

Strategic Development Control Committee -

Application Number: 12/03121/EXT & 12/03122/EXT

Decision Due by: 31st January 2013

Proposal: 12/03121/EXT: Application to extend time limit for implementation of planning permission 09/01036/FUL (Rehabilitation of 190 Iffley Road and erection of 3 storey side and rear extensions. Conversion of extended building to form student hall of residence with 27 study bedrooms, re-landscaping of forecourt. Cycle parking and refuse storage to rear).

12/03122/EXT: Application to extend time limit for implementation of conservation area consent 09/01035/CAC, (Demolition of 190A Iffley Road, service wing attached to 190 Iffley Road and garden building).

Site Address: 190 Iffley Road Oxford Oxfordshire OX4 1SD

Ward: Iffley Fields Ward

Agent: N/A

Applicant: Mr Mark Johnson-Watts

Recommendation:

RESOLVE TO APPROVE SUBJECT TO COMPLETION OF LEGAL AGREEMENT

For the following reasons:

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

- 2 The Council has had regard for the comments received through the consultation process. The issues raised, including those relating to design, impact on the character and appearance of 190 Iffley Road and the conservation area, appropriateness of student accommodation at this location, quality of the proposed accommodation, impact on the residential amenities of neighbouring properties, demolition of existing buildings and restoration of 190 Iffley Road, parking, provision and location of bins and bikes, surface water runoff, occupation and management of the site, have been taken into consideration in determining the application and were not considered to be so significant to render the proposal unacceptable.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

12/03121/EXT: Application to extend time limit for implementation of planning permission 09/01036/FUL (Rehabilitation of 190 Iffley Road and erection of 3 storey side and rear extensions. Conversion of extended building to form student hall of residence with 27 study bedrooms, re-landscaping of forecourt. Cycle parking and refuse storage to rear).

- 1 Development begun within time limit
- 2 Brookes or Oxford University only
- 3 Nominated Educational Establishment
- 4 On site warden
- 5 Housing Management Service Specification
- 6 Sample materials
- 7 Boundary Treatment
- 8 Landscaping plan
- 9 Landscaping after completion
- 10 Landscape Management Plan
- 11 New trees

- 12 Arboricultural Method Statement
- 13 Tree Protection Plan
- 14 Details of artificial lighting
- 15 Details of bin and cycle storage
- 16 Sustainable Drainage Scheme
- 17 No cars
- 18 Construction Management Plan
- 19 No demolition prior to photo record
- 20 Architectural Recording
- 21 Architectural and constructional details
- 22 Architectural details of bay element

Legal Agreements:

- 1. Library Contribution - £1701
- 2. Indoor Sports Facilities - £1620
- 3. Cycle Safety Measures - £3726
- 4. Administration & Monitoring charge of £250

Affordable Housing Contribution:

£93,660 plus £4,683 5% administration fee.

12/03122/EXT: Application to extend time limit for implementation of conservation area consent 09/01035/CAC, (Demolition of 190A Iffley Road, service wing attached to 190 Iffley Road and garden building).

- 1 New demolition without scheme for redevelopment
- 2 Photographic record

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

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs

CP11 - Landscape Design
CP20 - Lighting
CP21 - Noise
HE6 - Buildings of Local Interest
HE7 - Conservation Areas
NE15 - Loss of Trees and Hedgerows
NE16 - Protected Trees
HS15 - Housing in Multiple Occupation
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities

Core Strategy

CS9: Energy and natural resources
CS10: Waste and recycling
CS11: Flooding
CS12: Biodiversity
CS18: Urban design, town character, historic environment
CS19: Community Safety
CS25: Student accommodation
CS29: The Universities
HP5: Location of student accommodation
HP9: Design, character and context
HP12: Indoor space
HP14: Privacy and daylight

Sites and Housing Plan - Submission

Sites and Housing Plan

HP5 – location of student accommodation
HP6 – affordable housing from student accommodation
HP9 – design, character and context

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the St. Clement's And Iffley Road Conservation Area.

Relevant Site History:

72/27080/A_H: Outline application for demolition of existing house and erection of 10x2-bedroom flats and 12 garages for private cars. Refused 27.02.1973.

73/01194/A_H: Demolition of existing house and erection of 10 no. flats. Refused

09.10.1973.

73/01631/A_H: Demolition of existing house and construction of 10 no flats and garages. Refused 11.12.1973.

74/00134/A_H: Demolition of existing house and erection of block of 9 no. flats with garage for private use. Refused 12.05.1974.

74/00503/A_H: Demolition of existing house and erection of 9 no flats with garage. Approved 23.07.1974.

80/00942/NFH: Removal of garage and erection of two-storey building to form two maisonettes. Approved 14.01.1981.

81/00774/NFH: Retention of use for multiple occupation. Approved 30.11.1981.

83/00190/GFH: 88-190 Iffley Road - Change of use from multi-occupation to 11 bedsitters and warden's accommodation for Housing the Homeless. Deemed Consent 23.05.1983.

86/01045/GFH: New buildings adjacent to existing to provide additional accommodation units for homeless families. Deemed Consent 15.12.1986.

06/01575/CAC & 06/01574/FUL: Demolition of 3 buildings. Erection of 3 and 4 storey buildings for use as student accommodation (49 study bedrooms). Alterations to access, provision of 2 parking spaces. Bicycle and bin storage. Conservation area consent and planning permission refused 10th November 2006.

07/01935/CAC & 07/01936/FUL: Conservation Area consent for demolition of existing 3 buildings. Planning permission for the erection of five storey building including basement level for use as student accommodation (48 study bedrooms) and a wardens flat. Cycle parking to front and rear, and refuse storage to rear. Refused (dismissed on appeal).

Representations Received:

A letter of objection has been received from the owners of 'Heather House', a B&B adjacent to the site:

- Impact on the amount of light afforded Heather House
- Potential noise disturbance from the use of the building

A letter of objection has been received from the occupiers of No. 69 Warwick Street:

- 190 is a unique building of architectural and historic interest and the proposal would result in the substantial loss of the building, its Arts and Crafts interior and its historic associations
- Over-development of the site
- The building would be inaccessible to wheelchair users because there are steps in corridors at all levels and thus would not comply with the requirements of the Equality Act 2010

Statutory and Internal Consultees:

Thames Water: No objections.

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

Environment Agency: No objections.

Oxford County Council (Drainage): No comments.

Iffley Fields Residents Association:

- The excessive demolition proposed would destroy the architectural and historic integrity of a unique Arts and Crafts house within the Conservation Area
- The extent of the proposed demolition of No. 190 is greatly excessive
- The design of the proposal is not inkeeping with the existing building or the character and appearance of the conservation area
- The physical attachment of the original 190 to a new and larger building would destroy the independence of the house and its pleasing appearance as a separate dwelling
- Lack of a method statement for the proposed demolition work
- Inadequate standard of residential accommodation
- Adverse impact on the residential amenities of neighbouring properties
- Inadequate provision for waste storage, collection and recycling
- Lack of a waste management plan
- Inadequate cycle provision
- Lack of detail in the plans

Issues:

- The extant permission
- Changes in site circumstances or planning policy

Sustainability:

1. The proposal seeks to make efficient use of an existing urban site within close proximity of local services and non-car mode means of transport.

The Proposal

2. The application seeks a new planning permission to replace the extant permission and conservation area consent granted in 2009 in order to extend the time limit for implementation of the development.

The extant permission

3. The original planning permission (09/01036/FUL) was for the erection of a three storey side and rear extension and the conversion of the extended building to form a student hall of residence with 27 study bedrooms, re-landscaping of forecourt with cycle parking and refuse

storage to rear. An application for conservation area consent (09/01035/CAC) was submitted for the demolition of 190A Iffley Road. Both applications were granted at the Strategic Development Control Committee on 25th November 2009.

4. The current proposals are identical to the original applications. The original committee report has been attached below. This report therefore only considers the proposals now against any changes in national and local planning policies and any other material planning considerations such as changes in circumstances on the site and surrounding area.

Changes in site circumstances or planning policy

5. There have been no changes in site circumstances since the grant of planning permission that would alter the recommendation of approval.
6. In terms of planning policy, the main change is the introduction of the National Planning Policy Framework in March 2012 to replace all the PPS's and PPG's that previously constituted Government guidance for planning. Whilst a significant document, the NPPF largely carries forward existing planning policies and protections in a more streamlined and accessible form. It also introduces the presumption in favour of sustainable development which means that proposals that accord with up to date local plan policies should be approved. Both the Oxford Local Plan and the Oxford Core Strategy which comprise the Development Plan for Oxford are up to date.
7. The emerging Sites and Housing Plan was confirmed as sound by the Inspector's final report which was issued on 2nd January 2013. This policy document has the most significant impact on the acceptability of the current proposal. In accordance with policy HP6: Student accommodation and affordable housing, the proposal would be expected to contribute to affordable housing within the city. This contribution is required for sites which ordinarily, would have the potential for providing affordable housing but through alternative developments, this opportunity is lost, further exacerbating the shortage of affordable housing in the city. The current proposal therefore, exceeds the 20 bedroom threshold and would not fall within the exception criteria within this policy. As a result, the Council has requested a sum of £93,660 on the basis of the proposed new floor area and the applicant's have agreed to enter into a legal agreement to provide these contributions.
8. The remaining new policies within the Sites and Housing Plan considered to be relevant to this application have been listed above and the proposal has been found to be in accordance with these policies.
9. In the absence of any overriding reasons not to issue a further planning permission to replace the permission which was extant at the time of

registration of the current application, officers recommend that planning permission be granted.

10. **Conclusion:** The application is still considered to be an appropriate response to the Inspector's decision, the special nature of the conservation area and the site constraints. It is noted that there have been changes in terms of development plan policies (Oxford Core Strategy 2026) and national policies (National Planning Policy Framework). However, these do not significantly alter the principle of the proposed development, and there have been no significant changes on the site or in the surrounding area which could impact on the recommendation. Therefore, it is recommended that the applications to extend the planning permission and conservation area consent for a further 3 years are granted by the West Area Planning Committee but to delegate powers to officers to grant planning permission on completion of the Legal Agreement to secure the contributions set out in the appended report.

APPENDIX 1: Original Committee report for 09/01036/FUL & 09/01035/CAC

East Area Parliament - 21st October 2009

(1) Application Number: 09/01035/CAC

Decision Due by: 16th July 2009

Proposal: Demolition of 190A Iffley Road, service wing attached to 190 Iffley Road and garden building.

(2) Application Number: 09/01036/FUL

Decision Due by: 16th July 2009

Proposal: Rehabilitation of 190 Iffley Road and erection of 3 storey side and rear extensions. Conversion of extended building to form student hall of residence with 27 study bedrooms, re-landscaping of forecourt. Cycle parking and refuse storage to rear (amended plans).

Site Address: 190 Iffley Road Oxford (**Site Location: Appendix 1**)

Ward: Iffley Fields Ward

Agent: Adrian James Architects **Applicant:** 190 Iffley Road Ltd.

Recommendation:

Resolve to **grant conservation area consent** for the following reasons:

- 1 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

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

- 1 Commencement of works CAC consent
- 2 No demolition before rebuilding contract

Resolve to **grant planning permission** and delegate authority to officers to issue the decision notice upon completion of the Legal Agreement. For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into

consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed. Subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Brookes or Oxford University only
- 3 Nominated Educational Establishment
- 4 Details of site management
- 5 Samples in Conservation Area
- 6 Boundary details before commencement
- 7 Landscape plan required
- 8 Landscape carry out after completion
- 9 Landscape management plan
- 10 Details of artificial lighting
- 11 Details of bin and cycle storage
- 12 Sustainable Drainage Scheme
- 13 No cars
- 14 Construction Management Plan

Legal Agreements:

1. Library Contribution - £1701
2. Indoor Sports Facilities - £1620
1. Cycle Safety Measures - £3726
4. Administration & Monitoring charge of £250

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP2** - Planning Obligations
- CP6** - Efficient Use of Land & Density
- CP7** - Urban Design
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP15** - Energy Efficiency
- CP16** - Renewable Energy
- CP20** - Lighting
- CP21** - Noise
- HE6** - Buildings of Local Interest
- HE7** - Conservation Areas
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- NE10** - Sustainable Drainage
- HS13** - Institutional Student Accommodation
- HS14** - Speculative Student Accommodation

HS15 - Housing in Multiple Occupation
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities

Core Strategy – Proposed Changes

CSP18 - Infrastructure & Developer contributions
CSP19 - Urban design townscape char & historic environment
CSP26 - Student accommodation

Other Material Considerations:

This application is in the St. Clement's And Iffley Road Conservation Area.
National Guidance:

- Planning Policy Guidance Note 15 - Planning and the Historic Environment
- PPS 1 – Delivering Sustainable Development
- PPG 13 – Transport
- PPG 15 - Planning and the Historic Environment
- Local Policy and Guidance:
- Regional Spatial Strategy for the South East (May 2009)
- Planning Obligations-Supplementary Planning Document (April 2007)
- Parking Standards, Transport Assessments and Travel Plans, Supplementary Planning Document (October 2006)

- St Clements and Iffley Road Conservation Area Appraisal

Supporting documents

- Design and Access Statement

Relevant Site History:

72/27080/A_H: Outline application for demolition of existing house and erection of 10x2-bedroom flats and 12 garages for private cars. Refused 27.02.1973.

73/01194/A_H: Demolition of existing house and erection of 10 no. flats. Refused 09.10.1973.

73/01631/A_H: Demolition of existing house and construction of 10 no flats and garages. Refused 11.12.1973.

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74/00503/A_H: Demolition of existing house and erection of 9 no flats with garage. Approved 23.07.1974.

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81/00774/NFH: Retention of use for multiple occupation. Approved 30.11.1981.

83/00190/GFH: 88-190 Iffley Road - Change of use from multi-occupation to 11 bedsitters and warden's accommodation for Housing the Homeless.

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86/01045/GFH: New buildings adjacent to existing to provide additional accommodation units for homeless families. Deemed Consent 15.12.1986.

06/01575/CAC & 06/01574/FUL: Demolition of 3 buildings. Erection of 3 and 4 storey buildings for use as student accommodation (49 study bedrooms).

Alterations to access, provision of 2 parking spaces. Bicycle and bin storage.

Conservation area consent and planning permission refused 10th November 2006.

07/01935/CAC & 07/01936/FUL: Conservation Area consent for demolition of existing 3 buildings. Planning permission for the erection of five storey building including basement level for use as student accommodation (48 study bedrooms) and a warden's flat. Cycle parking to front and rear, and refuse storage to rear. Refused (dismissed on appeal)

Representations Received: Comments have been received from the following properties and are summarised below.

Iffley Road: 192, 194, 198, 200, 211, 225, 240

Stratford Street: 23, 29, 33, 39, 43, 45, 49, 50, 53, 59, 61, 71, 75

Warwick Street: 21, 66, 69

Chester Street: 18, 50

Stanley Road: 17

- Finish of new building not clear (i.e. materials, windows, colour).
- No details of how rainwater from roof is dealt with.
- Potential overlooking of Stratford Street properties.
- Lack of information.
- Relationship between new and existing not clear.
- Not rehabilitation of building but demolition. Only front, north, part of rear and roof retained. Interior changed.
- Poor design that is out of character with conservation area and not sympathetic to 190 or 192 Iffley Road.
- Already overpopulation of students, proposals would make matter worse.
- Small units proposed with insufficient communal areas and service facilities.
- If approved accommodation needs to be managed accommodation.
- If permission is granted site should be removed from CPZ.
- No educational user named.
- No consideration for social or key worker housing that is sorely needed in Oxford.
- Noise and light pollution.
- Drainage and impact on surface water runoff.
- Add to parking pressure on street
- Flooding due to surface runoff
- Refuse provision is inadequate.

- 190 Iffley Road should be retained both externally and internally.
- Poor layout and design for cycle parking

Following reconsultation on the 3rd September one additional comment has been received from No 240 Iffley Road. The comments can be summarised as follows:

- The proposals involve substantial demolition to the existing house, particularly the roof. what is proposed involves more destruction of the original fabric and more alteration to the original design than is acceptable in conserving this house, which is one of only a few buildings of exceptional architectural and historical interest in the Iffley Road conservation area.
- The development is proposed as accommodation for students, but there is no mention of any agreement with an educational institution, and no details of how it can be ensured that the rooms will in fact be let to students.
- The rooms are small, and will receive very little natural light. The proposals offer an unacceptably poor standard of amenity and could be rejected on these grounds alone.
- The arrangements for refuse and bicycle storage appear unworkable, owing to the narrowness of the side passage giving access to the area at the rear of the building.

Statutory and Internal Consultees:

Oxford Civic Society – Proposals are marginally acceptable. Part of exterior of 190 retained but internally it is removed. Not enough space for 27 students. Needs to be properly managed by an institution.

Iffley Road Area Residents' Association – Insufficient information. Proposals will destroy interior of 190 Iffley Road. New building not sympathetic to 190 or conservation area. Substantial demolition of 190 Iffley Road. Further imbalance in housing within area.

Oxford Architectural And Historic Society Victorian Group – No objection to reinstatement of chimney stacks and decoration on the façade. Object to new building which is out of character with 190 and the conservation area. Would destroy independence of original house. Rear elevation is nightmarish. Regret loss of trees though note that this was accepted at appeal.

Thames Water Utilities Limited – No objection

Environment Agency Thames Region: No objection

Thames Valley Police – No objection

Iffley Fields Residents' Association – 190 Iffley Road should be retained both externally and internally. Inadequate information and should be refused on that basis.

No objection on sewage and water infrastructure grounds. Materials of frontage not shown. No plans for the forecourt area. Potential noise and disturbance.

Lighting issues, particularly at night.

Lack of drainage information, could impact on Stratford Street properties at night due to light pollution and when trees are in leaf.

Loss of skyline. Refuse provision seems inadequate, no recycling storage.

Site should not be reserved for student use. Object to more student accommodation.

English Heritage Commission (19/06/09) – No objection to demolition of 190A or the retention and use of 190 Iffley Road. Concern about the design of the new building due to its detailing.

English Heritage Commission 22/07/09) – The application should be determined in accordance with national and local policy guidance and on the basis of the Councils specialist conservation advice.

Highway Authority – No objection subject to a condition preventing students from bringing cars into the city and a contribution towards cycle and pedestrian safety measures in the area.

Issues:

- Principle of Development
- Demolition of Buildings
- Design
- Impact on Character and Appearance of 190 Iffley Road
- Impact on Conservation Area
- Impact on Neighbouring Properties
- Trees
- Flooding and Drainage
- Parking

Sustainability: The proposal seeks to make efficient use of an existing urban site within close proximity of local services and non-car mode means of transport.

Officers Assessment:

Site Description and Proposal

1. The application site, 190 Iffley Road, is located on the southwestern side of Iffley Road, between the junctions of Jackdaw Lane and Chester Street.

The site comprises two frontage buildings, 190 and 190A Iffley Road, with

a third smaller building to the rear. The authorised use of the buildings is as HMO's and the site is located within the St Clements and Iffley Road Conservation Area.

2. The property currently has vehicular access off Iffley Road with a parking area to the front. There is a pronounced slope in the site from Iffley Road (northeast) down to the rear of the site (southwest).

3. The application proposes the demolition of 190A Iffley Road and the rear building, along with the adaptation of 190 Iffley Road which includes elements of restoration such as the heightening of the chimney and installation of decorative panelling below the 1st floor oriel window. The application also proposes the erection of a three-storey side and rear extension to provide 27 student study rooms and communal kitchen/dinning areas. Cycle parking and bin storage is provided to the rear.

4. The extension is contemporary in design and constructed in a mixture of materials including roughcast render, timber boarding, pre-cast stone banding, glass, and plain clay roof tiles. The proposals include the removal of three trees, the implications of which will be set out later in this report.

Background

5. Planning permission was refused in January 2008 for the demolition of the three buildings on the site and the erection of a five-storey building including basement level for use as student accommodation for 50 study bedrooms. This decision was appealed and dismissed by the Planning Inspector in September 2008. This decision and the general comments made in the Inspectors decision letter is a material consideration that should be given significant weight in determining the current application.

Principle of Development

6. In the refused 2007 application the Council raised no objection to the principle of student accommodation on this site and the Inspector in dismissing the appeal commented that *'I agree that in principle the appeal site is an appropriate location for student accommodation.'* Officers acknowledge the concerns raised through the consultation process about the proposed use, however given the inspectors comments it would be unreasonable and unsustainable to object to the use and as such officer's raise no objection to the principle of student accommodation on this site.

Demolition of Existing Buildings

7. The proposals include the demolition of 190A Iffley Road and the single storey building to the rear, while 190 Iffley Road is retained, albeit altered to allow the extension to the side and rear.

8. PPG15 - Planning and the Historic Environment, indicates that the

demolition of a building within a conservation area may be acceptable where it is considered to make little or no contribution to the conservation area, and where there is a suitable scheme for redevelopment . In considering the demolition of the two buildings the Planning Inspector commented that *'No190A and the building to the rear are much later additions.'* than 190 Iffley Road, *'Whilst these later buildings form part of a group, add to the diversity within the Conservation Area and help to create a break in the streetscape, they are of little architectural or historic importance. They do not make a positive contribution to the character and appearance of the Conservation Area.'* English Heritage has not objected to the demolition. In light of the comments made in the Inspector's decision, officers have no objection to the demolition of the two buildings, subject to their replacement with a development that preserves or enhances the character or appearance of the conservation area.

9. During the consultation process concern has been expressed that the proposals also involve demolition of much of 190, leaving more or less only the front elevation. As a result of these concerns additional information was sought to identify clearly the extent of demolition proposed at 190. This additional information has now been received and made available for public comment. The plans show that it is proposed to demolish the existing single storey rear extension (original scullery/pantry area) and to raise the roof over the entrance 'wing'. Internally it is proposed to remove the staircase and re-arrange the partitions. The main external walls and main roof will remain and the proposals show the reinstatement of chimneys and some of the 'half timbering'. Conservation area consent is required for total or substantial demolition. Demolition of part of a building does not require conservation area consent. This means that the demolition of the parts of 190 shown on the submitted drawings is not subject to conservation area controls and consent cannot be refused if there is concern about this aspect of the proposals.

Impact of new building on the conservation area

10. Local planning authorities are required to have special regard to the preservation and enhancement of the character or appearance of conservation areas when considering development proposals. This requirement is given effect in Local Plan policy. Policy HE.7 of the Oxford Local Plan 2001-2016 seeks to preserve or enhance conservation areas. Policy CP1 states that planning permission will only be granted for developments that show a high standard of design, that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 reiterates this by stating that all new and extended buildings should relate to their setting to strengthen, enhance and protect local character and building design is specific to the site and its context and should respect local characteristics.

11. Policy CP8 of the Oxford Local Plan 2001-2016 suggests the siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the

surrounding area and CP10 states planning permission will only be granted where proposed developments are sited to ensure that street frontage and streetscape are maintained or enhanced or created.

12. Returning to the dismissed appeal the Inspector recognised that the character of Iffley road is varied and that the lower scale of 190, 190a and 192 does not detract from the contribution that the larger villas, elsewhere in the street, introduce. In other words that the buildings as a group make a positive contribution to the character and appearance of the conservation area. The applicant's response to this has been to propose a replacement for 190a that reflects the smaller scale of the three buildings. In order to maintain the individual identity of each building, yet provide communal circulation space and facilities for students the replacement 190a is proposed with a glazed link to 190. This element of the scheme has been discussed at the pre-application stage and officers are satisfied that the sense of separation between buildings is maintained and that the buildings will read as a group of 3 individual elements.

13. The appearance of the new build 'extension' takes a more contemporary form though its design does draw upon elements of 190 and 192 to integrate the new element into the group. The extension incorporates a gable roof feature as well as a roof running across the main ridge perpendicular to the street, this picks up on the roof style of 190 and 192 more closely. This also continues the horizontal emphasis of 190 and 192 which is further reinforced by the use of the stone banding.

14 Officers recognise the concerns raised during public consultation relating to design. Government advice states that Local Authorities should not impose particular architectural styles on applicants or stifle innovative design. What is important is not that new development should directly imitate earlier styles but that they should be designed with respect for their context as a part of a larger whole which has a well established character and appearance of its own. The proposals seek to achieve this and the overall form, scale and siting will ensure that the character and appearance of the area is preserved. The fenestration details add a contemporary flavour to the building and place the design firmly in the 21st century. This is acceptable but officers are concerned that the detailing of the 'bay window' is not fully resolved and so suggest, if planning permission is granted that this detailed element of the proposal is controlled by a condition that seeks a review of this design.

15. The rear extension links onto the southern corner of 190 preserving the rear oriel window feature. The rear extension, like the frontage, takes a contemporary form, stepping down at the ridge and in from the side boundaries as it projects rearward. The design appears in the form of three tiers with mirrored mono-pitch roofs on both sides of the extension with a recessed flat roof section between. Terminating with a rear gable feature similar to that fronting Iffley Road. The materials as with the front are proposed to match neighbouring buildings with roughcast render, pre-cast stone banding and timber boarding.

16. The Inspector in commenting on the appeal scheme noted that views from the southeast would be much clearer due to the height of the proposed in relation to 192 Iffley Road, the result of which was that *'It would appear as an unduly dominant building, out of scale with its immediate surroundings'*, and that it would *'be incompatible with the domestic scale of neighbouring properties'*. Given the 5-storey nature of the appeal proposal it is easy to see how the Inspector came to this conclusion. The current scheme in contrast takes a more domestic scale, reflecting that of 192 Iffley Road. Due to this reduced height and mass, and the stepping of the rear extension, there would be no views of it from Iffley Road.

Impact on Neighbouring Properties

17. No objection was raised in the refused application to the impact on existing residential amenity, and the Inspector in determining the appeal took a similar view. He commented that with regard to the impact on 192 Iffley Road *'the close proximity of No190A already has an effect on both outlook and light. Although it would be higher, the proposed building would be stepped back and then tapered away from neighbouring properties on either side. There would not be a significant reduction in either outlook or light compared with the existing situation therefore.'*

18. The current proposal is 3.7m lower in height at the rear, and like the previous scheme steps back away from the boundary of No 188 and 192 Iffley Road. As a result the proposal would have a lesser impact than the appeal scheme. Notwithstanding the appeal decision the proposal is considered to have an appropriate visual relationship with 188 and 192 Iffley Road, the extension steps away from the boundaries with 188 and 192 by 6m-8m and 2m-2.7m respectively. In addition the boundary with 192 is heavily vegetated and as such only glimpsed views of the proposal would be experienced from the rear of 192. Officers are of the view that in light of the reduced scale of the proposal, its layout, and the Inspectors comments, the application would not unreasonably affect the amenities of 188 and 192 Iffley Road.

19. Concern has been raised with regard to the impact on the Stratford Street properties to the southwest. Again the Inspector in determining the appeal considered this issue and commented that *'given that there would be a minimum separation distance of some 37m, there would no be a significant adverse effect on outlook or privacy.'* The current application is two-stories lower than the appeal scheme and remains 37m away from the rear of the Stratford Street properties. In addition to this there is a dense line of trees along the southwestern boundary that while deciduous would provide a significant screen. Officers are therefore of the view that the impact on the Stratford Street properties would not be unduly harmful.

20. Letters of comment received have drawn the officer's attention to the potential noise and disturbance generated from the proposed student accommodation. The Council seek to house students within purpose built

accommodation among other reasons to control the issue of noise and disturbance, it is the Council's experience that disturbance caused by students more frequently occurs from those living independently in shared houses. The issue can therefore be addressed by a condition requiring a site management plan to include details of a warden or some other representative on site who would be the first port of call in the event of any incidents of noise and disturbance. This approach is consistent with the requirements of policy HS14 of the OLP. In addition this issue is covered by different legislation and should problems of noise and disturbance arise as a result of the proposed development it would be a matter for the Environmental Health Department under the Environmental Protection Act.

Trees

21. The proposal includes the removal of a pink chestnut and a cypress tree that stand in the southeast corner of the site adjacent to Iffley Road, together with a hazel tree that stands in the rear garden of the property adjacent to the northern boundary of the site.

22. No objection to the loss of these trees was raised in the previous application and like the previous application the applicant's propose to replace the removed trees with suitable specimens to be agreed by condition. The Inspector in determining the Appeal had no objection to this approach and commented that *'The appeal proposals would involve the loss of four trees on the site, including two along the frontage. Trees in the street and at the frontage of properties are an important characteristic of Iffley Road. I agree with the Council however that the proposed additional planting would provide adequate mitigation and ensure that there would be no significant overall harm to the character and appearance of the area in terms of tree cover.'* Officers would therefore raise no objection to the removal of the three trees and would recommend that a condition to secure suitable replacements be attached should planning permission granted.

Parking

23. The site is within a sustainable location within close proximity of shops and services along with being on a good public transport and cycle route. No off street car parking is proposed, although an area to the front of the development is retained for service vehicles and disabled residents. Students occupying the development will be prevented from bringing cars into the city and this can be controlled by condition.

24. The Local Highway Authority has no objection to the proposals subject to the condition preventing students having cars and that a contribution of £3726 is secured towards cycle and pedestrian safety measures in the area.

Other Matters

25. In addition to the contribution required towards cycle and pedestrian safety measures the County Council has also requested a further contribution towards library facilities. The City Councils requires a contribution towards indoor sports facilities in accordance with the Planning Obligations Supplementary Planning Document. The applicants have indicated that they are happy to enter into a legal agreement to secure the monies.

26. Concerns have been raised relating to bin and cycle storage. These details are similar to those in the appeal proposal and in terms of the number of cycle parking spaces the scheme provides double the required level. However officers recognise the concerns raised and would suggest a condition relating to the bin and cycle storage on site to provide further consideration to the location and means of enclosure.

27. With regard to the management of the site this can be secured by condition as suggested by policy HS14 of the OLP. The condition would require details of site management to ensure it is maintained in an appropriate manner as well as a contact should noise and disturbance arise from the development. A further condition is suggested to limit the use of the development to full time students of the University of Oxford or Oxford Brookes University.

Conclusion: The proposal is considered to be an appropriate response to the Inspectors decision and the site constraints. It is on balance a well thought out and considerate scheme – the result of extensive pre-application discussions that maintains the independence and architectural qualities of 190 Iffley Road while preserving the appearance of the group of two-storey buildings as a whole, and maintaining their important role within the streetscape. Further to this the development would respect the amenities of neighbouring properties and would make an efficient use of an existing urban site within a sustainable location.

Officers therefore consider the development to be in accordance with the policies of the OLP and would recommend that the Parliament be minded to grant planning permission but defer and delegate powers to officers to grant planning permission on completion of the Legal Agreement to secure the above contributions.

Human Rights Act 1998

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

Officers have also considered the interference with the human rights of the

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 09/01035/CAC, 09/01036/FUL

Contact Officer: Steven Roberts

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Date: 31st July 2009

Appendix 2

190 Ifley Road



Legend	



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Organisation	Not Set
Department	Not Set
Comments	12/03121/EXT & 12/03122/EXT
Date	25 January 2013
SLA Number	Not Set