

WEST AREA PLANNING COMMITTEE

9th July 2013

Application Number: 13/01350/CT3

Decision Due by: 29th July 2013

Proposal: Change of use of ancillary residential dwelling to independent dwelling (use class C3)

Site Address: The Flat, Town Hall, St Aldates - **Appendix 1**

Ward: Holywell Ward

Agent: N/A

Applicant: Oxford City Council

This application is required to be determined at Committee as the applicant is Oxford City Council.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed flat is considered to provide a reasonable standard of accommodation in a sustainable location that makes more efficient use of a redundant part of the Town Hall. Consequently the proposal is considered to accord with policies CP1, CP6, CP10, CS19 and CP21 of the Oxford Local Plan 2001-2016 as well as policies HP2, HP12, HP13, HP14, HP15 and HP16 of the Sites and Housing Plan.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Bin and cycle storage

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP10 - Siting Development to Meet Functional Needs

Sites and Housing Plan

HP2 - Accessible and Adaptable Homes

HP11 - Low Carbon Homes

HP12 - Indoor Space

HP13 - Outdoor Space

HP14 - Privacy and Daylight

HP15 - Residential cycle parking

HP16 - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- The application site lies within the Central Conservation Area.

Statutory and Other Consultations:

No comments received at the time of writing this report though Committee will be updated verbally if any late comments are received.

Officers' Assessment:

Site Description

1. The application site consists of a former caretaker's two bedroom flat above the Museum of Oxford within the Town Hall building. The flat is located on the second floor which is accessed from a side door to a spiral staircase located off the main Museum floor at first floor level.

Description of Proposal

2. The application seeks consent for the change of use of the caretaker's flat from an ancillary dwelling to a separate self-contained flat. Access would be through the museum entrance with bin and cycle storage provided within the Town Hall's yard located off Blue Boar Street. No external works are proposed.

3. Officers' consider the principle determining issues in this case to be:

- Principle of a self-contained flat within the Town Hall; and
- The amenity of future occupiers.

Principle

4. The existing caretaker's flat has been empty for approximately two years though was formerly used ancillary to the functioning of the Town Hall and Museum. There is no longer a dedicated caretaker for the Town Hall and is maintained by a number

of staff that live away from the premises. Its loss to a separate and independent dwelling would not there result in the loss of any employment space. Furthermore it would provide additional sustainably located residential accommodation and make more efficient use of the building to the benefit of the vitality of the city centre. Consequently officers have no objection, in principle, to the loss of this part of the Town Hall to an independent dwelling.

Amenity of Future Occupiers

5. The flat provides two relatively generously sized bedrooms and an open well-lit living room as well as an adequately sized kitchen and bathroom. Each main room also enjoys a reasonable quality outlook and usable layout. The flat would comfortably exceed the minimum size threshold (39 sq m) set out in policy HP12 of the Sites and Housing Plan.

6. Whilst the access arrangements are a little unusual in that occupiers would gain access through the Museum public entrance, this is considered to be acceptable and not a particular disturbance to future occupiers particularly given that the Museum is closed outside normal daytime hours. Occasional noise disturbance could stem from functions within the Town Hall. However the flat is located away from the main hall and previously did not give rise to any disturbance to previous caretakers.

7. Cycle storage would be within the Town Hall yard with access to it approximately 50m further down Blue Boar Street where the Council typically stores its own bins and bikes. Refuse storage would also take place here and, whilst it is not necessarily desirable for future occupiers to have to bring their rubbish this far, the arrangement is not dissimilar from that experienced at upper floor flats in flat developments all across the City. A condition requiring enclosed bin and secure cycle storage is recommended to be imposed by officers.

8. Policy HP13 of the Sites and Housing Plan sets out that a balcony providing access to outdoor amenity space would be expected for one and two bedroom flats. In this case such outdoor amenity space cannot feasibly be provided and, in any event, the Town Hall building is listed and such external alterations would not be desirable in order to preserve the historic integrity of the building. However, the flat would be located in the city centre with access to a whole range of amenities including outdoor space only a short distance away at Christchurch Meadow. Officers therefore consider the quality of accommodation provided by the flat to be adequate in the circumstances.

Conclusion:

9. The proposals are considered to make more efficient use of a sustainably located site within the city centre that would provide a reasonable standard of living accommodation. Consequently Committee is recommended to approve the application subject to the conditions listed at the beginning of this report.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 13/01350/CT3

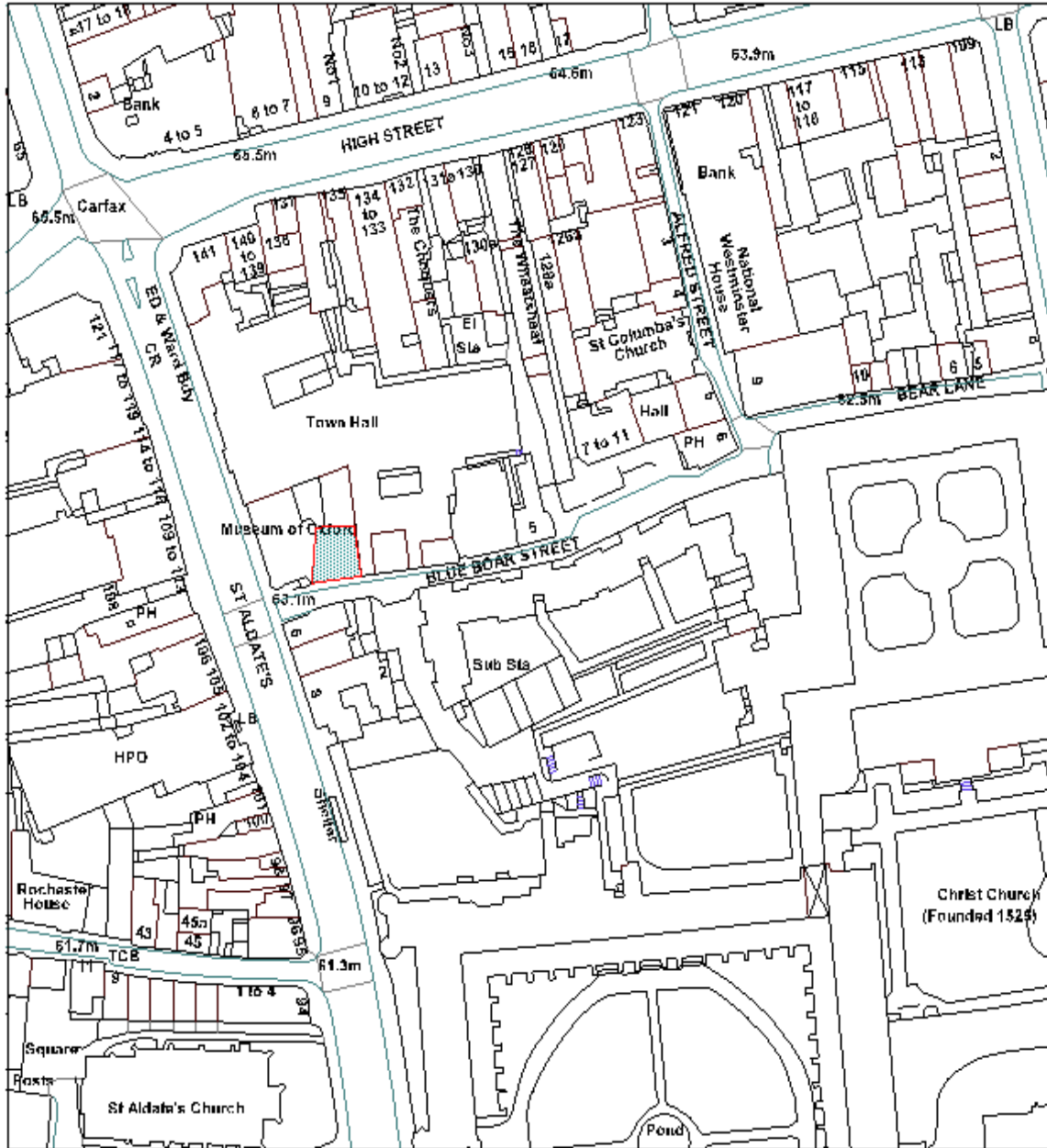
Contact Officer: Matthew Parry

Extension: 2160

Date: 27th June 2013

Appendix 1

The Flat, Town Hall



Scale: 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	13/01350/CT3
Date	20 June 2013
SLA Number	Not Set

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