

Agenda

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East Area Planning Committee

Date: **Wednesday 7 December 2016**

Time: **6.00 pm**

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

For any further information please contact the Committee
Services Officer:

Jennifer Thompson, Committee and Member Services Officer

Telephone: 01865 252275

Email: democraticservices@oxford.gov.uk

If the business listed on this agenda is not completed by a reasonable time on 7 December, the Chair will adjourn the meeting and reconvene on 20 December at 6.00pm to finish the business.

If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

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.

Copies of this agenda

Reference copies are available to consult in the Town Hall Reception. Agendas are published 6 working days before the meeting and the draft minutes a few days after.

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AGENDA

Pages

1 Apologies for absence and substitutions

2 Declarations of interest

3 16/00797/OUT: William Morris Close, OX4 2JX

15 - 50

Site Address: William Morris Close

Proposal: Outline application for 45 new dwellings (4 x 1-bed flats, 14 x 2-bed flats, 10 x 3-bed flats, 10 x 3-bed houses and 7x 4-bed houses) together with private amenity space, parking, access road, landscaping and new publicly accessible recreation space, (all matters other than access reserved).

Officer Recommendation: to refuse planning permission for the reasons set out below

1. The site is protected open space (including associated car parking). It is not allocated for housing development nor is it needed to meet National Planning Policy Framework housing land availability requirements. It has not been clearly shown that the site is surplus to requirements for sport or recreation. It is not essential that the need for housing development should be met on this particular site, and there are no other balancing reasons or mitigating circumstances why housing should be allowed. It is necessary to retain the site as open space for the well-being of the local community, and its development is contrary to Policies CS2 and CS21 of the Core Strategy, and Policy SR2 of the Oxford Local Plan.
2. The application, because of the potential adverse relationship of the development to the trees on the southern and eastern boundaries, and because of unresolved highway issues, has not satisfactorily demonstrated that 45 dwellings can be accommodated on this site in accordance with Policies CP1, CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan.

4 16/01973/FUL: Canterbury House, 393 Cowley Road, OX4 2BS

51 - 66

Site Address: Canterbury House, 393 Cowley Road, OX4 2BS

Proposal: Change of use of Canterbury House, Adams House and Rivera House from Class B1(a) office use to 48 student study rooms and ancillary facilities. Full planning permission for the erection of a three storey building to provide 30 further student rooms and ancillary facilities.

Officer recommendation: to approve the application subject to and including conditions below, and delegate to officers the issuing of the notice of permission on satisfactory completion of a S106 legal agreement to secure a contribution to affordable housing.

Conditions:

1. Time – 3 years.
2. Plans – in accordance with approved plans.
3. Materials – to match.
4. Construction Traffic Management Plan – details prior to construction.
5. Contamination – validation report prior to occupation.
6. Car parking & turning – in accordance with approved plans.
7. Cycle & bin storage – further details prior to substantial completion.
8. Sustainability –details of PV's/ CHP to be submitted prior to construction.
9. Surface water Strategy &SUDS – details to be submitted.
10. Landscape plan – details of hard and soft landscape planting required; prior occupation.
11. Landscape – planting carry out after completion.
12. Details of boundary treatment prior to occupation.
13. Student Accommodation and Out of Term Use (no conference use).
14. Student Accommodation – General Management Protocol – operated in accordance with.
15. Travel Plan.
16. Travel Info Pack.
17. Students - No cars.
18. Restrict hours of use of outside amenity space; 08:00 and 21:00.
19. Biodiversity – measures for wildlife details of 8 swift boxes; prior commencement.
20. Archaeology – Photographic recording; Canterbury House; prior construction.

Legal Agreements:

S106 to secure affordable housing contribution

5 **16/01945/FUL: Plot 12, Edmund Halley Road, Oxford Science Park**

67 - 82

Site Address: 12 Edmund Halley Road, Oxford Science Park

Proposal: Erection of a 4 storey office building with associated access, pedestrian links, car parking for 203 vehicles, and new landscaping scheme including partial re-grading of existing landscaping bund.

Officer recommendation: to support the development 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. Materials as specified.
4. Landscape plan required.
5. Landscape carried out after completion.
6. Tree Protection Plan (TPP) 1.
7. Implementation of Flood Risk Assessment recommendations.
8. Drainage Strategy - Foul and Surface Water.
9. Detail of car parking provision and management plan.
10. Travel Plan.
11. Construction Traffic Management Plan.
12. Implementation of Energy statement recommendations.
13. Contaminated Land Assessment.
14. Details of Electric Charging Points within parking area.
15. Biodiversity Enhancements.
16. Details of a pedestrian and cycle link through to Littlemore Park .

Legal Agreement:

To secure one or all of the following improvements to public transport services to the site for a period of 5 years

- enhance existing services to the city centre (from 2 to 4 buses per hour in peak* hours), or
- enhance and extend services to Oxford train station (from 2 to 3 buses per hour in the peak* hours), or
- provide a service to Cowley and Headington (operating at least 2 buses per hour in the peak* hours)

*to arrive at the site between 07:00 and 10:00, and leave the site 16:00-19:00 on working days (all Mondays to Fridays except public holidays).

Site Address: 91 Lime Walk, Oxford, OX3 7AD

Proposal: Demolition of existing dwelling. Erection of three-storey building to provide 9 flats (3 x 3-bed, 4 x 2-bed & 2 x 1-bed). Provision of new access off Lime Walk, private and shared amenity space and bin and cycle store.

Officer Recommendation: to refuse planning permission for the reasons set out below

1. The scale of development proposed would be inappropriate having had regard to the number of units proposed and the size of the application site. The overall density of development proposed could not be reasonably accommodated on this site. The intensive use of the site that is proposed would give rise to a cramped form of development that would be unacceptable in the context of Policy CP6 of the Oxford Local Plan 2001-2016 and Policies HP9 and HP10 of the Sites and Housing Plan (2013).
2. The proposed development, because of its scale, form, visual mass, design, landscaping and external appearance would form a discordant feature in the streetscene that would fail to adequately respond to the context and established character of the surrounding built environment. Given the failure to respond to the context of the area and the inappropriate scale, form, visual mass and external appearance the proposed development would be contrary to Policy CP1, CP6, CP8, CP10 and CP11 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policies HP9 and HP10 of the Sites and Housing Plan 2013.
3. The planning application relates to proposals for four or more dwellings and as a result it is a requirement that a financial contribution be secured towards the delivery of affordable housing in order that the development complies with the requirements of Policy HP4 of the Sites and Housing Plan (2013). The application does not refer to this requirement or indicate any agreement to enter into the necessary legal agreement to secure an affordable housing contribution. In the absence of this requirement or any information to suggest that the proposals would be made unviable if an affordable housing contribution was required the proposed development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy (2011).
4. The proposed development would create a poor standard of residential accommodation as the proposed floorspace is below the prescribed quantity of floorspace set out in the Technical Housing Standards - Nationally Described Space Standard, March 2015

and the quality of the residential accommodation is unacceptable, in particular the availability of natural light, ventilation and restricted outlook. The development would therefore fail to meet the requirements of Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP12 of the Sites and Housing Plan (2013).

5. The development would fail to provide adequate outdoor amenity space for all of the dwellings proposed. The quantity, quality and accessibility of the proposed amenity spaces for some of the dwellings would fall below the required amount; particularly in relation to the three bedroom dwellings that would have the potential to be occupied by families. Some of the proposed balcony and terrace areas are severely constrained and would provide poor quality outdoor amenity space that would wholly unacceptable in terms of outdoor space provision. The proposed development therefore fails to meet the requirements of Policy CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).
6. The proposed balconies and terraces on the south elevation would provide an opportunity to see into the front windows of properties in Cecil Sharp Place; the distance between these rooms would be less than 20m which would be unacceptable and would harm the living conditions of residents of these nearby properties. The proposal is therefore contrary to Policy HP14 of the Sites and Housing Plan (2013) and Policy CP10 of the Oxford Local Plan 2001-2016.
7. The application includes insufficient information relating to flooding and surface water drainage to demonstrate compliance with the required policies. A drainage statement and drainage strategy prepared by a suitably experienced and qualified professional in the field of hydrology and hydraulics is required in order to demonstrate that the proposed development would not lead to an adverse impact on surface water runoff and drainage in the locality. In the absence of this information the development is contrary to Policy CP10 of the Oxford Local Plan 2001-2016 and Policy CS11 of the Core Strategy (2011).

7 16/02002/RES: Community Sports Pavilion, Land West Of Barton OX3 9SD (Barton Park)

97 - 122

Site Address: Land West of Barton North of A40 and South of Bayswater Brook Northern By-Pass Road Wolvercote Oxford.

Proposal: Erection of community sports pavilion with associated car and cycle parking and landscaping (Reserved Matters of outline planning permission 13/01383/OUT).

Officer recommendation: to grant the reserved matters application with the following conditions:

1. Piling methods statement.
2. Verification report - contaminated land.
3. Watching brief - contaminated land.

8 16/02856/CT3: Land Fronting 48 To 62 Field Avenue, Oxford

123 - 130

Site Address: Land Fronting 48 to 62 Field Avenue Oxford Oxfordshire

Proposal: Formation of 29 additional car parking spaces with associated landscaping.

Officer recommendation: to grant planning permission subject to the conditions below and to delegate authority to the Head of Planning and Regulatory Services to issue the permission after the public consultation expiry date of 14 December subject to no new material issues arising before the end of that consultation.

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Drainage.
4. Landscape plan required.

9 16/02588/CT3, 16/02596/CT3, 16/02597/CT3: 2 - 24 and 26 - 60 Stowford Road, 55 - 89 Bayswater Road, Barton

131 - 142

Site Address:

2 To 24 Stowford Road – site plan Appendix 1
26 To 60 Stowford Road – site plan Appendix 2
55 To 89 Bayswater Road – site plan Appendix 3

Proposals: Relocation of bin storage, insertion of permeable fence with associated landscaping. (Amended plans and additional information)

Officer recommendation: to approve applications 16/02588/CT3, 16/02596/CT3, and 16/02597/CT3 all subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as proposed.

4. Ground resurfacing - SUDS compliant.
5. Tree Protection Plan.
6. Arboricultural Method Statement.
7. Landscape plan to be carried out by completion.
8. Landscape management plan.

10 Minutes

143 - 150

Minutes from the meetings of 2 November 2016.

Recommendation: That the minutes of the meeting held on 2 November 2016 are approved as a true and accurate record.

11 Forthcoming applications

Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting. This list is not complete and applications may be added or removed.

16/00679/FUL: 114 Cricket Road	Major application
15/03342/FUL: 16 Clive Road	Called in.
16/01049/FUL: 474 Cowley Road, OX4 2DP	Major application
16/01225/FUL: Temple Cowley Pools, Temple Road, OX4 2EZ	Major application
16/01726/FUL: Unit 5, Ashville Way, OX4 6TU (to be redetermined)	Called in
16/01894/FUL and 16/01895/LBD: Grove House, 44 Iffley Turn, OX4 4DU	Called in
16/01934/RES: Jack Russell, 21 Salford Road, OX3 0RX	Major application
16/02005/FUL: Land Adjacent 35 Courtland Road	Called in
16/02017/FUL: 14 Holyoake Road, OX3 8AE	Called in
16/02151/CT3: 331 Cowley Road, OX4 2AQ	Council application
16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG	Major application
16/02586/FUL: Land Adjacent To Homebase, Horspath Driftway	Major application
16/02614/FUL: 21 Kestrel Crescent, OX4 6DY	Called in
16/02618/FUL: Stansfeld Outdoor Education Centre,	Major

Quarry Road, OX3 8SB	application
16/02624/FUL: 17 Kestrel Crescent	Called in
16/02625/FUL: 19 Kestrel Crescent, OX4 6DY	Called in
16/02651/OUT: William Morris Close Sports Field, OX4 2SF	Major application
16/02727/FUL: 18 Gorse Leas, OX3 9DJ	Called in
16/02802/CT3: 78 - 100 Barton Road	Council application
16/02803/CT3: 102 - 112 Barton Road	Council application
16/02804/CT3: 114 - 136 Barton Road	Council application
16/02822/FUL: Land To The Rear Of 79 And 81 Wilkins Road, OX4 2JB	Called in

12 Dates of future meetings

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

20 December (adjourned date for this meeting if required)

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

7 December 2016

Application Number: 16/00797/OUT

Decision Due by: 31 October 2016

Proposal: Outline application for 45 new dwellings (4 x 1-bed flats, 14 x 2-bed flats, 10 x 3-bed flats, 10 x 3-bed houses and 7x 4-bed houses) together with private amenity space, parking, access road, landscaping and new publicly accessible recreation space, (all matters other than access reserved).

Site Address: William Morris Close **Appendix 1**

Ward: Cowley Marsh Ward

Agent: JPPC

Applicant: Cantay Estates Ltd

Recommendation:

East Area Planning Committee is recommended to resolve to refuse planning permission for the reasons set out below

Reasons for Refusal

1. The site is protected open space (including associated car parking). It is not allocated for housing development nor is it needed to meet National Planning Policy Framework housing land availability requirements. It has not been clearly shown that the site is surplus to requirements for sport or recreation. It is not essential that the need for housing development should be met on this particular site, and there are no other balancing reasons or mitigating circumstances why housing should be allowed. It is necessary to retain the site as open space for the well-being of the local community, and its development is contrary to Policies CS2 and CS21 of the Core Strategy, and Policy SR2 of the Oxford Local Plan.
2. The application, because of the potential adverse relationship of the development to the trees on the southern and eastern boundaries, and because of unresolved highway issues, has not satisfactorily demonstrated that 45 dwellings can be accommodated on this site in accordance with Policies CP1, CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan.

Legal Agreement and CIL:

Were the application to be recommended for approval then a legal agreement would be required to secure the provision of affordable housing and other relevant matters; and, the proposal would become liable for CIL on determination of the subsequent reserved matters application(s).

Principal Planning 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
CP17 - Recycled Materials
CP18 - Natural Resource Impact Analysis
CP21 - Noise
TR1 - Transport Assessment
TR2 - Travel Plans
TR4 - Pedestrian & Cycle Facilities
NE15 - Loss of Trees and Hedgerows
HE2 - Archaeology
SR2 - Protection of Open Air Sports Facilities
TR3 - Car Parking Standards

Core Strategy

CS2 - Previously developed and greenfield land
CS9 - Energy and natural resources
CS11 - Flooding
CS12 - Biodiversity
CS13 - Supporting access to new development
CS18 - Urban design, town character, historic environment
CS21 - Green spaces, leisure and sport
CS22 - Level of housing growth
CS23 - Mix of housing
CS24 - Affordable housing

Sites and Housing Plan

HP2 - Accessible and Adaptable Homes
HP3 - Affordable Homes from Large Housing Sites
HP9 - Design, Character and Context
HP11 - Low Carbon Homes
HP12 - Indoor Space
HP13 - Outdoor Space
HP14 - Privacy and Daylight
HP15 - Residential cycle parking
HP16 - Residential car parking

Other Planning Documents

- National Planning Policy Framework

- National Planning Guidance
- Affordable Housing and Planning Obligations SPD
- Parking standards, Transport Assessment and Travel Plans SPD
- Natural Resource Impact analysis SPD
- Balance of Dwellings SPD

Public Consultation

Statutory Consultees

- Oxfordshire County Council (Highways) – no objection subject to further information and conditions. The applicant needs to demonstrate that they can upgrade and provide a pedestrian and cycle access between the south-west of the proposed development and Crescent Road via third party land within Beresford Place. The applicant needs to provide vehicle tracking analysis which shows that Fire Engines and refuse collection vehicles can safely enter and exit the development in forward gear. The applicant must also submit an amended plan which addresses concerns about forward visibility on the main access road within the development. The applicant needs to provide greater clarification regarding cycle parking facilities.
- Oxfordshire County Council (Education and Property) – education and other infrastructure requirements to be met through CIL. The provision of fire hydrants in accordance with the requirements of the Fire & Rescue Service by planning condition. Informative, the Fire and Rescue Service recommends that new dwellings be constructed with sprinkler systems.
- Thames Water Utilities Limited – drainage strategy required to ensure waste water infrastructure needs are met, informative in respect of water pressure
- Environment Agency Thames Region – if infiltration drainage proposed it must not pose a risk to groundwater quality
- Sport England (South) - Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field or land last used as such, unless one or more of the five exceptions stated in its policy apply. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs. Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF. Sport England would be willing to remove its objection to this application if replacement playing field land is made available elsewhere within the catchment area.

Public representations:

71 local people commented on this application from addresses in William Morris Close, Barracks Lane, Turner Close, Hollow Way, Beresford Close, Crescent Road, Crescent Close, Leafield Road, Temple Road, Junction Road, Temple Mews, Don Bosco Close, St Christopher's Place, Bennet Crescent, and Salegate Lane.

The Old Temple Cowley Residents' Association and the Oxford Civic Society also commented.

In summary, the main points of objection (69 residents) were:

- i. the site is not redundant, there is no evidence that the site is redundant; local people would like to use it; its current condition results from the owner fencing it off and neglecting it and then characterising it as derelict;
- ii. it is protected open space; it could be used for formal and informal sport and as a wildlife area; it is needed in this highly developed part of the city for recreation and as a green space: it should be used to enhance the local area; the proposed retained open space is insufficient to meet local needs;
- iii. funding sports provision elsewhere in Oxford will not serve this local community;
- iv. Oxford's housing needs are acknowledged but housing should be provided in the context of local plans;
- v. there are intolerable traffic and parking problems on all streets in the area particularly at school times; numerous accidents and traffic incidents on Hollow Way; people afraid to use Hollow Way for cycling; yellow lines by the school will only push car parking into other areas such as Turner Close which is already very congested; Crescent Road will become an even greater rat-run; William Morris Close would no longer be a "Close";
- vi. the proposal will increase flood risk;
- vii. the proposal will increase noise and pollution which are already high and growing;
- viii. the proposed housing is too dense, bulky and badly designed. It will be detrimental to neighbouring properties and will not be a characterful development;
- ix. local facilities such as Hollow Way medical Surgery cannot cope; need more local facilities like shops cafes;
- x. nothing has changed since the last applications; developer trying to wear down opposition through multiple applications.

2 residents commented that the site needs development but for housing and facilities which support key workers, first time buyers and the local community but that the current proposals are not of the right scale and type.

Relevant Site History

02/02046/FUL - Demolition of Morris Motors Sports and Social Club buildings, two houses, garages and outbuildings. Retention of sports ground and bowling green. Erection of new sports and social club (became the Lord Nuffield Club). Erection of 63 dwellings accessed from Barracks Lane with 97 car parking spaces (now William Morris Close); 11 houses fronting Crescent Road; and 21 flats with 32 car parking spaces accessed from Crescent Road (now Beresford Place). PERMITTED 8th December 2004.

12/02935/FUL – conversion of The Lord Nuffield Club building to a Free School with outdoor play area on adjacent land. Planning permission granted following a call-in inquiry (hearing), and now the Tyndale Community School which opened in October 2013.

12/02967/FUL - Construction of two all-weather playing pitches, plus a new residential development consisting of 43 dwellings - 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc. accessed off Barracks Lane. 50% of the dwellings to be affordable. REFUSED 18th March 2013.

The reasons for refusal concerned:

- i. unacceptable development of a protected open air sports facility and local green space;*
- ii. all-weather mini-pitches not an acceptable alternative sports provision;*
- iii. development on a site which is not allocated for development in an adopted plan and which is not needed to meet NPPF 5 or 10 year housing land availability requirements;*
- iv. overdevelopment and unacceptable design and layout of the housing proposals;*
- v. loss of amenity to adjacent properties;*
- vi. poor relationship to boundary trees; and,*
- vii. failure to meet sustainability and resource efficiency requirements.*

An appeal was lodged but then withdrawn

13/01096/FUL - Construction of two all-weather pitches, plus new residential development consisting of 40 dwellings - 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane (Amended plans)(Amended Description). 50% of the dwellings to be affordable. REFUSED 18th September 2013.

The reasons for refusal in that case concerned:

- i. unacceptable development of a protected open air sports facility and local green space;*
- ii. all-weather mini-pitches not an acceptable alternative sports provision;*
- iii. development on a site which is not allocated for development in an adopted plan and which is not needed to meet NPPF 5 or 10 year housing land availability requirements.; and,*
- iv. failure to meet sustainability and resource efficiency requirements – this reason was not to be pursued at the appeal in the light of subsequent negotiations which concluded that the outstanding sustainability issues could be resolved through the imposition of a condition.*

Appeal (public inquiry) dismissed 11th February 2014 (Appendix 2) *the Inspector concluded that the land has value to the local area and potential to provide for open air sports facilities; the all-weather pitches would not add value to the character of the area; and community access would be limited. The site is not allocated for housing and the proposal conflicts with the Council's strategic approach to development albeit there was significant weight in favour of the scheme arising from the high proportion of affordable housing.*

13/02500/OUT - Outline application (seeking access, appearance, layout and scale) for residential development consisting of 40 dwellings - 6 x 1-bed, 15 x 2-bed, 15 x 3-

bed and 4 x 4-bed residential units, together with 70 car parking spaces, access road and informal recreation area. 63% of the dwellings to be affordable; contribution offered of £250,000 towards leisure provision elsewhere in Oxford. REFUSED 11th December 2013

The reasons for refusal in that case concerned:

- i. the site not allocated for development in an adopted plan and which is not needed to meet NPPF 5 or 10 year housing land availability requirements; and,*
- ii. unacceptable development of a protected open air sports facility and local green space.*

14/01670/OUT - Outline application for the erection of 7 new dwellings on car parking area only. **REFUSED 14th August 2014**

The reasons for refusal in that case concerned:

- i. unacceptable development of part of a protected open air sports facility and local green space, development on a site which is not allocated for development in an adopted plan and which is not needed to meet NPPF 5 or 10 year housing land availability requirements;*
- ii. design;*
- iii. overlooking.*

Appeal (written representations) dismissed 5th May 2015 (Appendix 3) the Inspector concluded that there was still a need to protect the site for open space uses and this would not be outweighed by the contribution to housing provision. The development would compromise the quality of the character and appearance of the area.

15/02402/OUT - Outline application (fixing access only) for 45 residential units consisting of 4 x 1-bed flats, 14 x 2-bed flats, 10 x 3-bed flats, 10 x 3-bed houses and 7 x 4-bed houses. Provision of private amenity space, 79 car parking spaces, access road, landscaping and public recreation space. **DECLINED TO DETERMINE 11th November 2015** (because the Secretary of State had dismissed an appeal within the last 2 years in respect of a similar application).

16/02651/OUT - Outline application seeking permission for 72 new Affordable Key Worker dwellings, retention of and extension to existing parking area, together with private amenity space, access road, landscaping and new publicly accessible recreation space. RECEIVED 12.10.2016, **IN PROCESS OF CONSIDERATION.**

THE SITE AND SURROUNDINGS

1. The site is located within a primarily residential area accessed from Barracks Lane via William Morris Close. It is bounded to the south, west and east by residential development (Crescent Close; properties in and accessed off Crescent Road including Beresford Place; properties fronting Hollow Way including Hopkins Court; and William Morris Close). It is bounded to the north by the open air facilities of the Tyndale Community School. The site access via

William Morris Close off Barrack's Lane also gives access to Tyndale Community School.

2. The site extends to 1.24ha. It is an open air sports field and associated car park which is fenced to prevent public use and not in use privately. It has a public footpath passing through it joining William Morris Close with Crescent Road via Beresford Place.

THE PROPOSAL

3. The application is in outline with all matters reserved except access.
4. 45 new dwellings are proposed. The indicative layout shows units arranged as 5 blocks of flats (one block 2-storey, and four blocks 2½-storeys between 9.25m and 11.5m high to the ridge) and 4 runs of 2-storey and 2½-storey terraced or semi-detached houses (with private gardens). 23 of the units (51%) are to be affordable in accordance with Policy CS24 of the adopted Core Strategy, and HP3 of the adopted Sites and Housing Plan. The proposed mix of dwellings is consistent with the Balance of Dwellings SPD and complies with Policy CS23 of the Core Strategy.
5. 79 car parking spaces are shown (in a mixture of on-street and off-street spaces, and some on-plot garages), together with cycle and waste storage, and landscaping.
6. The built development is shown to be arranged around three sides of an open recreation area of 0.26ha which is intended to be freely accessible to the public. The applicant has also offered to make a financial contribution of £450,000 (£10,000 per property) towards the provision of leisure facilities elsewhere in Oxford.
7. The applicant has sought to justify this proposal through the submitted Planning Statement in the following terms:
 - i. the site has no public access, it is degraded and detracts from the character of the area. The proposal offers publicly accessible open space for recreation (0.26ha) which can also accommodate junior pitches if desired, and will be landscaped to enhance the area. In addition £450,000 is offered towards leisure facilities elsewhere in the City. These proposals (on-site open space and financial contribution) are better than have been achieved when other open spaces in the City have been developed;
 - ii. delivery of housing in Oxford has fallen below the Core Strategy target and continues to fall. This site is available and can deliver the mix of market and affordable housing required by adopted policy;
 - iii. the current Strategic Housing Land Availability Assessment (SHLAA) shows that the Objectively Assessed Need (OAN) for housing in Oxford is far greater than set out in the Core Strategy and cannot be met by available and deliverable sites. In those circumstances, in determining

- this application, greater weight should be given to providing market and affordable housing;
- iv. the NPPF makes clear that local planning authorities should be boosting their supply of housing significantly. Neighbouring authorities have cast doubt on the robustness of the City's SHLAA work and they assert that Oxford should be doing more to address unmet need within (rather than outside) the City. It is suggested that rather than excluding protected sites from consideration for housing development, the City should ask whether such protection is justified. This site can reduce reliance on sites outside the City;
 - v. the illustrative layout demonstrates that parking standards can be met without overburdening the local highway network. No highway objections have been raised in respect of previous applications;
 - vi. the dwellings will have acceptable internal and external amenity and will be low carbon; they will relate acceptably with surrounding properties;
 - vii. in its current degraded state the site achieves none of these benefits.

DETERMINING ISSUES

8. Residents are concerned that this is a repeat application which the Council should decline to determine. On this occasion however, there are no reasons to decline determination.
9. The determining issues are:
 - principle of development - do the City's housing needs outweigh the site's protection as an open space?;
 - quantum of development – do the indicative drawings demonstrate that the site has the capacity to accommodate the proposals in a satisfactory way?; and,
 - other site specific issues.

Principle

The need for this site to be retained as open space

10. The site is currently green open space with associated car parking. It is protected by Policy SR2 of the adopted Oxford Local Plan 2016 which states that planning permission will not be granted for development that would result in the loss of open-air sports facilities where there is a need for the facility to be retained or the open area provides an important green space for local residents. Complementary to this, Policy CS21 of the adopted Core Strategy 2026 identifies the Council's aspiration to achieve and maintain an average of 5.75ha of public accessible green space per 1,000 population. This is to be achieved by refusing

the grant of planning permission that results in the loss of sports and leisure facilities.

11. The subdivision of the site through the introduction of fencing that presently precludes public access, does not change the status of the site for planning purposes (recreational open space) or its planning policy protection. This position was upheld in the 2014 and 2015 appeal decisions, which confirmed that both the open space and car parking areas of the site are recreational open space, and the policy protection afforded by Policies SR2 and CS21 should be applied to them.
12. The SR2 designation originally sought to protect a wider area and has already been reduced in size by new developments:
 - i. in 2004 when the redevelopment of the former Morris Motors Club was allowed as a balanced decision in order to enable the upgrading of recreational facilities offered even though there was a reduction in the open space available on the site; and,
 - ii. in 2013 when approving the change of use of the former Lord Nuffield Club (the club building and part of the playing field) to a free school, the Secretary of State accepted that the area of playing field would be diminished in size (by 27%) but considered that the integrity and viability of the retained area (the current application site) as open space would not be compromised.
13. Subsequently Inspectors determining two recent planning appeals on the whole of the current site (2014) and the car parking part of the current site (2015) have supported the need to protect the site for open space uses.
14. The site retains the physical capability to be used as an open air active recreational resource even though it cannot accommodate full-sized adult pitches. In relation to previous similar applications, Sport England has commented that within the City there are current and latent demands for pitch sports which this retained open space could help to satisfy. The applicant has also previously provided evidence that the site could help to meet the demand for football mini-pitches and for football-specific Artificial Grass Pitches.
15. The current application proposals would result in the loss of 80% of the site to development but the applicant has not put forward evidence that the site is clearly surplus to requirements for open space, sports or recreation. This evidence is a requirement of the NPPF and adopted local policies. The applicant argues instead that the lack of public access means that the site is not a public open space resource, and that the fencing precludes its utility as a visual amenity; that the 20% of the site area proposed to be retained as a landscaped open space (0.26ha) will be open to the public and can be used for formal and informal sport; and that Oxford's leisure facilities can be enhanced through the voluntary financial offer of £450,000.
16. In the view of officers, the site is not surplus to requirements because there are

identified outdoor sports and recreation needs in the locality that this site can help to serve; there is an identified substantial shortfall of public open space in this area, with only approximately 2.95ha per 1000 population compared to the target 5.75ha per 1000; and there is a need to retain the site as a valued green space within this relatively densely developed part of the City. Local people have given evidence of the value they place on this site for recreation and as a green space. The recreational needs of the area have not diminished since the recent consideration of site for development by the Secretary of State, Inspectors and the Council.

17. As part of the emerging local plan process, evidence about the need and supply of public open space will be updated, however there are no indications that the position will have improved. More likely, bearing in mind development in the local area in recent years, the ratio is likely to worsen: the need for open space will be even stronger in this part of Oxford as there is a greater number of residents and a relatively smaller amount of open space.
18. The retention of only 0.26ha of the site as open space, which is only 20% of the area which Inspectors have recently concluded should be protected as open space, is not sufficient to serve the identified needs of the area.
19. Moreover, while accepting that that the proposed 0.26ha open space will be freely open to the public, its utility to serve the wider identified recreational needs of the locality is questionable. It will be central to the new houses. It will undoubtedly be an attractive visual amenity for the housing surrounding it, and of great importance for informal recreation for immediately local residents and small children playing. Its use for sport and recreation for an incoming user group from the wider community however would be limited by the competing demands for the space including changing and the noise nuisance caused to residents that formal sports might cause in such an enclosed area. There would be no scope for floodlighting.

Housing Land Supply

20. The offer of £450,000 towards leisure development elsewhere in the City springs from the clause in Policy SR2 that the loss of open air recreation space may be acceptable where there is a need for the development (in this case housing), there are no alternative green field sites and the facility can be replaced by equal or improved replacement facilities. This is echoed in paragraph 74 of the NPPF where it says that open space should not be built on unless *inter alia* the loss would be replaced by equivalent or better provision in terms of quality or quantity elsewhere.
21. In those terms the application asserts that the weight of housing need and low rates of housing delivery in the City and the ability of this scheme to contribute to meeting housing needs in the short term means that the loss of 80% of the site to housing with 0.26ha retained for freely accessible leisure use, plus a financial contribution to leisure facilities elsewhere is in accordance with policy.

22. The NPPF requires local planning authorities, through local plan-making and decision-making, to boost the supply of housing significantly, to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The NPPF also stresses that the planning system is plan-led and that planning decisions should be taken in accordance with up to date plans unless material considerations indicate otherwise. The Council's local plan is up to date albeit currently the subject of review.
23. Through its adopted policies (Core Strategy CS2 and CS24, and policies of the Sites and Housing Plan) and through its planning decisions the Council demonstrates that it accords great weight to meeting housing needs but it is well understood that Oxford cannot achieve the whole housing requirement within its area. Through monitoring, the rate of delivery of housing is also understood. These issues are being addressed through the Oxford Local Plan Review which is in progress and through on-going housing market work.
24. The Council affords great weight to the valuable contribution that this scheme could make to meeting housing needs in the short term and in particular to meeting affordable housing needs through the development of 23 affordable units in accordance with policy. However the Council is currently able to demonstrate an acceptable housing land supply in accordance with the requirements of the National Planning Policy Framework, and there are no overriding housing land supply or housing delivery reasons why this site should be developed as proposed when it is still needed to serve green open space needs and is protected as such.
25. This approach is supported by the 2014 and 2015 appeal decisions on the application site: the Inspectors concluded that the benefits of those schemes in terms of the delivery of affordable units did not outweigh the need to continue to protect site as an open space.
26. No other balancing reasons or mitigating circumstances are apparent which would predicate housing development on this site and it can therefore be concluded that there is no overriding need for housing development to take place on it.

Conclusion on need

27. In all these circumstances, the recommendation is that this site should continue to be retained as a whole as open space to help serve the recreational needs of this part of Oxford and as a green space which can contribute to the character of the area and the quality of life.

Quantum of Development

28. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it

functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.

29. This is an outline application with all matters apart from access reserved. While wishing to see the best use of the site's capacity were it to be recommended for approval, the illustrative drawing has raised concerns about the capacity of the site to achieve this level of development if national and adopted local design policies are to be achieved.
30. The relationship of the blocks of flats to the retained trees on the eastern and southern boundaries may give rise to direct impacts on the trees; and the gardens or other outdoor amenity to plots 8-23 would be shaded for much, if not all, of the day. This may predicate a reduced number of units if the layout is adjusted to mitigate these effects.
31. The Highway Authority, while not objecting to the principle of the development has raised concerns which may impact on the capacity of the site, namely:
- i. in order to retain permeability through the site, it needs to be demonstrated that the pedestrian and cycle access between the south-west of the proposed development and Crescent Road can be provided and upgraded via third party land within Beresford Place;
 - ii. vehicle tracking analysis is required which shows that Fire Engines and refuse collection vehicles can safely enter and exit the development in forward gear;
 - iii. details are required of the forward visibility on the main access road within the development; and,
 - iv. greater clarification is required regarding cycle parking facilities.
32. For these reasons it is considered that it has not been demonstrated that 45 dwellings can be accommodated satisfactorily on this site in accordance with adopted policies.

Other site specific issues

33. Local consultations have been carried out concerning air quality, land quality, archaeology, ecology and drainage. No objections have been raised to the principle of this development subject in most cases to conditions were the application otherwise to be recommended for approval.

Conclusion: refuse on the grounds that the site is not allocated for housing and should be retained as an open space for recreation and for its value as a green space. Also on the ground that it has not been demonstrated that the quantum of development proposed can be achieved satisfactorily in accordance with adopted policy.

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

Background Papers: 02/02046/FUL; 12/02935/FUL; 12/02967/FUL; 13/01096/FUL; 13/02500/OUT; 14/01670/OUT; 15/02402/OUT; 16/00797/OUT; 16/02651/OUT.

Contact Officer: Fiona Bartholomew

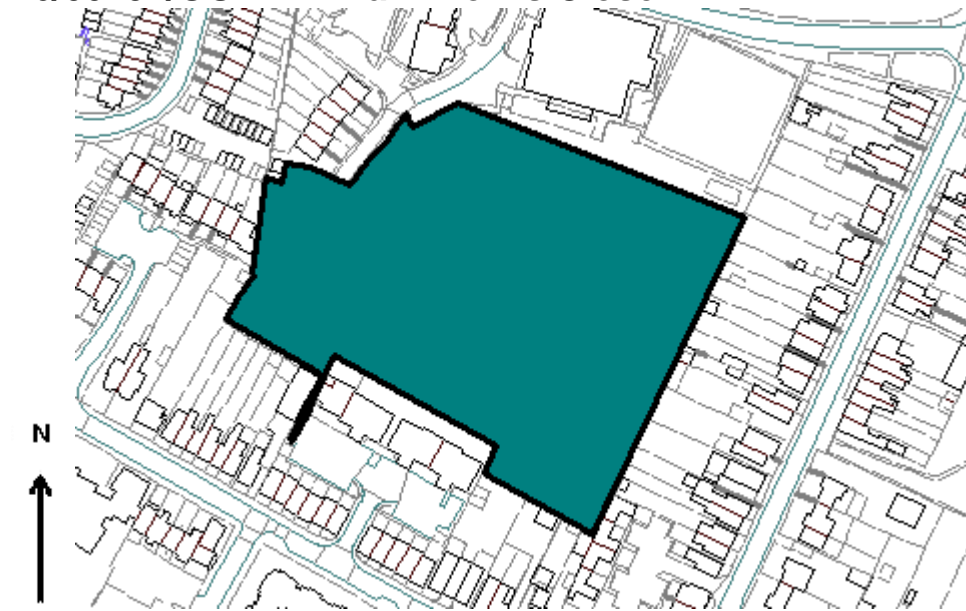
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Date: 22 November 2016

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Appendix 1

16/00797/OUT - William Morris Close



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Ordnance Survey 100019348

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Appeal Decision

Inquiry held on 14 - 16 January 2014

Site visit made on 16 January 2014

by Mike Robins MSc BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 February 2014

Appeal Ref: APP/G3110/A/13/2206058

Land to the rear of William Morris Close, Oxford, OX4 2JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Cantay Estates against the decision of Oxford City Council.
 - The application Ref 13/01096/FUL, dated 18 May 2013, was refused by notice dated 18 September 2013.
 - The development proposed is two all weather playing pitches. New residential development (6 x 1 bedroom, 15 x 2 bedroom, 15 x 3 bedroom and 4 x 4 bedroom), 71 car parking spaces, access road and landscaping.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development set out above varies slightly from that originally put forward. This is as a result of the revision to the scheme agreed with the Council prior to their determination of the application.
3. A Unilateral Undertaking (UU), signed and dated 15 January 2014, was provided by the appellant. This sought to address the affordable housing and all weather pitch (AWP) elements of the scheme.
4. While the description of development refers explicitly to the provision of two AWP, the appellant offered an alternative at the Inquiry. Instead of the AWP, this would provide for a publically accessible grassed area with trim trail and exercise area and the ability to lay out grass pitches. The scheme also proposed a contribution towards replacement sports pitches or the improvement of existing sports facilities elsewhere in Oxford.
5. A planning application¹ was submitted to the Council which, in outline form, reflected the housing part of the proposal now at appeal, but substituted this alternative approach to the non-housing element. This was considered by the Council, who refused this application on the 4 December 2013, citing similar reasons, in part, to the appeal scheme.
6. The appellant has requested that were the AWP provision considered to be unacceptable, and I was minded to prefer the alternative proposal, then a split decision could be considered. This could, it was suggested, be achieved

¹ 13/02500/OUT

through a condition and an alternative UU, which was also submitted at the Inquiry, signed and dated 15 January 2014.

7. It is not possible for this appeal to address the later application directly, as this has not been formally appealed; nor has the appellant modified their scheme, merely offered an alternative. Although parties should rely on their original submissions at appeal, this does not mean that the appropriateness of accepting a revision to the original scheme to reflect the alternative should not be assessed. Such assessments generally refer to the case of *Wheatcroft*², which, in essence, sets out the principles of whether a change to a development is so substantial as to lead to prejudice to any party.
8. The appellant considered that, as part of the outline application, local residents and statutory consultees would have had the opportunity to comment on this alternative as part of the scheme. Sport England maintained an objection to the proposed alternative scheme, although the Council's Leisure Services Section would appear to have welcomed the proposal. The Council accepted, during the course of the Inquiry, that, setting aside their in principal objection to the proposal, the alternative open space provision would be preferable.
9. However, this does not mean that there would be no prejudice in my considering the alternative, and I note the concerns of the local residents. Indeed I can understand that for local residents, presented with a scheme that was refused and then appealed, while another earlier scheme had also been appealed but withdrawn, and then presented with a revised scheme for consideration by the Council, which is not the subject of the appeal, but was introduced at the start of the Inquiry, this could have been somewhat confusing. This was borne out in comments made at the Inquiry.
10. With the AWP's explicitly referred to in the description and therefore clearly stated in the notification letters related to the appeal and Inquiry, I consider there to have been a risk of confusion and potential prejudice for local residents. Furthermore, despite the Leisure Services Section's position, Sport England or another statutory consultee may have wished to comment further at appeal, on what would be a significant change to almost a third of the site area.
11. Furthermore, although a split decision is an option available to an Inspector, it can only be used where the two parts of the scheme are clearly severable, both physically and functionally. A condition cannot be used on its own to achieve a split decision. In this case, the introduction of housing onto part of the site and open, sporting or recreational space on the other part is linked by policy requirements. While the appellant suggests that the condition and UU gives reassurance that some form of publically accessible area will be provided, I am not persuaded that this can adequately separate the parts of the scheme. Overall, I consider that the scheme cannot be severed in this way and the introduction of this substantial change to the proposal cannot be considered at this appeal.
12. A Statement of Common Ground (SoCG) was submitted, signed and dated on the first day of the Inquiry. In this it was agreed that the development plan for the area comprises the Oxford City Local Plan (the Local Plan), adopted 2005, the Oxford City Core Strategy (the Core Strategy), adopted 2011 and the

² *Wheatcroft (Bernard) Ltd v. Secretary of State for the Environment and Harbrough DC* [1982] P&CR 233

Oxford City Council Sites and Housing Plan (SHP), adopted 2013. The National Planning Policy Framework (the Framework) reaffirms, at paragraph 2, the statutory duty to determine planning applications and appeals in accordance with the development plan unless material considerations indicate otherwise. The Framework itself is a material consideration.

Main Issues

13. Accordingly I consider the main issues in this case to be:

- The effect of the proposal on the provision of open space for formal and informal sport, recreation and amenity;
- The effect on the character and appearance of the area;
- The effect on the highway safety of users of the local road network.

Reasons

14. The appeal site is an area of open land of approximately 1.24 Hectares, mostly laid to grass, but with an area of car parking to the west. The site was formerly part of a sports and social club, most recently the Lord Nuffield Club, but for many years preceding that, the Morris Motors Club. In recent years, the original clubhouse was replaced with a new facility, with housing provided on part of the site. Following the club going into receivership, the new clubhouse was taken over by the Tyndale Free School. Planning permission, granted on appeal by the Secretary of State, has established full use of the clubhouse and some surrounding land for this purpose³.

15. The remaining grassed area is now fenced to prevent access, although the car park areas remain open. Barracks Lane lies to the north, beyond the school, and provides the only access to the site. It is a cul-de-sac, leading to William Morris Close, Turner Close and a few properties on the road itself. At its western end it provides a footpath link to Oxford Spires Academy and the Cowley Marsh Playing Fields. It is signposted as a walking and cycling route at the junction with Hollow Way.

16. The proposal comprises housing to the southern part of the site with two AWP's proposed to the northern part adjacent to the school.

The Effect on Open Space Provision

17. Policy CS2 of the Core Strategy sets out the strategic approach to development in this area, with a clear focus on previously developed land. It accepts that there is a need for some greenfield areas to be identified for development and allocated as such. The policy explicitly allows for the development of greenfield land only where it is specifically allocated or is required to maintain a five year rolling housing land supply (HLS).

18. Although the appellant pointed to a 'huge' unmet need for market and affordable homes, which the Council acknowledged, it was agreed by the appellant that the Council have a five year HLS. The Council argued that, taking account of the constraints in the area, this approach balanced the conflicting demands in Oxford; it was an approach found sound in the recent development plan examinations. Specific allocations on greenfield sites were

³ APP/G3110/A/13/2195679

set out in the recent SHP; the appeal site was not allocated. The appellant considered that there was a clear reason for this in that the site was in receivership. They also argued that the circumstances of the appeal site are very similar to those sites that were allocated, in terms of the Council's reasoning for such allocations. I deal with these matters in more detail later.

19. The whole of the original Morris Motors Club site is also identified in the Local Plan as Protected Open Space, with particular reference to Policy SR2, which deals with the protection of open air sports facilities. The accompanying text to this policy identified that Oxford's playing fields are an important recreational resource and that most are of special significance for their amenity value and their contribution to the green space of the urban environment. It notes that many are privately owned by Colleges or private schools and are not necessarily available for public use, but considers that the policy applies equally.
20. Green spaces for leisure and sport are also addressed through Policy CS21 of the Core Strategy. It was common ground that exceptions to the preclusion of development on such sites were generally consistent with Policy SR2, which I agree. The Framework similarly sets out⁴ that existing open space, sports and recreational land, including playing fields should not be built on unless they are surplus to requirements, they can be appropriately replaced or the proposed development clearly outweighs the loss.
21. A former member and officer of the sports and social club gave evidence that the once thriving club provided not only a facility for workers at the nearby motor works, but for the local community. Associate membership would have allowed direct access to the facilities, and the open space itself was generally accessible for use by local residents. Following closure of the club, although there was a period when this open access remained, since the erection of the fence there has been no public access onto the grassed area.
22. It is necessary at this point to draw some distinction between the appeal before me and that recently considered for the Free School. In that scheme the Council acknowledge a direct need for primary school places in the area, and it involved only a relatively small part of the open air sport facility. Indeed the Secretary of State's decision explicitly concluded, on the evidence in that case, that the reduction in open space would not compromise the integrity or viability of the remaining area of open space. Any loss was accepted to be mitigated by the public access that could be provided to the school facilities that were to be developed.
23. Notwithstanding this, evidence was provided to this Inquiry, and accepted by the Council, that the open land remaining, following the confirmation of the school development, is insufficient to meet Sport England's comparative sizes for senior cricket and rugby pitches and only just sufficient for a football pitch. Nonetheless, the Council considered that the site has the potential to provide for football or hockey or indeed junior or mini pitches for various sports.
24. The Council have produced a Playing Pitch and Outdoor Sports Strategy which categorises in some detail the provision and need for facilities across Oxford. Main parties were generally in accord that the need was for junior or mini football pitches. However, the Strategy also outlines the high numbers of

⁴ Paragraph 74

- facilities that are privately owned and acknowledges the risk of undersupply should the informal or adhoc basis for community access be withdrawn.
25. In this context there was a general acceptance of an ongoing need for certain open air sport facilities, and the appellant argued that the AWP's would provide a qualitative and quantitative improvement over the existing site, offering community access where there is currently none, and a greater capacity on the all weather surface, as opposed to grass pitches.
26. While an all weather surface has the potential to allow for longer periods of use, such use would be contingent on access. In this proposal the AWP's would be passed to the school to be managed and a Community Access Agreement set up under condition. The Council may be able to influence this agreement, but I have no evidence indicating the school's acceptance of this role, nor what such an agreement would entail. Although the appellant argues that the Council did not require submission of this detail, it is for the appellant to supply appropriate information to support their application.
27. Furthermore, no floodlighting for the pitches is proposed within this appeal application. I consider that permission for such could not be guaranteed to be forthcoming, in light of the position of the pitches relatively close to surrounding residential development. In light of these matters, and assuming that community access may be limited to periods outside of the school's use, there are questions over whether the full capacity envisaged by the appellant could realistically be achieved. Furthermore, this is only part of the reason why such areas were protected under policy; I turn therefore to the effect on informal recreation.
28. The Council suggested that the appeal site is of socio-historic value to the community and has potential to provide for community use, analogous to a Local Green Space (LGS) as set out in the Framework⁵. I do not consider that the protection of open space under the Local Plan can be considered to be directly related to the Framework's intention for the designation of LGS; as it says such designation will not be appropriate for most green or open space. Nonetheless, the policy protection afforded by Local Plan Policy SR2 and Core Strategy CS21 extends beyond just the functional sporting provision to the wider amenity value, and many local residents will have enjoyed the benefits of this facility over the years, either as a member or informal user. Furthermore they will have appreciated the presence of a large and open area within what is a relatively densely developed area.
29. The appellant points out that the land has no public access now and therefore no public benefit at present; something, it was argued, that could be rectified, in part, by the proposal. Furthermore, they stated the Council was unwilling to assume responsibility for the site and no-one had come forward to take on any part of the site, to continue its use, following the club going into receivership. To my mind, these points would carry more weight if the specific use of the appeal site as an open air sports facility had been tested.
30. The appellant indicated that the whole site had been clearly marketed, including a large banner on the clubhouse. However, I consider that there is a difference between the offer of an open space with a very large clubhouse facility, and the open space on its own, not just in terms of the overall value of

⁵ Paragraphs 76 and 77

the site, but also in its implications for ongoing maintenance and costs. While a member of the local community did indicate at the Inquiry that he was prepared to purchase the site, I have no evidence on which to base the likelihood of such an offer being completed, and can therefore give this little weight. Nonetheless, the absence of marketing of the land on its own limits the weight I can give to the presumption that a community use for the land is either not needed or not wanted.

31. The plans submitted to the appeal, associated with the Oxford Green Space Study 2012, indicate that there are areas near the appeal site outside of the 400m walking distance to formal and informal sites. However, the development of the appeal site will not directly affect the measures set out in the Council's Green Space Strategy for unrestricted use, and as referred to in Policy CS21. Nevertheless, the AWP's would provide little benefit to this measure, as they also would not be unrestricted. It is necessary therefore to also consider the role the site plays in the overall character and appearance of the area.

Character and Appearance

32. The fact that an otherwise significant open space has been fenced and is becoming overgrown is not a good reason in itself for allowing it to be developed. In my opinion, there is value in open vistas and open character in a residential area. This site is undeveloped and the fact that it enjoys views from surrounding development and, to a small part, from Barracks Lane means that, even in its current slightly overgrown state, it makes a contribution to the character and appearance of the area. Local residents place a high value on this open space.
33. The level of access previously enjoyed by the community to the area is not now available, nor can it be considered to be something that will be reinstated. Nonetheless I consider that there is value to the site, and the proposed development would introduce some harm to the character and appearance of the area.

Highway Safety

34. Local residents set out their concerns regarding the potential increase in traffic that the development would generate, particularly when considered against that potentially arising from the new school, and the effect that it would have on the safety of the local road network. The Council have appraised the appellant's Transport Assessment, which takes account of projected traffic associated with the school and 43 houses, as proposed in an earlier scheme, and have accepted that it was robust; no issue was taken on this matter by the Council.
35. I have some sympathy with local residents, as prior to the building of the new clubhouse, traffic using the lane would have been solely for the residents of Turner Close and the lane itself. Since that time housing has been introduced at William Morris Close and the school has opened; to this it is now suggested that there would be 40 further houses and two sports pitches. Nonetheless, it is not a change in traffic levels that is determinative, but whether they result in material harm.
36. Although the school has only been open since September 2013, and therefore has only a small proportion of the overall numbers that will attend, local

residents suggest that it is already causing significant traffic problems. I took the opportunity during the course of the Inquiry to carry out unaccompanied visits to the site during the morning school drop off period, from approximately 8,30am to 9.00am. Furthermore, the timing of the accompanied site visit allowed observation of the afternoon pick up period.

37. While these can only reveal a snapshot of activity, I have no reason to believe that these days would have had any less children attending the school, or any altered pattern of transport. While there was activity, it was not, in my view, such as to significantly interfere with traffic flows here or with safety. However, I am aware that the existing parking is not part of the school's long term provision.
38. Looking forward, the traffic associated with the school will grow, but the impacts of this have been assessed as part of the recent Secretary of State's decision and are not before me. My decision must focus on whether the traffic from the 40 houses, either alone or in combination with the school, would lead to harm.
39. There are some existing issue with the road network here, including the level of parking in Turner Close. The houses here are terraces with only a few having off-road parking in front of the properties. Although there would appear to be a nearby garage block, there was evidently a considerable level of on-street parking which narrowed the road significantly. However, the proposal would not materially affect this, as it would be unlikely that future residents of the proposed scheme would choose to park their cars in Turner Close, particularly as parking in this application has been increased to 71 spaces, which the Council accept is in line with their parking standards.
40. At the top of Barracks Lane informal parking takes place near to the traffic light junction with Hollow Way. It is not clear as to why there is parking here, but the absence of driveways and off-road parking for some houses on Hollow Way may be a reason. Nonetheless, this does narrow the road here, although this is an existing situation, which, for the reasons I refer to on parking above, the proposal is unlikely to exacerbate.
41. During the Inquiry, I was provided with a copy of an Oxfordshire County Council consultation response, dated 29 October 2013, to the later outline application. This appeared to raise concerns regarding the parking, although this related to the scheme with 55 car parking spaces. Matters relating to the projected traffic from the school and its impact on queuing lengths were also referred to. This response does not appear to reflect the position set out in the committee report for that scheme, which states that there were no highways objections to the revised plans. On the evidence before me, I must accept that there was a change in that view, possibly resulting from the revision to the plans for parking, such that this position was neither taken forward by the Highway Authority in relation to that scheme, nor introduced by them or the Council as an issue in this appeal.
42. This does not mean that there will be no impact from these schemes. It is likely that there will be some delays and queues associated with the free school, much as there is at many schools during the drop off periods. The question for me is whether the additional traffic would lead to an unacceptable level of congestion, or direct highway safety risks associated with conflict with the school traffic or children walking to school.

43. The existing road network issues slow the traffic, where parking creates pinch points on Barracks Lane, and there would be further traffic to the school, and potentially this development. However, on the evidence before me, I have no reason to consider that flows would become saturated such that congestion would extend significantly beyond the peak hour periods.
44. In terms of potential conflict there may be some overlap of peak traffic movements during the morning period, although school traffic will often be slightly later. The school, when it has implemented its planning permission and Travel Plan, will have a dedicated drop off area, away from the access road, and while some queuing may occur, visibilities are good both along the access and at the exit onto Barracks lane; I do not see material harm arising from the additional traffic for the scheme in relation this. There are footways along the length of Barracks Lane, and ones proposed to link the footpath to Crescent Road and the access road from the appeal site past the school. Consequently, there should not be significant increased risk for those walking to the school.
45. I have no reason to disagree with the Council and the Appellant's professional advice that the proposal would benefit from a safe means of access to and egress from the site. Some queuing may occur, and there would be higher levels of traffic during the drop off and pick up periods, albeit the proposal's contributions to this would not be significant. Overall, the proposal before me would not conflict with the Framework, paragraph 32, which states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Other Considerations

46. The appellant considered that Policy CS2 is a coarse grained policy that needs be read in light of other policies and, in particular, Policy CS21 and Local Plan Policy SR2, and that the scheme responded to the overall objectives of the plan and the Framework to boost housing supplies. The appellant indicated that the Council had significantly underplayed the important issue of housing need in Oxford, and in particular affordable housing, for which the scheme exceeded the policy requirements set out in Core Strategy Policy CS24. On balance, it was argued that the scheme was in accordance with the development plan, and that material considerations outweighed any conflict with individual policies.
47. To support this, evidence was given on the very significant levels of need identified for housing and, in particular, affordable housing. The Council acknowledged that there is a need for housing greater than the target set out initially in the Core Strategy, and supported now with the SHP. Over the plan period, this target was for 8,000 homes, 400 per year, and reflects a figure based on constraint, notably Green Belt, flood plain and open space protection in the city area. The Council have policy that seeks 50% of these homes to be affordable. Despite some variation in individual year performance, it was accepted by the appellant that the completions over the period 2006 and 2013, had averaged over 400 per year.
48. Much was made of the fact that no residential permissions were granted, which included affordable homes, in the years from 2010/11 to 2012/13; a position also accepted by the Council. It is also relevant that during these periods completions included a much lower proportion of affordable homes than the 50% sought by policy. In this context, the appellant suggested that a scheme

delivering 25 out of 40 units as affordable, should carry very substantial weight in its favour.

49. The data on permissions was updated by the Council at the Inquiry for the period 2013 to date. These figures indicate a considerable upturn in permissions including affordable housing. While the appellant questioned the inclusion of Luther Court, where a larger number of affordable homes were to be replaced, this showed that permissions were in place for over 600 affordable homes. Permissions cannot be taken as a guarantee of delivery; nevertheless, this does show a considerable uplift in potential delivery.
50. My own review of the submitted evidence suggests that there is a genuinely pressing need for affordable housing in Oxford, borne out not just by the number of houses that have been assessed as being needed, but also by the demand for properties when they do become available. However, it is acknowledged by the main parties that the amount required far exceeds that which can be practically delivered within the City itself, and indeed the Council identify that they are actively working with surrounding councils for solutions.
51. Three previous appeal decisions⁶ were submitted by the appellant, showing that a need for affordable housing should carry substantial or significant weight. I do not disagree, and consider that significant weight does arise in this case in relation to the potential for delivery of a relatively higher proportion of affordable housing than sought by policy. However, the issue is whether this weight should be considered to be overriding of the identified policy conflict, and in this the submitted decisions do not assist, as in each case the decision maker was also considering development in locations where there was no identified five year HLS.
52. I have no reason to doubt that the Council, when considering this application, were aware of the very considerable need facing Oxford in terms of affordable housing. It was an issue that was understood during the preparation and adoption of the Core Strategy and the SHP. In these, the Council had to take a balanced view in assessing the demand for housing against the considerable constraints within their area. This balancing act was played out in the preparation and examinations of these plans, which lead to the housing targets currently within the development plan, which is accepted to be up-to-date.
53. The Framework seeks to significantly boost the supply of housing, but requires that Council's meet their objectively assessed needs as far as is consistent with the policies set out in the Framework itself. I have found consistency between the relevant development plan policies and the Framework in terms of open space protection and a priority on the strategic development of previously developed sites.
54. The housing target of 400 units should not be considered as a maximum and the Council should strive to overachieve against that level, particularly in light of the acknowledged need. However, housing delivery in such circumstances cannot override all other considerations, and should be considered within the context of a plan led system. Nonetheless, I have accorded significant weight in favour of the scheme, as regards the provision of affordable homes.

Other Matters

⁶ APP/M2325/A/13/2196027, APP/C3105/A/13/2189896 and APP/A0665/A/11/2167430

55. The Council and interested parties emphasised their concern that were this site, currently an area of protected open space, allowed to be developed for housing, it would set a precedent for other privately owned areas of open space or sport facilities, to similarly argue that the need for housing should lead to their development for such purposes.
56. No similar sites to which this might apply have been put forward, and each application and appeal must be determined on its individual merits. Consequently, I do not consider that such a generalised fear of precedent can be central to my decision.
57. In relation to the UUs submitted, I have addressed that relating to the proposed alternative in this case. That submitted to support the affordable housing element and delivery of the AWP was accepted by the Council. In light of my decision on the main issues in this case, it is not necessary for me to address compliance of this UU with the Framework.

Planning Balance and Conclusion

58. This proposal needs to be considered against the development plan policies, and in particular Policy SR2 of the Local Plan and Policies CS2, CS21 and CS22 of the Core Strategy. The appellant, by direct reference to the *Rochdale* case⁷, indicates that it is necessary for the decision maker to have regard to the plan as a whole, and conflict with one or more relevant policies does not necessarily mean the proposal would not be in accordance with the development plan.
59. Turning to Policies SR2 and CS21, there remains a need for sporting facilities in the city and an acknowledgement that the loss of existing facilities should be resisted because of the reliance on private facilities to provide for community use. I consider that the loss of this site, which has value to the local area, as well as the potential to provide for open air sports facilities, would not be adequately mitigated by the provision of the AWP. They would be hard surfaced, hard edged features with little opportunity for sympathetic landscaping and would add little value to the character of the area. Community access would be limited to only a small part of that community, and, even then, restricted by the proposed relationship with the school and the lack of floodlighting. On balance, I consider that the proposal would conflict with Policies SR2 of the Local Plan and CS21 of the Core Strategy.
60. With regard to Policy CS2, the site is not allocated for housing. It was accepted that there is a five year HLS and the housing completions have not reached the trigger of 15% below the trajectory that would lead to a review of the planned sites, as set out in Policy CS22. The fact that the justification for the allocation of other areas of open space or open air sports facilities, is considered by the appellant to apply equally to this site does not, in my view, carry significant weight. The site was not proffered at the time, nor was it therefore reviewed by the Council, who have confirmed in their adopted SHP that sufficient sites are now available to meet the five year HLS. While a need for a review of allocations may prompt the site's inclusion, it is not currently allocated and therefore conflicts with Policy CS2.
61. Policy CS2, supported by the recently adopted SHP, sets out the clear strategic approach to development in Oxford, an approach that is consistent with the

⁷ *R(Milne) v Rochdale BC* [2001] Env LR 22

Framework, which seeks the reuse of previously developed land⁸. In this case, the site is specifically protected. I have identified conflict with the policies relevant to this protection. These are not minor policies, but ones that go to the heart of the Council's strategic approach to development; consequently, I conclude that the proposal is not in accordance with the development plan.

62. For reasons set out above, while there may be some improvement to the scheme associated with the proposed alternative, I considered that it was not appropriate to take it into account in my decision. While I noted significant weight in favour of the scheme arising as a result of the delivery of affordable housing, I find that this does not outweigh conflict with the recently adopted development plan.
63. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mike Robins

INSPECTOR

⁸ Framework Core Principles and Paragraph 111

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Simon Pickles
of Counsel

Instructed by the Head of Law and Governance,
Oxford City Council

He called

Fiona Bartholomew
BA(Hons) DMS MSc MRTPI

Planning Officer – Oxford City Council

Laura Gioddard
BSc(Hons) PGDip MRTPI

Planning Officer – Oxford City Council

FOR THE APPELLANT:

Richard Kimblin
of Counsel

Instructed by The John Phillips Planning
Consultancy

He called

George Venning
MA(Cantab)

Affordable Housing Consultant
Levvel Ltd

Richard Grady
BA(Hons)

Sports Consultant

Nicholas Lyzba
DipTP DipCP MRTPI

Planning consultant
The John Phillips Planning Consultancy

INTERESTED PERSONS:

Councillor Malik
Mr Konopka
Mrs Konopka
Mr Davies
Mr Smitham

Ward councillor
Local resident
Local resident
Local resident
Former treasurer and chairman of the Lord
Nuffield Club
Local resident and businessman
Local resident

DOCUMENTS

- 1 Updated figures for affordable housing permissions
- 2 Extract from Sites and Housing Plan examination report
- 3 Local Plan Policies Map
- 4 Extract from Oxford City Green Space Study (2005)
- 5 Appellant's opening statement
- 6 Council opening statement
- 7 Oxford City Council Playing Pitch and Outdoor Sports Strategy
- 8 Environment Agency comment on Wolvercote Mill application
- 9 Oxford Green Space Study 2012 update
- 10 Oxford Green Spaces Strategy 2013 - 2027
- 11 Aerial view of area (approx 1993) (Mrs Harley)
- 12 Mr Davies written submission
- 13 Mrs Harley written submissions
- 14 Unilateral Undertaking – original scheme
- 15 Unilateral Undertaking – alternative scheme
- 16 Suggested condition
- 17 Policy CS17
- 18 Council closing submission
- 19 Appellant's closing submission

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Appeal Decision

Site visit made on 5 May 2015

by Kenneth Stone Bsc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 May 2015

Appeal Ref: APP/G3110/W/15/3004768

William Morris Close, Cowley Marsh, Oxford OX4 2JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Cantay Estates Ltd against the decision of Oxford City Council.
 - The application Ref 14/01670/OUT, dated 17 June 2014, was refused by notice dated 14 August 2014.
 - The development proposed is described as 'erection of 7 dwellings (2x2 bedroom flats, 1x3 bedroom flat, 2x3 bedroom houses and 2x4 bedroom houses) car parking, access and landscaping.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The application was submitted in outline but on the application form landscaping was the only matter indicated for which approval was being sought. In the planning statement submitted in support of the application paragraph 1.6 notes that the application seeks full planning permission. The Council have considered the matter on the basis that the application was for outline consent with all matters except for landscaping to be determined at this stage (paragraph 3 of the Officers' assessment in the Officers' report). The Council's description of development as notified to the applicant, on which consultation was undertaken, and as used on the decision notice reflect this interpretation of the nature of the application. Given the plans and details submitted with the application, which are not indicated to be illustrative, and that the matter has not been questioned by the appellant in their grounds of appeal, I have concluded that the application sought outline consent along with approval for access, appearance, layout and scale; and that only landscaping was a reserved matter for which approval was not being sought. I have considered the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the provision of open space for sport and recreation;
 - the character and appearance of the surrounding area; and

- the living conditions of the occupants of the properties in Crescent Close, with particular reference to privacy.

Reasons

4. The appeal site is located at the end of William Morris Close, a cul-de-sac providing access to existing residential development, a free school, and an area of open space. It was formerly a car park in connection with the Lord Nuffield Club. This was a sports facility the club house of which was accommodated in the building that is now the free school, and which incorporated the open space area of the playing fields and the car park. The site is presently enclosed by temporary fencing, however this has not secured it, and there were vehicles parked on the site at the time of my site visit. The open grassed space area has been secured by fencing which restricts public access.
5. To the south and west the site abuts existing residential development.

Open space provision

6. Policy SR2 of the Adopted Oxford Local Plan 2001-2016 (OLP) states that planning permission will not be granted for development that would result in the loss of open-air sports facilities where there is a need for the facility to be retained or the open area provides an important green space for local residents. The policy also provides for exceptions which include circumstances where there is a need for the proposed development.
7. Policy CS21 in the Oxford Core Strategy 2026 (OCS) identifies the Council's aspiration to achieve and maintain an overall average of 5.75 ha of public accessible green space per 1,000 population. This is to be achieved by restricting the grant of planning permission that result in the loss of sports and leisure facilities, with exceptions to the restriction of development that are similar to those identified for Policy SR2
8. The sports facilities protected by policy SR2 are as identified on the proposals map and the parties agree that the site is washed by the relevant colour on the map. However, the appellant has questioned the extent of the annotation in this location as it still covers the free school and recent residential developments. The contention is that the car park area is covered by the colour wrongly; and that the map should have been updated to reflect current development in the area which would remove this car parking site from the open space designation.
9. It is clear that this designation was in place to protect a wider area which has been the subject of developments over time that have reduced its size and scale. Whilst there are developments that have been introduced which are no longer related to the original designation it does not follow that this is the case for the appeal site. The area the subject of this appeal was part of a wider sports facility made up of a club house, car park and playing fields, each contributing to that facility. Whilst the club house has been extracted from that facility, and is now a free school, the remainder of the site remains as the sports facility. The further subdivision of that site, through the introduction of fencing, to detach the remaining elements from each other and preclude public access does not change the use of the area or the policy protection. Whilst the appeal site was previously used as a car park, secured by condition on the permission for the sports facility, the loss of the club house does not change

the use of that area of land, which remains an ancillary use to the main use as a sports facility. On this basis I am satisfied that the policy protection afforded by policies SR2 of the OLP and CS21 of the OCS apply to the site.

10. The proposed development of the site for residential purposes would result in the loss of a section of the remaining open air sports facility and as such would conflict with policies SR2 of the OLP and CS21 of the OCS. The appellant has provided no evidence to demonstrate that the site is not required and there is no indication of any market testing. The Council have confirmed that the area is significantly under provided with accessible green space at 2.95 ha per 1000 population compared to the City average suggested appropriate in policy CS21. The appellant has contested this and directed, my attention to two other close by spaces, that I visited at the end of my site visit. Whilst these were large useable publicly accessible spaces, including playing pitches, there is no indication of the contribution they make to the level of provision required under the policy. Moreover, whilst that on Holloway Road would be the more readily accessible of the two to the future residents of the development this does not address the issue of the overall level of provision per head of population, which is significantly below the policy aspiration, or the contribution the existing open space makes to the quality of the existing area, a further policy objective.
11. The policy protection for open spaces does afford an exception for development that is needed. In this regard the appellant has contended that the significant pressure for housing and the low level of housing provision in the City would amount to such a demonstrable need. The Council have stated that they are meeting the Housing requirement set out in policy CS22 of the OCS and that it can demonstrate a five year housing land supply based on the constrained figure in the OCS. The appellant contests that the Council is providing a five year housing land supply, which they say the Council have provided no evidence for and is simple assertion, and suggests that the substantial shortfall between the objectively assessed need, as demonstrated in the latest Strategic Housing Land Availability Assessment, and the housing supply figures demonstrate significant unmet demand.
12. Oxford is a tightly constrained City with significant pressure for development and particularly housing. The OCS, adopted in 2011 was produced with an understanding of that development pressure, and has been found to be compliant with the National Planning Policy Framework by previous inspectors¹. The Council acknowledge that there is a significant unmet need and there is continuing dialogue with adjoining Councils to explore ways to address this. I note in this regard the report provided by the appellant by Cundall entitled Unlocking Oxford's Development Potential produced on behalf of surrounding Authorities. I have not been provided with figures to either support the Council's position that a five year housing land supply is available, or evidence to the contrary from the appellant to demonstrate such is not available.
13. What is evident is that the Council are providing a constrained housing supply figure and that there is significant pressure remaining from unmet need. In these circumstances additional housing provision would be a significant positive benefit. However, the limited additional number of units proposed in this scheme would not make a significant contribution to address that need and the policy protection to provide a balanced approach to economic, environmental

¹ APP/G3110/A/13/2206058

and social development is crucial to ensure an appropriate plan in the context of a plan led system. On this basis I am not convinced that the benefit that would result from this small number of housing units is such that it would outweigh the harm that would arise from the conflict with the protection of the open space.

14. It is a fact that the site would be previously developed land however whilst there is positive support for the reuse of such land this does not necessarily have to be for housing development. Further development to help support or underpin the open area recreational use of the remainder of the site would also comply with that objective. This does not therefore outweigh the concerns I have identified above.
15. For the reasons given above I conclude that the proposed development would materially harm the provision of open space for sport and recreation in the City. Consequently it would conflict with policy SR2 of the OLP and Policy CS21 of the OCS.

Character and appearance

16. William Morris Close has a variety of buildings of differing heights, bulk, mass and design. At the entrance to the close there are three storey blocks of flats and the free school which is of a similar height to those flats. There is a small terrace of two storey houses between the flats and the appeal site. East of the appeal site and towards the south three storey flats, addressed into Beresford Place, have a principal elevation facing onto the playing fields. To the south and west of the appeal site there are two storey terraced houses. In this regard the provision of a small development of two and three storey buildings is not of itself out of character with the scale of development in the locality.
17. The isolated location of the three storey block however sits forward of the building line of the short terrace formed by 49-59 William Morris Close and presents a significant proportion of its flank elevation to view from the road. The forward position associated with the alignment of the adjoining terrace and the relatively limited detailing on the flank elevation would make this an austere negative feature in the street scene. When viewed in the close relationship with the adjoining terrace the abrupt change in scale would be noticeable and this would be emphasised by the change in levels between the appeal site and the adjoining properties in William Morris Close. I do not accept this would be successfully addressed by the limited difference in the elevational heights of the buildings suggested by the appellant.
18. For the reasons given above I conclude that the proposed development would result in material harm to the character and appearance of the surrounding area. Consequently it would conflict with policy CS18 of the OCS and Policy HP9 of the Oxford City Council Sites and Housing Plan 2011-2026 (OSHP) and policies CP1, CP6 and CP8 of the OLP. Collectively these seek development demonstrating a high quality design that responds to local character including the form and layout of surrounding properties.

Living conditions

19. The proposed flats have their principal elevations orientated east west. The main frontage faces towards the open grassed playing fields and the flats on the upper floors are laid out with their main outlook in that direction. The rear

elevation, facing properties in Crescent Close, contains the windows to a store, bathroom and kitchen for each of the upper floor flats. This elevation would look across the rear gardens and rear elevations of the properties in Crescent Close at very close order. The building elevation would contain a number of windows which would increase the perception of overlooking for the occupants in those properties both in their gardens and within the houses. Although there would be a relatively acute angle between the façades of the properties the very close relationship would still potentially afford a significant degree of overlooking. The fact that this would be over that element of the garden closest to the houses, and therefore the area of greatest sensitivity would amplify this concern.

20. The appellant has sought to mitigate this impact by obscure glazing. Whilst this may be appropriate on the store and bathrooms, I am concerned about obscure glazing the kitchen windows in the context of the future living conditions for the occupants of the proposed flats. The lack of outlook from this part of the flats main habitable space would not be compensated for by the open plan design of the property given the depth of the flats. Moreover the narrow window on the side elevations would provide only very limited outlook. If the kitchen windows were not obscure glazed it would lead to unacceptable overlooking and loss of privacy for the occupants of the properties in Crescent Close. Even with the obscure glazing I am concerned that the detailing and fenestration on this elevation, given its very close relationship with those properties, would lead to a perception of overlooking that would be uncomfortable for the occupants of the adjoining properties.
21. For the reason given above I conclude that the proposed development would result in material harm to the living conditions of the occupants of the properties in Crescent Close, with particular reference to privacy. Consequently it would conflict with HP12 and HP14 of the OSHP which seek to ensure new development provides reasonable privacy for the occupants of existing properties and that there is a good quality of living accommodation for new developments.

Overall conclusions

22. The proposed development would result in the loss of an area that would compromise land for the use of open space and recreation in a tightly constrained City with significant competing demands for development. This is not outweighed by the limited contribution the development would make to housing provision. The development would compromise the quality of the character and appearance of the area and harm the living conditions of the occupants of adjoining properties. The proposal does not therefore represent sustainable development as required by the National Planning Policy Framework, and conflicts with a number of the core principles set out in paragraph 17, including bullet points 3, 4, 9 and 12.
23. For the reasons given above I conclude that the appeal should be dismissed.

Kenneth Stone

INSPECTOR

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East Area Planning Committee

7 December 2016

Application Number: 16/01973/FUL

Decision Due by: 26 October 2016

Proposal: Change of use of Canterbury House, Adams House and Rivera House from Class B1(a) office use to 48 student study rooms and ancillary facilities. Full planning permission for the erection of a three storey building to provide 30 further student rooms and ancillary facilities.

Site Address: Canterbury House 393 Cowley Road, Site Plan **Appendix 1**

Ward: Cowley Marsh Ward

Agent: JPPC

Applicant: A2 Dominion Homes And
Cantay Estates Ltd

Recommendation:

East Area Planning Committee is recommended to approve the application subject to and including conditions below, and delegate to officers the issuing of the notice of permission on satisfactory completion of a S106 legal agreement to secure a contribution to affordable housing.

Reasons:

- 1 The proposed development provides student accommodation in a sustainable and appropriate location that preserves the special character and appearance of Canterbury House which is a non-designated heritage asset and the street scene. There would be no harm to adjoining neighbours. The proposal accords with the Policies contained within the Local Development Framework and NPPF.
2. Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

Conditions:

1. Time – 3 years
2. Plans – in accordance with approved plans
3. Materials – to match
4. Construction Traffic Management Plan – details prior to construction

5. Contamination – validation report prior to occupation
6. Car parking & turning – in accordance with approved plans
7. Cycle & bin storage – further details prior to substantial completion
8. Sustainability –details of PV's/ CHP to be submitted prior to construction
9. Surface water Strategy &SUDS – details to be submitted.
- 10.Landscape plan – details of hard and soft landscape planting required; prior occupation
- 11.Landscape – planting carry out after completion
- 12.Details of boundary treatment prior to occupation
- 13.Student Accommodation and Out of Term Use (no conference use)
- 14.Student Accommodation – General Management Protocol – operated in accordance with
- 15.Travel Plan
- 16.Travel Info Pack
- 17.Students - No cars
- 18.Restrict hours of use of outside amenity space; 08:00 and 21:00
- 19.Biodiversity – measures for wildlife details of 8 swift boxes; prior commencement;
- 20.Archaeology – Photographic recording; Canterbury House; prior construction

Legal Agreements:

S106 to secure affordable housing contribution

CIL:

The development is liable for CIL: £ £167,729.51.

Principal Planning Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CP18 - NR1A

TR3 - Car Parking Standards

TR4 - Cycle Parking Standards

Core Strategy (CS)

CS2 - Previously developed and greenfield land

CS9 - Energy and natural resources

CS12 - Biodiversity

CS13 - Supporting access to new development

CS19 - Community safety

CS18 - Urban design, town character, historic environment

CS22 - Housing Growth

CS24 - Affordable Housing

CS25 - Student accommodation

CS28 - Employment sites

Sites and Housing Plan (SHP)

HP5 - Location of Student Accommodation

HP6 - Affordable Housing from Student Accommodation

HP9 - Design, Character and Context

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:

Affordable Housing and Planning Obligations SPD

Natural Resource Impact Analysis SPD

Parking Standards, Transport Assessments and Travel Plans SPD

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Relevant Site History:

Relevant planning history at the site is set out below:

00/01326/NOY - Demolition of depot building, offices, hostel/social club and ancillary buildings. Outline application for residential development of 227 dwellings (houses and flats) and 287 parking spaces: 2,322m², managed business space (starter units) and associated parking. Provision of 1.52 acres grassland area adjoining Barracks Lane. Closure of 1 vehicular access to Cowley Road and alterations to second vehicular access. Extension of Saunders Road into site, new vehicular accesses between 17 and 18 Saunders Road. Provision of vehicular access to Glanville Road (means of access only). Approved: 6th August 2002.

09/01201/OUT - Outline application (seeking access and layout) for the erection of 2,092m² of class B1 floorspace for start up businesses plus 106 student study rooms in 5 blocks on 2, 3 and 4 levels (including the retention and incorporation of Canterbury House). Provision of 28 car parking spaces accessed off Reliance Way, and 3 car parking space off Glanville Road, cycle parking and landscaping. Approved: 17th March 2010.

11/01150/RES - Reserved matters of planning permission no. 09/01201/OUT (for 2,092m² of class B1 Business floor space and 106 student study rooms), seeking approval of appearance of block B and C and of the student accommodation block. Approved: 12th August 2011.

11/02386/VAR - Variation of condition No. 7 of planning permission 09/01201/OUT for Class B1 business use and student accommodation to allow occupation and student accommodation by full time student attending courses of one Approved: 1st February 2012.

12/00457/VAR - Application to vary condition 2 of planning permission 09/01201/OUT and condition 1 of planning permission 11/01150/RES to allow a revised commercial parking layout. Approved: 1st June 2012.

11/01150/NMA- Application for a non-material minor amendment to planning permission 11/01150/RES involving alterations to Commercial Buildings B and C. Approved: 25th June 2012.

13/01925/B56 - Application for prior approval for change of use from offices (use class B1(a)) to 3 x 1-bed and 13 x 2-bed dwellings (use class C3). Refused: 11th September 2013.

13/02673/B56 - Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 16 dwellings (3 x 1-bed and 13 x 2-bed). Prior approval required and refused 13th November 2013, allowed at appeal and later quashed by the courts. Appeal subsequently withdrawn.

15/00360/B56 - Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 3 x 1-bed and 1 x 2-bed flats. This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts and contamination and flooding risks. Approved on Appeal 8th December 2015.

14/03204/OUT - Outline planning permission (all matters reserved) was sought for the demolition of the existing office accommodation at Rivera House and Adams House and the construction of up to 98 student study rooms with provision for disabled car parking. Dismissed on appeal on grounds of, amongst other things, relating to impact and proximity to the non-heritage asset of Canterbury House, impact on street scene and inadequate (quality/ amount of) amenity space in relation to both student accommodation and flats. However, loss of employment use for the whole of the site accepted by Inspector. Dismissed 8th December 2015.

15/00597/OUT - Outline planning permission (access, layout and scale) was sought for the erection of a four-storey building consisting of 4 x 1 bedroom and 4 x 3 bedroom flats including amenity space, car parking and waste storage. Dismissed on appeal on grounds of, amongst other things, relating to impact and proximity to the non-heritage asset of Canterbury House, impact on street scene and inadequate (quality/ amount of) amenity space in relation to both student accommodation and flats. However, loss of employment use for the whole of the site accepted by Inspector. Dismissed 8th December 2015.

15/02542/OUT - Change of use of Canterbury House, Adams House (Block B) and Rivera House (Block C) from Class B1 Business use to 36 student study rooms with ancillary facilities. Outline application (seeking access, layout and scale) for 3 storey building (Block A) to provide 24 student study rooms with ancillary facilities.(amended plans)(additional info). Approved 12th July 2016.

16/01226/FUL - Change of Use of Canterbury House, Adams House and Rivera House from Class B1(a) office use to 38 student study rooms and ancillary facilities. Erection of a part two and half, part three storey building to provide 22 further student rooms and ancillary facilities. Withdrawn 8th June 2016.

16/02406/FUL - Change of use of Canterbury House, Adams House and Rivera House from use as offices (falling within Use Class B1(a) of the 1987 Use Classes Order) to use as 48 student study rooms with ancillary facilities together with landscaping, disabled car parking, bin and cycle storage Subject to EAPC resolution to grant on 8th November 2016. Approval pending S106 agreement being satisfactorily completed.

Public Consultation

Neighbours:

Oxford Civic Society raised the following concerns:

- Concerned at the volume of student housing developments which are being introduced and the effects of these on the character of the local neighbourhood and the city as a whole, the effects of these on the higher-priority requirements of the two Universities, and the consents to such development proposals in the apparent absence of clear understanding of the total numbers of students in the city, and the differentiation as between ages, nature of studies establishment affiliation etc;
- Whilst the proposed provision of cycle parking for residents is in excess of the standards set by current Council policy, it is clear that these standards are now obsolete, and the provision is likely to be inadequate to meet demand;
- There is also an absence of provision of cycle parking for visitors to the development.

Statutory Consultees:

Natural England: Statutory nature conservation sites – no objection: Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Iffley Meadows and Lye Valley SSSI's have been notified. We therefore advise your authority that these SSSI's do not represent a constraint in determining this application.

Highways Authority: No objection subject to conditions relating to Travel Info Pack, Travel Plan, SUDs, Student Accommodation Management Plan, Parking and Turning Space in Accordance with Specified Plan, Students no cars to Oxford, No out of term conference use, Construction Traffic Management Plan. Further opportunities for visitor and staff cycle parking within the site.

Officers Assessment:

Application Site & Background:

1. The application site comprises part of the former Oxford Bus depot and lies along the north-eastern side of Cowley Road on the corner of Reliance Way. To the southeast and east lie the modern residential properties of Reliance Way on the rest of the former bus depot. It is approximately midway along Cowley Road between The Plain at one end and Cowley District Centre at the other. Its location is such that it is not located within any of the City's designated transport district areas. However it is well served by public transport and close to supermarket amenities.
2. The site comprises 3 existing buildings: the Victorian Canterbury House which although vacant has permission to change to residential use under the recent appeal decision (15/00360/B56). It was once formerly both the home and studio of renowned Oxford photographer Henry Taunt and is a non-designated heritage asset. To the north of the site are the vacant office buildings of Adams House and Riviera House. To the front of the site is a vacant building plot adjacent to the Cowley Road.
3. Approval was granted recently earlier this year under a hybrid application for full permission for conversion of these three existing buildings and outline for a new building (on the vacant road frontage plot) for student accommodation comprising a total of 60 student study bedrooms with ancillary facilities, landscaping, bin and bicycle storage, 3 disabled car parking spaces and a new pedestrian access into the site from Cowley Road (15/02452/OUT refers). Following that East Area Planning Committee resolved to grant approval for the change of use of Canterbury House, Adams House and Riviera House from use as offices (falling within Use Class B1(a) of the 1987 Use Classes Order) to use as 48 student study rooms with ancillary facilities together with landscaping, disabled car parking, bin and cycle storage. At the time of writing the S106 is to be completed (16/02406/FUL). These applications are material considerations in determination of this case.

Description of Proposed Development:

4. This proposed application is identical in respect of the change of use and minor exterior alterations on the existing buildings on this site to create 48 rooms together with access, associated cycle & car parking, bins and landscaping (16/02406/FUL), but also proposes a new 3 storey building on the vacant plot facing Cowley Road. It provides an additional 30 single study bedrooms with shared common room and kitchen facilities bringing the total number of students on site to 78.
5. This development would result in an increase of 18 student rooms over and above the 60 previously approved in respect of all buildings under 15/02452/OUT as flows:

Approved

Canterbury house: 10 rooms

Adams House: 13 rooms

Riviera House: 13 rooms

New Building: 24 rooms

Total: 60 rooms

Proposed

12 rooms; an increase of 2 rooms

18 rooms; an increase of 5 rooms

18 rooms; an increase of 5 rooms

30 rooms: an increase of 6 rooms

Total: 78 rooms

6. Given the resolution to grant permission for identical parts of this proposed development the report concentrates where applicable on the new building and the implications of the additional students on site.
7. Officers' consider the principal determining issues in this case are:
 - Principle of Loss of Employment Site;
 - Quantity & Quality of Student Accommodation
 - Appearance
 - Affordable Housing;
 - Access and Parking;
 - Impact on Neighbouring Amenity;
 - Energy efficiency;
 - Flood risk;
 - Ecology;
 - Trees/Landscaping;
 - Land contamination;
 - Archaeology.

Principle of Loss of Employment Site:

8. The loss of employment use for the whole of the site (i.e. existing office blocks of Adams House & Riviera House, the vacant road frontage site and Canterbury House) was accepted in the determining and approval of the previous hybrid application 15/02542/OUT in July this year following the Appeal decision on the previous appeals (14/03204/OUT, 15/00597/OUT. & 15/00360/B56 refer).
9. Oxford Civic Society's comments on student numbers and speculative development in the City are noted. However in this case, the previous permission 15/02542/OUT & resolution to grant 16/02406/FUL are material considerations in this case and represent a legal fall-back position. Officers therefore advise Committee that the loss of employment use, for the reasons set out in those earlier decisions, is considered acceptable in this case. Consequently the change of use of the existing office buildings Adams House, Riviera House & Canterbury House to residential use is considered acceptable under CS28 of the CS.

Quantity and Quality of student accommodation:

10. Policy CP6 of the Local Plan seek to ensure efficient use of Land and

appropriate density relative to the site and its context. Policy CS25 of the Core Strategy encourages the provision of high quality purpose-built student accommodation buildings that do not significantly harm the amenity enjoyed by local residents. The policy also states that the Council will seek appropriate management controls to restrict students from bringing cars to Oxford through the imposition of appropriate conditions or planning obligations. Policy HP5 of the SHP and its supporting text at paragraph A2.35 requires student accommodation development of the size proposed to provide both communal indoor and outdoor space that ensures occupants have space to gather, socialise and hold events.

11. The development would result in an increase in 18 rooms over that previously approved under the outline (15/02542/OUT) and has been achieved by re-working the layout within the existing building to be converted (48 rooms as approved under 16/02406/FUL) and provide 18 rooms within the new three storey building. The outdoor space for 78 rooms would still be 10% of the overall site area and the revised landscape plan shows that this would provide an acceptable level of quality amenity space in accordance with Policy HP5(e) of the SHP.
12. It is considered that the development makes more efficient use of the existing space and would provide adequate size bedrooms, kitchen/ common rooms and outdoor space. Furthermore, an increase in 18 rooms would not a significant impact on overall student numbers previously approved on this site. The proposal is therefore considered to accord with policies CP6 of the OLP, HP5 of the SHP and CS25 of the CS.

Appearance:

13. Local Plan policies CP1, CP6, CP8, CP9 and CP10 together seek to secure high quality, efficient, contextually appropriate, successful and functional development. Core Strategy policies CS18 and C19 reinforce those objectives and seek to protect the value of heritage assets.
14. The proposed changes to the existing buildings have been approved by committee under 16/02406/FUL and therefore this report concentrates on the new building which sits on the vacant plot fronting Cowley Road. Officers had concerns about the design and appearance of the building as originally submitted and following discussions revised plans were submitted. These show a repetitive gabled form and distinctive bays created to the Cowley Road elevation and more generous gap between Canterbury House to improve its setting.
15. It is considered that the new building as now proposed would have an appropriate relationship to Canterbury House and forms a suitable transition in height and massing between it and Reliance Way. The contemporary approach to a traditional architectural form is considered acceptable and suitably responds to the form, rhythm and domestic scale of the Canterbury House and other residential properties surrounding it. The more generous spacing between new building and Canterbury House reduces any harmful

impact on the setting of the heritage asset any harm being further mitigated with landscaping within the space. It is considered that the proposal would not be harmful to the character and appearance of the non-designated heritage asset or street scene and as such the proposal accords with the above policies. A condition would ensure suitable materials.

Affordable Housing:

16. Policy HP6 of the SHP requires student accommodation providing 20 or more bedrooms to make a financial contribution towards off-site provision of affordable housing in the interests of creating mixed and balanced communities. The applicant has indicated that in the event of an approval, they would be willing to enter in to a legal agreement to secure such a contribution in accordance with HP6 of the SHP.

Access & Parking:

17. The new pedestrian access and four disabled car parking spaces is as previously approved and is adequate in this sustainable location with good bus services. Students will be required not to bring cars to Oxford, HP16 of the SHP refers, and the Applicant confirms this would be the case in their submitted General Management Protocol, which can be secured via condition. This protocol also sets out how drop off and pick up at terms times will be managed (also secured via condition). The HA also state that out of terms use as a conference accommodation is not suitable in this location due to the limited parking on site and pressure for parking in the surround streets. This is considered reasonable and can be secured by condition also.
18. 60 secure and covered cycle parking spaces are proposed in two areas towards the back of the development which meets the minimum set out in HP15 of the SHP (3 spaces per 4 student rooms equal to 59 spaces). The standards also suggest 1 space per resident staff although there would be no staff as such on site but a nominated Monitor, and they will make use of the covered cycling parking proposed. The Comment of the Civic Society regarding cycle parking is noted. The HA comments that no visitor spaces are to be provided however there appears to be ample space to locate some short-stay cycle parking provision, e.g. Sheffield stands, throughout the development. Whilst Officers agree that more visitor parking spaces could be accommodated the issue, there is no policy requirement to do so under HP15 and also previous approvals for this development on this site have not included it, which is a material consideration, and therefore it could not be insisted upon in this case. Further details of the appearance of the bike stores can be secured via condition.
19. The proposal accords with Policies HP14 & HP15 of the SHP and CS25 of the CS.

Impact on Neighbouring Amenity:

20. Policies CP1 and CP10 of the Local Plan require new development to adequately safeguard neighbouring amenity. Policies CP19 and CP21 of the Local Plan resist development where it would result in unacceptable noise and disturbance for neighbouring residents. The supporting text to Policy HP5 of the SHP recognises the problems that large numbers of inappropriately sited student rooms can have, given the increased activity on quieter residential streets. It also recognises that student accommodation can have an adverse impact on the character of residential areas when inappropriately sited. The supporting text to Policy CS25 of the Core Strategy states that there should be no unacceptable impact on amenity for local residents.
21. Policy HP5 seeks to concentrate non-allocated new student accommodation on existing academic sites, in city/district centres or along main thoroughfares which includes Cowley Road. This is to prevent speculative student accommodation developments taking place in residential areas which can have a significant impact on the character of an area and the quiet enjoyment of surrounding homes.
22. The principle of 60 student bedrooms has been accepted on this site under 15/02542/OUT and 48 within the existing buildings alone within this site under 16/02406/FUL. It is considered that there would be no significant increase in harm to neighbouring residential amenities in terms of noise and disturbance from 18 additional rooms within these buildings, amounting to 78 in total. The site is to be operated by A2 Dominion (joint applicant) who has their Head Office and other student accommodation nearby at Chapel Street. In addition, they have submitted a General Management Protocol which includes, amongst other things, details of how students will be staffed/ managed, arrival/ departures at term time, and restriction on use of the courtyard after 9pm for access purposes only (as previously conditioned under 15/02542/OUT & 16/02406/FUL).
23. It is considered that a condition ensuring the accommodation is occupied and managed in accordance with General Management Protocol would enable effective on-site management of the students in all regards in accordance with policies CP1, CP10, CP19, CP21 of the OLP, HP5 of the SHP and CS25 of the CS.

Energy Efficiency:

24. Policy CS9 of the Core Strategy requires all developments to minimise their carbon emissions and are expected to demonstrate how sustainable design and construction methods would be incorporated. Policy HP11 of the SHP is specified to residential development including student accommodation and requires developments of this size to generate at least 20% of its total energy use through on-site renewable energy generation unless not feasible or financially viable.
25. An Energy & Efficiency Statement has been submitted and the amended plans show the location of PV panels on the pitched gabled roofs of the new building fronting Cowley Road only and not the roofs of Adams House and

Riviera House. Approximately 132m² of PV's would be installed on the S SE roof slope(s) of the new building and would appear more integrated into the design. The E & E Statement concludes that by considering high efficient condensing gas fired boilers in conjunction with CHP for space heating and hot water and solar PV panel, energy consumption and CO₂ emissions savings will be in the range of 70587kWh/yr and 341812kg/yr accordingly. This will be 32% reduction in CO₂ emissions & 21% reduction in energy demand from on-site renewable/ Low or Zero Carbon technology. The proposal therefore accords with CS9 and details of the CHP and PV's could be secured by condition.

Flood Risk:

26. Policy CS11 of the Core Strategy reflects national policy in the NPPF by resisting development that increases flood risk. A Flood Risk Assessment has been submitted as this is a more vulnerable use (residential) within an area of with in Flood Zone 1 (low risk of flooding). The FRA concludes that there would not be an unacceptable risk form fluvial flooding; the development would not increase risk of flooding elsewhere; and would employ a surface water drainage strategy based on SUDs to ensure the development would meet the minimum reduction in surface water runoff for brownfield sites and store the balance of water for all events up to and including 1 in 100 year event allowing for a 30% increase in rainfall as a result of climate change. The surface water drainage strategy based on SUDs can be secured via condition, as before, in accordance with Policy CS11 of the CS.

Ecology:

27. It is very unlikely that the proposed development would have an adverse impact on protected species. However, policy CS12 of the Core Strategy reflects the Council's statutory duties to give due regard to the need to enhance biodiversity when carrying out its functions. A development of the size proposed could make a meaningful contribution towards providing an improved habitat for swifts and so, if approved, a condition should be imposed requiring at least 8 swift boxes to be installed on the existing buildings and 2 in the new building fronting Cowley Road in locations to be agreed first by the Council.

Trees/Landscaping:

28. The site is currently barren with no vegetation of note that would be affected by the proposed development. A revised landscape plan has been submitted, following comments from Officers showing tree planting & lawn along the Cowley Road frontage and extended lawn, shrub planting & seating areas, within the site. The plan is acceptable however further details are required of proposed tree and shrub species/ size and tree pits/ raised beds, seating etc. These details can be secured by condition in accordance with the requirements of policy CP11 of the Local Plan.

Land Contamination:

29. A Contaminated Land Assessment has been submitted. This assessment outlines the remedial measures taken during the redevelopment of the site for commercial end use, and provides an updated conceptual site model for the proposed change of use to residential. No risks are identified as significant for a residential end use, and it is proposed to mitigate any risks from soft landscaped areas by the provision of a 300mm clean capping layer underlain by a geotextile membrane. Verification measures are outlined in the assessment including photographic evidence of the depth of cover system and certification that the imported material is clean.
30. Appendix 2 contains correspondence with the local authority, which states that any excavated materials from the proposed new building will be removed from site and the duty of care documentation will be provided as verification.
31. Officers agree with this updated assessment and to secure the validation requirements a full validation report should be submitted and approved by the Council and secured by condition in accordance with CS22 of the CS.

Archaeology:

32. This application is of interest because it involves works to a Victorian town house associated with the prominent local photographer Henry Taunt and is a non-designated heritage asset for that reason. Therefore, bearing in mind the small scale of the proposed works to Canterbury House, an archaeological requiring building recording should be imposed to mitigate any harm on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Victorian building detail, resulting in accordance with HE.2 of the OLP.

Conclusion:

33. In light of the recent approval for change of use of these building to student accommodation under 15/02542/OUT and committee resolution to grant 16/02406/FUL for part of the same proposal, and for the reasons set out in the report above Officers' recommend East Area Planning Committee approve the application subject to and including conditions and the satisfactory completion of a S106 to secure a contribution to affordable housing.

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: 16/01973/FUL

Contact Officer: Felicity Byrne

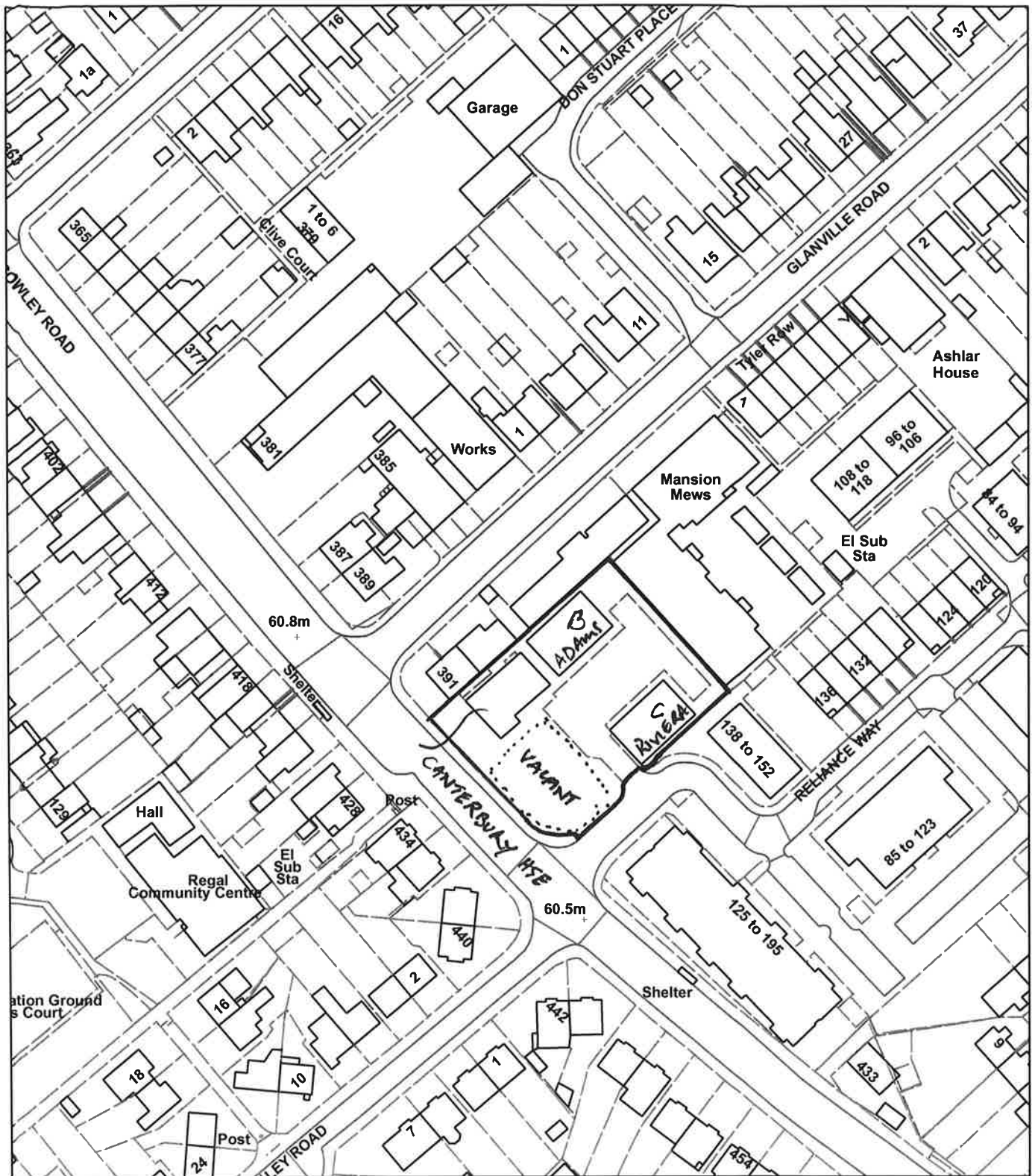
Extension: 2159

Date: 12th October 2016

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Appendix 1

Canterbury House, Adams House, Riviera House, Cowley Road



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Ordnance Survey 100019348.

0 25 50 75 100 m

Oxford City Council

Scale: 1:1,250 (printed to A4)

65

City Development

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East Area Planning Committee

7th December 2016

Application Number: 16/01945/FUL

Decision Due by: 8th November 2016

Proposal: Erection of a 4 storey office building with associated access, pedestrian links, car parking for 203 vehicles, and new landscaping scheme including partial re-grading of existing landscaping bund.

Site Address: Plot 12 Edmund Halley Road, Oxford Science Park (**site plan: appendix 1**)

Ward: Littlemore Ward

Agent: Mr Jonathan Buckwell

Applicant: Mr Piers Scrimshaw-Wright

Recommendation:

The East Area Planning Committee is recommended to support the development 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 on its completion for the following reasons:

Reasons for Approval

- 1 The proposed development would make an efficient use of land within a key protected employment site in a manner that would meet the aims of the National Planning Policy Framework and Oxford Core Strategy 2026 in supporting sustainable economic growth. The siting, layout, external appearance and landscaping of the proposed development would create an appropriate visual relationship with the Science Park without having a significant impact upon biodiversity, sustainability, drainage, contaminated land, or local highways and any impact could be successfully dealt with by appropriately worded conditions. The proposal would therefore accord with the aims of the National Planning Policy Framework, Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016
- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.

- 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 Materials as specified
- 4 Landscape plan required
- 5 Landscape carried out after completion
- 6 Tree Protection Plan (TPP) 1
- 7 Implementation of Flood Risk Assessment recommendations
- 8 Drainage Strategy - Foul and Surface Water
- 9 Detail of car parking provision and management plan
- 10 Travel Plan
- 11 Construction Traffic Management Plan
- 12 Implementation of Energy statement recommendations
- 13 Contaminated Land Assessment
- 14 Details of Electric Charging Points within parking area
- 15 Biodiversity Enhancements
- 16 Details of a pedestrian and cycle link through to Littlemore Park

Legal Agreement:

To secure one or all of the following improvements to public transport services to the site for a period of 5 years

- enhance existing services to the city centre (from 2 to 4 buses per hour in peak* hours), or
- enhance and extend services to Oxford train station (from 2 to 3 buses per hour in the peak* hours), or
- provide a service to Cowley and Headington (operating at least 2 buses per hour in the peak* hours)

*to arrive at the site between 07:00 and 10:00, and leave the site 16:00-19:00 on working days (all Mondays to Fridays except public holidays)

Principal 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

CP13 - Accessibility

CP19 - Nuisance

CP20 - Lighting
CP21 - Noise
CP22 - Contaminated Land
TR1 - Transport Assessment
TR2 - Travel Plans
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR14 - Servicing Arrangements
NE14 - Water and Sewerage Infrastructure

Core Strategy

CS2_ - Previously developed and greenfield land
CS9_ - Energy and natural resources
CS11_ - Flooding
CS12_ - Biodiversity
CS13_ - Supporting access to new development
CS18_ - Urban design, town character, historic environment
CS27_ - Sustainable economy
CS28_ - Employment sites

Sites and Housing Plan - Submission

SP43_ - Oxford Science Park at Littlemore

Other Planning Documents

National Planning Policy Framework

Public Consultation

Statutory Consultees

- Oxfordshire County Council Highways Authority: No objection subject to conditions
- South Oxfordshire District Council: No comments to make
- Thames Water Utilities Limited: Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that a condition be attached which seeks details of a full drainage strategy for the development.

Thames Water advise that a drainage strategy should be provided with the details of the points of connection to the public sewerage system as well as the anticipated flows (including flow calculation method) into the proposed connection points. This data can then be used to determine the impact of the proposed development on the existing sewer system.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

A further condition should be imposed that requests a piling method statement.

- Littlemore Parish Council: Littlemore Parish Council has no objection to the design of this building. Both it and the surrounding parking and landscaping appear to be in character with other properties at the Science Park.

We would like the planning department, in conjunction with County Highways, to examine the merits of an additional 203 parking spaces. The County Council has, as part of its 20 year transport plan consultation, been in discussion with the management at the Science Park about means of travel used by those working there, with the aim of increasing the use of public transport and reducing private car journeys. Stagecoach have taken over the bus service to the Science Park and have improved the timetable to provide a half-hourly service up till about 8 pm Monday to Saturday. This also benefits residents of Sandford on Thames and Littlemore. We do not want this provision to be axed for lack of use. Chiltern Railways plan to build a station there, which will create a speedy link to Oxford City Centre and connections to the rest of the country. This may alter staff commuting habits to make the Science Park more sustainable.

Finally, we strongly support the creation of employment here and welcome this addition to the Science Park.

- Oxford Civic Society
Although, in principle, this development appears to be unobjectionable, the Transport Statement clearly provides erroneous and misleading information, for example, regarding journey times by taxi from Oxford Rail Station (10 minutes), and the future provision of a rail service to a new station at the Science Park (no confirmation that this will happen, no timescale yet defined and no funding identified). The assessment of traffic-generation effects is thus questionable, and should be carried out more rigorously before consent is granted.

Third Parties

None

Officers Assessment:

Background to Proposals

1. The application site is situated within Oxford Science Park, which is on the south-eastern edge of the city. The park is bordered by the A4074 to the east, Grenoble Road to the south, and an area of undeveloped land (albeit with outline planning permission for residential development) to the north (**appendix 1**)
2. The application relates to Plot 12 which is one of the remaining undeveloped plots at the western end of the park. It lies adjacent to the vacant plots (23-26) to

the west, the Fletcher / Winchester Building and Sadler Amenities Building to the north, and the Nominet Office Building to the south.

3. The site is accessed via Edmund Halley Road which is the spine road that runs through the park from Grenoble Road. A service road encircles the undeveloped plot
4. The application is seeking planning permission for the erection of a 4 storey office building, together with associated access, parking and landscaping on this plot.
5. Officers consider the principal determining issues to be:
 - principle of development;
 - site layout and built forms;
 - transport;
 - landscaping
 - flood risk and drainage;
 - air quality;
 - land contamination
 - biodiversity;
 - sustainability
 - ecology

Principle of Development

6. The National Planning Policy Framework and Oxford Core Strategy Policy CS2 encourage development proposals to make an efficient and appropriate use of previously developed land in a manner that suits the sites capacity.
7. The Oxford Science Park is designated as a key protected employment site and therefore considered a key site for delivering the Core Strategy's aims of managed economic growth to 2026. The existing supply of employment sites is safeguarded through the application of Policy CS28, which aims to resist the loss of these key protected employment sites. In addition to this, the undeveloped plots within the Oxford Science Park are specifically allocated within Sites and Housing Plan Policy SP43 for B1 employment uses that directly relate to Oxford's key sectors of employment.
8. Having regards to this context, officers consider that the provision of a new office building with a total floor area of 6,974m² would be consistent with the aims of these policies.

Site Layout and Built Forms

9. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture.

10. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the sites capacity and surrounding area. This is supported through Policy CP8, which states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area.
11. The proposal would provide a detached four-storey building (with setback fourth floor) which would have an irregular footprint that measures approximately 47m – 55m (l) x 36.5m – 54m (w) x 15.6m (h). The fourth floor would be set back from the front of the building by 18m at its furthest which then reduces in distance throughout the.
12. Layout: The plot is in a prominent location within the park, and is a bulb shaped plot with public realm on all sides. The building is therefore sited towards the southern end of the site, with the majority of parking around the southern edge and some to the north. A large area of open space is provided to the north, which would align with the front entrance and allows a pedestrian link to be created between the new building and the surrounding buildings including the main amenities building for the park.
13. The overall layout for the site would make the best use of the irregular shape of the plot while also enabling the layout to create a sense of place and prominence within the park for this new building.
14. Size and Scale: The detached building would be four-storeys, although the fourth floor would be set back at varying distances from the frontage. The overall size and scale of the building would be consistent with the other buildings within the Science Park and the setback for the fourth floor would help to break the scale of the building.
15. Appearance: The building has been designed with a contemporary appearance that would respond to the fact that it is visible from all sides, and even the mechanical plant requirements have been built into the built form through the shafts at the rear of the building. The building would be formed from a glazed curtain wall system with solid spandrel panels, and external louvres to reduce solar gain.
16. Officers consider that the overall size, scale, design and siting of the proposed development would suit the sites capacity and the character and appearance of the Science Park in accordance with the above-mentioned policies.

Transport

17. The site allocation policy SP43 expects development proposals to demonstrate how the development mitigates against traffic impacts and maximises access by alternative means of transport. A Transport Statement & Addendum, and Travel Plan have been submitted which considers the highway impacts of the

development.

18. Traffic Impact: The addendum to the Transport Assessment identifies that the development will generate 140 vehicle trips in the AM peak (8-9am) and 134 trips in the PM peak (5-6pm). These trips will be distributed across the area, and the Local Highways Authority has concluded that they could be accommodated on the surrounding road network without having a severe commutative impact.
19. Site Accessibility: The main issue with the science park is that it is not readily accessible by public transport and the catchment for walking and cycling is limited by its more remote location and a lack of alternative / direct routes to the wider area. This places greater emphasis on achieving appropriate measures to provide alternative options to the car and ensure that traffic impacts are not worse than predicted
20. The Transport Assessment has identified that the main residential areas are within at least a 15 minute walk of the Science Park, but that Littlemore, Cowley, Blackbird Leys, and Greater Leys are within convenient cycling distance, albeit these routes include roads where cycling is less likely to be convenient or the safe option (i.e. A4074, Henley Road, and Sandford Road). The Local Highways Authority have identified that there are future plans to upgrade the A4074 to provide a 'Cycle Super Route' which would create a safer and direct route between the Science Park and City centre. It is anticipated that this will be funded through CIL contributions.
21. In addition to the above, officers are aware that it would be possible to create a new pedestrian and cycle link through to the residential development at 'Littlemore Park' on the opposite side of the brook. This has outline planning permission subject to a condition that the layout allows for such a link to be created to the science park. The provision of such a link would provide a more direct route to the Science Park from Sandford Road and Oxford Road and thereby connecting the site to the wider area enabling alternative means of accessing the park by modes of transport other than the car. A condition should be imposed seeking provision of such a link through to the Littlemore Park development.
22. The potential opening of the Cowley Branch Line for passenger services is also likely to improve access to the Science Park considerably, but is unlikely to happen for some time. The bus services to the Science Park are limited. The 3A service provides a half-hourly service connecting the site to the city centre, via Iffley Road. The public transport option therefore needs to be made more attractive because without service improvements the mode share targets set out within the interim travel plan will be unlikely to be met.
23. The County Council has recommended that the development should contribute by way of a financial contribution towards improving public transport services to the site, through improving the existing bus service to the city centre, or enhancing the existing services to the Oxford train station; or providing a service to Cowley / Headington. The applicant has raised concerns about the suitability of a one-off payment to pump-prime these services and have therefore indicated

that they are prepared to enter into a legal agreement which requires them to deliver one of the above services or a combination of them for a period of 5 years.

24. Car Parking: The proposed would provide 203 parking spaces which would accord with the maximum car parking standards (1 space per 35m²) for B1 Use set out within the Oxford Local Plan.
25. Although the parking provision would meet the maximum parking standards within the Local Plan, the Local Highways Authority have indicated that a parking accumulation exercise has been carried out for the scheme using the trip rates within the Transport Addendum which assumes 64% of employees will drive to work (and is the same as the actual modal share of the wider Oxford Science Park). This suggests that peak demand for car parking (232 vehicles) could exceed the on-site provision and so overspill parking is likely to be needed unless a car park management plan and also Travel Plan are in place to reduce demand. These are to be secured by condition.
26. The parking layout has identified that some of the perpendicular parking within the parking area would be below the required 5m x 2.5m standard. Furthermore a road width of 6m is required to enable vehicles to access these spaces. A detailed parking layout is therefore required by condition to ensure that all the spaces are accessible. This should also include details of the dedicated car spaces for car share clubs, and electric charging points.
27. Cycle Parking: The proposal will provide 80 cycle parking spaces which would accord with the Local Plan standards, and would be more than sufficient to accommodate the 13% modal share of cycle users set out within the interim Travel Plan while also allowing for some growth in cycling that may occur as a result of future improvements. The cycle stores will be provided as 2-tier storage which would also be acceptable.
28. Travel Plan: An interim Travel Plan has been submitted but it is clear that this needs to be prepared in conjunction with the existing Framework Travel Plan for the whole of the Science Park. The Travel Plan for the site and the Science Park as a whole provides an opportunity to develop and co-ordinate measures across the whole site for the benefit of employers and employees.
29. This should be secured by condition. The Local Highways Authority has recommended that the following points are also taken into consideration as part of the travel plan, and these should be added as an informative to the condition.
- A car park management plan should be prepared to manage both on and off site parking.
 - A number of car parking spaces should be set aside for those employees who car share for their journey to and from work. These priority spaces should be in a prominent position and will be clearly marked out as such.
 - The travel plan has identified that “the key issue for the site is that it does not benefit from good public transport access nor is it ideally situated for walking, with catchments to nearby residential areas and off-site bus stops being beyond a reasonable walking distance”. These limitations mean the travel plan has a lot of work to do to enable employees to overcome these disadvantages as the

inclination of many employees is likely to be to try and drive to and from the site or nearby (as the parking accumulation estimates). Measures which provide greater incentive to use public transport and cycling in particular are encouraged as well disincentives to drive.

- Clear modal split targets for the type of travel need to be set and accepted as part of the travel plan these will then need to be checked against progress every time a survey takes place. If targets are not being met new actions will be included in the travel plan immediately to address this situation.
- More thought will need to be given within the travel plan to not only the journey to and from work but also travel once employees are at work for business purposes and what facilities and services employees will need to access while they are at work such as catering, shopping and banking. This will include what can be done to minimise the need to travel once at work such as phone and video conferencing. This will also be dependent on the type of business that the site occupier conducts.
- Are there any other companies based on the Oxford Science Park who have successfully encouraged their employees to get to and from work by other means than SOV trips? Does anyone else operate successful shuttle services or offer incentives to employees who don't use a car park space or car share? Is there any opportunity for sharing services or introducing new services to give employees more travel options? These options will need to be investigated by the site travel plan (and also Framework Travel Plan).

Landscaping

30. An Arboricultural Impact Assessment has been submitted with the application which identifies that there is a planted copse to the north of the site. The survey identifies that a number of trees and hedgerows in this area are to be removed or thinned out in order to provide space for the footpath linking the main building and car parking to the northern parts of the site. However, the majority of trees (approx.140-150) on this boundary will be retained to provide some mature landscaping and an element of screening between the building and surrounding road.
31. Having reviewed the survey, officers consider that the existing trees to be removed are relatively young trees which currently have limited public amenity value. While their amenity value will obviously increase as they mature, it is clear that the benefits that will be lost through their removal will be adequately mitigated by new tree planting undertaken through the overall landscaping of the site post development.
32. Therefore subject to conditions requiring the provision of a landscaping plan for the site and also tree protection measures being installed for the retained trees during the construction phase of the development. Officers consider that the proposal would be acceptable in arboricultural terms in accordance with Oxford Local Plan Policies CP1, CP11, and NE15.

Flood Risk / Drainage

33. The Flood Risk Assessment submitted with the application identifies that the site is located within Flood Zone 1, which means that it is at low risk from flooding.

34. In terms of surface water drainage, the development will discharge part of its surface water to the existing drainage network within the Science Park and the remainder to ground. The Flood Risk Assessment identifies that the existing drainage system within the Science Park uses attenuated balancing ponds to the north of Plot 12 for surface water. These ponds are designed to store 1 in 100 year event flows from the entirety of Phase 2 which then discharges to Littlemore Brook at the normal greenfield run off rate. The existing system was designed to assume that some of the surface water from Plot 12 would discharge into this existing network and the remainder discharge to ground through permeable paving.
35. Having reviewed the Flood Risk Assessment, Lake System & Plot Drainage Strategy for Phase 2, and attenuation Lake Management Guide, officers are satisfied that the existing drainage system has capacity to receive some of the surface water from the scheme, whilst the remainder would be discharged to ground through the use of permeable paving. Therefore subject to a condition requiring the development to be carried out in accordance with these details, officers consider that the proposal would accord with the aims of Oxford Core Strategy Policy CS11.
36. Thames Water have indicated that insufficient detail has been provided to determine the waste water infrastructure needs of the development and have requested that a condition be imposed requiring the submission of a drainage strategy for on and off site drainage works relating to foul and surface water to ensure there is sufficient capacity in the system.

Air Quality

37. An Air Quality Assessment has been submitted with the application which considers the potential impacts on air quality during both the construction and operational phases of the proposed development.
38. The dispersion modelling indicated that pollution levels at the development were below the relevant air quality standards and, as such, the location is considered suitable for its end use without the inclusion of mitigation methods. Additionally, the assessment concludes that impacts on pollutant levels as a result of operational phase vehicle exhaust emissions were not predicted to be significant at any sensitive location in the vicinity of the site. The use of robust assumptions, where necessary, was considered to provide sufficient results confidence for an assessment of this nature.
39. Officers agree with the conclusions of the assessment and consider that air quality issues are not considered a constraint to planning consent for the proposed development. Notwithstanding this, the National Planning Policy Framework indicates that developments should enable future occupiers to make “green” vehicle choices and “incorporate facilities for charging plug-in and other ultra-low emissions vehicles”. The 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.

40. Therefore officers would recommend that a condition be attached which requires the provision of electric vehicle charging points at a ratio of 1 per 1000m² of commercial floorspace, which in the case of this proposal would equate to 6 charging points.

Land Contamination

41. A phase 1 desk top study and phase 2 ground investigation in accordance with the Environment Agency Guidance Model Procedures for the Management of Land Contamination (CLR11) has been submitted with the application.
42. The ground investigation undertaken assessed the ground conditions with respect to contaminants in soils and the presence of ground gas. Risk assessments for human health and controlled waters were undertaken based on these results. There were no exceedences of any soil contaminants when compared to generic assessment criteria for a commercial end use. The risk assessment for controlled waters did not identify any unacceptable risks. There was asbestos found in 2 soil samples, and this was identified as a potential risk to human health in soft landscaped areas. It was recommended to provide a clean cover system in all soft landscaped areas for public use. There were no further risks to human health identified in this risk assessment.
43. The gas monitoring showed elevated carbon dioxide on the site, likely to be from organic-rich deposits found on site. While no gas flow rate was measured, the limit of detection for flow was used to determine a gas screening value which placed the site in characteristic situation 1. However, as the carbon dioxide concentration was above 5% in one instance, and near 5% in two others, it was recommended that the site be upgraded to characteristic situation 2, which requires gas protection measures.
44. Officers would agree with the overall assessment and recommendations in the reports, and would recommend that conditions are imposed on any grant of permission to secure the further assessments, gas protection details and verification report.

Sustainability:

45. A Natural Resource Impact Analysis (NRIA) and Energy Strategy has been submitted as required by Oxford Core Strategy Policy CS9, and has been developed following pre-application discussions with officers.
46. The Energy Strategy indicates that the carbon emissions from the development will be achieved through passive design measures in the building; installing high efficiency systems to reduce energy consumption; and using Low & Zero Carbon Technologies including an air source heat pump system that will provide space heating and cooling system for the building in order to provide a greater energy and carbon efficiency in comparison to the conventional system.

47. The NRIA scores 8/11 which comfortably exceeds the minimum target of 6/11, and the scheme will achieve a BREAMM target of 'Very Good' with potential to achieve an 'Excellent' rating. The strategy also identifies that the building design has also been designed to ensure that it achieves a 32% reduction in carbon emissions from passive design measures alone when compared to the previous building regulations. The low carbon technologies included within the scheme will achieve a 15.7% reduction in regulated emissions, while the Air Source Heat Pumps will 24.3% of the building's total energy demand (regulated & Unregulated) in line with the councils policies, and also a 14.4% reduction in regulated energy consumption.
48. Therefore officers would raise no objection to this aspect of the proposal subject to a condition requiring the recommendations of the NRIA and Energy Strategy to be carried out.

Ecology

49. Officers consider that there is not a reasonable likelihood of protected species being impacted by the proposals. An informative should be added to ensure that tree removals and vegetation clearance are undertaken outside of the bird nesting season.
50. However, Oxford Core Strategy Policy CS12 identifies that all practical opportunities should be taken to include features beneficial to biodiversity within development proposals. Therefore a condition should be attached which requires at least 4 bird nesting boxes to be incorporated into the scheme.

Community Infrastructure Levy

51. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development and applies to developments of 100 square metres or more. Based on the floor area of the proposed development the proposal will be liable for a CIL payment of £161,308.62.

Conclusion

52. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore Members of the East Area Planning Committee are recommended to grant planning permission for the proposed development.

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.

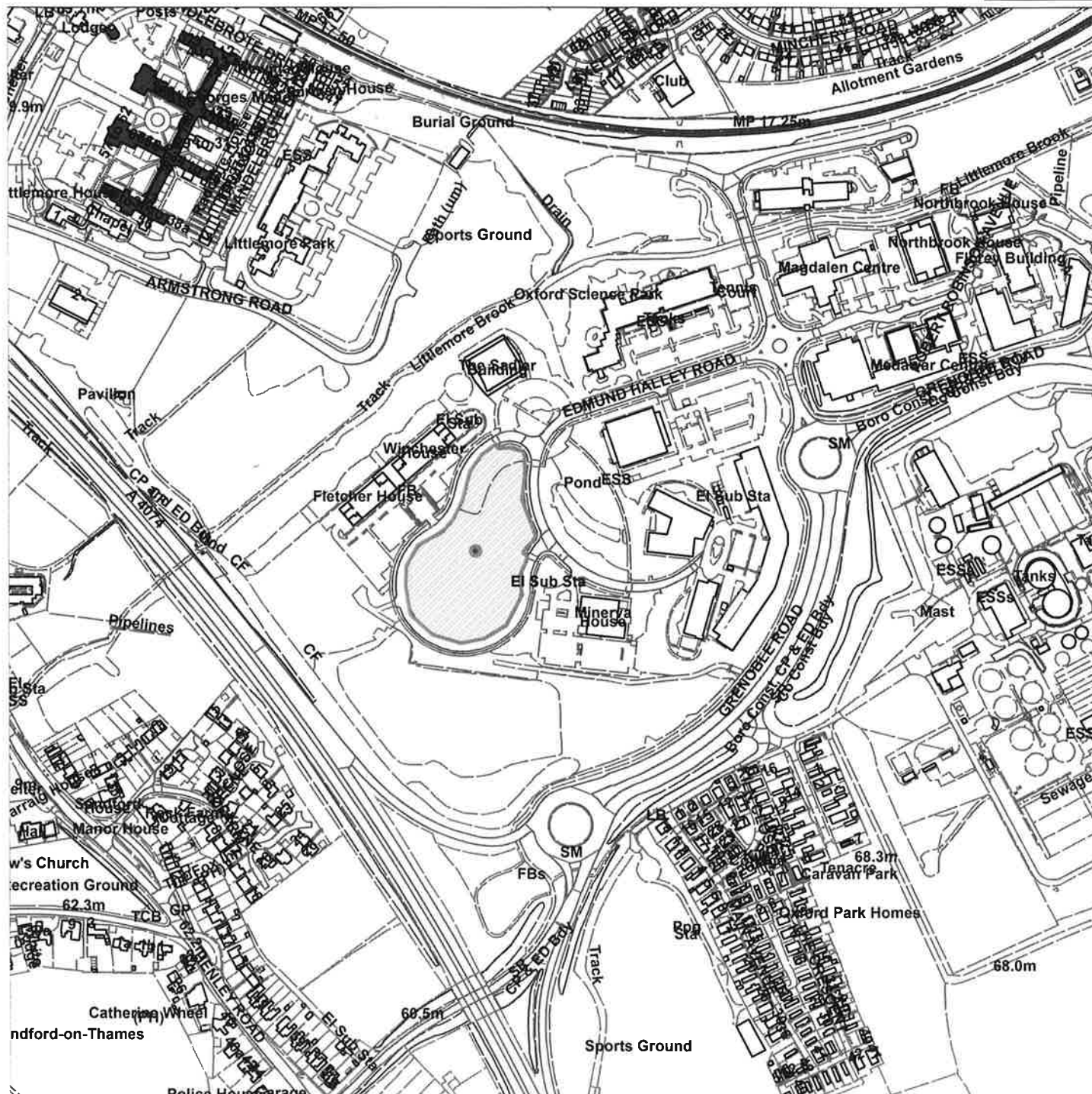
Contact Officer: Andrew Murdoch

Extension: 2228

Date: 14th November 2016

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Plot 12, Oxford Science Park



Scale 1:4900

m 62 124 186 248 310 372

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

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East Area Planning Committee

7 December 2016

Application Number: 16/02677/FUL

Decision Due by: 16 December 2016

Proposal: Demolition of existing dwelling. Erection of three-storey building to provide 9 flats (3 x 3-bed, 4 x 2-bed & 2 x 1-bed). Provision of new access off Lime Walk, private and shared amenity space and bin and cycle store.

Site Address: 91 Lime Walk Oxford OX3 7AD

Ward: Headington Ward

Agent: Mr Marc Chenery

Applicant: Mr Damon R Alvey

Recommendation:

East Area Planning Committee is recommended to refuse planning permission for the reasons set out below

Reasons for Refusal

1. The scale of development proposed would be inappropriate having regard to the number of units proposed and the size of the application site. The overall density of development proposed could not be reasonably accommodated on this site. The intensive use of the site that is proposed would give rise to a cramped form of development that would be unacceptable in the context of Policy CP6 of the Oxford Local Plan 2001-2016 and Policies HP9 and HP10 of the Sites and Housing Plan (2013).
2. The proposed development, because of its scale, form, visual mass, design, landscaping and external appearance would form a discordant feature in the streetscene that would fail to adequately respond to the context and established character of the surrounding built environment. Given the failure to respond to the context of the area and the inappropriate scale, form, visual mass and external appearance the proposed development would be contrary to Policy CP1, CP6, CP8, CP10 and CP11 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policies HP9 and HP10 of the Sites and Housing Plan 2013.
3. The planning application relates to proposals for four or more dwellings and as a result it is a requirement that a financial contribution be secured towards

the delivery of affordable housing in order that the development complies with the requirements of Policy HP4 of the Sites and Housing Plan (2013). The application does not refer to this requirement or indicate any agreement to enter into the necessary legal agreement to secure an affordable housing contribution. In the absence of this requirement or any information to suggest that the proposals would be made unviable if an affordable housing contribution was required the proposed development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy (2011).

4. The proposed development would create a poor standard of residential accommodation as the proposed floorspace is below the prescribed quantity of floorspace set out in the Technical Housing Standards - Nationally Described Space Standard, March 2015 and the quality of the residential accommodation is unacceptable, in particular the availability of natural light, ventilation and restricted outlook. The development would therefore fail to meet the requirements of Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP12 of the Sites and Housing Plan (2013).
5. The development would fail to provide adequate outdoor amenity space for all of the dwellings proposed. The quantity, quality and accessibility of the proposed amenity spaces for some of the dwellings would fall below the required amount; particularly in relation to the three bedroom dwellings that would have the potential to be occupied by families. Some of the proposed balcony and terrace areas are severely constrained and would provide poor quality outdoor amenity space that would wholly unacceptable in terms of outdoor space provision. The proposed development therefore fails to meet the requirements of Policy CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).
6. The proposed balconies and terraces on the south elevation would provide an opportunity to see into the front windows of properties in Cecil Sharp Place; the distance between these rooms would be less than 20m which would be unacceptable and would harm the living conditions of residents of these nearby properties. The proposal is therefore contrary to Policy HP14 of the Sites and Housing Plan (2013) and Policy CP10 of the Oxford Local Plan 2001-2016.
7. The application includes insufficient information relating to flooding and surface water drainage to demonstrate compliance with the required policies. A drainage statement and drainage strategy prepared by a suitably experienced and qualified professional in the field of hydrology and hydraulics is required in order to demonstrate that the proposed development would not lead to an adverse impact on surface water runoff and drainage in the locality. In the absence of this information the development is contrary to Policy CP10 of the Oxford Local Plan 2001-2016 and Policy CS11 of the Core Strategy (2011).

Legal Agreement and CIL

If planning permission was granted for the development then a legal agreement

would be required to be completed prior to a decision being issued for an affordable housing contribution. A CIL payment would also be required if planning permission is granted.

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

Core Strategy

- CS11_** - Flooding
- CS12_** - Biodiversity
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS23_** - Mix of housing
- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling

Sites and Housing Plan

- MP1** - Model Policy
- HP1_** - Change of use from existing homes
- HP2_** - Accessible and Adaptable Homes
- 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
Balance of Dwellings Supplementary Planning Document
Technical Housing Standards - Nationally Described Space Standards

Relevant Site History:

07/02340/FUL - Demolition of existing dwelling. Erection of block of 4 x 2 bed flats (fronting Cecil Sharpe Place) and terrace of 3x3 bed dwellings (fronting Lime Walk)(Amended Plans). - REF

Representations Received:

Objections – 53, 85, 87, 89, 92, 98, 99, 111 Lime Walk, 1, 2, 3, 8, 20, 21 Cecil Sharp Place, 51 Stapleton Road, 80 and 83 New High Street, 5 Nursery Close, 37 Bickerton Road and 63 Old Road - Objections

- Amount of development proposed for the site
- Effect on adjoining properties
- Effect on character of area
- Height of proposed development
- Impact on on-street parking
- Concerns around parking provision
- Impact on light
- Overbearing development
- Development proposed would not be sympathetic
- Concerns about enforcement of parking (to ensure that development would be car free)
- Impact on privacy
- Noise and disturbance
- Effect on traffic
- Poor quality design and materials
- Concerns about loss of garden land (particularly with regards to wildlife)

Highfield Residents Association: Concerns about design being out of keeping in terms of scale, style and overall appearance. Proposed flats would have limited amenity space. Proposed access for cycles would not be suitable.

Comments in support of application, 80 Old Road:

- The planned dwellings would appear well designed (despite different style to surrounding properties)
- The proposed development would not be higher than existing roof line
- Proposals would provide more much needed accommodation
- Development would not increase traffic

Statutory and Internal Consultees:

Oxfordshire County Council: No objections subject to conditions relating to the variation of the local traffic order to ensure that the development is car free.

Site Description

1. The site is located on the east side of Lime Walk to the north of the junction with Cecil Sharp Place. The site is currently occupied by a large detached Victorian/Edwardian house. Lime Walk is predominantly characterised by two storey residential dwellings. Cecil Sharp Place is a later infill development of

flats and houses that are 2 storeys in height.

2. There are changes in topography across the site; with the land closest to the frontage on Lime Walk being higher than the land at the rear.
3. No. 91 Lime Walk is currently in use as an HMO and is occupied by up to seven people.
4. On the boundary of 89 and 91 Lime Walk lies a mature ash tree that is the subject of a tree preservation order. There is an existing area of vegetation along the southern boundary of the site with Cecil Sharp Place.
5. The application site is not in a conservation area and would not impact on the setting of any listed buildings.

Description of Proposals

6. It is proposed to demolish the existing property and erect a detached building that would contain nine flats. The flats would be provided over three floors (3 x 3 bedroom flats, 4 x 2 bedroom flats and 2 x 1 bedroom flats). The erection of the proposed building would involve the removal of vegetation along the boundary of the site with Cecil Sharp Place.
7. The building would be built in a contemporary style with a varying roofscape containing some flat roof and some monopitch elements. The proposed building would be constructed with red brick and ivory render around the window strips. Red cedar cladding is proposed in recessed panels on the outside of the building. A green wall is also proposed; incorporating climbing plants on a metal mesh attached to the building.
8. The proposed building would have a similar overall height to the top of the ridge as the adjacent property, 89 Lime Walk. However, the visual mass of the building would appear greater given that the building would be predominantly a flat roof building and there would be greater amount of bulk at second floor level as a result. A variety of window types are proposed for the building which include oriel windows with obscure glazing, notably on the side elevations.
9. Two of the ground floor flats would benefit from small private garden areas. A shared amenity space is proposed to be provided at the rear of the plot. Flats on the first and second floor would benefit from areas of balcony and terrace areas. Some of these proposed balcony and terrace areas would be screened for privacy.
10. Officers consider that the principal considerations for the determination of this application are:
 - Principle of Development
 - Design
 - Impact on Neighbours
 - Access and highway safety
 - Flooding and surface water drainage

Principle of Development

11. The application site would be considered to be composed of partially previously developed land (the site of the existing property and garage) and partially residential garden land. Policy CS2 of the Core Strategy (2011) requires that the majority of new development should take place on previously developed land. Residential garden land cannot be considered to be previously developed land for the purposes of the National Planning Policy Framework (NPPF). However, there is scope within the City Council's local planning policies, specifically Policy CP6 of the Oxford Local Plan 2001-2016 and Policy HP10 of the Sites and Housing Plan (2013) for development to take place in these locations subject to the scale of development being appropriate (and having had regard to the character and context of the surrounding areas). As a result, Officers would advise that there are instances where residential developments on sites containing residential garden land can be considered acceptable in principle.
12. With regards to these proposals, Officers have considered that there is a significant element of the proposed development that would be located on residential garden land and having had regard to the scale of development proposed it cannot be regarded to be appropriate on a site of this size. The proposed development would give rise to a cramped form of development at a density that would be inappropriate in this location and unacceptable given the constrained nature of the site. As a result, the proposed development is unacceptable in the context of Policy CP6 of the Oxford Local Plan 2001-2016 and Policy HP10 of the Sites and Housing Plan (2013) and this features as a recommended reason for refusal.

Balance of Dwellings

13. As the proposed development is for more than four dwellings it is necessary to assess the development against the requirements in Policy CS23 of the Core Strategy (2011) and the Balance of Dwellings Supplementary Planning Document (SPD). The proposals meet the requirements as a result of providing the necessary mix of dwelling types.

Design

Scale, Appearance and Impact on Streetscene

14. Lime Walk is an attractive street of predominantly Victorian terrace and semi-detached properties. There is a significant amount of infilling that has taken place in the area but the majority of this development has a sympathetic appearance; respecting the form, visual mass and materials that are characteristic of this part of Headington. Cecil Sharp Place contains terraces of modern properties that despite their different architectural style to the established pattern of development in Lime Walk are still characteristic in terms of scale and visual mass. The proposed development would introduce a radically different scale of development both in terms of the amount of

development proposed on the plot (as mentioned above) but also in terms of its design. The visual mass, bulk and depth of the proposed development would be completely at odds with the surrounding properties (and the type of building that is currently on the site). Whilst Officers would suggest that there is some merit in providing a higher density of development on this site it must have a visually appropriate relationship with surrounding buildings in the streetscene and demonstrate high quality design which has consideration for the established character and context.

15. The visual prominence of the proposed development would be increased as a result of it being sited on the corner of Lime Walk and Cecil Sharp Place but also as a result of the higher topography at the front of the site (meaning that the building would appear substantially higher when viewed from the rear of Cecil Sharp Place).
16. In addition to the above, Officers would suggest that the proposed building would incorporate features that are not characteristic of the surrounding areas; specifically the fenestration, balconies and flat roof form. These architectural features would not in themselves make the development unacceptable but would cumulatively with other unsympathetic aspects of the development (particularly its scale, bulk and visual mass) contribute towards the development's discordant appearance within the streetscene.
17. The proposed development would involve the loss of existing vegetation along the boundary of the site with Cecil Sharp Place. This vegetation is not subject of a tree preservation order (unlike the existing ash tree near the northern boundary which is proposed to be retained) but it does make a positive contribution to the appearance of Cecil Sharp Place. The proposed development does not provide new landscaping, other than the proposed green wall which would not soften the appearance of the proposed development or ameliorate for the loss of vegetation on the southern boundary.
18. As a result of the above, Officers recommend that the proposed development would be unacceptable in terms its design, with specific regard to Policies CP1 and CP8 of the Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Plan (2013).

Indoor Amenity

19. The proposed flats, specifically two of the ground floor three bedroom units and one of the second floor one bedroom units fall below the required amount of indoor floorspace required by national space standards. The two other second floor units would also fall close to or below the required standard in terms of the amount of floor space provided. Officers have also had regard to the quality of indoor floorspace. The orientation of the proposed development and its depth would mean that there would be very limited opportunity for windows to be provided (with some windows being further limited as a result of privacy requirements); the result is that some rooms within the flats would have poor access to both daylight and natural ventilation. Officers have

specific concerns about the quality of floor space provided for three of the two bedroom flats and one of the three bedroom flats (Units 2, 3, 5 and 6 on the proposed floor plans) because of the poor access to windows in the rooms and limited outlook provided.

20. As a result of the above, Officers recommend that the proposed development would be unacceptable in the context of Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP12 of the Sites and Housing Plan (2013).

Accessibility

21. A statement is included with the application to indicate how it would meet the requirements of being accessible (including Lifetime Homes Standards). The proposed development would therefore comply with the requirements of Policy HP2 of the Sites and Housing Plan (2013).

Outdoor Amenity

22. The proposed outdoor spaces would vary in size and quality. Officers have had regard to the location and amount of outdoor space provided for each of the flats. Some of the units (notably Unit 4 and Unit 9 on the proposed floor plans) would have insufficient outdoor amenity space combined with poor access to the shared amenity space. The provision of a larger amount of accessible amenity space is particularly important for three bedroom dwellings which can be occupied by families. Some of the proposed amenity spaces would be entirely screened and these cannot provide a high quality of outdoor amenity space. As a result, Officers recommend that the development be refused on the basis of not complying with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).

Energy Efficiency and On-Site Renewable and Low Carbon Energy Generation

23. A statement is provided with the application which sets out how it would meet the requirements of Policy HP11 of the Sites and Housing in relation to its energy requirements. Officers are satisfied with the assessment made and would recommend that if planning permission is granted then a condition could be included to ensure the necessary provision of on-site generation.

Refuse and Recycling Storage

24. The proposed development includes plans relating to the provision of refuse and recycling storage. This would meet the requirements of Policy HP13 of the Sites and Housing Plan (2013).

Landscaping and Trees

25. The lack of landscaping and loss of existing vegetation has already been discussed above. However, with regards to the existing ash tree (which is the subject of a tree preservation order) it would be necessary to include a

condition dealing with tree protection measures if planning permission was granted.

Impact on Neighbours

Privacy

26. The proposed development would have a detrimental impact on the privacy of occupiers in Cecil Sharp Place. Some of the windows proposed on the south side of the proposed building would incorporate obscure glazing to limit overlooking into the front of properties in Cecil Sharp Place. However, there are some balconies on the south side of the building that would provide an opportunity to look directly into the building and the distance between these balconies and the windows on the front of Cecil Sharp Place is approximately 11m. Having had regard to the existing level of privacy afforded to the occupiers in No.s 17-21 Cecil Sharp Place, they would lose an unacceptable amount of privacy. Officers have had regard to the impact on privacy for other occupiers (including at No. 89 Lime Walk and properties on the other side of Lime Walk); however there are specific measures including obscure glazing and the use of oriel windows to prevent overlooking.
27. As a result of the above, Officers recommend that planning permission should be refused because of the detrimental impact that would arise from the proposed development on the privacy of neighbouring occupiers; the development would be contrary to Policy HP14 of the Sites and Housing Plan (2013).

Impact on Light and Outlook

28. The proposed development would not have a detrimental impact on light conditions for neighbouring properties, despite its overall height. Officers have considered that the orientation of the proposed building relative to neighbouring properties (including those in Cecil Sharp Place) means that a loss of light would not result from the proposed development. In reaching this view, Officers have been particularly mindful of the 45/25 degree code as set out in Policy HP14 of the Sites and Housing Plan (2013).

Noise and Disturbance

29. Officers recommend that if planning permission is granted then a condition should be included that relates to the provision of any mechanical plant or machinery to ensure that any equipment installed does not have an adverse impact on the amenity of nearby residents.

Access and Parking

30. The proposed development would remove the existing access to the garage that is on the site. The garage would be demolished and there is no proposed on-site car parking. The proposed development would be car free development; this is specifically proposed in the design and access statement

and would be dealt with by a condition varying the local traffic order to remove eligibility for parking permits for occupiers. If planning permission is granted then this condition is recommended to be included.

31. Oxfordshire County Council Highways have not raised objections.

32. There are several objections that relate to the impact of the proposed development on parking; specifically that it may not be possible to enforce or require that occupiers of the proposed development would not park in local roads (in particular Cecil Sharp Place). Officers recommend that car free development is possible in this area because of the site is in a Controlled Parking Zone (CPZ).

Flooding and Surface Water Drainage

33. The application site does not lie in an area of high flood risk. Limited information has been provided in relation to surface water drainage and the impact of the proposed development on surface water flooding in the locality. In the absence of this information, Officers recommend that the application should be refused as it does not demonstrate compliance with Policy CS11 of the Core Strategy (2011).

Biodiversity

34. The existing building lies within an urban context where there would be limited opportunities for bats to roost. If planning permission was granted for the development then a condition would be recommended that required the submission of details of biodiversity enhancements prior to commencement.

Contaminated Land

35. The application site is currently in residential use and would not likely be a presence for contamination. It is recommended that if planning permission is granted then an informative would be required relating to contaminated land.

Conclusion:

36. Officers recommend that the East Area Planning Committee refuse planning permission for the reasons set out above.

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:

16/02677/FUL

Contact Officer: Robert Fowler

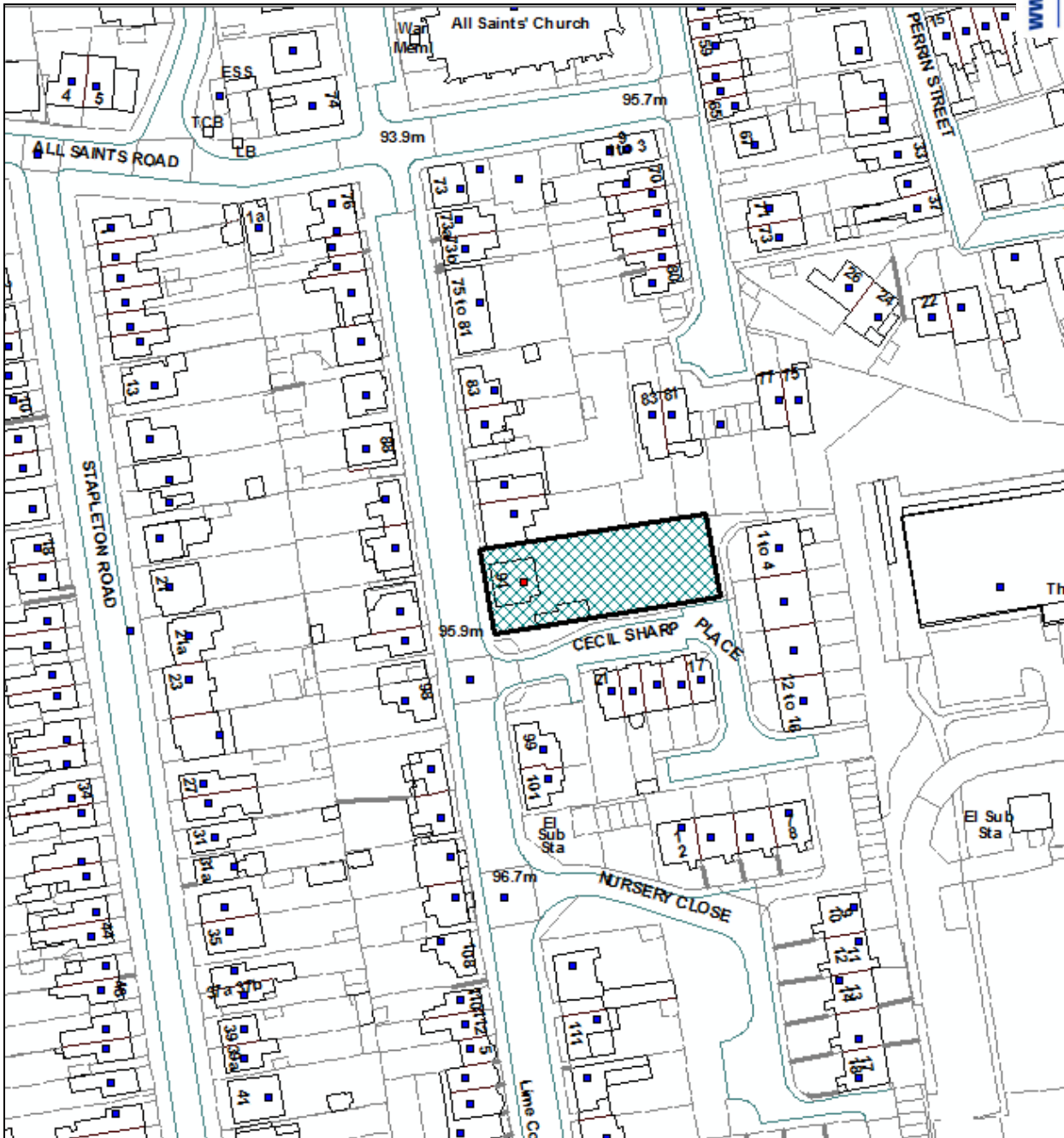
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Date: 25 November 2016

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Appendix 1

16/02677/FUL – 91 Lime Walk



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Ordnance Survey 100019348



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East Area Planning Committee

7th December 2016

Application Number: 16/02002/RES

Decision Due by: 14th November 2016

Proposal: Erection of community sports pavilion with associated car and cycle parking and landscaping (Reserved Matters of outline planning permission 13/01383/OUT).

Site Address: Land West Of Barton North Of A40 And South Of Bayswater Brook Northern By-Pass Road Wolvercote Oxford. Site plan at **Appendix 1**

Ward: Barton And Sandhills Ward

Agent: Mr Paul Comerford

Applicant: Mr Mitchell

Recommendation:

East Area Planning Committee is recommended to resolve to grant the reserved matters.

Reasons for Approval

- 1 The re-provision of the community sports pavilion and associated access and parking facilities have been designed to accord with the Parameter Plans and Design Code approved as part of the original Outline Planning Application, as well as national, regional and local planning policy objectives to help create a high quality, inclusive development which promotes efficient use of land and incorporates a balanced range of land uses to form a complete neighbourhood. The proposed facilities will form part of the wider community hub that will support the whole of the Barton Park site and provide new facilities for the wider community. They will make a key contribution to the creation of a community focal point for the new and existing communities.
- 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 Piling methods statement

- 2 verification report - contaminated land
- 3 Watching brief - contaminated land

Legal Agreement:

A legal agreement is not required to support this reserved matters as this was secured in association with the outline permission. Details of that legal agreement are contained in the Committee report for the outline application ref.: 13/01383/OUT. A CIL payment is not required as outline planning permission was granted before the introduction of CIL in Oxford.

Principal 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
CP22 - Contaminated Land
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
NE15 - Loss of Trees and Hedgerows
SR2 - Protection of Open Air Sports Facilities

Core Strategy

CS2 - Previously developed and greenfield land
CS3 - Regeneration areas
CS7 - Land at Barton
CS9 - Energy and natural resources
CS10 - Waste and recycling
CS12 - Biodiversity
CS13 - Supporting access to new development
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS20 - Cultural and community development
CS21 - Green spaces, leisure and sport

Barton AAP – Submission Document

MP1 - Model Policy
BA5 - Sustainable travel
BA13 - Design
BA14 - Delivery
BA15 - Flooding
BA16 - Surface water drainage

BA17_ - Water supply and waste water drainage
BA18_ - Land remediation
BA11_ - Community hub

Other Planning Documents

National Planning Policy Framework
Planning Policy Guidance

Public Consultation by the Applicant

A Statement of Community Involvement has been submitted with this application (as part of the Planning Statement section 6) setting out the community engagement and stakeholder consultation process undertaken. Details can be seen at **Appendix 2**. Stakeholder engagement has included working closely with the Phoenix Sports Association

There has also been pre-submission consultation through regular meetings with officers of the City and County Councils, the sports club members and with the Oxford Design Review Panel (a workshop - response as set out in **Appendix 3**). The applicants response to the points raised by ODRP can be seen at **Appendix 4**. Officers are satisfied that the submitted proposals have emerged from a rigorous assessment-involvement-evaluation-design process rather than being a pre-determined design solution.

Public Consultation by the Local Authority

The Council's normal consultation procedure has resulted in the following comments

Statutory and Non-Statutory Consultees and Groups:

- West Oxfordshire District Council: have no observations or comments to make on this occasion.
- Historic England: The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
- Natural England: no comments to make on this application.
- Environment Agency: no comments
- South Oxfordshire District Council: has no observation on the proposed development.
- National Planning Casework Unit: have no comments to make.

Individual Comments:

No comments have been received

BACKGROUND TO PROPOSAL

1. The Barton Park site is a roughly triangular tract of land to the north of the A40 ring road, west of the existing Barton residential area, and south of the Bayswater Brook. It extends to some 38 hectares (94 acres). It has mainly been used for agriculture with fields separated by unmanaged hedgerows, trees and ditches; but also including Barton Village Recreation Ground. The site surrounds but does not include a Scottish and Southern electricity substation which faces onto the A40. The land generally slopes down from south to north with the highest ground in the southeast corner. Public footpaths cross the site.
2. The site was identified as a strategic development site under Policy CS7 of the Core Strategy adopted in March 2011. It is an integral part of the Barton Area Action Plan (AAP) which was adopted in December 2012 and sets the spatial vision and detailed policies for development of the site, and the objectives against which the success of the Barton development would be judged:
 - delivering a strong and balanced community;
 - bringing wider regeneration of neighbouring estates;
 - improving accessibility and integration;
 - encouraging low-carbon lifestyles; and,
 - introducing design that is responsive and innovative
3. Within that context, outline planning permission was granted in October 2013 (13/01383/OUT) for the development of the site including:
 - up to 885 residential units which may include up to 50 units of extra care housing;
 - hotel of up to 7,350 m² of gross floorspace or approximately 120 bedrooms, (numbers of residential units to be reduced accordingly if a hotel is included);
 - up to 2,500 m² gross retail floorspace, consisting of a supermarket of not more than 2,000 m² gross and additional retail units totalling not more than 500 m²;
 - primary school / “community hub” building and external areas consisting of 3,000 m² main building, multi-use games area, adult sports pitch, 2 junior sports pitches, 400 m² equipped play area, 360 m² community sports pavilion and associated car parking;
 - linear park;
 - further equipped play area (“LEAPS”);
 - public squares;
 - additional allotment provision;
 - access roads;
 - pedestrian and cycle routes;
 - upgraded services, including media equipment, 2 pumping stations, substations and pressure regulators;
 - drainage works including water attenuation and control;

- earth works;
 - removal of existing buildings and structures;
 - construction of new junction with A40;
 - new telecommunications infrastructure;
 - landscaping and public realm works; and
 - junction works at Barton Village Road/Fettiplace Road/Harolde Close
4. Access from the A40 was given detailed planning permission as part of the outline permission. All other detailed aspects of the development (its appearance, landscaping, layout, and scale) were reserved for future determination through subsequent reserved matters applications (RMAs). The context and framework for consideration of the detailed design of the proposed development was however set for the subsequent RMAs and applications for conditions compliance by the Masterplan, and the approved Parameter Plans and Design Code which were approved as part of the outline permission.
 5. An illustrative Masterplan (**Appendix 5**) accompanied the outline application. It established the strategic layout and major elements of the Barton Park scheme, and proposed three neighbourhoods of distinctive character within the scheme:
 - i. at the western end of the development around a commercial square a high density mixed use area;
 - ii. a centrally located medium density residential area with strong green connections to the Linear Park; and,
 - iii. a lower density residential interface with the existing housing in Barton, which is centred on a proposed community hub and primary school;
 6. Six Parameter Plans were approved as part of the outline permission. In respect of the application currently under consideration for the community sports pavilion parameter plan 6 is of relevance.
 7. Parameter Plan 6 (**Appendix 6**) which relates to building and storey heights, also generally scaling down west to east with the taller buildings at the commercial core up to 18m in height reducing to 11.0m at the primary school and 9.5m for the residential development to the eastern neighbourhood. All these figures represent the maximum heights based on the height of ridgelines to roof structures (excluding chimneys etc.), but in the expectation that development is unlikely to be built out to the maximum height across the whole of the application site.
 8. A Design Code was also approved as part of the outline permission. It provided detailed requirements as to how individual streets, buildings and open spaces should be laid out and landscaped, and guidance on the forms and appearance of buildings including landscaping and materials. Most of its requirements are mandatory and are expressed as minimum standards. A statement of compliance with the design code for this RMA can be seen at **Appendix 7**.
 9. Together the Parameter Plans and Design Code seek to ensure that detailed

design and implementation are based on sound principles and incorporate a range of functional requirements. They are intended to provide the means to create a successful, sustainable and attractive environment in which people can live and work. They will determine how Barton Park appears and is experienced from within the development, and also externally as part of Oxford in its wider context and setting.

10. The City Council's Playing Pitch Strategy 2012-2026 recognised that the northeast area of the city has had an undersupply of sports pitches. The Strategy also stressed the importance of securing joint use of school facilities at the Barton development to address additional demand. The current level of provision at Barton consists of:
 - 1 adult size grass football pitch
 - 1 grass practice pitch
 - 1 multi use games area (MUGA) laid as 2 hard surface basketball courts
 - 1 disused bowling green
 - Sports Pavilion measuring 294 sqm
11. The outline permission identified the above level of provision would be replaced by the following:
 - 1 adult size grass football pitch: 100m x 64m
 - 1 junior / practice pitch provided as 3G synthetic turf pitch with floodlighting: 72m x 46m.
 - 1 MUGA: 39m x 26m
 - 1 grass pitch within school demise: 82m x 45m
 - Replacement sports pavilion measuring 360 sqm
12. The new facilities would be in a similar location as now so would continue to serve the existing Barton community and beyond, as well as the proposed extension. A joint user agreement with the future school would secure community use of the school facilities during weekday evenings, weekends and out of term. The school hall measuring 180 sqm would also be available.
13. Reserved matters have already been approved for the community sports facilities comprising a relocated natural turf adult sports pitch, multi-use games arena, 3G pitch lit by 12 x 10m light columns and a natural turf pitch adjoining the community hub, along with associated car parking, fencing, and vehicular and pedestrian access together with locally equipped area of play application ref.: 16/00067/RES.
14. This current reserved matters application comprises the replacement sports pavilion. The pavilion will contain
 - 2 x Officials changing rooms
 - 2 x Team changing rooms
 - Flexible social/community space
 - Bar, Cellar and Kitchen

- Male and Female WC
 - Accessible WC
 - Stores
15. Footpath and steps to the Linear Park to the north of the proposed pavilion will be provided and level access through graded access routes which will lead from the Linear Park, Primary Street and Car Park. 120 space parking area (including 2 disabled spaces) and 13 cycle stands providing 26 spaces are proposed.
 16. This reserved matters application covers an area to the north east of the Barton Park site that sits within the Community Sports Facilities and adjoins the Community Hub. It will re-provide the sports pavilion and include new flexible social space that can provide a complementary alternative to the community hub spaces that will support the whole of the Barton Park site and wider community.
 17. The pavilion is intended to be a well-used community and sports facility, and tie into match the pattern of usage currently experienced in association with the existing adult and junior pitches. However, the pavilion will also be utilised by users of the 3G pitch which will be floodlit, and therefore it is proposed that the pavilion usage hours works with the opening hours of this new facility. The proposed opening hours of the pavilion are therefore proposed to be from 07:00 until 23:00 which is half an hour before and after the 3G pitch is permitted to open and close.
 18. Beyond its sporting function it is important to note that it has been designed to provide social space for community activities to take place that can complement those at the new community hub and the existing Barton Neighbourhood Centre.
 19. To ensure that disruption to the two football clubs (Barton United and Headington Amateurs) was minimised, the BOLLP has arranged for them to play at the nearby Bayards School and Oxford City FC respectively, for one season, whilst the facilities are being built. The move in date into the new pavilion is July 2017.
 20. Whilst the existing pavilion functioned, there were many limitations to the building which hindered its wider usability. A summary of the issues the club had with the current pavilion is outlined below:
 - Windows too small to view out of
 - No canopy for protected outside view
 - Main entrance into main space which meant it was drafty and cold in winter
 - Poor ventilation during warmer months
 - WC access off the main space
 - Carpeted main space which was hard to clean and reduced flexibility of space
 21. A full Environmental Impact Assessment (EIA) had been undertaken in support of the proposed development. The outline planning application was

therefore accompanied by an Environmental Statement (ES) and the Environmental Information (EI) was taken into consideration prior to granting that permission. As a reserved matters application the Council must consider whether the EIA it already has is adequate to assess the environmental effects of the development. As the submitted EIA is recent, up to date and there have been no material changes in circumstances, it is considered that a further ES is not required.

PROPERTY HISTORY

22. There is significant planning history for this site. The following applications are considered most relevant to this application:
- 13/01383/OUT - Outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3); a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1); a maximum of 50 extra care housing units; a maximum of 7,350 sqm GEA hotel (Class C1); a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works. (Additional information - Landscape and Cultural Heritage Statement). PER 18th October 2013.
 - 16/00067/RES - Details of reserved matters (access, appearance, landscaping, layout and scale) for the community sports facilities comprising a relocated natural turf adult sports pitch, multi-use games arena, 3G pitch lit by 12 x 10m light columns and a natural turf pitch adjoining the community hub, along with associated car parking, fencing, and vehicular and pedestrian access together with locally equipped area of play. PER 13th April 2016.

OFFICERS ASSESSMENT:

The Proposal

23. The proposals now before the Committee for determination is the reserved matters application on the site seeking approval for details of reserved matters (layout, scale, appearance and landscaping) for the erection of community sports pavilion with associated car and cycle parking and landscaping pursuant to Condition 3 of outline planning permission 13/01383/OUT.

Determining Issues

24. The main issue is whether the proposals meet the vision and objectives for the Barton Park development as expressed in the Core Strategy, the Barton AAP, and the outline permission together with the Masterplan, Parameter Plans and Design Code, providing satisfactory community sports pavilion at the Barton Park development.

25. The submission is fully compliant with the minimum floor area requirement set out in condition 13 of the outline permission (300 sqm).

Assessment

Layout, Scale and Appearance

26. The pavilion is centred on the half way line of the football pitch with the intention of creating a direct connection between the pavilion and sport. The pavilion fronts on to a LEAP, MUGA, 3G pitch, access to the linear park and the main adult football pitch. The pavilion's location means that it will be visible not only from both directions along the Primary Street, but also the Linear Park.
27. The internal layout is split into two halves with a link corridor separating them. This internal split is seen on the outside of the building by its distinct use of two palettes of materials. The new facility will provide a new flexible social space which can be sub divided to allow two small events to occur concurrently. There is also an extended terrace and canopy section which will allow the building to be used more during the summer months.
28. The building is proposed to be on a raised platform that performs a double function, providing a raised terrace to enable views of the surrounding amenities and encourage informal seating, while also raising the building up to providing a pleasing backdrop that can be seen beyond the amenities from all approaches. Wide terraces will provide the community and the clubs the opportunity to utilise them during the summer and hold evening exercise classes.
29. The southern half of the building hosts the main social space (which can be divided into two), the kitchen, bar and cellar space. These spaces are all connected functionally to one another and allow the building to provide an active frontage on three of the main elevations. The kitchen has a serving hatch onto the western edge which is where it is seen to welcome passing trade through the site.
30. The southern half of the pavilion has an angled roof and a lighter palette of materials. The southern section comprises of full height glazing and vertical timber cladding. Timber along with the glazing contributes to giving the appearance of a light structure and a warm and welcoming building. This also helps to make the building appear as permeable as possible, whilst still providing solar and weather protection through the roof overhang over the three main sides of the building. The angled roof also allows for the inclusion of PV panels as the roof is south facing.
31. The northern section of the building houses the changing rooms for both players and officials, WC's and the store and plant spaces. This section of the building is a more closed and private area and responds to the countryside. The palette is heavier and views in have been avoided due to the nature of the use of this side of the building. There will also be filtered daylight within the

changing rooms to ensure that the rooms will not be completely reliant on artificial lighting.

32. Gabion walls were chosen to clad the northern section of the pavilion due to their relationship with the countryside and the Linear Park. Gabions are being used elsewhere within the park and allow the building to gently break down in scale and form whilst maintaining privacy for the changing areas etc. A green roof to this section further enhances the building's relationship to the Linear Park. This will also reduce the amount of rainwater run-off from the roof and aid biodiversity.
33. During the design process for the community sports facilities reserved matters application the position of the pavilion was reviewed in response to improving connectivity and natural surveillance. Moving the pavilion central to the layout improved the relationship and visual prominence between the pitches. Locating the LEAP to the south of the pavilion also took advantage of the buildings orientation creating an opportunity for a south facing terrace with direct access and natural surveillance of the LEAP, which will encourage more users. Direct access off the primary street also improves the play area's relationship with the community hub building and square and connections with existing Barton.
34. The layout of Barton Park has been designed around creating safe and secure footpaths through the site; linking the residential neighbourhoods with the pavilion and the linear park. The intention is for the existing bus and cycle routes to be extended within the development along the Primary Street which will directly link the proposed residential areas with the key community facilities, including the pavilion. The bus linkages will provide for convenient links within Barton Park and the wider community. The pavilion location allows for direct access to the Linear Park that has been designed to allow for clearly defined walking/cycling routes from the Primary Street and to wider Barton including the key link to Play Barton.
35. The new facility has been designed to respond to its surroundings, function and Design Code and Parameter Plan (maximum height of +9m AFFL). In particular Parameter Plan 6 establishes height parameters for the Pavilion which are not exceeded by the proposed development (roof is currently at a height of +6.5m AFFL). The facility has been designed to ensure that it meets Sport England design guidelines as set out in the Sport England Clubhouse Design Guidance Notes (2016).

Landscaping

36. Whilst the principle of this application is for the pavilion building the proposal does provide some tree and shrub planting. The proposed tree and shrub planting will help assimilate the pitches within the adjoining primary street and development, contributing to the character and setting of the street scene. Proposed planting will provide an important 'greening' and softening effect complementing the planting proposed along the primary street. The three trees shown to the east of the path to the linear park are approved as part of

the enabling infrastructure works permission (14/03201/RES). A shared surface approach to the pavilion access road helps to establish the pedestrian focus and reflects the principles of the surrounding streets within the development.

Other Issues

Access and parking

37. The Reserved Matters Application seeks to contribute to maximising the use of sustainable transport modes through a combination of methods including the provision of appropriate on-site cycle and car parking in relation to that provided within the immediate area of the Pavilion and that included in close proximity at the community hub. The pavilion is located within a short walk of the two new bus stops in the community square.
38. The proposed development includes a parking area for a total of 12 car parking spaces; 10 standard car parking bays and 2 disabled parking bays. Car parking within the development is provided at an appropriate level to ensure adequate provision in order that cars for officials, players and visitors do not have to resort to parking on Primary Street, kerbs and verges.
39. Vehicular and pedestrian access for the adult sports pitch, pavilion and LEAP is provided directly off the Primary Street. The new pavilion will be located so that it not only serves the football facilities, but also the community facilities to encourage wider use and ownership. Ramped access ensures that the building is accessible for those entering the site either from the Primary Street or the car park
40. A shared access has been designed in keeping with the highway approved strategy for the site and in line with the design principles set out within Manual for Streets. The width of the shared access is sufficient to allow the delivery vehicle to pull in should a car be waiting to exit the site. The shared access then narrows to 3m wide, to discourage parking adjacent to the pavilion and to direct vehicles into the parking area allocated. The parking area has been arranged to allow the delivery vehicle to turn around onsite whilst cars are parked within the allocated bay.

Cycle Parking

41. Provision for 13 cycle stands (26 cycle parking spaces) has been made adjacent to the pavilion. These have been located to allow clear access to the storage areas and for access from the car park into the pavilion. Additional cycle parking has also been provided in front of the LEAP to allow separate parking for use of that facility, when accessing this from the Primary Street. There are also numerous cycle parking facilities along the Primary Street and adjacent to the community facilities in line with the wider Cycle Strategy for Barton Park agreed within the Travel Plan as part of the Outline Application.

Biodiversity

42. Officers have reviewed the documents relevant to this application, and note that the stone gabion and timber clad wall designs are likely to prove attractive for roosting bats and may also provide opportunities for bird nesting.

Flood Risk/Drainage

43. A Flood Risk Assessment accompanied the original outline planning application to demonstrate that the development would not increase flood risk within the Site or elsewhere. The proposed Reserved Matters Application is in line with the approved WSP Flood Risk Assessment May 2013 (FRA) as required under Condition 27 of the Outline Planning Consent. The proposed development will not generate any further effects that have not been identified and considered within the Environmental Statement submitted and approved with the outline consent. The detailed surface water drainage strategy for this area of the site was approved as part of the application for the community sports facilities which accord with the overarching strategy for the site.
44. Surface and foul water generated as a result of the development of the pavilion will be managed by a privately maintained positive drainage system onsite designed in accordance with Building Regulations Part H, and in accordance with Best Practice, before discharging into the Thames Water adopted networks within the Primary street. This is in line with the principles agreed for the wider site through planning. In addition, rainwater harvesting and a green roof are also proposed, to further reduce surface water runoff from the pavilion over and above the strategy previously approved.

Land Quality

45. Mitigation measures for construction in this area have been set out in the approved "Remediation Method Statement, Barton Park" (report ref: 11501549/06 Rev. 5.4 dated July 2015). The mitigation measures required for the residential units in this report will also apply for the proposed pavilion. Therefore, a verification report will be required to provide validation that the remediation undertaken was in accordance with this approved report.
46. Piled foundations are recommended for any load bearing structures within the footprint of the former landfill. Details of the piling methods, along with a risk assessment to establish whether the piling method would result in leachate migration, are required. Further, a ground and surface water monitoring plan is required, as stated in the approved Remediation Method Statement. In order to secure these details and in the event of unexpected contamination, officers recommend that conditions are placed on the reserved matters planning permission.

Archaeology

47. Archaeological recording has been completed for the area covered by this Reserved Matters Application and officers therefore have no further

comments.

Sustainability

48. The building incorporates a number of integral sustainable measures and renewable technologies which can be summarised as:

- Photovoltaic Panels to Southern angled roof
- Rain water harvesting to contribute to water usage of building
- Naturally ventilated main space with mechanical back-up
- Air source heat pump
- Reduced glazing to West and Southern elevations
- Canopy to East, South and West elevations

Conclusion:

49. The community sports pavilion has been designed in accordance with the approved documents and plans submitted with the outline application, including the parameter plans, design and access statement, design code and condition 13.

50. Members are recommended to approve the reserved matters 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 reserved matters, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

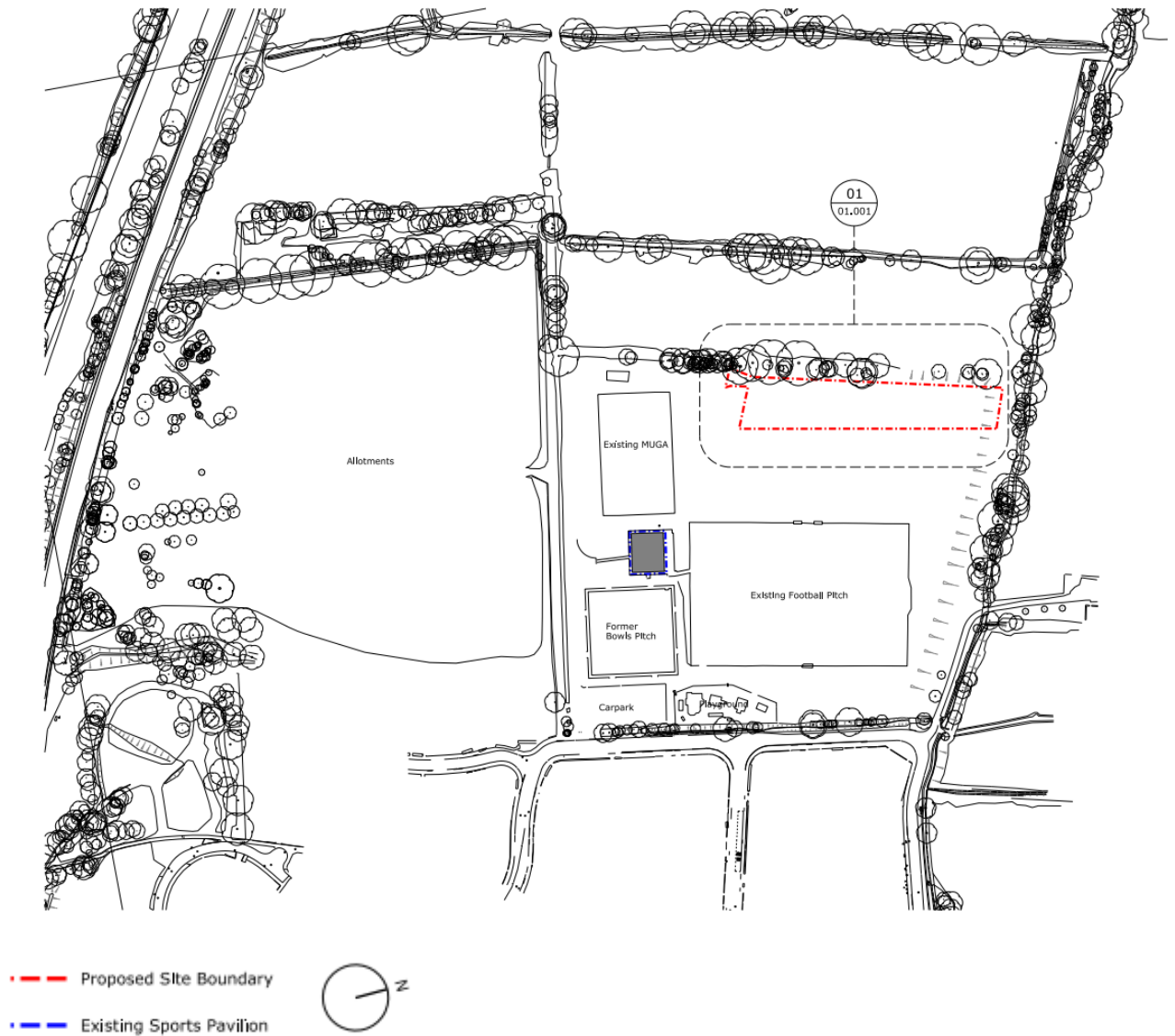
Background Papers:

Contact Officer: Lisa Green

Extension: 2614

Date: 18th October 2016

Appendix 1 Site Location Plan



Consultation and Engagement – Statement of Community Involvement

This Statement of Community Involvement (SCI) together with the Design and Access Statement sets out the community engagement and stakeholder consultation undertaken to inform the proposals forming this submission.

Consultation has included:

- Pre-application engagement with OCC.
- Member Briefing of 3rd December 2015.
- 2 Meetings with BICEP during 2016.
- Pre application meetings with Phoenix Sports Association as set out below.

Phoenix Sports Association

The Phoenix Sports Association have been integral to the development of the replacement pavilion proposals. Aside from engagement over previous years more recently in the design development of the pavilion the following meetings have taken place

- 23rd March 2016 – First visit by David Morley Architects to the existing building. Existing facilities reviewed, critiqued and club requirements for new building established. Clubs requested a two-storey building.
- 12th May 2016 – Second meeting with clubs and DMA. Presented initial design proposals for both a single storey and two-storey option. Clubs agreed two-storey option not practical and to proceed with a single storey design.
- 17th May – First OCC pre-app
- 26th May – ODRP session
- 13th July – Second OCC pre-app
- 5th July – BICEP meeting. Presented current pavilion proposal, which was well received. Mick Beasley from Phoenix Association was in attendance.
- 7th July 2016 – Third design meeting with Phoenix Association. Presented final building layout, external finishes and M& proposals.

The Design and Access Statement provides further details on the design objectives established with the Phoenix Sports Association and Barton United together with the design amendments made to respond to the brief for the Pavilion.

At the meeting on the 7th July there was unanimous agreement by Phoenix Association to proceed with planning application on current design. At this meeting the design of the Pavilion was also supported by Councillor Van Coulter as the local member and Chair of the East Area Planning Committee.

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Barton Park Community Sports Pavilion, Oxford City Council

Design Workshop

Notes from 26 May 2016

Thank you for providing the Oxford Design Review Panel with the opportunity to advise on this proposal at the Design Workshop on 26 May 2016. We look forward to engaging in future dialogue as the proposal develops.

Summary

Barton Park Masterplan aspires to create a healthy community that promotes walking, rather than relying on car use. In the agreed masterplan, the proposed community sports pavilion is positioned closer to Primary Street. However, the scheme proposes parking spaces and an access road that take up a large area of the site, confining the building by a tight boundary set back further away from Primary Street, which compromises the scheme's integration in the wider context. The building's form, scale and materials blend well with the surroundings, but more could be done to ensure that the proposed facility becomes a valuable community asset.

Revising the building's boundary and parking provision could help release more space, which would allow the design team to develop a coherent landscape and design surrounding spaces that function better. We recommend the local authority ensures that new developments follow the aspirations of Barton Park Masterplan and that any changes to the masterplan are appropriately justified.

Site plan and redline boundary

The spaces surrounding the building are narrow, particularly between the building and the football pitch to the east and the proposed Locally Equipped Area for Play LEAP to the south. Enlarging the redline boundary to include the whole strip of land between Primary Street and the linear park along the northern edge of Barton Park, will provide the opportunity to reposition the building and create an appropriate setting. To achieve this, we recommend the following:

- Revisiting the building's position, to make it more prominent and less detached from Primary Street. The building being positioned further away from Primary Street might

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seem more exclusive to sports activities and discourage the wider community from engaging with it.

- Exploring options to rearrange the surrounding spaces to provide appropriately sized spill-out spaces around the building's periphery. The gate on the pitch to the east of the building is too close to the steps leading to the entrance, where more space is required to facilitate teams of players moving in and out of the building. Consider providing more space along this edge and to the south side of the building for people to sit and observe children playing in the LEAP should the LEAP remain in this position.
- Resolving any possible conflict between service delivery and pedestrian movement and access. Consider relocating the steps along the west façade, which could obstruct service vehicles during drop-off. More detailed drawings for the spaces surrounding the building to show how access, movement and servicing areas would be helpful.
- Offering wheel chair access from other sides of the building to provide universal access. Access ramps are currently located on the west side only.

Landscape

Encouraging the landscape architect to take a more active role in the development of the surrounding landscape would enhance how the building relates to its context. We recommend the following:

- Involving the landscape architect in the development of a clear strategy for the site.
- Ensuring that the views to the building from the surrounding streets are unobstructed.
- Exploring opportunities to strengthen the building's connection with Primary Street and developing the landscape along Primary Street to unify the landscape treatment along the edge of the site setting an inspiring precedent for integration with the later stages of the masterplan's realisation.
- The landscape edges surrounding the LEAP area suggest a strongly defined landscape boundary. Consider refining these edges to make them more permeable and appealing.
- Demonstrate how the pedestrian path leading from the linear park to the north can be linked to Primary Street.

Car parking, vehicular access and movement

Given the amount of parking spaces provided on the adjacent site, we question the need for offering additional parking spaces within this site which seems to conflict with the aspiration to promote walking within the neighbourhood. Furthermore, this parking area and the surrounding verges appear vulnerable to being randomly used by the wider public. To resolve this we recommend:

- Removing the parking spaces within the site and taking advantage of the car parking spaces provided elsewhere. Alternatively, consider integrating on-site cycle parking.

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- Developing a management plan to control access to the site and parking overspill in and around the site. Consider adding a gate to the road to control access to the car park if this carpark remains.

Building Design

The design team have successfully designed the building with a north facing green roof to blend in with the natural landscape to the north. The proposal includes renewable energy resources by effectively integrating photovoltaics on the south facing roof. The gabion walls create a distinct identity for the building, which, combined with the timber frame structure of the community space, is a good design approach. However, the following design recommendations will help the building function more effectively:

- Exploring the possibility of reconfiguring the building and providing more space around it.
- Refining the appearance and design of the centrally located entrance. Consider widening it, or integrating it with the community area block or the changing rooms' block.
- Considering raising the height of the building's roof to make the building more prominent and visible as a community asset within Barton Park.
- Securing the building to prevent vandalism by using shutters for example and investigating how the building could be better overlooked.

Yours sincerely,

Hatem Nabih
Design Council Cabe Advisor
Email Hatem.Nabih@designcouncil.org.uk
Tel +44(0)20 7420 5281

Attendees

Design Workshop Panel
Jo van Heyningen (Chair)
Jessica Bryne-Daniel
Jon Rowland

Scheme presenters

Paul Comerford	AECOM
Mark Davies	David Morley Architects
Stuart Mackay	David Morley Architects

Adam Baring	Grosvenor / Barton Oxford LLP
Matt Mitchell	Grosvenor / Barton Oxford LLP
Mark Jaggard	Oxford City Council / Barton Oxford LLP

Local Authority

Lisa Green	Oxford City Council
Rezaie Mehdi	Oxford City Council

Appendix 4

Applicants Response to ODRP Comments

Comment:	Team response / action:
1 - Revisiting the building's position, to make it more prominent and less detached from Primary Street. The building being positioned further away from Primary Street might seem more exclusive to sports activities and discourage the wider community from engaging with it.	1 - This move has already been approved as part of the RMA community sports application and provides a better relationship with the sports facilities it serves as required by Sports England.
2 - Exploring options to rearrange the surrounding spaces to provide appropriately sized spill-out spaces around the building's periphery. The gate on the pitch to the east of the building is too close to the steps leading to the entrance, where more space is required to facilitate teams of players moving in and out of the building. Consider providing more space along this edge and to the south side of the building for people to sit and observe children playing in the LEAP should the LEAP remain in this position.	2 - LEAP has been rearranged to allow for greater access surrounding the pavilion and to allow the building to "breathe". The distance between the pitch fence and terrace is now 2500mm clear.
3 - Resolving any possible conflict between service delivery and pedestrian movement and access. Consider relocating the steps along the west façade, which could obstruct service vehicles during drop-off. More detailed drawings for the spaces surrounding the building to show how access, movement and servicing areas would be helpful.	3 - Steps have been pulled away from the edge to provide better access for the delivery lorry and further pedestrian and vehicular separation.
4 - Offering wheel chair access from other sides of the building	4 - There was not sufficient space to provide this without reducing the width of the terrace.
5 - Exploring the possibility of reconfiguring the building and providing more space around it.	5 - This has been achieved through the re-organising of the LEAP and reduction of the road width.
6 - Refining the appearance and design of the centrally located entrance. Consider widening it, or integrating it with the community area block or the changing rooms' block.	6 - Entrance has now been integrated within the community area to provide a greater sense of arrival.
7 - Considering raising the height of the building's roof to make the building more prominent and visible as a community asset within Barton Park.	7 - This was reviewed, however began to dominate the building, roof is currently at a height of +6.5m AFFL
8 - Securing the building to prevent vandalism by using shutters for example and investigating how the building could be better overlooked.	8 - Glazing specification to be sufficient to allow for vandalism. The spaces will be internally and externally lit to provide sufficient security. The team felt that shutters do not provide the openness the community building requires.

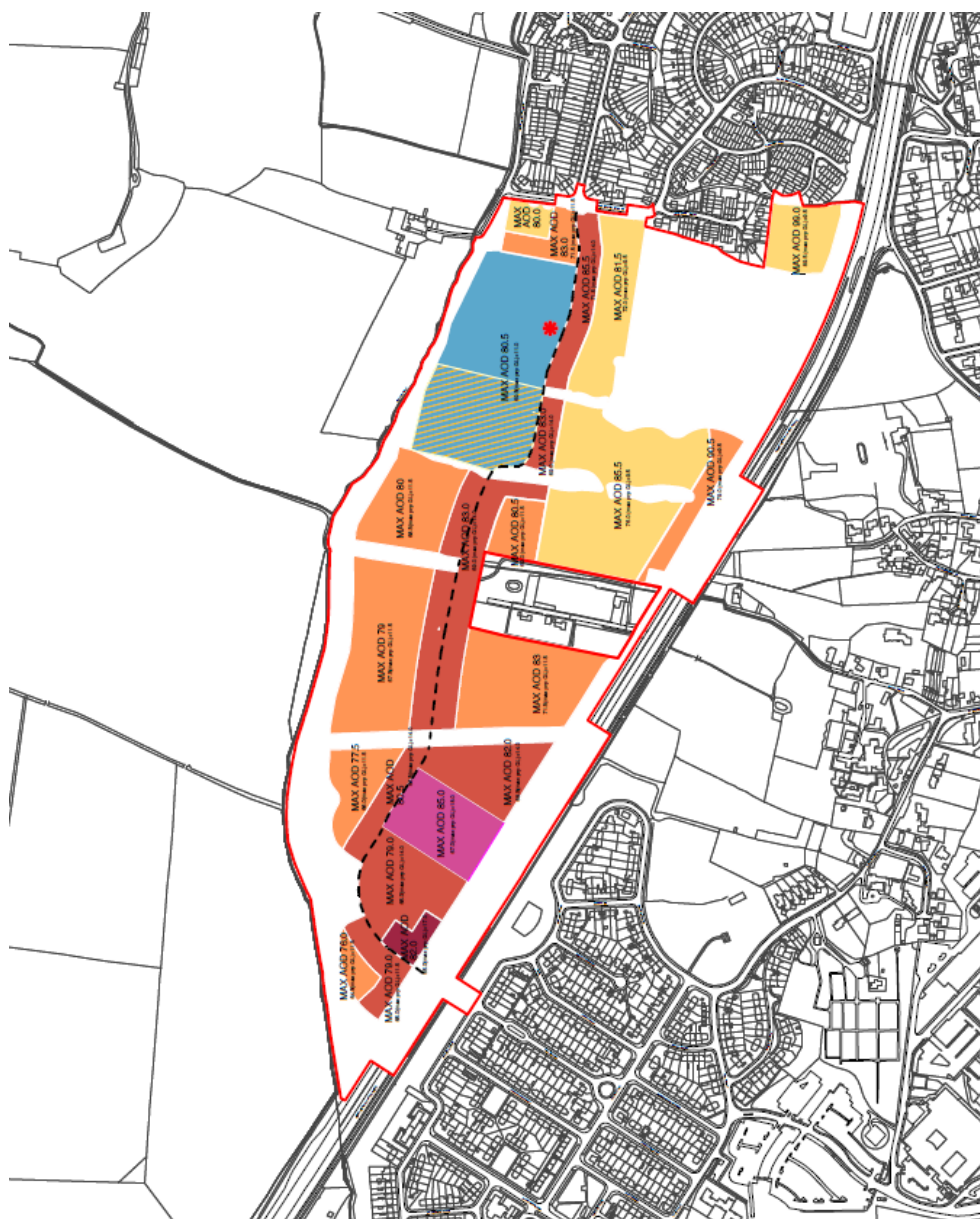
Appendix 5 Illustrative Master Plan



Appendix 6

Parameter Plan 6

Building Heights



Contextual information










Planning application boundary

— — — — — Indicative line of primary street

Notes: -

- (i) Along primary street no more than 25% of dwellings can be 4 or 4.5 storeys.
- (ii) Zone for school buildings defined in hatched area.
- (iii) All building heights are based on roof ridgeline and exclude structures such as chimneys or flues.
- (iv) All plant associated with commercial units is included within parameters.

For approval

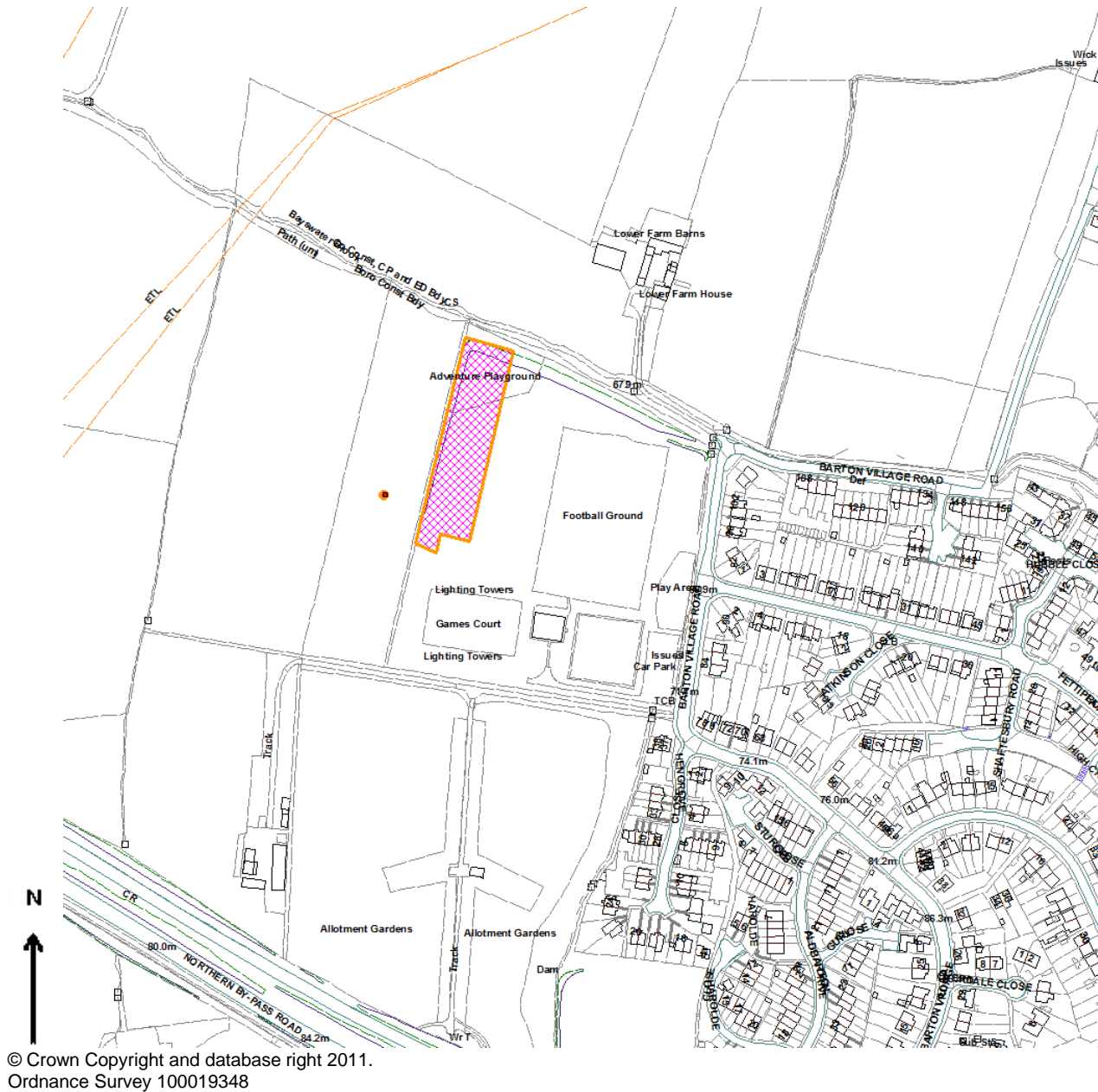
- | | |
|---|--|
|  | Mixed use up to 18 m (4 storeys) |
|  | Residential up to 17 m (5 storeys) |
|  | Residential up to 14 m (4.5 storeys) (i) |
|  | Residential up to 11.5 m (3.5 storeys) |
|  | Residential up to 9.5 m (2.5 storeys) |
|  | School up to 11 m (2 storeys) (ii) |
|  | Pavilion up to 9 m (indicative position shown) |

Appendix 7

Summary of Compliance with the Design Code

Appendix 1

16/02002/RES - Land West Of Barton North Of A40 And South Of Bayswater Brook



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East Area Planning Committee:

7th December

Application Number: 16/02856/CT3

Decision Due by: 4th January 2017

Proposal: Formation of 29 additional car parking spaces with associated landscaping.

Site Address: Land Fronting 48 To 62 Field Avenue Oxford Oxfordshire

Ward: Blackbird Leys Ward

Agent: Mr Andy Harding

Applicant: Oxford City Council

Recommendation:

East Area Planning Committee is recommended to resolved to grant planning permission and to delegate authority to the Head of Planning and Regulatory Services to issue the permission after the public consultation expiry date of 14th December subject to no new material issues arising before the end of that consultation.

For the following reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. No objections have been received and officers conclude that 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.
- 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.

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

- 1 Development begun within time limit

- 2 Develop in accordance with approved plans
- 3 Drainage
- 4 Landscape plan required

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP10 - Siting Development to Meet Functional Needs
CP9 - Creating Successful New Places
CP11 - Landscape Design
CP13 - Accessibility
TR3 - Car Parking Standards
TR13 - Controlled Parking Zones

Core Strategy

CS18 - Urban design, town character, historic environment
CS21 - Green spaces, leisure and sport

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

None.

Representations Received:

No representations have been made at the time of the writing of this report. The deadline for consultation for this application is the 14th of December. Any comments received before the committee will be reported verbally at the meeting.

Statutory and Internal Consultees:

No comments received. Deadline for consultation responses is the 14th of December.

Issues:

Visual Impact
Trees

Highways

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded by cars being parked on public verges.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when car ownership levels were lower than today. In the 1980s, additional parking bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.
3. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
4. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multiple-occupation (HMO's) also adds to the pressure.
5. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas. However more recently, the City Council has accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
6. The proposed scheme would provide a formal parking area on an existing grassed area. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highways safety by formalizing accesses. This is a continuation of car parking schemes recently approved in locations across the city (Blackbird Leys Road, Normandy Crescent, Chillingworth Crescent, Redmoor Close and four schemes at various points along Pegasus Road).

Site Location and Description

7. The application site is a grassed area which sits between Rampion Close, Pimpernel Close and Field Avenue in Blackbird Leys. The local area is characterised by terraced rows of dwelling houses.

Proposal

8. The application proposes 29 no. off road parking spaces for resident's vehicles on the green on the north side of Chatham Road, one of which is a disabled space. The proposed works would also consist of associated landscaping including the planting of seven trees.
9. The proposed new spaces would be unallocated.

Visual Impact

10. The proposed parking would result in a reduction in the size of the planted grassed area. However it is considered that the introduction of the proposed new trees would be significantly beneficial to the character of the area so as to outweigh the harm caused by the loss of the grass.
11. It is also recognised that the proposed parking would likely lead to a reduction in informal parking on grass verges which degrades the quality of the verges and is detrimental to the character of the area. For this reason the proposals can be seen to be beneficial to the character of the area.
12. The proposal will have an acceptable visual impact on the area and accords with Policies CP1, CP6, CP8, CP9, CP10 and NE15 of the Oxford Local Plan, policy CS18 of the Core Strategy and policy HP16 of the Sites and Housing Plan.

Highways

13. The proposals are considered acceptable and will not result in a detrimental impact to highways safety.
14. Due to the spaces being provided within the public highway they cannot be allocated to specific properties.

Residential Amenity

15. The proposed parking spaces would be 6m from the closest residential dwelling houses which are the terraced rows to the east of the site on Field Avenue. Some of the proposed parking bays would face these properties and there would therefore be a potential for glare from headlights into these windows. However this will satisfactorily be reduced or eliminated by the

proposed shrub planting.

16. The proposed bays will be overlooked by the surrounding properties which will create natural surveillance. Officers consider the proposal would not significantly harm residential amenities in this instance. The proposal therefore accords with Policies CP1 and CP10 of the Oxford Local Plan.

Conclusion:

17. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2026 and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Kieran Amery

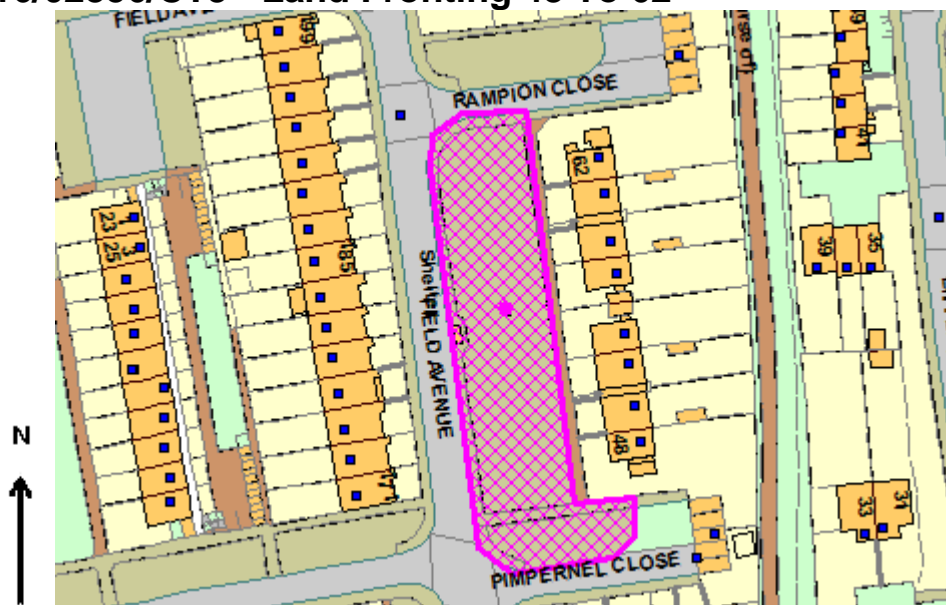
Extension: 2186

Date: 24th November 2016

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Appendix 1

16/02856/CT3 - Land Fronting 48 To 62



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East Area Planning Committee

7th December 2016

Application Numbers: 16/02588/CT3, 16/02596/CT3, 16/02597/CT3

Decisions Due by: 30th November 2016

Proposals: Relocation of bin storage, insertion of permeable fence with associated landscaping. (Amended plans and additional information)

Site Address: 2 To 24 Stowford Road – site plan **Appendix 1**
26 To 60 Stowford Road – site plan **Appendix 2**
55 To 89 Bayswater Road – site plan **Appendix 3**

Ward: Barton And Sandhills Ward

Agent: N/A

Applicant: Oxford City Council

Recommendation:

Officers recommend that the East Area Planning Committee approves the applications 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.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as proposed
- 4 Ground resurfacing - SUDS compliant
- 5 Tree Protection Plan
- 6 Arboricultural Method Statement
- 7 Landscape plan to be carried out by completion
- 8 Landscape management plan

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

Core Strategy

CS3_ - Regeneration areas

CS10_ - Waste and recycling

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

CS19_ - Community safety

Sites and Housing Plan

HP9_ - Design, Character and Context

HP13_ - Outdoor Space

HP15_ - Residential cycle parking

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History

74/00498/A_H - Demolition of 3 no. pre-fabricated bungalows and erection of 60 no. flats in 4 no. 3-storey blocks and 32 no. garages. Approved 19th June 1974.

Representations Received:

22 Stowford Road (commenting on application for 2 to 24 Stowford Road):

Officer responses in italics

Development supported in general with the following suggestions:

1. Altering position of path to take account of recently planted rowan tree;

Amended plans received altering path

2. Metal border edging to paths and flowerbeds;

Not considered necessary to make the application acceptable

3. Not to render the entrance porch walls, rather to repair any brickwork;
Rendering of porches is not proposed with these applications

4. I hope there will be a gate between the pavement and the path leading up to the entrance doors of the blocks;
Gates are proposed for 2-24 Stowford Road. Gates were indicated on the plans, and amended elevations were received showing gates on the elevations.

5. Evening out surface and applying bay lines in the parking area to the left of this block.
Outside the site area and scope of this planning application

Thames Valley Police: no comments received

Statutory Consultees:

Barton Community Association: no comments received

Highways Authority: no comment

Issues:

Principle of development
Design, form and appearance
Trees and landscaping
Residential amenity and facilities
Car parking
Community safety

Officers Assessment:

Site descriptions

1. The three applications relate to the land immediately surrounding blocks of Council-owned flats in Barton. The frontages of these flats are dominated by large brick-built bin storage and drying areas and individual storage units for residents.

Proposals

2. As part of the Council's "Investing in Barton" programme, the brick storage areas on the frontages of the flats are proposed to be demolished and replacement bin stores and individual storage sheds erected. The frontages are proposed to be landscaped with planting beds added and new paths, and fencing installed.
3. Revised plans were received providing greater detail of the landscaping proposals for all three sites, and realigning the footpath to take account of the young rowan tree mentioned in the comment by 22 Stowford Road. Further information was also received regarding the specification of the bin stores and a drawing demonstrating that two cycles fit within a storage shed.

Principle of development

4. Policy CS3 (Regeneration areas) of the Core Strategy supports the regeneration through environmental and public-realm improvements of five priority areas, one of which is Barton. The objective of these applications is consistent with the aims of the policy and, as such, the proposals are considered acceptable in principle.

Design, form and appearance

5. The demolition of the existing brick structures will open up the frontages of these properties visually and Officers consider this will improve the street scene. The replacement structures will be less visually dominant due to their siting to the side of the plots and their smaller scale.
6. The enclosure of the open space by railings is considered acceptable in that the railings are low – approximately 1m in height – and will be softened by ornamental planting. The higher stretches of fencing to enclose the storage areas are only for short stretches of the fencing and are therefore not visually dominant or intrusive.
7. The bin stores proposed are standard timber (natural finish) and metal enclosures that can be linked together in various combinations. This arrangement is practical and should result in a tidy appearance.
8. Although the metal roofs proposed for the storage sheds and the hooped railings do not have a very domestic or residential character, overall, the materials proposed in the development are functional and hardwearing.
9. Overall, the proposal is considered to result in a more attractive public realm and would comply with the Council's design policies.

Trees and landscaping

10. New planting beds are proposed and landscape and maintenance plans for the sites have been submitted. These are considered acceptable and are recommended to be secured by condition to ensure a satisfactory appearance over the long-term.
11. Any new areas of hard surfacing are proposed to be permeable and sustainably drained; a relevant condition is recommended to ensure compliance with policy CS11 (Flooding) of the Core Strategy.
12. A tree protection plan and arboricultural method statement have been submitted and Officers are satisfied that the proposals will not be significantly detrimental to the viability of existing trees. Relevant conditions are recommended to secure the tree protection measures.
13. Overall, the proposal is considered acceptable in terms of trees and landscaping and would comply with the relevant Council policies.

Residential amenity and facilities

14. It is understood that the applications are a result of consultation with residents. The proposals would improve the outlook from ground floor rooms and provide defensible space and more attractive landscaping for residents.
15. The proposal would replace the same number of storage sheds and so there is no loss of storage facilities. Some of the bin storage areas will be locked so that only residents have access to these facilities to prevent fly-tipping.
16. The applications are for a replacement of facilities and so Officers do not consider it reasonable to require new, separate cycle storage within the proposals. A drawing has been submitted demonstrating that two cycles can be stored within each storage shed, which is the minimum number of cycle spaces required for each flat under policy HP15 (Residential cycle parking) of the Sites and Housing Plan.
17. The proposals overall are therefore considered to improve residential amenity and facilities and comply with policies CP1 and CP10 of the Oxford Local Plan and policy HP13 of the Sites and Housing Plan.

Car parking

18. Five new car parking spaces will be created in front of 26 to 60 Stowford Road. The arrangements are the same as for the existing spaces in this location in terms of manoeuvring and allocation. The Highways Authority has raised no objection and the additional spaces would still mean the overall provision is well within the Council's maximum standards for residential car parking for the flats (HP16 of the Sites and Housing Plan). As such the proposal is considered acceptable in this respect.

Community safety

19. The removal of the existing brick structures, which created poorly surveilled areas, is considered to reduce the opportunity for crime and the fear of crime. The proposal is more open, particularly in view of the visually permeable fencing, with greater natural surveillance. Dusk-to-dawn lighting is proposed in the bin and storage shed areas. The proposals are therefore consistent with policy CS19 (Community Safety) of the Oxford Core Strategy.

Conclusion:

20. Officers recommend that the East Area Planning Committee approves the applications subject to the suggested 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.

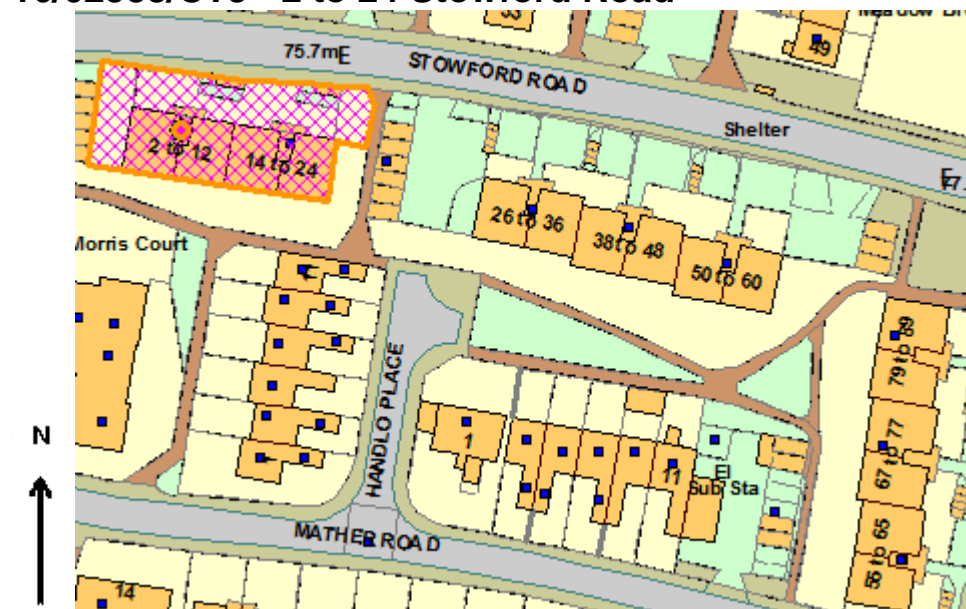
Contact Officer: Nadia Robinson

Extension: 2697

Date: 17th November 2016

Appendix 1

16/02588/CT3 - 2 to 24 Stowford Road

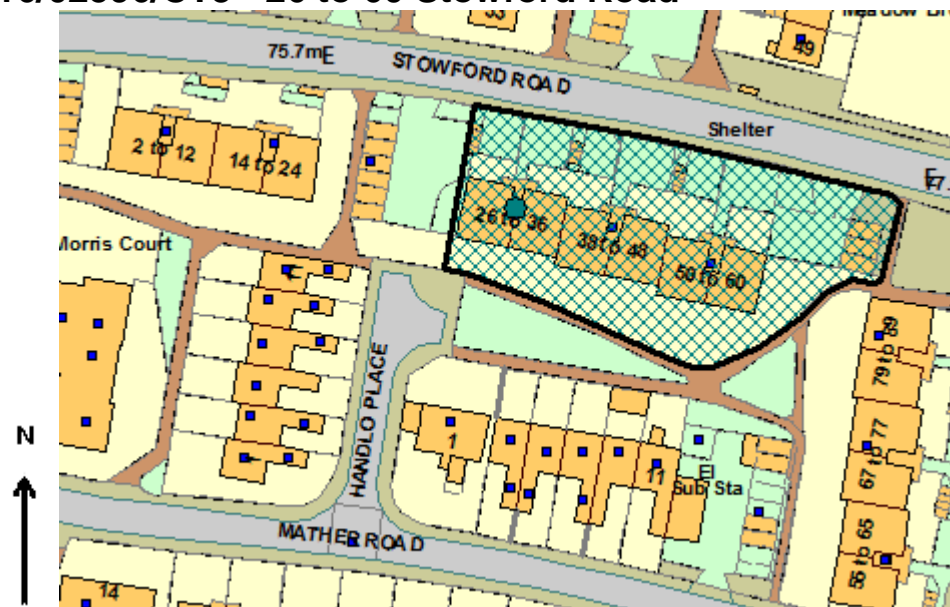


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Appendix 2

16/02596/CT3 - 26 to 60 Stowford Road

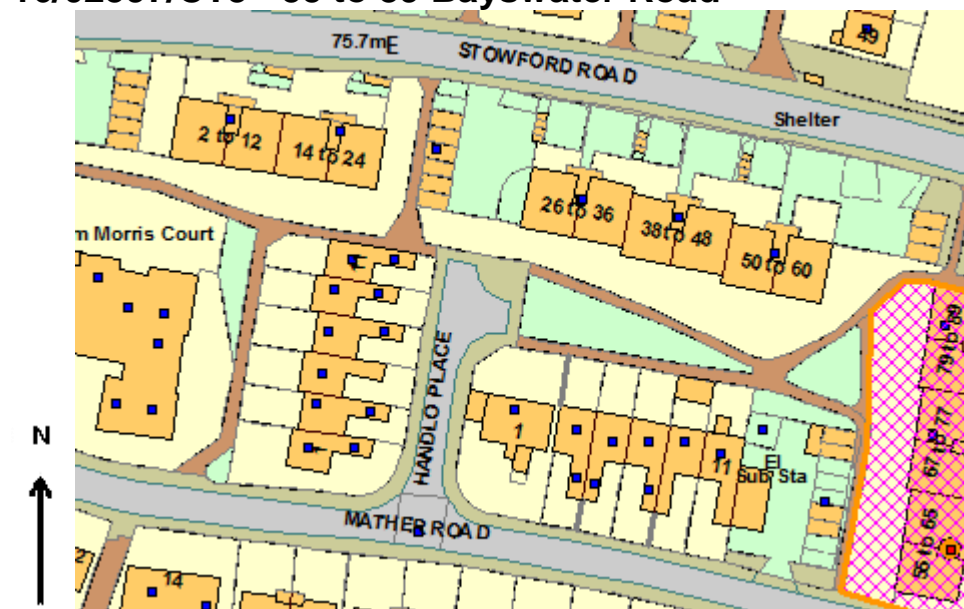


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Appendix 3

16/02597/CT3 - 55 to 89 Bayswater Road



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MINUTES OF THE EAST AREA PLANNING COMMITTEE

Wednesday 2 November 2016



COUNCILLORS PRESENT: Councillors Coulter (Chair), Henwood (Vice-Chair), Chapman, Clarkson, Lloyd-Shogbesan, Paule, Taylor, Wilkinson and Wolff.

OFFICERS PRESENT: Michael Morgan (Lawyer), Nadia Robinson (Planning), Sian Saadeh (Development Management Team Leader), Sarah Stevens (Planning Service Transformation Consultant) and Jennifer Thompson (Committee and Members Services Officer)

52. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None.

53. DECLARATIONS OF INTEREST

None.

54. 16/02224/VAR: NORTHWAY AND MARSTON FLOOD ALLEVIATION SCHEME: PHASE 1 - VARIATION OF CONDITION 2 (PLANS) OF 16/01320/CT3

The Committee considered an application for the variation of condition 2 (Approved plans) of planning permission 16/01320/CT3 (Phase 1 of the Northway and Marston Flood Alleviation Scheme including installation of landscape bunds at Northway Community Field to create flood storage area, road re-profiling at Westlands Drive and Saxon Way and flood resilience measures at Oxford Boxing Academy) to enable a revised spillway location at the eastern edge of the playing field at its boundary with Maltfield Road at Northway Sports Ground.

The Committee resolved to grant planning permission for application 16/02224/VAR subject to the conditions below:

1. Development within time limit.
2. Approved plans.
3. SuDS drainage.
4. Details of outlet infrastructure.
5. Landscape carry out by completion.
6. Landscape hard surface - tree roots.
7. Underground services - tree roots.
8. Tree protection plan.
9. Arboricultural method statement.

10. Conservation of habitats and species.
11. Bird and bat boxes.
12. Removal of vegetation.
13. Table ramp details.
14. Construction Travel Management Plan.
15. Materials management plan.
16. Watching brief – contamination.
17. Archaeology.
18. Pitch drainage.
19. Vision sprints.

55. 16/02406/FUL: CANTERBURY HOUSE, 393 COWLEY ROAD, OXFORD, OX4 2BS

Councillor Taylor arrived during this item and took no part in the debate or decision.

The Committee considered an application for planning permission for the change of use of Canterbury House, Adams House and Rivera House from use as offices (falling within Use Class B1(a) of the 1987 Use Classes Order) to use as 48 student study rooms with ancillary facilities together with landscaping, disabled car parking, bin and cycle storage at Canterbury House, 393 Cowley Road, Oxford.

The planning officer reported further consultation responses:

- Insufficient refuse storage shown
- Additional cycle routes should be provided from the site to allow easier access to facilities
- The highways authority has raised an objection which they will withdraw if the removal of the properties from the controlled parking zone can be secured by S106 agreement.

She reminded the committee that the first two points had been dealt with in the previous applications and the amendments to the CPZ could not be dealt with via S106.

Nik Lyzba, the agent for the applicant, answered questions from the committee.

Committee members noted that the discharge of condition 8 should demonstrate that the development would comply with its proposal to generate 20% of its energy needs from renewables.

The Committee resolved to approve application **16/02406/FUL** subject to and including conditions (listed below) and the satisfactory completion of a S106 to secure a contribution to affordable housing, and to delegate authority to the Head of Planning and Regulatory Services to issue the permission after the public consultation expiry date of 7 November subject to no new material issues arising before the end of that consultation.

Conditions:

1. Time – 3 years.
2. Plans – in accordance with approved plans.
3. Materials – to match.
4. Construction Traffic Management Plan – details prior to construction.
5. Contamination – validation report prior to occupation.
6. Car parking & turning – in accordance with approved plans.
7. Cycle & bin storage – further details prior to substantial completion.
8. Sustainability – details of PV's/ CHP to be submitted prior to construction.
9. Surface water Strategy & SUDS – details to be submitted.
10. Landscape plan – details of hard and soft landscape planting required; prior occupation.
11. Landscape – planting carry out after completion.
12. Details of boundary treatment prior to occupation.
13. Student Accommodation and Out of Term Use (no conference use).
14. Student Accommodation – General Management Protocol – operated in accordance with.
15. Travel Plan.
16. Travel Info Pack.
17. Students - No cars.
18. Restrict hours of use of outside amenity space; 08:00 and 21:00.
19. Biodiversity – measures for wildlife details of 8 swift boxes; prior commencement.
20. Archaeology – Photographic recording; Canterbury House; prior construction.

**56. 16/02230/FUL AND 16/02231/LBC LAND ADJACENT ST GEORGE'S,
31 COWLEY ROAD, LITTLEMORE OX4 4LE**

The Committee considered applications for planning permission and listed building consent for the erection of one 3-bed dwellinghouse (Use Class C3), provision of car parking, private amenity space and bin and cycle store, and repairs to boundary wall at land adjacent to St George's, 31 Cowley Road, Littlemore.

The Committee resolved to:

- a) approve application **16/02230/FUL** and grant planning permission subject to the following conditions:
 1. Development begun within time limit.
 2. Develop in accordance with approved plans.
 3. Material samples.
 4. Stone boundary walls.
 5. Wall junctions.
 6. Further details of fenestration and roof.
 7. Flue and rainwater goods.
 8. Further details gates, bins and cycles.

9. Car Parking.
10. Landscape carry out by completion.
11. Landscape hard surface design - tree roots.
12. Landscape underground services - tree roots.
13. Tree Protection Plan (TPP) 2.
14. Arboricultural Method Statement (AMS) 2.
15. Biodiversity.
16. Archaeology.
17. Remove PD.
18. Phased risk assessment - land quality.
19. Validation report - land quality.
20. Drainage plans.
21. SUDS maintenance plan.

b) approve application **16/02231/LBC** and grant listed building consent subject to the following conditions:

1. Commencement of works LB consent.
2. LBC approved plans.
3. Material samples.
4. Stone boundary walls.
5. Wall junctions.
6. Further details - fenestration & roof.
7. Flue & rainwater goods.
8. Further details - gates, storage.

57. 16/00068/FUL: GROVE HOUSE, 44 IFFLEY TURN, OX4 4DU

The Committee considered an application for the erection of a car port adjacent to existing dwelling and erection of garage and installation of new driveway gate and pedestrian gate to western boundary, and insertion of one window at Grove House, 44 Iffley Turn, Oxford.

Rosie Penna, the applicant, and Marion Breeton, the architect, spoke in support of this and the next application and answered questions.

The Committee resolved to approve application 16/00068/FUL subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area.
4. Use of garages.
5. Railings.
6. SUDS.
7. Landscape plan required.
8. Landscape carry out by completion.
9. Landscape hard surface design - tree roots.
10. Landscape underground services - tree roots.

11. Tree Protection Plan (TPP) 2.
12. Arboricultural Method Statement (AMS) 2.
13. Trees - foundation details.

58. 16/00069/LBC: GROVE HOUSE, 44 IFFLEY TURN, OXFORD, OX4 4DU

The Committee considered an application for listed building consent for internal alterations to create an en-suite and a bedroom and to install a new window (amended description) at Grove House, 44 Iffley Turn, Oxford.

The Committee resolved to grant listed building consent for application 16/00069/LBC subject to conditions:

1. Commencement of works listed building consent.
2. Listed building consent - works as approved only.
3. Further works - fabric of listed building - fire regulations.
4. Proposed window.
5. Walls/openings to match adjoining.

59. 16/02112/FUL: 16 GLEBELANDS, OXFORD, OX3 7EN

The Committee considered an application for the change of use of a public house (Use Class A4) to one 5-bed dwellinghouse (Use Class C3) with provision of car parking and private amenity space at 16 Glebelands, Oxford, OX3 7EN.

Simon Sharp, the agent for the applicant, was available to answer questions from the committee.

The Committee resolved to grant planning permission for application 16/02112/FUL subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Details of Refuse and Cycle Storage.
4. Design - no additions to dwelling.

60. 16/00824/FUL 2 MORTIMER DRIVE

The Committee considered an application for the erection of front and side porches and single storey rear extension and formation of a rear dormer at 2 Mortimer Drive, Oxford, OX3 0RR.

The Committee resolved to approve application 16/01564/FUL subject to the following conditions:

1. Development begun within time limit.

2. Develop in accordance with approved plans.
3. Materials – matching.

61. 16/01564/FUL: 232 MARSTON ROAD, OX3 0EJ

The Committee considered an application for permission for change of use from dwelling house (Use Class C3) to House in Multiple Occupation (Use Class C4) at 232 Marston Road, Oxford, OX3 0EJ.

The Committee agreed to vary condition 3 to ensure it removed the property from the controlled parking zone to reduce the impact of cars owned by residents of the HMO on the congested streets in proximity to the school. They were concerned that the apparent lack of space to store bins and bikes at the front of the property and access to the rear would make it difficult to discharge condition 3 adequately and agreed these details must be approved before granting permission.

The Committee resolved that they were minded to grant planning permission for application 16/01564/FUL, and to delegate to the Head of Service the issuing of permission once officers had approved details of adequate bin and cycle storage and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Controlled Parking Zone (CPZ) – exclusion of property

and if these details were not submitted and approved, that the application come before the Committee for determination.

62. 16/01522/FUL: 5 ATKINSON CLOSE, OXFORD, OX3 9LW

The Committee considered an application for planning permission for the erection of an outbuilding and formation of decking (Retrospective) at 5 Atkinson Close, Oxford, OX3 9LW.

The Committee resolved to refuse permission for application 16/01522/FUL for the following reasons:

1. The proposal, because of the overall extent of development that includes a garden building, raised decking and high boundary treatment, along with its elevated position and the physical form of the building, would result in a form of development that appears as a visually jarring and incongruous form of development, to the detriment of the appearance of the site and surrounding area and would be contrary to Policies CP1 and CP8 of the OLP, CS18 of the Core Strategy and HP9 of the sites and Housing Plan.
2. The proposal, because of its elevated position, large window and extensive area of decking, would result in an unacceptable increase in overlooking and

perception of overlooking to adjacent properties and the gardens, which would harm the living conditions of neighbour occupiers and would be contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan 2001 - 2016 and Policy HP14 of the Sites and Housing Plan.

63. MINUTES

The Committee resolved to approve the minutes of the meeting held on 12 October 2016 as a true and accurate record.

64. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

65. DATES OF FUTURE MEETINGS

The Committee noted the meeting dates.

The meeting started at 6.00 pm and ended at 7.50 pm

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