

East Area Planning Committee

16th April 2013

Application Number: (1) 12/02623/CT3

(2) 12/02622/CT3

Decision Due by: 4th February 2013

Proposal: (1) Conservation Area Consent for demolition of brick shed and former mess building.

(2) Erection of 5 x 3-bed, 3 x 2-bed and 2 x 1-bed flats (use class C3) arranged around central courtyard together with cycle and bin store.

Site Address: Oxford City Council Parks Depot, Bury Knowle Park, London Road (**site plan: appendix 1**)

Ward: Headington Ward

Agent: Kemp And Kemp Property Consultants

Applicant: Oxford City Council

Recommendation:

To support the development in principle for the following reasons but defer the application in order to draw up a legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions on its completion:

1. The redevelopment of the depot site would make an efficient use of previously developed land in a manner that would preserve the existing public open space within the park. The residential development would deliver much needed good quality affordable housing for the City and would provide an appropriate mix of units for the Headington Neighbourhood Area. The demolition of the existing buildings within the depot would not have an adverse impact upon the significance of the Old Headington Conservation Area, and the replacement buildings have been designed in a manner that would preserve the significance of the site and its relationship with the Old Headington Conservation and safeguard the amenities of the adjoining properties. The site would be in a sustainable location for a car-free development, and access to the site could be controlled by appropriate management controls to prevent any adverse impact upon highway safety. Finally the proposed development would not have an impact upon the protected trees within the site, biodiversity, or sustainability subject to conditions.

The proposed development would therefore accord with the relevant policies of the development plan.

2. In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
3. The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions (12/02623/CT3):

- 1 Commencement of works LB/CAC consent
- 2 Architectural Recording
- 3 No demolition before rebuilding contract

Conditions (12/02622/CT3):

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Details of Means of Enclosure
- 5 Details of Refuse and Cycle Storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape hard surface design - tree roots
- 9 Landscape underground services - tree roots
- 10 Tree Protection Plan
- 11 Arboricultural Method Statement
- 12 Details of access road and turning area
- 13 Lighting plan for access road
- 14 A Site Management Plan for traffic /access arrangements
- 15 Exclusion from residents parking zone
- 16 Construction Traffic Management Plan
- 17 Sustainable Urban Drainage Scheme
- 18 Details of Biodiversity Enhancements
- 19 Details of Sustainability Measures
- 20 Contaminated Land Risk Assessment

Legal Agreement:

- Secure the affordable housing provision
- Financial Contributions of £89,655 (plus admin fees)

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
HE7 - Conservation Areas
SR5 - Protection of Public Open Space

Core Strategy

CS2_ - Previously developed and greenfield land
CS18_ - Urban design, town character, historic environment
CS23_ - Mix of housing
CS24_ - Affordable housing

Sites and Housing Plan - Submission

MP1 - Model Policy
HP2_ - Accessible and Adaptable Homes
HP3_ - Affordable Homes from Large Housing Sites
HP9_ - Design, Character and Context
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
This application is within the Old Headington Conservation Area.

Relevant Site History:

None

Representations Received:

Letters have been received from the following addresses, and their comments are summarised as follows:

50 St Annes Road; 12 The Croft; 25, 63 Chesnut Avenue; (Flat 1) 209, 210 London Road; Emden House

- Object to the addition of housing adjacent to the park, particularly since the access will be through the park itself.
- The site was originally part of the park and should not be classed as brownfield
- The existing depot is an eyesore and should be removed and returned to the park for community use and recreation. Community facilities are needed in Headington
- The scheme is of concern to the community as it impacts upon Bury Knowle Park and does not accord with the aims of the National Planning Policy Framework
- The proposal will be very damaging to the amenity value, appearance, character and safety of Bury Knowle Park, which is part of the Old Headington Conservation Area

- The Green Spaces Survey has identified the depot as part of the available green space, and the core strategy specifies that the green space will be preserved.
- It is disappointing that the Council rather than opening up the 'green space' chooses to develop it in an area of known and increasing deficiency. It has not been demonstrated that this area is surplus to requirements.
- This results in the reduction in safe, accessible, permitted play space for children in the area.
- The development will not have any parking spaces for residents or visitors. This is unrealistic and will increase parking pressures nearby such as North Place, Bury Knowle Car Park and within the park itself.
- A car free scheme will be difficult to control
- The development is too close to Emden House and will impair the privacy of residents
- The existing heritage views, looking north from within the park will be spoiled
- It is disappointing that the Council has allocated this site to general social housing and not for the aged and disabled as it has rare safe and easy access to shops and services.
- Bury Knowle Park is popular with families and traffic using the proposed access through the park will be dangerous particularly for children
- The proposed access will bring traffic past the existing housing on North Place and the Sensory Garden which is meant as a quiet and reflective area used by many visitors
- The pathway is currently used by vehicles at the moment but this use is limited to council workers and gardeners during working hours and these people understand the environment and behave accordingly.
- The noise, activity and artificial lighting from the flats will be harmful to the ecology of the park, particularly the bat population
- The site could be provided with better access from Northway which would make the development much safer
- Parking on site can only be restricted by private contract and there appear to be no means of restricting motorbike and moped usage on the site.
- If objections are overruled then the park should be recompensed with the provision of new equipment such as static Table Tennis Tables, or picnic tables marked with chess boards.
- A planning obligation should be imposed to replace and add trees to Bury Knowle Park, and provide additional facilities for public use to compensate for the public's loss of this space
- Thames Water objected to developments of Barton Cricket Ground, John Radcliffe and other Headington sites and it seems the same will apply here
- The board of Emden House have no objections to the development, and consider it a good idea considering the housing crisis in Oxford
- The board of Emden House would wish to have the height of the boundary wall maintained at the highest level for privacy and security of their vulnerable elderly residents
- There is a concern that the affordable housing will be sold on to private ownership rather than remain in the rental market for those that need it

Statutory Consultees:

Oxfordshire County Council Highways Authority: No objection

Environment Agency Thames Region: No objection

Oxfordshire County Council Drainage: No objection

English Heritage: No objections, the application should be determined in accordance with national and local planning guidance

Thames Water Utilities Limited: No objection

Friends of Bury Knowle Park

- The committee are most concerned with the following
- The access to the development will be through the park and even though car free will increase vehicular movements
- That car free developments are difficult to enforce
- The risk to the safety of children and dog users in an area where parents and dog owners expect to be able to let children and their dogs run freely without having to watch for vehicles
- That the buildings are high enough to make a quiet part of the park feel overlooked and impact upon the use of the sensory garden
- The Friends of Bury Knowle Park were not notified of this application and should have heard directly from the Council.
- The depot is part of the park and is part of the function of the park. If the Council no longer needs this then it should be used to enhance the park and wider community
- While the need for affordable housing is appreciated, this site represents a unique opportunity to improve and enhance the public facilities of the park. Other sites will become available to provide sustainable affordable housing.
- The safety of the access is a major concern, and will increase vehicle use and remove a strip of the park from public use and enjoyment. The only usage by vehicles are from park vehicles who drive carefully
- If the site is to be developed then a different access route needs to be found, possibly from North Place.
- If the development is allowed then access to this road must be restricted by rising bollards etc to only use by emergency vehicles. And barriers preventing vehicles going onto the grass
- The proposal will result in the loss of green space in an area identified as not having enough green space. The depot could improve the available space.
- The buildings should harmonise with the Old Headington Conservation Area in terms of views into the park and from the park.
- The enhancement of the park should be the first option

Friends of Old Headington:

- The Friends recognise that social housing stock is in short supply, and that this would add to the housing stock and – on paper – it is sustainable in terms of transport and local facilities. However there are serious concerns about the

proposal as it stands

- There are concerns about the scale of development in North East Oxford and the lack of green space available to residents. The Green Space Study identifies Headington as an area with a under provision of open space.
- The document states that of Bury Knowle Park the council should maintain quality and add features and protect the space through the planning system. The application does not achieve this.
- There is no strategy to ensure that no private motor vehicles will use the park to access the development. The existing road runs through a sensitive part of the park. It will be essential that only emergency vehicles, council, or delivery vehicles and transport for the disabled are allowed to access here with drop of for all other vehicles in North Place.
- The proposal is car-free and it would be disappointing if this puts pressure on uncontrolled local parking areas, such as the small parking area in Bury Knowle which is used for library and park users
- The measures for this need to be clarified. The local traffic and danger to children and dogs will all increase, despite the statement of the County Council.
- There is no mention of the impact of the proposal in terms of light, outlook upon Emden House which sits well below the site. The scheme should move the buildings away from the Emden House boundary and reduce the scale.

Oxford Civic Society:

- The site is an integral part of Bury Knowle Park, which is an important green space and community leisure asset. If the intention is to dispose of the land with planning permission for private development, this raises the whole question of the appropriateness and policy considerations of such a disposal of an important city asset.
- The site is at the back of Bury Knowle Park, in a location suitable for its current use as a park depot but particularly difficult for housing development. Access is proposed on a track through the park, which will require upgrading, and major lighting at night – both unwelcome intrusions on the park itself, and particularly unfortunate for the sensory garden, which is one of its hidden gems of peaceful seclusion. A different access route would be necessary for any traffic generating development on the site. The proposed route also requires the granting of a permanent right of way through the city-owned parkland which could have undesirable long term consequences. At present, no solution is offered to the other problem that the park gates are locked at night, but residents would require access at all times
- To minimise traffic, it is proposed that the development should be car-free and no parking spaces are provided on site. This raises the question of disabled and visitor access, as alternative parking is some distance away. It is unrealistic to suppose that families in the 3 bed accommodation will not own cars. They will seek to park these as close as possible, adding to parking congestion in Old Headington.
- The layout seeks to fit the maximum number of bed spaces onto the site with unfortunate results. The minimum 75m² of the 3 bed units' results in a shared living/dining/kitchen area in which the functions are not easy to separate, and a family of five would be cramped. The 1 and 2 bed flats have no private balcony space, and the communal garden for these five units is inadequate.
- The combination of these disadvantages suggests that this project is unrealistic

and should be rejected. The city should retain this site as an integral part of the park, which will have increasing pressures on it, as further development takes place.

Officers Assessment:

Site Location and Description:

1. The site is located at the northern end of Bury Knowle Park, and is bordered by residential properties to the north, west, and south-west; and Bury Knowle Park to the south and east (**appendix 1**).
2. The site has been used as a depot by Oxford City Council for the general storage of materials and equipment. The site comprises a small red brick shed, and small grey brick mess building. It is separated from the public open space within Bury Knowle Park by fencing and hedging. The site is currently accessed from North Place.
3. The site is within the Old Headington Conservation Area, and the Headington Transport District Centre.

Proposal

4. The proposal is seeking conservation area consent for the demolition of the existing brick shed and former mess building within the depot site.
5. Planning permission is then sought for the erection of 10 flats (5x3, 3x2, and 2x1 beds) which will provide affordable housing as part of the Oxford City Councils Affordable Homes Project which seeks to increase the supply of affordable houses to Oxford's Housing Stock.
6. The proposal will involve the erection of a group of one-and-a-half story buildings arranged around a central courtyard with associated amenity space, refuse and cycle storage. The development is to be car free with the existing access used only for deliveries, emergency vehicles, and refuse vehicles.
7. Officers consider that the determining issues in this case are the principle of development; affordable housing; balance of dwellings; impact upon a heritage asset; impact upon adjoining properties; residential uses; archaeology; biodiversity; highway matters, Trees, Sustainability, Legal Agreement financial contributions, and contaminated land.

Principle of Development

8. The National Planning Policy Framework [NPPF] encourages the effective use of previously developed land, provided it is not of high environmental value. These aims are embodied within Policy CS2 of the Oxford Core Strategy. The NPPF defines previously developed land that was occupied by a permanent structure, but excludes parks and recreation grounds from this definition.

9. The depot is located in the northern corner of Bury Knowle Park but is separated from the rest of the park by fencing which prevents public access to the site. The park itself is designated within the Oxford Local Plan as protected public open space under Policy SR5. However, the depot site and the area of land to the east of North Place lie outside of this designation. As a result officers consider that despite the depot being located within the boundary of the park, it does not form part of the protected open space. Therefore it would be reasonable to consider that the site constitutes previously developed land as defined by the National Planning Policy Framework.
10. During the consultation process concerns have been raised that the redevelopment of the depot would result in the loss of public open space from the Headington area and be contrary to the Council's Green Spaces Strategy (Feb 2007) which recommended that the Council should maintain the quality of Bury Knowle Park, while adding required features to the grounds and protecting it through the planning system. With specific regard to these concerns, it is important to note that the Oxford Green Spaces Strategy (Feb 2007) was a background paper to the Oxford Core Strategy 2026 and not an adopted document. The park itself has been protected through the planning system with its designation as a protected public open space. As stated above, the depot is not part of this protected public open space, it is not accessible to members of the public, and therefore the proposal does not result in the loss of any of the public open space within the park.
11. Therefore officers consider that the redevelopment of the depot site would make an efficient use of previously developed land to deliver much needed affordable housing within the city in a manner that would preserve the existing public open space within the park and wider Headington suburb. This would accord with the aims and objectives of the NPPF and Policy CS2 of the Oxford Core Strategy 2026.

Affordable Housing

12. The proposed development forms part of the Council's Affordable Homes Project which is a project funded by the Homes and Communities Agency that is seeking to provide 114 affordable homes within the city by 2015.
13. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority of the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. Policy HP3 of the Sites and Housing Plan states that planning permission will only be granted for residential development on sites with a capacity for 10 or more dwellings, if 50% are provided as affordable homes. A minimum of 80% of these affordable homes must be provided as social rented housing, with the remaining as intermediate housing.
14. The scheme will provide 100% affordable housing, although the tenure would be 'affordable rent' rather than social rent or intermediate housing. The Sites and Housing Plan does not consider affordable rent to be the same as social rented housing and therefore the scheme does not strictly satisfy the requirements of

Policy HP3. In this case, officers consider that there are exceptional circumstances with the Affordable Homes Project that would justify allowing a different mix of tenure for the units within this scheme. The Affordable Homes Project is reliant on funding from the Homes and Communities Agency (HCA) which needs to include a proportion of affordable rented units. The HCA require the delivery of 114 affordable homes, of which 44 are to be affordable rented and 68 social rented. Therefore the project as a whole would comfortably exceed the policy requirements for affordable housing in that it will deliver 100% affordable homes, and more social rented housing than would normally be sought on a site-by-site basis. In order to achieve this, the mix of tenures needs to be carefully allocated across each site to meet the HCA's requirements and as a result the units within this scheme will be affordable rent properties.

15. As a result, officers consider that while the mix of tenures within this scheme would not strictly satisfy the requirements of Policy HP3 of the Sites and Housing Plan the above-mentioned material considerations would justify an exception being made to this policy in this instance as the scheme will deliver 100% affordable housing and is part of a project that will deliver more socially rented accommodation than would normally be required by this policy

Balance of Dwellings

16. Policy CS23 of the Oxford Core Strategy 2026 require residential development to deliver a balanced mix of housing to meet the projected future household need, within each site and across Oxford. The mix of housing relates to the size, type and tenure of dwellings.

17. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Headington Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. The proposed mix of 10 dwellings (5x3 beds, 3x2 beds, and 1x1 beds) would be consistent with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Residential Uses

18. The dwellings would have internal floor sizes that provide suitable living spaces for the type of dwelling they serve (i.e. 1, 2 or 3 beds). They would be self-contained with their own lockable entrance, kitchen, and bathrooms and have adequate ceiling heights in the case of the accommodation in the roofspace and natural light and ventilation. The units would be designed and built to lifetime homes standards. The proposal would therefore satisfy Policy CP10 of the Oxford Local Plan 2001-2016, and Policies HP2 and HP12 of the Sites and Housing Plan.

19. In terms of outdoor space, the 3 bedroom units each have access to individual private amenity areas that would be of a suitable size for the properties. The flats on the upper levels will have access to a shared amenity space in the south-west corner of the site. In addition to this all the residential units have access to the public open space of the park. The level of private amenity space is considered

acceptable under the requirements of Policy CP10 of the Oxford Local Plan and Policy HP13 of the Sites and Housing Plan.

20. The development will also provide a communal refuse store / collection point in the south-east corner of the site which provides a secure store in a practical and accessible location for future occupants and also for refuse collections. This would accord with Policy HP13 of the Sites and Housing Plan.

Impact on Heritage Asset

21. The existing depot is not statutorily listed, but is considered to be of high local heritage significance having associations with the Bury Knowle Estate. The site is also located within the Old Headington Conservation Area which is a designated heritage asset.
22. The National Planning Policy Framework requires proposals to be based upon an informed analysis of the significance of any heritage asset affected. A Heritage Assessment has been prepared for the site by the Council's Heritage and Specialist Services Team in order to inform the decisions about the building's future. The assessment states that the mess building does not have any particular architectural or historic interest and that although the brick store shed has some limited local historic and architectural interest it has been badly affected by later alterations and is in a poor condition. Having regards to these conclusions, officers would raise no objection to the demolition of these buildings which given their current state would not have an adverse impact upon the conservation area. Furthermore their loss would be outweighed by the public benefit that the affordable housing project will have upon the housing stock within the city.
23. The heritage assessment identifies 6 key elements that contribute to the significance of the depot site and its wider setting. These comprise, the survival of the high kitchen garden walls with contrasting brick and stone that continue outside the site; the use of high limestone for the rubble walls for the boundaries; the scale, materials, roof profile and decorative ridge tiles of the brick shed; the absence of domestic detailing to the shed and the unusual decorative treatment of the openings; the backland character of the development including the garden and ancillary use (a paddock), with ranges of agricultural buildings and garden walls allowing views from the park to the built up Old High Street and the village core from Old High Street to the greenery of the park; and the lack of intrusion to the tranquil, garden character of the park from the activity within the depot. The assessment has also identified the following opportunities for development proposals to conserve or better reveal the significance of the site and its surroundings. These include the maintenance of the scale of development that allows views between Old High Street and parks greenery; the scale of the buildings having a domestic and rural scale and density; maintaining the character of ancillary buildings in the setting beyond the principal road frontages; and the provision of an appropriate landscape buffer with the park, including green space, planting and definition to the edge of the park with buildings set back from this frontage.

24. The proposed development has been designed to respond to the key elements of significance and opportunities for enhancement set out within the heritage assessment. The proposed buildings would be one and a half storeys to reflect the scale of the existing buildings on the site, and minimise any impact on views between Old High Street and the park. The size and scale of the buildings would also have a domestic scale, which maintains their appearance as ancillary buildings set within the park from views within. They have been sited around a courtyard arrangement which allows a clear public and private realm relationship and active frontage for the properties. This arrangement also allows for the buildings to be set well back from the edge of the depot site with the park, to help maintain the character of ancillary buildings and allow a landscape buffer with the park. The buildings will be of a traditional design and a condition would be attached to ensure that appropriate materials are used.
25. Therefore officers consider that the proposed development has been designed in a manner that would preserve the significance of the site, and its relationship with the Old Headington Conservation Area in a manner that would be consistent with the National Planning Policy Framework, Policies CP1, CP6, CP8, HE6 and HE7 of the Oxford Local Plan, Policy CS18 of the Oxford Core Strategy 2026 and Policy HP9 of the Sites and Housing Plan.

Impact upon Adjoining Properties

26. The Council seeks to safeguard the amenities of properties surrounding any proposed development. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of existing and new homes. In making any assessment the following factors will be considered; whether the degree of overlooking to and from neighbouring properties or gardens resulting from development will compromise privacy of existing or new homes; the orientation of windows in existing and new dwellings in respect of access to daylight, sunlight and solar gain, and that existing and proposed walls hedges, trees and fences help protect privacy and also do not create an overbearing impact. This is also supported through Policy CP10.
27. The properties that would stand to be most affected by the proposal are the sheltered accommodation of Emden House that lies to the north, the Priory to the west, and properties in North Place to the south.
28. The proposed development is of a size, scale, and design that would not have an adverse impact upon the adjoining properties of The Priory and North Place in terms of loss of light or overbearing impact. With specific regard to Emden House the removal of the mess building would have a positive impact upon this property as it is sited on the boundary and creates a sense of enclosure in this garden. The proposed dwellings would not create a significant loss of privacy for these adjoining properties. The sheltered accommodation at Emden House is situated quite close to the boundary, and would have first floor windows that overlook the site however given the boundary treatments that exist between the properties any mutual overlooking that does occur would not have a significant impact upon the amenities of the occupants of either set of properties.

29. The residents of Emden House have raised no objection to the proposal, but have requested that an appropriate boundary wall is maintained between the properties. Similarly they have requested that the screen planting that is suggested on the proposed site plan is omitted and more appropriate planting provided. This is recommended to be secured by conditions 4 and 6.

Highway Matters

30. The site is located within a Transport District Area as designated by the Oxford Local Plan 2001-2016 which is a sustainable location with easy access to a range of shops and facilities in Headington and regular bus services on the London Road. It is also well located for walking and cycling. The location of the site and on-street parking controls in the surrounding area makes the development suitable for a car-free scheme for both residents and visitors. The car-free scheme will be managed through the tenancy agreements for each property. In order to ensure that the car free scheme is practical, suitable provision for pedestrian and cycle links will need to be provided between the development site and highway.

31. The existing access from North Place will be used to provide pedestrian and service vehicle access. In order to facilitate ease of movement by all modes of transport it is proposed to provide a shared surface along the existing access road. This will be widened where appropriate given the root protection areas of the trees along the route and bollard lights will be provided. The provision of this access will ensure that pedestrian and cyclist movements into the site would be safe and provide connections to the nearby facilities. The access will be restricted by a new pedestrian gated entrance onto North Place which will be available 24/7 for pedestrians. The pedestrian access gate will remain locked at all times and the residents will be provided with a key through their tenancy agreement. It is proposed that the vehicle gated entrance at North Place will remain open Mon-Sat 07.00 to 19.00 hours for servicing, refuse and emergency access. It will remain locked outside of these hours by padlock, with a key securely provided adjacent to the gated entrance to enable emergency access outside of these hours. A turning head is provided within the development to allow service and emergency vehicles to turn and exit the site in forward gear. In order to prevent indiscriminate parking, lockable bollards are proposed at the entrance to the depot.

32. The location of the site means that access will need to be appropriately managed but this can be done through conditions. The local highways authority has raised no objection to the proposal in highway terms. The highway impacts of the existing use creates more adverse impacts in terms of traffic generation including HGV trips when compared with this proposal as submitted. The swept-path analysis provided is acceptable and demonstrates that servicing, deliveries and emergency vehicles can access and egress the development site with ease and safety and that turning manoeuvres within the turning area can be achieved. A disabled car parking space should be provided within the development site to support the needs for access for disabled people. These controls will be secured by a condition requiring a site management plan which includes a travel information pack for future residents on the access arrangements; a landscaping plan could control the means of controlling access to the site, surfacing and landscaping treatments, external lighting. In addition conditions should be attached which require the development

site to be excluded from residents parking permits; refuse and cycle storage provision; and a construction traffic management plan.

S106 Contributions

33. In accordance with the Planning Obligations Supplementary Planning Document contributions are required to mitigate the impact of the proposal on the City and County Services and infrastructure. The following contributions would therefore be required.

Oxfordshire County Council

- £27,086 (Primary Schools)
- £19,655 (Secondary Schools)
- £4,214 (VI Form)
- £2,021 (Special Educational Needs)
- £1,965 (Social & Community Resource Centre)
- £1,843 (Library & Bookstock)
- £905 (Household Waste Recycling Centre)
- £106 (Museum Resource Centre)
- £23,675 (Highways & Transport)

Oxford City Council

- £1,954 (Indoor Sport)
- £5,187 (Open Spaces)
- £953 (Play Areas)
- £91 (Allotments)

34. The total level of contributions would be £89,655 plus the relevant admin fees, and the applicant has agreed to pay these contributions. These should be secured by an appropriate planning obligation.

Archaeology

35. An Archaeological Evaluation by Thames Valley Archaeological Services has been submitted with the application. This review is satisfactory and no further archaeological work will be required.

Trees

36. A Tree Survey has been submitted with the application. The proposed development would not have an impact upon the existing group of trees in the south-west corner of the site. The main concern would relate to the mature trees that are within the park, along the proposed access road. These would include a yew, lime, horse chestnut, and sycamore.

37. The existing access road has apparently been used by high sided vehicles which visit the depot, although given the existing condition of the crowns this would appear optimistic. That being said officers consider that the findings of the tree survey demonstrate that the access road could be used, provided that appropriate

conditions are imposed on the permission to control finer details about the access road throughout the construction process. The trees that line the driveway will need to be pruned to lift their crowns to at least 5 metres above the drive and officers consider that this will have a minor adverse effect on visual amenity in the area, but this impact would not merit refusal of planning permission. Any permission would also need to make clear that underground services should not be routed along the access drive. Robust tree protective barrier fencing will need to be erected either side of the drive during construction phase.

38. As such officers consider that the proposal would not conflict with Policy NE15 of the Oxford Local Plan, subject to conditions requiring a landscape plan, underground services plan, plan of hard surfacing and no-dig methodology; tree protection plan and arboricultural method statement to be provided.

Sustainability

39. A Natural Resource Impact Analysis (NRIA) has been submitted as required by Policy CP18 of the Local Plan, and the NRIA Supplementary Planning Document.
40. The NRIA states that the scheme will achieve a score of 8/11 in terms of energy efficiency. The accompanying statement identifies that the scheme will be designed to meet the requirements of Level 3 of the Code for Sustainable Homes, and will incorporate sources of renewable energy into the design of the buildings. A condition should be attached which requires details of the energy efficiency measures incorporated into the development to be provided before work commences.

Biodiversity

41. An Ecology & Bat Survey Report prepared by Windrush Ecology has been submitted with the application. The report has not identified any particular ecology issues in terms of bats and birds using the existing outbuildings which would prevent their removal. The report recommends that the existing trees within the site should be retained, and provides advice on suitable species for any landscaping scheme in order to provide biodiversity enhancements. It also recommends the provision of bat and bird boxes within the development. A condition is included in the recommendation requiring the recommendations of this report to be carried out.

Contaminated Land

42. The Oxford City Council Environmental Health department have recommended that the site and surrounding area may have previously been used for industrial activity pre-1970. Therefore it needs to be demonstrated that no significant contamination exists and the site is suitable for use. Therefore a condition should be attached requiring this assessment.

Conclusion:

43. The proposal is considered to be acceptable in terms of the aims of the National Planning Policy Framework, and the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the Sites and Housing Plan.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 8th April 2013

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