

East Area Planning Committee

9th September 2013

Application Number: 12/01340/CND

Decision Due by: 3rd September 2013

Proposal: Details submitted in accordance with conditions 3 (exterior materials), 4 [sample panel], 5 (existing stone), 8 (landscape plan), 10 (boundary details), 11 (new boundary wall), 12 (highway specifications), 14 (construction travel plan), 15 (permeable parking and driveway areas), 16 (desktop survey), 17 (cycle parking details), 18 (SAP calculations), 20 (provision of bat boxes) and 21 (omit bin store) of planning permission 12/01340/FUL. (Amended plans)

Site Address: 28 Quarry High Street Oxford Oxfordshire OX3 8JX

Ward: Quarry And Risinghurst

Agent: Daniel Lembo

Applicant: Malcolm Griffiths
Renovations

Application called in by Councillors Sinclair, Price, Coulter and Van Nooijen on grounds that the site has a long planning history and has been highly controversial. As all other matters relating to the site have been considered by Committee, it is appropriate that this application for the discharge of conditions also be heard in public.

Recommendation:

East Area Planning Committee is recommended to approve the details submitted pursuant to conditions 3 [external materials], 8 [landscaping plan], 10 [boundary details], 12 [highway specifications], 14 [construction travel plan], 15 [permeable parking and driveway areas], 16 [contamination desk top study], 17 [cycle parking details], 18 [sustainable construction and design details], 20 [provision of bat boxes] and 21 [omit bin store] of planning permission 12/01340/FUL.

Discussions regarding the type of natural stone and the details of the mortar mix to be used for the external walls of the dwellings and for the new frontage wall are on-going and a sample panel will be erected on site for officer approval in due course. East Area Planning Committee is therefore recommended to delegate to officers the approval of the stone, the mortar mix and the sample panel [conditions 4 [sample

panel], 5 [existing stone to be used in new front wall] and 11 [new boundary wall].

Background

1. Planning permission was granted by East Area Planning Committee by notice dated 11th October 2012 for the erection of two detached dwellings, the demolition of the existing boundary wall and the erection of a new stone boundary wall [using the existing stone in conjunction with new stone], the erection of a replacement garage to serve 32 Quarry High Street and the erection of a two storey extension to the rear of 28 Quarry High Street. [12/01340/FUL].
2. The permission is subject to a total of 21 planning conditions, 14 of which are pre-commencement conditions and it is these conditions that the current application seeks to discharge. The remaining 7 conditions are statements and do not require the submission of any details. The conditions which require discharge are set out below:

Representations

3. Three letters have been submitted and the comments made can be summarised as follows:
 - The plans show the access, wall and vision splays different to the that approved – amended plans have now been received
 - There is a large amount of decking and this reduces the amount of open space – amended plans have now been received that reduces the extent of the external decking
 - There is no Construction Traffic Management Plan – this has now been submitted
 - All tree works should be as agreed – the agent has now met with the Council's Tree Officer and agreed new tree and hedge planting
 - County Highways must be involved in the new wall and access – full discussions have taken place between the agent and County Highways
 - Access to this site will be very difficult – the CMTP sets out the routes large vehicles will take
 - There is no mention of the above ground sewer on the site – this is a matter for the developer to deal with in association with Thames Water
 - Visibility will be very poor – the plan submitted shows the necessary 2.4 x 33 visibility splays required by County Highways

Condition 3 – External Materials

4. Samples of a natural slate roof tile and cedar cladding board have been submitted and these are considered to be acceptable.

Condition 4 – Sample Panel

Condition 5 – Existing Stone to be used for New Stone Wall

Condition 11 – New Boundary Wall

5. Discussions regarding the type of natural stone and mortar mix to be used for the external walls of the houses and the new boundary wall are still on-going and Committee is recommended to delegate to officers the approval of the stone, the mortar mix and the sample panel when agreement has been reached.

Condition 8 – Landscape Plan

6. The Council's Tree Officer has met with the agent on site and discussed new tree planting, new hedge planting, the protection of the Root Protection Areas of retained trees and details of tree protection. As a result of these discussions plan no. 220 – C has been submitted which sets out the species of new trees to be planted together with their stem girth, the composition of both a new mixed species hedge and a hornbeam hedge together with low shrubs and indigenous grasses. The plan also includes all details of site finishes [gravel, timber edging, timber decking, stone paving, grassed parking and close boarded fencing]. A further plan [D13 – 0859] shows the location of the protective fencing which would be Heras 151 fencing which is sufficient for the tree protection measures required on the application site.
7. The Tree Officer has confirmed that he is satisfied with the details submitted.

Condition 10 – Boundary Details

8. The boundaries of the site that are not currently walled along Coopers Alley and on part of the eastern boundary would be enclosed using 1.8 metre high close boarded fencing. It is considered that this is acceptable.

Condition 12 – Highway Specifications

9. The agent has undertaken discussions with Oxfordshire County Council as Local Highway Authority in respect of the proposed widened access, footways, rumble strip and all proposed highway works and has submitted plan 225 – A showing these details together with the required visibility splays of 2.4 x 33 metres. A highways officer has confirmed that these details are acceptable.

Condition 14 – Construction Traffic Management Plan

10. A revised Construction Traffic Management Plan has also been submitted and reviewed by the County Council. The document is considered to be acceptable in terms of the movements of construction vehicles with car parking arranged at The Chequers Inn for site operatives. The Highway Authority has suggested that the reference to signage in the form of "finger board" directional signs should be removed as the use of satellite navigation devices make these essentially redundant. In all other respects however the County Council is satisfied with the Construction Traffic Management Plan.

Condition 15 – Permeable Parking and Driveway Areas

11. Details have been submitted of a product called Bodpave 85 Paving Grids which includes a full specification and design with installation guidance for gravel surfaces. It is proposed to use this product on the parking and driveway areas to ensure satisfactory drainage. Officers consider this information to be acceptable.

Condition 16 – Contamination Desktop Survey

12. A “Site Investigation” [Report no. BRD1890-OR1-A dated 20th June 2013] has been submitted as part of this conditions discharge application. Officers have read the report and can confirm that it meets the requirements of a Phase 1 Desk Study with regard to contaminated land and a Phase 2 Site Investigation. No significant risks from identified pollutant linkages were found and the findings are acceptable for the proposed end use with no further works necessary.

13. However should any unexpected contamination be encountered during the site work, an appropriate specialist company and the City Council need to be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation.

Condition 17 – Cycle Parking Details

14. Cycle parking to serve the two new dwellings would be by way of purpose built, individual, timber cycle sheds that would be erected to the rear of each dwelling. The sheds would measure 1.8 metres in width, 2.4 metres in length and would have a height of 2.1 metres. Officers consider these details to be acceptable.

Condition 18 – Sustainable Construction and Design Details

15. The following information has been submitted pursuant to the above condition:

- The new buildings will have accredited thermal construction details
- Carbon neutral secondary heating in the form of wood burning stoves will be installed in each dwelling
- Gas saver flues will be connected to the main boiler which results in approximately 30% saving on gas consumption
- There will be full zone controls to space heating
- Parking bays and driveways into homes will be constructed using Bodpave grid to SUDS specification [Sustainable Urban Drainage Systems] and will be laid in both grass and gravel.
- Provision of rainwater butts

16. Officers are satisfied that the information submitted satisfactorily addresses the requirement of this condition.

Condition 20 – Bat Boxes

17. Plan 220 – C shows the provision of two wooden bat boxes in the existing trees marked as T7 and T14 which are both established trees located on the southern boundary of the site. Officers are satisfied with these details.

Condition 21 – Omit Bin Store

18. This condition specifically requires that the bin store originally proposed as an integral part of the new garage to serve 32 Quarry High Street be removed and that bin stores are provided in the individual garden areas serving the new dwellings. Plan 220 – C shows the removal of the bin store from the new garage and the provision of bin facilities adjacent to the rear walls of the new dwellings. This is considered to be acceptable

Conclusion:

19. The details submitted pursuant to conditions 3, 8, 10, 12, 14, 15, 16, 17, 18, 20 and 21 are considered to be acceptable. The only unresolved issue is the natural stone to be used for the external walls of the dwellings and the new stone boundary wall which involves conditions 4, 5 and 11. If this issue is resolved by the date of the Committee meeting, a verbal update will be made at the meeting.

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 the discharge of conditions 3,8,10,12,14,15,16,17,18,20 and 21 officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

12/01340/FUL

12/01340/CND

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Date: 15th August 2013