

Agenda

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East Area Planning Committee

Date: **Wednesday 7 September 2016**

Time: **6.00 pm**

Place: **Long Room - Town Hall**

For any further information please contact the Democratic Services Officer:

Jennifer Thompson, Committee and Member Services Officer

Telephone: 01865 252275

Email: democraticservices@oxford.gov.uk

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East Area Planning Committee

Membership

Chair	Councillor Van Coulter	Barton and Sandhills;
Vice-Chair	Councillor David Henwood	Cowley;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Michele Paule	Rose Hill and Iffley;
	Councillor Sian Taylor	Northfield Brook;
	Councillor Ruth Wilkinson	Headington;
	Councillor Dick Wolff	St. Mary's;

The quorum for this meeting is five members. Substitutes are permitted

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

3 **16/01565/FUL: INSTALLATION OF UNDERGROUND HEATING PIPES AND ASSOCIATED WORKS (ENERGY LINK) BETWEEN THE JOHN RADCLIFFE AND CHURCHILL HOSPITALS, HEADINGTON**

13 - 36

Site Address: Land running from Churchill Hospital to John Radcliffe Hospital, Headley Way

Proposal: Installation of underground heating pipes, electrical cabling, communication cabling and associated works to allow the transfer of energy and high capacity/high speed data between the John Radcliffe and Churchill Hospitals, together with the creation of temporary car parking and construction compounds for the duration of construction activities (part retrospective).

Officer recommendation: to approve planning permission for the application subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Tree Protection Plan (TPP) 2.
5. Arboricultural Method Statement (AMS) 2.
6. Monitoring and Supervision of Trees.
7. De-compaction of RPAs.
8. Noise mitigation measures.
9. Temporary Car Park.
10. JR Compound.
11. Churchill Compound.
12. Welfare Compound.
13. Visitor Permits.
14. Construction Traffic Management Plan.
15. Hours of Work.
16. Arch - Implementation of programme.
17. Use of Pipework.
18. Air Quality Measures.

4 **16/01549/CT3: PHASE 2 - NORTHWAY AND MARSTON FLOOD ALLEVIATION SCHEME- RECREATION GROUND, COURT PLACE FARM, MARSH LANE.**

37 - 50

Site Address: Recreation Ground, Court Place Farm, Marsh Lane.

Proposal: Phase 2 of Northway and Marston Flood Alleviation

Scheme comprising the creation of a flood storage area adjacent to Court Place Farm Nature Park (Site B), channel realignment along a section of Peasmoor Brook and installation of a bund at Peasmoor Piece (Site C). (Amended plans and additional information).

Officer recommendation: to grant planning permission subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Tree Protection Plan (TPP) 1.
4. Arboricultural Method Statement (AMS) 1.
5. Excavation close to tree RPAs.
6. Landscape carry out by completion.
7. Great Crested Newts.
8. Bats and reptiles.
9. Ecological Management Monitoring Plan.
10. General mitigation measures biodiversity.
11. Removal of vegetation.
12. Planting and management plan.
13. Materials management plan.
14. Watching brief - land quality.
15. Archaeology.
16. Construction Travel Management Plan.

5 16/00744/FUL: 39 - 41 WAYNFLETE ROAD, LAND TO THE REAR AND OFF BAYSWATER FARM ROAD

51 - 88

Site Address: 39 And 41 Waynflete Road, Land to the Rear and off Bayswater Farm Road Waynflete Road.

Proposal: Demolition of existing pair of semi-detached houses (39 and 41 Waynflete Road). Erection of 52 houses and flats (including 40% of net increase as affordable homes) in single storey buildings, two storey buildings, and two storey buildings with rooms in roofs (47 dwellings proposed off Waynflete Road and 5 detached dwellings off Bayswater Farm Road). Construction of roads and footpaths including new accesses off Waynflete Road and Bayswater Farm Road. Provision of open space, parking, garages and landscaping.

Note: This application site is located on the edge of the city and within the administrative boundaries of both Oxford City Council and South Oxfordshire District Council. South Oxfordshire District Council Planning Committee approved the part of the application within their boundaries on 10 August 2016. The part of the residential development that falls within the administrative boundary of this Council, set out in the report, needs to be determined by this Committee. In determining this application, the Council are only able to consider the development and likely impacts that will arise upon their administrative boundary as part of this application.

Officer recommendation: to grant planning permission for the application subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Phasing Plan for development.
4. Landscape plan required.
5. Landscape carry out by completion.
6. Details of the means of access to the site.
7. Details of visibility splays.
8. Drainage Strategy on/off site works to be agreed in conjunction with Thames Water.
9. Surface water drainage scheme.

6 16/01402/FUL: ST LUKES HOSPITAL, LATIMER ROAD, OX3 7PF

89 - 104

Site Address: St Luke's Hospital, Latimer Road

Proposal: Removal of the existing pitched roof, a new reception area with 2 additional bedrooms over, an off-site constructed second storey to house 20 new bedrooms and associated external works.

Officer recommendation: to approve the application subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples.
4. Tree Protection Plan (TPP) 2.
5. Landscape plan.
6. Landscape management plan.
7. Details of photovoltaics.
8. Drainage strategy
9. Land quality risk assessment.
10. Land quality report.
11. Parking plan.
12. Cycle parking.
13. Shower and lockers – cyclists.
14. Construction Travel Plan.

7 16/01373/FUL: HOLY TRINITY CHURCH, TRINITY ROAD, HEADINGTON

105 - 114

Site Address: Holy Trinity Church, Trinity Road

Proposal: Erection of single storey extension to north elevation.

Officer recommendation: to grant planning permission subject to the following conditions:

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

3. Samples on site.
4. Tree Protection Plan (TPP) 1.
5. Arboricultural Method Statement (AMS) 1.
6. Drainage.
7. Contamination Risk Assessment.
8. Contamination Remedial Works.
9. Bats.
10. Bats – lighting.
11. Window details.

8 16/01737/FUL: QUARRY GATE, 19 WHARTON ROAD

115 - 128

Site Address: The Quarry Gate, 19 Wharton Road, Oxford

Proposal: Erection of three storey building to provide 1 x 1-bed, 3 x 2-bed and 2 x 3-bed flats (Use Class C3). Provision of car parking and bin and cycle storage.

Officer recommendation: to refuse planning permission for the following reasons:

1. The proposed building would have a radically different visual appearance, which coupled with its substantial height and prominent siting would introduce a discordant and incongruous addition to the streetscene. The use of a flat roof and unsympathetic built form would mean that the building would appear as a series of monolithic blocks which would be completely at odds with the harmonious character of the surrounding area where the built environment is characterised by suburban 1930s semi-detached and terraced dwellinghouses with pitched roofs. The fenestration of the proposed building and other architectural detailing which includes two balconies framed by a rectangular element contribute to the alien appearance of the proposed building. The development cannot therefore be considered to be high quality design that responds to its context and is contrary to Policy CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policy HP9 of the Sites and Housing Plan (2013).
2. The application seeks the development of more than three dwellings; as a result a financial contribution is required towards the provision of affordable housing as set out in Policy HP4 of the Sites and Housing Plan (2013). The applicant has indicated that they are not willing to provide a financial contribution. The development also fails to provide any on-site provision of affordable housing and no evidence has been provided to indicate that on-site provision or a financial contribution towards affordable housing would make the scheme unviable. As a result, the development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy

(2011).

9	16/00701/CT3: BARTON ADVENTURE PLAYGROUND, FETTIPLACE ROAD, OX3 9LY Site Address: Barton Adventure Playground, Fettiplace Road. Proposal: Erection of 4No floodlights for the use of the Taggs Gate Multi Use Games Arena (MUGA). Officer recommendation: to grant planning permission subject to the following conditions: <ol style="list-style-type: none">1. Development begun within time limit.2. Develop in accordance with approved plans.3. Materials.4. Floodlighting.5. Hours of operation.	129 - 134
10	16/01830/CT3 : LAND ADJACENT TO 9 ASHHURST WAY Site Address: Land Adjacent to 9 Ashhurst Way Proposal: Formation of 5no. residents' parking spaces. Officer recommendation: to grant planning permission for the application subject to the following conditions: <ol style="list-style-type: none">1. Development begun within time limit.2. Develop in accordance with approved plans.3. Materials.4. Tree protection.5. Landscape plan required.6. Landscape carry out after completion.7. Ground resurfacing to be SUDS compliant.8. Access works to Highway Authority standards.	135 - 140
11	MINUTES Recommendation: That the minutes of the meeting held on 3 August 2016 are approved as a true and accurate record.	141 - 144
12	FORTHCOMING APPLICATIONS Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting. 16/00968/FUL: Land West of 75 Town Furze, Oxford, OX3 7EW 16/02002/RES: Land West Of Barton North Of A40 And South Of Bayswater Brook, Northern By-Pass Road, Wolvercote, OX3 9SD 16/01973/FUL: Canterbury House, 393 Cowley Road, OX4 2BS	

16/01945/FUL: Plot 12, Edmund Halley Road, Oxford
16/01934/RES: Jack Russell, 21 Salford Road, OX3 0RX
16/00976/FUL: Land Rear of 3 Staunton Road, Oxford, OX3 7TJ
15/03342/FUL: 16 Clive Road
15/03466/FUL: Clinical Biomanufacturing Facility, Churchill Hospital
16/00797/OUT: William Morris Close, OX4 2JX
16/01049/FUL: 474 Cowley Road, OX4 2DP:
16/01309/FUL: 5 Atkinson Close, OX3 9LW
16/01226/FUL: Canterbury House, Rivera House, Adams House,
Vacant Plot, Cowley Road, OX4 2BS
16/01225/FUL: Temple Cowley Pools, Temple Road, OX4 2EZ
16/01388/FUL: 1 Grays Road, OX3 7QB
16/01416/FUL: The Oxford Academy, Sandy Lane West, OX4 6JZ
16/01578/RES: Plot 3130, John Smith Drive
15/03432/FUL: 70 Glebelands
16/01498/FUL: 18 Gorse Leas
16/01213/FUL: 8 Jersey Road, OX4 4RT
16/01472/FUL: Installation of public artwork and seating, Land at
Cowley Road and Newman Road, OX4 3TP
16/01564/FUL: 232 Marston Road, OX3 0EJ
16/01752/FUL: Land At Swan Motor Centre And Between Towns Road
139 Oxford Road, Old Marston OX3 0RB: 16/01008/FUL
16/00679/FUL: Site Of Former Shelley Arms 114 Cricket Road
16/00824/FUL: 2 Mortimer Drive

13 DATES OF FUTURE MEETINGS

The Committee will meet at 6.00pm on the following dates:

12 Oct 2016 (note change of date)
2 Nov 2016
7 Dec 2016
11 Jan 2017
8 Feb 2017
8 Mar 2017
5 Apr 2017
10 May 2017

COUNCILLORS 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. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

At the meeting

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 (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may 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;
 - (d) 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;
 - (e) 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 Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

Preparation of Planning Policy documents – Public Meetings

4. At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

Public requests to speak

5. Members of the public wishing to speak must notify the Democratic Services Officer before the meeting starts giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda) or given in person before the meeting starts.

Written statements from the public

6. Members of the public and councillors can send the Democratic Services Officer written statements and other material to circulate to committee members, and the

planning officer prior to the meeting. Statements and other material are accepted and circulated by noon, two working days before the start of the meeting.

7. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

8. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

Recording meetings

9. Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
10. The Council asks those recording the meeting:
 - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
 - To avoid recording members of the public present unless they are addressing the meeting.

Meeting Etiquette

11. 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.
12. 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; or
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Code updated to reflect changes in the Constitution agreed at Council on 25 July 2016

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East Area Planning Committee

7th September 2016

Application Number: 16/01565/FUL

Decision Due by: 13th October 2016

Proposal: Installation of underground heating pipes, electrical cabling, communication cabling and associated works to allow the transfer of energy and high capacity/high speed data between the John Radcliffe and Churchill Hospitals, together with the creation of temporary car parking and construction compounds for the duration of construction activities (part retrospective).

Site Address: Land Running From Churchill Hospital To John Radcliffe Hospital Headley Way (**site plan: appendix 1**)

Ward: Headington Ward

Agent: Mr Mark Worcester

Applicant: Vital Energi

Recommendation:

East Area Planning Committee is recommended to approve planning permission for the following reasons:

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

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Tree Protection Plan (TPP) 2
- 5 Arboricultural Method Statement (AMS) 2
- 6 Monitoring and Supervision of Trees
- 7 De-compaction of RPAs
- 8 Noise mitigation measures
- 9 Temporary Car Park
- 10 JR Compound
- 11 Churchill Compound

- 12 Welfare Compound
- 13 Visitor Permits
- 14 Construction Traffic Management Plan
- 15 Hours of Work
- 16 Arch - Implementation of programme
- 17 Use of Pipework
- 18 Air Quality Measures

Main Planning Policies

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP13** - Accessibility
- CP10** - Siting Development to Meet Functional Needs
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- CP22** - Contaminated Land
- CP23** – Air Quality Management Areas
- HE2** - Archaeology
- HE3** – Listed Buildings and their Setting
- HE7** - Conservation Areas
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- TR1** - Transport Assessment
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS15_** - Primary healthcare
- CS18_** - Urban design, town character, historic environment
- CS30_** - Hospitals and medical research

Sites and Housing Plan

- MP1** - Model Policy
- HP14_** - Privacy and Daylight
- SP23_** - John Radcliffe Hospital Site
- SP8_** - Churchill Hospital & Ambulance Resource Centre

Relevant Site History

16/00101/FUL - Installation of energy pipe (retrospective) – WITHDRAWN

16/00607/FUL - Installation of above ground (LTHW) (Low Temp Hot Water) mains – Approved

15/00921/VAR -Variation of condition 2 (approved plans) of planning permission 13/02369/FUL (installation of new mechanical plant, new louvres and new CHP dry air cooler compound) to allow for an additional dry air cooler requiring a larger external compound and repositioning of the energy link heat exchanger externally with GRP enclosure – Approved

15/03185/FUL - Erection of plant room – Approved

15/03114/FUL - Erection of enclosure - Approved

Statutory Consultees:

Oxfordshire County Council Highways

No objections subject to conditions relating to a construction traffic management plan being required prior to commencement. The submitted construction traffic management has been agreed in principle as acceptable but a condition would ensure that this is a live document that can be edited prior to commencement to respond to any changes required. A condition is also recommended to deal with the temporary car park at the JR; this is specifically sought because of a lack of clarity around pedestrian access to the car park.

Representations

4 Beech Road, 34 and 53 Latimer Road, 73, 89, 104 and 129B Lime Walk, 18 Nursery Close, 63 and 89, Old Road, 18 St Annes Road, 26 Stapleton Road, 51 Stapleton Road (2 x responses) objections:

- Impact on access
- Impact on car parking
- Impact on traffic
- Disruption to local residents
- Noise
- Pollution
- Concerns about lack of information provided with application
- Concerns about consultation process carried out by applicant
- Specific legal concerns about development being on land that is not owned by the highway authority and is owned by 'frontagers' (this is expanded upon further in the report).
- Concerns about costs/benefits of proposals
- Lack of public benefits arising from proposed development (versus harm caused to residents)
- Alternative temporary car parking proposals are not adequate or practical
- Concerns about impact of parking arrangements on shift workers
- Concerns about temporary traffic light and access arrangements (Construction Traffic Management Plan)
- Concerns about cumulative impacts with Access to Headington improvements
- Concerns about parking provision in light of other proposals at hospital sites
- Objections to weekend working (impact on noise and disturbance)
- Concerns about impact on schools

- Proposals for temporary car parking are not practical for people with specific mobility issues
- Effect on character of area
- Effect on adjoining and nearby properties
- Concerns that a shorter or better route may be available and this should be considered
- Doubts and concerns over proposed timeframes for work being carried out
- Concerns about practicality of proposed visitor permit proposals
- Concerns about impact on parking conditions in adjacent roads (not covered by the proposals)

St Annes Road, Gathorne Road, Rock Edge and Margaret Road Resident's

Association: Objections:

- Approval cannot be granted because the applicant does not own the land (if the development were implemented it would be trespass)
- The publicity provided by the trust and applicant relating to the benefits of the project is totally misleading.
- Doubt over costs/benefits of pipeline
- Concerns over transparency of project
- Significant access and highways obstructions causing disruption to residents
- Recommend alternative option of separate CHP at Churchill and JR be explored.

4 Latimer Road, comments:

- Access to St Luke's Hospital should be maintained at all times

Site Location and Description

1. The application site encompasses an area of land approximately 1.5m in width (although varying throughout) and extending between the existing energy centre at the north-western edge of the John Radcliffe Hospital Site (JR) over a distance of approximately 2.2km to the centre of the Churchill Hospital Site (CH) (close to Churchill Drive). The route over this distance includes parts of the following residential roads:
 - Woodlands Roads South;
 - Sandfield Road,
 - London Road (A420);
 - Latimer Road;
 - All Saints Road;
 - Lime Walk;
 - Old Road; and
 - Churchill Drive

2. In addition to the above mentioned area, the application site also includes two areas adjacent to Woodlands Road and a small area adjacent to Ivy Lane and St Andrews Road (near to the junction with Osler Road). Lastly there is another larger rectangular area of land included in the site area at the southern end of Churchill Drive on the Churchill Hospital Site. The total site area is approximately 1.73ha.

Proposed Development

3. Planning permission is sought for the installation of an underground energy link to allow for the transfer of heat, electricity and high speed data between the JR and CH hospitals. The proposed energy link forms part of a wider hospital energy project (for which some aspects have already received planning permission, including the developments at the JR hospital's energy centre). The proposals for this application involve the following aspects:
 - The excavation of a 1.5m wide trench across 2.2km with a depth of 1.1m and the installation of heating pipes (containing low temperature hot water (LTHW)), high voltage cables and communication cables. This is the proposed 'energy link'.
 - A temporary car park (adjacent to Woodlands Road and next to the existing tennis courts) with a capacity for 20 cars. The car park would be provided for residents who would be affected by the construction of the proposed energy link (providing replacement parking for people who normally rely on on-street parking in the Controlled Parking Zone and residents who would have a driveway or private parking space obstructed during construction).
 - A construction compound (temporary) at the former tennis courts at the JR Hospital (near to Woodlands Road) (to provide contractor parking, storage of materials and pipework spoil).
 - A construction compound (with similar uses to those above) is proposed at the southern end of Churchill Drive on the CH site.
 - It is proposed to provide a welfare compound close to Ivy Lane St Andrews Road; this compound is for offices and welfare needs of contractors.
4. Parts of the above development have already either commenced or been implemented; including the construction compounds and welfare compounds. In addition to this, a trench and cabling has already been dug along Woodlands Road from the JR Energy Centre to the junction with Sandfield Road. Other parts of the proposed energy link route had already commenced in early 2016 but excavations have been backfilled and work ceased. As a result of the partial commencement of works, this application is part-retrospective.
5. The main element of the proposed development is the proposed energy link. The construction of the energy link is proposed to be carried out in thirteen phases. Each of the phases would involve excavating 120m long sections of the route; the total time proposed to carry out the work would be over a seventeen week period. Each phase of the development would involve the following works:
 - (i). Fencing construction areas off (which would involve partial obstruction of the highway)
 - (ii). Alignment of trench which is cut out by an excavator and spoil removed by a dumper truck.
 - (iii). Pipework is brought in and lowered into excavated trench

- (iv). Sections of pre-insulated pipe are welded together on site in the trench and checked
 - (v). High voltage and communications cabling is installed
 - (vi). The trench is backfilled with sand, stone is used as a sub base layer and the road surface is reinstated in agreement with the local highway authority.
 - (vii). Fencing and equipment is removed (then works start on the next section)
6. As a result of the nature of the application, much of the development proposed would not materially affect the appearance of the area in the long-term; in fact much of the development proposed is either temporary in nature or if implemented would be inconspicuous.
 7. The principal determining issues of the application are:
 - Principle of development
 - Car parking, access and highway impacts (during construction)
 - Impact on residential amenity, including noise, disturbance and air quality (during construction)
 - Flooding and surface water drainage
 - Biodiversity

Background to Proposals

8. The proposed energy link (and associated development) forms part of the hospital energy project which follows a bid to the Carbon Energy Fund (CEF) for energy projects in the NHS. The proposals would allow for the replacement of existing energy equipment for heating and hot water at both the JR and CH hospital sites; the application states that some of the equipment at the sites is more than 50 years old.
9. The planning statement submitted with the application states that the development would reduce the bills for the NHS Trust (that operates the JR and CH Hospitals) and provide savings of up to £11.5 million over 25 years.
10. The application states that there would be a 30% reduction in carbon dioxide from the hospital sites as a result of the proposed development (and this is a reduction of 270,000 tonnes of carbon dioxide over the 25 year period).
11. It is suggested that the proposed development would provide a greater resilience for the energy needs for the hospitals.
12. The proposed development is specified to allow for a greater use of resources by transferring excess heat from the energy centre at the JR hospital to the CH hospital site.
13. Other works are proposed as part of the hospital energy project which includes replacement of 7000 light fittings and savings of up to 75% in

efficiencies (though this development does not require planning permission).

Environmental Impact Assessment (EIA)

14. An environmental screening opinion has been provided (in connection with the requirements of the Town and Country Planning (Environmental Impacts Assessment) Regulations 2011, Regulation 5). The development proposed is not considered to be EIA development.

Officer Assessment

Principle of Development

15. The Core Strategy (2011), Local Plan 2001-2016 and Site and Housing Plan (2013) provide relatively limited planning policy that relates specifically to the installation of an energy link. The development proposed must therefore be considered in the wider context of the Council's policies and the National Planning Policy Framework (NPPF), as well as other materials considerations.
16. The NPPF requires that Local Planning Authorities should plan for a low carbon future which includes support for improvements to existing buildings; as already suggested, the application states that there would be significant energy efficiency improvements that would arise from the proposals. The proposals are a means of distributing heat and power from a modern Combined Heat and Power (CHP) plant at the JR site; this kind of development could therefore be argued to be 'low carbon' given that the CHP replaces a principally oil fuelled heating system (and mains electricity from the grid) which have higher carbon dioxide emissions, the plant would be more modern and efficient and there would be a greater use of heat from the plant (facilitated directly by the proposed energy link). In relation to low carbon development, paragraph 95 of the NPPF states:

'To support the move to a low carbon future, local planning authorities should:

- *plan for new development in locations and ways which reduce greenhouse gas emissions;*
- *actively support energy efficiency improvements to existing buildings;...*

17. Further to the above there is greater clarification in the NPPF of the approach that should be taken in the determination of planning applications which relate to renewable or low carbon energy development; Paragraph 98 of the NPPF states:

'When determining planning applications, local planning authorities should:

- *not require applicants for energy development to demonstrate the*

overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

- *approve the application* if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

**Unless material considerations indicate otherwise.'*

18. On the basis of the above, Officers consider that the principle of development, as a low carbon energy scheme may be regarded to be acceptable subject to the consideration of the impacts of the development and other relevant material considerations.

19. In relation to the Council's own development plan policies, Policy CS9 of the Core Strategy (2011) requires that all developments should seek to minimise their carbon emissions. The policy also requires qualifying sites to be considered in terms of Natural Resource Impact Analysis; the proposed development would not be a qualifying site for the purposes this policy. Policy CS9 is relevant to all developments to require low carbon and renewable energy as part of schemes but does not provide consideration for actual proposals for energy development (other than schemes for renewable energy development); therefore in summary its relevance to these proposals is very limited.

20. Policy MP1 of the Sites and Housing Plan, the model policy that deals with the consideration of all development proposals and states:

'...Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, and unless:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted.'*

21. On the basis of the above; Officers recommend that the principle of development is acceptable. The consideration set out in the report below focuses on the impacts of the development, weighed against the benefits and in reaching a recommendation takes into account the relevant parts of the NPPF.

Ownership of Land

22. A substantial number of responses and objections from local residents relate specifically to a concern about the ownership of the application site. Much of the development proposed (specifically the energy link) would be carried out on highway land. The concerns relate specifically to whether or not Oxfordshire County Council (as the highway authority) actually own the land where much of the proposed development would take place. It is argued by some local residents that the land where the development would take place belong to landowners adjacent to the highway (sometimes termed 'frontagers'); that their ownership extends beyond the front gardens and into the mid-point of the highway where the development would take place. The applicant's agent has set out their position in relation to this matter:

'Based on the advice received to date, it is Vital Energi's position that the Energy Link pipeline and associated cables are being placed in land which is vested within the highway pursuant to section 263 of the Highways Act 1980 and not the sub-soil beneath it. As such, Vital Energi does not consider that there is a requirement to obtain the consent of the freehold owners of the land which abuts the highway before carrying out the works.'

23. For planning purposes it is only required that the requisite persons have been served notice of the submission of a planning application. The applicant has served notice on the Oxford University Hospitals Trust and Oxfordshire County Council Highways but has also served notice on all of the frontagers. As a result, it is the view of Officers that all that is required for a planning application has been carried out.

24. Further to the above, subject to the necessary notices being served, other ownership matters are not relevant to a planning decision. These matters are civil matters and the Council cannot provide judgements relating to who the actual owner of a piece of land is nor can this have a bearing on the planning decision.

25. It should be noted that a separate permission (through the granting of a Section 50 license) for carrying out works in the highway would be required to implement the development if planning permission is granted. Officers have recommended an informative be included to direct the applicant to this requirement.

Car parking, access and highway impacts

26. The proposals would involve substantial impacts on access to properties and on traffic throughout the route of the energy link (and surrounding area). These impacts would be during construction and there would be no long-term highways impacts of the development (aside from in relation to long-term maintenance which is referred to below). The application contains a detailed Construction Traffic Management Plan (CTMP) which seeks to address all the

impacts and consultation that has been carried out with Oxfordshire County Council as the local highway authority.

Traffic and Access

27. In relation to public transport, the proposed development would have an impact on bus services within the Churchill site (using Churchill Drive), London Road (with works proposed in the outbound bus lane) and Old Road. The transport statement submitted with the application states that consultation has been carried out with bus operators and necessary diversions and traffic management would be implemented where appropriate. Work within the busiest areas of the route (particularly London Road) would be scheduled to take place outside of peak-traffic periods (during weekends, in agreement with the Local Highway Authority).
28. It is stated in the application that during work on London Road there would need to be a closure of Sandfield Road and Latimer Road junctions to decrease the impact on London Road traffic. Temporary signed diversions are proposed during this period (with details provided in the CTMP).
29. In Old Road, the proposed development would involve the temporary relocation of the bus stop between the Lime Walk junction and the junction for Churchill Drive. During the proposed works it is also proposed to switch off the pedestrian crossing in this area (with pedestrians required to use the alternative zebra crossing, approximately 150m away).
30. Temporary access restrictions are also proposed as part of the work during construction. This would involve phased road closures of sections of Sandfield Road, Latimer Road, All Saints Road and Churchill Drive. Lime Walk is proposed to be signal controlled during works in that section; with a single carriageway remaining open. In addition to the phased road closure there would also be periods of time for temporary traffic signals on Churchill Drive to assist with traffic movements at the southern end.
31. It is recognised that in addition to the roads mentioned above, the proposed work would also clearly have an impact on roads that branch off of roads along the course of the proposed energy link. These roads include Beech Road (off Sandfield Road), Latimer Grange (off Latimer Road), Barrington Close (off All Saints Road), Cecil Sharp Place and Nursery Close (off Lime Walk).
32. Specific measures are included to deal with access for emergency vehicles. Partial closures of Churchill Drive would necessitate some movements by ambulance to be diverted via Roosevelt Drive. During later phases of the development there would be access for ambulances via the existing footway at Churchill Drive. In relevant areas, there would be sufficient space provided to enable access by a fire truck (and staff are proposed to be on site 24 hours a day to remove fencing if required for access by emergency vehicles of closed sections of highway).

33. The transport statement sets out that the proposed development would not involve the closure of footways into the Churchill site but during closure of the northern part of Churchill Drive, all access for visitors, patients and staff in vehicles would be diverted via Roosevelt Drive.
34. There are proposals to provide a disabled drop-off zone or zone for drop off of deliveries etc. in close proximity to closed off areas of road.
35. The proposed measures and assessment to deal with the traffic impacts of the development are contained within the submitted Transport Statement and CTMP. County Council Highways have provided comments on the proposals and have agreed with the traffic management plan in principle. However, in order to provide updates to the document and arrange improvements to the measures proposed it has been recommended that a condition be included that the CTMP be submitted to the City Council for approval prior to work commencing on-site. Officers have included this condition in the list of recommended conditions.
36. There have been specific concerns raised about the proposed development being carried out concurrently with the Access to Headington Improvements. The requirement by condition to submit a CTMP prior to commencement would provide a greater opportunity to ensure that timings and impacts of other works can be addressed (and are based on the most up to date status of other projects). The development would also require separate arrangements to be made with the Highway Authority who would be in a position to ensure the timings of works did not coincide to the detriment of traffic and highway conditions.

Residents Car Parking

37. The proposed development would take place in an area which is a Controlled Parking Zone. The development would result in the temporary loss of on-street parking for residents in areas where there would be either a closure of partial closure of the road. The proposed development would also obstruct driveways or private car parking areas in some areas when being constructed. As a result, the application details a number of measures to mitigate for this impact on local residents and local traffic conditions:
- Temporary car parking for twenty car parking spaces at a new temporary car park proposed off of Woodlands Road.
 - Residents would be able to apply for reserved spaces at the Churchill Site (by applying to the Oxford University Hospitals Trust).
 - The developer has arranged for affected residents of Woodfield Road, Sandfield Road, London Road, Latimer Road, All Saints Road, Lime Walk and Old Road to apply for 25 visitor's permits in a neighbouring parking zone (of their choice).
 - It is stated in the application that advice in the form of a leaflet to explain the location of temporary car parking would be sent to residents two weeks prior to works commencing.
38. Oxfordshire County Council Highways have agreed the proposed

arrangements set out in the application as acceptable in principle. However, specific details of the proposed temporary car park have been recommended to be sought by condition prior to commencement. This reflects the particular need to seek greater clarification about the means of pedestrian access to the car park (which is not clear from the submitted plans).

39. Officers recommend that the submitted proposals for car parking would be acceptable in principle as a means of mitigating the impacts of the construction period of the proposed development. There would be no long-term impacts of the proposed development on the car parking conditions or highway safety in the area. However, a number of conditions have been included in the recommended list of conditions. These include the requirement of the submission of details relating to the temporary car park (as set out above) and the arrangements for applying for visitor permits (to ensure that these measures are put in place prior to commencement).
40. The proposed temporary car park would be on a site where there a number of trees. The proposals are for a plastic grid type surface that would have a reduced impact on vegetation and specific tree protection measures have been included. However, Officers have included in the recommended list of conditions the requirement of adherence to the tree protection measures and the submission of details relating to de-compaction of soils in the root protection areas of trees prior to commencement. There will also be a requirement for monitoring the impact of the proposed development on the trees in this area. Officers have recommended including a condition that would require the removal of the temporary car park following three months of the substantial completion of the development if planning permission is granted.

Contractor Car Parking

41. The application states that contractor parking would be provided at the proposed compounds at the JR and Churchill Sites. It is proposed that there would be a strict policy of no contractor's cars in the streets of Headington or in the hospital car parks.

Long-Term Impacts (Maintenance)

42. Officers have queried what the long-term maintenance procedure for the energy link would be (particularly as it could give rise to additional impacts on local residents, parking and highway conditions). The applicant's agent has provided details which indicate that there would be specific construction methods to minimise potential future maintenance. The steel pipe that is proposed would be fully welded with all welds tested during installation. There is also insulation and a waterproof membrane (that would protect the materials). The pipe is proposed to have copper wires running its length that would allow for accurate pinpointing of any leaks or moisture getting through the outer membrane of the pipework. The result would be that any faults or issues could be easily pinpointed which would reduce the potential time for causing disturbance and minimise the need for extensive excavations over a

larger distance of pipework if maintenance is required.

43. It should be noted that additional maintenance work may require planning permission if it constitutes an engineering operation.

Impact on residential amenity, including noise, disturbance and air quality

44. The proposed development would involve construction works that would include the use of mechanical plant, machinery and construction vehicles. The applicant's agent has provided details of how these impacts will be mitigated. The length of time of construction in each area has been specified to mainly take place over two week periods with overall project time being 17 weeks; the specific methods of construction and time periods stipulated reflect the applicant's attempts to ensure that construction impacts are as short-term as possible.
45. The proposed development would be constructed during weekdays from 8am to 5pm with the exception of works proposed in the vicinity of London Road and Old Road (as set out previously). Officers have recommended that a condition be included if planning permission is granted to require adherence to the working hours (and any weekend working be the subject of the agreement of the Local Highway Authority).
46. A noise report has been provided with the application that indicates that the noise levels that would take place would be for a short period of time and would be within the recommended criteria. The submitted noise report includes some measures of best practice (which include measures such as avoiding leaving machinery running, use rubber linings in chutes and dumpers, minimise drop heights for materials and start up plant and machinery sequentially rather than all together). It is recommended that a condition be included that requires adherence to the best practices and measures included in the noise report to minimise impact on residents.
47. An air quality assessment has been submitted that deals with the impacts during construction. It is recommended that the mitigation measures would ensure that the impact of the proposed development would be acceptable. Officers have recommended that a condition be included that requires adherence with the recommendations of the air quality report.

Design

48. The development would not give rise to any visual impacts apart from during construction. The proposed compounds would be acceptable in terms of their visual impact during construction. Officers have recommended conditions requiring the removal of the compounds following the substantial completion of the development.

Flooding and surface water drainage

49. The application site does not lie in area that is identified as being at a high risk of flooding. There will be no long term impacts of the development on increasing the risk of flooding or on surface water drainage. As a result, Officers recommend that the development would be acceptable in the context of Policy CS11 of the Core Strategy (2011).

Biodiversity

50. The proposed development would have no long-term impacts on ecology though there would be some environmental impacts that would take place during construction. However, given that the proposals are proposed to be chiefly excavations of roads and would be within well-lit areas the development would not impact on the habitat of bats or other protected species. The development would not have an adverse impact on the Rock Edge or Lye Valley SSSIs given the separation distance between the applications site and these areas.

Conservation Area and Listed Buildings

51. A small amount of the site (the route of the proposed energy link) crosses into the Old Headington Conservation Area; though by virtue of the temporary nature of the development it would not materially impact on the character, appearance or special significance of the Conservation Area.

52. The only listed buildings in close proximity to parts of the proposed development are Manor House on the JR Hospital Site (Grade II), the Britannia Public House on London Road (Grade II); the proposed development would not have an impact on the setting of the listed building as it would not materially alter its surroundings.

53. Contaminated Land

54. Officers recommend that the development is unlikely to present concerns in terms of contamination and recommend an informative relating to unexpected contamination.

55.

Archaeology

56. Officers recommend that if planning permission is granted then a conditions should be included to require an intermittent watching brief.

Conclusion

57. On the basis of the above and for the reasons listed it is recommended that the East Area Planning Committee grant planning permission for the development subject to the conditions as set out in the 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 grant planning permission officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

16/01565/FUL

Contact Officer: Robert Fowler

Extension: 2104

Date: 30th August 2016

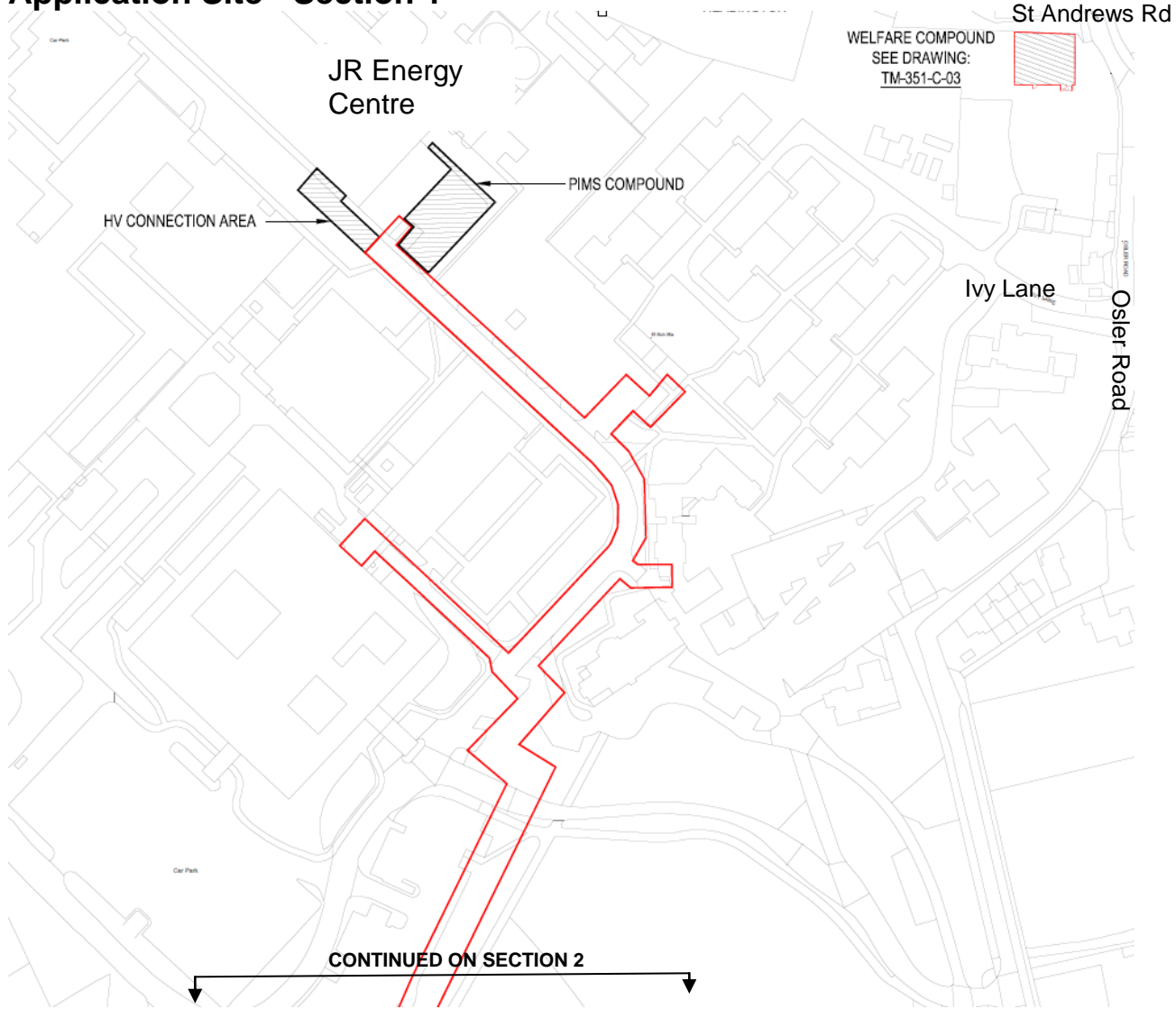
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Appendix 1

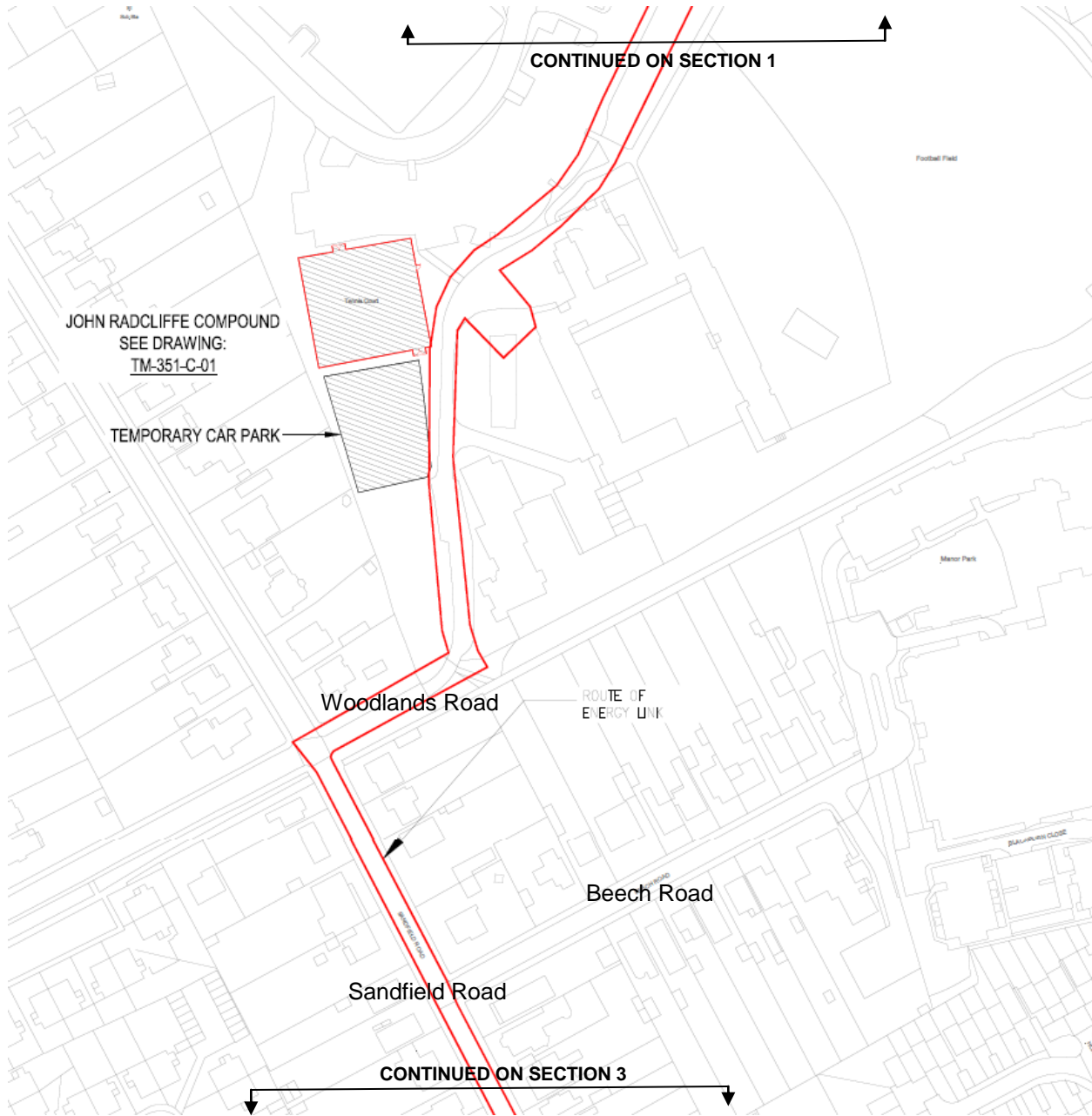
16/01565/FUL - Land Running From Churchill Hospital to John Radcliffe Hospital



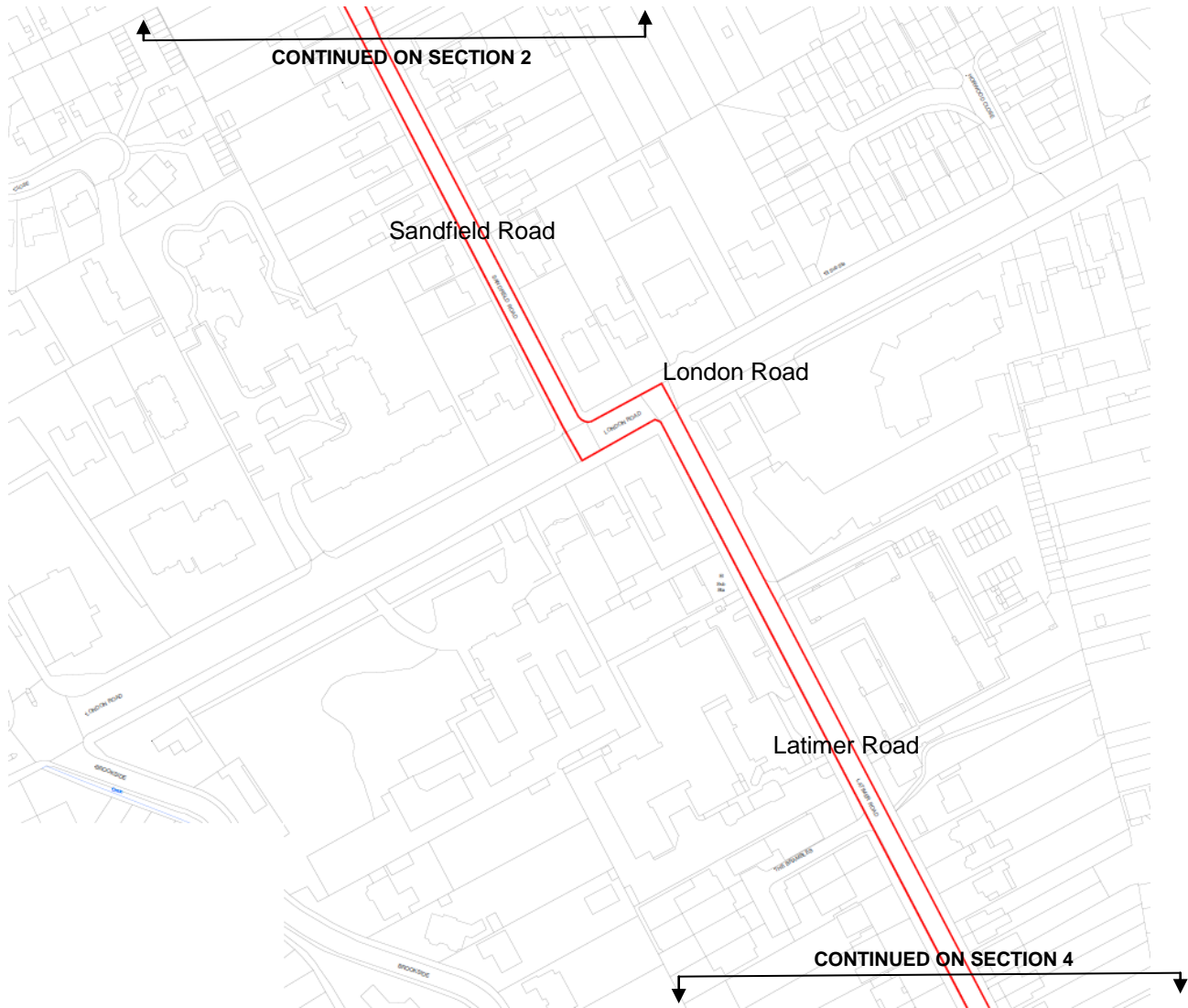
Application Site - Section 1



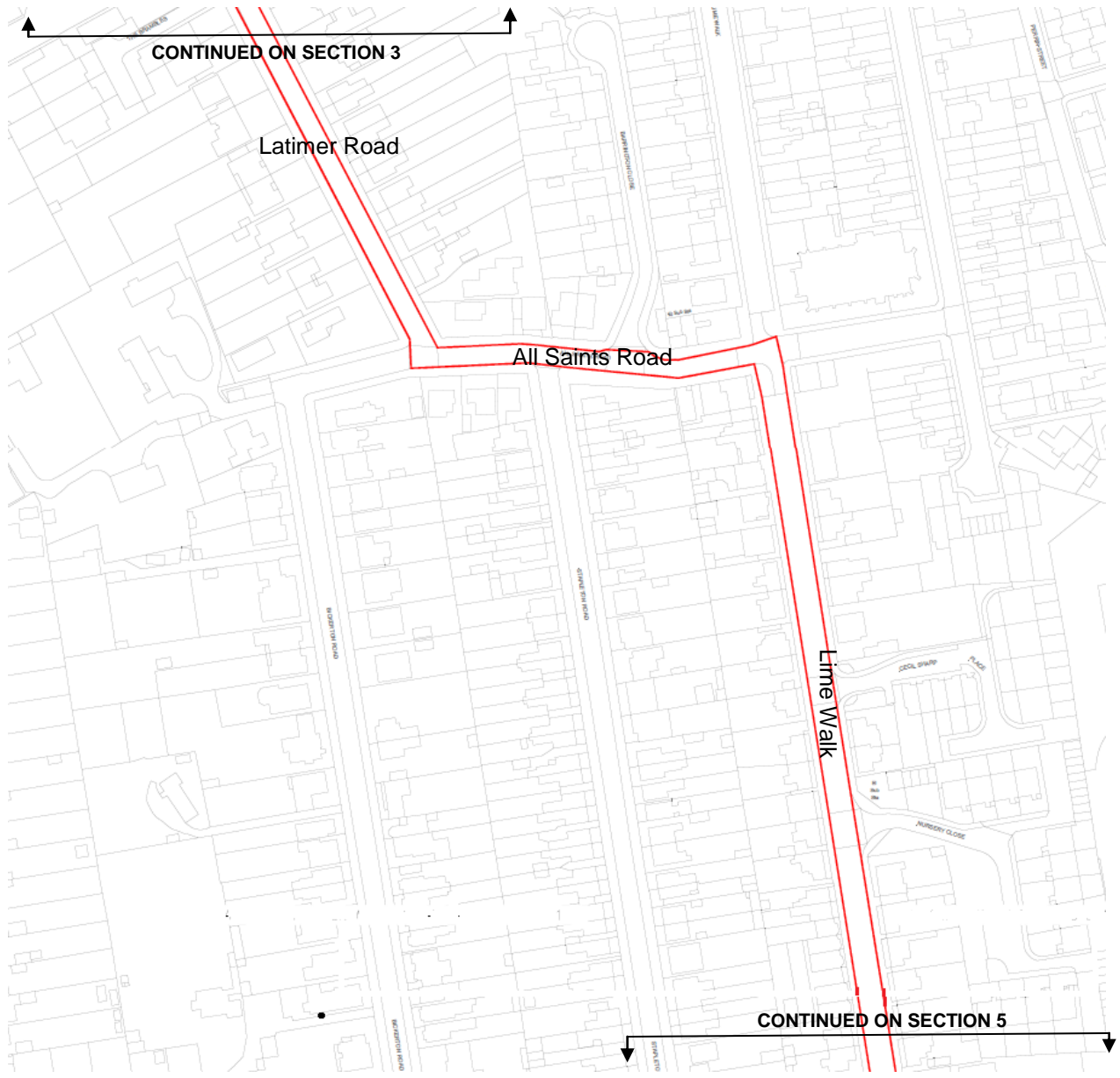
Application Site – Section 2



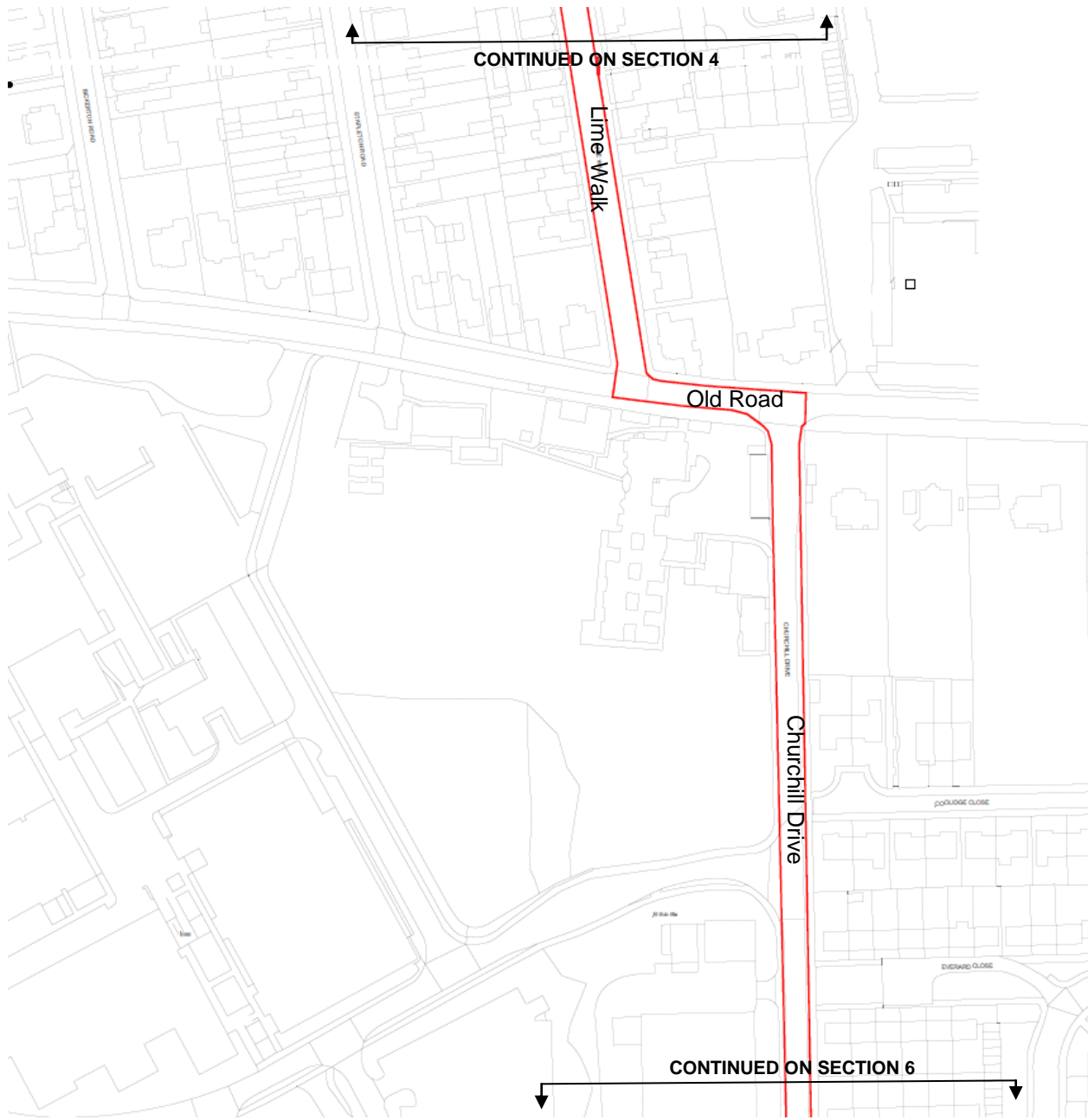
Application Site – Section 3



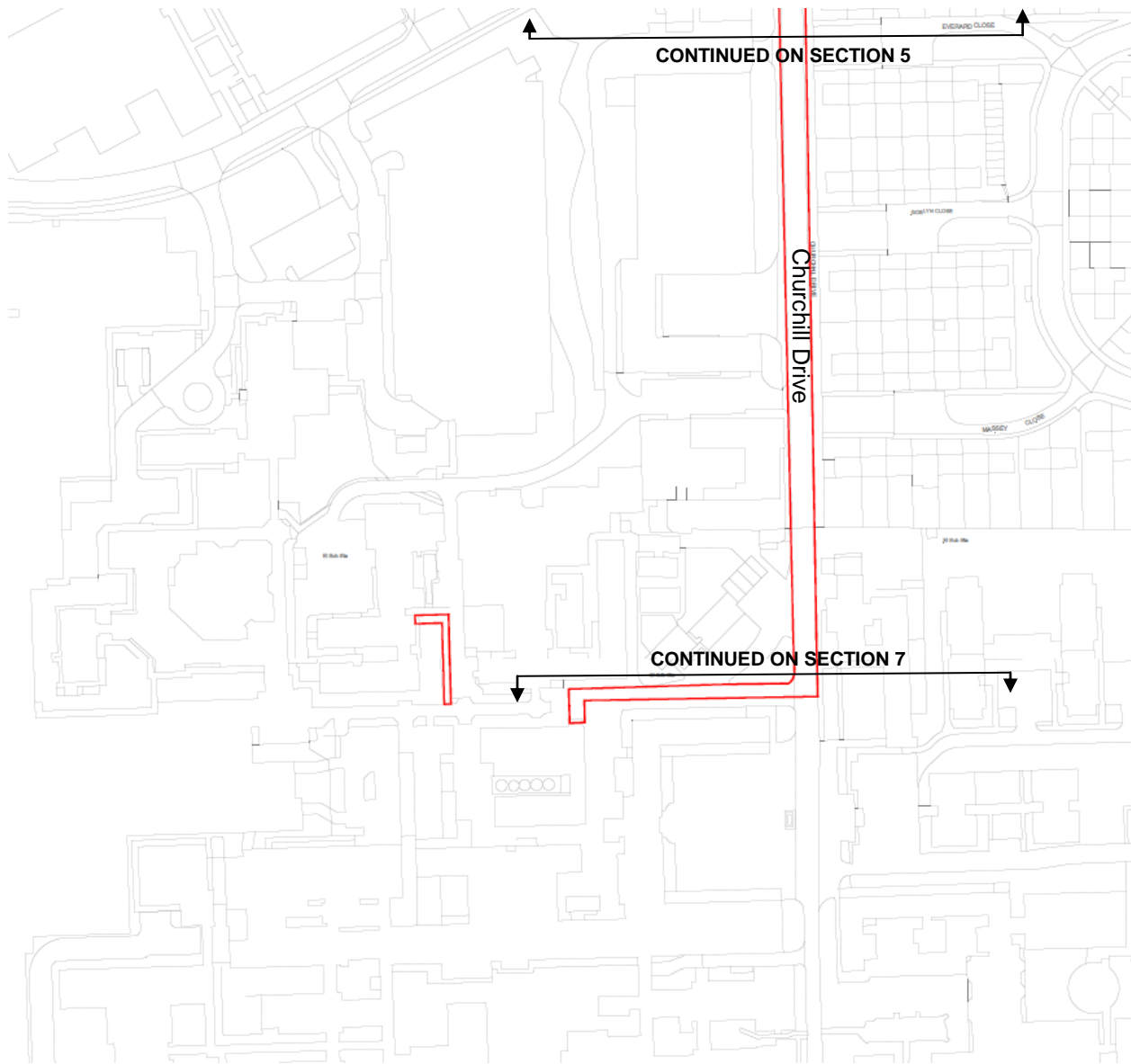
Application Site – Section 4



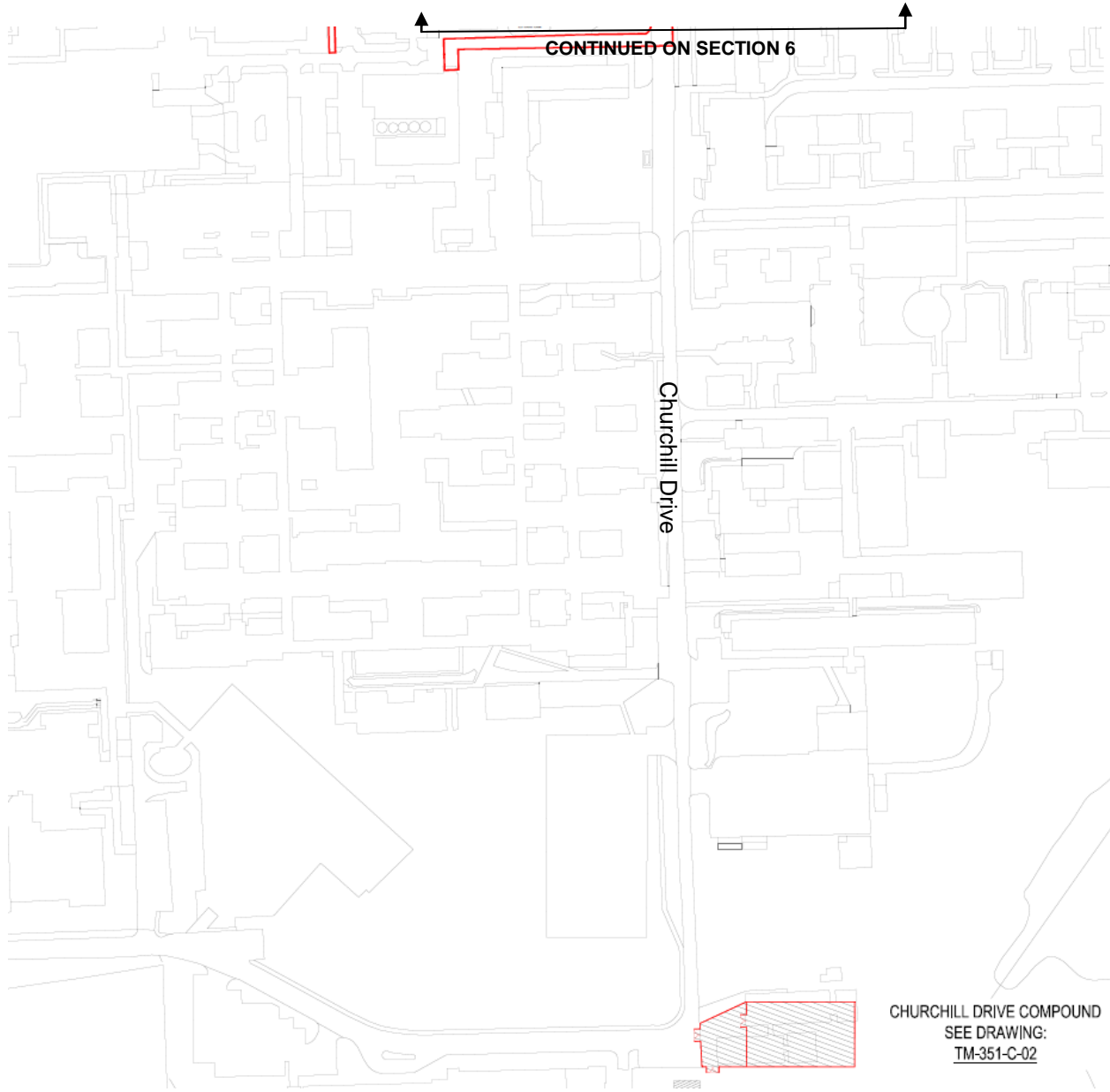
Application Site – Section 5



Application Site – Section 6



Application Site – Section 7



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East Area Planning Committee

7th September 2016

Application Number: 16/01549/CT3

Decision Due by: 20th September 2016

Proposal: Phase 2 of Northway and Marston Flood Alleviation Scheme comprising the creation of a flood storage area adjacent to Court Place Farm Nature Park (Site B), channel realignment along a section of Peasmoor Brook and installation of a bund at Peasmoor Piece (Site C).
(Amended plans and additional information)

Site Address: Recreation Ground Court Place Farm Marsh Lane – see **Appendix 1**

Ward: Marston Ward

Agent: Mrs Natalie Durney-Knight

Applicant: Oxford City Council

Recommendation:

Officers recommend that the East Area Planning Committee grants planning permission subject to the conditions listed.

Reasons for Approval

- 1 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.
- 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.

Conditions

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

- 3 Tree Protection Plan (TPP) 1
- 4 Arboricultural Method Statement (AMS) 1
- 5 Excavation close to tree RPAs
- 6 Landscape carry out by completion
- 7 Great Crested Newts
- 8 Bats and reptiles
- 9 Ecological Management Monitoring Plan
- 10 General mitigation measures biodiversity
- 11 Removal of vegetation
- 12 Planting and management plan
- 13 Materials management plan
- 14 Watching brief - land quality
- 15 Archaeology
- 16 Construction Travel Management Plan

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP22** - Contaminated Land
- SR2** - Protection of Open Air Sports Facilities
- SR5** - Protection of Public Open Space
- NE11** - Land Drainage & River Engineering Works
- NE15** - Loss of Trees and Hedgerows
- NE21** - Species Protection
- HE2** - Archaeology
- TR5** - Pedestrian & Cycle Routes

Core Strategy

- CS11_** - Flooding
- CS12_** - Biodiversity

CS18_ - Urban design, town character, historic environment

CS17_ - Infrastructure and developer contributions

CS19_ - Community safety

CS21_ - Green spaces, leisure and sport

Public Consultation

Statutory Consultees

- Sport England:

No objection

- Oxfordshire County Council (Transport)

No objection subject to conditions

- Oxfordshire County Council (Ecology)

Seek advice of Oxford City Council in-house ecologist.

- Oxfordshire County Council (Drainage, Lead Local Flood Authority)

No objection

- Thames Water Utilities Limited

No objection with regard to sewerage infrastructure capacity

- Natural England:

A formal consultation response has not been received at the time of publication of this report; Officers will update the Committee verbally. Informal discussions indicate that Natural England is unlikely to raise an objection.

- Environment Agency Thames Region

Please note that the application is located in flood zone 1 and is in relation to surface water, therefore the Environment Agency is not a statutory consultee and will not be providing any comments in response to the consultation. The Lead Local Flood Authority is the statutory consultee.

Individual Comments:

37 Stockleys Road:

- The flood analysis should look at opportunities to improve surface water run-off up the hill from Stockleys Road, and ensure that the drain capacity in Stockleys Road is adequate
- Seeks assurance that embanking the path within Peasemoor Piece will not

- impede water from flowing out of the Piece and lead to our garden being flooded
- Should Peasemoor Brook be kept well cleared further downstream?
- The recently removed playground should be re-sited.

Pre-application consultations by applicant

The applicant has held three exhibition events as well as some informal engagement. Key primary stakeholders who have been engaged with include:

- Local residents and business owners;
- Oxford City Council elected members;
- Oxford Local Enterprise Partnership;
- Oxfordshire County Council;
- Environment Agency;
- Natural England;
- Thames Water; and
- Local Planning Authority officials (Ecology, Tree, Archaeology, and Planning officers).

Wider audiences have also been engaged in the design process including:

- Resident groups including Northway Community Association, Northway Social Club and Old Marston Parish Council;
- Local community groups, including Thames Valley Environmental Records Centre, Oxfordshire Bat Group, OXRAD, Oxford City Football Club, Oxfordshire Netball Development Body, Oxford Green & Blue Space Network, Oxford Area Flood Partnership;
- Housing Associations (GreenSquare);
- Principal Contractor for construction (Oxford Direct Services); and
- The wider general public.

Officers Assessment:

Background to proposals

1. The scheme under consideration is Phase 2 of a two-phased development for a flood alleviation scheme (FAS). Together, the two phases of the FAS aim to reduce the flood risk for 110 properties as well as for infrastructure in the immediate area.
2. The planning application for phase 1, reference 16/01320/CT3, was approved by the East Area Planning Committee in July 2016. Phase 2 is designed to redirect out-of-bank flows from Headington Hill Tributary and store the flood water within bunds enclosing the Northway Sports Ground. Within the overall FAS, the Northway Sports Ground is known as Site A.
3. This application for phase 2 covers two sites within the wider area of public open space that lies east of Marsh Lane and south of the A40:

- Site B: an area adjacent to Court Place Farm Nature Park and north of Borrowmead Road;
 - Site C: land at Peasmoor Piece (area of woodland and Site of Local Importance for Nature Conservation – SLINC) and Peasmoor Brook.
4. The proposal aims to create additional flood storage to manage out-of-bank flows from Peasmoor Brook. It is an Oxford City Council scheme with funding from Oxfordshire Local Enterprise Partnership Local Growth Fund, from grants administered by the Environmental Agency and from Oxford City Council capital.
 5. The scheme is made up of the following elements:
 - Site B: The introduction of a 2000m³ capacity storage area linked to Peasmoor Brook, the central area of which will remain permanently wetted providing additional habitat;
 - Site C: The re-profiling of Peasmoor Brook to create a 4000m³ capacity flood storage channel;
 - Site C: The raising of a section of public footpath, between 0.2 – 0.4 metres high, within Peasmoor Piece to the rear of properties on Dents Close.
 6. Amended plans were received following the revision of the proposed scheme to avoid the loss of woodland in Peasmoor Piece.
 7. Officers consider the principal determining issues to be:
 - Principle of development
 - Flooding and drainage
 - Visual impact of development
 - Trees and landscaping
 - Impact on public space and recreational facilities
 - Biodiversity
 - Highways and transport
 - Other matters

Principle of development

8. The National Planning Policy Framework (NPPF) requires planning authorities to help meet the challenge of climate change and flooding. Minimising vulnerability and providing resilience are central to sustainable development. Policy CS11 of the Oxford Core Strategy 2026 seeks to increase resilience to flooding in the city and reduce flood risk.
9. The development seeks to alleviate a known flooding problem in the Northway and Marston area. This principle is consistent with the aims of the NPPF and policy CS11.

Flooding and drainage

10. A Flood Risk Assessment has been submitted with the application as well as a Drainage Technical Note.
11. The sites are located in Environment Agency (EA) Flood Zone 1 and are therefore at low risk from fluvial flooding. However, both Oxford City Council's Strategic Flood Risk Assessment and the Environment Agency's flood maps show areas surrounding Peasmoor Brook, Court Place Farm and Peasmoor Piece to be at risk of surface water flooding. The proposal is for flood control infrastructure which is considered water-compatible development, and this is suitable development in all EA Flood Zones.
12. There is a known history of flash flooding in Northway and Marston after periods of heavy rainfall, with records indicating notable events occurring in 2005, 2007 and 2012. The areas surrounding Stockleys Road, Maltfield Road and Westlands Drive have experienced the greatest impact.
13. Various options for the FAS were considered. The option for which planning permission is hereby sought is the EA's preferred option and was granted technical approval by the EA in 2015.
14. Within Site B, a 2000m³ offline storage area will be excavated to a maximum depth of 2.4 metres. It will be operated by a control structure (Banbury Baffle) within Peasmoor Brook which will divert flood flows to the storage area, thereby reducing pressure on the Peasmoor Brook culvert.
15. Within Site C, part of Peasmoor Brook will be diverted away from its current course to a position approximately 20 metres north and aligned to form a more natural meandering brook. This will be excavated to a depth of 1 metre to provide an additional 4000m³ of online storage upstream from the Peasmoor Brook culvert.
16. Also within Site C, the existing footpath in Peasmoor Piece will be raised by a shallow earth embankment between 0.2 and 0.4 metres in height to protect properties in Dents Close.
17. The public consultation raised issues regarding surface water run-off up the hill from Stockleys Road, drain capacity in Stockleys Road, and possible flooding resulting from embanking the path within Peasmoor Piece. The applicant has responded formally to these queries explaining how such issues have been dealt with in the overall context of the FAS – both Phase 1 and 2. Officers are satisfied that these issues have been addressed in the overall FAS.
18. A point was also raised that Peasmoor Brook should be cleared further downstream. The maintenance of Peasmoor Brook further downstream is not in the scope of this project and is the responsibility of the riparian owner of the land the Brook flows through, although the culvert will be inspected during works to ensure there is no blockage.

19. Officers and the Lead Local Flood Authority are satisfied with the details provided with the application and consider that the scheme will achieve its objective of attenuating flood risk in accordance with policy CS11 of the Oxford Core Strategy 2011-2016.

Visual impact of development

20. The proposal will involve changes to landform through excavation, realignment of Peasmoor Brook and the addition of the raised footpath embankment in Peasmoor Piece. The proposals are organic in form and their integration into the existing landscape will be helped by the proposed planting. The more out-of-character Banbury Baffle structure will not be overly dominant because it will be partly embedded in the channel and screened by new planting. Beyond the inevitable short-term impact while works take place and vegetation is cleared, the development is not considered to have a harmful visual impact.

21. Overall, officers consider that the proposed development would integrate well with the site and surroundings and is an appropriate response to the particular challenges of creating an effective FAS.

Trees and landscaping

22. The development would result in the addition of a permanently wetted pond area (Site B) with tree, wetland and meadow grass planting proposed in the immediate area. Shrubs are to be planted to screen the Banbury Baffle. An upper and lower mown lawn path are proposed plus a bench around Site B, as well as a mown lawn path along the newly meandering Peasmoor Brook. Shrubs are to be planted along the realigned Peasmoor Brook as well as water meadow grass and tree planting. New hoggin footpaths are proposed along the new embankment in Peasmoor Piece and to the north of the realigned Peasmoor Brook.

23. At least 3 existing trees will need to be removed for the channel realignment of Peasmoor Brook (Site C): 2 ash (T2457, T2474) and 1 hawthorn (T2478) located near to either end of the diverted section of the brook. Excavations that are required to realign the channel will be so close to these trees that their structural roots will be cut and they might become unstable as a result. However, all of these trees are low quality and value that stand in the dense tree belt along the boundary of the recreation ground and their removal will not have a significant detrimental effect on public visual amenity in the area.

24. Installation of the Banbury Baffle will need to be undertaken with great care to minimise damage to the existing adjacent trees. A more detailed project and site specific Arboricultural Method Statement which sets out the special tree protection measures that are required to be implemented during construction and a carefully considered Tree Protection Plan should be required for this element aspect of the project before construction starts if planning permission is granted.

25. To create the flood storage areas in Sites B and C it will be necessary to lower existing ground levels near to some trees and in places the proposals as submitted require excavation within their Root Protection Areas. The impact on the long term viability of these trees will depend on the degree of root damage they incur during this work. Notwithstanding the proposals as submitted, if planning permission is granted the edge of the excavations should be adjusted to avoid encroachment within the Root Protection Areas of these trees as far as possible.
26. In addition, several crack willows (eg T2481, T2462, T2472) require pollarding or coppicing in the tree belt, but the condition of these trees is such that this should take place should take place regardless of whether or not the proposals are implemented.
27. Proposals include tree planting which is appropriate to the local context. The new trees will mitigate the removal of existing canopy cover and, along with the landscaping and planting proposed, should eventually provide a range of environmental benefits that will enhance public amenity in the area.

Impact on public space and recreational facilities

28. The development site is within an area of open space and playing fields protected under policies SR2 and SR5 of the Oxford Local Plan 2001-2016, and CS21 of the Core Strategy 2026.
29. An area of open amenity grassland would be lost as a result of the development but there would be no loss of open-air sports facilities. There would be no material loss of public open space and the proposal's landscaping would open up access and provide new open amenity space and paths, which would comply with policy CS21. The proposal is therefore consistent with policies SR2 and SR5.
30. There was a playground located within Site C but this was removed prior to this application and so it is not considered reasonable or relevant to require a playground to be provided with this development.

Biodiversity

31. The construction phase of the development will result in short term impact on mainly improved amenity grassland, scrub and realignment of the existing brook. In addition to this, it will result in very minor impacts on Peasmoor Piece SLINC. Considering the landscaping proposals submitted with the application, any short-term impacts on habitats in connection with the brook realignment (Site C) and pond and flood storage creation (Site B) will be suitability mitigated for. A condition is recommended to secure a replacement planting and management plan.
32. Considering the rough grassland, tall ruderals and scrub present within the footprint of the scheme and in the wider area, the small scale and short duration of the works, the quality of habitats affected and the distance from

the nearby Great Crested Newt pond, it is considered unlikely that the works will result in deliberate capture, injury or killing of Great Crested Newts provided works are carried out under the Precautionary Method of Work.

33. The habitats present within the study area are considered unsuitable to support common species of reptile and amphibian, but they may utilise the site for commuting. Vegetation clearance is due to be undertaken and measures to avoid the intentional killing/injury of individuals should be implemented. Works must be carried out under the Precautionary Method of Work.
34. Bats are likely to be utilising the area for foraging and commuting. No trees with high or moderate potential to support roosting bats in the vicinity of the proposed works have been identified but two trees with low bat roosting potential were identified. Works must be carried out under the Precautionary Method of Work.
35. In accordance with Core Policy CS12, the proposals for the site include a number of suggested enhancement measures, including tree and wetland planting as well as provision of bat and bird boxes.
36. The Ecological Impact Assessment has identified a number of mitigation measures which, if implemented in full, is likely to fully mitigate the impact on adjacent habitats, on site species and habitats.
37. Scrub and trees on site offer suitable habitat for nesting birds. Removal of vegetation shall be undertaken outside of bird nesting season.
38. Informal discussions indicate that Natural England is unlikely to raise an objection to the proposals. A formal consultation response has not been received at the time of publication of this report; Officers will update the Committee verbally.
39. Overall, officers are satisfied that, pending a formal response from Natural England and subject to conditions, the proposal will not have a negative impact on protected species or habitats and would therefore comply with policy CS12 of the Oxford Core Strategy.

Highways and transport

40. A Construction Traffic Management Plan has been submitted with the application which the Highways Authority considers acceptable.
41. The footpath through Peasmoor Piece will be retained as a result of the works albeit with a slight increase in height in part. The Highways Authority commented that the alterations to this footpath are unlikely to have any significant detrimental impact on the footpath's accessibility. A Temporary Traffic Regulation Order must be obtained for the duration of the temporary closure and diversion of the public footpath at Peasmoor Piece and this will be added as an informative to any permission.

Other matters

42. Land quality: A Contamination Assessment, Asbestos Survey and Asbestos Risk Assessment were submitted with the application. Conditions are recommended to develop a materials management plan and for a watching brief to ensure safety of the site during works and for its proposed end use.
43. Archaeology: This application is of interest because it involves groundworks in an area that has general potential for prehistoric remains and more specific interest regarding the extent of the 1st-4th century Roman field system identified at Barton Park (to the north) and also the character and date of the historic routeway that crossed through Peasmoor Piece (as shown on the circa 1830s 2" Surveyor's Map). The available geotechnical data suggests that the areas to be impacted are comprised of likely modern made ground over natural sand and clay geology. A condition is recommended to secure a programme of archaeological work.

Conclusion:

44. The proposal is considered to bring significant public benefits by reducing vulnerability and increasing resilience to known flooding events in the Northway and Marston area. Overall, the landscape proposals are considered to make a positive contribution to the open amenity space and immediate area.
45. Officers recommend that the East Area Planning Committee grants planning permission subject to the conditions listed.

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.

Contact Officer: Nadia Robinson
Extension: 2697
Date: 26th August 2016

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East Area Planning Committee

7th September 2016

Application Number: 16/00744/FUL

Decision Due by: 21st June 2016

Proposal: Demolition of existing pair of semi-detached houses (39 and 41 Waynflete Road). Erection of 52 houses and flats (including 40% of net increase as affordable homes) in single storey buildings, two storey buildings, and two storey buildings with rooms in roofs (47 dwellings proposed off Waynflete Road and 5 detached dwellings off Bayswater Farm Road). Construction of roads and footpaths including new accesses off Waynflete Road and Bayswater Farm Road. Provision of open space, parking, garages and landscaping.

Site Address: 39 And 41 Waynflete Road, Land To The Rear And Off Bayswater Farm Road Waynflete Road (**site plan: appendix 1**)

Ward: Barton And Sandhills Ward

Agent: Mr Nik Lyzba

Applicant: Cala Homes (Chiltern) Ltd.

Recommendation:

The East Area Planning Committee is recommended to grant planning permission for the application for the following reasons

- 1 The proposed development would seek to make an efficient use of previously developed land in order to provide a means of access to the site at the rear so that it could be developed to facilitate a residential development which was approved by South Oxfordshire District Council on the 10th August 2016. The proposal would require the removal of two dwellinghouses from the city's housing stock but facilitate the provision of 52 houses and flats within the administrative boundary of South Oxfordshire District Council. The loss of these two dwellings would be compensated by the provision of nomination rights for the city council of two intermediate affordable homes within the main scheme. The proposed access road and traffic generated by the residential development would not have an adverse impact upon the local highway network. Similarly the siting of the residential accommodation would not have an adverse impact upon the residential amenities of the adjoining residential

properties in Waynflete Road. The proposal would not create any adverse impacts in terms of drainage, air quality, or ecology and any such impact could be adequately addressed by the imposition of appropriately worded conditions.

- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Phasing Plan for development
- 4 Landscape plan required
- 5 Landscape carry out by completion
- 6 Details of the means of access to the site
- 7 Details of visibility splays
- 8 Drainage Strategy on / off site works to be agreed in conjunction with Thames Water
- 9 Surface water drainage scheme

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

NE15 - Loss of Trees and Hedgerows

NE16 - Protected Trees

TR3 - Car Parking Standards

Core Strategy

CS2_ - Previously developed and greenfield land

CS18_ - Urban design, town character, historic environment

CS23_ - Mix of housing

CS24_ - Affordable housing

CS11_ - Flooding

CS12_ - Biodiversity

Sites and Housing Plan

HP9_ - Design, Character and Context

HP10_ - Developing on residential gardens

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Other Planning Documents

National Planning Policy Framework

Public Consultation

Statutory Consultees

- Thames Water Utilities Limited: No objection subject to condition requiring the approval of a drainage strategy.
- Oxfordshire County Council

Local Highways Authority: No objection subject to conditions. The updated Transport Assessment now includes traffic modelling which confirms the additional 30 2-way peak hour vehicles movements generated by this development will have no severe impact on the local highway network and it is therefore considered acceptable in highway terms.

Archaeology: No objections subject to conditions

Education: No objection. It is anticipated that there will be sufficient primary and secondary school places and early years provision in the vicinity to meet the needs arising from the development; there would be a need for CIL funding towards special educational school needs.

Property: The development will increase demands on Youth Support Service; Adult Learning; Local and Central Libraries; Museum Resource Centre; Fire and Rescue Service; Strategic Waste Management; Health and Well Being. There is also a requirement to provide fire hydrants within the development.

Third Parties

6,7 Colwell Drive; Bayswater Farm House; Bayswater Mill House; 8, Dendere, Jubilee House, Bayswater Farm Road; 37, 52 Waynfilete Road; 1 Routh Road; Mike Rowley - Councillor for Barton and Sandhills Ward

Individual Comments:

A number of the comments raised in relation to the application relate to the main residential development within South Oxfordshire District Council's administrative boundary and are not relevant to the matter being considered by the East Area Planning Committee.

The main points raised were:

- Waynfilete Road and Bayswater Farm Road is already very congested in the peak hours and this will increase traffic further. It will add potentially an average of 104

vehicles travelling to and from Waynflete Road

- The proposed development has access for 47 homes off Waynflete Road and 5 homes off Bayswater Farm Road, the only access to which is via Waynflete Road. Waynflete Road is a narrow residential street with on-street parking and is not designed for access purposes.
- The only access to the main road network from these new homes will be via the exit from Bayswater Road onto the Green Road roundabout. This is already very congested at rush hour, with tailbacks all the way to the Crematorium most of the time between 8am and 10am. Furthermore, the development West of Barton, although it has its own access, is likely to make the junction a little busier, and the A40 somewhat busier as well. The junction cannot take more traffic unless it is significantly redesigned.
- In spite of the Flood Risk Assessment in the developers submission, the replacement of green field land, the removal of trees beyond the access to Waynflete Road is likely to have a detrimental effect on existing properties and infrastructure
- There will be flood risk exposure from this development given the landscaping changes and waterways running nearby
- The proposal will adversely impact on this tiny rural hamlet, transforming it into a major suburban estate which radically alters the character of the immediate area and region as a whole which includes sites of important ecological and archaeological significance
- The proposed development from another District Council area will have a detrimental effect on existing school capacity, as no funding is likely to be available for extra places in the school
- Unsuitability of site for ingress/egress of contractors' heavy plant surrounding roads are unsuitable for heavy plant and the parking of contractors 'vehicles'
- This development on the boundary of two local authorities and close to a boundary with Cherwell DC will cause significant financial penalties for the City Council owing to its effect on the City's local infrastructure
- The development needs to be considered alongside the Barton Park Development of 885 dwellings already under construction.
- This will create a surplus of housing when taken alongside the Barton Park Development
- The development is contrary to the City Council's policies on the loss of housing stock, especially in an area of social housing
- Bayswater Farm Road is unsuitable for extra traffic from detached houses with multiple vehicles
- This development would allow the linking of these two new development with any future developments on nearby fields with a link through the existing caravan site, if it were sold for development
- The development implies for Bayswater Mill House a massive reduction in the privacy afforded that home with 11 units directly facing onto the single property. The developers have chosen a location plan that seems designed to have maximal impact on the occupiers of Bayswater Mill House.
- The units opposite Bayswater Mill House are 1.5m higher and will overlook it. It needs a suitable boundary treatment and the current hedgerow should be left in tact
- A right of way from Bayswater Mill House should be allowed to Waynflete Road

via the proposed development

- The development will overlook Bayswater Farm House
- There is a concern that Thames Water's comments that the drainage plans offered by the applicant are not sufficiently detailed for them to reach a conclusion. Barton is an area with a lot of shifting spring activity, sometimes unexpected and causing some inconvenience to residents. I would ask officers to produce a robust condition requiring a sustainable drainage plan.
- The development will have serious health and safety issues for the area
- The development of the five houses on the land near Colwell Drive is overdevelopment of a small and important part of the biodiversity of the area

Officers Assessment:

Background to Proposals

1. This application site is located on the edge of the city and within the administrative boundaries of both Oxford City Council and South Oxfordshire District Council. The first is an area of unused land of approximately 2.2ha which is located behind the properties on the north-eastern side of Waynflete Road and includes two vacant semi-detached houses (39 and 41) on Waynflete Road. The second is an area of open land to the east that is accessed from Bayswater Farm Road (**appendix 1**)
2. The proposal relates to a full planning application that was submitted to South Oxfordshire District Council for the demolition of an existing pair of semi-detached houses (39 and 41 Waynflete Road) and erection of 52 houses and flats (including 40% of net increase as affordable homes) in single storey buildings, two storey buildings, and two storey buildings with rooms in roofs (47 dwellings proposed off Waynflete Road and 5 detached dwellings off Bayswater Farm Road), the construction of roads and footpaths including new accesses off Waynflete Road and Bayswater Farm Road, provision of open space, parking, garages and landscaping under reference P16/S0942/FUL. This was approved by the South Oxfordshire District Council Planning Committee on the 10th August 2016. A copy of the committee minutes and report can be found in **appendix 2 (i) and (ii)**.
3. The application is before the East Area Planning committee because the residential properties of 39 and 41 Waynflete Road are located within the administrative boundary of Oxford City Council. Therefore the part of the residential development that falls within the administrative boundary of the Council needs to be determined by that Local Planning Authority.
4. This would include the demolition of the existing pair of semi-detached houses (39 and 41 Waynflete Road) and the construction of the new access, road and footpath from the northernmost plot onto Waynflete Road. In addition to this a small part of Plots 47-50 proposed within the scheme would also lie within this boundary.

5. In determining this application, the Council are only able to consider the development and likely impacts that will arise upon their administrative boundary as part of this application. In this case, Officers consider the principal determining issues to be:
 - principle of development;
 - loss of Housing;
 - transport;
 - impact on adjoining properties
 - landscaping;
 - air quality
 - drainage;
 - archaeology
 - biodiversity;

Principle of Development

6. The National Planning Policy Framework [NPPF] seeks to promote sustainable development and identifies three roles for the planning system to perform in order to achieve this; economic, social, and environmental. The social role is defined as supporting strong, vibrant, and healthy communities by providing the supply of housing required to meet the needs of present and future generations.
7. The NPPF also encourages the effective use of land by reusing previously developed land. This is supported by Oxford Core Strategy Policy CS2 and Oxford Local Plan Policy CP6 which require development proposals to make an efficient and appropriate use of previously developed land in a manner that suits the sites capacity, and that larger scale proposals are encouraged in appropriate locations.
8. The substantive residential element of the proposal lies within the administrative boundary of South Oxfordshire District Council. The South Oxfordshire Core Strategy has identified the site as one of the areas in which new housing should be provided in South Oxfordshire. This being on the basis that it would be in a sustainable location which would be well contained by other residential development and benefits from access to a good range of services, facilities and public transport.
9. The redevelopment of 39 and 41 Waynflete Road to provide the access road for the main housing site subject to the substantive application before South Oxfordshire District Council would seek to make an efficient use of previously developed land in order to help increase the supply of housing for present and future generations. As such it would appear that the general principle of allowing the housing within the site would accord with national and local development plan policies.

Loss of Housing

10. The part of the development within the Council's administrative boundary would result in the loss of a pair of vacant semi-detached houses in Waynflete Road in order to provide the vehicular access to and from the main part of the application

site.

11. The semi-detached properties are of little architectural merit and as such their removal would not have an impact upon the character and appearance of the area. However, the Sites and Housing Plan recognises that there are not enough homes in Oxford to meet the city's housing needs and therefore Policy HP1 has a presumption against development that results in the net loss of one or more self-contained dwellings on a site.
12. The proposal would result in the net loss of two dwellings from the application site within the City's boundary which in strict terms would not accord with the presumption to maintain the existing housing stock. However, the removal of these dwellings is required in order to provide the vehicular access to and from the main site which would be developed to provide 52 dwellings. Whilst these dwellings would be outside the Council's administrative boundary, it would result in a net gain of 50 dwellings which would accord with the overall aims of Policy HP1 even though the new dwellings lie outside the City boundaries.
13. In order to further mitigate the loss of these two market dwellings from the city housing stock, officers requested nomination rights from South Oxfordshire District Council for two of the affordable dwellings within the scheme. In response to this request, South Oxfordshire District Council has offered nomination rights to two of the proposed affordable 'shared ownership' units rather than two of the 'affordable rent' units which was the Council's preferred option. Although officers would have preferred nomination rights to two of the 'affordable rented' units in accordance with the preference in the Sites and Housing Plan for affordable rented units over intermediate (shared ownership) housing. The provision of two intermediate affordable units (with nomination rights) to replace the two open market dwellings of 39 and 41 Waynflete Road would represent a net improvement to the city's housing stock. It is also understood that South Oxfordshire District Council require there to be a local connection when allocating the affordable housing to those on their waiting list.
14. Therefore officers consider that it would be difficult to sustain an objection to the part of the development site that lies within the administrative boundary of the City Council because it would result in the loss of one or more self-contained dwellings from the site of 39 and 41 Waynflete Road. In order to ensure that there is no net loss of housing and the benefits of the mitigation are achieved, a condition should be requested seeking permission of a phasing plan which sets out when the two developments will be carried out at the same time.

Transport

15. A Transport Assessment has been submitted which considers the highways impact from the proposed development. The assessment has been amended since it was initially submitted in order to provide up-to-date modelling data as requested by the Local Highways Authority.
16. Although the main residential element of the development falls within South Oxfordshire District Council's administrative boundary, the principle means of

access to the larger development parcel is to be created through the site of 39 and 41 Waynflete Road. Therefore the use of this access road would have an impact upon Waynflete Road which is within the Council's administrative boundary and needs to be considered.

17. Traffic Generation: The amended assessment has included traffic modelling which confirms the additional vehicles trips generated by the development would not have a significant impact on the local highway network. The most recent survey data has been used to estimate that the development is likely to give rise to only 30 2 way vehicle trips in both the AM (8-9am) and PM (5-6pm) peak periods.
18. The NPPF makes clear that development proposals should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe. Oxford Local Plan Policy CP1 also states that development proposals will only be granted where they are acceptable in respect of access, parking, highway safety, and traffic generation.
19. The Local Highways Authority has confirmed that the additional modelling has demonstrated that the additional vehicle trips generated by the development would not have a severe impact on the local highway network and would be considered acceptable in highway terms.
20. Access: The new access road through the site of 39 and 41 Waynflete Road and its junction with Waynflete Road has been developed following a Stage 1 Road Safety Audit. The road will have a carriageway width of 4.8m with 1.8m footways either side. The junction will have entrance radii of 6m and provide visibility splay in excess of 2.4m x 25m in both directions.
21. The Local Highways Authority has raised no objection to the proposed access arrangements to Waynflete Road, subject to a condition that requires approval of the detailed design of the access road and its junction. These details shall include the position, layout, construction, drainage, and vision splays for the access road.
22. Car & Cycle Parking: The overall scheme would provide 92 car parking spaces, with two off-street parking spaces for the market homes, and a total of 28 spaces for the 20 affordable homes. Although 5 of these spaces would be within the council's administrative boundary, it forms part of the overall parking provision for the whole scheme. The proposed level of parking has been considered to accord with South Oxfordshire District Council's parking standards.
23. In addition to this 98 cycle parking spaces are to be provided across the scheme for the residential units. The Local Highways Authority has recommended that some visitor cycle parking is also provided. It is noted that South Oxfordshire District Council has requested a condition be attached to the permission requesting further details of the cycle parking.

Impact upon Adjoining Properties

24. Impact upon Adjoining Properties: 47-50 – 7m to 5m beyond boundary. Gable end parallel with garden. Change in land level, orientation
25. Oxford Local Plan Policy CP10 of the Local Plan requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. This is supported by Sites and Housing Plan Policy HP14.
26. The proposed layout of the housing development would site plots 38-50 to the rear of the properties on the northern side of Waynfilete Road. The impact upon these properties has been considered in paragraph 6.22 of the South Oxfordshire District Council committee report (**appendix 2 (ii)**). The new dwellings would be located to the north of the rear gardens of the Waynfilete Road properties, and would be sited lower than these rear gardens due to the change in land levels as the ground slopes down northwards. There would be a separation distance between properties of between 32-34metres for the majority of plots (i.e. 38-46).
27. The location of plot 47-50 is sited closer to the boundary with the adjoining property of 37 Waynfilete Road, with part of the gable end of this plot running parallel with the garden. This part of the plot is within the administrative boundary of Oxford City Council. Although this would be closer to the boundary of this adjoining property than some of the other plots, it would still be set 7m-5m from the boundary. Although the unit would introduce a sense of enclosure that doesn't exist in this part of the site currently, the orientation of the plot and change in land level would mean that there would not be a significant loss of light or sense of enclosure as a result. Similarly it is not considered that there would be a significant loss of privacy given the separation distance that would exist.
28. The proposed access road would be created between the 37 and 43 Waynfilete Road, and would be separated from the adjoining properties by a landscaped buffer. It is considered that the provision of an access road would not have an adverse impact upon the adjoining properties in terms of noise and disturbance given the limited amount of traffic that would be generated as a result of the scheme.

Landscaping

29. In landscape terms, officers consider that there would be no arboricultural implications in terms of tree removals from either 39 or 41 Waynfilete Road and as such the proposal would accord with Oxford Local Plan Policies CP1, CP11, NE15 and NE16.
30. In terms of the overall landscaping for the wider scheme, the proposed avenue planting of field maples along the new access road to the main development is welcome. This should be secured by condition

Air Quality

31. The proposed development is located within and adjacent to an Air Quality Management Area and is likely to result in a significant increase in traffic with the potential to negatively impact air quality. An Air Quality Assessment has been submitted with the application and is considered in detail within paragraphs 6.45 – 6.47 of the South Oxfordshire District Council committee report (**appendix 2 (ii)**).
32. The assessment identified that the existing conditions showed good air quality away from the busy roads and background pollutants below relevant air quality standards and objectives. The proposed dwellings would be well away from the busy roads and pollutant levels for new residents would be at or close to background levels which are well below the air quality objectives that constitute good air quality. The additional traffic from the development would result in negligible increase in pollutant concentrations in sensitive locations. As such no objection was raised by South Oxfordshire District Council officers.
33. A key theme of the NPPF is that development should enable future occupiers to make “green” vehicle choices and “incorporate facilities for charging plug-in and other ultra-low emissions vehicles” (paragraph 35). Oxford City Council’s Air Quality Action Plan 2013 commits to seeking to ensure that new developments make appropriate provision for walking, cycling, public transport and low emission vehicle infrastructure e.g. Electric Vehicle charging points.
34. Therefore, as a minimum requirement, new development schemes should include the provision of electric vehicle recharging provision and any mitigation requirements arising from the exposure assessment, where applicable. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority. The recommended provision rate is 1 charging point per unit (house with dedicated parking) or 1 charging point per 10 spaces (unallocated parking, i.e. flat development). It is noted that a condition has been imposed upon the main application approved by South Oxfordshire District Council.

Drainage

35. A Flood Risk Assessment for the development has been submitted with the application. The assessment and Environment Agency Flood Zone maps indicate that the site is located entirely within Flood Zone 1.
36. The impacts on drainage from the main development is assessed within the paragraphs 6.36 – 6.42 of the South Oxfordshire District Council committee report (**appendix 2 (ii)**). The overall site is within the catchment area of the Bayswater Brook which presents a risk of surface water flooding. The Flood Risk Assessment identifies that the layout has been designed to provide an 8m buffer to zone to the brook with no houses located in this area. The floor levels are to be set within 0.6m above the top of the bank.

37. The development within the city's boundary is limited to the creation of the access road, and therefore the main impacts from the development will be as a result of the substantive development. This is likely to contribute towards surface water discharge from the site. The Flood Risk Assessment has identified that a Sustainable Urban Drainage Scheme would be appropriate. South Oxfordshire District Council has recommended that a condition be imposed requiring details of the surface water drainage. This should also be included on this application if members are minded to grant permission.
38. Thames Water has also recommended that a condition be imposed requesting a drainage strategy to be developed for the scheme with respect to the need for on and off site drainage works. As the access road would require drainage that would be part of this strategy, officers would recommend a condition also be imposed on this application if members are minded to grant permission.

Archaeology

39. The application has included a limited archaeological evaluation of the site without finding significant results. As part of the recommendation for the main development on South Oxfordshire District Council land, a condition has been requested requiring the submission and implementation of a written scheme of archaeological investigations. Having reviewed the proposals, officers acknowledge that there is only part of one housing plot with the city boundary and as such officers would not consider it necessary to add any condition for this application as the main archaeological investigation will be taken forward on the main site.

Ecology

40. An Ecological Appraisal has been submitted with the application. The appraisal has undertaken internal and external surveys of the two existing dwellinghouses and found that there is negligible roosting potential for bats due to the buildings fabrication. Having reviewed this appraisal officers would agree with this assessment and consider that there is not a reasonable likelihood of protected species or habitats being impacted by the removal of the 2 properties. There would be no objection under Oxford Core Strategy Policy CS12.

Conclusion:

41. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation to the committee is to approve the development subject to the conditions listed above.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Andrew Murdoch

Extension: 2228

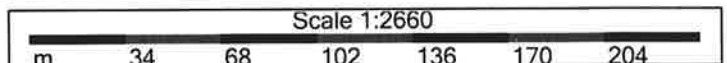
Date: 24th August 2016

Appendix 1

39 and 41 Waynflete Road (16/00744/FUL)



1:2660



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	25 August 2016
SLA Number	100019348

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Minutes

OF A MEETING OF THE

Planning Committee

HELD AT 6.00 PM ON WEDNESDAY 10 AUGUST 2016

DIDCOT CIVIC HALL, BRITWELL ROAD, DIDCOT, OX11 7JN

Present:

Felix Bloomfield (Chairman)

Margaret Davies, Toby Newman, David Nimmo-Smith, Richard Pullen, David Turner, Paul Harrison (as substitute for Jeannette Matelot), Lorraine Hillier (as substitute for Margaret Turner) and Elaine Hornsby (as substitute for Anthony Dearlove)

Apologies:

Joan Bland, Anthony Dearlove, Jeannette Matelot and Margaret Turner tendered apologies.

Officers:

Emma Bowerman, Katherine Canavan, Sharon Crawford, Paula Fox, Phil Moule and Ron Schrieber

Also present:

Councillors Sue Lawson and John Walsh

61 Declarations of disclosable pecuniary interest

Councillor Margaret Davies declared that in relation to P15/S1880/O – land at former Didcot A Power Station, Purchase Road, Didcot, she would be stepping down from the committee and not voting on this item due to having previously expressed views on this application.

62 Minutes of the previous meeting

The minutes of the meeting held on 13 July 2016 were withdrawn from the agenda and would be submitted to a future meeting.

63 Urgent items

None.



Listening Learning Leading

64 Applications deferred or withdrawn

The committee agreed to defer consideration of application P15/S42227/FUL, land rear of 22 and 24 Blacklands Road, Benson, pending a site visit.

65 Proposals for site visit reports

None.

66 P16/S1468/O - Land north of Mill Lane, Chinnor

Ian White, one of the local ward councillors, stepped down from the committee and took no part in the debate or voting on this item.

The committee considered application P16/S1468/O for outline planning permission for the construction of up to 78 dwellings (including affordable housing) with associated access, amenity space and landscaping on land north of Mill Lane, Chinnor.

Consultations, representations, policy and guidance and the site's planning history were detailed in the officer's report which formed part of the agenda pack for this meeting.

Officer update: a further 9 responses had been received objecting to the application.

Robin Williams and Pat Haywood, representatives of Chinnor parish council, spoke objecting to the application. Their concerns included the following:

- Despite originally being one of the preferred options identified, this site was no longer considered appropriate;
- The application was premature and would undermine the imminent publication of the Neighbourhood Plan;
- Chinnor was being overdeveloped;
- Construction noise and disturbance would adversely affect the neighbouring school;
- There would be an increased risk of traffic accidents;
- The site was not a sustainable location; and
- There was a lack of infrastructure to support the development.

David Poole and Keith Webley, local residents, spoke objecting to the application. Their concerns included the following:

- The need to preserve the ancient hedgerow;
- Existing drainage problems would be exacerbated;
- The transport assessment was inadequate and inaccurate; and
- Local roads were already at capacity.

Nik Kyzba and David Burson, the applicant's agents, spoke in support of the application:

- The site was in a sustainable location and was an appropriate site for housing;
- There was a significant shortage of housing in South Oxfordshire and this proposal contributed to the supply of deliverable housing sites; and
- There had been no technical objections to the proposal.

Ian White, one of the local the local ward members, spoke objecting to the application. His concerns included the following:

- The cumulative effect of developments already approved and those awaiting consideration;
- The number of dormitory workers this and other developments would bring to Chinnor;
- Local primary schools were at capacity and there was no local secondary school; and
- Local GP surgeries were at capacity.

The officer responded to questions and comments raised as follows:

- Recent appeal decisions relating to South Oxfordshire had established that applications for housing should now be considered in the context of the presumption in favour of sustainable development and should be permitted unless there was demonstrable planning harm that outweighed the benefit of providing new housing.

A motion, moved and seconded, to approve the application was declared carried on being put to the vote.

RESOLVED: to delegate authority to grant outline planning permission for application P16/S1468/O to the head of planning subject to:

- i. the prior completion of a Section 106 planning obligation to secure the affordable housing, financial contributions and other obligations stated in the report and,
- ii. the following conditions:
 1. Outline planning permission.
 2. Approved plans.
 3. Sample materials to be agreed.
 4. Slab and ridge levels to be agreed.
 5. Reptile mitigation strategy to be approved.
 6. Scheme to offset biodiversity impacts to be approved.
 7. Landscaping scheme to be approved.
 8. Landscape management scheme to be agreed.
 9. Retention of hedge to west of new roundabout.
 10. Play space / equipment to be approved.
 11. Air quality mitigation to be approved.
 12. Construction hours restriction.
 13. Appropriate provision for the control of noise and dust to be approved.
 14. Drainage strategy for any on and off site works to be agreed (in consultation with Thames Water).
 15. Surface water drainage to be agreed.
 16. Green travel plans to be agreed.
 17. Off site highway works to be agreed and a timetable for their implementation.
 18. Estate access, driveways, parking and turning areas to be provided.
 19. Construction traffic management plan to be agreed.
 20. Construction method statement to be agreed.
 21. Cycle parking to be agreed.
 22. No surface water drainage onto highway.
 23. Provision of visibility splays.

24. Refuse and recycling storage to be agreed.
25. Details of boundary walls and fences to be agreed.
26. Development to achieve Secure by Design Part 2.

67 P15/S1880/O - Land at former Didcot A Power Station, Purchase Road, Didcot

Margaret Davies stepped down from the committee and took no part in the debate or voting on this item.

The committee considered application P15/S1880/O for outline planning permission for a mixed use redevelopment comprising up to 400 dwellings (C3), 110,000ms of Class B2/B8 units, 25,000m² of Class B1 units, 13,000m² Class A1 units (includes 1,500m² convenience food store), 150 bed Class C1 hotel and 500m² of Class A3/A4 pub/restaurant, including link road, related open space, landscaping and drainage infrastructure, together with reservation of land for link road and Science Bridge. This was a cross boundary application which had been approved by Vale of White Horse district council's planning committee at its meeting on 27 July 2016.

Consultations, representations, policy and guidance and the site's planning history were detailed in the officer's report which formed part of the agenda pack for this meeting.

Officer update: the Secretary of State did not wish to call in the Vale of White Horse element of the proposal.

James Hicks, the applicant's agent, spoke in support of the application:

- The scheme had evolved to take into account the needs of Didcot residents;
- The proposals were in accordance with local planning policies; and
- An affordable housing provision of 32% had been agreed with the officers.

A motion, moved and seconded, to approve the application was declared carried on being put to the vote.

RESOLVED: to delegate authority to grant outline planning permission for application P15/S1880/O to the head of planning subject to:

- 1: Referral to National Casework Unit (Vale).
- 2: A S106 Agreement to deliver the infrastructure package.
- 3: The following key conditions (others may be added)
 - 1) Approval of reserved matters.
 - 2) Time limit for submission of reserved matters.
 - 3) Time limit for implementation.
 - 4) Approved plans and documents.
 - 5) Environmental statement.
 - 6) Site wide construction environmental management plan.
 - 7) Sample materials required (all uses).
 - 8) Biodiversity enhancement strategy.
 - 9) Update surveys before any phase of development.
 - 10) Phasing.

- 11) Tree protection.
- 12) Levels.
- 13) Noise protection.
- 14) Noise mitigation.
- 15) Hours of operation details.
- 16) Contaminated land investigation and remediation.
- 17) Verification of remediation.
- 18) Culverted watercourse.
- 19) Sustainable drainage scheme.
- 20) Foul drainage.
- 21) Water supply
- 22 - 25) Retail use restrictions.
- 26) Ventilation of A3 use.
- 27) Boundary treatment provision prior to occupation.
- 28) Connection links prior to occupation of final unit.
- 29) Restriction on outside storage.
- 30) Community employment plan

68 P16/S0942/FUL - Land at Bayswater Farm Road and land at and rear of 39 & 41 Waynflete Road Oxford

The committee considered application P16/S0942/FUL for the demolition of the existing pair of semi-detached houses (39 and 41 Waynflete Road). Erection of 52 houses and flats (including 40% of net increase as affordable homes) in single storey buildings, two storey buildings, and two storey buildings with rooms in roofs (47 dwellings proposed off Waynflete Road and 5 detached dwellings off Bayswater Farm Road). Construction of roads and footpaths including new accesses off Waynflete Road and Bayswater Farm Road. Provision of open space, parking, garages and landscaping.

Consultations, representations, policy and guidance and the site's planning history were detailed in the officer's report which formed part of the agenda pack for this meeting.

Officer update: a further two responses had been received objecting to the application.

Malcolm Leeding and Arthur Boylston, representatives of Forest Hill with Shotover parish council, spoke objecting to the application. Their concerns included the following:

- The number of units proposed was excessive;
- Existing properties would be overlooked;
- Increased traffic; and
- Adverse impact on sewerage and drainage.

Andrew Carver a, local resident, spoke objecting to the application. His concerns included the following:

- Neighbours' privacy would be affected;
- The trees and shrubs screening Mill House were deciduous or semi-deciduous so would not provide adequate screening in winter months; and
- The access to the development was inadequate.

Glynis Phillips, Oxfordshire County Councillor, spoke objecting to the application. Her concerns included the following:

- Insufficient infrastructure; and
- Local roads were already at capacity.

She requested that the application be deferred:

- To allow further negotiation with Oxford City Council regarding mitigation for the loss of the two market houses; and
- As many of the proposed conditions had not yet been agreed.

Nik Lyzba, the applicant's agent, spoke in support of the application:

- The adopted Core Strategy specified that the application site was to be allocated for housing;
- There had been no technical objections; and
- The proposed layout had been amended following officer advice.

John Walsh, the local ward member spoke and requested that, were the application to be approved, concerns about drainage, overlooking and insufficient cycle parking should be dealt with by way of conditions.

A motion, moved and seconded, to approve the application subject to an additional condition regarding the planting of live trees and shrubs and the provision of boundary treatment in order to provide additional screening, was declared carried on being put to the vote.

RESOLVED: to delegate authority to grant planning permission for application P16/S0942/FUL to the head of planning subject to:

- i: The prior completion of a Section 106 agreement to secure the affordable housing, other obligations and financial contributions listed in Para 6.49 of this report and
ii: The following conditions:

1. Commencement three years – full planning permission.
2. Approved plans.
3. Sample materials to be agreed.
4. Full details of means of access to be approved.
5. Approved visibility splays to be provided.
6. Scheme of electric vehicle charging points to be approved.
7. Provision of car parking prior to first occupation.
8. Detail of cycle parking to be approved.
9. Construction of traffic management plan to be approved.
10. Surface water drainage scheme to be approved.
11. Drainage strategy detailing any on/off site works to be agreed in consultation with Thames Water.
12. Archaeology (submission and implementation of written scheme of investigation).
13. Method statement for biodiversity protection and enhancement to be approved (including removal of Japanese Knotweed).
14. Contaminated land (site investigation, remediation works and validation) to be approved.
15. Construction method statement to be approved.
16. Control of noise – ensure appropriate provisions.
17. Hours of operation (demolition / construction) restricted.

18. Exposure to dust – ensure appropriate provisions.
19. Arboricultural method statement with detailed tree protection measures to be approved.
20. Waste collection vehicle access and turning to be approved.
21. Refuse and recycling storage to be approved.
22. Provision of fire hydrants.
23. Scheme for landscaping and boundary treatments to be submitted and approved.

69 P15/S4227/FUL - Rear of 22 and 24 Blacklands Road, Benson

It was agreed to defer consideration of this application pending a site visit.

70 P16/S1465/FUL - Fullamoor Farm, Clifton Hampden

The committee considered application P16/S1465/FUL for the siting of a temporary mobile home for a three year period at Fullamoor Farm, Clifton Hampden, to ensure that the expansion of the pig enterprise can be properly managed to maintain high standards of animal welfare.

Consultations, representations, policy and guidance and the site's planning history were detailed in the officer's report which formed part of the agenda pack for this meeting.

Officer update: Two further representations had been received, objecting to the application.

Chris Neill, a representative of Clifton Hampden parish council, spoke objecting to the application. His concerns included the following:

- The proposal was an unacceptable intensification of the site; and
- Increased traffic and large vehicles.

He requested that the application be deferred pending receipt of an Environmental Impact Assessment commissioned by the applicant.

Sue Lawson, the local ward member, spoke objecting to the application. Her concerns included the following:

- The considerable increase in the number of livestock on the site;
- The detrimental effect on air quality;
- Noise disturbance; and
- Increased traffic on rural roads already at capacity.

The committee were not satisfied that the environmental impact of the proposal on neighbouring occupiers could be assessed without a site visit.

A motion, moved and seconded, to defer consideration of the application pending a site visit was declared carried on being put to the vote.

RESOLVED: to defer consideration of application P16/S1465/FUL, pending a site visit to assess the environmental impact of the proposal on neighbouring occupiers.

71 P16/S2143/FUL - 18 Courtiers Green, Clifton Hampden

The committee considered application P16/S2143/FUL for the erection of a two-bedroom, self-contained dwelling house adjoining 18 Courtiers Green, Clifton Hampden.

Consultations, representations, policy and guidance and the site's planning history were detailed in the officer's report which formed part of the agenda pack for this meeting.

Chris Neill, a representative of both Clifton Hampden parish council and the Burcot and Hampden Neighbourhood Plan steering group, spoke objecting to the application. His concerns included the following:

- The applicant had demonstrated a blatant disregard for the planning process;
- The proposal was not compatible with neighbouring properties.

Sue Lawson, the local ward member, spoke objecting to the application. Her concerns included the following:

- The application would set a harmful precedent for similar developments in the street;
- The development had not been in accordance with approved plans.

The committee were not satisfied that the impact of the proposal on the character of the area could be assessed without a site visit.

A motion, moved and seconded, to defer consideration of the application pending a site visit was declared carried on being put to the vote.

RESOLVED: to defer consideration of application P16/S2143/FUL, pending a site visit to assess the impact of the proposal on the character of the area.

The meeting closed at 8.30 pm

Chairman

Date

APPLICATION NO.	P16/S0942/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	23.3.2016
PARISH	FOREST HILL
WARD MEMBER(S)	John Walsh
APPLICANT	Cala Homes (Chiltern) Ltd.
SITE	Land at Bayswater Farm Road & land at & rear of 39 & 41 Waynflete Road Oxford, OX3 8BX
PROPOSAL	Demolition of existing pair of semi-detached houses (39 and 41 Waynflete Road). Erection of 52 houses and flats (including 40% of net increase as affordable homes) in single storey buildings, two storey buildings, and two storey buildings with rooms in roofs (47 dwellings proposed off Waynflete Road and 5 detached dwellings off Bayswater Farm Road). Construction of roads and footpaths including new accesses off Waynflete Road and Bayswater Farm Road. Provision of open space, parking, garages and landscaping.
	NB Demolition of existing houses, estate road and only part of new build in Oxford City District (As altered by amended plans received on 8 June 2016 and 11 July 2016)
AMENDMENTS	Amended site layout, floor plans and elevations received along with updated Transport Assessment, Flood Risk Assessment and an Air Quality Assessment
GRID REFERENCE	456148/207943
OFFICER	Phil Moule

1.0 **INTRODUCTION**

- 1.1 This application is referred to the Planning Committee as Forest Hill with Shotover Parish Council has raised an objection to the proposed development.
- 1.2 The application site is located on the edge of the district next to the boundary between South Oxfordshire and the Barton area of Oxford City Council. The site is in two parts, the largest area (referred to in this report as Site A) lies to the north-east of Waynflete Road and the smaller area (referred to in this report as Site B) lies to the east of Watermill Way and Bayswater Farm Road. Access to Site A would be achieved via Waynflete Road involving the demolition of a vacant pair of semi-detached houses (located within Oxford City Council's administrative area) and Site B would be accessed via Bayswater Farm Road. The site is located outside of the Green Belt. A plan identifying the site can be found at **Appendix 1** to this report.
- 1.3 The larger part of the site (Site A) is mostly unused at the present time, having been used in the past as part of the former farm, nursery garden and part for caravan storage. There are number of trees located on the site. The eastern boundary of the site is bounded by a row of semi-detached houses on Waynflete Road. To the north of the site is a mobile home park, Bayswater Mill (a grade II listed building) and Mill

House. To the east of the site is a band of trees and agricultural fields. The site is on a gradient, rising from north to south. The existing properties on Waynflete Road are thus at a higher elevation than the application site. There are no plans to connect the two sites with either a pedestrian or vehicular link.

- 1.4 The smaller part of the site (Site B) is an open field which is also on a gradient rising from the Bayswater Farm Road eastwards. To the west of the site is a development of two-storey houses on Watermill Way. To the south of the site are three houses accessed from Bayswater Farm Road and to the east is an open field. Separating the two application sites is a mobile home park and a group of houses.
- 1.5 The adopted Core Strategy specifies that the application site (Bayswater Farm) is to be allocated for housing development, alongside sites for the twelve larger villages within the district.

2.0 PROPOSAL

- 2.1 This is an application seeking full planning permission for 52 houses including the construction of roads and footpaths and the provision of open space, parking, garages and landscaping. The proposal would involve the demolition of an existing pair of semi-detached houses to create an access to the site and therefore would result in a net gain of 50 houses. The houses to be demolished are located within the administrative area of Oxford City Council, and are the subject of a separate application submitted to the City Council. This application is to go before the City Council Planning Committee on 3 August 2016.
- 2.2 The proposal would provide 20 affordable homes, which equates to 40% of the development. The proposed mix would comprise 75% affordable rent and 25% intermediate (shared ownership).
- 2.3 The site area measures 2.05 hectares and the proposal would provide 0.22 hectares of open space incorporating an equipped play area (LEAP). On this basis, the gross density of development would be 24 dwellings per hectare and the net density (minus the open space) would be 27 dwellings per hectare. A total of 47 houses are to be provided on the large part of the site (Site A) and 5 are to be provided on the smaller part (Site B).
- 2.4 The majority of the development would be in the form of detached and semi-detached houses at either two-storey or two-storey with rooms in the roof. Nine flats are proposed, being comprised of one block of four flats, two blocks of two flats and one flat above a garage. A total of 92 car parking spaces are to be provided. Extracts from the plans are set out in **Appendix 2**. Additional plans and supporting documentation can be viewed on the council's website, www.southoxon.gov.uk

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Forest Hill with Shotover Parish Council – object for the following reasons:

- The amended Transport Assessment still does not look at the effect of traffic on Bayswater Road and to the Headington Roundabout. Queues at the junction from Waynflete Road onto Bayswater Road are irrelevant when the traffic on Bayswater Road is stationary / crawling anyway
- Transport plan still pays no regard to immediate proximity of Green Ridges development. A survey should be done as part of the application
- The loss of trees is to be regretted
- No air quality monitoring devices on the proposed site, nearest was Risinghurst (Ringway)

- The opinions of the Flood Risk Assessment are noted, however there are many references to low risk. A risk therefore exists
- Great reliance is placed on SUDs as there are no public service water sewers on the site. Further tests are to be done on soakaway positions. Generally there seems to be many unknowns; it is noted that the intention is to avoid consequential increases in flooding elsewhere. Some properties will not have space for a soakaway; they will have to share a porous paved courtyard. This does not seem satisfactory
- The number of units proposed is excessive having regard to the pressure that would result on transportation and drainage
- 94 spaces for 54 properties is insufficient for modern development
- Any extra vehicles would have to use Waynflete Rd, resulting in dangerous parking/mounting pavements, obstructing buses and reducing visibility for pedestrians particularly children
- Due to topography of the site, properties on Northern edge of main site will dominate existing houses and mobile homes
- Plots 35-38 would be less intrusive if reoriented
- The Bayswater Farm area is not a village and has no specific facilities.
- Emergency vehicles/bin lorries may be unable to access due to narrow roads and possible parking on the road
- Not a larger village, no shop or community building
- No post office at Underhill Circus
- Buses already have difficulty along Waynflete Road

3.2 **Stanton St John Parish Council** – object for the following reasons:

- Development would impact on an area already very congested with traffic, particularly in the morning.
- Traffic is already very heavy on these roads at peak times and there was no mention of this in the transport assessment.
- Little provision for outdoor space and a lack of infrastructure around.
- Contrary to the reports there is no longer a post office nearby, there is no community building and some of the nearby shops have closed.
- Concerned for the adjoining properties who will be overlooked.
- Overall this is an example of intensification which can only lead to suffering of the community

3.3 **Oxfordshire County Council Highways** – No objection subject to conditions. The updated Transport Assessment now includes modelling which confirms the additional 30 two-way peak hour vehicle movements generated by this development will have no severe impact on the local highway network and is therefore considered acceptable in highway terms. Conditions to cover approval of detailed means of access, cycle parking a scheme for surface water drainage and Construction Traffic Management Plan and for parking provision an approved visibility splays to be provided before first occupation.

3.4 **Oxfordshire County Council Archaeology** – No objections subject to conditions to cover further investigation prior to demolition and commencement of development.

3.5 **Oxfordshire County Council Education** – No objection. Funding from CIL would be required to address impact of the development.

3.6 **Oxfordshire County Council Property** – No objection. Funding from CIL would be required to address impact of the development.

- 3.7 **Oxford City Council** – No objection in principle. To mitigate the loss of the two existing market houses, the City Council requests that nomination rights to two affordable units are provided to them.
- 3.8 **Thames Water Development Control** - No objection subject to condition requiring a drainage strategy to be submitted and approved prior to occupation.
- 3.9 **Drainage Engineer (MONSON)** - No objection subject to conditions requiring details of foul drainage strategy to be submitted and approved and more information to be provided in relation to local springs.
- 3.10 **Housing Development** – No objection provided that the unit size mix is slightly amended and a 75% affordable rent and 25% intermediate tenure split is provided. This was secured through the receipt of amended plans.
- 3.11 **Leisure & Economic Development** - No objection. Financial contributions sought towards on-site play maintenance and a management company to manage on-site open space and LEAP.
- 3.12 **Forestry Officer** – No objection based on amended plans received.
- 3.13 **Countryside Officer** - No objection subject to condition requiring a method statement for biodiversity protection and enhancement prior to the commencement of development.
- 3.14 **Environmental Health - Contaminated Land** – No objection subject to condition to ensure that any legacy of land contamination from identified sources is addressed.
- 3.15 **Environmental Health - Air Quality** – No objection subject to conditions relating to provision of electric vehicle charging points and cycle storage facilities.
- 3.16 **Environmental Protection Team** – No objection subject to conditions requiring a construction method statement, control of construction noise and exposure to dust.
- 3.17 **Urban Design Officer** - No objection. Reduction in size of the public open space compromises its functionality and quality and Plots 10-25 are still dominated by hardstanding and parking.
- 3.18 **Neighbour representations** – 25 responses were received raising the following objections and concerns:

Traffic and highways

- New access road is a blind corner in both directions
- Parking on Waynflete Road is a problem
- Increase in traffic
- Traffic problems in morning rush hour including rat running via Bayswater and Waynflete Road
- Road access to schools difficult now and will be dangerous
- Air quality issues
- Road surfaces damaged by buses and heavy traffic, construction vehicles will cause further problems
- Proposed travel plan inadequate
- Development site in South Oxfordshire but access is in Oxford City

- Reason for proposed widening of Bayswater Farm Road is unclear as not proposed to adopt it. Loss of Lime Tree Avenue could be avoided by a small adjustment to the position of houses 1 and 4 and the drive to houses 1-3 would allow retention of all but one of the limes
- Need clear strategy for the un-adopted road
- Transport survey conducted between 8am and 9am. Majority of people leave before this time.

Impact of the development

- Too many new houses, will transform tiny hamlet into a major suburban estate, impacting ecology and archaeology
- Will cause noise and light pollution
- Loss of privacy due to overlooking – if permission to be granted house no 3 should be reoriented to retain privacy
- Disruption of drainage due to springs from proposed building site flow into garden, is complex and there are already problems
- Old mill stream, now drained, should be protected
- Design and Access is full of inaccuracies and misleading statements and its validity challenged
- Muntjac deer live in the orchard on the development site and should not be harmed but should be found a new home
- Application will result in loss of wildlife and views to Forest Hill and Beckley and will destroy its character forever
- Japanese Knotweed established on development site
- Archaeological investigation needed: prehistoric hand axe certified by Ashmolean
- Electricity supplies inadequate now

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P89/N0785/O](#) - Refused (21/02/1990)

Residential development.

[P89/N0784/O](#) - Refused (21/02/1990)

Residential development.

[P88/N0617/O](#) - Approved (25/01/1989)

Outline application for 8 no. 3- bedroom houses and 12 no. 2-bedroom houses.

[P83/N0410](#) - Refused (21/09/1983)

Erection of 4 detached houses with double garages incorporating change of use of part of car and caravan parking area.

[P73/M0184](#) - Refused (13/04/1973) - Refused on appeal (04/02/1974)

Site for residential development and amenity space to pars. Nos. 13 and 15

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

5.2 **National Planning Practice Guidance (NPPG)**

5.3 **South Oxfordshire Core Strategy 2027**

CS1 - Presumption in favour of sustainable development

- CSS1 - The Overall Strategy
- CSH1 - Amount and distribution of housing
- CSH2 - Housing density
- CSH3 - Affordable housing
- CSH4 - Meeting housing needs
- CSM1 - Transport
- CSM2 - Transport Assessments and Travel Plans
- CSQ3 - Design
- CSB1 - Conservation and improvement of biodiversity
- CSEN1 - Landscape protection
- CSEN3 – Heritage assets
- CSG1 - Green infrastructure
- CSI1 - Infrastructure provision

5.4 South Oxfordshire Local Plan 2011

- C4 - Landscape setting of settlements
- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON5 - Setting of listed building
- D1 - Principles of good design
- D10 - Waste Management
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- D6 - Community safety
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP7 - Impact on ground water resources
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G4 - Protection of Countryside
- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

5.5 South Oxfordshire Design Guide (SODG) 2008

Section 3,4 and 5

5.6 Emerging South Oxfordshire Local Plan 2032

5.7 Environmental Impact Assessment

Screening opinion P11/W2061/SCR determined that an EIA is not required.

5.8 South Oxfordshire Section 106 Supplementary Planning Document 2016

6.0 PLANNING CONSIDERATIONS

6.1 Principle of the development

The principle of the development of this site is established in the adopted Core Strategy. Policy CSH1 and accompanying Table 7.3 specifically identify the Bayswater Farm site to be allocated for housing development, alongside site allocations to be made to the 12 larger villages in the intended Site Allocation DPD. No specific number of houses are allocated to the site, as this is to be determined by the constraints of the

site and through design proposals bringing the site forward. The Site Allocations DPD has not been forthcoming, as it was superseded by the preparation of the Local Plan 2032. However, the principle of the development of the application site remains in accordance with the adopted Core Strategy.

6.2 Of relevance to this are several appeal decisions for residential development that have been allowed recently¹. For these cases the Inspector's concluded that the housing target contained in the Oxfordshire Strategic Housing Market Assessment (SHMA) should be applied to five year housing land supply calculations for the district. Consequently the council cannot currently demonstrate a five year supply of deliverable sites against this target.

6.3 In these circumstances, the council's housing supply policies are to be considered 'out of date'. Para 14 of the NPPF requires that the presumption in favour of sustainable development is applied and planning permission should be granted for the proposal unless any adverse of doing so would significantly and demonstrably outweigh benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate that development should be restricted.

6.4 So, whilst the principle of the development of this site accords with the Core Strategy, due to our five land supply position, the presumption in favour of sustainable development in the NPPF also applies. On this basis, the proposed development should be granted planning permission unless there is significant and demonstrable harm that outweighs its benefits (when compared against the policies in the NPPF and policies in Core Strategy 2027 and Local Plan 2011 that do not relate to the supply of housing).

6.5 **Affordable housing and housing mix**

Core Strategy Policy CSH3 requires 40% of the total number of dwellings on the site to be provided as affordable housing. For this proposal with a net gain of 50 units, this equates to 20 affordable homes of which 75% (15 units) should be for rent and 25% (5 units) should be for shared ownership. The application proposes to provide 20 affordable homes. The application originally proposed a tenure split of 70% affordable rent and 30% shared ownership. However, the applicant has agreed to provide a policy compliant split and this will feature in the S106 Planning Obligation.

6.6 The application originally proposed a mix of unit size for the affordable that complied with that recommended in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. This is as set out in the table below:

Affordable	1 bed	2 bed	3 bed	4 bed
SHMA	32.6%	35.5%	29.3%	2.7%
Original application proposal	30%	35%	30%	5%

6.7 However, it is recognised that individual developments may need to make some adjustments to take into account local market issues. Government Welfare reform, introduced since the production of the SHMA, has seen a significant increase in the demand for two bedroom accommodation for rent with a reduction in demand for larger rented family homes due to the changes in eligibility for Housing Benefit.

6.8 In addition, the SHMA recognises that, whilst the demand for one bedroom

¹ Land at Winterbrook, Wallingford (P15/S0191/FUL), Land North of Lower Icknield Way, Chinnor (P15/S0154/O), Land to the east of Newington Road, Stadhampton (P14/S4105/O) and High Street, Tetsworth (P14/S3524/O).

accommodation is also high, this size of accommodation provides less flexibility in meeting changing household need and that there is potential for greater turnover as a result of household moves. The requirement for councils to meet the needs of homeless families may also indicate a need for a bias away from one-bedroom to two bedroom provision.

- 6.9 There is also a high demand for 2 bedroom properties for shared ownership. In general, it is anticipated that the mix of affordable housing should reflect the significant demand for two bedroom units for both rented and shared ownership tenures with a subsequent reduction in the number of one bedroom and three bedroom units. To reflect this, and on the advice of the council’s housing officer, a revised mix was requested. This is set out in the table below:

Affordable	1 bed	2 bed	3 bed	4 bed
SHMA	32.6%	35.5%	29.3%	2.7%
Revised application proposal	20%	50%	25%	5%

- 6.10 The applicant has agreed this revised mix and this is reflected in the application plans. The site layout plan PL.02 Rev P demonstrates that the affordable units would be mixed with the market housing.

- 6.11 The proposed mix for the market housing accords with that recommended in the SHMA, and is set out in the table below. I therefore consider that the proposals for the provision affordable housing and the mix of unit size for both the affordable and market houses meets the council’s requirements

Market	1 bed	2 bed	3 bed	4 bed
SHMA	5.7%	26.7%	43.4%	24.2%
Application proposal	6.6%	26.6%	46.6%	26.6%

- 6.12 Oxford City Council have a Local Plan policy (HP1) that seeks to resist the net loss of housing within the City. To offset the loss of two existing open market dwellings in their administrative area (to create the access to the northern parcel Site A), the City Council has requested that nomination rights to two affordable units within the proposed development are provided to them. This council’s Housing team has offered the nomination rights to two of the proposed affordable ‘shared ownership’ units. The provision of these units, which would be controlled by a housing association, would mitigate the loss of the two existing open market homes for the City Council. The transfer of these nomination rights to the City Council will be set out in the S106 Agreement.

- 6.13 Oxford City Council have requested that nomination rights to two ‘affordable rent’ units are provided as opposed to two ‘shared ownership’ units. This is on the basis that this would be required to also mitigate the impact the development would have on services and facilities and the local road network within Oxford City. However, there is no clear correlation between this impact being mitigated by the provision of affordable rent properties as opposed to those in shared ownership (that would necessitate the provision of affordable rent units). On this basis, I consider that the offer to provide nomination rights for two shared ownership units sufficiently mitigates the loss of two market dwellings within the City Council’s administrative area. Whilst the City Council have commented that they may pursue this requirement through their S106 Agreement as part of their application for the demolition of the two dwellings, the policy requirement and justification for this is, in my opinion, unclear.

- 6.14 **Layout, design and residential amenity**

The application is for full planning permission and was subject to pre-application advice which informed the design and layout of the site.

- 6.15 Consultation responses received have suggested that the proposal would result in an over-development of the site. At 52 houses the proposal would result in a gross density of 24 dwellings hectare and a net density of (excluding the open space provision) of 27 dwellings per hectare. This accords Core Strategy Policy CSH2: Density and is in keeping with the character of the surrounding residential area. The proposed houses have private garden areas that accord with the standards set out in the SODG and Local Plan Policy D3 and adequate provision for car parking has been provided. The proposed flats have access to communal garden areas of a sufficient size. Suitable provision has also been made for on-site open space which meets the size requirements of Local Plan Policy R6 and would provide attractive, usable and well overlooked open space for the site. On this basis, I do not consider that the proposal would amount to an overdevelopment of the site.
- 6.16 Officer concerns were raised with the agent over the layout of the development in the north-eastern corner of the site. A terrace of nine units was proposed which was located too close to existing trees and would cause problems in enabling a mix of rent and shared ownership properties amongst these plots. The communal parking provision would also have been dominated by hardstanding with little room for soft landscaping to break this up. Amended plans have been received which breaks up the terrace, overcomes the impact on the trees and provides an alternative parking arrangement which incorporates more soft landscaping. I consider that the amended proposal is sufficient to overcome these concerns.
- 6.17 The development would provide 92 car parking spaces. All of the market homes would have two off street car parking spaces, with some of the larger properties having more than this when the garages are included. A total of 28 spaces would be provided for the 20 affordable homes. Given the sustainable location of the development and the frequent bus service (service 8), I consider this provision to be acceptable.
- 6.18 On the basis of the above, I consider that the layout and design of the proposed development is acceptable when assessed against Core Strategy Policy CSQ3, Local Plan Policies D2 and D2 and the council's design guide.

Impact on neighbouring properties

- 6.19 Policy D4 of the Local Plan requires new development to secure an appropriate level of privacy for existing residents. The original plans submitted showed a first floor flat above a garage located 3 metres from the rear boundary with existing mobile home 12 Bayswater Mill, with a separation distance of 14 metres. Officer concerns were raised that at this close proximity to the boundary, the two-storey flat over the garage would have an unacceptably overbearing impact on the rear amenity area of 12 Bayswater Mill. Amended plans have been received that replace the flat over the garage with a single storey garage.
- 6.20 Plot 37 is similarly in close proximity to the rear boundary of 18 Bayswater Mill. However, this is a single storey bungalow and I do not consider that this would result in an overbearing impact upon the rear amenity area on 18 Bayswater Mill. Plot 38 is a two-storey house, however the elevation facing 18 Bayswater Mill would not contain any first floor windows so there would be no resulting overlooking or loss of privacy.
- 6.21 Plot 36 would have a separation distance of 21 metres with the existing mobile home 8 Bayswater Mill, which is below the council's standards of 25 metres. However, Plot 36 would be at an oblique (45 degree) angle to 8 Bayswater Mill as opposed to directly

facing it, and it would have a 10 metre garden depth which meets the council's minimum standards. On this basis I do not consider that there would be any undue overlooking or loss of privacy to 8 Bayswater Mill. Plots 30-35 meet the council's standards in relation to garden depth and separation distance.

- 6.22 Plots 38-50 would be situated lower than the existing properties situated on Waynflete Road and would be separated by distances of between 32 and 34 metres. On this basis, I do not consider that the existing properties on Waynflete Road would experience undue overlooking or a loss of privacy.
- 6.23 Plots 20-29 meet the council's standards with in relation to garden depth and separation distance with Mill House. The closest plot (24) would have a separation distance of 30 metres. Mill House is also screened from the application by a band of trees and shrubs. Concerns were raised over proposed first floor balconies to the rear of Plots 26-28 on grounds of overlooking and loss of privacy and their removal has been secured through amended plans.
- 6.24 The rear elevation of Plots 10-13, which are two-storey in height, would have a separation distance of 21 metres from the rear elevation of 1 Bayswater Farm. This is below the recommended distance in the council's design guide. One first floor window on the rear elevation of 1 Bayswater Farm would be 21 metres from the facing windows of Plots 10-13. The other first floor windows comprise of roof lights and a gable window above the garage and these are set back a further 2 and 3 metres respectively. A row of small trees exists along the rear boundary of 1 Bayswater Farm, which would screen the amenity area immediately to the rear of 1 Bayswater Farm. Adhering to guidance set out in the design guide is obviously desirable. However, with the arrangement of Plots 10-23 and the associated parking provision as submitted, it would not appear possible to increase this separation distance. Many LPA's refer to an acceptable separation distance being 21 metres, although clearly the council's design guide recommends a greater distance. On balance, I consider the separation distance to be acceptable and that it would not result in a significant level of overlooking or loss of privacy that would warrant the refusal of the application.
- 6.25 The rear elevation of Plot 2 would face the side elevation of The Bungalow situated on Bayswater Farm Road. First floor windows of Plot 2 would not face any first floor windows in the side elevation of The Bungalow and given its positioning, I do not consider that there would be any undue overlooking or loss of privacy to the rear garden of The Bungalow. The southern side elevation of Plot 3 would face the rear garden of The Bungalow, however the side elevation of Plot 3 would not contain any first floor windows that would overlook the rear garden. The northern side elevation of Plot 3 contains first floor windows facing Bayswater Farm House, and Plot 3 would be in an elevated position given the topography of the land. However, a separation distance of 46 metres would exist between Plot 3 and Bayswater Farm House, and a distance of 10 metres would separate the front elevation of Plot 3 with southern garden boundary of Bayswater Harm. At these distances, I do not consider that Bayswater Farm House would suffer from an undue loss of privacy.

Highways and traffic

- 6.26 Policies D1, D2 T1 and T2 of the SOLP require an appropriate parking layout and that there would be no adverse on highway safety. The NPPF (Para 32) advises that all developments that generate significant amounts of movement should be supported by a transport statement or transport assessment. Plans and decisions should take account of whether:
- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major

transport infrastructure

- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impact of development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

- 6.27 The application is supported by a transport assessment which was updated (June 2016) to take account of concerns raised by the County Council. The concerns related to the fact that the original assessment contained outdated information and the scale of delay any additional traffic wanting to exit from Bayswater Road / Waynflete Road priority junction would cause to traffic needed to be confirmed.
- 6.28 The updated transport assessment demonstrates that the development is only likely to generate 30 two-way vehicle trips in both the AM (8-9am) and PM (5-6pm) peak periods. Modelling also demonstrates that the additional vehicle trips generated by the development would not have a severe impact on the local highway network. The County Council have assessed the updated transport assessment and raised no objection.
- 6.29 It has been raised in consultation responses that the traffic counts conducted to inform the baseline conditions for the transport assessment were conducted during half term and as such may show a lower baseline situation than normal. A manual count and queue survey was conducted on Thursday 26 May 2016 and an automatic traffic count was undertaken Tuesday 24 May to Monday 30 May 2016. The County Council's website shows that the Late Spring Holiday (half term) ran from 30 May to 3 June 2016. Therefore, only one day of the automatic traffic count fell within the half term period.
- 6.30 The application is well served by public transport. The main bus route for the site is Service 8 which runs from Barton to Headington shops and to Oxford City Centre. It operates from 0511 to 2354, running every 12 minutes Monday to Saturday and every 20 minutes on a Sunday. The Arriva 280 service to the south of the site travels along the A40 and offers access to both Aylesbury and Oxford every 20 minutes.
- 6.31 Plans are provided in the transport assessment showing the proposed site access junction on Waynflete Road into the northern parcel (Site A). These plans set out the proposed visibility splays. The County Council have raised no objection in relation to these access arrangements.
- 6.32 Plans are also provided for the site access arrangements for the southern parcel (Site B) utilising Bayswater Farm Road. Bayswater Farm Road is a partly private and partly adopted public highway. The adopted section runs downhill from Waynflete Road and runs into Watermill Way. The un-adopted section continues past Watermill Way and provides access to a number of static caravans and existing houses grouped together around Bayswater Farm.
- 6.33 A short section of the access road into application site would be at a width of 3.1 metres, which then widens to 5.6 metres. This narrower section would not be wide enough for two vehicles to pass and 'give way' marking are proposed with priority to vehicles entering Bayswater Farm Road from Watermill Way. The County Council have not objected to these access arrangement but have some concern regarding the forward visibility of both vehicles exiting the access road from the 'give way' markings and vehicles turning into the access road. These would not meet the standards that would allow them to be adopted by the County Council. Given the existing access arrangements serve 11 houses and a number of static caravans and these would be

improved to accommodate a further five houses, and the County Council have not raised an objection to this, I consider the proposed access to be acceptable. I do not consider that the County Council concerns warrant the refusal of the application.

Trees

- 6.34 A number of trees exist on the northern parcel (Site A) and the site is subject to an unconfirmed Tree Preservation Order. An objection to this has been made on behalf of the landowners by ACD Environmental and this is pending consideration. The application is supported by an arboricultural report which confirms that the trees to be removed from the site are limited to those of low quality or trees with limited landscape value. The council's Forestry Officer has raised no objection to this
- 6.35 Bayswater Farm Road, which will form the access to the southern parcel (Site B) has an avenue of Lime trees which create an attractive feature. The originally submitted plans showed that six of these trees would need to be removed to enable Bayswater Farm Road to be widened and the access created in to the site. Amended plans have been received that show an alteration to the alignment of the proposed footway which would maintain four of these trees in situ, thus maintaining the avenue of limes trees.

Drainage

- 6.36 A flood risk assessment has been submitted with the application, prepared by Glanvilles. The Environment Agency Flood Zone maps indicate that the site falls entirely within Flood Zone 1. The site is therefore suitable for development and the need for a sequential test does not apply.
- 6.37 There is a small ditch running east-west through the northern parcel (Site A) which runs through the adjacent Bayswater Mill Park Home site to connect with the Bayswater Brook to the north. This presents a risk of surface water flooding. The maximum depth of flood water (for the potential 1:1000 year event) would not exceed 0.3 metres. To mitigate this, the layout has been designed to provide an 8 metre wide buffer zone to the ditch. No houses would be located within this area considered to be at risk from surface water flooding. Floor levels would be at least 0.6m above the top of the bank of the watercourse, in accordance with the Environment Agency standing advice. Glanvilles conclude that with the above mitigation measures in place, the development would be at low risk of flooding from this source.
- 6.38 To manage surface water discharge from the site, the Flood Risk Assessment advises that SUDS are appropriate. Initial infiltration tests indicate that at-source SUDS techniques can be used to drain water from the majority of the proposed development.
- 6.39 The council's drainage consultant has examined the flood risk assessment and has not raised an objection to the application. However, he has advised that further information is required in relation to presence of local springs running through the site and that details of this can be secured and approved via condition.
- 6.40 Thames Water have commented that with the information provided with the application, they have not been able to determine the waste water infrastructure needs of this proposed development. They therefore suggest that a condition is placed on any planning permission requiring that development should not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker and that no discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
- 6.41 Thames Water have further commented that in order for them to determine whether the

existing sewer network has sufficient spare capacity to receive the flows from the proposed development, the submitted drainage strategy must detail both the foul and surface water strategies. This should include details of any proposed connection points or alterations to the public system, including; calculated peak foul and surface water discharge rates for both the pre and post development site, details of any pumped discharges (maximum pump rates), attenuation details with accompanying capacity requirement calculations and details of incorporated SUDS.

- 6.42 Thames Water have advised that if initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, it will be necessary for the developer to fund an Impact Study. These details can be secured through the pre-commencement condition Thames Water have requested.

Ecology

- 6.43 An Ecological Appraisal has been submitted with the application. This concludes that the site is characterised by a collection of habitats that remain common across much of lowland Britain and are considered to have limited ecological value beyond the limits of the site and immediate local level. The only protected species confirmed as having the potential to be directly affected by the proposed development are grass snake and possibly a soprano pipistrelle. In both cases mitigation has been identified in the appraisal.

- 6.44 The council's ecologist has assessed the appraisal and has commented that a very low population of grass snakes has been found on site and that appropriate mitigation recommendations have been made. Furthermore, bat surveys revealed a typical assemblage of common bat species using the site but no roosting sites have been confirmed. Our ecologist advises that the development provides opportunities for providing enhancements for roosting bats and other species / habitats and that a Biodiversity Enhancement Strategy is made a condition of any planning permission. The strategy should help to ensure that the development achieves a no net loss for biodiversity as required by Core Strategy Policy CSB1.

Air quality

- 6.45 The whole of Oxford City was declared as an Air Quality Management Area (AQMA) for nitrogen dioxide in 2010. The proposed development site would be located adjacent to the AQMA. The application is supported by an air quality assessment. This shows that existing conditions within the study area show good air quality away from busy roads, with background pollutant concentrations well below the relevant air quality standards and objectives. Measured nitrogen dioxide concentrations close to the busier roads to the south-west of the proposed development have been close to the air quality objectives in recent years and have exceeded them in the past.
- 6.46 The houses proposed through the application will be located well away from the busy roads and pollutant concentrations for new residents would be at or close to background levels which are well below the air quality objectives and would thus constitute good air quality. The additional traffic generated by the proposed development would be small and the increase in pollutant concentrations at sensitive locations resulting from emissions would similarly be small and is judged to be negligible in the assessment.
- 6.47 The council's air quality officer has reviewed the assessment and raised no objection the application. She has requested that two conditions are placed on any planning permission which relate to the on-site provision of electric vehicle charging points and cycle storage facilities.

CIL and S106

- 6.48 The council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, the development would be CIL liable at a rate of £150 per square metre. If the exemption for the proposed affordable housing is applied, this equates to around £543k. The money collected from CIL can be pooled with contributions from other development sites to fund a wide range of infrastructure to support growth including schools, transport, community, and leisure and health facilities.
- 6.49 A draft S106 Legal Agreement has been prepared to secure the following:
- delivery of the affordable housing,
 - delivery of the on-site equipped play area (LEAP),
 - delivery of a scheme for on-going SUDS maintenance
 - a contribution of £7,733 towards the maintenance of the on-site play area
 - a contribution of £8,500 towards wheeled bins for each house

7.0 CONCLUSION

- 7.1 The principle of the development of this site is established within the adopted Core Strategy which states that this site is to be allocated for housing development. Given the council's five year land supply position, the presumption in favour of sustainable development (set out in the NPPF) also applies to the proposal, and planning permission should be granted unless the harm of doing so would significantly and demonstrably outweigh the benefits.
- 7.2 The proposal would make a valuable contribution to the council's housing land supply and would provide 20 affordable homes (at 40% provision). The site access, layout and design are acceptable and the proposal would not result in a significant level of harm to the local road network, neighbouring properties or local wildlife. The proposal would be a low risk from surface water flooding, would be located outside of the flood zone and would not raise any issues in relation to air quality. On this basis, I consider the proposal to be acceptable.

8.0 RECOMMENDATION

- 8.1 **To delegate authority to grant planning permission to the Head of Planning subject to:**
- i. **The prior completion of a Section 106 agreement to secure the affordable housing, other obligations and financial contributions listed in paragraph 6.49 of this report; and**
 - ii. **The following conditions:**
 - 1. **Commencement three years – full planning permission.**
 - 2. **Approved plans.**
 - 3. **Sample materials to be agreed.**
 - 4. **Full details of means of access to be approved.**
 - 5. **Approved visibility splays to be provided.**
 - 6. **Scheme of electric vehicle charging points to be approved.**
 - 7. **Provision of car parking prior to first occupation.**
 - 8. **Detail of cycle parking to be approved.**
 - 9. **Construction traffic management plan to be approved.**
 - 10. **Surface water drainage scheme to be approved.**
 - 11. **Drainage strategy detailing any on/off site works to be agreed in consultation with Thames Water.**

12. Archaeology (submission and implementation of written scheme of investigation).
13. Method statement for biodiversity protection and enhancement to be approved (including removal of Japanese Knotweed).
14. Contaminated land (site investigation, remediation works and validation) to be approved.
15. Construction method statement to be approved.
16. Control of noise – ensure appropriate provisions.
17. Hours of operation (demolition / construction) restricted.
18. Exposure to dust – ensure appropriate provisions.
19. Arboricultural method statement with detailed tree protection measures to be approved.
20. Waste collection vehicle access and turning to be approved.
21. Refuse and recycling storage to be approved.
22. Provision of fire hydrants.

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East Area Planning Committee

7th September 2016

Application Number: 16/01402/FUL

Decision Due by: 12th September 2016

Proposal: Removal of the existing pitched roof, a new reception area with 2 additional bedrooms over, an off-site constructed second storey to house 20 new bedrooms and associated external works.

Site Address: St Luke's Hospital Latimer Road – see **Appendix 1**

Ward: Headington Ward

Agent: Mr Dan Boucher

Applicant: Mr Richard Burden

Recommendation:

Officers recommend that the East Area Planning Committee approves the application subject to conditions.

Reasons for Approval

- 1 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.
- 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.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Tree Protection Plan (TPP) 2

- 5 Landscape plan
- 6 Landscape management plan
- 7 Details of photovoltaics
- 8 Drainage strategy
- 9 Land quality risk assessment
- 10 Land quality report
- 11 Parking plan
- 12 Cycle parking
- 13 Shower and lockers - cyclists
- 14 Construction Travel Plan

Community Infrastructure Levy (CIL)

This application is liable for CIL.

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Developmnt to Meet Functionl Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP22** - Contaminated Land
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE14** - Water and Sewerage Infrastructure
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS18_** - Urb design, town character, historic env

Sites and Housing Plan

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Public Consultation

Statutory Consultees.

- Highways Authority: Objection due to: safety, access and car parking compromised due to limited highway space; Impact/consideration of on-site visitor car parking; Adequacy of cycle parking provision, particularly for visitors; Construction traffic impact. Conditions have been recommended in order to overcome these objections.
- Thames Water Utilities Limited: conditions recommended relating to waste, surface water drainage and water infrastructure capacity.
- Environment Agency Thames Region: no comments received

Individual Comments:

3 Brookside – objection (two representations received):

- Second floor south-west elevation – its height, bedroom windows and staff room – will harm privacy and views;
- Overdevelopment;
- Overstretched infrastructure and overloaded road system.

Pre-application consultations by applicant

A consultation event was held in February 2016 with invitations being sent to resident groups and the residents along Latimer Road, All Saints Road and Brookside. Patients and staff of St Luke's, local residents, and a local councillor attended. A further event was held at McMaster House in April 2016 to tackle residents' concerns about the design.

An early iteration of the design was presented to the Oxford Design Review Panel (ODRP) in March 2016 – see **Appendix 2** for the ODRP response. The comments from the ODRP are included in the relevant sections of this report.

Relevant Site History

98/01210/NF - External modifications to north and east elevations in connection with provision of 4 additional patient bedrooms. Removal of raised landscape beds and rationalisation of car park to create 21 car parking spaces (Amended plans).
Approved 28th October 1998

98/01282/NF - New pitch roof to existing building (Amended Plans). Approved 28th October 1998

14/02869/FUL - Remove raised flower bed. Provision of 5 additional car parking spaces. Approved 10th December 2014

Officers Assessment:

Background to Proposals

1. St Luke's Hospital is a care home providing long-term care as well as some short-stay rehabilitation, respite and end-of-life care. It was originally built in the 1980s with the linked building, McMaster House, which provides sheltered housing accommodation; this is now under separate management.
2. The hospital is accessed from Latimer Road and the site is enclosed by McMaster House, residential housing in The Brambles, Brookside, and on Latimer Road, and by Headington Preparatory School to the north-west.
3. In order to upgrade the long-term care bedrooms to current space and market standards, and to maintain a cost-effective number of bedrooms to manage, St Luke's is seeking to upgrade and expand the building.
4. A pre-fabricated additional storey across most of the footprint of the building, housing 20 new bedrooms, is proposed to be added to the building. This would replace the failing metal roof. The entrance is proposed to be extended and reoriented to face Latimer Road with two additional bedrooms provided at first-floor level above the entrance. Various landscaping works are proposed with a reconfiguration of car parking. Internal works are planned to reduce the number of first-floor beds from 29 to 23 and upgrade the bedrooms. Additional facilities including a garden room, staff rooms and staff changing rooms with showers are proposed.
5. Officers consider the principal determining issues to be:
 - Principle of development
 - Form and visual impact
 - Residential amenity
 - Trees and landscaping
 - Highways and transport
 - Drainage
 - Sustainability
 - Other matters

Principle of development

6. Policy CS2 of the Oxford Core Strategy states that development will be focused on previously developed land. The expansion of the existing care home at St Luke's Hospital would be consistent with this policy and therefore acceptable in principle.

Form and visual impact

7. The development would remove the existing metal roof from the building. The pre-fabricated structure would be added to the southerly part of the building with the remaining roof area being converted to a sedum roof. The additional mass would be a third storey across much of the existing building with the lift overrun and water tank storage creating taller elements. Photovoltaics and a green roof would be installed on the new flat roof of the pre-fabricated structure.
8. The pre-fabricated structure needs to be supported in places and the support frame will be visible externally against the original building. The form of the additional storey is orthogonal and flat-roofed incorporating living walls, with metal cladding panels, contrasting metal flashing and flush faced aluminium windows proposed as materials. The resulting appearance of the development is of a contemporary 'wrapping' of the original building.
9. The ODRP's comments relating to building design included:

To create a strong, refreshed identity for St Luke's Hospital the pre-fabricated structure should look and feel like a new, high quality building element. ... We suggest creating a new structure that could be read as a distinct element complementing the original design. ... Introducing a flat roof to incorporate a green roof and photovoltaics would help achieve a calmer and less obtrusive building in this context and enhance the overall character of the site, as well as enhancing its sustainability. The new building element could overhang the existing building and we suggest highlighting, as opposed to hiding, the new structural columns to achieve the new identity.

10. Officers consider that the design submitted with this application has achieved the objectives set by the ODRP in creating a positive and contemporary redesign of the building. The addition of vegetation via the living walls and green roofs gives a sense of identity, and softens and complements the orthogonal design. The reorientation of the entrance makes a more positive and legible contribution to the street scene by facing Latimer Road.
11. The additional massing is considered appropriate and would integrate comfortably in the immediate area, considering the gaps between the existing building and the surrounding sites, the mix of residential and institutional uses in the area, and the height and massing of surrounding buildings including Headington Preparatory School and McMaster House. The height of the new flat roof is only slightly higher than the ridge of the existing pitched roof.

Residential amenity

12. There are no new windows proposed facing south towards the residential properties in The Brambles and therefore there will be no impact in terms of overlooking on these properties. The orientation of the buildings and the

distance between them means Officers have no concerns about overshadowing for these houses and their gardens.

13. The houses to the west in Brookside, whose gardens back onto the St Luke's site, are approximately 50 metres from the built form of St Luke's Hospital. The new storey will be visible from these properties but the distance between the two and the modest increase in height proposed to St Luke's, means that the change in outlook is not considered to be harmful or overbearing. The additional storey proposed on the elevation facing these properties will include bedroom and communal area windows. Due to the distances between the properties and the existing outlook from first-floor bedrooms, Officers do not consider that there will be any harm to residential amenity for properties in Brookside.
14. The existing relationship in terms of overlooking between St Luke's and Headington Preparatory School is open and not harmful. The addition of another storey is consistent with this relationship and would provide a positive outlook with plenty of activity for those rooms overlooking the school.
15. There are west-facing rooms within the sheltered accommodation at neighbouring McMaster House including two single-aspect units on the ground floor which are approximately 8.5m from the main St Luke's building. Officers have carefully considered the impact on these rooms, particularly because the rooms affected on the ground floor are single aspect and likely to be occupied for long periods every day.
16. The new storey proposed is set back slightly from the existing façade on the elevation facing McMaster House, which prevents the extension from feeling unduly overbearing on residents. It is not considered that the immediate outlook from the rooms will be harmfully altered – indeed the low hedging and small flowering trees proposed in this location are likely to improve the outlook. The proposal will not significantly alter the existing mutual overlooking.
17. The application includes shade studies for the existing and proposed massing which do indicate an increase in shadowing to the ground floor units. However, the proposal complies with the 45-degree guidance whereby a line drawn at 45-degrees from the notional cill level of the most affected units at ground floor is unbroken by the extension. This indicates that there would not be an unacceptable loss of daylight and sunlight. The ground floor units benefit from patio doors which allow more light in than standard windows. The impact on these units is therefore not considered to be harmful as to warrant refusal of the application.
18. The proposal would therefore comply with policies CP1 and CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan in relation to impact on residential amenity for neighbouring properties.

Trees and landscaping

19. The existing site has a tarmac area at the front and side of the building which is dominated by car parking. There are various raised beds in the grounds with sparse planting, a small landscaped courtyard with tree planting just beyond the entrance and a large pleasant rear garden backing onto properties on Brookside.

20. The ODRP commented on the early iteration of the design that:

More trees and soft landscaping are needed to create a more attractive and biodiverse outdoor space amongst the car parking. ... The rear garden is a key asset and attraction which could contribute more to the identity of St Luke's Hospital and the health and well-being of all users. We suggest creating a more pleasant and defined route to this open space from the site entrance.

21. A link from the western corner of the building to the large garden is now proposed. A chevron parking arrangement has allowed for tree and hedge planting along the southern boundary. Two areas of green wall are proposed to contribute landscaping on a site constrained by car parking, as well as a green roof for both the new and existing flat roofs. Further planting and landscaping is proposed to improve the courtyard garden.

22. The application involves removal of one of the frontage trees to allow access for the vehicles delivering the pre-fabricated modules. This Leyland cypress growing from a large brick planter is covered by a Tree Protection Order. The tree is of moderate quality and has outgrown the planter now as evidenced by the structural cracks in the brickwork; thus its future contribution is probably limited. In this context its removal is acceptable subject to adequate mitigation through replacement planting.

23. The landscape plan shows an acceptable design layout and the points raised by the ODRP have been adequately and creatively addressed. The plan lacks the necessary detail, but this can be secured by condition and will need to cover the green roofs and living walls as well as the usual hard and soft landscaping. The submitted Tree Protection Plan is acceptable. The application is therefore considered to be acceptable in relation to adopted local plan policies CP1, CP11, NE15 and NE16 subject to conditions.

Highways and transport

24. The ODRP raised concerns about the high number of car parking spaces currently on site:

Whilst we do not think that the proposed amount of building on the site is problematic, we do think that the amount of car-parking now and in the future is a serious problem and undermines the success of the proposal as a whole. We urge the client to reduce the number of car parking spaces, including the car parking spaces along the western site boundary adjacent to the rear garden. It would be beneficial to develop a stronger green plan for visitors and staff as London Road is well serviced by public transport,

and a more creative car parking strategy that better utilises the variation of parking capacity at different times of the day. More trees and soft landscaping are needed to create a more attractive and biodiverse outdoor space amongst the car parking. Sustainable urban drainage for surface water run-off should be integrated where possible.

25. The maximum parking standards for nursing homes are contained within the Sites and Housing Plan Appendix 8: 1 space per 3 residents' rooms plus 1 space per 2 staff. The maximum standards for the extended St Luke's Hospital would therefore be 62 spaces. The proposed parking provision of 25 spaces is below the maximum standard and is a reduction of 6 spaces from the existing. This is considered acceptable given the site's location in a controlled parking zone and conveniently close to public transport and connections with Park and Ride facilities. The Highways Authority has commented that if demand for car parking is higher than estimated then the on-street parking controls will limit the impact of overspill parking. Whilst the proposal is likely to have no traffic impact in the peak hours the Highways Authority is concerned that the ability for visitors to park on-site could be compromised. In light of this, it is recommended that some car parking spaces are allocated for visitor use only.
26. Discussions have taken place with the Highways Authority in relation to their concerns about safe manoeuvring on site and it is considered feasible and practical to make small changes to the parking plan, such as extending the depth of each chevron parking space, to satisfy the requirements of the Highways Authority. A condition to supply a revised parking plan is therefore recommended.
27. The reduction in car parking spaces is a positive response to ODRP comments. While some areas of tarmac are retained, large areas are proposed to be paved and sustainably drained, with tree and hedge planting incorporated. The result would soften the appearance of the entrance to the site and reduce the visual dominance of car parking.
28. There are no specific cycle parking standards for nursing homes, but the cycle parking provision of 16 spaces would comply with the Council's standards for hospitals. However, given the low car parking provision, Officers consider that a higher number of secure cycle parking spaces need to be provided to support a sustainable transport strategy for the site. The Highways Authority has commented similarly. The applicant has confirmed that two showers and locker facilities are proposed at ground floor for staff which would comply with policy. Further details are recommended to be required by condition, as well as details of the cycle storage for at least 24 cycles.
29. Given the low car parking provision on site, Officers recommend that a travel information pack be compiled and supplied to staff on sustainable transport options to discourage car use. This should include cycle routes and facilities, bus connections, Park and Ride access, as well as any offers to staff such as the cycle to work scheme and travel pass loans. This is recommended as a

condition to ensure the development is acceptable in respect of parking and traffic generation in compliance with policies CP1 of the Oxford Local Plan and HP16 of the Sites and Housing Plan.

30. Given the development is located near and will make use of London Road, a strategic transport corridor, a Construction Traffic Management Plan should be required. This will need to take into account other developments and transport projects taking place in the Headington and surrounding areas.

Drainage

31. Thames Water requires a drainage strategy to be submitted and this will be required by condition. The sedum roofs proposed will reduce water surcharge into the storm water system. There were no objections raised by Oxfordshire County Council, the Lead Local Flood Authority. The proposal, subject to conditions, is considered acceptable in terms of drainage in accordance with policy NE14 of the Oxford Local Plan.

Sustainability

32. An energy statement has been included with the application demonstrating ways in which the design will seek to use energy efficiently. Sustainable drainage is proposed for new paving areas and a green roof. Details of the photovoltaics proposed on the south-west section of roof are yet to be finalised. Subject to a condition requiring such details to be submitted, the proposal is considered to comply with Policy CS9 of the Core Strategy.

Other matters

33. Land quality: This application is a major development, and therefore requires a phased risk assessment prior to commencement. Relevant conditions are recommended in compliance with policy CP22 of the Oxford Local Plan.
34. Accessibility: The new entrance would provide level access and lifts are proposed within the building. This is considered acceptable in terms of accessibility and CP13 of the Oxford Local Plan.

Conclusion:

35. The proposal is considered to be an appropriately designed extension to an existing facility and is not considered to harm the amenity of neighbouring properties. It would comply with the relevant local development plan policies. Officers therefore recommend that the East Area Planning Committee approves the application subject to conditions.

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: 16/01402/FUL

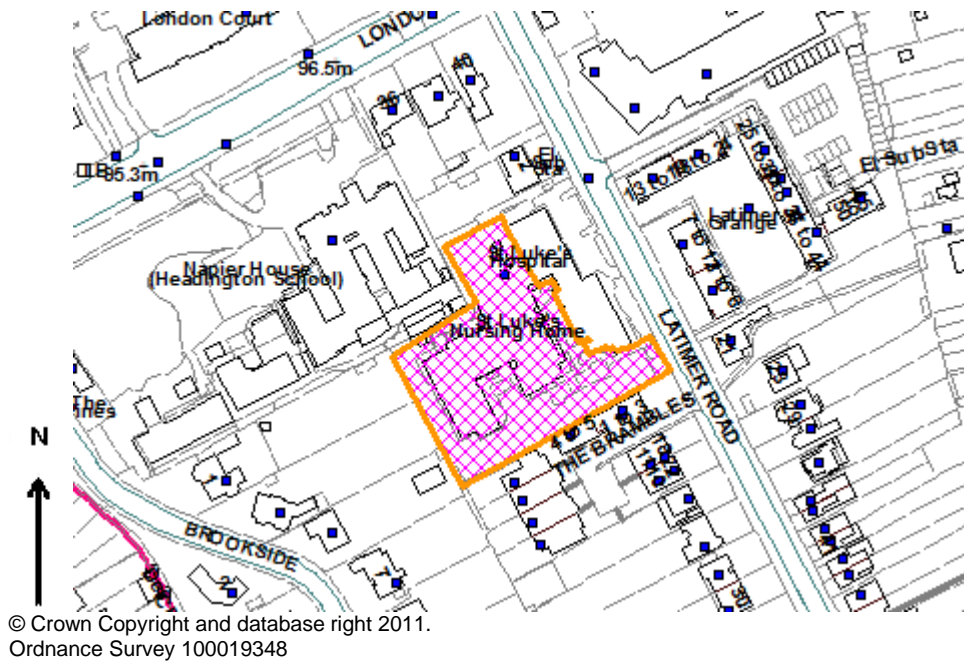
Contact Officer: Nadia Robinson

Extension: 2697

Date: 25th August 2016

Appendix 1

16/01402/FUL - St Luke's Hospital



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Oxford Design Review Panel response



CONFIDENTIAL

30 March 2016

Dan Boucher
Oxford Architects
Bagley Croft
Hinksey Hill
Oxford
OX1 5BS

Our reference: DCC/0758

Oxford City Council: St Luke's Hospital, Headington

Dear Dan Boucher,

Thank you for providing the opportunity for the ODRP to advise on this scheme at its review meeting on 10 March 2016. The ambition to provide larger and improved extra care facilities for elderly people in Headington, Oxford by extending the existing building is commendable.

Summary

The scheme could do more to deliver a successful and contemporary extra care environment at St Luke's Hospital by revisiting the design brief and budget. The proposed strategy of works seems to fall short of the opportunities this scheme could potentially offer. The building design and outdoor space proposals are unresolved, do not relate well enough to the context or the users, and do not create a strong 21st century identity for St Luke's Hospital, which is required to remain competitive in the extra care market in Oxford. To achieve an environment that will have a positive impact in terms of well-being for residents, visitors and staff and that fits successfully into the surroundings, we suggest developing a scheme that is built out over a longer period with high quality materials and detailing, both externally and internally. A pre-fabricated building on this site is a positive way to reduce costs and disruption while the facility remains in operation, but the current project appears overly driven by the requirements of this construction method. The landscape design, including car parking, the articulation of the roofscape and the sustainability strategy which are crucial to this project, have not yet been developed in the proposal.

Height and massing

The proposed height and massing of the building is appropriate. The building does not appear to have a negative impact on the adjacent school and the efforts to maintain the privacy of the school in the building design are successful. However, further investigation of natural daylighting to the ground floor single aspect rooms in McMaster House is needed as it appears the rooms may be at risk of overshadowing from the new building extension. Sections and floor plans of McMaster House would be helpful to assess the impact of the new building on the existing building and should be provided in the planning application.



Building design

To create a strong, refreshed identity for St Luke's Hospital the pre-fabricated structure should look and feel like a new, high quality building element. The proposed building design is not confident enough and is trying too hard to mask the existing architecture. We suggest creating a new structure that could be read as a distinct element complementing the original design. The mansard roof introduces complex forms and joints which are not suitable for prefabrication and it contributes to the feeling of an overly large and ungainly building on this constrained site. The sought-after benefits of the mansard roof, such as the set-back to reduce overshadowing to McMaster House, are minimal. Introducing a flat roof to incorporate a green roof and photovoltaics would help achieve a calmer and less obtrusive building in this context and enhance the overall character of the site, as well as enhancing its sustainability. The new building element could overhang the existing building and we suggest highlighting, as opposed to hiding, the new structural columns to achieve the new identity. We urge the team to creatively work around the restrictions of the pre-fabrication requirements to create a building that responds more to its immediate and wider context, and to the needs of the building users.

Internal layout and environmental performance

Improving the building fabric and thereby also reducing energy costs is positive, but should be supported by more detailed drawings of the external cladding, particularly where it meets the existing structure. Providing large windows to enhance views from bedrooms is important as elderly and infirm residents spend a substantial amount of time in these spaces. To ensure there is no risk of overheating particularly in the west facing rooms, we suggest assessing the fenestration in more detail. Deeper window reveals would help to reduce the impact of direct sunlight, for example.

Internally, the existing and proposed room types work well together. A homely and efficient working environment is created by the proposed communal facilities, improved service spaces and clusters of bedrooms. It may be worthwhile to continue developing the design and layout of the communal room to help ensure this space is well used and has a strong relationship and views to the rear garden.

The works to improve the existing lift core and fire strategy appear sound. While the boiler upgrades are sensible, it may be helpful to consider more sustainable means of heating water, for example by solar thermal panels.

Car parking and landscape design

The new building entrance is a potentially attractive new feature that announces St Luke's Hospital from Latimer Road. However, this new feature is surrounded by a significant amount of car parking and hard landscaping, which feels unsafe for pedestrians and presents an unwelcoming entrance.

Whilst we do not think that the proposed amount of building on the site is problematic, we do think that the amount of car-parking now and in the future is a serious problem and undermines the success of the proposal as a whole. We urge the client to reduce the number of car parking spaces, including the car parking spaces along the western site boundary adjacent to the rear garden. It would be beneficial to develop a stronger green plan for visitors and staff as London Road is well serviced by public transport, and a more creative car parking strategy that better utilises the variation of parking capacity at different times of the day. More trees and soft landscaping are needed to create a more attractive and biodiverse outdoor space amongst the car parking. Sustainable urban drainage for surface water run-off should be integrated where possible.



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The rear garden is a key asset and attraction which could contribute more to the identity of St Luke's Hospital and the health and well-being of all users. We suggest creating a more pleasant and defined route to this open space from the site entrance. The green heart in the middle of the site could be made more special and attractive; replanting the existing tree after construction is advisable.

Thank you for consulting us and please keep us informed of the progress of the scheme. If there is any point that requires clarification, please telephone us.

Yours sincerely

A handwritten signature in black ink, appearing to read "Victoria Lee", with a long horizontal line extending to the right.

Victoria Lee
Design Council Cabi Advisor
Email Victoria.lee@designcouncil.org.uk
Tel +44(0)20 7420 5244

cc (by email only)

Richard Burden	St Luke's Hospital
Matthew Balaam	Oxford Architects
Nadia Robinson	Oxford City Council

Review process

Following a site visit and discussions with the design team and local authority, the scheme was reviewed on 10 March 2016 by Joanna van Heyningen (chair), Paul Appleby, Alan Berman, Ben Hamilton-Baillie and Mark Swenarton. These comments supersede any views we may have expressed previously.

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabi@designcouncil.org.uk.

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East Area Planning Committee

7th September 2016

Application Number: 16/01373/FUL

Decision Due by: 22nd July 2016

Proposal: Erection of single storey extension to north elevation

Site Address: Holy Trinity Church Trinity Road (**site plan: appendix 1**)

Ward: Quarry And Risinghurst Ward

Agent: Christian Randall

Applicant: Rev Tim Stead

Application Called in –Cllr Wilkinson, supported by Cllrs Wade, Landell Mills and Gantfor the following reasons - concerns regarding surface water drainage, use of materials, proximity to gravestones, absence of any construction access management plan and impact on the Headington Quarry Conservation Area.

Recommendation:

The East Area Planning Committee is recommended to grant planning permission for the following reasons

- 1 The proposed development is acceptable in design terms and would not cause unacceptable levels of harm to the listed buildings or Headington Quarry Conservation Area, ecology, trees or amenity of neighbouring occupiers. The proposal therefore accords with policies CP1, CP6, CP8, CP10, HE3, HE7, NE15 and NE16 of the Oxford Local Plan and CS18 of the Core Strategy.
- 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 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples on site
- 4 Tree Protection Plan (TPP) 1
- 5 Arboricultural Method Statement (AMS) 1
- 6 Drainage
- 7 Contamination Risk Assessment
- 8 Contamination Remedial Works
- 9 Bats
- 10 Bats – lighting
- 11 Window details

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
- CP22** - Contaminated Land
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- TR3** - Car Parking Standards

Core Strategy

- CS11_** - Flooding
- CS12_** - Biodiversity
- CS18_** - Urban design, town character, historic environment
- CS20_** - Cultural and community development

Sites and Housing Plan

- MP1** - Model Policy

Other Material Considerations:

National Planning Policy Framework

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

Planning Practice Guidance

Relevant Site History:

58/07500/A_H - Temporary use of site for car sales: Temporary permission

68/19823/A_H - Extension to vestry: Approved

06/02512/FUL - Formation of disabled access ramp. Re-siting of boot scrapers: Approved

12/01594/FUL - Laying out of tarmac drive with resin bonded surface between church yard and Quarry Road: Approved

15/00533/FUL - Erection of single storey extension to north elevation. (Additional Information): Withdrawn

Representations Received:

42no. support comments received – comments relate to improved disabled facilities (35), crèche (29), kitchenette (22), good design (21), additional storage (3) and improved choir robing and clergy facilities (2).

36no. objection comments received – comments relate to disturbance to graves (29), other nearby facilities available (20), drainage, lack of parking and traffic problems (18), impact on wildlife (10), implications of piling and subsidence (8), impact on trees and landscaping (3) sewage and flooding (8), loss of the pews (2), use of materials (2).

1no. general comment from Friends of the Quarry – comments relate to disturbance of the graves, drainage, parking and waste and that more information should be submitted regarding these matters.

Statutory and Internal Consultees:

Highways – no comments received.

Natural England – no objection. No comment in relation to protected species. Refer to local Ecologist Advice.

Headington Action – no comments received.

Headington Community Association – no comments received.

Barton Community Association – no comments received.

Victorian Society – no objection.

Officers Assessment:

Site and proposal:

1. Holy Trinity is a grade II listed church designed by Sir George Gilbert Scott and sits within the Headington Quarry Conservation Area. The church is largely 'as built' although it does benefit from a 20th century flat roof extension which sits relatively well in its context. The church is mostly a single phase building showing the distinctive Scott style and shows a high degree of architectural completeness. This application relates to the erection of a single storey extension to the north elevation and alterations to the roof of the existing vestry.
2. Officers consider that the principle determining issues are as follows
 - Design
 - Impact on the Listed Building/Headington Quarry Conservation Area
 - Residential Amenity
 - Flooding
 - Arboriculture
 - Ecology
 - Contaminated Land
 - Highways/Parking

Principle of development:

3. It is acknowledged that the NPPF supports the development of community facilities including places of worship and help them adapt to meet their future needs. Development, enhancement and improvement in quality of community and cultural facilities are also supported by policy CS20 of the Core Strategy.
4. Whilst there other community facilities including the Coach House on Quarry Road, these are not on site facilities where availability and access can be guaranteed to the church. The proposal seeks to improve immediate on site facilities such as a disabled toilet, childcare facilities and a kitchenette.
5. The proposal does involve disturbance to graves less than 100 years old and a large number of comments have been received objecting on these grounds. Graves less than 100 years old are not considered to be of archaeological interest. This is a matter which therefore needs to be dealt with separately to the planning application and is subject to ecclesiastical law. Faculty permission will be required.

Design/Impact on the Listed Building and Conservation Area:

6. The extension has been design with a pitched roof, window detailing and materials to match the existing church in order not to detract from the setting of the grade II listed building. The extension projects no further than existing vestry extension which was carried out in the 1960s and the proposed rooflights will set discretely on the southern roofslope of the extension and will not be widely visible. Condition are recommended that samples of all

materials are reviewed on site prior to the commencement of development to assess their suitability and quality and large scale details of any new windows are submitted and approved before installation.

7. Since the church benefits from an ecclesiastical exemption, the internal reordering of the church including any removal of pews is not subject to an application for listed building consent from the local authority. Separate permission will need to be obtained from the dioceses.
8. The church and their architect have been involved in lengthy discussions regarding the design of the extension with both the Local Authority and The Victorian Society. During these discussions a number of alterations were negotiated with the scheme. The retention of the original Scott doors to the south elevation were requested to be retained and a large porch projection was omitted to the north elevation of the extension as it was felt that it was more prominent than the main south elevation. The north elevation porch projection was designed to break up the expanse of the extension; however this has now been achieved with a parapet in the expanse of the roof which reflects that found above the north aisle.
9. The proposal is therefore considered to comply with policies CP1, CP6, CP8, HE3 and HE7 of the Local Plan and CS18 of the Core Strategy.

Residential Amenity:

10. Although the churchyard is bordered by neighbouring residential properties, the extension is located a suitable distance away from these properties in order not to cause a detrimental impact in terms of loss of light, overbearing impact or loss of privacy.
11. The modest scale of the extension is considered to enhance the facilities of the church and there is no evidence to suggest that the proposed extension would result in increased activity which would result in a detrimental level of disturbance to the amenities of neighbouring occupiers.
12. The proposal is therefore considered to comply with policy CP10 of the Local Plan.

Flooding/Drainage/Sewage:

13. Consideration has been given to the responses from the public in relation to flooding, drainage and sewage. The proposed extension is not a large scale scheme and there are no specific references as to where the drainage and flooding issues are and whether there is likely to be an impact from the new development. However since the extension will be increasing the impermeable area there will therefore increase surface water run-off and volumes as a result. With this in mind a pre-commencement condition is recommended to ensure this matter is addressed. The applicant will need to undertake a surface water drainage assessment and provide information and demonstrate how they will manage the increase in run-off and volumes through the use of

appropriate Sustainable drainage measures (SuDS).

14. The request for foul sewage information is not considered relevant to the scale of the scheme. If there is to be any impact from new sewage pipes on the graves, this again is a matter to be dealt with by ecclesiastical law.
15. The proposal is therefore considered to comply with policy CS11 of the Core Strategy.

Arboriculture/Landscaping:

16. The proposed extension encroaches within the notional Root Protection Area (RPA as defined by BS5837:2012) of a mature, high quality and value yew tree that is west of the church, but there is a buttress that will act as a barrier to root growth in this area and the encroachment into the area in which roots are likely to be growing is therefore relatively small as a proportion of the overall RPA. There is adequate area on the south and west sides of the tree that is contiguous with the RPA to compensate for the loss, so officers are satisfied that the tree is not likely to be significantly harmed if adequate care is taken to protect it during the construction phase.
17. Mini-pile foundations are intended. The underside of the ring beam should be set on top of existing ground levels so that roots are not cut when it is installed. Conditions are recommended for a Tree Protection Plan and an Arboricultural Method Statement to ensure that tree roots are not damaged.
18. A landscaping scheme is not considered appropriate or relevant to the scale of the scheme. The church is currently surrounded by the graveyard and this would remain the same situation once the extension is complete.
19. The proposal is therefore considered to comply with policies NE15 and NE16 of the Local Plan.

Ecology:

20. Officers have reviewed the proposal and considered that the species at risk from the development are bats and birds. Following bat surveys being carried out to the site it was confirmed that bats are roosting in the fabric of the church. Roosting in the section of the church where the extension will be placed is however unlikely. If the works are carried out in strict accordance with the recommendations of the Bat Survey report, it is considered that the works will lead to impacts on bats. A condition is therefore recommended that the works are carried out in accordance with these recommendations.
21. The bat survey of the site has identified high bat activity along the trees bordering the site. Bats are sensitive to lighting and no lighting should be introduced which interferes with this dark corridor. To ensure disturbance isn't caused to bats a condition is recommended that no lighting must be introduced directed at the upper level of the west elevation, entrance porch and bordering trees.

22. Scrub and trees on site offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and a condition is therefore recommended that removal of vegetation shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest in order to comply with the requirements the Wildlife & Countryside Act 1981 (as amended).
23. The proposal is therefore considered to comply with policy CS12 of the Core Strategy.

Contaminated Land:

This site has been prioritized as category 4 in accordance with Oxford City Council's Land Quality Strategy, meaning that further investigation of this site may be necessary upon redevelopment. Records indicate that the site is surrounded by infilled ground and historical maps show that a graveyard existed around the north side of the church, both of which may have associated contamination. Therefore conditions are recommended to request a phased risk assessment including a desk study and site walk over to identify all potential contaminative uses on the site, and to determine what remediation measures are necessary.

24. The proposal is therefore considered to comply with policy CP22 of the Local Plan.

Highways:

25. A number of comments have been received in relation to the impact on parking and traffic from the development. Since the proposal is an existing facility which does not benefit from parking or cycle storage and the proposal is not a large scale scheme which is designed to provide enhanced facilities, it is considered that it would not be reasonable or appropriate to request parking or cycle storage in an area where it could harm the setting of the listed building and conservation area or a construction traffic management plan.

Other:

26. There have been a number of requests for a geophysical survey due to subsidence in the area. Given the scale of the scheme it is considered that this would not be a reasonable request and this is a matter which will be covered by Building Control. Receipt of this information would not result in scheme which could not be implemented.

Conclusion:

27. The East Area Planning Committee are recommended to approved planning permission for the application.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

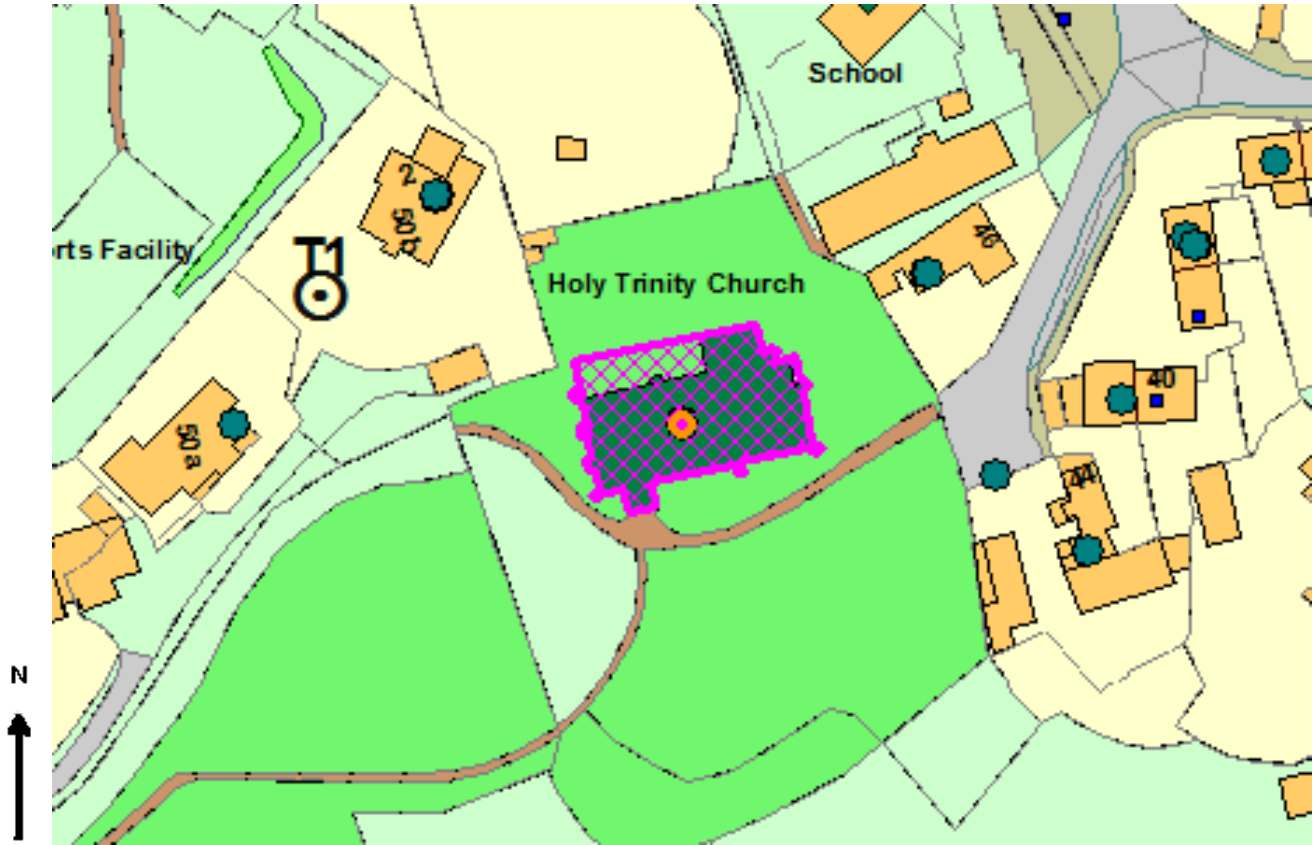
16/01373/FUL

Contact Officer: Sarah Orchard

Date: 23rd August 2016

Appendix 1

16/01373/FUL - Holy Trinity Church



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Ordnance Survey 100019348

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East Area Planning Committee

7th September 2016

Application Number: 16/01737/FUL

Decision Due by: 2nd September 2016

Proposal: Erection of three storey building to provide 1 x 1-bed, 3 x 2-bed and 2 x 3-bed flats (Use Class C3). Provision of car parking and bin and cycle storage.

Site Address: The Quarry Gate 19 Wharton Road Oxford Oxfordshire

Ward: Quarry And Risinghurst Ward

Agent: Mr Neil Perry

Applicant: Mr Peter Wright

Recommendation:

The East Area Planning Committee is recommended to refuse planning permission for the following reasons:

- 1 The proposed building would have a radically different visual appearance, which coupled with its substantial height and prominent siting would introduce a discordant and incongruous addition to the streetscene. The use of a flat roof and unsympathetic built form would mean that the building would appear as a series of monolithic blocks which would be completely at odds with the harmonious character of the surrounding area where the built environment is characterised by suburban 1930s semi-detached and terraced dwellinghouses with pitched roofs. The fenestration of the proposed building and other architectural detailing which includes two balconies framed by a rectangular element contribute to the alien appearance of the proposed building. The development cannot therefore be considered to be high quality design that responds to its context and is contrary to Policy CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policy HP9 of the Sites and Housing Plan (2013).
- 2 The application seeks the development of more than three dwellings; as a result a financial contribution is required towards the provision of affordable housing as set out in Policy HP4 of the Sites and Housing Plan (2013). The applicant has indicated that they are not willing to provide a financial contribution. The development also fails to provide any on-site provision of affordable housing and no evidence has been provided to indicate that on-site provision or a financial contribution towards affordable housing would make the scheme unviable. As a result, the development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy

(2011).

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
- CP11** - Landscape Design
- CP13** - Accessibility
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- CP22** - Contaminated Land

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS17_** - Infrastructure and developer contributions
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- MP1** - Model Policy
- HP2_** - Accessible and Adaptable Homes
- HP4_** - Affordable Homes from Small Housing Sites
- HP9_** - Design, Character and Context
- HP10_** - Developing on residential gardens
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

15/00591/DEM - Application to determine whether prior approval is required for the method of demolition. – PRIOR APPROVAL NOT REQUIRED

16/00082/FUL - Erection of 3 x 5-bed dwellinghouses (Use Class C3). Provision of car parking, bin storage and private amenity space. - REF

Statutory Consultees:

Oxfordshire County Council Highways

The proposed parking would fall below the maximum standard set out in Policy HP16 of the Sites and Housing Plan (2013) but low car development in this highly sustainable location would be considered acceptable. If planning permission is granted then recommend a condition be included to exclude occupiers of development from parking permits. Amendments would also be required to the traffic order to deal with the loss of an on-street parking bay. A condition would be required to ensure that appropriate visibility splays are provided. Proposed parking area would be acceptable but there should be provision of appropriate drainage by SUDs methods. Refuse, recycling and cycle storage areas proposed would be acceptable.

Natural England

No comments

Representations Received:

1, 2 and 7 Burrows Close, 8 Holley Crescent, 59 Ramsay Road, 2, 6, 12, 22, 23, 25, 26, 27, 28, 32, 34, 54 St Leonards Road, 1, 12, 16, 21A, 25, 30, 32, 44 Wharton Road, (no address provided) objections:

- Concern about the development of flats (houses would be preferred)
- Excessive height of proposals
- Overcrowded site/over development
- Poor quality design
- Impact on character of the area
- Plans are misleading (particularly details of materials)
- Impact on highway safety
- Impact on parking (unacceptable on-site provision leading to impact on parking in highway)
- Impact on drainage
- Unsympathetic design (particularly form of building and roof)
- Overbearing impact of development
- Poor quality of amenity spaces for some of the flats
- Development extends beyond building line
- Site is very prominent and this contributes to harm caused by poor design
- Unacceptable choice of materials
- Concerns about high density development on a corner (with busy roads)
- Impact on privacy
- Commercial appearance of development
- Concerns about the 'square' section on Wharton Road elevation
- Poor environmental performance of development

- Conflict with existing car parking bay
- Proposed development would not be suitable for families
- Unusual design is not keeping
- Impact on neighbouring properties

Site Location and Description

1. The application site encompasses the area of the former Quarry Gate public house, including the extensive car parking areas surrounding the original building and small outbuildings within its grounds. The pub has recently been demolished and the site currently lies vacant and cleared.
2. The site is a corner plot, covering an area of approximately 837m² and is on the south-east corner of Wharton Road and St Leonards Road in Headington; the site is close to the Headington Quarry area (but does not lie in the Conservation Area). At the rear of the application site lies Holley Crescent. The area around the application site contains predominantly 1930s semi-detached dwellings; there is also a terrace of dwellings from the same era to the immediate south of the application site. Despite some properties being extended there is a very strong established character to the area; suburban housing with front gardens and a variety of materials including plain white render, pebbledash and brown tiled roofs. Small trees, shrubs and low boundary walls in front gardens contribute positively to the verdant, suburban character of the area.
3. Though the site is no longer occupied by the pub, it is worthwhile noting that the pub was a substantial two storey building with a high pitched roof; having a typical style as a 1930s pub. The pub covered an area of approximately 237m². The pub originally benefited from access from Wharton Road which served the parking area at the front of the pub as well as access from St Leonards Road which served the parking area at the side.
4. The topography of the site and the immediate area around it varies. The land at the north-eastern edge of the site is approximately 1.2m higher than the land at the south-western boundary. Properties in Holley Close are situated at a higher ground level than the application site.

Proposed Development

5. It is proposed to erect a three storey building on the site to provide six flats; with 1 x 1 bedroom flat, 3 x 2 bedroom flats and 2 x 3 bedroom flats. The development proposes car parking, refuse and recycling storage at the rear of the building (the eastern edge of the site). Access is proposed to the building from an improved access point onto St Leonards Road.
6. The proposed building would have a contemporary design; on plan it could effectively be described as being composed of three adjoining block elements with varying heights and footprint. Two of the block elements would be sited close to the northern and north-western edge of the site with a third block element extending towards the south-eastern boundary of the site (the result being that the majority of bulk of development would be at the north-western edge of the

site). As a result of the irregular shape of the building it would vary in terms of its footprint but is approximately 20m by 20m at its greatest extents.

7. The proposed building would have a flat roof with balconies and terrace areas at first and second floors. Areas of garden are proposed to serve three of the flats at ground floor (with the largest area of private garden being proposed to the south-west and south-east of the building).
8. The main pedestrian access to the site would be from Wharton Road; with access to all flats from an entrance hall at the centre of the building. At the other end of the entrance hall is a second entrance from the parking area.
9. At the western edge of the site (facing onto Wharton Road) there is a rectangular element that would protrude beyond the plane of the rest of the building at the first floor; this part of the building would be 9.5m in height. At the north-western side of the site (facing onto St Leonards Road) the height would vary between 6.7 and 8.8m (with elements of the third floor being set in from the north-western edge to form a terrace at that level). The north-eastern elevation facing onto the proposed car parking area (and towards the rear of properties in Holley Crescent) would have a varying height of between 6.7m and 8.8m; parts of the second would be set back to incorporate terraces and there is a balcony proposed at first floor level. The south-east elevation (facing towards 19-31 Wharton Road) would have a varying height of between 6.1m in places and 8.8m.
10. The materials proposed for the building would be areas of white render and areas of buff brick with grey powder coated aluminium windows and doors.
11. In terms of ground levels, the proposed building would be sited within the gradient of the site and therefore the same as properties on the street frontage and reflecting the adjacent buildings on St Leonards Road.
12. There has been a previous application on the site for the development of three five bedroom dwellings which was refused.
13. The principal determining issues of the application are:
 - Principle of development
 - Design
 - Impact on Amenity
 - Car Parking and Access
 - Flooding and Surface Water Drainage

Officers Assessment:

Principle of Development

14. The application site would be mainly considered to be previously developed land. The National Planning Policy Framework (NPPF) together with the Council's adopted Policy CS2 of the Core Strategy (2011) require

that the majority of new development should be sited on previously developed land. As a result of this, the development can be broadly considered to be acceptable in terms of the principle of development.

15. The site is currently vacant and cleared; for clarity the public house that once occupied the site has been demolished and the loss of a community facility can therefore not be considered.
16. The development proposed would seek to make a more intensive use of the site and would arguably increase the efficient use of land. On this basis, the proposed development would be broadly supported by Policy CP6 of the Oxford Local Plan 2001-2016.

Balance of Dwellings

17. Policy CS23 of the Core Strategy (2011) together with the Balance of Dwellings Supplementary Planning Document (SPD) require that on sites of four or more units there is a range of dwelling sizes provided; this is sought to specifically ensure the City's housing stock continues to provide a range of dwelling sizes (including for families). The proposed development would provide 33% of the units as three bedroom units, 50% of units would be two bedroom dwellings and a single one bedroom flat. The result is that there would be a range that is acceptable for the purposes of the Balance of Dwellings SPD and the development would therefore comply with the requirements of that policy document and Policy CS23 of the Core Strategy (2011).

Affordable Housing

18. Policy HP4 of the Sites and Housing Plan (2013) requires that on sites of between four and nine dwellings the Council requires that developments provide a financial contribution towards affordable housing. Alternatively, there is scope in some circumstances to provide on-site affordable housing provision on small sites. A reduced contribution or no contribution can be considered acceptable where the Council is satisfied that is evidence to suggest that it would make the development unviable.
19. This application does not propose to provide a financial contribution towards affordable housing or provide any on-site provision. There has also been no evidence relating to viability submitted with the application. Instead, the submitted design and access statement states that no contribution is required as a result of the National Planning Policy Guidance which requires that no contributions towards affordable housing can be sought from developments of ten units or less (or which have a maximum combined gross floorspace of no more than 1000sqm). Officers recommend that this position is not accepted and an affordable housing contribution should be required; the absence of a contribution (or viability evidence to demonstrate a lack of viability) is recommended as a reason for refusal. Officers have informed the applicant's agent that we would require an affordable housing contribution and they have confirmed (on

behalf of their client) that they are not willing to provide one. The development is therefore contrary to Policy CS24 of the Core Strategy (2011) and Policy HP4 of the Sites and Housing Plan (2013). This forms a recommended reason for refusal as set out above.

20. It is important to provide more clarification of the affordable housing policy context with specific consideration to the changes to national policy and our own position. Officers have included an extract below from the recent report to Council (25th July 2016); this dealt specifically with affordable housing and the revisions to the National Planning Policy Guidance. This position reflects the recent Court of Appeal Decision where the changes to national policy requiring that there are no contributions towards affordable housing from small sites were considered. :

Officers are of the view that being the most unaffordable area of the Country coupled with a higher than normal dependence upon smaller sites must be precisely the sort of local circumstances contemplated by the Secretary of State as justifying departure from his national policy.

The Council will continue to determine applications for planning permission in accordance with the development plan unless material considerations indicate otherwise. It will specifically take account of national policy as to affordable housing contributions from smaller sites and the vacant building credit and the scope for exceptions justified by local circumstances.

The decision as to the weight to be applied to the national policy has to be made in the determination of each individual application. On the basis of the evidence as to local circumstances currently available officers are of the view that those circumstances justify the continued application of HP3 and HP4 consistently with the Secretary of State's explanation of his policy's effect.

The Council will also have full regard to the up-to-date evidence with regard to the local situation as well as both the government's National Planning Policy Framework and its Planning Practice Guidance in considering the inclusion of policies relating to the provision of, and contributions to, affording housing in formulating the local plan.

Design

Visual Appearance and Impact on Streetscene

21. The application site is highly prominent, being a corner plot. Surrounding dwellinghouses have front gardens and there is quite a strong building line which means that the proposed development would be highly visible as it would be closer to St Leonards Road and Wharton Road than surrounding properties. The overall height of the development would also contribute towards its visual prominence. The proposed building would have a radically different appearance to the surrounding residential properties; its

built form which includes a flat roof varying significantly from the more traditional character of 1930s properties in the area. Officers recommend that the proposed building would as a result of its alien appearance combined with its prominence (brought about by its siting, bulk and height) bring about a discordant and incongruous addition to the streetscene. As a result of failing to adequately respond to the context of the area the development cannot be considered to be high quality design and the development is therefore contrary to Policy CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policy HP9 of the Sites and Housing Plan (2013).

22. There are some unusual contemporary architectural features that have been incorporated to the building. These include a rectangular element that would frame terraces at the first and second floor levels (facing onto Wharton Road). The rectangular element would be highly prominent as it would extend beyond the plane of the rest of the building. The proposed development also incorporates balconies and terraces; these elements would be visible in the streetscene. Officers consider that these features of the building would not, in isolation mean that the development would be unacceptable in planning terms but they would contribute towards the alien appearance of the building as these are not features seen elsewhere in the relatively harmonious 1930s streetscape.
23. In relation to the concerns about the height of the building, Officers have noted that the pub that occupied the site previously was 8.8m high to the ridge which is not dissimilar to parts of the proposed building. Officers consider that this is not a justification for approving a building of the height proposed; the pub had a radically different siting, appearance and bulk (particularly at the higher level due to the pitched roof).
24. On the above basis, Officers have recommended that the design of the building form a basis for refusing planning permission.

Materials

25. The proposed use of white render and buff bricks would complement some surrounding properties (where white render and pebbledash, which is a similar colour to buff bricks). The proposals have included some contrasting use of these materials to attempt to break up the appearance of elevations and add visual interest.

Living Conditions (Indoor) and Accessibility

26. The proposed development includes flats of varying numbers of rooms and layout; these properties would benefit from different amount of indoor space. Officers have considered the proposals in relation to Policy HP12 of the Sites and Housing Plan (2013) and the national space standards and it is considered that the proposals would provide an acceptable quality and quantity of indoor space.
27. The development would also provide an acceptable internal layout and circulation space for disabled occupiers (though upper floor flats may be

unsuitable for persons with limited mobility). The development would therefore comply with Policy CP13 of the Oxford Local Plan 2001-2016.

Outdoor Amenity Spaces

28. All of the proposed flats would provide some private outdoor amenity space. Flat 3 (a three bedroom unit) would have access to two small private garden areas at ground floor at the southern edge of the site. Flat 1 (a one bedroom unit) and Flat 2 (a two bedroom unit) would also have small garden terraces at ground floor level. At first floor level both Flat 4 and Flat 5 (both two bedroom units) would benefit from balconies. At the second floor level there is proposed to be a large single three bedroom flat; this would benefit from extensive areas of terrace at the south-eastern side as well as smaller terraces on the south side, south-west and north-eastern sides. All of the proposed outdoor amenity spaces would be acceptable (having taken into account the sizes of the dwellings proposed, where three bedroom properties would be expected to provide larger areas of private outdoor amenity space).

29. Officers recommend that it should also be noted that the site lies within close proximity to the Margaret Road recreation ground. Arguably this would mean that future occupiers of flats with more smaller areas of private amenity space would benefit from good access to outdoor space (which is particularly relevant for the three bedroom units).

Refuse and Recycling Storage

30. A screened refuse and recycling store is proposed at the northern end of the site (adjacent to St Leonards Road). The store would be accessed from the car park and would be conveniently accessible for all occupiers of the dwellings proposed. The development would therefore comply with the requirements of Policy HP13 of the Sites and Housing Plan (2013).

Impact on Amenity

Privacy

31. The proposed first floor windows, balconies and terraces face predominantly towards Wharton Road, St Leonards Road and over the proposed car parking area. There are no windows, balcony or terraced areas proposed facing towards the south-east (i.e. towards the terrace of 19-31 Wharton Road). The result is that the views from the dwellings would be over existing road areas and the proposed car park which would provide sufficient separation to ensure the privacy of surrounding residential properties would be maintained.

Impact on Sunlight and Daylight

32. The proposed development would be sited to the north of the nearest dwellings (19-31 Wharton Road) and would be separated by the roads (Wharton Road and St Leonards Road) and the proposed car parking area from other nearby dwellings. As a result of the separation distance and the orientation of the proposed development relative to surrounding properties it would not give rise to an adverse impact on light for

occupiers. In reaching this view, Officers have been mindful of the 45/25 degree code set out in Policy HP14 of the Sites and Housing Plan (2013).

Access and Car Parking

Access

33. It is proposed to provide access onto the site from St Leonards Road into the proposed car parking area. There is an existing vehicular access in this location. The highway authority have commented that the development would be acceptable in terms of the access proposed but have recommended a condition be included if approval is granted to require visibility splays to meet the specific standards.

34. Separate pedestrian access would be provided onto Wharton Road.

35. There is an existing narrow vehicular access from Holley Close at the rear of the terrace on Wharton Road to the south of the application site. This serves properties in Wharton Road as well as Holley Close but there is no proposed access from this existing access track to the application site.

Car Parking

36. The proposed development would include six car parking spaces within the shared parking area at the eastern edge of the site. The proposed parking area would provide a conveniently placed parking area for the flats. The proposal to provide one car parking space for each of the flats would be acceptable in this location; having had regard to the accessibility of the site to local services and public transport (this is expanded upon below). The highway authority have confirmed that the manoeuvring space within the car parking area would be acceptable and the provision of car parking proposed would meet the requirements of Policy HP16 of the Sites and Housing Plan (2013).

37. Further to the above, in order to respond to the need to ensuring that the development would not have an adverse impact of the development on on-street parking within the area it is recommended that if planning permission is granted then a condition would be required to remove eligibility for occupiers to parking permits. The proposed development would also result in the loss of an on-street parking bay; the local traffic order would need to be amended as a requirement of a condition in order to provide the parking bay elsewhere; this could be required if planning permission is granted.

38. The proposed development lies within an accessible area; being located approximately 200m from the London Road where there are regular bus services to the City Centre, railway station and coaches to London. The application site also lies within 500m of Headington shops. As a result, the proposals for low number of car parking spaces would be acceptable.

Cycle Storage

39. The proposals include a covered cycle store that would be accessed from

the shared car parking area. The cycle store would have the capacity for fourteen cycles. The capacity and quality of cycle parking proposed would be acceptable in the context of Policy HP15 of the Sites and Housing Plan (2013) and could be secured by condition if planning permission is granted.

Flooding and Surface Water Drainage

40. The application site does not lie within an area of defined flood risk.

41. The proposed development would provide areas of permeable ground within the proposed garden areas, it is also proposed to provide the parking area to be constructed from permeable materials. As a result of these measures it is considered that the development would meet the requirements of Policy CS11 of the Core Strategy (2011). If planning permission is granted then a condition should be included to ensure that there are adequate measures dealing with surface water drainage that should include the provision of on-site means to reduce surface water runoff from the development.

Biodiversity

42. The existing site is vacant and there is therefore no likely impact in terms of a loss of habitat for protected species, specifically bats. The proposed development does not include specific biodiversity enhancement measures but these could be required by condition if planning permission is granted.

Conclusion

43. On the above basis and for the reasons set out above, the East Area Planning Committee is recommended to refuse planning permission.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

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 refuse planning permission officers consider

that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

16/01737/FUL

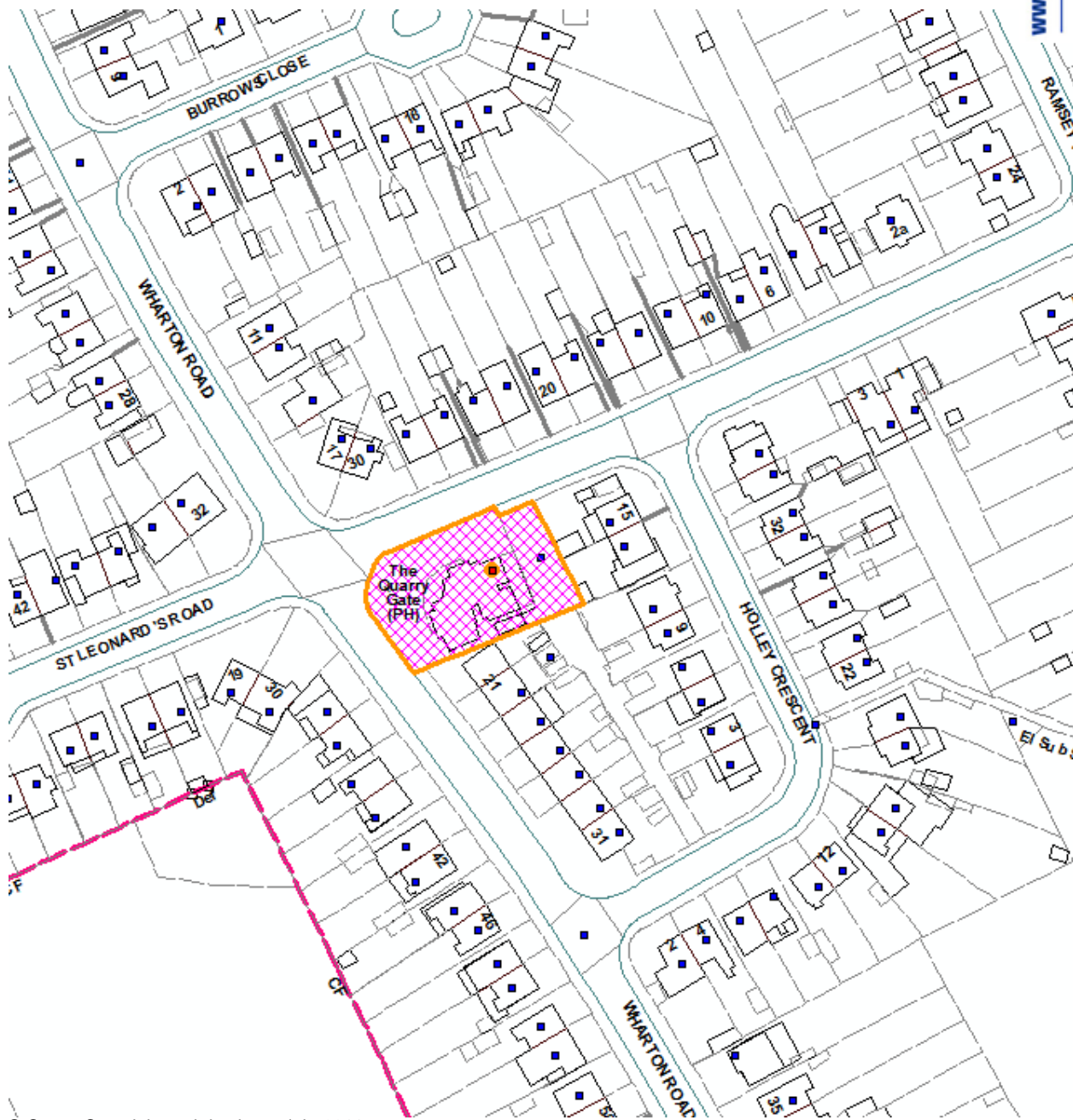
Contact Officer: Robert Fowler

Extension: 2104

Date: 23rd August 2016

Appendix 1

16/01737/FUL - The Quarry Gate, 19 Wharton Road



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Ordnance Survey 100019348



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East Area Planning Committee

7th September 2016

Application Number: 16/00701/CT3

Decision Due by: 14th September 2016

Proposal: Erection of 4No floodlights for the use of the Taggs Gate Multi Use Games Arena (MUGA).

Site Address: Barton Adventure Playground Fettiplace Road (**site plan: appendix 1**)

Ward: Barton And Sandhills Ward

Agent: N/A

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to grant planning permission for the following reasons:

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

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Floodlighting
- 5 Hours of operation

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

CP13 - Accessibility

CP19 - Nuisance
CP20 - Lighting
CP21 - Noise
SR5 - Protection of Public Open Space

Core Strategy

CS11_ - Flooding
CS12_ - Biodiversity
CS21_ - Green spaces, leisure and sport
CS18_ - Urban design, town character, historic environment

Sites and Housing Plan

HP14 – Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

None

Statutory Consultees:

Oxfordshire County Council Highways

No comments

Representations Received:

None received.

Site Description

1. The application site is the existing Multi-User Games Area (MUGA) adjacent to the Barton Adventure Playground off of Fettiplace Road at the end of Taggs Gate. To the north, east and west of the application site there are areas of public open space that form a park along the route of the Bayswater Brook. Despite being situated close to the centre of the Barton estate and the shops and facilities at Underhill Circus, as a result of the topography the application site has open views of the undeveloped countryside to the north. The MUGA itself is bordered by high fencing and has a tarmac surface. There is currently cycle parking provided at the site with spaces for ten cycles, there is also a refuse bin and streetlighting adjacent to the car parking at the end of Taggs Gate. Adjacent to the application site there are a number of buildings including the Barton Neighbourhood Centre and residential properties, notably No.s 1-5 Taggs Gate.

Proposed Development

2. It is proposed to upgrade the existing MUGA area by installing four 850W floodlighting columns. The columns would have an overall height of 8m.
3. The principle determining issues of the application are:

- Design
- Impact on Neighbours
- Highways
- Biodiversity

Officers Assessment:

Design

4. There is already high fencing around the site and there is some street lighting nearby. The proposed floodlighting would have a more contemporary and high quality appearance and Officers therefore recommend that it would be acceptable in terms of its design.

Impact on Neighbours

5. The proposed development would be sited close to existing properties in Taggs Gate and the impact of the floodlighting could therefore give rise to an impact in terms of disturbance from the lighting. The lighting of the MUGA would also enable its use later into the evening which could increase noise.
6. It is noted that the existing area is partially lit by adjacent buildings and streetlighting and the facility is existing and therefore gives rise to some of the above impacts already. However, the improvements that result could increase the intensity of these impacts. Officers have sought specific information which indicates that the lighting would be more directed onto the MUGA and the applicant has agreed to a condition to restrict the hours of lighting so that they are not on after 9pm; this condition is included in the Officer recommendation.
7. As a result of the measures taken to reduce the impact of the proposed development on neighbouring occupiers and with the existing lighting conditions in mind, Officers recommend that the development would not have an adverse impact on the amenity of neighbouring residential occupiers.

Highways

8. The development would not give rise to any adverse highways impacts and there are no objections from highways.

Biodiversity

9. The application site lies close to the edge of the City and is adjacent to the Bayswater Brook. As a result, the area is likely to contain bats and the intrusion of any lighting must therefore be carefully considered. However, details have been provided with the application that indicate the use of lighting that would have minimal spillage over the brook area and therefore reduce any potential impact on bats. Officers have recommended a condition that requires the use of the specified lighting to ensure the reduced impact on ecology.

Conclusion

10. On the basis of the above, Officers recommend that the East Area Planning Committee grant planning permission subject to the conditions as set out above.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

16/00701/CT3

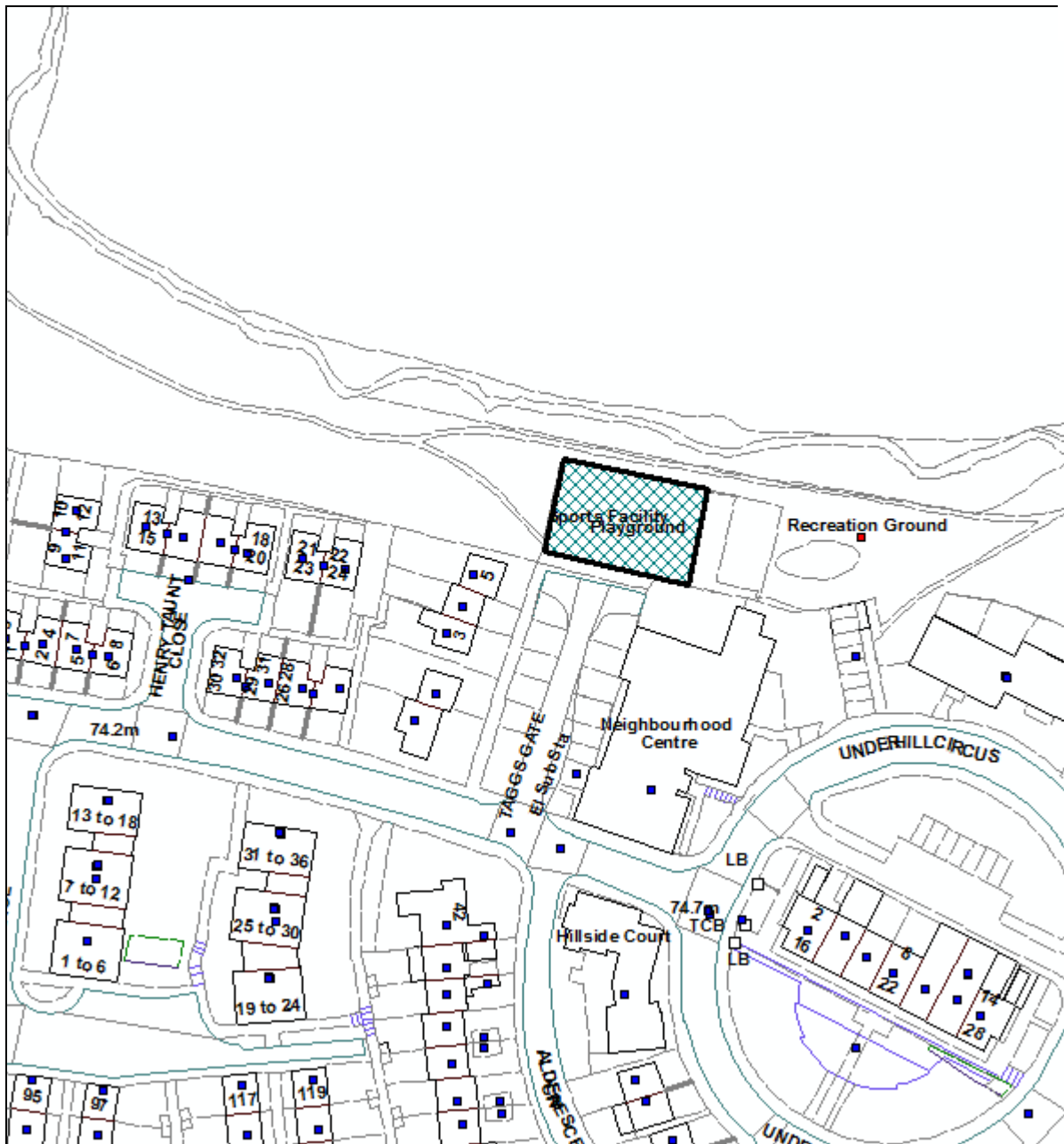
Contact Officer: Robert Fowler

Extension: 2104

Date: 26th August 2016

Appendix 1

16/00701/CT3 – Barton Adventure Playground



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East Area Planning Committee

7th September 2016

Application Number: 16/01830/CT3

Decision Due by: 31st August 2016

Proposal: Formation of 5no. residents' parking spaces.

Site Address: Land Adjacent to 9 Ashhurst Way, **Appendix 1.**

Ward: Rose Hill And Iffley Ward

Agent: Stephen Smith

Applicant: Oxford City Council

NB: As a City Council planning application, the proposals fall to be determined by East Area Planning Committee.

Recommendation:

The East Area Planning Committee is recommended to grant planning permission for the following reasons

- 1 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.
- 2 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grass areas. The proposal is acceptable in design terms and would not cause any unacceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local development plan. There are no material considerations which outweigh this conclusion.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Tree protection
- 5 Landscape plan required
- 6 Landscape carry out after completion
- 7 Ground resurfacing to be SUDS compliant
- 8 Access works to Highway Authority standards

Main Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

Core Strategy

CS18 - Urban design, town character, historic environment

Sites and Housing Plan

HP16 - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- Planning Practice Guidance

Relevant Site History:

None

Representations Received:

None received

Statutory Consultees:

- Highway Authority: Service road is not adopted highway, but recommend that works are undertaken to Highway Authority standards.

Officers Assessment:

1. The planning application relates to a small parcel of land adjacent to 9 Ashhurst Way near its junction with Oxford Road. The land is accessed via the rear service road to a series of 3 storey flats fronting Oxford Road. **Appendix 1** refers. Currently the land is laid to grass but has been subject to informal parking. Two silver birch trees in fair condition exist at the northern end of the application site but these are not affected nor proposed for removal. To the south of the application site are some other small parking areas, together with external drying areas, bin storage areas etc, all serving the adjacent flats.
2. The proposed car parking spaces form part of a wider project to introduce additional parking facilities to residential areas of the city built out in the 1950s to 70s where parking pressures now exist and where indiscriminate and inappropriate parking on grass verges etc. has been taking place. Some 5 car parking spaces are proposed in this latest application. They would be unallocated but for the use of residents within the adjacent flats.
3. The key determining issues in this case are:

- visual amenities and impact on neighbouring properties; and
- highways and access

Visual Amenity and Impact on Neighbouring Properties

4. The application site is given over to grass but has little amenity value beyond the presence of the 2 small silver birches near Ashhurst Way intended for retention. It is proposed to lay out the car parking area to red block paving, with shrub planting at the back of parking bays. A low rail would protect the planting. Overall this would improve the outlook for neighbouring residential householders.
5. The nearest individual property is 9 Ashhurst Way which possesses a side entrance facing the proposed parking area with a window to a non - habitable space above. There are no other windows in this facing elevation. Although this house is only 6m away from the parking spaces at its nearest point, it is not felt the proposals would introduce any adverse relationships as a small amount of traffic already utilises the service road and the application site is already used informally for parking in any event.

Highways and Access

6. The service road to the rear of the flats is laid to tarmac but is a private thoroughfare rather than public highway. In consulting the Highway Authority however it is requested that the construction works involved are to normal Highway Authority standards. A condition is suggested accordingly. In that regard the crossover point over the existing footway would be of matching tarmac.
7. The parking spaces themselves would be of open jointed blockwork laid over an open graded stone sub - base that would temporarily store rainwater to a greater capacity than the existing semi permeable subsoil. The base would contain a small diameter filter drain which would slowly release the stored water directly into the existing surface system. The overall effect would be to slightly reduce the current rate of runoff from the drainage catchment.

Conclusion

8. It is recommended to approve the application subject to the conditions listed.

Human Rights Act 1998

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

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

with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 16/01830/CT3.

Contact Officer: Murray Hancock

Extension: 2153

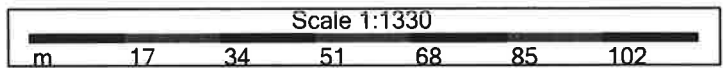
Date: 23rd August 2016

Appendix 1

land adj 9 Ashhurst Way (16/01830/CT3)



1:1330



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	25 August 2016
SLA Number	100019348

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MINUTES OF THE EAST AREA PLANNING COMMITTEE

Wednesday 3 August 2016

www.oxford.gov.uk



COUNCILLORS PRESENT: Councillors Coulter (Chair), Henwood (Vice-Chair), Clarkson, Paule, Pegg, Taylor, Wade and Wolff.

OFFICERS PRESENT: Robert Fowler (Principal Planner), Michael Morgan (Lawyer), Mehdi Rezaie (Planning Team Leader), Sarah Stevens (Planning Service Transformation Consultant) and Jennifer Thompson (Committee and Members Services Officer)

19. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from:
Councillor Chapman
Councillor Lloyd- Shogbesan (substitute Councillor Pegg)
Councillor Wilkinson (substitute Councillor Wade).

20. DECLARATIONS OF INTEREST

None.

21. ROYAL MAIL SORTING OFFICE, 7000 ALEC ISSIGONIS WAY, OX4 2ZY: 16/00177/FUL

The Committee considered an application for planning permission for the demolition of the former Royal Mail Sorting Office (B8) and Vehicle Maintenance Depot (B2) and the redevelopment of the site with the Use Classes B1(c), B2 and B8 and ancillary offices (B1(a)) at the Royal Mail Sorting Office and Vehicle Maintenance Depot, 7000 Alec Issigonis Way.

Phil Brown, the agent for the applicant spoke in support of the application.

The Committee asked questions of the officers and the speaker about the details of the application.

The Committee resolved to support the development set out in application 16/00177/FUL in principle but defer the application in order to draw up a legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions below, on its completion:

Conditions:

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

3. Samples of materials.
4. Landscape plan required.
5. Landscape plan carried out by completion.
6. Landscape Management Plan.
7. Tree Protection Plan.
8. Arboricultural Method Statement.
9. Construction Traffic Management Plan
10. Travel Plan
11. Detailed design of access arrangements to the site.
12. Service and Delivery Management Plan.
13. Revised parking plan to local plan standard and detailed design of parking areas.
14. Restriction on use of car parking to occupiers of site.
15. Details of cycle and refuse storage.
16. Development carried out in accordance with Flood Risk Assessment.
17. Detailed Drainage Scheme.
18. Details of biodiversity enhancements.
19. Noise restrictions on all mechanical plant on buildings.
20. Energy Strategy recommendations implemented.
21. Contaminated Land Risk Assessment.
22. Site Waste Management Plan.
23. Details of Electric Vehicle Charging Points.

Legal Agreement:

£156,582.00 towards Affordable Housing Provision.
 £1,240 towards monitoring fees for the Framework Travel Plan.

22. 16/01357/FUL: KASSAM STADIUM AND LAND ADJACENT FALCON CLOSE, OX4 4XP

The Committee considered an application for planning permission for the temporary use of part of car park for motorcycle testing/ training and part of stadium for storage and office at The Kassam Stadium, OX4 4XP, for three years.

The Committee asked questions of the officers about the details of the application.

The Committee resolved to grant planning permission for application 16/01357/FUL with the following conditions:

1. Time limit (3 year temporary permission).
2. Hours of operation.
3. Areas of use.
4. Means of access.

23. 16/01631/DEM: MURCO SERVICE STATION, BETWEEN TOWNS ROAD

The Committee considered an application to determine whether prior approval is required for the method of demolition at the Murco Service Station, Between Towns Road, OX4 3LZ

The Committee resolved that prior approval is required and granted for application 16/01631/DEM.

24. 16/01530/CT3 TENNIS COURTS, PEGASUS ROAD

The Committee considered an application for planning permission for the refurbishment of the existing external artificial sports pitch along with replacement ball-stop fencing, clean access and site furniture, replacement floodlights. Resurfacing of the existing playing space with new 3G artificial grass pitch surface. Installation of new ball stop fencing to the new pitch perimeter to replace existing high level fencing. Creation of new hard standing areas with associated porous asphalt surfacing and matching ball stop fencing for pedestrian access, goals storage and vehicular maintenance access. Replacement of existing artificial (flood) light system. Installation of overspill vehicular parking area at the Tennis Courts, Pegasus Road, Oxford.

The Committee asked questions of the officers about the details of the application.

The Committee agreed there was a need for adequate secure cycle parking closer to the site for people entering directly rather than via the leisure centre, and that provision for 16 bikes (eight stands), with adequate space to allow for panniers and sports equipment would be sufficient. They agreed to add a condition to secure this.

The Committee resolve to grant planning permission for application 16/01530/CT3 subject to the following conditions

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Car parking.
5. Lighting.
6. Hours of lighting.
7. Cycle parking to be provided near the entrance to the site– minimum 8 stands for 16 cycles.

25. MINUTES

The Committee resolved to approve the minutes of the meeting held on 6 July 2016 as a true and accurate record.

26. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming items.

27. DATES OF FUTURE MEETINGS

The Committee noted the dates of future meetings and agreed to change the 5 October meeting to 12 October to accommodate the commitments of the Chair.

The meeting started at 6.00 pm and ended at 7.10 pm