

Agenda

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Planning Review Committee

Date: **Monday 21 August 2017**

Time: **6.00 pm**

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

For any further information please contact the Committee Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

Email: cphythian@oxford.gov.uk

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.

Planning Review Committee

Membership

Chair	Councillor James Fry	North;
Vice-Chair	Councillor Chewe Munkonge	Quarry and Risinghurst;
	Councillor Mohammed Altaf-Khan	Headington;
	Councillor Farida Anwar	Headington Hill and Northway;
	Councillor Ruthi Brandt	Carfax;
	Councillor Pat Kennedy	Lye Valley;
	Councillor Michele Paule	Rose Hill and Iffley;
	Councillor Dee Sinclair	Quarry and Risinghurst;
	Councillor Ed Turner	Rose Hill and Iffley;

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 17/00617/CT3: Oxford City Council Depot, Marsh Road, OX4 2HH

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Proposal: Temporary extension of depot to provide additional storage space for up to 5 years, permanent reconfiguration and extension of car park, installation of cycle parking, widening of access and erection of fencing.

Site Address: Oxford City Council Depot, Marsh Road, Oxford OX4 2HH

Officer recommendation:

This is an updated recommendation that takes account of the decision of East Area Planning Committee on 2nd August 2017. The East Area Planning Committee resolved that conditions 1, 5, 6, 7, 12 and a new condition on restoration were not to be discharged before consulting the Chair of East Area Planning Committee. These conditions are now listed as 1, 4, 8, 9, 10 and 14 in this report.

The Planning Review Committee is recommended to:

- (a) Approve the application for the reasons given in this report and subject to the required planning conditions set out in section 8 of this report and grant planning permission.**
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
 - 1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and**
 - 2. to consult the Chair of East Area Planning Committee prior**

to the discharge of conditions 1, 4, 8, 9, 10 and 14 as set out in this report.

4 Minutes

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To approve as a true and accurate record the minutes of the meeting held on 12 July 2017.

5 Date of Future Meetings

The following dates are scheduled for meetings of this Committee (if required):

2017

13 September 2017

11 October 2017

15 November 2017

13 December 2017

2018

18 January 2018

28 February 2018

14 March 2018

11 April 2018

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 by noon on the working day before the meeting, 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 in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. 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

7. 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

8. 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.
9. 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

10. 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.
11. 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 Constitution changes agreed at Council in April 2017.

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PLANNING REVIEW COMMITTEE

21st August 2017

Application Number: 17/00617/CT3

Decision Due by: 15.05.2017

Extension of Time: 11.08.2017

Proposal: Temporary extension of depot to provide additional storage space for up to 5 years, permanent reconfiguration and extension of car park, installation of cycle parking, widening of access and erection of fencing. (Amended description) (Additional information).

Site Address: Oxford City Council Depot, Marsh Road, Oxford, Oxfordshire, OX4 2HH

Ward: Cowley Marsh

Agent: Peter Brett Associates

Applicant: Oxford City Council

Reason at Committee: The application was called in to Planning Review Committee by Cllr Wilkinson, supported by Cllrs Wolff, Abbasi, Simmons, Brandt, Wade, Thomas, Haines, Azad, Fooks, Goddard and Gant.

UPDATE REPORT

1. RECOMMENDATION

1.1. This is an updated recommendation that takes account of the decision of East Area Planning Committee on 2nd August 2017. The East Area Planning Committee resolved that conditions 1, 5, 6, 7, 12 and a new condition on restoration were not to be discharged before consulting the Chair of East Area Planning Committee. These conditions are now listed as 1, 4, 8, 9, 10 and 14 in this report.

1.2. The Planning Review Committee is recommended to:

(a) Approve the application for the reasons given in this report and subject to the required planning conditions set out in section 8 of this report and grant planning permission.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers

reasonably necessary; and

2. to consult the Chair of East Area Planning Committee prior to the discharge of conditions 1, 4, 8, 9, 10 and 14 as set out in this report.

2. REPRESENTATIONS RECEIVED

- 2.1. A summary of all the comments received from statutory consultees and third parties are set out within the original committee report included with the agenda as **Appendix 2**.

3. BACKGROUND

- 3.1. At the East Area Planning Committee on the 2nd August 2017, Members resolved to approve planning permission for the temporary extension of the depot to provide additional storage space for up to 5 years, the permanent reconfiguration and extension of the car park, installation of cycle parking, widening of access and erection of fencing. A copy of the officer's report has been attached to the committee agenda as **Appendix 2**. A copy of the minutes from East Area Planning Committee on 2nd August 2017 are attached as **Appendix 3**.
- 3.1. The application has been called into planning review committee by Cllr Wilkinson supported by Cllrs Wolff, Abbasi, Simmons, Brandt, Wade, Thomas, Haines, Azad, Fooks, Goddard and Gant on the following grounds:
 - Policy CS21 - Members of the public have sent in a large number of objections because this application will reduce the amount of green space available to the public as leisure amenity
 - Policy SR2 – The open space provides an important green space for local residents.
 - Concern that the expansion will not be temporary.
 - Policy SR16 – The site is allocated for community facilities in the Local Plan whereas housing under policy SP12 of the Sites and Housing Plan.
- 3.2. The purpose of this supplemental report is to provide specific comments on the matters listed above.

4. POLICY CS21 – Green spaces, leisure and sport

- 4.1. This policy is aimed to create green spaces in new large scale developments and highlights that it is desirable to maintain the 5.75ha of green space per 1,000 of the population by providing new green spaces in such developments. The policy also puts emphasis on the loss of existing sports facilities. Development will not be allowed unless sports facilities can be relocated elsewhere.
- 4.2. In relation to this application the proposal is not for a new large scale development which would require the provision of open green space. The proposal is for development on an existing sports facility. This issue has been addressed as demonstrated by comments from Sport England, the statutory consultee on this matter. The cricket facilities have already been relocated to a

different area within the park. Therefore Policy CS21 is not of any significance as a material consideration.

5. POLICY SR2 – Protection of Open Air Sports Facilities

- 5.1. Cowley Marsh Park is protected as an Open Air Sports Facility rather than Public Open Space (Policy SR5). Policy SR2 whilst primarily is an open air sports facility does also recognise it is also open green space for local residents.
- 5.2. The amount of space involved for this proposed temporary change of use is 0.3 hectares, and in proportion to the 7.8 hectares size of open green space is considered a small area. This amounts to approximately 4.2% of the recreation ground protected by Policy SR2, known as Cowley Marsh Recreation Ground. Therefore Officers consider this to be minimal in this case.

6. POLICY SR16 – Proposed New Community Facilities

- 6.1. It was indicated in the Oxford Local Plan 2001-2016 that Marsh Depot could be used for community facilities. This formed part of the mixed use site allocation policy DS19 which has now be superseded by policy SP12 of the Sites and Housing Plan site allocation for housing or student accommodation. The future use of the site once the depot relocated has been taken, becomes a separate matter which will be determined on its own merits at that moment in time in the future. This application does not seek works within the existing area protected by policy SP12. Therefore SP12 has no weight in the consideration of this application.

7. TEMPORARY USE

- 7.1. Temporary uses are considered short term for a period of up to five years. This does not change the policy allocation of the site within the Local Plan. If a renewal was sought the situation would need to be reassessed and due to its sensitivity and ownership would be likely to return to Planning Committee. However, the future renewal issue or not is again not a matter for consideration relating to the determination of this application. Members of East Area Planning Committee were satisfied that the use of the area involved in this application is temporary in nature and can be removed at any time.

8. CONDITIONS

- 8.1. It is noted that the East Area Planning Committee resolved that conditions 1,5,6,7 and 12 in the original and a new condition on restoration are not to be discharged before consulting the chair of East Area Planning Committee. These conditions are now listed below as 1, 4, 8, 9, 10 and 14.
- 1 This depot expansion shall be for a limited period of 5 years only, expiring 5 years from the date of this permission when the use hereby permitted shall be discontinued and the land restored to its former condition.

Reason: To enable the land to be returned to an open air sports facility in accordance with policy SR2 of the Adopted Oxford Local Plan 2001-2016.

- 2 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 3 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 4 At least 6 months prior to the vacation of the land, a scheme detailing the restoration of the site including the timescale for restoration shall be submitted to and approved in writing by the Local Planning Authority. Restoration must thereafter take place in accordance with the approved scheme.

Reason: To enable the land to be returned to an open air sports facility in accordance with policy SR2 of the Adopted Oxford Local Plan 2001-2016.

- 5 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 6 Notwithstanding the indicative landscape plan, a landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting,

treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

- 7 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The plans, calculations and drainage details submitted shall demonstrate that;
- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event.
 - II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
 - III. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.
- Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 (or British Standards equivalent), details of such are to be submitted and approved by the LPA.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 8 Prior to the commencement of development, a Sustainable Drainage (SUDs) Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage (SUDs) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The Sustainable Drainage Maintenance Plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 9 Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained. The development is to be maintained in accordance with the approved Sustainable Drainage (SUDs) Maintenance Plan.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 10 Biodiversity protection and enhancement measures shall be implemented as specified in the Cowley Marsh Depot Ecological Assessment Report, Peter Brett Associates, July 2017 Section 4.
- Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.
- 11 Prior to the commencement of the development, details of the Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority.
- Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.
- 12 The development hereby permitted shall not be occupied until biodiversity mitigation as specified in the Cowley Marsh Depot Ecological Assessment Report, Peter Brett Associates, July 2017 4.4.3 - 4.4.4 (meadow creation) and sections 4.4.13 (bird boxes) has been carried out / installed.
- Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.
- 13 Prior to use of the new car park layout, vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6m as measured from carriageway level.
- Reason: In the interests of highway safety in accordance with policy CP1 of the Oxford Local Plan.
- 14 Prior to use, a management plan outlining the control measures to be employed at the Cowley Marsh Park car park in order to prevent misuse of the car park for long-stay / commuter purposes must be submitted to, and agreed by, the Local Planning Authority. The measures outlined in the plan must subsequently be implemented upon occupation.
- Reason: In order to prevent misuse of the car park by commuter parking in line with the Oxford Transport Strategy.
- 15 Notwithstanding the approved plans, before the development permitted is commenced details of the car parking layout which meets the requirements set out in the Design Guide for New Residential Developments, shall be submitted to, and approved in writing by, the Local Planning Authority.
- Reason: In the interests of highway safety.
- 16 Before the development permitted is commenced details of the cycle parking areas, including any means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have

been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in accordance with policy TR4 of the Oxford Local Plan.

- 17 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents and neighbours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

- 18 Prior to reinstatement of the recreation ground a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.
- Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.
- Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.
- Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 19 The reinstated recreation ground shall not be made open to the public until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 20 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 21 Prior to the commencement of the development, details of the proposed fencing including specific locations shall be submitted to and approved in writing by the Local Planning Authority.

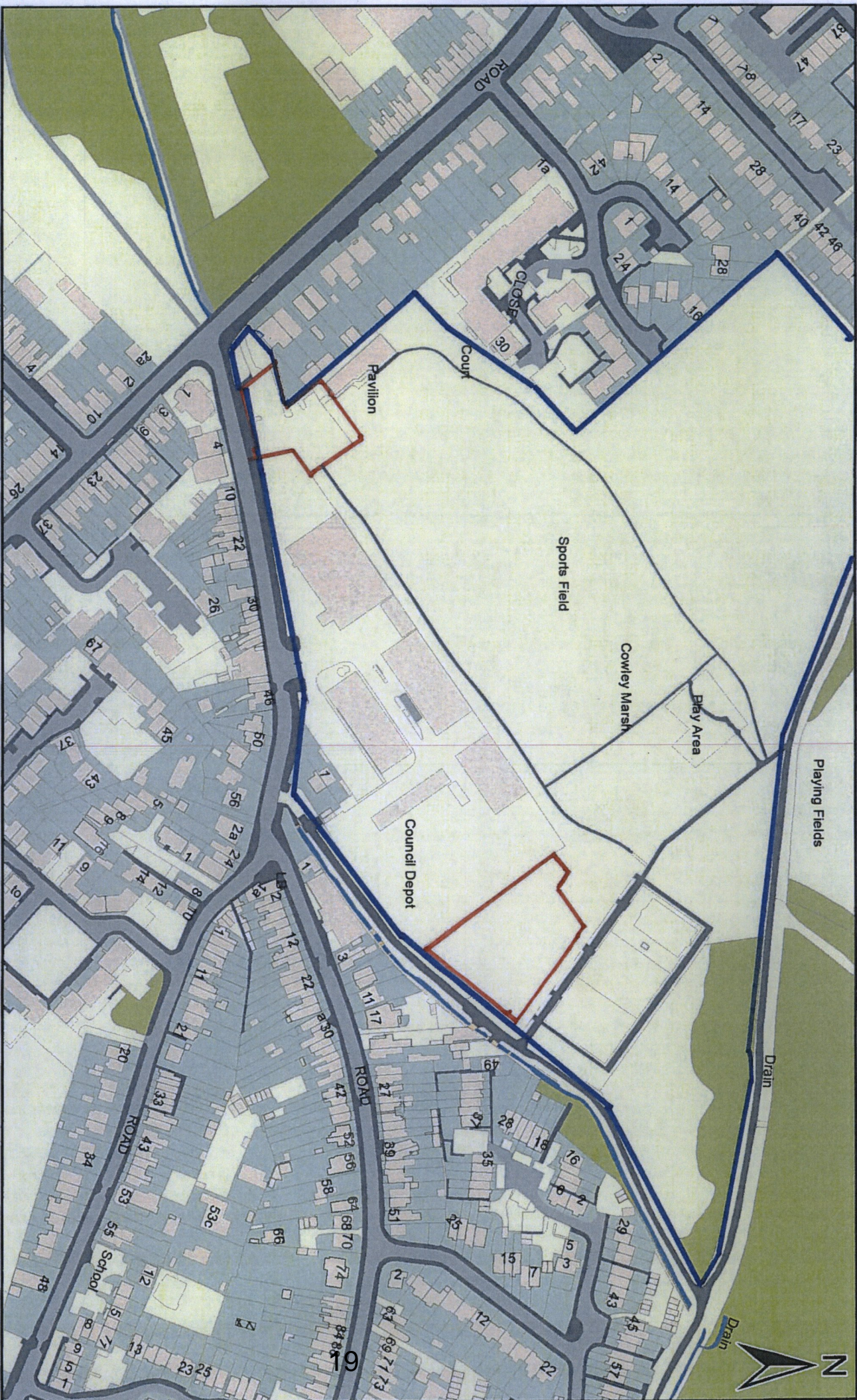
Reason: In the interests of the character and appearance of the area in accordance with policies CP1 and CP8 of the Oxford Local Plan and CS18 of the Core Strategy.

Informatives

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
2. Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from Oxfordshire County Council's Streetworks and Licensing

Team (0845 310 1111) for this action.

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Marsh Road

004 2018/17

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Ordnance Survey 100019348.

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Application Number: 17/00617/CT3

Decision Due by: 15.05.2017

Extension of Time: 11.08.2017

Proposal: Extension of depot to provide additional storage space for up to 5 years, reconfiguration and extension of car park, installation of cycle parking, widening of access and erection of fencing. (Amended description) (Additional information).

Site Address: Oxford City Council Depot, Marsh Road, Oxford, Oxfordshire, OX4 2HH

Ward: Cowley Marsh

Agent: Peter Brett Associates

Applicant: Oxford City Council

Reason at Committee: The applicant is Oxford City Council

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and grant planning permission.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the temporary expansion of the depot into Cowley Marsh Park for a temporary period of up to 5 years. The report also considers the reconfiguration and extension of the existing car park to the west of the depot, installation of cycle parking, widening of access and erection of fencing.

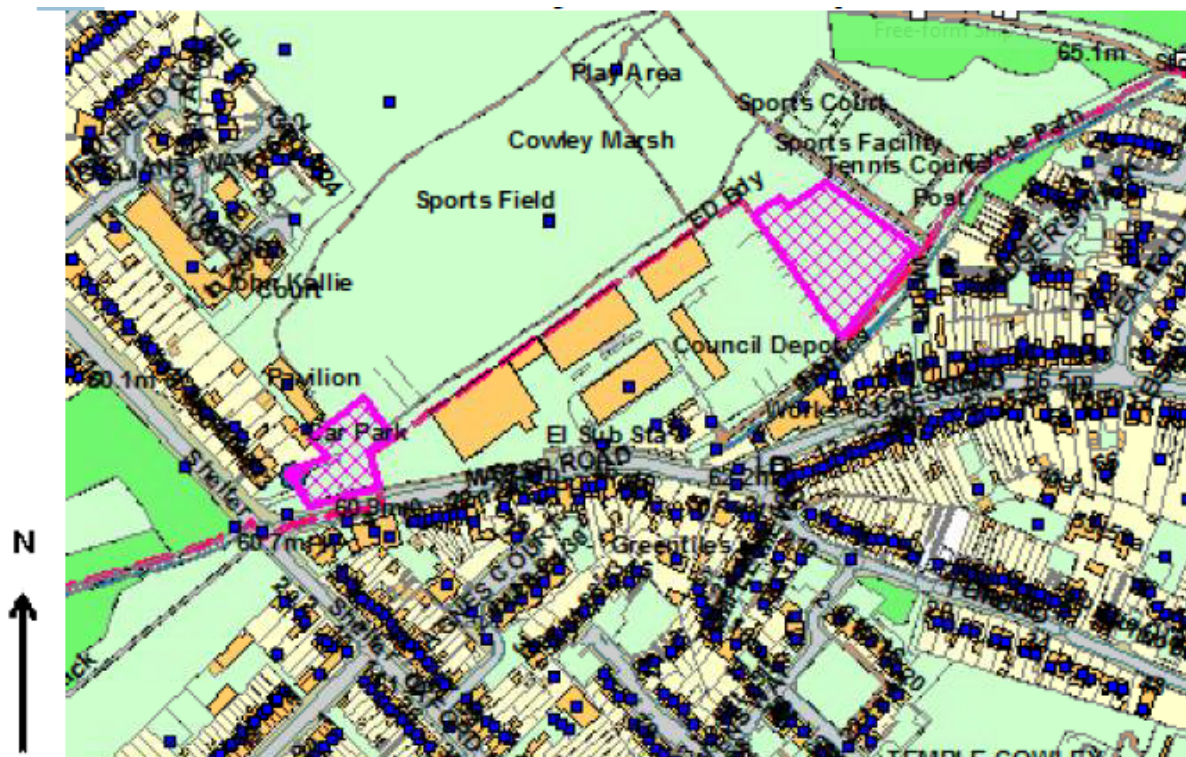
2.2. The key matters for assessment set out in this report include the following:

- Principle of development
- Loss of Public Open Space and Sports Facilities

- Design
- Arboriculture
- Flooding and Drainage
- Biodiversity
- Highway Safety
- Car Parking and Cycling Facilities

3. SITE AND SURROUNDINGS

- 3.1. The application site is located to the east of Oxford City Centre in the Temple Cowley area of Oxford. The depot is accessed from Marsh Road. It is bordered by the car park which serves the sports field to the west, which is also accessed from Marsh Road to the south of the site. To the north and east of the site sits Cowley Marsh Park.
- 3.2. A site location plan is shown below:



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Ordnance Survey 100019348

4. PROPOSAL

- 4.1. The application proposes the extension of depot to provide additional storage space for up to 5 years, reconfiguration and extension of car park, installation of cycle parking, widening of access and erection of fencing.
- 4.2. During the course of the application the description was amended to clarify that the extension of the depot was for a temporary period only and the application was subsequently re-advertised a second time following the receipt of an ecology report.

5. RELEVANT PLANNING HISTORY

5.1. The table below sets out the relevant planning history for the application site:

Application Reference	Description of Development	Decision
65/16791/A_H	Outline application for City engineers highway and mechanical transport depot.	PERMIT 26th October 1965.
67/16791/A_H	Erection of transport depot with workshops, offices, garages, stores, wash - down bay, cycle sheds and 2 dwelling houses.	PERMIT 27th June 1967.
15/01661/CT3	Part change of use of recreation ground for external storage of stacked wheeled bins, creation of porous hardstanding, with ancillary fencing and landscaping to increase storage capacity for the Council Depot, for a temporary period of up to 5 years (Amended site plan).	WITHDRAWN 8th December 2004

6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP.1, CP8,	CS18		
Natural Environment	9, 11, 13	CP.11, NE.15, NE.23	CS11, CS12	HP11	Natural Resource Impact Analysis SPD
Social and community	8	SR.2	CS21		
Transport	4	TR.3, TR.4			Parking Standards SPD
Environmental	10	CP.10 CP.19 CP.20	CS9 CS10 CS19		

		CP.21 CP.22			
Misc	5	CP.25		MP1	
Site Allocation				SP12	

7. CONSULTATION RESPONSES

- 7.1. Site notices were displayed around the application site on 27th March 2017 and an advertisement was published in the Oxford Times newspaper on 30th March 2017 and 27th April 2017. New site notices were subsequently displayed on 21st April 2017 and 7th July 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 7.2. No objection subject to conditions. The proposed expansion of the depot is not anticipated to generate a significant number of vehicle trips to and from the site. No objection to the alterations to the car park to increase its capacity subject to a condition relating to a management plan to discourage staff and commuter parking. Due to the alterations to the access visibility splays are also required by condition. Conditions are also sought in relation to a construction traffic management plan, cycle parking details and a revised plan to show car parking spaces in line with current standards.

Sport England

- 7.3. No objection. The cricket wickets have already been relocated therefore it is understood that the area proposed for the extension of the depot buildings (and identified as such in the development plan) is not used for formal sport and does not form part of the playing field. The changes to the car park do not significantly impact on the playing field and is considered ancillary to this use.

Environment Agency

- 7.4. No comments received.

Biodiversity Officer

- 7.5. An objection was initially received due to the loss of a wildflower meadow and no assessment was carried out on the impact on bats which are known to be in the area. This objection was removed following the receipt of an ecological assessment proposing mitigation measures.

Public representations

- 7.6. 150 third party comments were received on this application from addresses in Leaffield Road, Crescent Road, Marsh Road, Reliance Way, Temple Road, Beresford Place, Hendred Street, Kirby Place, Glanville Road, Owens Way, Church Way, St Anne's Road, Bennett Crescent, Flatford Place, Barracks Lane, Badgers Walk, Canford Cliffs Rd (Poole), William Morris Close, Kenilworth Avenue, Mark Road, Oxford Road, Sudeley Street (London), York Road, Cornwallis Road, St Omer Road, Don Bosco Close, Junction Road, Turner Close, Dempster Street (St Andrews), Mead Crescent (Sutton), Drove Acre Road, The Links, Campbell Road, Ave de la Renaissance (Brussels), Alma Place, Headington Road, Jack Straws Lane, Dorchester Court (Kidlington), Boundary Brook Road, Cowley Road, Clive Road, Edmund Road, Beresford Place, Salegate Lane, Temple Mews, Ridgefield Road, Newbury Road (Chilton), Barncroft Road (Tividale Oldbury), St Christopher's Place, Bulan Road, Maidcroft Road, Temple Cloisters, Courtland Road and Wilkins Road.

The Old Temple Cowley Residents' Association also commented.

In summary, the main points of objection (148) were:

- Negative impact on the amenity value of Cowley Marsh Park
- Wildflower meadow should be replanted elsewhere
- Loss of public open space
- Loss of trees
- Increased noise from the site
- Increase in flood risk
- No benefit to the park or local residents
- Car park is predominantly used by Council staff and not local residents or users of the park
- Car park results in loss of sports facilities
- No demand for increase in parking
- Increase in traffic
- Increase in light pollution
- Safety
- Park and existing car park are not being maintained properly
- Drugs are being sold in the park
- Positioning of a notice on Marsh Road containing a map was too high up to read

The main points of support (1) were:

- It will stop parking in Owens Way

General comment (1):

- Query who can use the car park

Officer Response

7.7. The comment in relation to the maintenance of the existing park and drugs being sold in the park are not material considerations in relation to the consideration of this application.

7.8. Council planning notices do not contain maps. A number of notices were posted by a third party and were not displayed by the council planning department.

7.9. All others matters are addressed below.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Loss of Public Open Space and Sports Facilities
- iii. Design
- iv. Amenity
- v. Arboriculture
- vi. Flooding and Drainage
- vii. Biodiversity
- viii. Highway Safety/ Car Parking and Cycling Facilities
- ix. Contaminated Land.
- x. Safety

i. Principle of Development

8.2. 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.

8.3. Planning permission will only be granted where there is a need for development, there are no alternative sites or sports facilities can be relocated.

8.4. Policy CS10 of the Core Strategy sets out the importance of Waste and Recycling Facilities and the national waste management strategy. Recycling is given high priority over landfill in order to reduce land-take and environmental consequences of this. There is therefore increased pressure on recycling facilities in order to avoid waste going to landfill which is currently being experienced by the City Council.

8.5. The City Council also needs additional storage space to prepare for adverse weather events including flooding and winter weather conditions.

8.6. The site allocation SP12 refers to the depot site only and does not affect the

surrounding recreation ground. This sets out the site in the long term should be used for student and/or residential accommodation as the depot is likely to relocate to another location. Until this is found the site needs to be able to function in order to meet the recycling needs of the city and maintain the road network in adverse weather conditions.

- 8.7. The Oxfordshire Joint Municipal Waste Strategy sets out that 70% of household waste should be recycled or composted by 2025. Alternative sites have been explored to create this capacity but are either financially or operationally unsuitable. Marsh Depot acts as a hub for recycling, refuse, street scene, highways and engineering and motor transport. Centralising all these operations in one place will reduce the need to transfer stock between sites reducing traffic on the roads.

ii. **Loss of Public Open Space and Sport Facilities**

- 8.8. It is acknowledged that the proposal results in the loss of an area which has provided sports facilities in the past 5 years. The application has been reviewed by Sport England and due to the relocation of the cricket wickets they have raised no objection to the application.
- 8.9. The application has also been reviewed in respect of the increase of the size of the existing car park. Given that this is a small increase and does not impede the use of the sports facilities and the car park can be used ancillary to these facilities there is no objection raised to the application in this respect.
- 8.10. Whilst the playing field is not protected by policy SR5 (Protection of Public Open Space), policy SR2 does recognise that outdoor sport areas are also of special significance for their amenity value and their contribution to the green space available in an urban environment. The proposal does not result in the total loss of Cowley Marsh Park and the enlargement of the depot is only for a temporary period of up to 5 years. Any permission granted on the site would not change the allocation of this land from SR5 in the Local Plan ensuring that it is returned to recreational land in the future.
- 8.11. Given that there are environmental benefits to the city as a whole by expanding the depot it is considered that the use of some park land is justified for a temporary period only. Conditions are recommended to ensure that the land is returned to its former state after the temporary permission expires.

iii. **Design and Impact on Character of Surrounding Area**

- 8.12. 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.

- 8.13. The proposal seeks to replace the existing fencing around the site which in places is in a poor condition improving the appearance of the depot from the park. The car park is also poorly laid out and organised and the application proposes to alter this arrangement. A condition is recommended to ensure the final details of the new fencing are of a high quality. Subject to this condition, the proposal complies with the above relevant policies.

iv. **Impact on Neighbouring Amenity**

Odour

- 8.14. The application does not contain any details in relation to odours. Public concerns have been raised during the course of the application that odours are experienced from the site. A Noise and Odour Management Plan is requested by condition to demonstrate how this will be managed to ensure that the existing situation will not be made detrimentally worse.

Noise

- 8.15. Likewise, the application does not include any details regarding noise. It is recognised that this is an existing depot which already produces a certain level of noise. The requested Noise and Odour Management Plan will need to set out when movements are due take place in relation to current movements on the site and how the noise impact of this will be mitigated to ensure no increase in disturbance to neighbouring occupiers.

Lighting

- 8.16. There is existing lighting in the car park which has been there for a significant amount of time. Given the age of it, the lux levels from this are likely to be low but due to the design have the potential for high spill light. The proposed scheme has been designed in accordance with the British Standard, with an average lux value of 10 lux. The columns will be 5 metre with LED lanterns and will achieve a tight cut off on spill light.
- 8.17. The same lighting is to be incorporated into the extension of the depot. This has been reviewed in the submitted ecology report which concluded that due to the extent of existing lighting in the area the proposed lighting is a low level concentrated on the site to avoid light spill elsewhere and is not considered to be harmful to bats.

v. **Arboriculture**

- 8.18. There are no objections to this application on arboricultural grounds in regard to the Council's adopted Local Plan Policies CP1, CP11, NE15, NE16.
- 8.19. There are no significant implications for trees. Some minor tree felling in the proposed remodelled car park area affects only trees that could be removed

under good arboricultural management reasons; and replacement planting is proposed.

- 8.20. Two discrete sections of a Leyland cypress shelter/screen belt are proposed to be removed to facilitate access between the existing site and the proposed new storage area to the north east of the depot in the park.
- 8.21. The Parks Services has also removed three tree stumps in this area associated with trees that had already been identified for felling due to poor structural condition.
- 8.22. Landscape details are only indicative and a landscape condition is recommended to be imposed to secure appropriate measures: i.e. the perimeter planting buffer around the proposed storage area. The proposed Thuja plicata replacement planting around the car park to the south of the Depot is not considered an inappropriate species selection for that specific location, however it could create a possible security risk (hiding place), and may cause problems for the adjacent grass pitch; therefore it is suggested that Alder, or native birch would be more appropriate which is requested through the landscaping condition which is recommended.

vi. **Flooding and Drainage**

- 8.23. The site includes an area of car parking and some undeveloped green spaces. The proposal is to extend the carpark and create a storage space.
- 8.24. According to the Environment Agency's Flood Map for Planning (Rivers and Sea) the development is located within Flood Zone 1 and 2. Only a small part of the site is affected by the Flood Zone 2. Considering the proposed use it is not expected that the proposal will either create a significant issue within the flood plain or be unacceptable within Flood Zone 2.
- 8.25. The site is susceptible to surface water flooding according to the Environment Agency's Surface Water Maps with a medium to low risk. However considering the type of use proposed it is not expected that the proposal would be considered unacceptable.
- 8.26. It is considered that the area would be sensitive to any increases of permeable or hardstand area. The proposal has the potential to convert an area of existing permeable grass (approximately 2425m²) to gravel hardstand and bitumen surface. As previously mentioned above it is expected that the area above would be particularly sensitive to changes in surface type. Given this, it is particularly important to ensure that any SuDs measures proposed provide sufficient attenuation of any possible increases in surface water runoff. Details, plans and calculations of the actual drainage infrastructure required to accommodate the proposal and ensure it does not lead to increased flood risk elsewhere will be required prior to commencement of the development. Given this, it is proposed that a prior to commencement condition, requiring the provision and approval of these details be imposed if planning permission should be granted.

- 8.27. Furthermore, no details of the actual maintenance or management of the proposed sustainable drainage system have been submitted. Given the scale of the development, it is also recommended that a condition be imposed requiring the provision and approval of a sustainable drainage maintenance management plan prior commencement of the development and a separate condition requiring that the proposal is constructed and maintained in accordance with the approved plans.

vii. **Biodiversity**

- 8.28. The area to the northeast end of the site has previously (2009) been enhanced with a wild flower mix by the Countryside Service and subsequently managed as a haymeadow. Over time it has developed a diverse range of wildflowers and associated invertebrates, including pollinators. Reliable data on the species now present have been supplied to the council.
- 8.29. The City Council's own 'Oxford Biodiversity Action Plan' has a strategy for pollinators that discusses improvement of parks for pollinators by the creation of such wildflower areas; removal of such an area would go against this strategy.
- 8.30. The area to the southwest end where it is intended to extend car parking is currently mainly hard surface, although the extended area will remove some amenity grassland.
- 8.31. The submitted plans show a few small areas of wild planting as part of the proposed landscaping; these are fragmented, do not connect to each other and cannot be regarded as adequate compensation for areas lost.
- 8.32. It is also apparent that the area is frequented by bats, given the removal of trees and the loss of a wildflower meadow an ecology report was requested and provided leading to the display of new site notices to advertise the additional information received.
- 8.33. The report was reviewed and the findings were found to be acceptable subject to conditions in accordance with the recommendations set out in the report. This includes the provision of protection and enhancement measures, a construction environment management plan and mitigation measures including the provision of a new meadow creation and installation of bird boxes.

viii. **Highway Safety/Car Parking and Cycling Facilities**

- 8.34. The proposed additional storage space is required in order to accommodate additional emergency response vehicles and equipment elsewhere on the site. Due to the nature of the proposed use of the storage area, it is not considered that this side of the proposed development would generate a significantly detrimental increase in vehicle trips on the local highway network. The proposal is in fact designed to act as a hub to reduce vehicle movements between council depot sites.

- 8.35. It is also noted that an additional 17 car parking spaces are proposed within the Cowley Marsh Park car park. The Design and Access Statement sets out that this is required in order to accommodate the parking demand associated with the park during peak periods such as during evening football matches, and in order to help reduce the level of on-street parking that currently takes place during those peak times.
- 8.36. The County Council is not opposed to the proposed extension of the car park if this is required for use by visitors to the park, who are more likely to use the car park outside of peak hours.
- 8.37. However, the County Council would not support the use of the extended car park to provide additional staff or commuter parking. Therefore, the County Council recommends that a condition is applied to any planning permission requiring a Car Park Management Plan which sets out the control measures which are to be employed to ensure that the car park is not used for long-stay commuter or staff parking.
- 8.38. The dimensions of the car parking spaces as shown in the car parking layout do not meet Oxfordshire County Councils guidelines, which recommends spaces to be 5 metres by 2.5 metres as stated in the County Council's Design Guide for New Residential Developments document. The County Council recommends that car parking spaces meet these dimensions, even if this requires a loss of car parking spaces. The disabled car parking space does meet the recommended dimensions.
- 8.39. The current access to the car park (directly off Marsh road) is proposed to be widened by 6 metres. This will require dropping of the kerb at the expense of the applicant. In addition, visibility splays are not shown on the plan and these should be provided. A swept path analysis has been shown on the plan and this demonstrates that vehicles can be safely manoeuvred around the car park.
- 8.40. The application proposes an additional 8 cycle parking spaces, only these 8 are shown on the plan. Furthermore these cycle parking spaces should be undercover, secure and enclosed. The County Council would also support additional cycle parking spaces at the depot site in order to promote cycling to that site, considering the application proposes expanding the area of the site.

ix. **Contaminated Land**

- 8.41. The proposed development is not one that is sensitive to contamination. However, the site houses a number of activities that have the potential to cause contamination. Part of the proposal involves extending the site into the current recreation area for a temporary period. Recreation grounds are sensitive uses and would need to be assessed after the temporary period of use to ensure that the land is not affected by contamination and is suitable for recreational use.
- 8.42. There are no objections to the proposal on this basis, subject to conditions being placed on any permission to secure site investigation of the borrowed recreation land prior to reinstatement as recreation ground.

x. **Safety**

- 8.43. Concerns have been raised that the temporary expansion of the depot into the park would result in a sense of enclosure and lack of safety for users of the park. Secured by design advice recommends that where paths are enclosed on both sides the path should be straight so the route is clear and should be 3 metres wide. The space between the proposed fencing and tennis courts is approximately 5 metre wide. Concerns have also been raised that this is a cycle route. The recognised cycle route within the Oxford Local Plan runs to the north east of the tennis courts along Barracks Lane.

9. CONCLUSION

- 9.1. The proposed development is considered justified for a temporary period only. Whilst it is possible to mitigate the loss of the wildflower meadow and relocate the existing sports facilities the proposal does result in the loss of an area of green amenity space. Whilst there is a benefit to the functioning of the city depot with environmental benefits this is acceptable on a temporary basis.
- 9.2. It is recommended that the Committee resolve to grant planning permission for the development subject to the conditions set out below.

10. CONDITIONS

- 1 This permission shall be for a limited period of 5 years only, expiring 5 years from the date of this permission when the use hereby permitted shall be discontinued and the land restored to its former condition.

Reason: To enable the land to be returned to an open air sports facility in accordance with policy SR2 of the Adopted Oxford Local Plan 2001-2016.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations.

The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 4 Notwithstanding the indicative landscape plan, a landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

- 5 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.
The plans, calculations and drainage details submitted shall demonstrate that;
I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event.
II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
III. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.
Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 (or British Standards equivalent), details of such are to be submitted and approved by the LPA.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 6 Prior to the commencement of development, a Sustainable Drainage (SUDs) Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage (SUDs) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The Sustainable Drainage Maintenance Plan will be required to provide details of the frequency and types of

maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 7 Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained. The development is to be maintained in accordance with the approved Sustainable Drainage (SUDs) Maintenance Plan.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 8 Biodiversity protection and enhancement measures shall be implemented as specified in the Cowley Marsh Depot Ecological Assessment Report, Peter Brett Associates, July 2017 Section 4.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 9 Prior to the commencement of the development, details of the Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 10 The development hereby permitted shall not be occupied until biodiversity mitigation as specified in the Cowley Marsh Depot Ecological Assessment Report, Peter Brett Associates, July 2017 4.4.3 - 4.4.4 (meadow creation) and sections 4.4.13 (bird boxes) has been carried out / installed.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 11 Prior to use of the new car park layout, vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6m as measured from carriageway level.

Reason: In the interests of highway safety in accordance with policy CP1 of the Oxford Local Plan.

- 12 Prior to use, a management plan outlining the control measures to be employed at the Cowley Marsh Park car park in order to prevent misuse of the car park for long-stay / commuter purposes must be submitted to, and agreed by, the Local Planning Authority. The measures outlined in the plan must subsequently be implemented upon occupation.

Reason: In order to prevent misuse of the car park by commuter parking in line with the Oxford Transport Strategy.

- 13 Notwithstanding the approved plans, before the development permitted is commenced details of the car parking layout which meets the requirements set out in the Design Guide for New Residential Developments, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of highway safety.

- 14 Before the development permitted is commenced details of the cycle parking areas, including any means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in accordance with policy TR4 of the Oxford Local Plan.

- 15 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents and neighbours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

- 16 Prior to reinstatement of the recreation ground a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.
Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model

and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken. Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals. Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 17 The reinstated recreation ground shall not be made open to the public until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 18 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 19 No development shall take place until a noise and odour assessment survey of the site has been carried out and a scheme for protecting residential premises from noise and odour from the development is submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be completed before the development is brought into use. There shall be no variation to the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with policies CP9, CP19 and CP21 of the Oxford Local Plan 2001-2016

Informatives

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
2. Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from Oxfordshire County Council's Streetworks and Licensing Team (0845 310 1111) for this action.

APPENDICES

Appendix 1 – Block Plan

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

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**Extract from the
Minutes of a meeting of the
EAST AREA PLANNING COMMITTEE
on Wednesday 2 August 2017**

Committee members:

Councillor Taylor (Chair)	Councillor Henwood (Vice-Chair)
Councillor Chapman	Councillor Clarkson
Councillor Lloyd-Shogbesan	Councillor Tanner
Councillor Wilkinson	Councillor Wolff
Councillor Pegg (for Councillor Chapman)	Councillor Hollingsworth (for Councillor Malik)

Officers:

Adrian Arnold, Development Management Service Manager
Sian Saadeh, Development Management Team Leader
Catherine Phythian, Committee Services Officer
Rachel Drinkwater, Committee Services Support Officer
Philip Devonald, Planning Legal Locum

Apologies:

Councillors Malik and Chapman sent apologies.

22. Declarations of interest

There were no declarations of interest.

23. 17/00617/CT3: Oxford City Council Depot, Marsh Road, OX4 2HH

The Committee considered an application 17/00617/CT3 for planning permission for the extension of the depot to provide additional storage space for up to 5 years; reconfiguration and extension of car park; installation of cycle parking; widening of access and erection of fencing.

The Planning Officer presented the report and made the following verbal updates:

- Condition 1 – the wording would be revised to make it clear that the permission was for temporary depot extension and permanent car park reconfiguration and extension;
- Condition 19 – this could be removed as the applicant had provided further information on noise and odour management at the site and the Council's Environmental Health officers were satisfied that the measures taken were acceptable.
- A new condition would be added to provide final details of fencing for the site.

Hazel Dawe and Judith Harley spoke against the application.

Thomas Edwards (Agent) spoke in favour of the application.

In coming to their decision the Committee considered the planning officer's report including summaries of applicant policies and comments from the public; the officer's presentation; the speakers' comments; and answered to questions asked of officers, the public speakers and the applicant's agent.

The Committee asked questions and noted in answer, including but not restricted to

- The prospects of finding an alternative depot site within five years – the applicant was actively pursuing options for the depot relocation
- Any application for an extension of the planning permission would be considered on its own merits.
- Details of surface water drainage scheme – this would be covered in Conditions 5, 6 and 7
- Ecology survey and wildlife corridors – the Council's biodiversity specialist was satisfied with the results of the ecology survey and there was no evidence that there was any need for wildlife corridor on the site
- Disabled parking provision – this would be covered by Condition 13
- Car park management plan – this would be covered by Condition 12
- Policy SR2 was relevant to the application but policy SR5 was not

The Committee discussed their concerns and the merits of the scheme, including but not restricted to:

- Whether the applicant had proven the need for additional storage for adverse weather materials and recycling at this site
- The level of harm caused by the loss of open space
- The need to apply a time constraint for the restoration of the site on the expiry of the temporary planning permission. This should be required by condition.

The Committee concluded that in view of the sensitive nature of this Council application it would be appropriate to require the Head of Planning, Sustainable Development and Regulatory Services to consult with the Chair on the details submitted to satisfy a number of the proposed conditions.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

The East Area Planning Committee resolved to

- a) approve the application 17/00617/CT3 for the reasons given in the report and subject to the 18 required planning conditions and 2 informatives set out in section 10 of the officer's report and 2 additional conditions (to address fencing and time scales for site restoration)
- b) grant planning permission;
- c) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
- d) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to approve the details submitted to satisfy the recommended planning conditions, with consultation with the Chair of East Area Planning Committee on the details submitted in relation to condition 1, 5, 6, 7, 12 and new condition on restoration.

Councillor Tanner left the meeting at the end of this item.

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Minutes of a meeting of the PLANNING REVIEW COMMITTEE on Wednesday 12 July 2017



Committee members:

Councillor Fry (Chair)	Councillor Munkonge (Vice-Chair)
Councillor Altaf-Khan	Councillor Brandt
Councillor Kennedy	Councillor Paule
Councillor Clarkson (for Councillor Turner)	Councillor Henwood (for Councillor Anwar)
Councillor Smith (for Councillor Sinclair)	

Officers:

Adrian Arnold, Development Management Service Manager
Robert Fowler, Planning Team Leader
Sarah Orchard, Planner
Julia Castle, Senior Lettings & Disposal Surveyor
Philip Devonald, Planning Legal Locum
Sarah Claridge, Committee Services Officer

Apologies:

Cllrs Anwar, Sinclair and Turner sent apologies.

29. Election of Chair for the Council year 2017-2018

The Committee appointed Cllr Fry as Chair for the Council year 2017-18

30. Election of Vice-Chair for the Council year 2017-2018

The Committee appointed Cllr Munkonge as Vice Chair for the Council year 2017-18

The Chair ran through the procedure for planning committees.

31. Declarations of Interest

Item 5: Cllr Fry declared he had been a Council appointed trustee for Oxford Preservation Trust but that he took no part in the decision making and is approaching the application with an open mind.

32. 17/00913/FUL: Oxford City Council Depot, South Park, Cheney Lane, Oxford

The Committee considered a report detailing an application for planning permission to erect a visitor centre comprising cafe/restaurant, tasting room and bar for distillery and public conveniences (Use Class A3) at Oxford City Council Depot, South Park, Cheney Lane, Oxford.

The Planning Officer presented the report, setting out the background to the application and the professional advice from officers. The existing use of the depot site is a distillery which has been granted planning permission. The proposed development of the visitor centre and other amenities will support the distillery bringing the listed threshing barn back into use. She explained that the red outline on the site map extended into South Park to include the area where additional landscaping, seating area and hoggin path would be. This area would be open to all users of the park and would remain part of South Park. It had been included as part of the application because the applicant was paying for the additional work to be done.

The Planning Officer circulated a list of new comments received, and officer updates to the Committee since the application had been called into the Planning Review Committee (attached as minute 32).

She made the following comments on the representations received:

- The listed threshing barn is not currently in use because of its close proximity to the resident dwelling. Pre-application discussions are ongoing with Environmental Health.
- Policy HE8: Important parks and gardens is not a relevant policy as South Park is not a historic park or garden.
- Light pollution on a dark sky site. Any impact will be mitigated by not allowing lighting between midnight and 5am.
- The development will actually increase the amount and variety of greenery on the site. The Ecology officer believes the development will have no adverse impact on the wildlife corridor.
- Loss of trees outside the depot boundary is an agreement with the Council's Parks department and is not controlled by planning.
- The Council's archaeologist believes there is no need for an archaeology assessment on the site.
- The triangular development (to the SE corner of the site) has since been removed from the application site.
- There is no enclosure included in the application beyond the existing depot site boundary.

- Officers have changed their recommendation to read “to grant planning permission subject to the approval of the conditions and no objections being received from Historic England”

The following people spoke against the application: Laura Hollitzer and Peter Edmunds (local residents) and Cllr Tom Hayes (ward councillor for St Clements).

Tom Nicholson and Tagore Ramoutar (applicants), Juliet Burch and Paul Semple (agents) and Debbie Dance (Oxford Preservation Trust) spoke in support of the application.

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

The Committee discussion noted, but was not limited to, the following points.

- The site is an allocated development site and restrictions on lighting hours will reduce the impact of light pollution in the Park.
- The Ecologist has reviewed the application and is satisfied the development will have little impact on wildlife.
- The design of the building evolved from discussions at a CABE Design Review who are independent of Council. They recommended a statement building design rather than a smaller pastiche.
- Landscaping will include native and specialised plants in raised beds. There will be more plants introduced than are currently on the site.
- Parking spaces will predominately be used for pre-arranged visits and for the shuttle service. The Highways Authority is happy with the number of parking spaces. The parking has been moved away from the listed building.
- Several paths have been planned to create ease of access to pedestrians and easy access to the public toilets. Details of the landscaping is included in condition 11, the use of paths can be included in these discussions with the applicant
- The Human Rights Act and the Crime and Disorder Act are legal requirements for planning officers to consider when considering planning applications. How much weight members give them is up to individual members.
- The Equalities Act applies to all planning applications but there are no rights that are affected by material planning consideration in this application.
- The applicant is not leasing the park land included in the red outline on the site plan. This land remains open space and park land, but the landscaping of it will be paid for by the applicant – hence the inclusion of it in the site plan.

- No land outside of the depot land will be fenced or screened off.
- The Council's Ecologist has reviewed the proposal and the ecological value of the site is limited due to the lack of greenery in the site and quality of the existing hedge. The proposal is to open up the area and plant more which will improve the wildlife.
- It is intended that the kiosk will sell ice creams, tea and coffee etc not alcohol.
- The sale of alcohol is not a material planning consideration. It will be dealt with by the Licensing Authority.
- The City Council's Archaeologist has reviewed the proposal in relation to council records and considered this in relation to previous uses of the sites. They concluded that no archaeological assessment is necessary.
- The shuttlebus from Broad St to South Park will run 2-3 distillery tours a day. It is being proposed to make it easier for tourists to get to and from the Park and to discourage the use of cars.
- A travel plan is a condition of the application which will consider the route and management of this bus.
- There is no loss of public space; the application will enhance the people's enjoyment of public space.
- Landscaping on park land will be accessible to all.
- Additional signage informing the public of their right to use the landscaped area will be included as an informative.
- Having more people in the area will add to the vitality of the space and will make the area safer and less likely to experience anti-social behaviour.
- An additional condition for waste management plan to control litter will be added.
- Planning officers noted members suggestions for additional signage in the rest of South Park

In reaching its decision, the Committee considered all the information put before it.

The Planning Review Committee resolved to **grant** planning permission subject to the following conditions, informative and no objection being received from Historic England:

Conditions

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Samples in Conservation Area - Headington Hill

4. Contaminated Land 1
5. Contaminated Land 2
6. Travel Plan – to be made clearer
7. Construction Traffic Management Plan
8. Cycle Parking
9. Drainage Compliance 1
10. Drainage Compliance 2
11. Landscape plan required – to include path designs
12. Landscape carry out by completion
13. Landscape hard surface design – tree roots
14. Landscape underground services – tree roots
15. Tree Protection Plan (TPP) 2
16. Arboricultural Method Statement (AMS) 2
17. Biodiversity enhancements
18. Roof detailing
19. Railing and gate detail
20. Furniture details
21. Lighting details – to include concerns about biodiversity and restrict the lighting hour.
22. Noise – mechanical plant
23. Machinery – restricted hours
24. Hours of use
25. Waste Management Plan – details of control of litter.

Informative

1. Clear signage and demarcation of landscaped area in South Park to inform the public that it's a public space.

33. Minutes

The Committee resolved to approve the minutes of the meeting held on 15 March 2017 as a true and accurate record.

34. Date of Future Meetings

The Committee noted the next meeting was scheduled for 3 August 2017 (if required).

The meeting started at 6.00 pm and ended at 7.42 pm

Chair

Date:

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