

Planning Review Committee

22nd June 2016

Application Number: 16/00002/CT3

Decision Due by: 31st March 2016

Proposal: Demolition of the existing sports pavilion. Erection of a new sports pavilion (amended plans)

Site Address: Pavilion Recreation Ground, Margaret Road (**site plan: appendix 1**)

Ward: Quarry And Risinghurst Ward

Agent: Mr Matthew Savory

Applicant: Oxford City Council

The application has been called-in to the Planning Review Committee by Councillors Wilkinson, Goddard, Brandt, Fooks, Wade, Landell-Mills, Simmons, Gant, Thomas, Wolff, Haines and Altaf-Khan

Recommendation:

The Planning Review Committee are recommended to approve the application for following reasons

- 1 The proposed demolition of the existing pavilion and erection of a new sports pavilion would be acceptable in terms of impact on the public open space and the replacement of an existing community facility. The proposed development would represent an enhancement in terms of providing a more modern facility that would make more efficient use of the existing land. The proposed pavilion would be acceptable in terms of its design, impact on streetscene and the setting of the nearby conservation area. The access arrangements and improvements would be acceptable. The development therefore accords with all of the relevant planning policies, including Policy CP1, CP6, CP8, HE7, SR2 and SR5 of the Oxford Local Plan 2001-2016, Policy CS20, CS21 and CS18 of the Core Strategy (2011) and Policy HP14 of the Sites and Housing Plan (2013).

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Access improvements_
- 5 Car parking improvements_
- 6 Drainage
- 7 Arboricultural Report

- 8 Cycle parking
- 9 Contaminated Land – Risk Assessment
- 10 No Occupation until Remediation
- 11 Unexpected Contaminated
- 12 Watching brief
- 13 Outdoor lighting
- 14 Biodiversity enhancements
- 15 Nesting birds

Representation Received

A summary of all the comments received from statutory consultees and third parties are set out within the original committee report included with the agenda.

Background

1. At the East Area Planning Committee on the 11th May 2016, Members resolved to approve planning permission for the demolition of the existing sports pavilion and erection of a new sports pavilion. A copy of the officer's report has been attached to the committee agenda.
2. The application has been called into planning review committee by the following Councillors Wilkinson, Goddard, Brandt, Fooks, Wade, Landell-Mills, Simmons, Gant, Thomas, Wolff, Haines and Altaf-Khan on the following grounds
 - The design does not meet the stated needs of the community, for example lack of shelter for parent observers in bad weather and insufficient catering space for sports teas and community use
 - The windows do not face playground and sports facilities which some parents feel has safeguarding implications
 - There is insufficient good quality cycle access
 - There would be safety concerns regarding the entrance to the site with the possibility that children may run out of the playground across into the excessively large parking area
3. The purpose of this supplemental report is to provide specific comments on the matters listed above and to address updates made at the East Area Planning Committee on 11th May 2016.

Updates

4. Two verbal updates were made at the East Area Planning Committee on 11th May 2016. Firstly, Officers informed members of the committee that there had been a request for the bollards at the entrance to be made of wood rather than metal as originally specified. This request was made partially on the basis that this would match existing bollards in use in Ramsey Road. Officers considered that this was a reasonable and recommended that members amend the wording of Condition 4 accordingly to request wooden bollards.

5. A second verbal update related to the inclusion in the site plan of the removal of a lime tree; Officers had understood that this tree was not proposed to be removed and had sought clarification which asserted that the tree is not proposed to be removed. To avoid doubt, Officers recommended that the relevant conditions (Condition 2 and 7) mentioned the retention of the tree. When members of the East Area Planning Committee resolved to grant planning permission they did so on the basis of the recommended changes that were advised through the verbal update.

Further Design Considerations

6. This section of the report is to provide a further assessment of the criteria and considerations that can be made in relation to design. This followed specific concerns that were raised as the reason for the call in, which are listed below and responded to underneath:
 - [The pavilion] does not meet the stated needs of the community, for example lack of shelter for parent observers in bad weather and insufficient catering space for sports teas and community use
 - Windows do not face playground and sports facilities which some parents feel has safeguarding implications
 - Insufficiently good quality cycle access
 - Safety concerns regarding the entrance to the site with the possibility that children may run out of the playground across into the excessively large parking area
7. The development proposed is a City Council scheme that has been carried out in consultation with the community. Officers agree that there is limited space for spectators to view sporting events within the building though this is not considered to be a valid reason for refusing the development on design grounds. A kitchen and catering area is identified on the floor plans; the suitability of this space in the context of the type of events that would be hosted in the building is not a planning consideration.
8. Safeguarding may be a material consideration but Officers do not consider that the lack of visibility of the playground from the building would be a basis for refusing planning permission for the development.
9. New cycle parking stands are proposed as part of the development and the number of stands was increased following the submission of revised plans. The existing road access (and routes around the park) would provide access to the site by bike.
10. The parking area is proposed to be used by occasional maintenance vehicles. An existing access and limited parking area are already provided in this location; on this basis this could not form a basis for refusing planning permission.

Conclusion:

11. The proposal is considered to be acceptable in terms of the aims and objectives

of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation to Members would be to approve the application.

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:

16/00002/CT3

Contact Officer: Robert Fowler

Extension: 2104

Date: 18th May 2016