

East Area Planning Committee

- 7th September 2011

Application Number: 11/01993/CT3

Decision Due by: 21st September 2011

Proposal: Temporary change of use of existing car park at Harcourt House to public car park. Provision of two pay machines (Note: This application is to provide a temporary replacement car park during closure of St Clement's Car Park during construction works).

Site Address: Harcourt House Marston Road (**Appendix 1**)

Ward: Headington Hill And Northway Ward

Agent: Kemp And Kemp Property Consultants

Applicant: Oxford City Council

Recommendation: Committee is recommended to support the proposals in principle but to defer the application to officers to approve under delegated authority in the event of the planning and conservation area consent applications relating to St. Clement's car park being approved. In the event that the St. Clement's proposals are unsuccessful, then the planning application would be withdrawn.

Reasons for Approval

- 1 The planning application seeks to establish the principle of temporary public car parking on this site in the event that planning permission is granted and implemented for student accommodation and remodelled car park at St. Clements. Details relating to marking out of the site, lighting, signage etc can all be secured later by condition in the event that the proposal is supported in principle. The proposal is supportable in terms of highway safety and crime prevention. The change of use would maintain the characteristics of the conservation area but would not unacceptably impact upon biodiversity. The application would accord with policies CP1, CP8, CP9, CP10, HE7, NE15, NE21, DS32 and TR3 of the Oxford Local Plan 2001 - 2016 and CS12, CS18 and CS19 of the Oxford Core Strategy 2026.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that 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.

- 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:

- 1 2 year consent
- 2 Develop in accordance with approved plans
- 3 Details of improvements to Marston Road junction
- 4 Vision splays as approved
- 5 Details of improvements to the access to car park
- 6 Details of direction signs
- 7 Details of parking layout and lighting
- 8 Closure of southern pedestrian access
- 9 Site surveillance measures
- 10 Droppable bollards
- 11 Hours of operation

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CP13 - Accessibility

HE7 - Conservation Areas

NE15 - Loss of Trees and Hedgerows

NE21 - Species Protection

DS32 - Harcourt Hs, Marston Rd - Ox Brookes Use

TR3 – Car Parking Standards

Oxford Core Strategy 2026

CS12 - Biodiversity

CS18 - Urban design, town character, historic environment

CS19 – Community Safety

Other Material Considerations:

The site lies within the Headington Hill Conservation Area and borders the St Clements and Iffley Road Conservation Area

PPS 1 – Delivering Sustainable Development

PPS 5 - Planning for the Historic Environment

PPS 9 - Biodiversity and Geological Conservation

PPG 13 – Transport

Regional Spatial Strategy for the South East

Parking Standards Supplementary Planning Document

St Clements and Iffley Road Conservation Area Appraisal

Manual for Streets

Relevant Site History:

09/01503/FUL - Change of use from offices (use class B1) to gymnasium (use class D2) for temporary period of three years - refused

09/00199/FUL - Change of use of premises from office (use class B1) to gymnasium (use class D2) - refused

06/00704/TEM - Retention of change of use from temporary accommodation for Oxford University Officer Training Corps to vehicle rental offices, with associated storage, shopfront, parking, and preparation facilities for temporary period of 5 years (Renewal of planning permission 00/02122/NFH) - approved

04/02233/FUL - Change of Use from temporary accommodation for Oxford University Officer Training Corps to Offices (renewal of planning permission 00/01433/NFH) - approved

04/01241/FUL - Change of use from temporary accommodation for Oxford University Officer Training Corps to offices - approved

02/00197/ADV - Non-illuminated fascia sign, directional sign and 2 entrance signs on existing railings to Marston Road - approved

01/01332/NFH - Underground petrol tank and associated equipment - approved

00/02122/NFH - Change of use from temporary accommodation for Oxford University Officer Training Corps to vehicle rental offices, with associated storage, shopfront, parking, and preparation facilities for temporary period of 5 years (Amended plans) - approved

00/01433/NFH - Change of use from temporary accommodation for Oxford University Officer Training Corps to offices - approved

Representations Received:

Statutory and Internal Consultees:

Oxford Green Belt Network – Wishes not to comment as site is not in green belt

English Heritage Commission – Does not wish to offer any comments

Thames Water Utilities Limited – No objection

Environment Agency Thames Region – Comments not received. Officers will update the Committee verbally

Thames Valley Police – No principle objection. However recommendations have been made regarding the provision of CCTV, pedestrian access, lighting, location of ticket machines and signage which should be conditional on any permission granted

Natural England – Proposal does not fall within scope of the consultations that Natural England would comment on.

Highways And Traffic – No objection subject to conditions (see below for detail)

Third Parties

16 letters of comment have been received. The issues raised can be summarised as follows:

- Proposed car park too far from St Clements and City
- Development on car park should be phased to maintain car parking during construction
- Not walking distance to St Clements
- Inadequate capacity
- Application invalid – inadequate information submitted
- Would not preserve or enhance the conservation area
- Conflict with other uses on the site
- No segregated pedestrian access
- Limited visibility at access
- Insecure location with no natural surveillance

Officers Assessment:

Site Description and Proposal

1. The application site comprises the car park to the west of Harcourt House. Although it is currently vacant, the car park presently serves the office accommodation at Harcourt House. The car park is accessed from the north via the existing vehicular drive which leads directly to Marston Road, and from the south via a pedestrian footpath, although the latter is gated preventing pedestrian access.
2. To the north of the Marston Road access drive are two further buildings, one vacant, and the other occupied by a car rental firm. Both buildings are served by their own separate parking area.
3. The application proposes the temporary change of use of the office car park to a public car park for a period of 2 years. This is to provide a temporary replacement for St Clements car park during its redevelopment in the event that planning permission is granted under reference 11/01040/FUL.
4. Officers consider the main issues of this case to be the principle of development, highway and access, trees, biodiversity, impact on the character and appearance of the conservation area, and crime and safety.

Principle of Development

5. The purpose of this application is to provide a temporary replacement public car park for a 2 year construction period in the event that St Clements car park is redeveloped for student accommodation and a remodelled car park. The merits of the latter proposal are not relevant to this current application however, suffice that a temporary facility is only required in the event that planning permission is granted for St. Clement's.

6. The principle therefore of the use of this car parking area as a public car park for a temporary period is satisfactory. In the event that Members agree with the officers' recommendation, it will then be for the forthcoming West Area Planning Committee to consider and decide whether this temporary public car park would provide adequate temporary replacement parking facilities, in assessing the acceptability of the St Clement's car park development proposal.

Highway and Access

Access

7. It is proposed to utilise the existing site access. This will need to be improved to satisfy the requirements of the Highway Authority but such measures as required can be secured by condition should planning permission be granted. These measures will require some cutting back of vegetation to the north of the junction to achieve with the submitted vision splays. There is currently pedestrian access running parallel to the vehicular access, however it will need to incorporate a dropped curb adjacent to Marston Road and on the opposite side. The markings will also need to be relined. Measures will need to be in place to prevent the southern pedestrian access from being used. The northern access into the car park will need to be improved for pedestrians and vehicles, whilst a 'box junction' will need to be lined out to prevent vehicles obstructing the entrance into the car park.

Car Parking

8. The car park will need to be lined out to clearly demark the parking spaces, including disabled and motorcycle spaces. The method for lighting the car park will also need to be agreed and installed prior to commencement of the use, as would details of signage. All of these matters can be secured by condition should the principle of a temporary public car park at this location be accepted and planning permission be granted.
9. The Highway Authority has raised no objection subject to the above matters being addressed by condition.

Trees

10. Although the vehicular access off Marston Road is established, it is proposed to improve visibility by cutting back the vegetation to the north of the junction. The plants that will need to be cut back or removed from the highway verge will be mostly shrubby examples of blackthorn, hawthorn, elm and elder. It is unlikely that any specimen trees will need to be pruned. None will need to be lost. There is sufficient depth of vegetation alongside this part of Marston Road to ensure that the site will remain adequately screened, so that the appearance and character of the conservation area will be preserved. Overall therefore the landscape management that will be required to improve the vision splays will not have any significant effect on amenity within the conservation area which the site falls within.

Biodiversity

11. Local Plan policy NE21 states that planning permission will not be granted for developments that would harm animal species specifically protected by law, unless the harm can be overcome by appropriate mitigation through compliance with planning conditions or planning obligations. Policy CS12 of the Core Strategy states that proposals should not have a significant adverse impact on Site of Local Importance for Nature Conservation (SLINC) and Site of Special Scientific Interest (SSSI).
12. The site is adjacent to Headington Hill Park, a Site of Local Interest for Nature Conservation (SLINC), and within 200m of Long Meadow and Angel and Greyhound Meadow which is both a SLINC and Site of Special Scientific Interest (SSSI). The site is located between these sites and as such development here could have an impact upon bats traveling between both sites to feed.
13. The application site is an existing car park, with associated lighting. The proposal would maintain the same characteristics of the existing land use and although it is likely that there would be new traffic movements outside peak hours, along with lighting usage later into the evening and at weekends, the impact on the SLINC and SSSI is not considered to be significant given the existing site characteristics. However, in consideration of the potential impact on bats it is recommended that a condition be imposed requiring details of lighting to be agreed prior to installation.

Impact on the Character and Appearance of the Conservation Area

14. The City Council has a statutory duty under sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving or enhancing the special interest and setting of the listed buildings and the character or appearance of the conservation area. Local Plan policies give effect to this requirement and will only permit proposals which preserve the special interest and setting of these heritage environments. Accordingly Local Plan policy HE7 states that that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation areas or their setting.
15. Although the site is within the Headington Hill Conservation Area, the St Clements and Iffley Road Conservation Area abuts it to the west. The St Clements and Iffley Road Conservation Area Appraisal makes specific reference to Marston Road and states that its eastern side, which includes the trees within the application site, create a dense green setting to the conservation area.
16. Although the use of the existing surface car park as a public facility will change the frequency of non peak hour traffic movements, this will not significantly alter the characteristics of the site. The important planting

along the western boundary (east side of Marston Road) is to be retained, and the cutting back that is required to the north of the junction to facilitate the vision splay is not so significant that it would affect visual amenity. In the light of this officers conclude that the character and appearance of the conservation area would be maintained.

Crime and Community Safety

17. Core Strategy policy CS19 states that development should promote safe environments and reduce the opportunity for crime and fear of crime. The Thames Valley Crime Prevention Advisor raises no objection to the principle of the proposal, but has highlighted some areas of concern and made a series of recommendations to address those issues.

Surveillance

18. The office building is presently vacant and as such there is no opportunity for natural surveillance, although it should be noted that other uses are active to the north of the site and there are residential properties to the south. To remedy this, the Crime Prevention Advisor has recommended that the ground level foliage be removed from under the trees fronting Marston Road to create natural surveillance. Officers are opposed to this approach as it would undermine the green setting of this part of the Headington Hill and St Clements and Iffley Road conservation areas. As an alternative solution the Crime Prevention Advisor has recommended the installation of CCTV or physical patrols of the site. Officers raise no objection to either approach and it is recommended that details be secured by planning condition should planning permission be granted.

Perimeter

19. The site has no physical barrier to prevent vehicles parking to the side or rear of the office building to evade payment or as an overflow area. The Crime Prevention Advisor has recommended that a lockable bollard be installed across the service road to prevent cars accessing the side and rear of the building. Again officers raise no objection to this approach, although do not consider it likely that cars will access the rear of the building as there is no legible route to these areas. However, a condition securing a drop down bollard can be secured by condition should planning permission be granted.

Vehicle/Pedestrian Entrances

20. The Crime Prevention Advisor also observed whilst visiting the site that vehicles were being delivered to the car rental firm to the north of the site. This resulted in a transporter vehicle blocking the entrance to the application site. Officers acknowledge this potential obstruction. However it is a current occurrence whilst the application site is vacant. Should planning permission be granted an alternative arrangement for delivering vehicles will need to be found by the car rental firm in terms of delivery times etc. The Highway Authority has raised no objection on this matter but have recommended a 'box junction' adjacent to the entrance into the car park to prevent vehicles blocking access into the car park.

21. Concern was also raised about the southern pedestrian route and it being overgrown and that it is an unwelcoming route for pedestrians. However, the Highway Authority has asked that this route be closed which officers recommend be secured by condition. It should be noted that there is no pedestrian footway along the eastern side of Marston Road adjoining the application site.

Lighting

22. Due to the lack of natural surveillance on the site the Crime Prevention Advisor has recommended that a suitable lighting scheme be provided. It has been suggested that the existing lighting on site, comprising lighting columns and wall mounted lights, be used. The Crime Prevention Advisor is satisfied with this approach. Officers would therefore recommend a condition to secure details of lighting.

Ticket Machines

23. Crime Prevention Advisor has recommended that the ticket machines be located adjacent to the building beneath the wall mounted lighting in order to deter them being a target for criminal damage. The submitted plans reflect this.

Signage

24. It is recommended that there is clear directional signage. Officer would agree with this approach and recommend a condition to secure this accordingly.

Other Matters

25. Concern has been raised during the consultation process that the proposal would remove car parking from the office use or that the office use would take up some of the car parking provision. Officers can confirm that the offices are presently unoccupied but let to the Department for Work and Pensions. The two year lease on the car parking to provide the temporary replacement public car park is exclusive for that purpose and the temporary parking provision would be protected in its entirety, therefore allowing no use by the offices should they become occupied.

Conclusion

26. The planning application seeks to establish the principle of temporary public car parking on this site in the event that planning permission is granted and implemented for student accommodation and remodelled car park at St. Clements. Details relating to marking out of the site, lighting, signage etc can all be secured later by condition in the event that the proposal is supported in principle. Officers raise no objection to such use which is also supportable in terms of highway safety and crime prevention. The change of use would maintain the characteristics of the conservation area but would not unacceptably impact upon biodiversity issues. Officers would therefore recommend that the development is supported in accordance with the recommendation at the head 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 11/01993/CT3

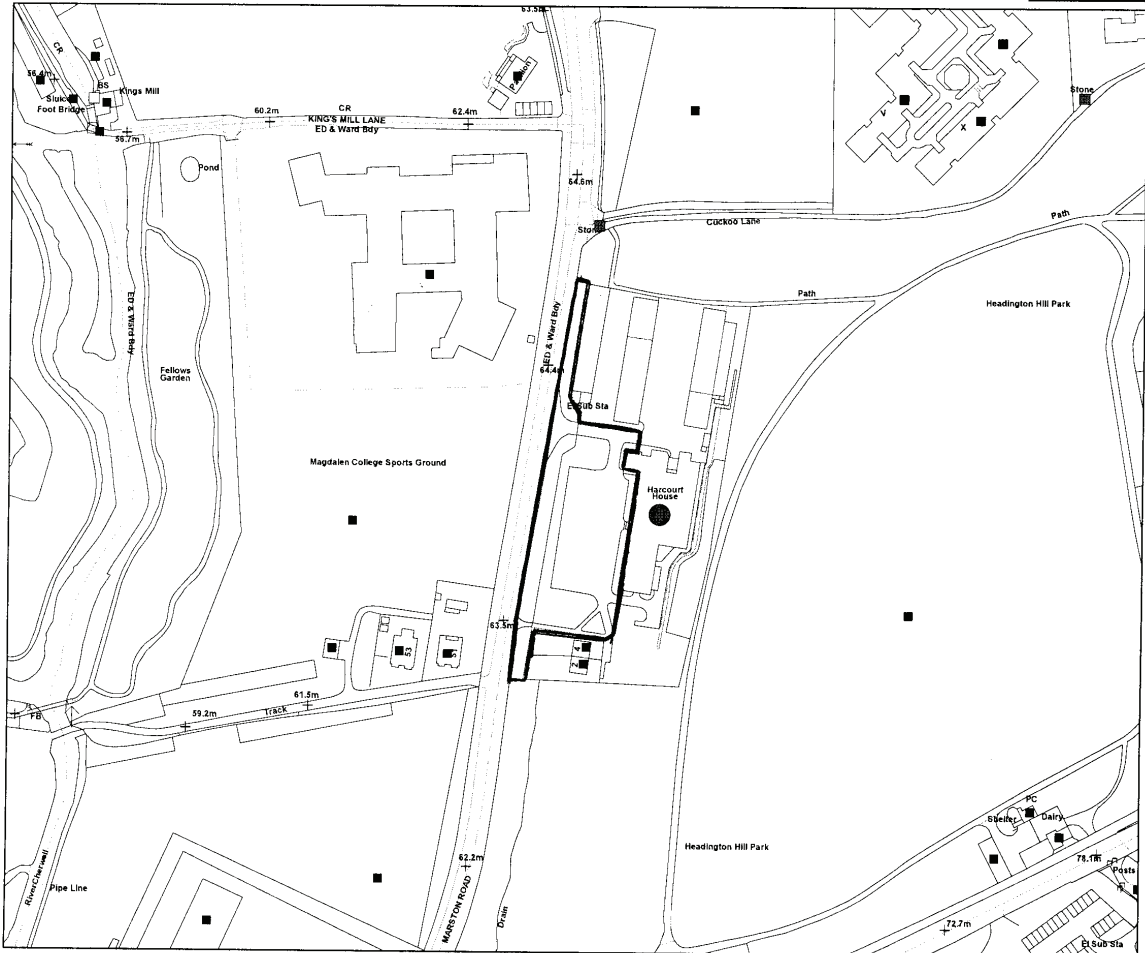
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Extension: 2221

Date: 24th August 2011

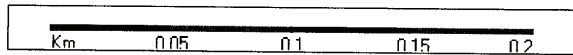
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Harcourt House, Marston Road



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Scale: 1:2500



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Organisation	Oxford City Council
Department	City Development
Comments	
Date	24 August 2011
SLA Number	100019348