to the school should be restricted • Noise from school will affect amenity of rear gardens to properties in Hollow Way • Loss of parking around field for residents of William Morris Close
<p>Housing:</p> <ul style="list-style-type: none"> • No need for this given developments locally and at Barton • Too high density, area already high density – this will make it worse • Poor design – windows too small, roof blank, needs to incorporate solar panels etc., question need for chimneys • Adversely affects the amenities of properties adjacent – Crescent Road, Hollow Way and Beresford Place: loss of privacy, light, outlook, overshadowing • 3-storey is out of scale and overbearing, out of keeping with locality • Access road less than 10m from ground floor bedrooms in Beresford Place, intrusive vehicle headlights.

Drainage:
<ul style="list-style-type: none"> • Steep hill, surface water run-off already a problem causing flooding down Barracks Lane to Boundary Brook • More hard surface area will exacerbate this
Local house prices will fall
Statement of Community Involvement misleading

Comments of Support
Need for school:
<ul style="list-style-type: none"> • Desperate need for primary places, other schools full, many people have to travel out of the area to school, pressure will increase due to population growth, • educational underachievement leads to poverty: need a good school to raise achievement
A good re-use of a redundant building with the added bonus of community use of the building and grounds
A good site for a school, well connected to transport and for walking
Extended school hours will spread the traffic implications. Can monitor traffic problems and adjust as the school grows.
Great need for new housing
There will be better use of the open space if developed for all-weather pitches

12/02935/FUL

Appendix 3

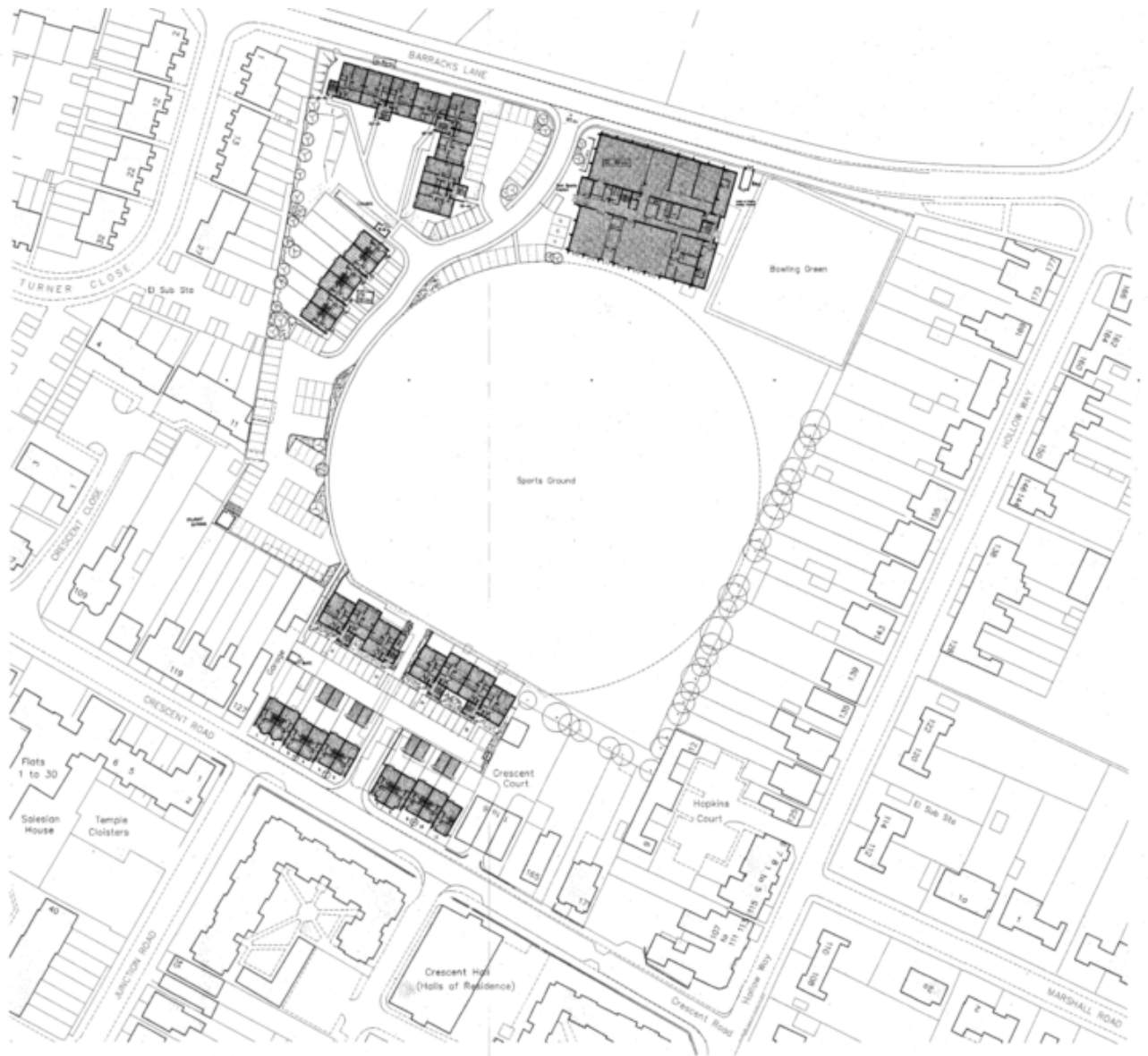
Original Morris Motors Club site



12/02935/FUL

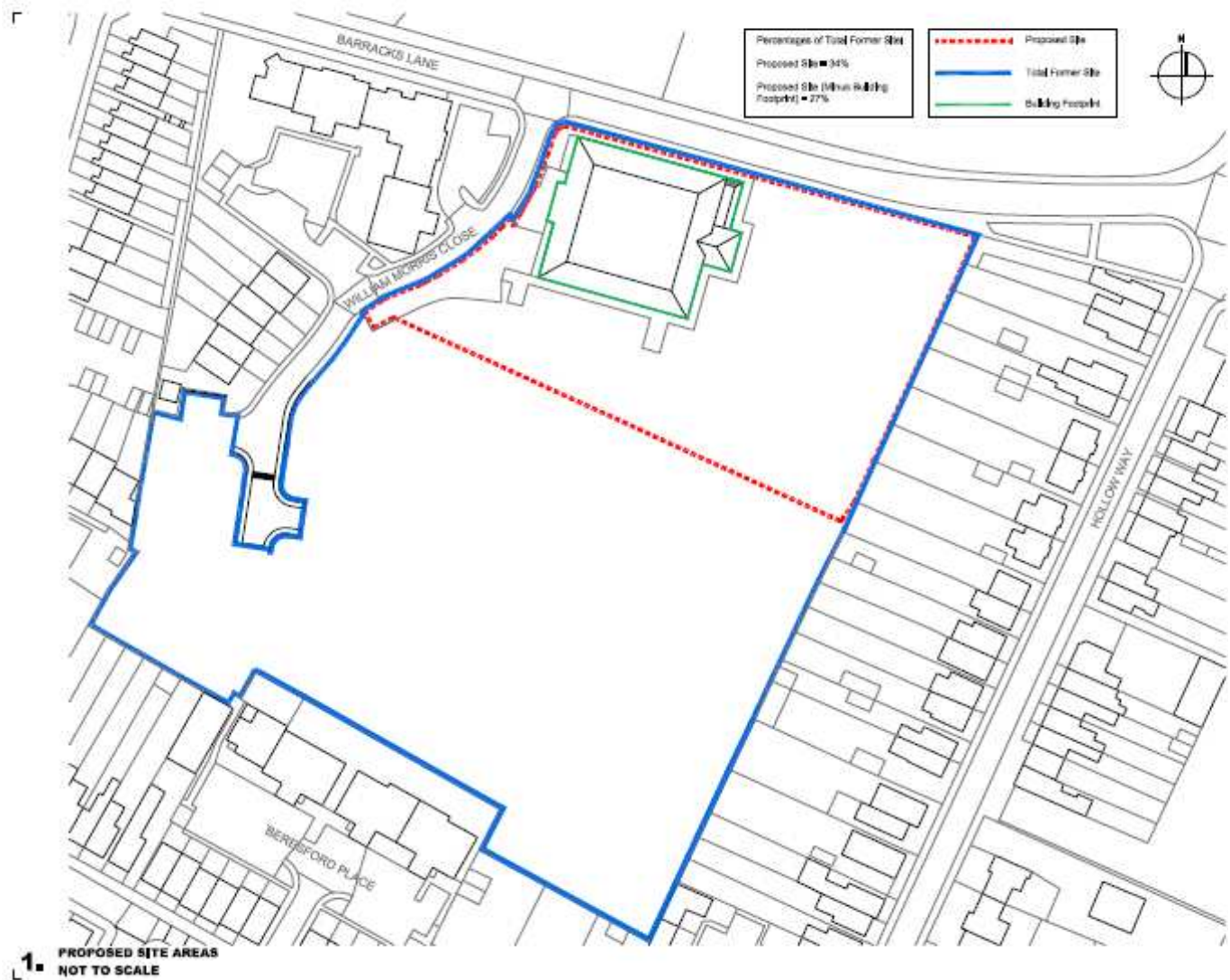
Appendix 4

Block plan of the 2004 permission showing housing development on part of the previous open space and the re-sited Lord Nuffield Club building



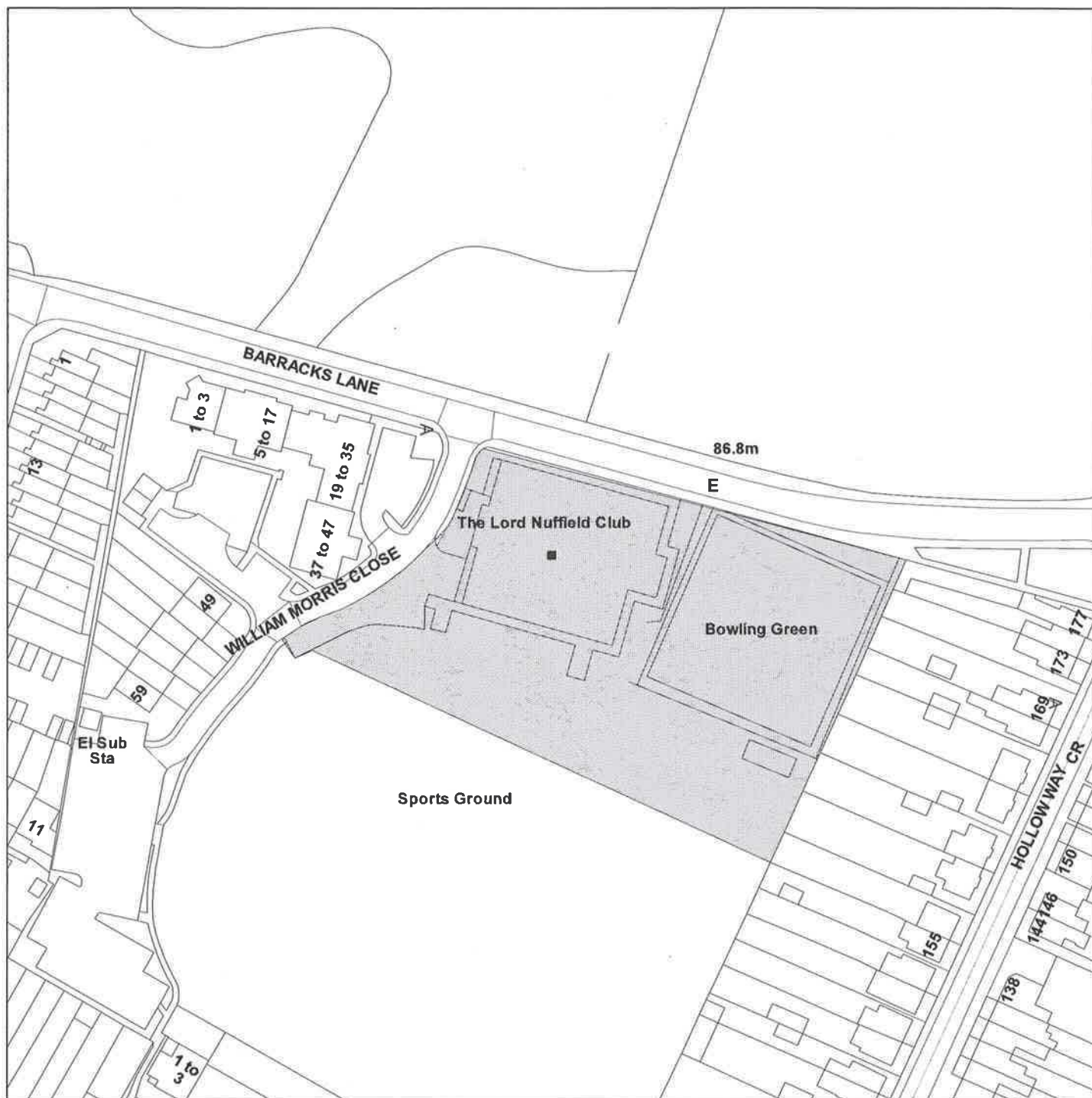
Appendix 5

Analytical drawing showing the application site for the Free School as a proportion of the remaining open space.



Appendix 1

12/02935/FUL Lord Nuffield Club, William Morris Close



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	23 January 2013
SLA Number	Not Set

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Report of: Head of City Development

To: East Area Planning Committee 5th February 2013

Title of Report: Templars Retail Park, Between Towns Rd, Cowley

Summary and Recommendations

Purpose of Report: This report seeks the views of committee on a variation to legal agreement relating to retail park to allow up to 20% of any individual unit sales area for food sales.

Planning Reference: 12/02855/POM

Key Decision: No.

Portfolio Holder: Colin Cook

Scrutiny Responsibility: Communities & Partnership

Recommendation(s): Committee is recommended to agree to the amendment of a planning agreement relating to the Retail Park so as to permit up to 20% of all units sales area for food sales and delegate the issuing of the Deed of Release to officers.

Background to the Case

1. In May 1986 outline planning permission was granted for the redevelopment of the then Grove Cranes factory site at Between Towns Road to form a retail park consisting of 13,032 sq m gross of retail floor space plus garden centre. The development was to be served by 496 car parking spaces. That permission was followed later that year by a reserved matters permission for the outstanding details.
2. The development when completed traded for many years as the John Allen Centre (JAC) and now as the Templars Retail Park. Since permission was granted the amount of floor space has increased by the insertion of mezzanine levels into many of the retail units. At the same time adjustments to the parking layout over the years has resulted in the total number of public car parking spaces being reduced to 469. A site plan of the retail park is attached at **Appendix 1** to this report.
3. Accompanying the outline planning permission was a legal agreement which secured various financial contributions and off site works, but also restricted the range of goods to be sold to non - food items only.

In the intervening years there have been adjustments to the permitted range of goods which could be sold, but still excluding food sales. The current owners of the site approached the Council as the Local Planning Authority in 2009 with an application to relax the non - food restriction via a “Deed of Release” to permit up to 1,500 sq m of floor space to be used for food sales. This was subsequently approved at the Council’s former Cowley Area Committee in May 2010. A subsequent “Deed of Release” was submitted in February 2011 to permit up to 2500sq m of floor space to be used for food sales. This was approved at the Council’s East Area Planning Committee in July 2011. The 2500sq m will shortly be taken up by Sainsbury’s when that company opens its supermarket on the site within unit 1D.

4. In addition a planning application was submitted in August 2011 (11/02032/FUL) for the refurbishment of Unit 1 which included external alterations, mezzanines, formation of three Class A3 cafe-restaurants and the demolition of part of the rear of the existing building and redevelopment of that area and the adjoining garden centre to provide four dwelling houses with related access and car parking. A proposed site plan of the retail park is attached at **Appendix 2** to this report.

Public Consultation

5. Although the submission is not a planning application, public consultation has been undertaken on the proposal. The comments received may be summarised as follows.
 - 10 Rymers Lane: concerned will increase numbers of lorries and hours of deliveries to the site thus increase in noise, parking and traffic issues on Rymers Lane, also increase risk of vermin associated with food storage.
 - Highway Authority: See below under Highways, Parking and Access section.

Officers’ Assessment

Proposal

6. The proposal is seeking a deed of variation to the legal agreement attached to the 1986 permission (85/00893/NOY) to allow up to 20% food sales in any unit. This will not allow for another food store; only for each unit to use up to 20% of its sales area for food sales. Indeed individual retailers may not necessarily take up the 20% allowance, but they would be able to do so if they wished. The deed of variation is sought to allow retailers such as Poundland to occupy the units which sell a small amount of non-perishable food stuffs

Determining Issues

7. The two key determining issues in this case are planning policy and highways, access and parking issues.

Planning Policy

8. In planning policy terms the summary findings of the Retail Needs Study (RNS) carried out for the Council referred to in the Core Strategy confirms that Oxford is reasonably well provided for food goods. However it does suggest that further provision could reasonably be supported to 2016. In terms of future provision the RNS considered potential new development sites. It identified Crowell Road as a suitable site for future redevelopment to include a food store. However no scheme has come forward or has been discussed in recent times.
9. The Core Strategy also supported raising the status of the Cowley District Centre (with extended boundaries) to that of a Primary District Centre. Its character, its capacity to accommodate further growth (retail and other uses) and its larger catchment area than the other district centres were all reasons why Cowley centre is redesignated as a primary district centre. As such, Cowley Centre is therefore placed higher in the sequential hierarchy than other District Centres. The Core Strategy states that Growth will be focused on appropriate sites such as the multi-storey car parks, Templars Square and Templars Retail Park (John Allen Centre).
10. The retail park was originally not part of the District centre, which to a large extent explains the reason for the terms of the legal agreement i.e. not to allow food sales. The Inspector into the Core Strategy concluded that 'the loss of South Oxford Strategic Development Area was likely to have only a marginal impact on the proposals to develop Cowley Centre since the centre is well placed to serve an enhanced role in the hierarchy of centres, with good accessibility and several potential redevelopment sites.'
11. Since the closure of Sainsbury's and more recently Somerfield within Templars Square the existing food provision has declined within the district centre. It now comprises only the Co-op (1,080 sq m) and Iceland (840 sq m); together with the, as yet unimplemented, variation to allow 2500 sq m of food sales permitted in 2011 at the Retail Park, to be taken up by Sainsbury at unit 1D.
12. In terms of national guidance, through the National Planning Policy Framework (NPPF) the Government is committed to securing economic growth in order to create jobs and prosperity and that the planning system does everything it can to support sustainable economic growth.
13. As the proposed development falls within an established Primary District Centre as identified in the Core Strategy, a range of District centre uses would now be appropriate in principle; which would broadly

reflect Government advice in the NPPF. The proposal falls within the terms of both the local and national policy regime as it applies to retail development. No objection is therefore raised to the proposal in these terms.

Highways, Access and Parking

14. Access to the Templars Retail Park for customers is taken from Between Towns Road at its junction with Crowell Road. This is a signal controlled junction originally funded through the planning agreement accompanying the 1986 permission. In 2006 there were adjustments to the junction to include a second outward bound lane. Service access to the rear delivery area of the Retail Park is taken from a separate point on the east side of Rymers Lane.
15. The car parking provision available for the site is 469 spaces including 22 for disabled users as demonstrated under planning application 11/02032/FUL. Given the food sales proposed for each unit would be considered incidental no additional car parking would be required. In any event there are 4 other Oxford City Council car parks in the area with a total of 862 other car parking spaces which are not fully utilised and the site has good accessibility by public transport.
16. The Highway Authority has considered the proposal and would advise that it does not object given the existing uses on Templars Retail Park site and other facilities in this District Centre, including Templars Square opposite the site. The Highway Authority does not consider that additional traffic is likely to be visiting this type of unit: rather it will be part of an existing trip to the District Centre.
17. Car parking provision for Templars Retail Park site is in place and likely to be improved by the implementation of a permitted parking strategy to free up parking spaces not currently associated with shopping use. In November 2010 planning permission was granted under reference 10/01959/FUL to allow changes to the car park access/egress and a barrier system controlled by a 'pay on foot' car park management strategy. The applicant remains committed to the introduction of car park management, though the precise detailing of the system may vary from what was originally intended. Following further discussions between tenants and the owners it is likely that an alternative system may be introduced. This would not require barriers but instead would enable the current free parking to be offered, but with more effective control over motorists who use the car park for longer periods, such as local employees. This should enable the car park to be managed in a form which displaces long stay car parking to increase the capacity for shoppers, whilst avoiding the concerns raised by retailers regarding charging, and Highways Officers concerning queuing and barrier controls.

18. The applicants have advanced the Car Park Management Plan (CPMP) in conjunction with the retailers and others. It is understood that it is a two stage plan first dealing with the management of the car park during construction and then second after the completion of the development. In each case, a period of free parking will be offered to customers after which penalties will be levied. This will be on the basis of Automated Number Plate Recognition (ANPR). The CPMP has not yet been implemented but will be commenced early in 2013.
19. Servicing arrangements are already in place for the retail park and will remain unchanged. There should be no need for the intended retailers to have staff on the premises to service in-coming deliveries outside normal retail hours. However, in the event that such out of hours servicing is required then condition 23 of Amended Decision Notice 11/02032/FUL (3 February 2012) would prevent deliveries from Rymers Lane into the service area and require “front of house” unloading in the main car park (as Sainsbury’s are permitted to do).

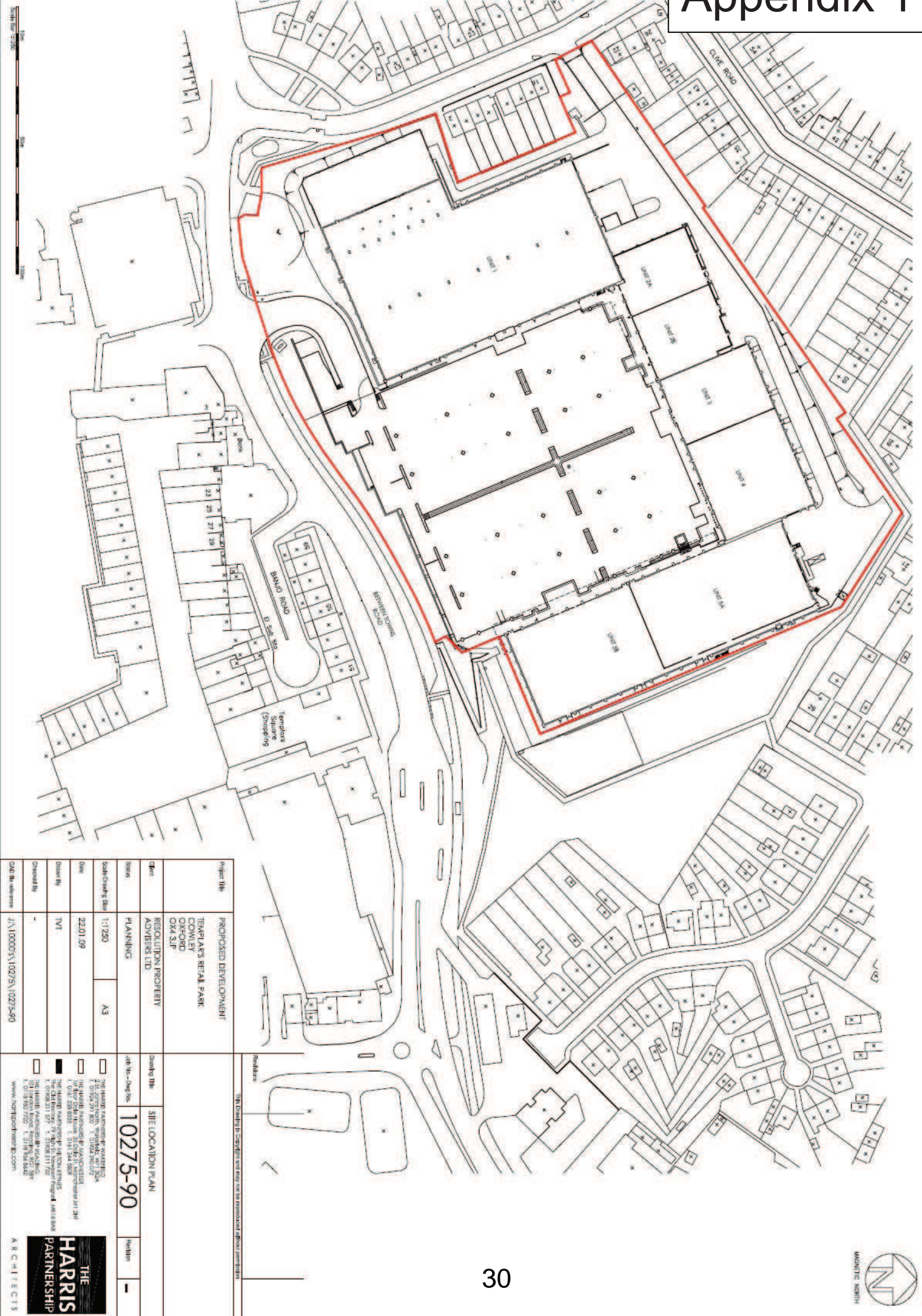
Conclusion

20. The proposal relates to a retail park which falls within the now Primary District Centre of Cowley where the adopted Oxford Core Strategy 2026 seeks to provide facilities for both food and non-food retailing. Further, it accords with the thrust of the NPPF which seeks to support economic growth at established centres. There are no objections raised by the Highway Authority.
21. Committee is recommended to support the approach to allow up to 20% of all the sales area within each unit to be used for food sales and to delegate Officers to undertake the required Deed of Release to the 1986 planning agreement.

Contact Officer: Lisa Green

Extension: 2614

Date: 22nd January 2013





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East Area Planning Committee

Tuesday 5th February 2013

Application Numbers: 12/03124/EXT & 12/03123/EXT

Decision Due by: 6th March 2013

Proposal: 12/03124/EXT: Application to extend the time limit for implementation of planning permission 09/00634/FUL (Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping).

12/03123/EXT: Application to extend the time limit for implementation of 09/00636/FUL: Erection of student accommodation on 2 and 3 storeys (Block D). Cycle parking. Associated hard and soft landscaping.

Site Address: Ruskin Hall Dunstan Road Oxford Oxfordshire

Ward: Headington Ward

Agent: West Waddy : ADP

Applicant: Ruskin College

Recommendation:

RESOLVE TO APPROVE SUBJECT TO COMPLETION OF LEGAL AGREEMENT

For the following reasons:

- 1 Having regard to Government guidance on applications to replace extant planning permission, in order to extend the time limit for implementation there have been changes in terms of development plan policies (Oxford Core Strategy 2026) and national policies (National Planning Policy Framework). However, these do not significantly alter the principle of the proposed development, and there have been no significant changes on the site or in the surrounding area which could impact on the recommendation. Therefore, the application to extend this permission for a further 3 years is considered acceptable.
- 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. The proposals would still preserve the character and

appearance of the conservation area. 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:-

12/03123/EXT: Extension of time for the erection of student accommodation on 2 and 3 storeys (Block D). Cycle parking. Associated hard and soft landscaping. Previous application: 09/00636/FUL:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - samples
- 4 Sustainable Drainage
- 5 Contamination
- 6 Cycle parking
- 7 Students - No cars
- 8 Travel Plan
- 9 Construction Travel Plan
- 10 Construction no mud on highway
- 11 Arboriculture
- 12 Landscape plan
- 13 Planting season
- 14 Landscaping
- 15 Archaeology
- 16 NRIA
- 17 Student accommodation
- 18 Student accommodation - term time
- 19 Public Art
- 20 Lighting scheme
- 21 Drainage Strategy

S106 Contributions:

County:

£ 1890 towards Library infrastructure and book stock

£ 4140 towards Cycle improvements in the vicinity

City:

£ 1800 towards Indoor Sports

12/03124/EXT: Extension of time for the erection of 4-storey building (Block A) to provide student accommodation. Cycle parking. Associated hard and soft landscaping. Previous application: 09/00634/FUL:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Contamination
- 4 Cycle Parking

- 5 Students - No cars
- 6 Travel Plan
- 7 Construction Travel Plan
- 8 Construction no mud on highway
- 9 Arboriculture
- 10 Revised landscape and planting plan
- 11 Planting season
- 12 Landscape Management Plan
- 13 Programme of archaeological work
- 14 Natural Resource Impact Analysis (NRIA)
- 15 Students
- 16 Student Accommodation - out of term use
- 17 Public Art

S106 Contributions:

County:

£ 2591 towards Library infrastructure and book stock
£ 5934 Cycle improvements in the vicinity

City:

£ 2580 towards Indoor Sports

Main Local Plan Policies:

The following policies are relevant in this application:

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
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
NE14 - Water and Sewerage Infrastructure
NE15 - Loss of Trees and Hedgerows
HE2 - Archaeology
HE7 - Conservation Areas

Core Strategy

CS9 energy and resources
CS9 energy and resources
CS13 – supporting access to new development

CS16 – access to education
CS17 – infrastructure and developer contributions
CS18 – urban design, town character, historic environment.
CS19 – community safety
CS25 - student accommodation
CS29 – the universities
CS17 - infrastructure and developer contributions
CS18 – urban design
CS19 - community safety
CS11 - Flooding

Sites and Housing Plan

HP5 – location of student accommodation
HP6 – affordable housing from student accommodation
HP9 – design, character and context
HP11 – low carbon homes
SP51 – Ruskin College Site

Other Material Considerations:

National Planning Policy Framework

- Conserving and enhancing the historic environment (para. 126-141).
- The presumption in favour of sustainable development (para. 11 – 16).

This application is in or affecting the Old Headington Conservation Area. The development is affecting a Grade II Listed Building.

Old Heading Conservation Area Appraisal
Barton Area Action Plan

Relevant Site History:

There has been much general building, extension and alterations made within the campus over the years. Of particular relevance to are as follows:

64/15297/A H - Extension to provide 46 study bedrooms, 4 tutorial rooms, dining hall, servery and lecture hall. PER 22nd September 1964.

84/00365/NFH - Reconstruction of roof and internal alterations to upgrade students study bedrooms to staff office accommodation.. PER 19th July 1984.

84/00366/L - Listed building consent for demolition of existing roof, second floor, and external spiral staircase. Reconstruction of roof, second floor and internal alterations. PER 19th July 1984.

97/00733/NFH - Construction of new academic centre incorporating teaching accommodation and 10 study bedrooms. Creation of new access drive and parking spaces.. DIS 12th June 1998.

98/00191/L - Listed Building consent for single storey extension of student toilet block in order to provide disabled facilities in central yard.. PER 23rd April 1998.

98/00192/NFH - Single storey extension of student toilet block in order to provide disabled facilities in central yard. PER 23rd April 1998.

04/01719/LBC - Listed building consent for internal works under the disability discrimination act to:-

(1) Provide 2 No. access ramps and replacement modified dado panelling in ground floor corridor to serve concourse, dining hall, lecture theatre and re-configured WC's.

(2) Upgrade main ground floor corridor doors to half hour fire standards, modification of W.C. and insertion of raised floor in former library to create accessible I.T. room..

PER 20th July 2006.

07/02867/FUL - Removal of temporary building housing nursery plus other structures within walled gardens. Erection of freestanding dining hall, together with hard and soft landscaping works and ornamental pond. PER 14th July 2008.

08/01403/FUL - Alterations to walled garden structure, including ground beams and buttressing on north elevation of part crinkle crinkle wall. New oak gates to existing openings in south and west walls. Removal of brickwork above south gate opening to facilitate contractors access and reinstatement of fabric. The Rookery. PER 21st August 2008.

08/01404/LBC - Listed Building Consent for i) repair and stabilization of walled garden structure, including ground beams and buttressing on north elevation of part crinkle crinkle wall. ii) Removal of brickwork above south gate opening to facilitate contractors access and reinstatement of fabric. iii) New Oak gates to existing openings in south and west walls. (Note: the animal shelter and associated remains of buildings on land east of the walled garden do not need to obtain consent for their removal). The Rookery. Approved 21st August 2008.

07/02867/FUL: Removal of temporary building housing nursery plus other structures within walled gardens. Erection of freestanding dining hall, together with hard and soft landscaping works and ornamental pond. Approved January 2008.

Ruskin Masterplan: General approach to future development endorsed by North East Area Committee on 22 January 2008, subject to caveats set out in the Officer's report.

09/00309/FUL & 09/00310/LBC: Alterations to Smith House, (the coach house), to continue existing office use for Ruskin College. Approved.

09/00213/FUL: Refurbishment of existing student accommodation blocks including replacement windows, new doors and new cladding to Beatrice Webb Building; and replacement bay windows to Biko Building. Approved.

09/00634/FUL: Erection of 4-storey building (Block A) to provide student accommodation. Cycle parking. Associated hard and soft landscaping. Granted on 11th December 2009.

09/00636/FUL: Erection of student accommodation on 2 and 3 storeys (Block D). Cycle parking. Associated hard and soft landscaping. Granted 11th December 2009.

Representations Received:

Two letters of objection have been received from the occupiers of 8 Stoke Place and Rookery Cottage on the following grounds:

- Close proximity and overbearing impact on No. 8 Stoke Place
- Cumulative impact of the mass and bulk of the proposed buildings and the recent extension to The Rookery
- Overlooking from windows of Block D on No. 8

- Potential light pollution in addition to the current high levels of light pollution created by the extension to The Rookery
- Over-development, will destroy the parkland setting of the old Rookery Hall
- Proposed buildings are unsympathetic to their surroundings
- Inadequate sewage capacity
- Renewed and prolonged construction work disruption as a result of proposed building works on the local environment and community
- Potential loss of natural light to Rookery Cottage
- Proposed buildings not in keeping with the character and appearance of the conservation area
- There is no effective business case for the college to build another building on a cramped site
- The buildings won't preserve the setting of The Rookery or the gardens
- The proposals are not in accordance with the Conservation Area Appraisal (July 2011).

No. 10 Stoke Place has commented on the proposals:

- Concerned that Block D is close to the substantial Wellingtonia tree to the South East of Block D. (Marked at T117 on the Tree Schedule plan and listed as a Giant Redwood).

Statutory and Internal Consultees:

Environment Agency: No objection subject to a condition relating to contamination risk.

English Heritage: Advise that the applications should be determined in accordance with national and local policy guidance and on the basis of the Council's own internal conservation specialists.

Friends of Old Headington: The proposal will result in an additional 73 bedrooms to an already overcrowded site. Concerned that the impact of the new buildings should be considered in relation to the overbearing bulk of the new Academic block beside the Grade II listed Rookery with its 24 hour lighting, height and dominance of the whole site. The prospect of another substantial block very close to Stoke Place must surely be viewed quite differently.

Stoke Place Resident's Association:

- There have been serious problems with overflow of sewage in Stoke Place.
- It is now clear just how overbearing the Academic block is, dwarfing the original house, The Rookery. Block D will be similarly obtrusive, dominating the nearby houses. Future occupants of the new accommodation will have full view from flats/study bedrooms into rooms and gardens of houses in Stoke Place.
- The Conservation Area Appraisal (July 2011) is relevant.
- The Inspector's report on the Barton AAP requires that all future developments must be shown to enhance the conservation area and its setting. The Academic block does not reflect the rural nature of the area or of the College

grounds. The combination of the Academic block and the proposed new accommodation blocks would together, constitute a massive and inappropriate development in the Rookery grounds in the conservation area.

- Light pollution: The College now has 24-hour lighting which pours over Ruskin grounds and Stoke Place, especially from the Academic block. Some residents in Stoke Place are being kept awake by excessive light from the College buildings and grounds. Light from the proposals will seriously aggravate this situation.

Oxford County Council:

Strategic Planning Consultations: No objections.

Natural England: Advise that the applications should be determined in accordance with national and local policy guidance and on the basis of the Council's own internal ecological specialists.

Thames Water: Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like a Grampian style condition imposed which will seek the applicant's to submit a drainage strategy detailing any on and/or off site drainage works prior to the commencement of development which shall then be approved in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall then be accepted in the public system until the drainage works referred to in the strategy are completed.

Issues:

- The extant permissions
- Background
- Changes in site circumstances or planning policy

The extant permissions:

- 1 Ruskin College have submitted two applications to extend the following planning approvals:

09/00634/FUL: Erection of 4-storey building (Block A) to provide student accommodation. Cycle parking. Associated hard and soft landscaping. Granted on 11th December 2009. Application 12/03124/EXT seeks to renew this permission.

09/00636/FUL: Erection of student accommodation on 2 and 3 storeys (Block D). Cycle parking. Associated hard and soft landscaping. Granted 11th December 2009. Application 12/03123/EXT seeks to renew this permission.

- 2 Amendment 3 of the Town and Country Planning Order 2009 allows for an extension to the expiry date of planning applications without the need for a new submission. In October 2009, the Government introduced measures to enable greater flexibility for planning permissions, in direct response to the

current economic downturn. These measures included the ability for applicants to apply to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development.

- 3 The DCLG Guidance to these measures makes clear that in determining such applications, Local Planning Authorities should take a positive and constructive approach towards the applications. The development proposed in an application for an extension will by definition have been judged to be acceptable in principle at an earlier date. While these applications should of course, be determined in accordance with S.38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities should focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. In other words, if the circumstances have not changed to a significant extent then there is a presumption towards granting the application for the extension of the period for implementation of the original planning permission.

Background:

- 4 In 2008, the Ruskin College Masterplan was endorsed by the North East Area Planning Committee. The Masterplan sought to establish a framework for the future development at Ruskin's College sites in Old Headington to span the next 15 years. The College had taken the decision to consolidate the two Ruskin College sites because it was not economical or ecologically sustainable to duplicate activities between the two sites. This has now been achieved with the construction of the new academic building on the Old Headington campus, the closure of Ruskin's College on Walton Street and the transfer of all students and staff to the Old Headington Campus.
- 5 To continue with the implementation of the Masterplan, the college requires the two earlier accommodation block applications to be renewed. This report therefore, as an addition to the original reports, considers how the proposals now accord with the relevant development plans. The current proposals are identical to the original applications. The original committee report has been attached below. This report therefore considers the proposals now against any changes in national and local planning policies and any other material planning considerations such as changes in circumstances on the site and surrounding area.

Changes in site circumstances or planning policy

Planning policy:

- 6 In terms of planning policy, the main change is the introduction of the National Planning Policy Framework in March 2012 to replace all the Planning Policy Statements and Planning Policy Guidance that previously constituted Government guidance for planning. Whilst a significant document, the NPPF largely carries forward existing planning policies and protections in a more streamlined and accessible form. It also introduces the presumption in favour of sustainable development which means that proposals that accord with up to

date local plan policies should be approved. The proposals would conserve and enhance the historic environment and support the presumption in favour of sustainable development. Both the Oxford Local Plan and the Oxford Core Strategy which comprise the Development Plan for Oxford are up to date. The proposals are still in accordance with the updated policies in these documents.

- 7 The emerging Sites and Housing Plan was confirmed as sound by the Inspector's final report issued on 2nd January 2013. The new policies within this document that are relevant to this application have been outlined above and the proposal has been found to be in accordance with these policies. In particular, Policy HP6: Student accommodation and affordable housing, has been assessed against this proposal and in accordance with the criteria set out within the policy, this site would constitute an exception to the policy because it is an existing academic campus.
- 8 Policy SP51: Ruskin College Campus, supports proposals for student accommodation on the site providing that developments retain and enhance the listed building and wall and that they contribute towards the character of the conservation area and preserve and enhance nearby listed buildings and their settings.
- 9 Since the last applications were approved, the Old Headington Conservation Area Appraisal has been adopted, (July 2011). The aims of this document are to assess the special significance of the conservation area and the elements that contribute to this significance and to provide guidance on preserving and enhancing this. Careful consideration was given to the siting of both buildings during the original applications to ensure the special significance of the gardens, listed buildings and conservation area would be preserved. The policy context in this respect hasn't altered with Local Planning Authorities still having to ensure that all new development preserves or enhances the character and appearance of a conservation area and setting of listed buildings.
- 10 The green setting of the conservation area is also important and is recognised in both the Conservation Area Appraisal and noted by the Inspector in the Barton Area Action Plan and Sites and Housing plan. The north of the site is bounded by open fields, the northern bypass and then open countryside beyond this. This green setting is indeed important to the setting of the existing buildings on the site and the conservation area. The proposal has again been considered in relation to the recent Conservation Area Appraisal and the contents of the Barton Area Action Plan and Sites and Housing Plan. Officer's are of the view that the proposals comply with the aspirations to preserve the special significance of the surrounding heritage assets which include the gardens and setting of the listed building and the character and appearance of the Old Headington Conservation Area.

Site circumstances:

- 11 Since the original applications for these two buildings were approved, the 3

storey (plus basement) extension to The Rookery has been completed and works are being undertaken around this building including works to the walled garden and restoration of the crinkle-crankle wall. The Bowen building (on the site of Block A) remains although the Bowerman building to the east of the proposed location of Block D has been removed.

- 12 Concern has been raised in respect of the cumulative impact of the proposals in terms of their bulk and mass alongside the recent extension to The Rookery. The extension to The Rookery was submitted alongside the proposals in the current applications, at which time Officers and Members of the East Area Committee considered the cumulative impact of the developments on the site and within the conservation area altogether.
- 13 Concern has also been raised in respect of the potential for light pollution from Block D affecting properties in Stoke Place and is founded in local residents' current concerns with the amount of light emitted from the Academic block. It is noted that Block D would be sited closer to neighbouring properties than the Academic block and thus there is the potential for light pollution emanating from the windows and doors on the building, particularly where 24 hours lighting is in use. The matter of light pollution wasn't raised in the original committee report, however, the proximity to neighbouring dwellings was recognised and it was considered that by virtue of the level of existing and proposed new tree planting, there would not be any significant overlooking or loss of privacy and nor would it appear overbearing. Whilst the landscaping will also help mitigate the potential impact of light overspill, it is considered appropriate to request further details of the proposed lighting scheme to assess the levels of lighting proposed, the siting of light units and their timings, to help ensure that this will not cause an unacceptable impact on the residential amenity of neighbouring properties.

Waste Water:

- 14 Local residents have raised concern with regards to the capacity of the existing waste water infrastructure to accommodate the needs of the proposed new buildings. Thames Water has also identified this as a potential issue but have suggested that a Grampian style condition be imposed should permission be granted to allow the applicant's to submit a drainage strategy detailing any on and/or off site drainage works prior to any building work commencing. This information would then be assessed by the Local Planning Authority in consultation with the sewerage undertaker. Officers consider that this is an appropriate proposal to ensure that there is a proper assessment of the potential impact and an agreed solution to resolving any problems.

Trees:

- 15 Concern has been raised with respect to the potential impact of Block D on the Giant Redwood Tree (T117) to the south east of the proposed block. The original application was supported by an Arboricultural Survey which provided a record of the trees at the site and included a competent assessment of the quality and value of the existing trees. The Giant Redwood is proposed to be

retained along with many other trees on the site and an Arboricultural Method Statement and Tree Protection Plan has been submitted which provides details of the proposed tree protection measures to be implemented during and after the construction process.

- 16 In the absence of any overriding reasons not to issue a further planning permission to replace the permission which was extant at the time of registration of the current application, officers recommend that planning permission be granted.

Sustainability:

- 17 In terms of location the site is situated within walking distance of Headington District Centre for shopping and local services. Also good public transport links to and from and within the City. Officers consider that the proposals are in accordance with the local plan policy to increase energy efficiency and use of renewable energy sources, reducing carbon emissions and promoting sustainable drainage.

Conclusion:

Having regard to the contents of this report Officers advise that the proposals are still in accordance with the endorsed Masterplan and would protect the setting and special character of The Rookery as a Grade II listed building, would ensure the continued relationship between the listed buildings, Crinkle Crankle wall and the landscaped grounds, and would preserve the special character and appearance and setting of this part of the Old Headington Conservation Area both from within and outside the designated boundary. It is noted that there have been changes in terms of development plan policies (Oxford Core Strategy 2026) and national policies (National Planning Policy Framework) and the Old Headington Conservation Area Appraisal and Barton Area Action Plan. However, these do not significantly alter the principle of the proposed development, and there have been no significant changes on the site or in the surrounding area which could impact on the recommendation. The proposals therefore would accord with central government advice contained within the National Planning Policy Framework, and be in accordance with Local Plan, Core Strategy policies, the emerging Sites and Housing Plan, the Old Headington Conservation Area Appraisal and Barton Area Action Plan.

Therefore, it is recommended that the applications to extend the planning permissions for a further 3 years are granted by the East Area Planning Committee but to delegate powers to officers to grant planning permission on completion of the Legal Agreement to secure the contributions set out in the appended report.

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: 09/00634/FUL & 09/00636/FUL

Contact Officer: Clare Golden

Extension: 2221

Date: 24th January 2013

APPENDIX 1: Original Committee reports for 09/00636/FUL & 09/00634/FUL

North East Area Committee

Strategic Development Control Committee

21st July 2009

29th July 2009

Application Numbers:

09/00546/LBD, 09/00547/FUL, 09/00548/FUL, 09/00549/FUL, 09/00635/CAC,
09/00636/FUL, 09/00633/CAC, 09/00634/FUL

Decisions Due by: Early August 2009

Proposal:

09/00546/LBD: Listed Building Consent for alterations including demolition of late 19th/ early 20th C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19th/ early 20th C. additions.

Alterations and extension on 4 levels for academic block. The Rookery.

Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden.

09/00547/FUL: Alterations and extension on 4 levels of The Rookery to provide academic accommodation and ancillary facilities. Associated hard and soft landscaping and cycle parking provision. Erection of smoking canopy, gazebo, fire pit, water tank and engineering operations to create steps and shallow pools/pond, regrading of land and creation of hard surface footpaths within fields to North of site.

Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden.

09/00548/FUL: Replacement sub-station.

09/00549/FUL: Installation of car parking areas to provide 38 car parking spaces.

09/00635/CAC: Conservation Area Consent for demolition of the Bowerman Building.

09/00636/FUL: Erection of student accommodation on 2 and 3 storeys. Cycle parking. Associated hard and soft landscaping.

09/00633/CAC: Conservation Area Consent for demolition of Bowen Building.

09/00634/FUL: Erection of 4 storey building to provide student accommodation.

Cycle parking. Associated hard and soft landscaping.

Site Address:

Ruskin Hall Dunstan Road, Site Plan Appendix 1

Ward:

Headington Ward

Agent:

West Waddy : ADP

Applicant:

Ruskin College

Recommendation: North East Area Committee is recommended to support Officer's recommendation for approval of all eight applications and Strategic Development Control Committee is recommended to approve in principle all eight applications for the following reason and subject to, and including, relevant conditions, S106 contributions and deferral to the Government of the South East, where applicable and defer to Officers to issue the decision notices.

Reason:

The Council considers that the proposal accords with the policies of the development plan as summarised below, would accord with the special character and appearance of the conservation area and with the special character, setting, features of special architectural or historic interest of the listed buildings. 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:

09/00546/LBD: Listed Building Consent for alterations including demolition of late 19th/ early 20th C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19th/ early 20th C. additions. Alterations and extension on 4 levels for academic block. The Rookery. Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden.

- 1 Commencement of works LB/CAC consent
- 2 LB/CAC consent - approved plans
- 3 LB consent - works as approved only
- 4 Recording prior to works
- 5 No features to be removed
- 6 Preservation of unknown features
- 7 Salvage features
- 8 Conditions Survey
- 9 Strengthening 1810 staircase.
- 10 Exterior materials
- 11 Details of features
- 12 Details opening in south wall, walled garden
- 13 Repair of damage after works

14 7 days notice to LPA
15 LB notice of completion

Subject to the deferral if the application to the Government Office for the South East

09/00547/FUL: Alterations and extension to the Rookery. Erection of smoking canopy, gazebo, fire pit, water tank and engineering operations to create steps and shallow pools/pond, regrading of land and creation of hard surface footpaths within fields to North of site. Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden.

1. Time limit
2. In accordance with approved plans
3. Samples in CA
4. Details opening in south wall, walled garden
5. Details surface water drainage
6. Sustainable drainage system
7. Cycle parking, number, before occupation
8. Travel plan
9. Construction Travel Plan
10. In accordance with Arboricultural Survey and Arboricultural Method Statement
11. Revised Landscape Planting Plan
12. Landscaping before end of planting season for completion of each development
13. In accordance NRIA
14. Archaeology – Evaluation
15. Agricultural land
16. Details of footpaths (fields)

09/00548/FUL: Replacement sub-station

1. Time limit
2. In accordance with approved Plans
3. Materials Samples
4. In accordance with Arboricultural Survey and Arboricultural Method Statement
5. Revised Landscape Planting Plan
6. Landscaping before end of planting season for completion of each development
7. Archaeology – Programme of works

09/00549/FUL: Installation of car parking areas to provide 38 car parking spaces

1. Time limit
2. In accordance with approved Plans
3. Surface water drainage
4. Sustainable drainage
5. Contamination
6. Travel plan
7. Construction Travel Plan
8. Parking layout
9. In accordance with Arboricultural Survey and Arboricultural Method Statement
10. Revised Landscape Planting Plan

11. Landscaping before end of planting season for completion of each development
12. Archaeology – Programme of works

09/00635/CAC: Demolition of the Bowerman Building.

1. Time limit
2. In accordance with approved Plans

09/00636/FUL: Erection of student accommodation on 2 and 3 storeys.
Contamination

- 1 Time limit
- 2 In accordance with approved plans
- 3 Samples in CA
- 4 Details sustainable surface water drainage
- 5 Details waster water drainage strategy
- 6 Cycle parking, number, before occupation
- 7 Travel plan
- 8 Construction Travel Plan
- 9 In accordance with Arboricultural Survey and Arboricultural Method Statement
- 10 Revised Landscape Planting Plan
- 11 Landscaping before end of planting season for completion of each development
- 12 Archaeology – Programme of works
- 13 In accordance NRIA

S106 Contributions:

County:

£ 1890 towards Library infrastructure and book stock
£ 4140 towards Cycle improvements in the vicinity

City:

£ 1800 towards Indoor Sports

09/00633/CAC: Demolition of Bowen Building

1. Time
2. Plans

09/00634/FUL: Erection of 4 storey building to provide student accommodation

Contamination

- 1 Time limit
- 2 In accordance with approved plans
- 3 Samples in CA
- 4 Details surface water drainage
- 5 Sustainable drainage system
- 6 Cycle parking, number, before occupation

- 7 Travel plan
- 8 Construction Travel Plan
- 9 In accordance with Arboricultural Survey and Arboricultural Method Statement
- 10 Revised Landscape Planting Plan
- 11 Landscaping before end of planting season for completion of each development
- 12 Archaeology – mitigation
- 13 In accordance NRIA

S106 Contributions:

County:

£ 2591 towards Library infrastructure and book stock
£ 5934 Cycle improvements in the vicinity

City:

£ 2580 towards Indoor Sports

**Main Local Plan Policies:
Oxford Local Plan 2001-2016**

- CP1 - Development Proposals
- CP2 - Planning Obligations
- 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
- CP13 - Accessibility
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- NE10 - Sustainable Drainage
- NE14 - Water and Sewerage Infrastructure
- NE15 - Loss of Trees and Hedgerows
- HE2 - Archaeology
- HE7 - Conservation Areas

- Core Strategy – Proposed Changes
- CSP2 - Prev developed land & greenfield land
- CSP10 - Energy & natural resources
- CSP11 - Waste & recycling
- CSP14 - Supporting access to new development
- CSP17 - Access to education
- CSP18 - Infrastructure & Developer contributions
- CSP19 - Urban design townscape char & hist env
- CSP20 - Community safety
- CSP26 - Student accommodation

There are no policies in the Oxford Local Plan and Core Strategy that are relevant to applications for listed building consent and conservation area consent.

Other Material Considerations:

This application is in the Old Headington Conservation Area. The development affects a Grade II Listed Building and Listed Crinkle Crankle Wall.

Relevant Site History:

There has been much general building, extension and alterations made within the campus over the years. Of particular relevance to are as follows:

64/15297/A_H - Extension to provide 46 study bedrooms, 4 tutorial rooms, dining hall, servery and lecture hall. PER 22nd September 1964.

84/00365/NFH - Reconstruction of roof and internal alterations to upgrade students study bedrooms to staff office accommodation.. PER 19th July 1984.

84/00366/L - Listed building consent for demolition of existing roof, second floor, and external spiral staircase. Reconstruction of roof, second floor and internal alterations. PER 19th July 1984.

97/00733/NFH - Construction of new academic centre incorporating teaching accommodation and 10 study bedrooms. Creation of new access drive and parking spaces.. DIS 12th June 1998.

98/00191/L - Listed Building consent for single storey extension of student toilet block in order to provide disabled facilities in central yard.. PER 23rd April 1998.

98/00192/NFH - Single storey extension of student toilet block in order to provide disabled facilities in central yard. PER 23rd April 1998.

04/01719/LBC - Listed building consent for internal works under the disability discrimination act to:-

- (1) Provide 2 No. access ramps and replacement modified dado panelling in ground floor corridor to serve concourse, dining hall, lecture theatre and re-configured WC's.
 - (2) Upgrade main ground floor corridor doors to half hour fire standards, modification of W.C. and insertion of raised floor in former library to create accessible I.T. room..
- PER 20th July 2006.

07/02867/FUL - Removal of temporary building housing nursery plus other structures within walled gardens. Erection of freestanding dining hall, together with hard and soft landscaping works and ornamental pond. PER 14th July 2008.

08/01403/FUL - Alterations to walled garden structure, including ground beams and buttressing on north elevation of part crinkle crankle wall. New oak gates to existing openings in south and west walls. Removal of brickwork above south gate opening to

facilitate contractors access and reinstatement of fabric. The Rookery. PER 21st August 2008.

08/01404/LBC - Listed Building Consent for i) repair and stabilization of walled garden structure, including ground beams and buttressing on north elevation of part crinkle crankle wall. ii) Removal of brickwork above south gate opening to facilitate contractors access and reinstatement of fabric. iii) New Oak gates to existing openings in south and west walls. (Note: the animal shelter and associated remains of buildings on land east of the walled garden do not need to obtain consent for their removal). The Rookery. Approved 21st August 2008.

07/02867/FUL: Removal of temporary building housing nursery plus other structures within walled gardens. Erection of freestanding dining hall, together with hard and soft landscaping works and ornamental pond. Approved January 2008.

Ruskin Masterplan: General approach to future development endorsed by North East Area Committee on 22 January 2008, subject to caveats set out in the Officer's report.

09/00309/FUL & 09/00310/LBC: Alterations to Smith House, (the coach house), to continue existing office use for Ruskin College. Approved.

09/00213/FUL: Refurbishment of existing student accommodation blocks including replacement windows, new doors and new cladding to Beatrice Webb Building; and replacement bay windows to Biko Building. Approved

Representations Received: See Appendix 2

Officers Assessment:
Background:

1. This report deals with a series of applications for planning permission, listed building consent and conservation area consent for a variety of proposals at The Rookery campus, Dunstan Road, the majority of which were endorsed by North East Area Committee on 22nd January 2008, under the Masterplan for Ruskin College at Old Headington (07/02213/CONSLT refers). In brief, the key features of the Masterplan, attached at Appendix 3, are as follows:

- Restoration of the Rookery;
- Restoration of the stable block;
- Enhancement of the historic setting and the landscaping/ existing mature trees;
- Restoration of the crinkle crankle wall and creation of a dining room in a garden setting within the walled garden;
- Demolition of the Bowerman building and erection of a replacement 2-3 storey residential block (30 beds);
- Demolition of Bowen House and erection of replacement 3-4 storey residential block (60 beds);
- Access points from Dunstan Road and Stoke Place;
- Consolidation of existing parking levels to the rear of the site;
- Clearly defined pedestrian routes; and

- Alternative development plot within Stoke House grounds.

2. The North East Area Committee resolved to support Ruskin's Masterplan as the general approach as a precursor to future development at their Stoke Place and Rookery Old Headington campus's subject to the caveats and issues highlighted within the Officers report. Committee noted in particular:

- The College's commitment to sustainability issues and green travel plan, which should be brought to the area committee for information prior to implementation;
- Comments regarding the refurbishment of Stoke House;
- Concerns expressed regarding vehicular access in Stoke Place; and
- The potential to further explore parking issues, especially in relation to additional space arising from the closure of the nursery.

3. As a consequence of the Committee's comments, the Masterplan was amended to show two separate car parking areas, one to the south and one to north of the Rookery Campus (Appendix 3 refers). This was in order to address concerns expressed about the number of vehicles using Stoke Place. Officer's considered this amendment to be acceptable.

4. An application was also submitted and approved for removal of the school nursery structure and hard surfaced tennis court from within the Walled Garden and construction of a new Dining Hall with landscaping to replace the late 1960's facilities attached to The Rookery (07/02867/FUL refers). Similarly works to the Crinkle Crankle wall were approved and are currently being undertaken.

Description of this part of the Old Headington Conservation Area, Listed Buildings and Structures:

5. The Rookery, its grounds and associated buildings are located within the boundary of the original designation of the Old Headington Conservation Area on 4th January 1971. The fields to the north of these lands, which formed part of Headington Meads, bounded by the Northern By-Pass, were taken into the conservation area through its last extension on 9th December 1998.

6. Located just outside the tight-knit, historic core of the 17th-19th century village centred along, and off St Andrew's Road and Old High Street and the stone wall-lined pedestrian ways of The Croft, The Rookery belonged to the genre of higher-status detached dwellings, or converted, former agricultural buildings, situated in generously sized, designed and landscaped grounds, distanced from the road by a winding driveway. These houses, which include Headington House, Sandy Lodge, White Lodge and The Grange, are barely visible in the immediate streetscape, their presence denoted by stone boundary walls and gate piers. Glimpses of them usually occur from a distance within, or outside, the village, making their setting an important factor in their positive contribution to the special character and appearance of the Old Headington Conservation Area. Views south from the Northern Bypass looking over the unimproved grazing fields offer only fragments of the buildings and structures on this Ruskin College site. Thus it has a dual aspect, that to the village, and to the wider setting in a still, rural landscape. This rural setting is also an important feature of the character of this part of the conservation area.

7. The grounds of The Rookery have expanded beyond the original plot indentified on the 1802 enclosure map to include land to the west, on which was built the 20th century blocks, with the orchard on their north, and land to the east as far as Stoke Place that was taken into the landscaped grounds. Several private footpaths meander through the grounds and there is a narrow service road into half of the site, running in an east-west direction from Stoke Place.

The Rookery:

8. The Rookery, functioning as the main reception, and in use for administration, teaching and dining purposes, is set well back from Dunstan Road behind its rubblestone boundary walls that incorporate the rear elevation of the former stable block, Smith House. Built about half way into the site where the gradient of the land continues to fall steeply away to the north, and accessed via a circuitous drive, its three-storey height is only apparent from a close distance. Its reclusive character is augmented by the presence of fine, large-scale mature specimen trees and shrubbery planted in the southern garden.

9. At the time Ruskin College purchased The Rookery it comprised the main house with its central range of 16th-17th century date, rebuilt and extended to the south in classical style in about 1810, with extensive, more linear, ranges to the north, plotted by the 1876 Ordnance Survey. Then, no longer in use solely as a house it had, in 1861, been bought by the Rev. John Taylor for the purpose of starting a preparatory school. Ruskin College extended The Rookery in the late 1960's by building Tawney Hall, a dining hall wing and kitchens in single-storey, mono-pitch style, faced in dark brick and white painted timber cladding as an extension on the east side and to the rear of the main house.

Status of the Listed Buildings:

10. The Rookery, and Crinkle Crankle wall are listed Grade II in their own right as buildings of special architectural or historic interest. The Rookery was listed on 12th January 1954 and the others on 28th June 1972. Part 1, Paragraph 5) of The Planning (Listed Buildings and Conservation Areas) Act 1990 describes the term "listed building" as, not only applying to the building named in the statutory list, but also to any object or structure fixed to the building, or any object or structure within the curtilage of the listed building which, although not fixed to the building, forms part of the land and has done so since before the 1st July 1948.

11. The 1960's additions to The Rookery are considered by Officers not to form part of the special interest of the listed building, but their proposed removal has been treated as an alteration involving demolition and therefore subject to listed building consent and consultation with the 6 national amenity societies and English Heritage has been carried out.

Other freestanding, unlisted modern buildings on The Rookery site:

12. Three separate residential blocks forming a loose quadrangle with The Rookery were built to its west in the 20th century. The earliest, Bowen House, (1960's: 24 study bedrooms with kitchen areas on 3 floors) is located towards the north; Biko House (1970's: 18 study bedrooms with kitchens and 3 flats, 1 for disabled use), is in

the centre, and the most easily visible, Beatrice Webb House, (Late 1980's, 24 study bedrooms and kitchen areas on 3 floors) is situated to the south. A fourth, Bowerman Building, of two-storey, temporary construction lies well within the eastern part of the site towards Stoke Place. Formerly used for teaching, it has been vacant for some years being unsuitable for habitation. The council has approved past applications for Conservation Area Consent for its demolition, but these have not been implemented.

Proposals:

13. The proposals are in accordance with the Masterplan and involve the following developments:

- Demolition of some non-listed extensions to the Rookery and erection of a new extension on 4 floors to the Rookery to provide teaching accommodation and ancillary facilities (office, reception etc;)
- Demolition of the Bowerman teaching block and erection of a new accommodation block on 2-3 floors, providing 30 study bedrooms;
- Demolition of Bowen accommodation building (22 student rooms) and erection of a new accommodation block on 4 floors, providing 65 study bedrooms;
- A new sub-station;
- Two new car parking areas, one to the north of the campus accessed from Stoke Place for staff and one to the south of the campus and in front of the Rookery, accessed via the main entrance off Dunstan Road;
- New general landscaping around the whole campus including erection of a smoking canopy, gazebo, fire pit, water tank and to the north of the campus create steps and shallow pools/pond, general regrading of land and the creation of hard surface footpaths within the fields.
- Formation of a new gated pedestrian gate in south boundary wall of The Walled Garden.

Determining Issues:

14. Officers consider the main issues in determining these applications are:

- Principle of the Development
- Design and Impact on Listed Building and Structures and the Conservation Area
- Traffic and Parking
- Amenities
- Landscaping and Trees
- Archaeology
- Sustainability

Principle of the Development:

15. Both the Old Headington and City centre sites are specifically identified as development sites within the adopted Local Plan, Policies DS.71 & 72 respectively for a range of uses including residential institutions, educational use, student accommodation and community use. When the current Local Plan was drawn up it would appear Ruskin were considering moving from both campuses and thus Policies DS71 & 72 include other appropriate alternative uses for the sites,

particularly in relation to the Old Headington site which is of course close to the John Radcliffe Hospital.

16. Other policies in the Local Plan support the consolidation of the two locations including the redevelopment of existing buildings where this would allow for improved facilities and their more efficient use. In addition the Conservation area, the mature parkland setting of the Rookery and other listed buildings and structures represent an important constraint on new development there.

17. Inspired by the social reformer, John Ruskin, to provide education for “ordinary” people who may have missed out on the benefits of formal education and passing exams in their younger years, Ruskin College was originally set up as Ruskin Hall in St Giles. It later moved to administrative and teaching accommodation, purpose built in 1912, on the corner of Walton Street and Worcester Place. This site was subsequently twice extended westwards, in the 1960’s for a Dining Hall and again in 1980 for the Kitson Library Block. Constrained by the city centre site Ruskin College had previously looked to other parts of the city to extend its facilities, first renting The Rookery, Dunstan Road in 1946, and purchasing it outright shortly after. A second site in Old Headington was acquired in the early 1960’s when Ruskin bought Stoke House, just to the east of The Rookery, accessed off Stoke Place.

18. The college still aims to provide specialist educational opportunities for all types of people, raising educational achievements and developing skills needed to find and remain in work. It also gives second chance to those who missed out on education, helping them enter higher education.

19. In this context the main feature of the Masterplan was the consolidation of its two main campuses (Walton Street and the Rookery). Currently the college has a total of approximately 427 students on long and short courses and those who may only attend weekly lectures etc. spread out between the three campus sites, as shown below:

- 300 long course students; 50 at Walton Street, 150 at the Rookery and 100 who commute between the two campuses;
- 75-100 students at Walton Street who are not all there at one time and not for any length of time, e.g. weekly lectures;
- 15 short course students at Walton Street; and
- 12 short course students at Stoke House

20. Ruskin does not anticipate any significant change in staff and student numbers in the foreseeable future but it will change where staff and students work and study:

- The college will retain an outreach centre in the town centre, either the Walton Street site or another site, to accommodate the 75-100 students who attend weekly lectures.
- The 327 remaining students will attend at the Rookery and Stoke Place; 315 at the Rookery and still only 12 Stoke Place.
- Overall this is an increase of 175 students at Old Headington; specifically an increase of 163 at the Rookery.
- The buildings will house a total of approximately 17 staff posts, the majority of them transferring from the City campus.

21. Local Plan policy seeks to increase purpose built student accommodation within university/college owned land. In terms of new residential accommodation currently there are 64 bedrooms at the Rookery, 12 at Stoke House and 62 at Walton Street. The result of consolidation of the college to Headington is the loss of all beds at Walton Street, retention of 12 at Stoke Place and a net gain of 73 bedrooms at the Rookery (loss of 22 rooms from Bowen and construction of 95 new rooms). Recent approval for refurbishment of Biko and Beatrice Webb buildings also result in the gain of one student room, bringing the total net bed spaces to 74 and the total student bedrooms at The Rookery campus to 138.

22. The Masterplan was endorsed and the principal of consolidation of the campuses and development accepted. Officers accept the argument of need in this case and that the uses proposed for the sites are appropriate. The College wishes to expand its facilities on land in its ownership and the principle of the development is in line with the Local Plan, which allows for additional development that would improve facilities for the college and make best use of land, subject of course to other policies in the Local Plan.

Design and Impact on Listed Building and Structures and the Conservation Area:

23. Proposals for relocation of Ruskin's teaching facilities from its Walton Street campus to that at Old Headington, with re-use and rationalisation of existing buildings as well as the new proposals have been mindful of the Inspector's comments in a 1998 Appeal decision. This involved a scheme for an imaginatively designed, but large extension to The Rookery that projected southwards into the main landscaped garden, refused by Planning Committee and dismissed at appeal. His view was that a single larger "statement" building would have conflicted with the special character of The Rookery, its setting, and be harmful to its established landscaped garden. He stated that any new structures should not only be subservient in scale to The Rookery, but should be broken visually into sections to follow existing landforms, to develop a dialogue with the major individual tree specimens, and to maintain, if not improve the perception of the site from outside viewpoints. Such an approach could utilise areas with less than positive contribution to the character of the grounds, for instance, the area to the east of the beech hedge, and south of the drive from Stoke Place.

24. There is little deviation from the submitted scheme and that presented as part of the Master Plan and endorsed by the city council. The submitted schemes firm up matters of design and materials and as befits, and is required, of an application for listed building consent, provides a fuller proposal of the alterations and remedial works that would be required for The Rookery in a redefined role as part of an enlarged college campus.

The Rookery & Proposed extension:

25. Historical and site analysis shows that what may be thought on first public acquaintance from the main driveway to be an early 19th century classical villa, with a mid 20th century addition on its east is, in fact, far from the truth. Of 2 storeys constructed of stone, under a pitched roof, the earliest, and once freestanding, building on the site, dates from the 16th and 17th centuries. It survives in part only, retaining chimney - breasts and good fireplace surrounds, but its cross wings were

removed in order to accommodate the 3 storied, ashlar limestone, 1810 classical building, whose main staircase is now the principal feature of its type within The Rookery.

26. Extensive alterations in the late 19th, early 20th century, collectively ascribed to the Arts and Crafts style, produced a long, single storey, north range under pitched roofs, skewed in plan, with a lower, cloistered arrangement built on the eastern side of the 16th/17th century building to provide a link. About the same time, a pitched roof with dormers was added above the first floor, and at the southern end of the early building, with single storey extension immediately to its north. It is likely that the servants' stair, inserted within the original building, dates from this period. Also built during this phase is a 2 storeyed flat roof and single storied bay extension against the western, side elevation of the classical building.

27. Small-scale additions of 1 and 2 storeys height, of an ancillary nature, were added to the north elevation of the Classical building in the mid 1960's. The extensive plan form, but single storey, Tawney, Dining Hall and kitchens also date from this phase. Other 20th century interventions have occurred in the form of internal partitions, to create offices; upgrade these facilities and respond to modern technology. Provision for access for people with disabilities to limited areas of The Rookery has been made.

28. Externally, there is variety in the palette of building materials used, and richness of textures and colour hues. Walls are of stone, both rubble and ashlar, red and brown brick, render, painted applied wood framing, with slate and red tiled roofs.

29. The Rookery use would continue as the existing, mainly offices with the vacated catering facility spaces in the north wing becoming offices too. Its seminar room would be used for teaching and for overspill of social work teaching and the administrative team. Care has been taken in the proposals to take a series of considerations into account, starting with the physical and visual effect of the alterations and extension on the special historic and architectural significance of the listed building and the additional benefits that would flow from the proposed extension, rather than a detached building. One prime benefit of an extension would be links to the south wing of The Rookery at every level and, to the lower floor of the north wing, by the use of ramps at ground floor. People with disabilities would be able to access areas currently unavailable to them. The service road from Stoke Place would become an important internal pedestrian route for the college. Renamed the Broad Walk to reflect the proposed change in status it would give access to the The Rookery, the Dining Hall and residential buildings.

30. The extension is proposed to be built on 4 levels; but would read as 3 storeys in relation to the main south front of The Rookery, and 4 storeys to the rear facing the Walled Garden where it would follow the downward fall of the land. For ease of reference this report refers to the levels as notated on the plans: i.e. lower ground floor, upper ground floor, 1st, 2nd and roof. On the south (front) elevation the parapet of the proposal would be at the same height as that to The Rookery. On the north (rear), the lower ground floor and 2nd floor would be set back 2 metres from the two levels between to minimise the height of the building, and to provide a covered walkway. In order to facilitate a replacement extension, the scheme proposes the removal of the large, single storey 1960's addition that includes Tawney Hall and the

Dining Hall, plus 3 late 1960's extensions to the rear of the classical building and some 19th century additions. These are of little historical significance and Officers raise no objection to their removal.

31. Visually, the proposed extension would be of a modern design, with its most public south and east elevations clad in stone, having slim rectangular window openings to the offices inset with anodised aluminium framed windows. The lower ground floor level that forms a basement to the main garden, and ground floor to the Walled Garden would be brick. The north elevation to the fields with its library and teaching rooms, together with the short west return, would benefit from larger sized windows. The remainder of the external surfaces would be identical to the south and east elevations. The low-pitched roofs would be of metal sheet and rainwater goods would be of a matching metal. Whilst there is a proposed higher section of roof towards the north on the Academic Building, this would not be read as a major design feature from the south garden and would not, therefore, interfere with the intention to make the parapet level the perceived highest point on the proposal.

32. Proposed physical connection between the listed building and the new seeks to be as limited as possible. In order that the classical frontage building would continue to have a degree of detachment, the new extension would not encroach on the greater length of its east elevation. Attachment here would only be at the north-east corner where a glazed 5.8 metre wide 'link' would then project in a southerly direction by some 4 metres, (just under half the width of the east elevation), and turn to the east to create a 16.8 metre wide front elevation to the landscaped garden and the main entrance drive. It is worth noting that The Rookery's frontage has a width of 17.4 metres. At ground and first floor levels the proposed Academic Building would provide a connection between it and The Rookery behind the wall enclosing the historic staircase, and would not touch at any other point. To the north it would change alignment with the 16th/17th century building's orientation to that of the slewed orientation of the Walled Garden.

33. As is the case now, users of The Rookery would continue to enter through the main south porch into the hall. Here there would be a choice of access to the rooms in the existing buildings, by corridor or principal staircase routes, or by turning right into the main reception that would be formed out of the remodelled William Morris Room. This room would be altered on its north wall to create a connection to the proposed new building and other, currently inaccessible parts of The Rookery. Once in the proposed Academic Building the space would open up into a triangular plan atrium, having two modern staircases one on the west the other on the south sides and circulation routes. Natural light and ventilation would serve the atrium with only one small fan for assistance at its roof. Those offices that would not lead onto the atrium would have openable windows. The north wall of the classical building, minus its later additions of no special interest, would remain as an unplastered limestone wall, within the atrium. Former external windows would become internal glazed screens. There would be internal voids of a width of 2.8 metres, with glazed balustrades separating the floor levels from the north and part of the rear, east wall, except at the point of walkways at the door openings.

34. Alterations to the Grade II listed Rookery, have been kept to a minimum, and involve removal of a 19th century service stair, some 19th century partitions, making openings to take a person in a wheelchair and providing a modern door and screens

within the north wall of the William Morris Room in the 1810 building that will become a reception, and thus the interface between the existing and the proposed. Some of the late 20th century work would be modified to reflect the scheme under discussion. Officers have no objection to the removal of these features as they are considered to be of some, or little, architectural significance, providing that the recording of the fabric be conditioned.

35. Ugly hanging steelwork currently supports the 1810 wooden staircase. It is proposed to replace this modern and visually intrusive work with a more discreet method of support. Submitted drawings show the basic principle as to how this might be achieved, by the insertion of a steel beam at first floor level, from the 7th step, following the rise of the stair to the second floor. Officers welcome the proposed restoration but advise that the precise method be conditioned on any listed building consent.

36. It is proposed to locate the boiler room within an existing office in the northernmost part of the stone Arts and Crafts building, utilising the previously heightened and substantial brick chimney for its flue. In order to install and maintain the boiler it is proposed to remove the existing double height, two stage design window on the north elevation and insert wooden, vertically planked double doors at ground floor level. The wall area above the new lintol would be made good with stonework. Internal alterations would be undertaken as part of this proposal. Officers have no objection to this element of the scheme, considering that the configuration and location of the building would be compatible with the proposal and that the special interest of this part of the listed building would not be prejudiced.

37. Some of the comments received from the statutory national amenity societies state that the proposed Academic Building extension to The Rookery should be refused, as it would not be subservient to the listed building. While this indeed is an important consideration, it is not the only one. The Rookery is the subject of four major historical building phases; the proposal retains three of these, more or less intact, and seeks to remove the least successful the single storey buildings of 1960's. All of these earlier stages are of considerable interest, showing the phases of evolution as the original 16th/17th century building was altered, extended into a taller, classical house, later having Arts and Crafts rear extensions as the buildings progressed from private residence to educational use. The classical, 1810, phase set the Rookery in its landscaped grounds and, the special relationship, special character and setting of the listed building and structures within the established landscaped garden was seen as a priority by the Inspector in his 1998 decision.

38. Central government advice to planning authorities is to have regard to the desirability of preserving the setting of a listed building. PPG 15 states 'Setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to compliment its design or function. The character of historic buildings can be robbed of much of their interest, if they become isolated from their surroundings, eg. By new traffic routes, car parks, or other development.' Officers consider that the proposal is designed to respond and achieves an acceptable marriage between the setting of the listed building, its proposed extension and the landscaped garden.

39. Para 2.14 of PPG15 also observes: 'The design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail: some of the most interesting streets in our towns and villages include a variety of building styles, materials and forms of construction, of many different periods, but together forming a harmonious group'. While the application site is not a street in a village within a city, it is a complex of buildings, and structures with spatial quality and relationship to their grounds and signal trees. There is no intention by the architects to deceive the onlooker, or user, that what is proposed is other than a contemporary solution, as were the extensions to The Rookery in their day. Materials proposed are of quality natural products, stone, and brick predominating for wall surfaces.

40. On the subject of the Disability Discrimination Act PPG15 states: 'It is important in principle that disabled people should have dignified access to and within historic buildings. If it is treated as part of an integrated review of access requirements for all visitors and users, and a flexible and pragmatic approach is taken, it should normally be possible to plan suitable access without compromising a building's special interest.' The Rookery has approximately 14 levels and no lift. Proposed floor levels of the new Academic Building would be at the same levels as the main south wing using ramps to access the lower levels of the north wing. A compliant stair would be provided to improve the access at the 1st floor of the north wing and the Rookery Seminar Room.

Proposed alteration to the south brick wall of the Walled Garden:

41. Approved schemes for this listed structure have already dealt with the design of gates for the existing Walled Garden. The opening within the south boundary will be used to service the kitchen, while that in the west elevation will form the point of entry for those wishing to eat in the Dining Hall, or sit in the landscaped garden. The proposal submitted with the current application seeks approval for a new pedestrian opening in the south garden wall to correspond with the rear door to the atrium. Existing opening widths in the wall are 1.5 and 1.4 metres, and that of the proposal is 2.06 metres, closed by a simple wood door. Officers have no objection to the formation of a new opening but consider that its width would be too great, and affect its proportions. Officers advise that the design of the new opening and door in the south wall of the Walled Garden be conditioned on any approval, in order to reduce the width and improve its proportions within the listed structure.

Proposed New Accommodation Blocks and Sub-station:

42. The new Block A that replaces 1960's Bowen Building to the north east of the campus, is built on 3 and 4 storeys, utilising the change in ground level and varies in height between approximately 10m at its lowest to 14m at its highest. It is of a modern architectural design with a flat roof, with flues/ chimneys, and constructed in brick with timber panels. It provides 65 rooms, 5 more than the Masterplan indicated.

43. Block D to the east of the Rookery is of the same architectural style and materials as Block A. It is built on 2 and 3 floors, creating a basement, again utilising the change in ground level reaching between approximately 6m and 10m in height.

44. The increase in bedrooms and teaching accommodation has resulted in the need to provide a new sub-station. This takes the form of a large domestic garage, built in brick and tile with pitched roof, located to the east of Block D close to the access from Stoke Place. It is recessed into the slope of the ground, 6.5m wide by 4.4m deep and reaches 9m to ridge, 2.2 to eaves.

45. The new car parking areas are an important aspect of the overall improvements to the setting of the Rookery and its garden. As cars are currently parked throughout the front area of the campus, the visual impact is detrimental to both building and garden. The proposal to make two discreet car parking areas away from this part of the campus are welcomed by Officers and would be a significant improvement and benefit to the listed building, its setting and the character of that part of the campus and viewpoints from outside the campus.

46. The proposed gazebo and smoking shelter structures are shown as domestic in size and scale and of timber construction. They are set within the campus and Officers consider they would have no adverse impact on the conservation area, listed buildings or structures.

47. Application proposals for landscaping, other landscape features etc and other aspects of the car parking areas are dealt with under relevant sections below.

48. In conclusion, the Rookery campus is not a street in a village within a city; it is a long standing educational establishment comprising a complex of buildings, and structures with spatial quality and relationship to their grounds and signal trees. There is a hierarchy of landscape from the designed grounds to the south of, and immediately surrounding, The Rookery, changing to the supply of horticultural and culinary needs provided by the walled garden and orchard that give way to the northern fields. There is a history of contemporary buildings relating to their historic time frame, modern architectural additions and accommodation blocks on campus, and what is proposed is no different from the way the original site has developed. The proposals are considered to be sympathetic in design to the Rookery, and other existing buildings, structures and landscape features on site. The heights have previously been endorsed and are appropriate within the site and relationship to existing buildings. Officers consider that the new buildings would not have an adverse impact on the special character and appearance of this part of the Old Headington Conservation Area or setting of the listed building or Crinkle Crankle wall. The essential built and landscaped qualities of the area would be preserved, and enhanced.

Traffic and Parking:

49. The Masterplan set out proposals to relocate the Walton Street's activities to the Dunstan Road site. This proposal has been previously been agreed in principle by the Highway Authority during the consultation process for the Masterplan application.

50. The Transport Assessment (TA) submitted suggests that the consolidation of the College's activities on one site is considered to have a positive effect on traffic conditions given that regular cross city movements between the two existing campuses will be removed. In terms of traffic generation, the TA indicates that there are no proposals to increase car parking levels at the Rookery Campus and existing car parking provision will actually be reduced in order to discourage people from travelling to the site by private car. The TA also suggests that measures will also be introduced to control parking on the site through the Travel Plan (parking permits for staff only and no student parking allowed), and a monitoring system to minimise any displaced parking in surrounding streets. (The TA acknowledges that the potential for this is minimal due to existing Controlled Parking Zones in the site's vicinity). To encourage the use of more sustainable modes of travel, additional cycle parking is to be provided within the site.

51. Currently the campus provides 42 car parking spaces that are dispersed around the front of the Rookery building, along the main drive and along the rear access drive from Stoke Place, which is also used by delivery vehicles. The Masterplan originally suggested a single car park at the north of the campus for 24 cars, accessed from Stoke Place, and approximately 11 spaces to the south in order to remove cars away from the listed building and thereby improving its setting. However, this northern car parking area caused concern from residents that there would be an unacceptable increase traffic along Stoke Place, which is a private lane over which the College has rights of way. Consequently the Masterplan was amended to show two car parking areas; the one to the north reduced in size for staff only (16 spaces) and an area to the southeast corner and by the stable block for visitors and disabled users (22 spaces). This is what is now being applied for.

52. The new car parking areas actually reduce the overall car parking spaces available by 4 to 38 spaces, comprising 9 visitor spaces, 12 informal spaces, 1 disabled and 16 staff spaces. The Highways Authority has again raised no objections to the proposed car parking level or the level of traffic generated. The reduction in the number of spaces in the northern car park would reduce the level of traffic using Stoke Place, which is a benefit. Movements to and from the campus to the city centre will be reduced significantly which is seen as a benefit to nearby residents and for the city as a whole. Officers consider the level of parking to be reasonable and commensurate to the college and its facilities in this location. A reduction in parking numbers is welcomed.

53. It should be noted that an internal drive to the rear car park is not feasible because of the position of new Block D and the tree root protection zones of protected trees and the fact that it would have a significant detrimental impact upon the setting of the listed building and its garden. This would be contrary to all that Officers and the College have sought to improve in these proposals. The temporary construction access currently being used for the construction of the dining hall will be removed and the area reinstated to its former status, required by condition. It should be noted that the way in which construction is undertaken is not in itself a reason for refusal. Officers would not want to see this temporary construction access retained for other new developments because of its adverse impact on the listed building and garden, and because any approval does not necessarily mean that the development will be built. In Officer's opinion construction traffic could reasonably use Stoke Place

and Dunstan Road accesses. It could not be retained permanently due to issues of trees and siting of Block D, in addition to the impact on the listed building and its garden (see Landscaping and Trees below).

Amenities:

54. Officers consider there would be no adverse impact on residential amenities. The proposed accommodation blocks and extension to the Rookery, whilst the largest buildings proposed, are situated well within the campus grounds and have an adequate distance to the nearest residential properties. The Rookery extension is in any case screened by Block D. Block A to the north overlooks an area of grass and trees and any oblique views to the rear of No. 4 Dunstan Road property, which is closest, is in excess of 47m. It is also screened by the existing Biko building. There would be no direct overlooking, loss of privacy or overbearing. Block D is in excess of 34m to No. 8 Stoke Place and 21m to Rookery Cottage. Whilst the building will face directly towards No.8 with windows to bedrooms, bathrooms and common rooms on all floors, it would be screened by existing and new tree planting and the central hallway windows have been covered with louvers also to restrict views. Furthermore the distance varies from 34m to 50m where the building sets back and is sufficient for there not to be any significant overlooking or loss of privacy. Neither would the building be overbearing. In relation to Rookery Cottage Block D does not directly face the cottage but its garage and part of the front garden instead. Views would be oblique to the Cottage and its main private garden area would remain out of view to the rear. Whilst students would be able to look diagonally over to the front of the house there are existing trees and front boundary hedge and a degree of privacy would remain, aided by the distance between. Officers therefore again consider there would be no significant loss of privacy or overlooking. The Block at this point is two storey, in response to residents concerns, and therefore it would also not appear overbearing.

55. Concern has also been expressed about the impact of the proposed sub-station building. This would appear as a large domestic traditional garage, both in size and design. It is in excess of 15m to Rookery Cottage, which it faces directly, and in excess of 17m to No.8 Stoke Place diagonally. It is located approximately 5m from the stone boundary wall, which is approximately 1.5m high. It is 9m in height to the pitched ridge however, it would also be cut into the ground, thereby utilising the lowest ground level as the land slopes towards the Rookery and Block D. Whilst the building would be partially seen by residential properties nearby, due to existing hedging, wall and screening, it would not have any detrimental impact on their residential amenities in terms of size or proximity. Although a maximum 9m in height and positioned south of Rookery Cottage, the distance of 15m together with the existing boundary hedge means that there would be no loss of sunlight.

56. Lastly to consider is the impact of the new car park on Rookery Cottage. Officers have previously advised the applicants to reduce the size of the car park and move it away from the eastern boundary of Rookery Cottage, which they have done. It is now approximately 9m from that boundary and 11m to the east elevation of Rookery Cottage, and proposals show new tree planting in between. Currently the access from Stoke Place is used for deliveries and for parking and whilst there would be an increase in car movements past the cottage vehicle noise would be at a minimum due to slow speeds within the

grounds and the distance to the cottage is considered satisfactory with proposed planting to mitigate any noise, disturbance or impact from car head lights.

Landscaping and Trees:

57. The applications are supported by a Landscape Statement that describes the appearance and character of the landscape at present and provides a vision for the future. Planting proposals are included on a Planting Plan and a Landscape Management Plan includes details of how new planting will be managed until it becomes established.

58. An Arboricultural Survey has been submitted which provides a record of the trees at the site and includes a competent assessment quality and value of the existing trees in accordance with the recommendations of BS5837: 2005. Preliminary recommendations for the management of trees are provided and Root Protection Area (RPA) of each tree is accurately calculated and plotted on a Tree Constraints Plan, which has been used to inform the layout of the proposed developments. The survey records that there 152 trees at the site; 8 of which are assessed as having high quality and value (category A); 40 are assessed as having moderate to high quality and value (category B); 68 have low quality and value (category C); and 36 are of such poor condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management (category R).

59. The survey is also accompanied by an Arboricultural Implications Assessment which identifies the impact of the proposed development on existing arboricultural resources and provides a reasoned justification for tree removals and other works. In summary, in order to facilitate the proposals it is proposed to remove; 1 of the existing high quality and value 'category A' trees (T. 154, a mature tulip tree); 4 moderate to high value 'category B' trees (T.51, a mature apple tree; T.57, a mature birch; T.72, a mature walnut; T.93, a mature silver birch); 22 low quality and value 'category C' trees; and the 36 poor condition 'category R' trees. 7 trees will need to be pruned and one young walnut tree (T.81) will be transplanted to another location within the site.

60. The applications also include an Arboricultural Method Statement, including a Tree Protection Plan, which provides details of the proposed tree protection and other special measures that will be put in place during the demolition and construction phases of development to ensure that retained trees are not damaged.

61. The majority of the trees that are to be removed to facilitate the development are not significant in public views and their removal will have no significant adverse effect on visual amenity in public views. The high quality and value category A tulip tree (T.154) and two of the moderate to high value and quality trees (T.51, a mature apple tree; T.57, a mature birch) that will be removed are amongst those trees that are not significant in public views. Proposed new tree planting will adequately mitigate any adverse impact on the appearance or character of the Old Headington Conservation Area arising from the removal of these trees.

62. However, the proposed developments require the removal of several trees that do feature in public views within the Old Headington Conservation Area. Most significant in this regard is the removal of trees T.72 and T.93 (two moderate to high quality trees; one a walnut and the other a birch) and the adjacent T93 - 97 (a holly and several apple trees), which will have a significant impact in views from Stoke Place. While new tree planting along the boundary will mitigate the adverse visual impact to some degree, the extent to which there is any residual adverse impact on the appearance and character of the Old Headington Conservation Area will depend on the visual quality of the Rookery extension and Block D which will be constructed in this part of the site. Officers consider that the Rookery extension and Block D proposals are of high quality and in view of the past extensions and developments (Bowerman) and the benefits and improvements these proposals bring, there would therefore be little residual impact on the Conservation Area and the loss of these trees can be accepted.

63. Removal of the low quality and value category C walnut tree (T145) that stands at near to the proposed Academic Building will have a impact in views along the entrance drive. However, if the adjacent beech tree(s) (T105a and b) is retained and protected during the development and new planting is undertaken at the same location as the walnut as proposed, any adverse impact on public amenity and on the appearance and character of the Old Headington Conservation Area should be low in magnitude and significance and temporary in nature.

64. Removal of a mature horse chestnut tree (T.123) that stands near the corner of the Stoke Place and Dunstan Road will have a significant impact on public views. The proposal arises from the structural condition of the tree however, and is not directly related to the development and therefore should not be used as a reason to refuse planning permission. Officers support the proposal because it provides the opportunity to plant a new tree in the area and this is necessary to sustain tree cover in this part of the site into the future.

65. In general, the tree planting proposals shown on the Planting Plan are appropriate for the site. However, proposals to plant trees along the Stoke Place boundary underneath the canopy of existing mature trees are not likely to be successful. The new trees are not likely to establish and grow in some of the locations shown on the planting plan and this should be considered further, through the submission of a revised landscape plan which could be secured by condition.

66. Officers welcome the proposed removal of the existing temporary construction access road across the Rookery Lawn, which is required under conditions attached to the Dining Hall approval, as this road has a significant adverse effect on the landscape setting of The Rookery. The proposed new staff parking area (accessed from Stoke Place) is located in the least harmful location within the site from a landscape point of view and Officers welcome the fact that it has been designed to take account of the high quality and value veteran alder tree that stands to the north and which is a significant constraint on the layout in this area.

67. The proposals include new pathways in the fields north of the campus. These fields are a key feature of the special character and appearance of the conservation

area in which they lie. The land is class 4 agricultural, divided by established hedge/ tree boundaries. The formation of the footpaths, ponds, fire pits etc and general land regrading would not necessarily change the use of the land and indeed the applicant has not sought to do so, carefully siting the small features and structures within, or adjacent, to existing trees. These fields to the north of the college form a vital part in the special character of the area and the setting of the Cherwell Valley and development of this land for other uses such as residential/ office/ industrial etc has been resisted and indeed would be in the future. It is therefore considered necessary to impose a condition that states the land is still agricultural. Officers consider however that in principle the proposals would not have any adverse impact on the special character and appearance of the conservation area and the setting of Cherwell Valley but that hogglin surfacing materials for footpaths would not be appropriate and a condition requiring that they be mown grass, as for the approved trim trail, or other suitable surface, and therefore permeable and consistent with the rural character of the area.

Archaeology:

68. A desk based assessment and a geophysical survey/archaeological evaluation report for this site from Oxford Archaeology (2006 & 2008). The evaluation report concludes that the grounds of Ruskin College 'clearly have significant potential to contain archaeological remains of several periods' (2008, page 15). The evaluation demonstrated the presence of Iron Age and Roman remains in the western part of the site and noted the potential for Roman Kilns to be present in the vicinity.

69. The proposed eastward extension of the Rookery will be located over the original post medieval access route to the house. It lies 30m from Bowen House, where Roman finds are recorded. A single trench (trench 3) on the footprint of the proposed extension located natural clay at 900mm from the surface. In addition Block D and the sub station site lie close to the possible route of a Roman Road (Victoria County History, 1930) 30m to the east and on the original access route to the Rookery. The nearest evaluation trench (trench No 2) noted natural clay at 1m depth in this part of the site.

70. The trenches in the vicinity of the footprint of building Block A recorded Iron Age and Roman remains. Trench No 8 revealed a feature containing sherds from a single Early Iron Age carinated vessel. Trench No 9 produced two large pits containing Roman pottery and charred cereal grains. The Roman pottery assemblage from the site is notable with the dominance of mortarium sherds and is characteristic of material derived from the pottery production waste. The locations of any kiln or kilns remains unclear however the strong magnetic disturbances recorded during the magnetometer survey in the vicinity could indicate either a kiln or an area of modern disturbance (Oxford Archaeology, 2008, 5.2.6). The presence of such a manufacturing site would be of particular interest because of its association with an extensive distribution of Roman manufacturing sites located across east Oxford and related to the nationally important local pottery industry. The recovery of domestic faunal remains and significant quantities of charred cereals also points to presence of domestic occupation in the vicinity. The archaeological features in trench 8 were cut into the natural clay at 1m below ground level and in trench 9 they were located at an average depth of 900mm.

71. The new staff parking, to the north-east corner, lies 30m from the possible route of a Roman Road (VCH, 1930). Evaluation trench No 1 located natural clay at 2m

depth (this may have been a reworked deposit rather than natural), build up consisting of dumped modern waste.

72. In relation to the visitor parking and water storage tank in south-west corner, a significant quantity of Roman pottery was recorded in 1935 during the construction of a house on Dunstan Road to the south of the car park. This site lies 40m north-east of the suggested site of a late Anglo-Saxon palace associated with Ethelred, whilst no archaeological evidence has been recovered for Saxon activity here to date, an archaeological evaluation in Ethelred Court in 1992 confirmed the presence of well preserved 13th-14th century occupation (County HER No. 3623). Evaluation trial trench No 10 excavated on the footprint of the proposed car park recorded two large parallel ditches and a post hole, no dating evidence was recovered. The features were cut into the natural clay, which was located 400mm below modern ground surface.

73. PPG16 states that the desirability of preserving important archaeological remains is a material planning consideration and that, where physical preservation is not feasible, planning authorities need to satisfy themselves that the developer has made appropriate and satisfactory arrangements for their excavation, recording and subsequent publication. This advice is reflected in the Oxford Local Plan Policy HE2. Bearing in mind the results of the archaeological evaluation set out above it is therefore recommended that in line with the advice in PPG16 paragraph 30, any consents granted for these developments should be subject to appropriate conditions, because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Prehistoric, Roman, Saxon and post medieval deposits. These conditions include provision of schemes for evaluation, mitigation and programme of archaeological works.

74. The archaeological recording should take the following forms for each area of the development:

- The Rookery extension: post demolition trial trenching followed by further work if appropriate;
- Block A: Subject to confirmation of the foundation design the archaeological investigation should take the form of a strip and record excavation of the building footprint and a watching brief during any related service trenching;
- Block D: The scope of the archaeological recording required will depend on the details of the foundation design for Block D and the depth and extent of the proposed landscaping. As a minimum the area of the proposed basement will require a controlled watching brief with appropriate contingency. The level of recording required on the remaining areas of ground works will depend on whether these will have a significant impact below the colluvium;
- Sub-station: a watching brief with an appropriate contingency;
- Car parking areas and landscaping ground works/ ponds: A strip and record excavation to either archaeological levels or car park formation level for the south-

west car park and a controlled watching brief with contingency for the remaining ground works/car parking areas;

Sustainability:

75. In terms of location the site is situated within walking distance of Headington District Centre for shopping and local services. Also good public transport links to and from and within the City.

76. A sustainability report has been submitted which sets out the Colleges ambitions for the campus and an extract is attached at Appendix 4. A Natural Resource Impact Analysis has also been submitted which encompasses all developments and attains a high total checklist score of 9 out of 11. Features of the NRIA are a district heating system in the form of gas CHP, which all buildings (old and new) will be linked into to provide both heating and electricity. Buildings will have good insulation and seek to achieve BREAM 'excellent'. Rainwater harvesting is provided to supply WC's. Taps, shower and WC's will be fitted with water saving devices. The buildings have been designed to optimise natural light and ventilation and high efficiency appliances proposed. Sustainable sources of timber will be used and where possible materials with low embodied energy. Existing materials on site will be recycled, such as hardcore and earth extracted for basement levels.

77. The site also lies within Flood Zone 1 and a Flood Risk Assessment (FRA) has been submitted. It concludes that the proposed developments are appropriate to this flood zone and flood risk from ground water flooding, sewer flooding and pluvial flooding is not considered significant. The FRA also ties in with the overall Site Drainage Strategy submitted. It is proposed that the campus is drained via a Sustainable Drainage System (SUDS), including new and existing attenuation ponds in the fields to the north, permeable paving, French drain and rainwater harvesting. The Environment Agency has raised no objection to the proposals, subject to conditions, including details of the SUDS to be agreed by the Local Planning Authority. Thames Water similarly has raised no objections, subject to a condition requiring details of a waste water strategy.

78. Officers consider that the proposals are in accordance with the local plan policy to increase energy efficiency and use of renewable energy sources, reducing carbon emissions and promoting sustainable drainage.

Conclusion:

Having regard to the contents of this report Officers advise that the proposals are in accordance with the endorsed Masterplan and would protect the setting and special character of The Rookery as a Grade II listed building, would ensure the continued relationship between the listed buildings, Crinkle Crankle wall and the landscaped grounds, and would preserve the special character and appearance and setting of this part of the Old Headington Conservation Area both from within and outside the designated boundary. They would also generally accord with central government advice contained within PPG15, PPG16 and be in accord with Local Plan and Core Strategy policies.

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: 09/00546/LBD, 09/00547/FUL, 09/00548/FUL, 09/00549/FUL, 09/00635/CAC, 09/00636/FUL, 09/00633/CAC, 09/00634/FUL

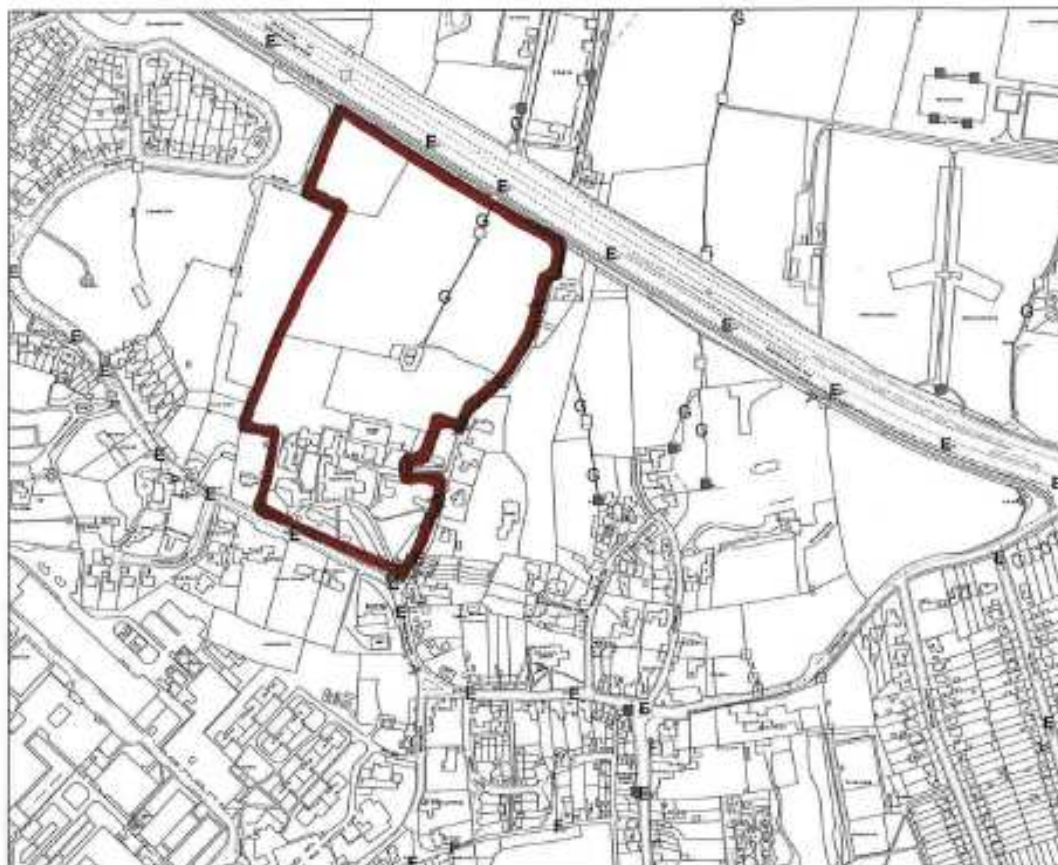
Contact Officer: Felicity Byrne, Edith Gollnast

Extension: 2159

Date: 7th July 2009

Appendix 2

Ruskin Hall



Legend



0 0.1 0.2 0.3 0.4
km

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Organisation	Not Set
Department	Not Set
Comments	12/03124/EXT & 12/03123/EXT
Date	25 January 2013
SLA Number	Not Set

EAST AREA PLANNING COMMITTEE

5th February 2013

Application Number: 12/03146/FUL

Decision Due by: 4th February 2013

Proposal: Erection of single and two storey rear extensions

Site Address: 11A Fairfax Road Oxford Oxfordshire OX4 2QG

Ward: Lye Valley Ward

Agent: N/A

Applicant: Mrs Diana Knight

Application Called in – by Councillors Kennedy, Sinclair, Fry and Canning due to concerns that the extension will result in an overdevelopment of the site.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The extension is considered to form an appropriate visual relationship with the existing house and surrounding development without resulting in unacceptable harm to neighbouring residential amenity. Consequently, the proposal complies with policies CP1, CP6, CP8, CP10, HS19 and HS21 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 and policies HP9 and HP14 of the Sites and Housing Plan 2011-2026.
- 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 to match existing
- 4 Surface Water Drainage and Biodiversity

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 Functional Needs

HS19 - Privacy & Amenity

HS21 - Private Open Space

Core Strategy

CS18- Urban design, town character, historic environment

CS12 - Biodiversity

Sites and Housing Plan - Submission

MP1 - Model Policy

HP9 - Design, Character and Context

HP14 - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

05/01314/FUL: Conversion of dwelling into two flats; erection of extension to form self contained dwelling; erection of detached dwelling; erection of detached garage. – APPROVED (This application approved a number of new dwellings including the application property)

Representations Received:

None

Statutory and Internal Consultees:

Oxfordshire County Council Drainage: Development to be drained via a SUDs system

Determining Issues:

- Design
- Impact on Neighbouring Amenity and Living Conditions
- Surface Water Drainage and Biodiversity

Sustainability:

The site lies within a sustainable location with easy access to local shops, services and public transport links. The proposal will make more efficient use of an existing brownfield site.

Officers Assessment:

Site Description and Proposal

1. The application site comprises a detached, three bedroom dwelling which sits on a large plot and benefits from a rear garden and land to the side of the property. The property is located within a new development sited off Fairfax Road which comprises a mix of self contained flats and dwelling houses separated from Fairfax Road by a set of iron gates. The property backs onto the rear gardens of the dwelling houses on Horspath Road and is adjacent to the flats on Hollow Way. The views are partially shielded by trees and hedges. Appendix 1.
2. The application seeks planning permission for a part single, part two storey rear extension. The extension will be built with matching materials to the existing dwelling. The development would involve the removal of a rear dormer window in order to accommodate the proposed rear gable end and the reduction in width by 0.8 metres of the remaining dormer window. The works would also include the addition of a chimney to the side of the property as part of the two storey extension.

Design

3. Policies CP1 and CP8 of the Oxford Local Plan state that planning permission will only be granted for development that respects the character and appearance of the area and creates an appropriate visual relationship with the site and its surroundings and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CS18 of the Core Strategy states that planning permission will only be granted for development that demonstrates high quality urban design and responds appropriately to the site and its surroundings.
4. The two storey element of the proposed extension would project 4.3 metres from the property's rear wall. The single storey element would project 3.150 metres. The proposed width of the extension would match the existing width of the dwelling house. The single storey extension would be 2.8 metres in height up to the proposed flat roof. The two storey extension would measure 4.4 metres in height up the eaves and 7.5 metres up the proposed roof ridge. The extension would be 0.1 metres lower than the original roof ridge.
5. It is the officer's opinion that the proposed extension would be subservient in terms of size and scale to the existing property and the site as a whole. The materials used would match those of the existing dwelling and would thus be in

keeping with the character of the dwelling and surrounding area. A condition is recommended to secure this. The extension would have an appropriate visual relationship to the surrounding area, as required by policies CP1 and CP8 of the Oxford Local Plan and policy CS18 of the Core Strategy.

6. This application has been called in to committee due to Councillor's concerns that there is already an overdevelopment on the site, due to the redevelopment of the site in 2005, and that the proposal will add to this issue. The proposed single and two storey rear extension along with the existing footprint of the property will still leave over 50% of the application site undeveloped and the property will still be served with a large garden area. As the proposal is at the rear of the property, it is believed that it will not have an overbearing impact on the application site or other properties within the gated area.

Living Conditions and Impact on Neighbours

7. The single storey extension would provide the property with an enlarged kitchen. The two storey extension would provide an enlarged living area and would enable the addition of a study. On the first floor a fourth bedroom will be created with an en suite bathroom. The proposal would therefore clearly result in an improvement to the internal amenity of the application property in terms of enlarged living space.
8. Policy HS19 of the Oxford Local Plan and Policy HP14 of the emerging Sites and Housing Plan set out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25 degree code of practice. In most cases, no development should intrude over a line drawn at an angle of 45 degrees in the horizontal plane from the midpoint of the nearest window of a habitable room and rising at an angle of 25 degrees in the vertical plane from the cill. Policies HS19 and CP10 of the Oxford Local Plan also require the correct siting of a new development to protect the privacy and amenity of the occupants of the proposed and existing neighbouring residential properties.

Daylight and Sunlight

9. The application site is set back from the properties on Fairfax Road to the east by approximately 9 metres and is not directly adjacent to the flats on Hollow Way to the west. The proposal will therefore not materially affect the level of daylight or sunlight currently enjoyed by surrounding properties. The policy satisfies Policy HS19 of the Oxford Local Plan and HP14 of the Sites and Housing Plan submission and can be supported in these terms.

Outlook and Overbearing Impact

10. The extension, by its nature, would bring the rear wall of the property closer to the surrounding properties. The closest properties would be the flats on Hollow Way, as the proposed angle of outlook onto the flats would be more acute than the existing; the extension would not overlook the properties any more than the current state. By virtue of the degree of separation between the proposed

extension and the closest openings on the rear elevation of the dwelling houses on Fairfax Road, the proposal will not have a material impact on the outlook afforded to these properties, nor would it appear unduly overbearing.

Privacy

11. The proposal does not impact on the amount of privacy afforded to the neighbouring properties as there are no proposed windows looking directly into neighbouring rear windows or gardens. The proposal will be shielded from the view of the property on Horspath Road which backs onto the rear garden of the application site by a fence and high hedges.

Surface Water Drainage and Biodiversity

12. The property is within the catchment area of the Lye Valley SSSI and therefore the disposal of the additional roof water to permeable vegetated area of the garden needs to be secured. This will be done via condition.

Conclusion:

APPROVE

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:

05/01314/FUL

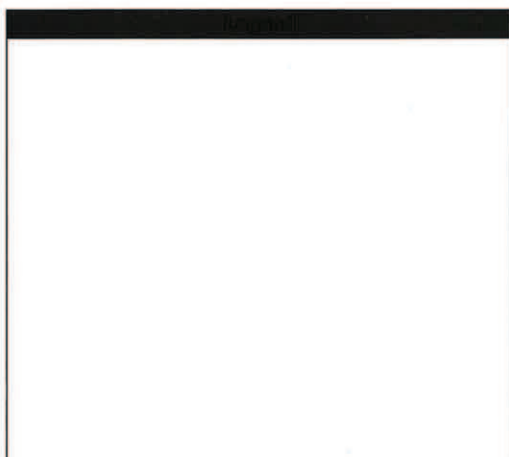
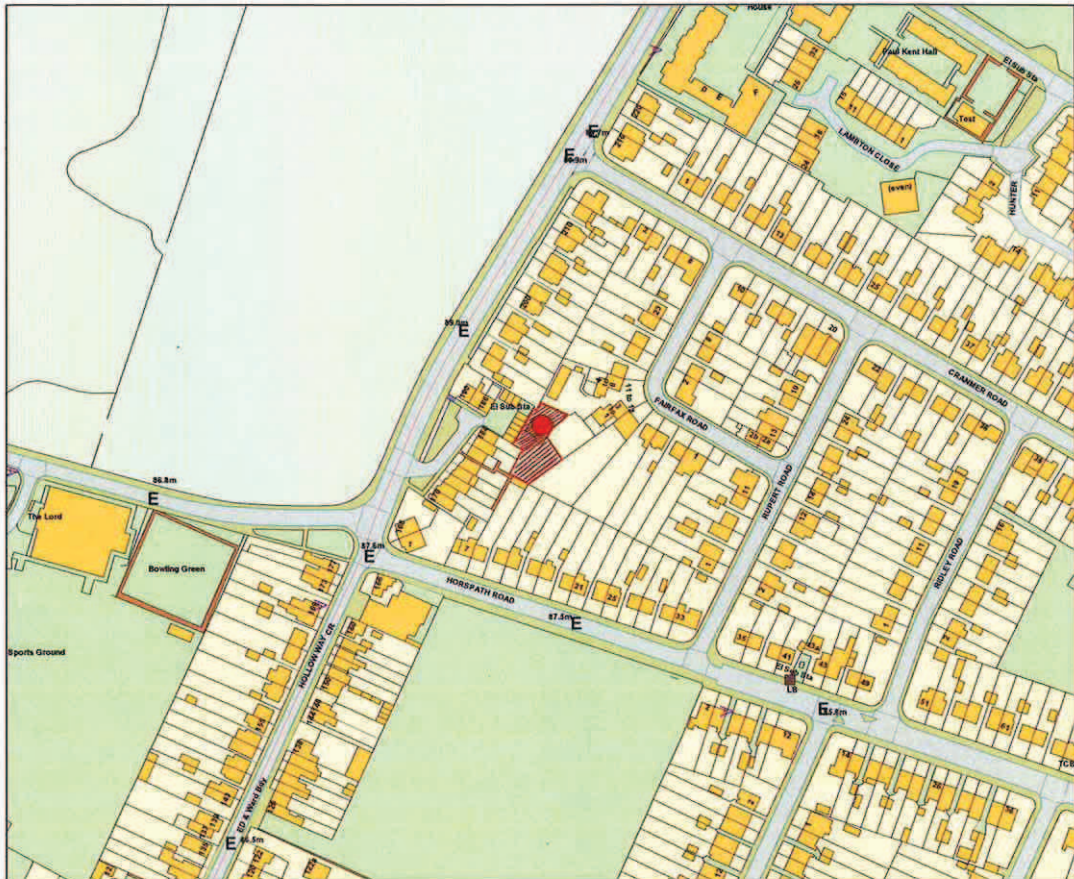
12/03146/FUL

Contact Officer: Jennifer Owen

Direct Dial: 01865 252818

Date: 16th January 2013

Appendix 1 12/03146/FUL



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Agenda Item 7

Monthly Planning Appeals Performance Update – December 2012

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 31 December 2012, while Table B does the same for the current business plan year, ie. 1 April 2012 to 31 December 2012.

Table A. BV204 Rolling annual performance (to 31 December 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(33%)	2 (40%)	9 (32%)
Dismissed	22	67%	3 (60%)	19 (68%)
<i>Total BV204 appeals</i>	33		5	28

Table B. BV204: Current Business plan year performance (1 April to 31 December 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	8	(35%)	1(25%)	7 (37%)
Dismissed	15	65%	3 (75%)	12 (63%)
<i>Total BV204 appeals</i>	23		4	19

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 31 December 2012

	Appeals	Percentage performance
Allowed	14	(36%)
Dismissed	15	64%
All appeals decided	39	
Withdrawn	0	

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 December 2012.
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 December 2012. 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 1/12/12 and 31/12/12

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by 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, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/01188/FUL	12/00045/REFUSE	DEL	REF	ALC	04/12/2012	STMARY	1 Alhambra Lane Oxford Oxfordshire OX4 1FA	Demolition of existing single storey extension. Erection of two storey side and rear extension.
12/00435/FUL	12/00029/REFUSE	DEL	REF	DIS	17/12/2012	SUMMTN	7 Wentworth Road Oxford Oxfordshire OX2 7TG	Erection of two storey building, providing garage on ground floor and self-contained flat on the first floor, to be used as accommodation ancillary to main dwelling

Total Decided: 2

TABLE E Appeals Received Between 1/12/12 and 31/12/12

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by 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
12/01926/FUL	12/00052/REFUSE	DEL	REF	W	7 Stephen Road Headington Oxford OX3 9AY	HEAD	Erection of two storey two bedroom dwelling house (Use Class C3).
12/02089/FUL	12/00051/REFUSE	DEL	REF	W	42 Collinwood Road Oxford Oxfordshire OX3 8HJ	QUARIS	Erection of two storey side extension. Conversion of existing dwelling to provide 2 x1 bed flats and provision of replacement 3 bed dwelling house in extension. Provision of bin and cycle stores and forecourt parking
12/02113/FUL	12/00050/REFUSE	DELCOM	PER	H	37 Meadow Prospect Wolvercote Oxford OX2 8PP	WOLVER	Demolition of existing outbuildings. Erection of part single, part two storey, side and rear extensions and insertion loft rooflights to front and rear roofslopes. (Amended Plans)

Total Received: 3

EAST AREA PLANNING COMMITTEE

Tuesday 8 January 2013

COUNCILLORS PRESENT: Councillors Darke (Chair), Rundle (Vice-Chair), Altaf-Khan, Clarkson, Coulter, Curran, Hollick, Lloyd-Shogbesan and Sinclair.

OFFICERS PRESENT: Martin Armstrong (City Development), Michael Morgan (Law and Governance), Lois Stock (Democratic and Electoral Services Officer) and Murray Hancock (City Development)

102. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None

103. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Councillor Lloyd-Shogbesan declared an interest in agenda item 5 (59 Littlemore Road, minute 106 refers) on the grounds that he was a Board Member of the organisation that had made the application. He intended to withdraw from the room during consideration of this item.

104. UNIVERSITY OF OXFORD, OLD ROAD CAMPUS: 12/02072/OUT

The Head of City Development submitted a report which detailed a planning application to demolish the existing buildings on application site. Outline planning application (fixing details of access) for the erection of 48,000sqm of class D1 research floor space and ancillary facilities on 2 to 5 storeys over 5 building plots as an extension to University of Oxford Old Road Campus. Provision of 459 car parking spaces, cycle parking, hard and soft landscaping and boundary treatment

Murray Hancock (Planning Officer) presented the report to the Committee. Huw Jones and Craig Rossington (Oxfordshire County Council Highways) attended the meeting and spoke on the traffic and transport aspects of the application.

In accordance with the criteria for public speaking, Nicholas Rollin and Tony Joyce spoke against the application and made the following points:-

- Not against development at this site, but wished to highlight certain aspects which were of concern;
- Expressed concern about traffic delays in the area, parking issues, height of proposed new buildings particularly those nearest to Old Road, need for good cycle routes – it is good to encourage this but please note that there are high kerbs and narrow lanes around here;
- The area has already lost facilities, some replacement would be welcomed, especially sporting facilities;

- Whilst appreciating the University's efforts to consult with local people, residents still have some concerns about the site as it is now and as it may be in future;
- Car parking at the site is an especial concern – the number of increased spaces should happen at the same rate as the increase in employment at the site.

Christopher Patterson (Agent for the Applicant) spoke in favour of the applications and made the following points:-

- Had nothing further to add to the officer's report and presentation, but would be happy to answer questions;
- Stressed that the University had tried very hard to involve the local community in its plans. There had been meetings and workshops at which people could engage with the design team;
- The submission had been prepared with input from both individuals and community groups as well as statutory consultees;
- Dialogue with groups would continue.

In discussing the application, members of the Committee made the following comments and observations which they asked to be recorded for future reference:-

- This is a very significant application and the Committee noted and welcomed the fact that the University had discussed the application with the local community and had listened to its comments;
- The Committee hoped that this communication would continue;
- There were still issues with the site, but this application gave the Council the opportunity to manage change here. Change at the site had, over time, been somewhat piecemeal;
- Conditions attached to the application should be living documents, not merely a tick list;
- The recommendations in the report were fine, but it would be advantageous to have the Chair and Vice Chair of the Committee look over the wording to ensure that the right mechanism was in place;
- There was concern about the proposed extra spaces at the Thornhill Park and Ride site. When would they be provided? Would it be before or after this development was completed? There was a need to be proactive here to minimise problems;
- There was serious concern about parking provision at the site and the possible overspill of parking into the local area;
- The Committee noted that a CPZ was proposed for Lye Valley. Once that was in place, there was a worry that this would cause displacement parking in Old Marston – which was already used as an informal park and ride site. Overspill parking in this area should be avoided;
- The cost of the introduction of CPZs was a concern for many residents, some of whom did not want it, especially where it was introduced as a result of a large planning application;
- Where a CPZ is proposed and consulted upon, the County Council must listen seriously to the views of local people;
- This site has grown over many years and it has had an impact on the local community;

- A key issue for this development was that of transport to and from the site. Overflow parking in Old Marston had been mentioned, and the same situation occurred in Quarry and Risinghurst. There were already overflow problems from Thornhill Park and Ride which caused concern for residents;
- The comments made about the need for sporting facilities in the area were also noted by the Committee;
- This is not just about capacity on roads and car parks. There is also the question about community capacity too, such as pressure on schools;
- It would be helpful for the Committee to see an annual report concerning the traffic and travel plan for this site so that it could be made aware of any problems. The Committee would also like to be appraised of the progress of the development and its impact upon the local area.

Murray Hancock reminded the Committee that this was an outline application and that there would be a series of reserved matter applications at which specific details could be discussed. The Committee felt that it was important to ensure that the details were correct from the start, as this was not an “everyday” application.

The Committee considered all submissions, both written and oral, and **RESOLVED:-**

- (1) To support the proposals in principle but defer the planning application in order to draw up an accompanying legal agreement;
- (2) To delegate to officers the issuing of the Notice of Planning Permission on its completion;
- (3) That the Chair and Vice Chair of the Committee would review the wording of all conditions in conjunction with officers;

105. 18 SANDFIELD ROAD: 12/02653/FUL

The Head of City Development submitted a report which detailed a planning application to demolish the existing dwelling house, and the erection of 2 x semi-detached dwelling houses (Class C3), provision of car parking and landscaping. (Additional Information)

Murray Hancock (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, James Watts and Charles Crombie spoke against the proposal, expressing concerns about overlooking, the scale, mass and bulk of the property and the overbearing nature of the development.

Nik Lyzba and Danny Wright spoke in favour of it, pointing out that the application sought to make better use than at present of the land for housing, and that the proposal met Council standards for sunlight, daylight and the outlook from windows. They would be willing to accept a condition requiring obscured glass in the side windows.

The Committee considered all submissions, both written and oral, and RESOLVED to approve the planning application with conditions laid out in the planning officer's report and that the Head of City Development be authorised to issue the notice of permission.

106. 59 LITTLEMORE ROAD: 12/02698/FUL

The Head of City Development submitted a report which detailed a planning application to erect a single storey side and rear extension. Subdivision of dwelling house to form 3 self-contained flats (Class C3).

Martin Armstrong (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, James McLaughlin spoke in favour of the application. He pointed out that the charity, Response, had owned the property for over 15 years, during which time it has not been a family dwelling. It provides supported accommodation for people with mental health problems. The intention is to support people so that they can become independent and move on to other accommodation.

No-one spoke against it.

The Committee noted that the application was recommended for refusal. It also noted an offer from officers, made at the meeting, to work with the applicant on improving the proposal, and that the normal fee for pre-application advice would be waived in this instance.

The Committee considered all submissions both written and oral and RESOLVED:-

- (1) To refuse the application for reasons laid out in the planning officer's report;
- (2) To note and welcome officers' suggestion that they work with the applicant to improve the proposal, and that no charge would be made in this instance for pre-application advice.

(Having declared an interest in this item, Councillor Lloyd-Shogbesan withdrew from the meeting whilst this item was considered, and took no part in the discussions.)

107. 19 CAVENDISH DRIVE: 12/02738/FUL

The Chair informed the Committee that the call in for this item had been withdrawn by Councillor Clarkson. The item would be dealt with by planning officers under delegated powers, and was therefore withdrawn from the agenda.

108. 19 RYMERS LANE: 12/02782/FUL

The Head of City Development submitted a report concerning planning application 12/02782/FUL – erection of part single storey, part two storey rear extension at 19 Rymers Lane.

The Committee considered that this was a non-contentious application that did not need further discussion.

Resolved to approve the application with conditions laid out in the planning officer's report, and that the Head of City Development be authorised to issue the notice of permission.

109. 139 ROSE HILL: 12/02969/VAR

The Head of City Development submitted a report detailing a planning application to vary conditions 3 [tree protection], 4 [landscaping], 6 [means of enclosure], 11 [means of access], 12 [bin and cycle stores] and 13 [vision splays] of planning permission 07/01984/FUL to allow post-commencement discharge of conditions. (Amended description) (Amended plans).

Martin Armstrong (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, Mr Robert Pope spoke in favour of the application. No-one spoke against it.

Resolved to approved the application with conditions laid out in the planning officer's report, and with the addition of those conditions listed below; including an amendment to Condition 6, and that the Head of City Development be authorised to issue the notice of permission.

Amended condition:-

- Condition 6 is amended to require the provision and retention of cycle parking for all the plots.

Additional conditions:-

- Condition 7 – landscaping as per the approved plan to be provided in the first planting season and retained thereafter;
- Condition 8 – refuse and recycling storage as per the approved plan to be provided prior to first occupation and retained thereafter;
- Condition 9 – Boundary fences as per the approved plan to be provided prior to first occupation and retained thereafter;
- Condition 10 – Parking areas, access, and vision splays as per the approved plan to be provided prior to first occupation and retained thereafter;

- Condition 11 – second floor dormer windows to be obscure glazed and retained;
- Condition 12 – no further windows to be installed in the flank wall of plot 7;
- Condition 13 – remove permitted development rights for all dwellings;
- Condition 14 – dwellings to be occupied and used as homes for single people and families (Use Class C3) only.

110. PLANNING APPEALS FOR NOVEMBER 2012

Resolved to note the report.

111. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 4th December 2012.

The Chair, Councillor Darke, briefly updated the Committee on the progress of the Headington Hill Conservation Area Appraisal. Following its consideration in August by the Committee, a meeting was held (in November) that involved various individuals and groups, including Ward Councillors, residents associations and Councillor Darke; and as a result of this some minor amendments were made to the appraisal document. Councillor Darke has now endorsed the document.

112. FORTHCOMING APPLICATIONS

Resolved to note the list of forthcoming applications.

113. DATES OF FUTURE MEETINGS

Resolved to note the following dates of future meetings:-

Tuesday 5th February 2013 (Tuesday 12th March if necessary);

Tuesday 5th March 2013 (Thursday 7th March if necessary);

Tuesday 16th April 2013 (Tuesday 23rd April if necessary).

The meeting started at 6.00 pm and ended at 8.42 pm