

Agenda

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West Area Planning Committee

This meeting will be held on:

Date: **Tuesday 10 November 2020**

Time: **3.00 pm**

Place: **Zoom - Remote meeting**

For further information please contact:

Catherine Phythian, Committee and Member Services Officer, Committee Services Officer

📞 01865 252402

✉️ democraticservices@oxford.gov.uk

Members of the public can attend to observe this meeting and.

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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All public papers are available from the calendar link to this meeting once published

Committee Membership

Councillors: Membership 9: Quorum 5: substitutes are permitted.

Councillor Colin Cook (Chair)	Jericho and Osney;
Councillor Michael Gotch (Vice-Chair)	Summertown;
Councillor Tiago Corais	Littlemore;
Councillor Alex Hollingsworth	Carfax;
Councillor Richard Howlett	Carfax;
Councillor Dan Iley-Williamson	Holywell;
Councillor Richard Tarver	Iffley Fields;
Councillor Louise Upton	North;
Councillor Elizabeth Wade	Wolvercote;

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

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Agenda

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the search box.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.

1 Apologies for absence and substitutions

2 Declarations of interest

3 20/01156/FUL: 178-184, Abingdon Road, Oxford, OX1 4RA

15 - 42

Site address: 178-184, Abingdon Road, Oxford, OX1 4RA

Proposal: Demolition of existing hotel. Erection of a three storey 43no. bedroom hotel (use class C1) and creation of 1no. 2 bedroom dwelling (use class C3). Provision of vehicular and cycle parking and bin storage (amended description).

Recommendation:

The West Area Planning Committee is recommended to:

1. **refuse the application** for the reasons considered fully in the report; and
2. **agree to delegate authority** to the Head of Planning Services to:
 - finalise the recommended reasons for refusing the application as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The reasons for refusal are as follows:

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1. The proposed scale, massing, height and use of inappropriate materials would fail to respond appropriately to the existing character, form, scale and massing of the surrounding area. The large expanse of flat roof would impose a jarring, box-like form against the existing interesting and attractive variety of roof forms and prominent gable ends along Abingdon Road. The proposed development would therefore be detrimental to the character and context of the site, the visual amenity of the area and streetscene. Furthermore, the proposed development would not contribute positively to the existing roofscape and is likely to impact on long distance views from Hinksey Hill view cone, however sufficient analysis has not been provided. As such, the proposal would be in conflict with policies DH1 and DH2 of the Oxford Local Plan 2036.
2. The increased height, overall scale of development and distance from neighbouring dwellings, particularly to the west, would create an unacceptable overbearing impact on neighbours to the south and west. Due to the close proximity of the proposed development to neighbouring dwellings, a number of the proposed rear and side bedroom and stairwell windows would lead to unacceptable overlooking or perceived overlooking. The 45 and 25 degree lines would be contravened when applied to the nearest habitable windows of no. 178 Abingdon Road. The proposed development would therefore lead to an unacceptable impact on the daylight/sunlight to this property. The proposed development would create an unacceptable impact on neighbouring amenity, in conflict with policies RE7 and H14 of the Oxford Local Plan 2036.
3. Having had regard to the proposals being situated in a high flood risk area and the proposals being for a more vulnerable use, insufficient information has been submitted, in particular the application is deficient in its failure to provide a comprehensive flood warning and evacuation plan in accordance with policy RE3 of the Oxford Local Plan 2036 and paragraphs 163 of the NPPF.
4. The proposed increase in vehicular parking provision within this highly sustainable location would not accord with the requirements of policy M3 of the Oxford Local Plan 2036. The cycle parking provision is acceptable in terms of quantity but the proposed location is not considered practical in accordance with policy M5 of the Oxford Local Plan 2036. The proposed development is therefore not acceptable in highways terms.
5. Insufficient information has been submitted, in particular the

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application is deficient in its failure to provide an Energy Statement to enable the Local Planning Authority to fully assess whether sustainable design and construction principles have been incorporated into the development. The application therefore does not conform to the requirements of Policy RE1 of the Oxford Local Plan 2036.

4 20/01314/FUL: Unit 1 & Unit 2, Botley Road, Oxford, OX2 0HA

43 - 62

Site address: Unit 1 & Unit 2, Botley Road, Oxford, OX2 0HA

Proposal: External and internal alterations to provide single Class A1 retail use (amalgamation of Units 1 and 2), new shop front, insertion of mezzanine floor, erection of sprinkler tanks and pump house, siting of chiller and cold storage units, limited variation in permitted range of goods to enable sale of food and drink from up to 250 sq.m. net for consumption off the premises, provision of ancillary garden centre and cafe.

Recommendation:

The West Area Planning Committee is recommended to:

1. **approve** the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **agree to delegate authority to the Head of Planning Services to:**
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
 - Finalise the recommended legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and

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- complete the section 106 legal agreement referred to above and issue the planning permission.

5 Minutes

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Recommendation: to approve the minutes of the meeting held on 13 October 2020 as a true and accurate record.

6 Forthcoming applications

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

Application	Reason at Committee
19/00608/FUL: Jurys Inn, Godstow Road, Oxford, OX2 8AL	
19/02306/FUL: Castle Hill House, 9 New Road, Oxford, OX1 1LT	
19/02307/LBC : Castle Hill House, 9 New Road, Oxford, OX1 1LT	
19/02601/FUL: Frewin Quad, New Inn Hall Street, Oxford, OX1 2DH	
20/00549/LBC: Town Hall, St Aldate's, Oxford, OX1 1BX	
19/02815/FUL: Land Between 45 And 51 Hill Top Road, Oxford,	Called in
19/02816/FUL: Land Between 45 And 51 Hill Top Road, Oxford,	
19/02926/FUL: Land Adjacent The Old School, Gloucester Green, Oxford, OX1 2BU	
19/02723/FUL: 20 Blenheim Drive, Oxford, OX2 8DG	
20/00747/VAR: The White Rabbit, 21 Friars Entry, Oxford, OX1 2BY	
20/01337/FUL: Site Of Millway Close, Oxford, OX2 8BJ	
20/01567/FUL: 7-9 Blue Boar Street,	

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Oxford, OX1 4EE	
20/01276/FUL: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	
20/01277/LBC: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	
20/00994/CT3: East Oxford Community Centre, Princes Street, Oxford, OX4 1DD	
2001298/CT3: East Oxford Games Hall, 5 Collins Street, Oxford, OX4 1XS	
20/02480/FUL: 1-5 Broad Street And 31 Cornmarket Street, Oxford, OX1 3AG	
20/02434/VAR: Dragon School, Bardwell Road, Oxford, OX2 6SS	
20/02471/FUL: Tinbergen Building, South Parks Road, Oxford, OX1 3PS	
20/02303/FUL Peacock House, Baynams Drive, Oxford, OX2 8FN	

7 Dates of future meetings

Future meetings of the Committee are scheduled on:

2020	2021
8 December	19 January
	9 February
	9 March
	13 April

Public access to this meeting and members of the public speaking

Remote meetings will be held on Zoom.

Public access to remote meetings

1. You can watch the meeting remotely by clicking on the link in the comments section or under 'media' sited just above the agenda items.
2. The live link will appear on this page just as the meeting starts. This

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Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

will launch a YouTube video of the live meeting. If it does not, then follow the link to the council's YouTube channel where the video will be playing.

Registering to speaking

3. Members of the public can register to speak at a meeting in accordance with the Procedure Rule within Council's Constitutions.
4. **For this committee you must register to speak before noon on the working day before the meeting**, giving the application name/number and whether you are supporting or objecting. You must also supply an email address and phone number.
5. **Members of the public registering to speak are recommended to submit their contribution in writing to democraticservices@oxford.gov.uk not less than 24 hours before the meeting is due to start.** This will ensure that their contribution can be taken into account and, where necessary, responded to, in the event that the connection is poor or they are otherwise unable to join the meeting. Members of the public who register to speak will be advised of any word limit for their written submission.

Public attendance and speaking at remote meetings

6. Members of the public viewing the meeting should do this through the weblink to the live stream as above.
7. Members of the public may register to speak at the meeting in accordance with the procedure rules (see 4 and the notes at the end of the agenda frontsheet)
8. Those registering to speak will be provided with joining instructions and guidance on public participation in remote meetings by the Committee and Member Services Team.
9. When the meeting starts, or during the agenda item before the one they are speaking on, they should follow these instructions and join the meeting. When joining a meeting members of the public with a right to speak must ensure that they can be identified as a registered speaker otherwise their access to the meeting will be blocked.
10. They will be held as an 'attendee' and be able to see and hear the meeting but not take part.
11. The Meeting Host will 'enable' their microphone when they are called to speak, or may admit them to the meeting. They must not speak until are invited to do so by the Chair. Speeches are timed from the first words of the speech: there is no penalty for delays

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caused by the technology.

12. The member of the public may remain as an attendee or in the meeting to hear the remainder of the agenda item. Once their contribution has been heard the Meeting Host will mute their microphone and it must remain muted for the remainder of the meeting unless the Chair invites them to speak again, at which point the microphone will be enabled again.
13. At the end of the agenda item, the Chair may ask speakers attending for that item to disconnect from the remote meeting and the Meeting Host may remove their access to the meeting. Members of the public may continue to observe the meeting by watching the live stream accessed via a link on the Council's [meetings webpages](#).
14. If a member of the public exercising their right to speak at a remote meeting loses connectivity during their contribution, they should immediately dial back in to the meeting using the telephone number provided in the joining instructions.
15. If a member of the public exercising their right to speak at a remote meeting loses connectivity and is unable to re-join the meeting their previously submitted written contribution will be considered (it will be read out by an officer who will keep strictly to the allocated time limit). If no written contribution has been submitted the meeting will proceed without considering their contribution.

Press access to remote meetings

16. Journalists wishing to attend a remote meeting are advised to inform pressoffice@oxford.gov.uk not less than 24 hours before the meeting is due to start to be issued with joining instructions.
17. Journalists in remote attendance are asked to keep their microphone muted and their video camera turned off.
18. Alternatively journalists can access meetings by viewing the live stream as set out in 1 and 2 above.

Information for those attending regulatory committees - Remote meetings guidelines

Regulations passed in April 2020 enable the Council to hold meetings without some or all Members being physically present together in a room. To ensure the smooth running of remote meetings the Council has agreed a Protocol for Remote Meetings and everyone is asked to follow these guidelines which are based on that Protocol.

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Attendance at remote meetings

Members (councillors) are “in attendance” provided that they can hear and be heard by the other participants. Any loss of visual connection does not give rise to non-attendance but a loss of audio connection does.

Should you lose connection to the meeting try to reconnect immediately. If you cannot immediately re-join the meeting by video link, please dial in to the meeting using the telephone number provided in the joining instructions.

If a Councillor loses connectivity to this meeting they will be prohibited from participating in the debate and voting on that agenda item unless the discussion is paused for the period of their non-attendance.

If other participants lose connection, this does not affect the debate or vote.

Remote meetings etiquette

All participants are asked to:

- Stay visible on camera while your video feed is on. Turn the camera off if you stand up or leave your seat.
- Keep your microphone muted unless speaking. Un-mute / mute your own microphone before and after speaking.
- Use the “raise hand” icon to indicate a wish to speak. This is located in the “Participants” tab. Please be patient, the Chair will call you to speak and has absolute discretion to determine the order in which participants speak. Please lower your virtual hand after speaking.
- Not speak over other participants.
- Keep contributions relevant and concise.
- Councillors and officers must use the Chat function only to assist with the smooth administration of the meeting, e.g. to alert officers to a loss of audio connectivity.

Voting at remote meetings

When determining an application the voting will be by a roll call.

When called by the Clerk, Councillors are asked to state how they are voting on the proposal (e.g. “for”, “against” or “abstain”). Any Member who has not been in attendance to hear the full presentation and debate on an agenda item will be required to abstain from voting on that matter.

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Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt 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, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

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". 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.

Procedure 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 interests is available from the Monitoring Officer.

The following minimum standards of practice will be followed:

1. All members of the Committee will have pre-read the officers' report. Committee 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 guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may 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.
4. In determining an application Committee 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 overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; 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.

Public requests to speak

Members of the public wishing to speak must notify the Committee 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 via e-mail or telephone, to the Committee Services Officer (details are on the front of the Committee agenda).

Written statements from the public

Any written statement that members of the public or 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 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

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

Recording meetings

This is covered in the general information above.

Meeting Etiquette

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.

This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in January 2020.

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WEST AREA PLANNING COMMITTEE

10th November 2020

Application number:	20/01156/FUL		
Decision due by	19th August 2020		
Extension of time	18th November 2020		
Proposal	Demolition of existing hotel. Erection of a three storey 43no. bedroom hotel (use class C1) and creation of 1no. 2 bedroom dwelling (use class C3). Provision of vehicular and cycle parking and bin storage (amended description).		
Site address	178-184 , Abingdon Road, Oxford, OX1 4RA – see Appendix 1 for site plan		
Ward	Hinksey Park		
Case officer	Jennifer Coppock		
Agent:	Mr Michael Gilbert	Applicant:	The Edge Hotel (Oxford) Ltd
Reason at Committee	The proposed floorspace would be in excess of 1000sq. m. and therefore the application proposes a major development.		

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **refuse the application** for the reasons considered fully in the report; and

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

finalise the recommended reasons for refusing the application as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

1.1.3. The reasons for refusal are as follows:

1. The proposed scale, massing, height and use of inappropriate materials would fail to respond appropriately to the existing character, form, scale and massing of the surrounding area. The large expanse of flat roof would impose a jarring, box-like form against the existing interesting and attractive variety of roof forms and prominent gable ends along Abingdon Road. The proposed development would therefore be detrimental to the character and context of the site, the visual amenity of the area and streetscene. Furthermore, the proposed development would not contribute positively to the existing roofscape and is

likely to impact on long distance views from Hinksey Hill view cone, however sufficient analysis has not been provided. As such, the proposal would be in conflict with policies DH1 and DH2 of the Oxford Local Plan 2036.

2. The increased height, overall scale of development and distance from neighbouring dwellings, particularly to the west, would create an unacceptable overbearing impact on neighbours to the south and west. Due to the close proximity of the proposed development to neighbouring dwellings, a number of the proposed rear and side bedroom and stairwell windows would lead to unacceptable overlooking or perceived overlooking. The 45 and 25 degree lines would be contravened when applied to the nearest habitable windows of no. 178 Abingdon Road. The proposed development would therefore lead to an unacceptable impact on the daylight/ sunlight to this property. The proposed development would create an unacceptable impact on neighbouring amenity, in conflict with policies RE7 and H14 of the Oxford Local Plan 2036.
3. Having had regard to the proposals being situated in a high flood risk area and the proposals being for a more vulnerable use, insufficient information has been submitted, in particular the application is deficient in its failure to provide a comprehensive flood warning and evacuation plan in accordance with policy RE3 of the Oxford Local Plan 2036 and paragraphs 163 of the NPPF.
4. The proposed increase in vehicular parking provision within this highly sustainable location would not accord with the requirements of policy M3 of the Oxford Local Plan 2036. The cycle parking provision is acceptable in terms of quantity but the proposed location is not considered practical in accordance with policy M5 of the Oxford Local Plan 2036. The proposed development is therefore not acceptable in highways terms.
5. Insufficient information has been submitted, in particular the application is deficient in its failure to provide an Energy Statement to enable the Local Planning Authority to fully assess whether sustainable design and construction principles have been incorporated into the development. The application therefore does not conform to the requirements of Policy RE1 of the Oxford Local Plan 2036.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposals to demolish the existing hotel and outbuildings and erect a new, 3 storey hotel with an external footprint of approximately 584sq.m. and an internal floor area of approximately 1,528sq. m. 19no. car parking spaces, 10 cycle parking spaces and bin storage to serve the hotel is proposed to the rear. The proposed hotel would accommodate 43no. bedrooms, 1no. staff room, a reception, dining/ lounge area and associated plant and laundry rooms. The existing residential accommodation on site would be re-provided on the ground floor in the form of a self-contained 2no. bedroom apartment with private amenity space. 1no. vehicular parking space is proposed to serve the apartment, no separate cycle parking for the dwelling is proposed.
- 2.2. Policy V5 of the Oxford Local Plan 2036 sets out a locational requirement for holiday and short stay accommodation which includes Oxford's main arterial roads where

there is frequent and direct public transport to the City centre. Abingdon Road is listed as such an arterial road within footnote 33 and therefore the location of the application site is considered acceptable for new holiday and short stay accommodation in principle. However, the proposal fails to successfully address vehicular and cycle parking requirements in accordance with policies M3 and M5 and criterion a) of policy V5 of the Oxford Local Plan 2036 and therefore, the proposed development is not considered acceptable.

- 2.3. It is considered that the proposed contemporary flat roof, box form would sit very uncomfortably within the streetscene and fails to reference the existing character, form, scale and massing of the surrounding area. The increased height and flat roof creates a building out of scale with the surrounding context. It is considered that harm would be caused to local, street level, views by virtue of the form, scale, bulk, height and massing of the proposed development. The proposed flat roof would detract from the existing pleasing and characterful variety of roof forms and would impose a jarring, box-like form against this character which would be harmful to the appearance of the streetscene. In terms of more long distance views, it is considered that the proposed development probably would be visible from the view cone, however this cannot be sufficiently analysed as the submitted Landscape and Visual Impact Assessment (LVIA) does not illustrate the impacts of the proposal adequately. It is considered that the proposed development would be detrimental to the character and context of the site, the visual amenity of the area and streetscene, in conflict with policy DH1 of the Oxford Local Plan 2036. Furthermore, the proposed development would not contribute positively to the existing roofscape and could give rise to an impact on long distance views from Hinksey Hill view cone. As such, the proposal would be in conflict with policy DH2 of the Oxford Local Plan 2036.
- 2.4. In terms of impact on neighbouring amenity, it is considered that the proposal would lead to unacceptable overlooking onto properties and private gardens to the rear and side. In terms of light impact, having had regard to the 45/25 degree code test set out in Policy H14 of the Oxford Local Plan (2036) there would be an unacceptable impact on habitable rear windows at no. 178 Abingdon Road. It is considered that the three storey building would have an overbearing impact on residential properties to the rear, taking into account the distance between the dwellings and proposed hotel. In light of the above factors, it is concluded that the proposed development would lead to an unacceptable impact on neighbouring amenity in conflict with policy H14 of the Oxford Local Plan 2036.
- 2.5. It is considered that the 1no. 2 bedroom self-contained apartment would provide acceptable internal and external living conditions in accordance with policies H15 and H16 of the Oxford Local Plan 2036.
- 2.6. Whilst the application site lies within flood zone 3b (functional floodplain), the proposed land use would remain the same as the existing with a reduced built footprint and therefore, the proposed development is considered acceptable in terms of flood risk in accordance with policy RE3 of the Oxford Local Plan 2036. However, the proposed development is not considered acceptable in terms of safe access and egress during times of flood as a comprehensive evacuation plan has not been submitted as required by policy RE3 of the Oxford Local Plan 2036 and paragraph 163 of the NPPF.

2.7. The application proposes to increase the number of vehicular parking spaces by 2, from 17 to 19 within this highly sustainable location. This is in conflict with the requirements of policy M3 of the Oxford Local Plan 2036 to reduce, or at least retain existing parking provision, within sustainable locations for non-residential development. The cycle parking provision is acceptable in terms of quantity but the proposed location is not considered practical. Therefore the proposed development does not accord with policies M3 and M5 of the Oxford Local Plan 2036 in terms of its provision of vehicular and cycle parking.

2.8. In light of the above, Officers are recommending refusal.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal would be liable for a CIL payment of £112,669.12.

5. SITE AND SURROUNDINGS

5.1. The site comprises The Victoria Hotel, a two storey property which was originally three separate dwellings, all built in the 1800's. A number of run-down and unused outbuildings and a hard surfaced car park are located to the rear of the site. The hotel has an external footprint (including outbuildings) of 592sq. m. and an approximate gross internal area of 688.2sq.m. Vehicular and pedestrian access to the hotel is from Abingdon Road. The surrounding area does not form part of a Controlled Parking Zone (CPZ).

5.2. Nos. 182-184, originally a pair of Victorian semi-detached cottages, are red brick under a hipped roof with central chimney stack. No. 180, a more recent addition, dates back to the late 1800's and is double fronted with white rendered walls, a double pile pitched roof and a central chimney stack. Over time, the buildings have been unsympathetically altered with the insertion and alteration of inappropriately designed windows and the addition of a porch and a number of single storey extensions to the rear.

5.3. The principal building line of the three properties varies which is characteristic of Abingdon Road, illustrating the development of New Hinksey in the Victorian period.

5.4. Whilst historic, the buildings are not locally or nationally listed and the site does not lie within a Conservation Area.

5.5. Internally, the Hotel is run down, so much so, the current owners have been prohibited from operating due to health and safety concerns – the site is now vacant. When last in use, the hotel accommodated 16 letting rooms plus the owner's residential accommodation which is integrated into the footprint of the hotel.

5.6. Surrounding built form along the west side of Abingdon Road comprises 2 and 3 storey red brick and rendered properties under pitched tiled roofs. The area is characterised by an interesting variety of roof forms with gable ends of the double pile block adding to the attraction of the area. To the east side of Abingdon Road lies

the stone built Oxford Spires Hotel which is set back from the street frontage and undeveloped green belt land.

5.7. In terms of planning policy constraints, the site lies within flood zone 3b (functional floodplain) and sits within the Hinksey Hill view cone.

5.8. See site location plan below:



6. PROPOSAL

6.1. The application proposes to demolish the existing hotel and outbuildings and erect a new, 3 storey hotel with an external footprint of approximately 584sq.m. and an internal floor area of approximately 1,528sq. m. 19no. car parking spaces, 10 cycle parking spaces and bin storage to serve the hotel is proposed to the rear. The proposed hotel would accommodate 43no. bedrooms, 1no. staff room, a reception, dining/ lounge area and associated plant and laundry rooms. The existing residential accommodation on site would be re-provided on the ground floor in the form of a self-contained 2no. bedroom apartment with private amenity space. 1no. vehicular parking space is proposed to serve the apartment, however no separate cycle parking is provided.

6.2. The proposed flat roofed hotel would measure approximately 9.4m in height, unfortunately it is not possible to accurately compare this proposed height with that of the existing buildings on site as existing elevation plans have not been submitted with the application. These were requested by officers. The footprint of the proposed building incorporates multiple step-backs fronting Abingdon Road, resulting in an elevation that measures between 1.6m and 17m from the site frontage (north east elevation). Balconies are proposed to the first and second floor, fronting Abingdon

Road and a number of oriel/ bay windows are proposed to the northern section of the building, fronting Abingdon Road.

6.3. A wide range of materials are proposed, including buff brick to the external walls, powder coated aluminium fascia's and soffits to second floor balconies and high level roof, glazed balustrades to balconies and bronzed copper vertical privacy louveres to the ground and first floor windows.

6.4. Soft landscaping would be located along the Abingdon Road frontage, however a landscape plan has not been provided and therefore, details are unknown.

7. RELEVANT PLANNING HISTORY

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

Reference	Description	Decision
00/01340/NF	Demolition of existing garage & outbuildings. Erection of new building to consist of garage, garden store & fuel store	Approved 02.01.2001
98/01702/NF	Conservatory for Victoria Hotel	Approved 02.12.1998
91/00137/NF	Change of use of 178 Abingdon Road from single family dwelling to hotel annexe and part of 182 Abingdon Road from hotel proprietor's accommodation to guest accommodation (Retrospective).	Appeal Dismissed 15.07.1991
84/00483/NF	Front extension to form refrigerated cold store for existing hotel kitchen for Victoria Hotel (Revised) (Amended Plans).	Approved 13.08.1984
83/00287/NF	Change of use from single family dwelling to two flats	Approved 02.08.1983
83/00363/NF	Entrance porch at rear	Approved 06.07.1983
83/00112/NF	Alterations and extension to two existing entrance porches for Victoria Hotel	Approved 18.04.1983
82/00739/NF	Two storey extension at side for Victoria Hotel	Approved 16.11.1982
82/00040/NF	1)Change of use from single family dwelling to guest house, to include accommodation for guest house proprietor. 2)Extension of car parking for 180 Abingdon Road into part of rear garden. 3)First floor rear extension to replace existing.	Refused 24.03.1982
82/00039/NF	Single storey extension to provide additional accommodation for guest house and link to 182	Refused 24.03.1982 Allowed at Appeal 07.02.1983
80/00906/NF	Extension to provide 3 additional guest	Approved 28.01.1980

	bedrooms. Conversion of private lounge on ground floor of link block to new guest bedroom. Additional car parking and landscaping at rear for Victoria Hotel.	
80/00447/NF	Extension to provide four additional guest bedrooms and ancillary office/storage. Conversion of private lounge on ground floor of link block to new guest bedrooms. Additional car parking and landscaping at rear for Victoria Hotel.	Refused 25.07.1980
79/00163/A_H	Two storey bedroom extension to Guest House	Approved 18.04.1979
78/00357/A_H	Erection of storm porch for Victoria Hotel	Approved 31.07.1978
77/01068/A_H	Bedroom and kitchen extension to guest house	Approved 18.01.1978
77/00418/A_H	Demolition of rear store building - construction of 2 storey extension to guest house	Approved 17.08.1977
75/00507/A_H	Outline application to demolish existing house and outbuildings and erection of flats with car parking	Refused 02.07.1975
73/01164/A_H	Outline application for 3 bed house, garage and car port.	Refused 24.08.1973

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	117-123, 124-132	RE2 - Efficient use of Land DH1 - High quality design and placemaking	
Conservation/Heritage	184-202	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	
Housing	59-76	H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards	
Commercial	170-183	V5 - Sustainable tourism	

Natural environment	91-101	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface G1 - Protection of Green/Blue Infrastructure G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	102-111		
Transport	117-123	M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking M1 - Prioritising walking, cycling and public transport	
Environmental	117-121, 148-165, 170-183	RE1 - Sustainable design and construction RE6 - Air Quality RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-12		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 11th June 2020 and an advertisement was published in The Oxford Times newspaper on 11th June 2020.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The application seeks the demolition of the existing hotel, erection of a three storey 43no. bedroom hotel (use class C1) and creation of 1no. 2 bedroom dwelling (use class C3) and provision of vehicular and cycle parking and bin storage (amended description).

The proposals are in a highly sustainable location with good access to public transport and local amenities. The proposals are not in a CPZ.

Cycle Parking – The proposals demonstrate 10 covered and secure cycle parking spaces, the level of provision is considered satisfactory and accords to policy requirements. The location of the cycle parking is not considered acceptable. The current location will be difficult to access and use will prove inconvenient as access is restricted by car parking spaces. This must be amended for the proposals to be considered acceptable.

Car Parking – The proposals demonstrate 19 car parking spaces, 4 below the required maximum of 23. The proposals are for an additional 27 bedrooms but only 2 additional car parking spaces. This is problematic as the surrounding residential streets are not covered by parking restrictions and experience high levels of parking stress. Despite the sustainable location of the proposals, the above factors do not warrant a deviation from the required maximum parking provision. The development in its current form is likely to result in overspill parking into surrounding residential streets.

Traffic Generation – The transport statement is considered acceptable and the trip rate figures are based on appropriate comparisons from the TRICS database. The net gain of 11 vehicles/hr during the AM/PM peak period is insignificant and unlikely to have a detrimental impact on the local highway network.

Private Parking Space – Pedestrian visibility splays must be provided on each side of this access to demonstrate that adequate pedestrian visibility can be provided. Oxfordshire County Council object to the granting of planning permission. If permission is granted despite our objections then the following conditions should be attached to any approval:

Cycle Parking

Before the development permitted is commenced details of the cycle parking areas, including dimensions and 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 line with the 2036 Local Plan

Visibility Splays

Prior to occupation of the dwelling visibility splays measuring 2m by 2m shall be provided to each side of the access. This visibility splay shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level.

Reason: To provide and maintain adequate visibility in the interest of highway safety in accordance with policy.

Construction Traffic Management Plan (CTMP) - (For small scale)

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,
- Access arrangements for construction vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

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.

Oxfordshire County Council (Drainage)

9.3. No objection subject to conditions

Conditions:

Development shall not begin until a detailed surface water drainage scheme for the site, in accordance with the approved FRA & Strategy, has been submitted to and approved in writing by the planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Detailed design drainage layout drawings of the SuDS proposals including cross sections and construction details;
- Evidence that the connection into the surface water sewer has been approved by Thames Water;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
- Details of how water quality will be managed during construction.

Detailed comments:

Further to the further clarification received, we have no further concerns with this application, subject to the above condition being attached to the approval.

Oxfordshire County Council (Emergency planning)

9.4. The hotel should have an evacuation or in-vacuation plan either closing and evacuating residents prior to water cutting off access and egress routes and providing them with somewhere else to go or the ability to move to the upper floors with adequate supplies and generator access and being able to stay in situ. Any development in a flood zone should not rely on the emergency services to care for their residents.

Environment Agency

9.5. The site lies within Flood Zone 3b (functional floodplain). Flood Zone 3b is defined as “land where water has to flow or be stored in times of flood”, in accordance with Table 1 ‘Flood risk’ of the Planning Practice Guidance. The proposed development is more vulnerable in accordance with Table 2 ‘Flood risk vulnerability classification’ of the Planning Practice Guidance. The existing land use is a hotels and proposed land use is a hotel with a reduced built footprint. If the development was changing to another more vulnerable or highly vulnerable development use or a new planning application for any vulnerability classification with the exception of water-compatible or essential infrastructure, then we would be objecting on policy grounds as these

developments are inappropriate in Flood Zone 3b in accordance with Table 3 'Flood risk vulnerability and flood zone 'compatibility.'

This development proposal includes increasing the number of rooms in the hotel by 26. There will also be the creation of 1 no. 2 bedroom dwelling. Please be aware that you will need to make an assessment of the safe access and egress for this site and especially consider the increased number of occupants at risk. I have added a paragraph below in this letter giving advice on this.

Environment Agency position:

We have no objections to the proposed development subject to the following condition being imposed on any planning permission granted. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to this application.

Condition: The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Drainage Statement (FRA), Project Number 3682, dated February 2020 by Mateo Blanco of Infrastruct CS Ltd., and the Planning, Design and Access Statement dated May 2020 by Mike Gilbert Planning Ltd., and the following mitigation measures detailed within the FRA:

1. Finished flood levels are set no lower than 56.63 metres above Ordnance Datum

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reasons:

1. To prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage
2. To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

This condition is also supported by local plan policy NE3 of the Oxford Local Plan 2036.

Advice to the local planning authority - Flood Risk - Safe Access and Egress

The proposed development and/or the access route is located within the 1% annual probability (AP) plus an appropriate allowance for climate change flood extent.

In accordance with paragraph 163 of the National Planning Policy Framework (NPPF), you must ensure that 'the development is appropriately flood resistant and resilient' and that 'safe access and escape routes are included where appropriate, as part of an agreed emergency plan...'. This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test as required.

Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable.

We enclose a copy of our safe access and egress guidance statement to assist you with your assessment. **Please note we have not assessed the proposed access and egress route.**

Advice to applicant and LPA

There shall be no raising of existing ground levels on the site.

There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.

Oxford Civic Society

9.6. The plots on Abingdon Road align with those at the rear. This historic arrangement has created the distinctive angled frontages of property along this southern entry into the city. The properties of a modest domestic character reflect their plot heritage. Whilst the stepping back of half the new building begins to suggest this heritage, it is negated by the horizontal emphasis of the design.

The Victoria Hotel occupies an L-shaped two-storey building with a double frontage, traditional pitched roof form and modest out-chutes and outbuildings at the rear. By its very articulated nature it sits comfortably within the area with no harmful impact on neighbours. The proposal occupies a considerably larger footprint of unrelieved three storey building. It harms the amenity of the houses on the east side of Summerfield Road, adjacent property and is overbearing of the character of Abingdon Road.

The flat roof covering of all three storeys is an unsatisfactory unifying unrelieved element of the design and ignores the broken skyline of broken eaves lines, pitched roofs and chimneys of the buildings in area. The strong horizontal nature of the proposal emphasized by the large expanse of flat roof is out of scale and harmful to the character of the street scene.

The lack of a main entrance to the frontage of the new hotel ignores the important element of good streets and the safety arising from comings and goings on foot. A front door is a distinguishing feature of the front and back of a building and adds variety to the street scene and a focal point of the façade.

The northern block of the proposed three storey building makes an unsatisfactory impact on the public realm. By moving the building back by two metres less harm would accrue at this angled boundary junction and the parking at the rear would be unaffected.

The architectural treatment of the northern block adjacent to no. 178. is monotonous and in its prominent position is out of scale with the residential vertical character of the road.

The set-back at third storey level is insufficient to reduce the impact of the three-storey building. Its accompanying horizontal treatment emphasises the weakness of this set-back. This part of the proposal impacts on the neighbouring property and the street-scape.

There is potential of overlooking and loss of privacy to adjoining side property from balconies and from windows at the rear to the houses in Summerfield Road.

The supporting proposed site and block plans are misleading as the existing is shown as one homogeneous block when it is in fact articulated and consists of various built forms having minimal impact on neighbours, unlike the proposed building.

The proposed 43 bedrooms is an unacceptable increase on the existing 15 and has resulted in a high-density development of monotonous, horizontal building form which has an overbearing impact on neighbours and the street scene.

We recommend that the application be refused.

Thames Valley Police

9.7. Thank you for consulting me on the planning application above. I have reviewed the submitted documents and visited the site. Although I do not wish to object to the proposals, I do have some concerns relating to community safety/crime prevention design. If these are not addressed I feel that the development may not meet the requirements of;

- The National Planning Policy Framework 2018, Section 12 'Achieving well-designed places', point 127 (part f), which states that; 'Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. And;
- HMCLG's Planning Practice Guidance on 'Design', which states that; 'Although design is only part of the planning process it can affect a range of objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives.

The following issues should be considered: safe, connected and efficient streets... crime prevention... security measures... cohesive & vibrant neighbourhoods.' In addition, the Design and Access Statement (DAS) does not address crime and disorder as required by CABE's 'Design & Access Statements- How to write, read and use them'. This states that DAS' should; 'Demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime'. I would have expected this document to contain a commitment to achieving Secured by Design (SBD) accreditation at a minimum. Therefore, to ensure that this is the case and that the opportunity to design out crime is not

missed, I request that the following (or a similarly worded) condition be placed upon any approval for this application;

Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority.

With the above in mind, I offer the following advice in the hope that it will assist the authority and applicants in creating a safer and more sustainable development, should approval be granted:

I have concerns that the vehicular access route to the rear of the hotel is open to casual intrusion. This is likely to create opportunities for anti-social behaviour (ASB) and criminal activity. The pedestrian route along the south east boundary is also open. I recommend that appropriate boundary treatments and gates (of at least 1.8m height) are provided to ensure only authorised personnel and patrons can gain access to the sides and rear of the premises. Gates should be robust, visually permeable, self-closing and on the hotels access control system with a failsafe mechanism included to allow for emergency egress. Lighting of the access routes and parking areas must be to SBD recommended standards. Low level lighting such as bollards should be avoided in almost all situations as it creates hiding places, and pooling and shadowing of light. It generally feels less safe and can increase the fear of crime. Pedestrian scale columns or building mounted units would be a far more appropriate solution in this situation. Lighting of internal communal areas should be 24hr, controlled by switched, photoelectric cells to create an environment that feels safe. Two-stage lighting could be considered to provide a more energy efficient system. External lighting must be provided at each point of entry or egress, which should again be operated by switched, photoelectric cell. Passive Infrared (PIR) motion detection sensors should not be used to operate external lighting. There are cycle stands proposed. If the facility is intended for staff or for storage of guests cycles overnight, then the provision should be within the hotel itself or within secured storage facilities to SBD standards. Details on this and all of my advice can be found at; <https://www.securedbydesign.com/guidance/design-guides> By the same token, the refuse store should also be secure and meet SBD requirements. A CCTV system that covers all access points (internally and externally) and parking areas as a minimum must be provided. Again, SBD guidance should be incorporated prior to specification of a system. This will not only ensure it will be fit for purpose, but would also assist with cost-effectiveness. All ground floor and easily accessible windows and the doors at the main entrance, fire escapes, internal entrance lobby and all guest rooms must meet current SBD standards (BS PAS24). Any glazing within these units must also have at least one pane that is laminate.

Internally, it is unclear from the plans supplied where the lift doors open on the ground floor. I recommend that the access point is beyond the second set of foyer doors to ensure an airlock style lobby is created. This will assist in preventing unauthorised access to the guest areas of the hotel. Reception operation and the physical control of access need careful design to ensure guests are welcomed appropriately, but that employees and patrons are kept safe and secure. A

management plan should describe how procedures will tie in with, and make the best use of the physical security that is yet to be specified.

The comments above are made on behalf of Thames Valley Police and relate to crime prevention design only. I hope that you find them of assistance in determining the application and if you or the applicants have any queries relating to crime prevention design in the meantime, please do not hesitate to contact me.

Oxfordshire Architectural and Historical Society

9.8. Our caseworkers have considered this application and wish to object for the following reasons:

The application appears to concern the buildings at nos. 180-184 (not 178-184).

Nos. 182-184, in particular, are significant properties. Their history and heritage value have not been fully and properly assessed in this application. These buildings may not be designated but they are heritage assets of local historic value and, as such, the NPPF (para. 189) applies to them. Paragraph 54 of the Design and Access Statement inadequately and incorrectly states: 'There are no heritage assets within the vicinity of the site, so the proposal will not have any direct or indirect heritage impact.' This is contrary to what is set out below.

1. History of the buildings The buildings form part of the early Victorian settlement of New Hinksey. New Hinksey was set out as a new island suburb on land auctioned by Henry Greenaway in 1847 and 1849 in response to the demand for housing from workers on the new (1844) railway. Many of the buildings were completed by the 1850s. The historic field boundary separating Greenaway's two fields is preserved in the lines of some of the New Hinksey building plots

1a. Nos. 182-184 Abingdon Road The southern part of the applicant's site proposed for demolition (nos.182-184: not actually discussed or photographed extensively in the application, although they should have been) is part of this important early New Hinksey development. It consists of two semi-detached early Victorian cottages, complete with scrolled metal nameplate bearing the name 'Tenby Cottage'. They are built in a characterful, polychromatic chequer pattern using Flemish bond and vitrified bricks, with a raised, tripartite string course of vitrified header and non-vitrified stretcher bricks. The cottages have a hipped roof and central chimney stack. Windows are placed symmetrically. The apertures are original and *in situ*; see the rubbed brick lintels and queen closer bricks down each side. This is true at the rear also. The window frames have been replaced with modern substitutes, but this is not irreversible and there remains the opportunity for improving the building by returning the windows to a more historically sensitive condition. The southern side elevation retains evidence of a blocked doorway (the entrance to Tenby Cottage). It is the only one of such buildings built in New Hinksey which is visible from the Abingdon Road, able to be seen by those travelling into and out of Oxford. Tenby Cottage is no. 184 and Swansea Cottage is no. 182. Both are listed in the 1871 census. It is possible that Tenby Cottage, occupied by the Weatherhead family, also features in the 1861 census. (Absence of numbering and naming of roads in this particular census makes it hard to be certain but it is likely; the site is listed as close to the

nearby Berkshire House pub on the Abingdon Road.) It is likely that nos. 184 and 182 are two of the oldest buildings extant on Abingdon Road, together with no. 202 which has a stone bearing the date 1849.4

1b. No. 180 Abingdon Road This building was built slightly later than nos. 182 and 184, but it was present by the time of the Ordnance Survey of 1873 (25-inch map, published 1878). In the 1881 census, no.180 was occupied by a Scottish draper, John McLean. In Kelly's trade directory of 1899 it was known as Yew Tree House, occupied by Harry Kent Frost. Throughout the early and mid 20th century it was run as a University lodging house and boarding house. It has a characterful double-pile, white-rendered exterior with central chimney stack. Both the northern and southern double-pile gable ends are visible along the Abingdon Road, adding historic character to the streetscape. Part of the history of this road is that plots were laid out at different times by different landowners and builders. Hence, building lines varied, creating a historic texture and irregularity which will be eradicated permanently by the proposed new building. The interesting variation (some of the building lines are stepped in and out of each other; some are on different diagonals to each other and to the Abingdon Road itself) will be erased. The designed stepping-back of part of the proposed hotel in the plans does not compensate for this. No. 180 has double-storey symmetrical polygonal bay windows, capped with polygonal slate roofs, topped with decorative finials. It has some historical architectural merit. Modern window frames have been substituted, but the historic fabric could be enhanced by reversing this insensitive intervention. The bay window apertures all retain attractive barge board detailing.

The long outrigger at the rear of no. 180, visible on the Ordnance Survey historic maps, is still extant today. There are two distinctive circular porthole windows with cross glazing bars in this outrigger. A proper building recording of the inside of no. 180 would be necessary to determine the nature and original function of these unusual windows. It would be beneficial to be able to see inside the property (and nos.182-184) to determine how much of the original layout remains and how many other original details exist.

By 1898, a long narrow alleyway between nos. 180 and 182, leading originally to orchards behind, had been built over (see OS 25 inch map surveyed 1898, published 1899). This infill is still visible in the southern half of no.180 (note the elongated façade and absence of symmetry to the frontage). There have been subsequent additions to the rear of no. 180, and to that of nos.182-184, and they have been linked together, but the historic layout of all three buildings remains very legible from all angles. Alterations have not removed historic form or plot layout.

2. Significance of the site The site lies directly opposite the highly historically-significant Eastwyke Farmhouse. This is set in one of the last remaining examples of the open, rural water meadows that entirely surrounded the Abingdon Road until the 1840s. Eastwyke Farmhouse is a listed building (1369700). Under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the council, when considering whether to grant permission for a development which will affect the setting of a listed building, must have special regard to the desirability of preserving the setting of that building.

This application will significantly harm the setting of Eastwyke Farmhouse. The farmhouse's setting includes other recorded heritage assets: civil war earthworks (Monument no. 338455), medieval ridge and furrow, and a possible moat (MOX26743). The development will affect the setting of all of these assets (under para. 190 of the NPPF this must be taken into account). The modern (Voco) hotel buildings currently within this setting are set well back, with pitched roofs and using traditional materials including rubble stone and wooden lintels. They are designed to read as if rural farm buildings. They retain the openness of the historic rural landscape in this area. This is in contrast to the proposed development, which is overly-large, dominating and monolithic, using unsympathetic materials. The proposed hotel is in a style which could be built anywhere, without regard to the history of that area. Hence, it removes the local particularity and historical narrative of this location and setting.

- 3. The proposal** As already stated, the proposal is essentially a large rectangular block with a flat roof which damages the streetscape by removing historic varying pitched roof lines, gable ends and chimney stacks. It removes the historic variety of building lines and frontages. It eliminates the historic evolution in building plots which is traceable through historic mapping, and, crucially, is still legible on the ground. In place of three separate plots, with three individual historic narratives, one homogenous building would be inserted. It would eclipse the current domestic scale of Abingdon Road (we note that previous applications have been refused on these grounds e.g. 82/00040/NF, 91/00137/NF). It will dominate. The materials are not sympathetic to the historic setting. Moreover, this is an area that is highly susceptible to flooding. Much of the problem appears to come from the water and drainage system not being able to cope at times of heightened ground water levels. Whilst it is accepted that some of the site is currently tarmacked, 43 new bedrooms, plus bedrooms and services for onsite staff, is a substantial increase which will place considerably greater demand on the local (Victorian) drainage system. It is plausible that it will increase flooding in the area. Furthermore, it is unrealistic to think that such a development will not increase traffic to, and parking in, the area. Parking is already highly strained in this area. None of the streets from Lake Street southwards are controlled zones. Hinksey swimming pool and park attract considerable parking congestion already (as does the Ethos Hotel further north on Western Road, notwithstanding that that is a hotel within a controlled zone).

The existing buildings have considerable energy embodied within their fabric. To demolish them and build from scratch is not a responsible use of energy resources, particularly given climate change. Retention and enhancement of existing building stock is to be preferred where possible. Additionally, in the post-corona virus world, a large, new hotel in this location is not what Oxford may need. Sensitive reuse of, and improvement and reversal of damage to, the existing historic buildings would be far more appropriate, whether as a hotel, another community use or as private residences. No evidence has been put forward in the application to suggest that the buildings cannot be sustainably and viably used with appropriate investment and renovation. The hotel apparently ceased business only in late 2019.

For all these reasons, we would strongly ask the council to reject this application.

Public representations

9.9.51 local people commented on this application from addresses in Summerfield, Sunningwell Road, Isis Close, White House Road, Wytham Street, Chilswell Road, Toranean Kilmahog Callander (Perthshire), Lake Street, Norreys Avenue, Abingdon Road, Marlborough Road, Western Road, Chapel End (Stonesfield), Vicarage Road, Green Place, Unthank Road, Bullockspits Lane (Longworth), South Oxford Flood Action Group, Parking Action around Lake Street.

9.10. In summary, the main points of objection (51 residents) were:

- Privacy
- Loss of daylight
- Noise
- Traffic
- Flood risk
- Insufficient number of electric charging points
- Unsympathetic design
- Overdevelopment of site
- Retention of existing buildings should be explored
- Too much parking on site
- Saturation of hotels in the area

Officer response

9.11. In response to the comments made by local residents and statutory consultees, Officers sought amendments to the proposed scheme and requested a comprehensive evacuation plan during the determination process. Further details were also sought of the existing elevations. However, an alternative design approach could not be agreed upon and the revised FRA/ evacuation plan did not sufficiently address officer and consultee concerns. No existing elevation plans were provided.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i.Principle of development
- ii.Design
- iii.Impact on listed building
- iv.Neighbouring amenity
- v.Living conditions
- vi.Flooding
- vii.Highways

i. Principle of development

- 10.2. Policy V5 of the Oxford Local Plan 2036 sets out a locational requirement for holiday and short stay accommodation which includes Oxford's main arterial roads where there is frequent and direct public transport to the City centre. Abingdon Road is listed as such an arterial road within footnote 33 and therefore the location of the application site is considered acceptable for new holiday and short stay accommodation in principle.
- 10.3. In accordance with policy V5, proposals must be considered a) acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements; b) must not result in a loss of residential dwellings; and c) not result in an unacceptable level of noise and disturbance to nearby residents.
- 10.4. In response to the criteria set out within policy V5:
- a) the access off Abingdon Road would remain unchanged from the existing, however as set out below at paragraphs 10.24 and 10.25, the proposal is not considered acceptable in terms of its vehicular parking provision or cycle parking arrangement;
 - b) As set out above, the current hotel includes residential accommodation for the owner and in order to comply with policy, the proposal includes the provision of 1no. self-contained 2 bedroom apartment. Therefore, there would be no loss of residential dwellings on site and as such criterion b) would be satisfied.
- 10.5. In terms of levels of noise and disturbance to nearby residents, no information has been provided in relation to proposed mechanical ventilation/ extraction or proposed measures to safeguard the amenity of neighbours in terms of noise pollution and therefore, this criterion cannot be assessed fully.
- 10.6. In light of the above, it is considered that whilst the location of the application site for short stay accommodation is acceptable, the proposed development is not acceptable in principle due to its failure to comply with criterion a) of policy V5 of the Oxford Local Plan 2036.

ii. Design

- 10.7. Policy DH1 of the Oxford Local Plan 2036 stipulates that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.
- 10.8. As set out at Policy DH2, the City Council will seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning permission will not be granted for any building or structure that would harm the special significance of Oxford's historic skyline. Policy DH2 continues that proposals within view cones that may impact on roofscape should be based on a clear understanding of characteristic positive aspects of the roofscape in the area and should contribute positively to the roofscape, to enhance any significant long views the development may be part of and also the experience at street level.

- 10.9. It is considered that the contemporary flat roof, box form in inappropriate external materials would sit very uncomfortably within the street and fails to reference the existing character, form, scale and massing of the surrounding area. The increased height and flat roof creates a building out of scale with the surrounding context and the multiple step backs of the footprint, which have been incorporated to mitigate impact on no. 188 Abingdon Road, give the building an inappropriately busy and dominant presence. The ground and first floor oriel windows, especially on the section closest to the pavement, are too large for the context, exacerbating the bulk of the building.
- 10.10. Harm would be caused to local, street level, views by virtue of the form, scale, bulk, height, massing and inappropriate materials of the proposed development. The proposed flat roof would detract from the existing pleasing and characterful variety of roof forms, as described above, and would impose a jarring, box-like form against this characteristic. In terms of more long distance views, it is considered that the proposed development probably would be visible from the view cone, however this cannot be sufficiently analysed as the submitted Landscape and Visual Impact Assessment (LVIA) does not illustrate the impacts of the proposal adequately.
- 10.11. In light of the above, it is considered that the proposed development would be detrimental to the character and context of the site, the visual amenity of the area and streetscene, in conflict with policy DH1 of the Oxford Local Plan 2036. Furthermore, the proposed development would not contribute positively to the existing roofscape or experience of the area at street level. The proposal is likely to impact on long distance views from Hinksey Hill view cone. The proposal would also be in conflict with policy DH2 of the Oxford Local Plan 2036.

iii. Impact on Listed Building

- 10.12. Policy DH3 of the Oxford Local Plan 2036 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.
- 10.13. The application site lies approximately 150m from Eastwyck Farmhouse which is a grade II listed building. This listed building is an important reminder of the rural nature of what was once the southern fringes of the City; although converted into a hotel annexe, the farm house is still legible as a rare survival of a detached rural countryside farmhouse set in a rural, verdant, pastoral setting. The proposals would give rise to a very low degree of less than substantial harm to the setting of the listed building. Officers consider that the existing site does not contribute positively to the setting of the listed building and on balance the less than substantial harm in this case would be outweighed by the public benefit of providing a redevelopment and increased efficient use of land. The significant

distance between the listed building and the application site significantly reduces the impact of the proposals on the setting of the listed building. In reaching this view, officers have had regard to paragraph 192-196 of the NPPF in reaching a decision. Therefore, the proposals would be acceptable in terms of their impact on these designated heritage assets.

- 10.14. Special attention has been paid to the statutory test of preserving the listed buildings or their settings under Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the nearby listed buildings and so the proposal accords with Section 66 of the Act in respect of listed buildings.

iv. Impact on neighbouring amenity

- 10.15. Policy H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of existing homes. Consideration must be given to the degree of overlooking to and from neighbouring properties or gardens, the orientation of windows in both new and existing development in respect of access to daylight, sunlight and solar gain and existing and proposed walls, hedges, trees and fences in respect of their impact on overshadowing both existing and new development. Planning permission will not be granted for any development that has an overbearing effect on existing homes.

Privacy

- 10.16. It is considered that the proposed development would give rise to unacceptable overlooking and perceived overlooking onto residential dwellings to the rear, fronting Summerfield, from the windows to the proposed rear staircase and bedrooms 27 and 43 given there would only be 14 metres between the proposed hotel and residential properties to the southern end of the application site. Furthermore, it is considered that the windows to proposed bedrooms 17, 18, 33 and 34 would lead to unacceptable overlooking onto the private residential garden of no. 178 Abingdon Road.

Daylight and sunlight

- 10.17. In terms of the impact on light for neighbouring residential properties and specifically the 45/25 degree test set out in Policy H14 of the Oxford Local Plan 2036, the 45 degree line would not be contravened with applied to the nearest habitable windows of no. 188 Abingdon Road. However, the 45 degree line would be contravened when applied to the nearest habitable windows of no. 178 Abingdon Road. When applied to the rear elevation plan, the 25 degree line would also be contravened and therefore it is considered that the proposal would unacceptably impact on the level of daylight and sunlight enjoyed by this property.
- 10.18. With regards to the residential properties to the rear of the application site, it is considered that the orientation of the proposed building and distance from neighbouring properties is such that the proposal would not unacceptably impact on the levels of daylight and sunlight to these residential neighbours.

Overbearing

- 10.19. It is considered that the three storey building would have an overbearing impact on residential properties to the rear, particularly those to the southern end of the application site which would be closest to the proposed development at a distance of only 14 metres which is insufficient having had regard to the height of the proposed development.
- 10.20. In light of the above it is considered that the proposed development would lead to an unacceptable impact on neighbouring amenity in conflict with policy H14 of the Oxford Local Plan 2036.

iv. Living conditions

- 10.21. Proposed dwellings are required to meet nationally described space standards as required by policy H15 of the Oxford Local Plan 2036. In accordance with the national space standards (March 2015), a single storey, 2 bedroom dwelling for 4 people is required to have a minimum floor area of 70sq. m. with a double bedroom measuring 11.5sq. m. and at least 2.55m in width. The floorspace of the proposed 2 bedroom apartment would measure 78.3sq. m. The bedrooms would measure between 11.6 and 13.2sq. m. with a minimum width of 2.9m.
- 10.22. Policy H16 requires 1 or 2 bedroom flats to provide either a private balcony, terrace or direct access to a private or shared garden. The proposed apartment would provide an area of outdoor amenity space to the front of the property measuring approximately 29sq. m. Whilst it is not ideal to locate private amenity space fronting a busy arterial road, it does meet the policy requirements.
- 10.23. It is considered that the proposed internal and external living conditions would comply with the requirements of policies H15 and H16 of the Oxford Local Plan 2036.

v. Flooding

- 10.24. Policy RE3 of the Oxford Local Plan 2036 permits development in flood zone 3b where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Planning permission will only be granted for development within flood zone 3 where: the proposed development will not increase flood risk on site or off-site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.
- 10.25. Paragraph 163 of the NPPF also requires planning proposals in flood risk areas to provide safe access and escape routes as part of an agreed emergency plan.
- 10.26. As set out above, the site lies within flood zone 3b (functional floodplain). Flood Zone 3b is defined as “land where water has to flow or be stored in times of flood”, in accordance with Table 1 ‘Flood Risk’ of the Planning Practice Guidance. The proposed development is classed as ‘more vulnerable’ in accordance with Table 2 ‘Flood risk vulnerability classification’ of the Planning Practice Guidance. The proposed land use would however remain the same as the existing with a reduced

built footprint and therefore, the proposed development is considered acceptable in terms of flood risk in accordance with policy RE3 of the Oxford Local Plan.

- 10.27. However, the proposed development is not considered acceptable in terms of safe access and egress during times of flood. The proposal would increase the number of rooms to 43 from 17, which is a potential increase in occupants at any one time from 34 to 86. Environment Agency (EA) /DEFRA guidance is that a route of access/egress should be provided that is safe for all, on the basis that this is not provided, there may be additional burden placed on emergency services in times of flood, if occupants are required to be evacuated. The flood hazard maps have not been included within the submitted FRA, however mapping held by the City Council shows that the routes to a safe area places 'Danger to Most', which is not acceptable. Officers advised the applicant that the hotel should be closed upon receipt of a flood warning from the EA to ensure safe egress for all occupants, however an amended FRA, specifically addressing this, was not forthcoming. Therefore, the proposed development does not comply with policy RE3 of the Oxford Local Plan and paragraph 163 of the NPPF.

vi. Highways

- 10.28. In the case of the redevelopment of an existing or previously cleared site, policy M3 of the Oxford Local Plan 2036 states that there should be no net increase in parking on the site from the previous level and requires a reduction in parking where there is good accessibility to a range of facilities.
- 10.29. The application proposes to increase the number of vehicular parking spaces by 2, from 17 to 19. It is acknowledged that the highways authority has objected to the proposals due to concerns that the proposal would result in overspill parking on surrounding residential streets which are not currently within a Controlled Parking Zone, and as such has requested that further additional parking spaces are provided on-site. However, the application site is in a highly sustainable location with good access to public transport and local amenities and is therefore considered an appropriate location to reduce parking on-site in accordance with policy M3. In light of the requirements of policy M3, the proposal is considered unacceptable in terms of its vehicular parking provision.
- 10.30. Policy M5 of the Oxford Local Plan 2036 requires hotels to provide at least 1 bicycle parking space per 5 non-resident staff (or other people), plus 1 space per resident staff. The proposal provides 10 covered and secure cycle parking spaces, which is considered satisfactory in accordance with policy requirements. However, the location of the cycle parking as proposed is not considered acceptable as they would be difficult to access as the spaces would be restricted when the adjacent car parking spaces are occupied. The proposal is therefore considered unacceptable in terms of its cycle parking provision.
- 10.31. With regards to the proposed 2 bedroom apartment, 1 no. vehicular parking space is proposed to the front of the property. Whilst the application site is within a highly sustainable location as set out above, and the Council would encourage car-free development, the site does not lie within a CPZ and therefore the proposed parking provision is considered acceptable in accordance with policy M3 of the Oxford Local Plan 2036. The proposal does not include separate cycle parking

provision for the dwelling, policy M5 of the Oxford Local Plan 2036 requires dwellings of up to 2 bedrooms to provide at least 2 spaces, and therefore a proportion of the cycle parking provision proposed within the hotel car park would need to be located within the boundary of the dwelling.

- 10.32. The highways authority considers that the supporting Transport Statement is acceptable and the trip rate figures are based on appropriate comparisons from the TRICS database. The net gain of 11 vehicles/hr during the AM/PM peak period is insignificant and unlikely to have a detrimental impact on the local highway network. In terms of the proposed access, visibility splays would need to be submitted to demonstrate that adequate pedestrian visibility could be provided. This could be secured by condition if permission were to be granted.

viii. Other Matters

- 10.33. The application site address is listed as 178-184 Abingdon Road whereas the application site location plan only edges 180-184 Abingdon Road. 178-184 Abingdon Road is listed as the application site address by the applicant. This is because the application site address is taken from the address of the application property and it is listed this way in the Royal Mail database and the Council's database. Officers are satisfied that the application site location plan is correct and this defines accurately the area where the development is proposed to take place.
- 10.34. Officers have carefully considered the matters raised in public consultation when reaching a recommendation to refuse planning permission.

11. CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.3. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. In summary, the proposed development is not considered acceptable for the reasons set out within this report and would not accord with the relevant policies of the Oxford Local Plan 2036.

Material consideration

11.5. The principal material considerations which arise have been addressed in earlier sections of this report.

11.6. National Planning Policy: the NPPF has a presumption in favour of sustainable development.

11.7. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

11.8. Officers consider that the proposal would not accord with the overall aims and objectives of the NPPF for the reasons set out within the report.

11.9. Officers would advise members that, having considered the application carefully, the proposal is not considered acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Local Plan 2036 when considered as a whole. There are no material considerations that would outweigh these policies.

11.10. It is recommended that the Committee resolve to refuse planning permission for the development proposed.

12. APPENDICES

Appendix 1 – Site location plan

13. HUMAN RIGHTS ACT 1998

13.1. 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

14.1. 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.

Appendix 1 – Location Plan

20/01156/FUL – Victoria Hotel, 178-184 Abingdon Road



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SITE LOCATION PLAN

PLANNING

REV	DESCRIPTION	DATE
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RIBA  arcb

THE EDGE HOTEL
 180 ABINGDON ROAD, OXFORD
 [98]

Site Location Plan

Drawing Title	101
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West Area Planning Committee

10th November 2020

Application number: 20/01314/FUL

Decision due by 8th September 2020

Extension of time 17th November 2020

Proposal External and internal alterations to provide single Class A1 retail use (amalgamation of Units 1 and 2), new shop front, insertion of mezzanine floor, erection of sprinkler tanks and pump house, siting of chiller and cold storage units, limited variation in permitted range of goods to enable sale of food and drink from up to 250 sq.m. net for consumption off the premises, provision of ancillary garden centre and cafe.

Site address Unit 1 And Unit 2, Botley Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Jericho And Osney Ward

Case officer James Paterson

Agent: Mr Mark Wood **Applicant:** Mr Adam Dunn

Reason at Committee This is a major application.

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
- Finalise the recommended legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the

planning permission

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the alterations to two existing commercial units to create a single retail unit (Use Class A1, now Class E). The proposal also includes a new shop front, cycle parking to the front and rear of the unit, the erection of new sprinkler tanks and chiller units. The application also includes additions and alterations internally; a mezzanine floor would be erected and a garden centre added to the rear yard to create additional floorspace. This application would also seek to change the existing arrangement to allow 250m² of the unit to be devoted to pre-packaged food for preparation and consumption off the premises in addition to a café area.
- 2.2. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations support the grant of planning permission.
- 2.3. The scheme would also accord with the aims and objectives of the National Planning Policy Framework. The proposal would constitute sustainable development and given conformity with the development plan as a whole, paragraph 11 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a unilateral undertaking to cover the fee of monitoring the travel plan required by condition 8. This would be the sum of £ 1,426.00.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

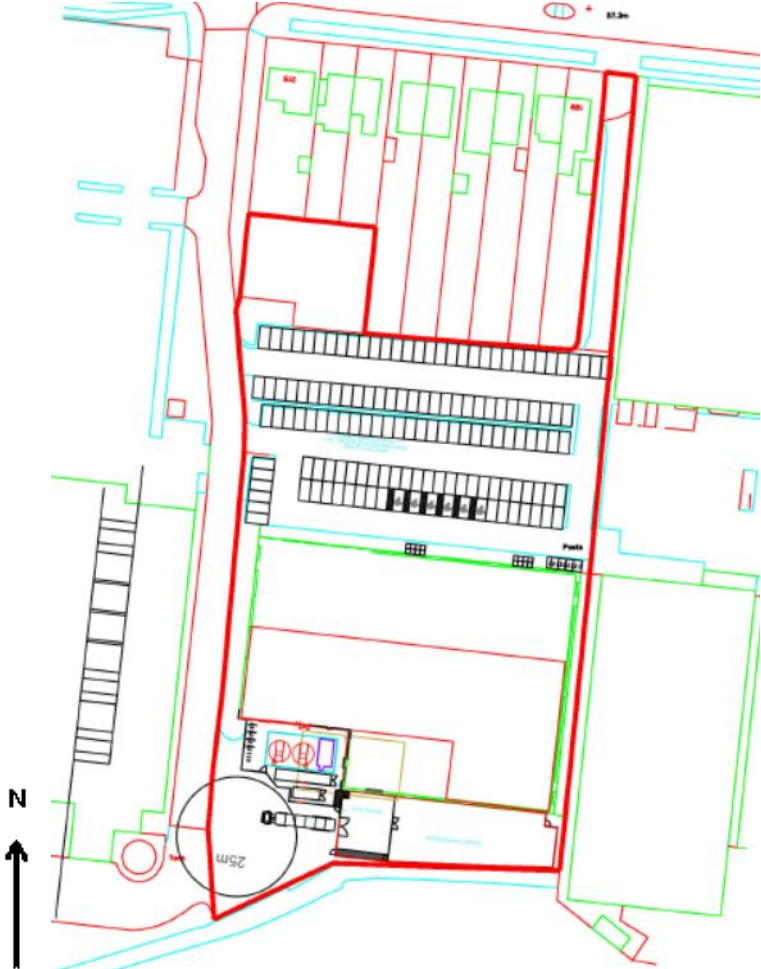
- 4.1. The proposal is liable for CIL. The amount due would be £127,830.40.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within the Botley Road retail parks area on the western city approach, to the south of Botley Road, near to the junction with Seacourt Park and Ride.
- 5.2. The application site consists of two large vacant A1 retail units, formerly used by Oak Furniture Land and Argos. The former unit is currently 1,334m² while the other unit is 2,306m². The lawful use of the site, in terms of this application by virtue of it being submitted prior to September 2020, is in an A1 retail capacity; this would now be considered Class E.
- 5.3. The site is exclusively served by approximately 140 car parking spaces, including 6 disabled spaces; this would not be altered as part of this application. 9 customer cycle parking spaces would be provided to the front of the shop while 12 staff cycle parking spaces would be provided to the rear of the unit.

5.4. The site is located within a retail park and is therefore surrounded by commercial premises while there are some residential dwellings along Botley Road to the north, set 86m from the application site. To the south of the site lies undeveloped land which forms part of Oxford’s green belt and is an area of public amenity.

5.5. See block plan below:



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6. PROPOSAL

6.1. The application proposes to amalgamate two shop units, for which the lawful use is as retail (Use Class A1). The shop units were formerly in use by Oak Furniture Land and Argos. Associated external alterations are also proposed; these amount to the relocation of fire exits and minor changes to the shop front, including the replacement of the front door to Unit 1 with a glazed panel and the replacement of a shutter with glazed doors to the rear to provide access into the proposed garden centre. Other minor changes are included largely amounting to the insertion of new roller shutters and minor alterations to existing glazing units.

6.2. In the rear service yard, two steel chiller units would be installed. These would both be 2.5m high and 2.4m wide while one would have a length of 12.5m and the other a length of 5.5m. Furthermore, two circular metal water tanks would be erected to serve the sprinkler system, these would be 4.6m high and would have

a diameter of 4.6m. The rear service yard would then be enclosed by a 3m anti-climb metal mesh fence.

6.3. Internally, the mezzanine floor would be extended across both units to a total size of 1,307m². While the existing A1 retail use would remain the dominant use, with the majority of floorspace devoted to the sale of non-food items, a café would be installed which would occupy 168m² of the mezzanine floor. This would be for customers to buy hot food and drink for consumption off the site. Furthermore, 250m² would be allocated to the sale of pre-packaged food for preparation and consumption away from the site. 452m² of the former service yard would be given to the new proposed garden centre to the rear of the unit. The total floor space for retail use would be 4,141m². The Range would be the operators of the site; Iceland would act as suppliers for the pre-packaged food items for sale.

7. RELEVANT PLANNING HISTORY

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

87/00762/NOY - Demolition of garage & showroom. 124,728 sq. ft of non-food retail, including garden centre of 4,200 sq. ft, with 550 car spaces & access to Botley Rd. Extension of light industrial premises by 800 sq. ft (duplicate application, revised). PER 5th June 1989.

92/01183/NOY - Outline application (seeking approval for siting, means of access and external appearance) for one 30,000 square feet non-food retail unit plans plus car parking (186 spaces) and service area accessed from Botley Road. PER 22nd July 1993.

93/01209/NFY - Erection of building to provide non-food retail floor space (35,500 sq. ft./3,298sq.m.) divided into 2 units, 142 parking spaces for customers, 9 staff parking spaces and service yard (scheme B)(amended plans). PER 26th January 1994.

94/00911/A - Individual illuminated letters and internally illuminated box sign at high level above entrance on front (north) elevation.. PER 1st September 1994.

97/00437/A - Internally illuminated signs (letters only) above front entrance (Amended Plans). PER 20th August 1997.

98/01455/NO - Rear extension to retail warehouse (Comet) for 464 sq. m non-food retail floor-space (including details of siting & use of existing means of access). Use of car park & service yard. Relocation of fire exit from side to rear of Argos (Unit 1, Botley Road). PER 1st April 2000.

07/01846/CPU - Certificate of lawfulness in respect of completion of installation of mezzanine floors.. PER 25th September 2007.

08/00768/ADV - Display of 2 x internally illuminated fascia signs. 1 x non

illuminated box sign and 1 x non illuminated projecting sign (retrospective).. PER 18th June 2008.

20/01327/ADV - Display of 3 no. Internally illuminated fascia signs, 15 no. non-illuminated fascia sign. 5 no non-illuminated post signs.. PER 28th August 2020.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	117-123, 124-132	DH1, DH6, DH7		
Commercial	170-183	V1		
Transport	117-123	M2, M3, M5		
Environmental	117-121, 148-165, 170-183	RE3, RE4, RE6, RE7, RE8		
Miscellaneous	7-12	S1		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 8th July 2020 and an advertisement was published in The Oxford Times newspaper on 9th July 2020.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection; conditions relating to a transport plan, construction traffic management plan and delivery and servicing plan required. A S106 agreement required was also requested to secure a contribution of £1,426.00 to the County Council to cover the cost of monitoring the travel plan.

Oxfordshire County Council (Lead Flood Authority)

9.3. Objection. The proposal fails to meet the County's standards for drainage and surface water run off.

Thames Water Utilities Limited

9.4. No objection in terms of foul water, surface water or water network and water treatment infrastructure capacity. Additional information has been requested in

relation to drainage strategy details on the connection points and the proposed pump rate for foul water.

Environment Agency

9.5. Objected due to the lack of a flood risk assessment. A flood risk assessment has since been submitted by the applicant. No further comment from the Environment Agency was received by the Council

Public representations

9.6. No local people commented on this application.

Officer response

9.7. Officers have considered carefully the objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the reasons for 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.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of Development
- ii. Design
- iii. Noise
- iv. Drainage/ Flooding
- v. Transport
- vi. Air Quality
- vii. Land Quality

i. Principle of development

10.2. Policy V1 of the Oxford Local Plan 2036 states that proposals for development of town centres uses outside a centre must demonstrate compliance with the 'sequential test'. Furthermore, planning applications for retail and leisure development outside centres which are 350m² (gross) or more, must be accompanied by an 'impact assessment' and as part of such an assessment, demonstrate with evidence that there will be no adverse impact on the vitality and viability of the existing centres, and that good accessibility is available for walking, cycling and public transport.

10.3. This application relates to an existing large retail use outside of any defined city or district centre and would entail the net addition of 860m² of floor space therefore must demonstrate via a retail assessment that the proposed use would not have an adverse impact on the vitality or viability of existing centres.

Furthermore, it must be demonstrated that the site is readily accessible via sustainable modes of transport.

- 10.4. Planning officers note that the introduction of the proposed café and a small offering of pre-packaged food for consumption off the site represents a change from the existing arrangement. Indeed these uses were limited in the existing planning permission under which the units operated which prohibited these uses; condition 13 of permission 93/01209/NFY. Therefore, officers have required a robust assessment to ensure that the proposed use would not harm the vitality of established centres.
- 10.5. Planning officers consider that the submitted retail impact assessment is proportionate to this proposal, but still provides a thorough consideration of the potential impacts of both the comparison and convenience goods expenditure on the city centre and nearby Botley centre. The submitted retail assessment adequately demonstrates that overall there would be a 'net deduction' from this development proposal as compared to former occupants of these units. It also demonstrates that in 2022 the majority of impacts will fall on the large food stores and retail warehouses currently in out-of-centre locations, which would therefore not adversely impact the vitality of established centres which do not contain as many large supermarkets or warehouses. Furthermore, given the nature of the goods that the proposed unit would sell, it is expected that the impact of the unit would be more widespread as the shop would draw its customer base from a wider area than the city centre and district areas do. While there would be some impact on the city centre in particular, this has been projected as being quite minor.
- 10.6. However, planning officers note that the proposal includes a complimentary set of uses meaning that there are concerns that customers can satisfy all of their daily needs in the shop while also being able to enjoy a hot drink and food. This would negate the need for them to travel to established commercial centres. The applicant has satisfactorily demonstrated through the submitted retail assessment which described the proposed uses that the unit would not satisfy all of customer's daily needs. This is because the sale of pre-packaged food would be limited to largely frozen food and the limited floor space would also mean that there would not be a sufficient range of food that would satisfy all of customers' needs. The food items for sale would be limited which would mean that customers would be limited to purchasing convenience items; it would not negate the need for them to visit bespoke food retailers; although it is noted these largely amount to out of centre supermarkets in any case. Furthermore, the café would be of a size to serve existing customers as they shop. It would not be of sufficient scale to prevent potential customers from journeying to the city and district centres for hot food and drink; the draw this café would create would not lead to the unit being a destination in itself. However, to ensure the café and food retail uses do not expand to the point where they would impact the vitality of commercial centres, condition 12 has been included. This limits the amount of floor space which may be dedicated to either of these uses.
- 10.7. Considering the above, and subject to condition 12, this proposal is acceptable in principle and complies with Policy V1 and shows that the nearby city centre

and Botley centre commercial areas would not be adversely affected by the proposal.

ii. Design

- 10.8. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.
- 10.9. Policy DH6 states that planning permission will only be granted for new or changed shopfronts and advertisement consent will only be granted for signage and other forms of advertisement where the design, positioning, materials, colour, proportion and illumination are not detrimental to assets with heritage significance or visual or residential amenity, as demonstrated through the criteria set out in the policy, all of which should be met.
- 10.10. Policy DH7 of the Oxford Local Plan 2036 states that permission will only be granted where outdoor needs are properly accommodated, including refuse and recycling storage. Bins should be provided in accordance with Oxford City Council's Technical Advice Note on bin storage.
- 10.11. The alterations to the external facades of the unit, namely altering the doorways and glazing would not result in the unit looking noticeably different to the existing arrangement; the character of the unit would not change. The additions to the rear of the site would be large and not particularly sympathetic in appearance. That being said, these changes would take place to the rear and would not be readily visible from the public realm; furthermore these additions would be functional additions to the site necessary for its operation and would be read as such.
- 10.12. The addition of the trolley park and cycle parking to the front of the unit would be very minor and would not be particularly visually obtrusive or noticeable.
- 10.13. Officers are also satisfied that the rear service yard would provide sufficient space to accommodate any commercial waste bins which may be associated with the proposed use.
- 10.14. Considering the above, the proposal is of acceptable design quality and thereby accords with Policies DH1, DH6 and DH7.

iii. Noise

- 10.15. Policy RE8 of the Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Planning permission will also not be granted for development that will generate unacceptable noise and vibration impacts. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless it can be demonstrated, through a noise assessment, that appropriate attenuation measures will be provided to ensure an acceptable level of

amenity for end users and to prevent harm to the continued operation of existing uses.

10.16. A suitable noise assessment has been submitted by the applicant. This demonstrates that the proposed use and alterations would not give rise to an unacceptable amount of noise. It is further noted that the nearest dwellings are 80m from the application site and the retail park in which the site is situated does not contain any sensitive uses.

10.17. Having considered the above, the proposal would be acceptable in terms of noise and Policy RE8.

iv. Drainage/ Flooding

10.18. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Minor householder extensions may be permitted in Flood Zone 3b, as they have a lower risk of increasing flooding. Proposals for this type of development will be assessed on a case by case basis, taking into account the effect on flood risk on and off site. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

10.19. The original submission did not include a flood risk assessment. Given that the site is located within a Flood Zone 3 area, this is a technical requirement; on this basis the Environment Agency has objected to the application. A flood risk assessment was subsequently submitted and, council officers consider, sufficiently demonstrates that the flood risk associated with the site and its use would not give rise to an increase in flood risk. While the objection of the Environment Agency has been afforded great weight, given their position as a statutory consultee, officers consider that the reason given for their objection has been overcome by the submitted flood risk assessment. Therefore planning officers consider that this would not substantiate grounds for refusing the application. Planning officers also consider that the submitted flood risk assessment sufficiently demonstrates that the flood risk on the site would not be worsened by the proposed change of use of the site. However, further details are required to assess the impact of the proposed pump rooms and sprinkler tanks. The risk to these, and the risk from these must be assessed and mitigated. Therefore a revised flood risk assessment addressing these issues has been requested by condition 13.

10.20. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy. Applicants must demonstrate that they have had regard to the SuDS Design and Evaluation Guide SPD/ TAN for minor

development and Oxfordshire County Council guidance for major development.

- 10.21. Planning officers note that Thames Water have not objected to the scheme on any grounds.
- 10.22. Given that this application is for a major development, the County Council's view has been afforded great weight, given their status as statutory consultees. They consider that the application is unacceptable as the drainage arrangements fail to meet their requirements. Given that this site is previously developed, they expect the peak runoff rate from the development to any drain, sewer or surface water body must be as close as reasonably practicable to the greenfield runoff rate but should never exceed the rate of discharge from the development prior to redevelopment for that event. They also expect 40% reduction as a minimum applied to the existing brownfield rates.
- 10.23. Planning officers note that the application relates mostly to the expansion of the mezzanine floor, minor alterations to door openings on the external elevation and a change to the range of goods being sold from the site. While there are minor additions to the site, these largely amount to cycle parking, which is of little consequence on terms of how the site is drained, and the addition of sprinkler tanks and chillers within the existing service yard to the rear. Planning officers have carefully considered the drainage requirements of the County Council. However, having considered the above, it is considered in this instance that these requirements would necessitate unnecessarily disproportionate measures to be put in place having had regard to the scale of development proposed. Planning officers therefore consider the proposal to be acceptable subject to conditions 10 and 11 which requires details of how the site is to be drained via SuDS and how these are to be maintained for the lifetime of the development. This will allow the applicant to prepare a drainage strategy which is more feasible and proportionate to the scale of the development
- 10.24. The proposal is acceptable in terms of drainage and flood risk, subject to conditions and therefore accords with the requirements of Policies RE3 and RE4.

v. Transport

Sustainability

- 10.25. Policy M2 of the Oxford Local Plan 2036 states that a Transport Assessment must be submitted for development that is likely to generate significant amounts of movement, in accordance with the requirements as defined in Appendix 7.1. In addition, development which meets the relevant criteria must include a travel plan. Where a Travel Plan is required under this policy and a substantial amount of the movement is likely to be in the form of delivery, service and dispatch vehicles, a Delivery and Service Management Plan will be required.

- 10.26. The applicant has submitted a transport statement to address some of the concerns the County Council had raised in their consultation response. While the contents of the transport statement demonstrate that the principle of the proposal would be acceptable in terms of transport, further detail is still required to ensure compliance with Policy M2. A construction traffic management plan, delivery and service plan, and travel plan are required by condition because of this. Officers consider that while some additional journeys may be generated as a result of the additional floor space being proposed, this would likely be acceptable due to the good sustainable transport links the site currently enjoys.
- 10.27. It is noted that a S106 agreement or unilateral undertaking has been requested by the County Council to secure funds for the monitoring of the submitted travel plan. Planning officers note that the monitoring of the travel plan is extremely important to its success and a requirement of Policy M2. Therefore planning officers recommend approval of this application subject to a S106 agreement/unilateral undertaking to secure the payment of a monitoring fee in respect of the travel plan to ensure that the County Council can undertake this monitoring.

Car Parking

- 10.28. Policy M3 of the Oxford Local Plan 2036 states that the parking requirements for all non-residential development, whether expansions of floorspace on existing sites, the redevelopment of existing or cleared sites, or new non-residential development on new sites, will be determined in the light of a submitted Transport Assessment or Travel Plan, which must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development.
- 10.29. In this case, no comprehensive travel plan is available to inform the number of car parking spaces which may be appropriate for this site. However, this application proposes additional floorspace to existing retail units but does not propose any additional parking. This is considered acceptable as this would not lead to a worsening of the existing situation.
- 10.30. The application does not propose any additional parking. This is considered acceptable as this would not lead to a worsening of the existing situation.

Cycle Parking

- 10.31. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.47.3. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as facilities for electric charging infrastructure.

- 10.32. 12 cycle parking spaces are proposed for sole use by members of staff. These would be located in the rear service yard and would be readily accessible and well-located to serve members of staff. Twelve spaces are also considered sufficient for a single commercial unit of this size. This element of the proposed cycle parking is considered acceptable.
- 10.33. Only nine customer cycle parking spaces would be provided as part of this development. The spaces would also not be covered, although officers note that the parking would be well-located, convenient and secure, given the natural surveillance that would be afforded of it. Planning officers consider that the number of spaces and their lack of cover would not accord with the requirements of M5. The requirements of M5 mean that 36 covered cycle parking spaces would be needed. Officers note that there would be sufficient space to the front and side of the building for this to be accommodated and this requirement to be satisfied. Officers have therefore included condition 5, which requires these details.
- 10.34. Subject to the proposed conditions, the proposal would be acceptable in terms of transport, specifically in terms of sustainability, car parking and cycle parking. The proposal would therefore accord with Policies M2, M3 and M5.

vi. Air Quality

- 10.35. Policy RE6 of the Oxford Local Plan 2036 states that planning applications for major proposals (10 or more dwellings or 1000 square metres) which would carry a risk of exposing individuals to unacceptable levels of air pollution must be accompanied by an Air Quality Assessment (AQA). Where the Air Quality Assessment indicates that a development would cause harm to air quality, planning permission will not be granted unless specific measures are proposed and secured to mitigate those impacts.
- 10.36. Given that this development proposal constitutes a major planning application which may give rise to unacceptable levels of air pollution, an air quality assessment has been required. This was subsequently provided by the applicant.
- 10.37. Having had regard to the submitted air quality assessment, officers have concluded that there would likely not be negative air quality impacts on current and future receptors as a result of the proposed development. However, having considered the potential emission from dust during the construction phase of the development, officers consider that it is extremely important to guarantee that the site specific mitigation measures that were identified on the dust assessment would be put in place. Planning officers therefore recommend that condition 9 is included to secure necessary site specific mitigation of dust from construction.
- 10.38. Subject to condition 9, planning offices consider that the proposal would have an acceptable impact in terms of air quality and Policy RE6.

vii. Land Quality

- 10.39. Policy RE9 of the Oxford Local Plan 2036 states that planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which fulfils the relevant criteria set out in the policy. Where mitigation measures are needed, these will be required as a condition of any planning permission.
- 10.40. Officers have reviewed the application documents and the Council's historical records relating to land quality. The site and surrounding area has had a varied commercial and industrial use and historical site investigations have previously identified significant ground contamination risks in the area which have been largely addressed during previous development work. However, whilst it is unlikely that significant contamination risks are present, there remains a small risk that unexpected contamination may be encountered during any groundworks that may occur at the site. Officers therefore recommend that a condition is placed on any planning permission in case any unexpected contamination is encountered during development. This is included as condition 4.
- 10.41. Subject to condition 4, the proposal is acceptable in terms of land contamination and Policy RE9.

11. CONCLUSION

- 11.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject the completion of a legal agreement or unilateral undertaking made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers and to the conditions set out in section 12 of the report.
- 11.2. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.3. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes it clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.4. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.5. In summary, the proposed development would be an acceptable addition to the site. The proposal is suitable in terms of local planning policy and complies with the relevant policies of the Oxford Local Plan 2036.

11.6. Therefore officers consider that the development accords with the development plan as a whole.

Material consideration

11.7. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.

11.8. National Planning Policy: the NPPF has a presumption in favour of sustainable development.

11.9. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

11.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be granted without delay.

11.11. Officers would advise members that, having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Local Plan 2036 when considered as a whole. There are no material considerations that would outweigh these policies.

12. CONDITIONS

1 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.

2 Subject to condition 5, 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 S1 of the Oxford Local Plan 2036.

- 3 The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policies S1 and DH1 of the Oxford Local Plan 2036.

- 4 A watching brief shall be undertaken throughout the course of the development to identify any unexpected contamination. Any contamination that is found during the course of construction of the approved development 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 RE9 of the Oxford Local Plan 2036

- 5 Notwithstanding the approved plans, prior to the occupation of the site final details of customer cycle parking, including dimensions and 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 M5 of the Oxford Local Plan 2036.

- 6 A Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. The CTMP shall follow Oxfordshire County Council's template. This shall identify;

- o The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- o Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- o Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- o Contact details for the Site Supervisor responsible for on-site works,

- o Travel initiatives for site related worker vehicles,
- o Parking provision for site related worker vehicles,
- o Details of times for construction traffic and delivery vehicles, which must be outside network peak hours,
- o Engagement with local residents

The construction of the development shall then take place in accordance with the approved details

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, in accordance with Policy M2 of the Oxford Local Plan 2036.

- 7 A plan showing the location vehicles will use for deliveries shall be submitted and approved in writing by the Local Planning Authority prior to commencement of the development. This should include full tracking drawings for vehicles entering the site, turning and exiting in a forward gear. The submitted document shall also set out the management of deliveries and state that deliveries must not take place between the peak hours of 07:30-09:30 or 16:30-18:30.

The proposed development shall then only be operated in accordance with the approved plans and delivery hours

Reason: To mitigate the impact of delivery vehicles on the highway network at peak times, in accordance with Policy M2 of the Oxford Local Plan 2036.

- 8 Prior to first occupation a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan should then be updated within 3 months of occupation and submitted in writing to the Local Planning Authority. The approved details shall be implemented on the occupation of the unit.

Reason: To promote sustainable modes of transport, in accordance with Policy M2.

- 9 No development shall take place until a Construction Environmental Management Plan (CEMP), containing the site specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found on Tables 6.1 and 6.2 (pages 20-22) of the Air Quality Assessment that was submitted with the application. Development shall then only take place in accordance with the approved details

Reason: to ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and with Policy RE6 of the Oxford Local Plan 2036.

- 10 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 (LPA). The plans, calculations and drainage details shall be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The development shall then be carried out in accordance with the approved details.

The plans, calculations and drainage details submitted shall demonstrate that;

I. The drainage system is designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.

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 runoff rates.

IV. Where sites have been previously developed, discharge rates should be at greenfield rates.

Any proposal which relies on Infiltration shall be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved in writing by the LPA. Consultation and agreement shall also be sought with the sewerage undertaker where required.

Reason: To ensure compliance with Policy RE4 of the Oxford Local Plan 2016 - 2036

- 11 A SuDS maintenance plan shall also be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The Sustainable Drainage (SuDS) Maintenance Plan shall be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDs maintenance plan shall 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 safely and effectively in perpetuity. The sustainable drainage system shall be maintained in accordance with the approved SuDS maintenance plan in perpetuity.

Reason: To ensure compliance with Policy RE4 of the Oxford Local Plan 2016 - 2036

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) this permission limits the floor space which may dedicated to the sale of pre-packaged food for consumption

off the site to 250sqm and the floor space dedicated to facilitating the sale of hot food and beverage for consumption on the site to 200sqm. No other sale of food shall take place on the site.

Reason: To ensure the hierarchy of centres is adhered to and the proposal would not harm the vitality of defined city centre and district centres, in accordance with Policy V1 of the Oxford Local Plan 2036.

- 13 Prior to the commencement of works, a revised flood risk assessment shall be submitted to and approved in writing by the local planning authority. This shall assess the flood risk to, and resulting from, the proposed pump rooms and sprinkler tanks and mitigated. Development then shall only take place in accordance with the approved details.

To ensure the development would not give rise to unacceptable flood risk in accordance with Policy RE3.

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

Appendix 1 – Location Plan

20/01314/FUL - Unit 1 And Unit 2 Botley Road



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Minutes of a REMOTE meeting of the West Area Planning Committee on Tuesday 13 October 2020

Committee members present:

Councillor Cook (Chair)	Councillor Gotch (Vice-Chair)
Councillor Gant (for Councillor Wade)	Councillor Hollingsworth
Councillor Howlett	Councillor Tarver
Councillor Tanner (for Councillor Corais)	Councillor Upton

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services
Sally Fleming, Planning Lawyer
Andrew Murdoch, Development Management Service Manager
Robert Fowler, Planning Team Leader
Jennifer Coppock, Senior Planner
James Paterson, Senior Planning Officer
Mike Kemp, Senior Planning Officer
John Mitchell, Committee and Member Services Officer

Apologies:

Councillors Corais and Wade sent apologies.

Substitutes are shown above.

35. Declarations of interest

Councillor Cook stated that he was a Council appointed trustee for the Oxford Preservation Trust and a member of the Oxford Civic Society. Accordingly he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee. He said that he was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision. He also noted, on a personal basis, that in relation to item 3 (**20/01468/FUL**) one of the doctors' surgeries which might move into the premises was his own surgery however he considered that this would not affect his judgment of the application which he would approach with an open mind.

Councillor Gotch stated that as a member of the Oxford Preservation Trust and of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee. He said that he was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Upton stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, she had taken no part in those organisations' discussions or decision making regarding the applications before the Committee. She said that she was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

20/01784/FUL- Councillor Gotch also declared that whilst he had been a Member who had called this item he had not made his mind up on the matter and came to the meeting with a completely open mind.

19/02817/FUL - Councillor Tanner declared that whilst he had been a Member who had called in this item he had not made his mind up on the matter and came to the meeting with a completely open mind.

20/01784/FUL Councillor Gant declared that whilst he had been a Member who had called in this item he had not made his mind up on the matter and came to the meeting with a completely open mind.

36. 20/01468/FUL: 13-21 Cornmarket Street Oxford OX1 3HE

The Committee considered an application (20/01468/FUL) for change of use of basement, part ground and part first floor from retail (Use Class A1) to a GP Surgery (Use Class D1).

The Planning Officer presented the report and provided a verbal update to the submitted report, recommending the addition of a "Grampian condition" following additional consultation with the applicant requiring the submission of further details relating to the installation of a rising bollard to facilitate ambulance access to Cornmarket and Market Street and the implementation of the approved details.

Mr Simon Sharpe (Agent), Mr Matthew Bramhall (Practice Manager, King Edward St Medical Practice) and Mr David Stevenson (Jesus College) spoke in support of the application.

The Committee expressed some concerns about patient access to the Health Centre given the absence of parking in the immediate vicinity. Officers reaffirmed the view expressed in the report that access to public transport, city centre car parks and other considerations mitigated those concerns to a sufficient degree. It was also recognised that some responsibility for ensuring sufficient ease of access to healthcare facilities for patients lay with the NHS trust and the practices which would be re-locating.

The Committee noted that the proposed active frontage on Market Street was not as optimal as had been described in the Committee's previous discussions about this site. It was recognised that as a Health Centre it would not be as active as if for retail use. Nonetheless it would be glass fronted and officers were satisfied that the applicant had done all that was reasonable in respect of the matter. It was also noted that the presence of the Health Centre would attract significant numbers of people who might

not otherwise come to that part of the city centre which, combined with other improvements to Market Street, would increase the likelihood of increased footfall in the Covered Market.

The Committee expressed some concern about the ground floor lobby which, whilst it would be monitored by CCTV, might be vulnerable to unwanted and anti-social activity. It was determined that this would be a matter for the practice to address.

Notwithstanding the concerns raised, the Committee welcomed the significant improvement to the local healthcare provision which the scheme would provide.

In reaching its decision the West Area Planning Committee considered all the information put before it. On being proposed, seconded and put to the vote, the Committee agreed with the officers' recommendation to approve the application with the addition of the delegation to the Head of Planning Services to finalise the wording of a Grampian condition to secure the details relating to the installation of a rising bollard to facilitate ambulance access to Cornmarket and Market Street and the implementation of the approved details.

The West Area Planning Committee resolved to:

1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of the report including the addition of a further condition as referred to above and grant planning permission; and
2. **Delegate authority** to the Head of Planning Services to:
 - Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
 - Agree the wording of a Grampian condition relating to the provision of a rising bollard to facilitate ambulance access to Cornmarket and Market Street and the implementation of the approved details.

37. 20-01139-FUL: Cherwell House, Osney Lane, Oxford, OX1 1BZ

The Committee considered an application (20-01139-FUL) for the erection of additional second and third floors to provide 26 no. en-suite student bedrooms and 2 x 1-bed warden flats. Alterations including re-cladding of the existing building. Extension of existing bin store and erection of new bike shelter. (Amended plans) (Amended description)

The Planning Officer presented the report.

Rhiannon Ash (Resident) spoke against the application.

Adrian James (architect/agent) spoke in support of the application and Stephen Clarke (applicant) was present and answered questions from the committee.

The Committee considered a number of points of detail on the application including but not limited to the following. In response to a question the applicant said they were in favour of the provision of sprinklers in the new development which they would discuss with building control. Officers confirmed that while not a University, the application of

Policy H8 was relevant in this case; as an extension to an existing student accommodation block there was therefore no objection to the principle. Policy RE1 was not applicable as the proposal did not meet the ground floor criterion (1,000 square metres) for it.

A question was raised with respect to the safety of cladding material for the building. The applicant confirmed that the DfE had expressed satisfaction with the nature of the current building's non-combustible cladding and that the new build would use the same type of cladding. The fencing around the site was impermeable to animals; the condition relating to ecological enhancements could be adapted to include gaps in the fence to allow the passage of animals. The copper on the building, because of air quality in Oxford and its vertical application, was unlikely to become green. Officers had no evidence of complaints about noise from the current development which would, in any case, be an environmental health matter and not a planning consideration.

In considering a previously refused scheme which had been dismissed on appeal, the committee recognised that the current proposal was different to that scheme and that there were no reasons to object to the current proposal on that basis. Officers also confirmed that there had been significant changes in national and local planning policy since that decision.

In reaching its decision the West Area Planning Committee considered all the information put before it. On being proposed, seconded and put to the vote, the Committee agreed with the officers' recommendation to approve the application.

The West Area Planning Committee resolved to:

1. Approve the application for the reasons given in the report subject to the required planning conditions set out in section 12 of this report; and subject to:

- the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which were set out in the report;

2. Delegate authority to the Head of Planning Services to:

- finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

38. 19/02817/FUL: Land Between 45 And 51 Hill Top Road, Oxford,

The Committee considered an application (19/02817/FUL) for the demolition of existing garage. Erection of 1 x 6-bed dwelling (Use Class C3) and erection of detached garage. Provision of amenity space, bin and cycle stores. Associated landscaping and boundary treatments.

The Planning Officer presented the report.

Stephen Broadley (agent) spoke in support of the application.

The Committee considered a number of points of detail on the application including but not limited to the following. In relation to Policy RE2 the Committee asked whether better use could not have been made of the space in terms of a larger number of dwellings. A great deal of thought had been given to the matter but the limitations imposed by protected tree root systems and the long and narrow nature of the site constrained development on it to such a degree that the application before the Committee was considered acceptable. The site was too far from the nearest shopping facility to require that it be car free. It was observed that if the site was used for a flatted development that would, in turn, probably result in a considerable number of cars for which there would have had to be considerable parking provision on the site.

In reaching its decision the West Area Planning Committee considered all the information put before it. On being proposed, seconded and put to the vote, the Committee agreed with the officers' recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **Delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

39. 20/01784/FUL: 2A Squitchey Lane Oxford OX2 7LB

The Committee considered an application (20/01784/FUL) for the demolition of existing garage, erection of two storey front extension, erection of part single, part two storey side and rear extension, replacement of 2no. windows with 2no. doors to front elevation and alterations to rear boundary fence.

The Planning Officer presented the report.

The Committee considered a number of points of detail on the application including but not limited to the following. In relation to the protection of tree root systems on the site, it was confirmed that technical information would be required to be submitted to the Council's arboricultural experts in advance of any work starting to ensure that the relevant conditions were satisfied. The Committee expressed some concern about the proximity of the wrap around extension to neighbouring properties. It was noted however that as an existing building with permitted development rights, the applicant

was able to extend up to 4 metres to the rear of the house without planning permission. The report also dealt with the matter of neighbouring amenity and concluded that it was not compromised to an unacceptable degree.

In reaching its decision the West Area Planning Committee considered all the information put before it. On being proposed, seconded and put to the vote, the Committee agreed with the officers' recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **Approve** the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **Delegate** authority to the Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

40. 20/01638/FUL: 30A Jericho Street, Oxford, OX2 6BU

The Committee considered an application (20/01638/FUL) for the replacement of existing garage door with 3no. windows in association with conversion of existing garage into habitable space, erection of first floor rear extension, formation of rear juliet balcony to second floor, insertion of 2no. rooflights to rear elevation, installation of green roof to rear and installation of cladding to rear elevation. Alterations to existing front and rear fenestration, insertion of 2no. rooflights to front elevation, insertion of 6no. rooflights over stairwell to front elevation and alterations to existing first floor terrace.

The Planning Officer presented the report and referred the Committee to one minor typographical error and clarification of paragraph 10.31 to make it clear that National Planning Policy Guidance regarded the development proposed to be acceptable in Flood Zone Two.

Cynthia Watson (Resident) spoke against the application.

Theo Svoronos (agent) spoke in support of the application.

The Committee considered a number of points of detail on the application including but not limited to the following. The building was in a conservation area and the proposals before the Committee had been subject to refinement as a result of input from officers in the application process. Furthermore the applicant had brought forward a proposal for a high quality, contemporary building which, while not a pastiche of the surrounding buildings, echoed some of the features of those buildings. The officer report made it clear that the proposal was not judged to cause harm to the conservation area.

The Committee sought reassurance that the window which opened onto Jericho Street would be of a design which did not obstruct or be a cause of possible injury to passers by and it was agreed that officers should be asked to secure details of this arrangement.

In reaching its decision the West Area Planning Committee considered all the information put before it. On being proposed, seconded and put to the vote, the Committee agreed with the officers' recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **Delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

41. 20/01118/FUL: 2 St Peter's Road, Oxford, OX2 8AU

Councillor Tanner left the meeting before discussion of this item was complete.

The Committee considered an application (20/01118/FUL) for the demolition of existing building. Erection of 3 x 3-bed dwellings (Use Class C3). Provision of car parking, private amenity, bin and cycle stores. Repositioning of dropped kerbs. Formation of wall and railings to front and side of boundary. (Amended plans).

The Planning Officer presented the report and provided a verbal update noting that there was no post office in Lower Wolvercote as suggested in the report.

Mary Brown (Chair Wolvercote Commoners' Committee) spoke against the application. John Goddard (resident) spoke in support of the application.

The Committee considered a number of points of detail on the application including but not limited to the following. It was confirmed that there was nothing in the Local Plan or the Wolvercote Neighbourhood Plan to prevent the loss of the shop referred to in the application. The shop hadn't been notified as an asset of community value and evidence had been provided that it was not viable as a business and, therefore, as a community facility.

The Committee expressed some concern over the impact of the car parking space in front of the new dwelling on the streetscene and designated heritage assets in the area. Officers had given this a great deal of thought. Ideally this would have been a car free development but as this was not possible the car parking space was inevitable. The agent was being asked to ameliorate the visual impact with plans for planting to create a more informal look to the area. If the site had been in a CPZ then a no car development would almost certainly have been sought. The area was not thought to be an immediate priority for a CPZ by the County Council.

In reaching its decision the West Area Planning Committee considered all the information put before it. On being proposed, seconded and put to the vote, the Committee agreed with the officers' recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **Approve** the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and

2. **Delegate authority** to the Head of Planning Services to:

- finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

42. Minutes

The Committee resolved to approve the minutes of the meeting held on 08 September 2020 as a true and accurate record.

43. Forthcoming applications

The Committee noted the list of forthcoming applications.

44. Dates of future meetings

This item was noted.

The meeting started at 3.00 pm and ended at 6.35 pm

ChairDate: Tuesday 10 November 2020