

Planning Review Committee

18th January 2017

Application Number: 16/01789/FUL

Decision Due by: 1st September 2016

Proposal: Demolition of Aristotle House. Erection of four storey building to provide office space (Use Class B1) at basement, ground and first floor levels and formation of 2 x 2-bed flats (Use Class C3) above. Erection of 4 x 4-bed terraced dwellings (Use Class C3). Formation of access from Kingston Road. Provision of car parking and bin/cycle storage.

Site Address: Aristotle House Aristotle Lane – see site plan **Appendix 2**

Ward: St Margarets Ward

Agent: Mrs Lois Partridge

Applicant: Mr Ian Thompson

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1. This covering report should be read in conjunction with the officer's report dated 2nd December 2016 attached as **Appendix 1**.
 2. At the West Area Planning Committee on the 13th December 2016, Members resolved to **approve** planning permission for the following reasons:
 1. 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.
 2. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.
 3. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.
 4. 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.

3. The application has been called-in to the Planning Review Committee by Councillors Pressel, Azad, Lygo, Fry, Munkonge, Rowley, Upton, Taylor, Chapman, Simmons, Brandt and Thomas.
4. The call-in is on the grounds that the decision did not take adequate account of the road safety aspects of the proposal. In particular, the detailed traffic survey carried out by local residents show significant amounts of pedestrian and cycle activity at peak times (including children on their way to St Philip and St James' Primary School). The proposals would create new road access for employees' vehicles to the offices on the site. The concerns relate to the road safety impacts of the proposed development and specifically that these were not adequately considered by the West Area Planning Committee on 13th December 2016.
5. At the West Area Planning Committee meeting on the 13th December 2016 verbal updates were made that addressed issues relating to highway safety and the submission of a traffic survey which was produced by SMAS (St Margaret's Area Society). A copy of the survey was provided to members in advance of the committee meeting on 13th December. This also included a presentation with diagrams showing the key findings of the traffic survey.
6. The call in grounds relate solely to matters of highway safety; officers have set out more details relating to highway safety below that should be read in conjunction with the original officers report (**Appendix 1**). The details below include the information that was presented as a verbal update to the West Area Planning Committee on 13th December. The draft minutes of that meeting are attached (**Appendix 3**).

Impact on Highway Safety

7. Oxfordshire County Council Highways were consulted on the traffic survey (provided by SMAS) and repeated that they continued to have no objections to the proposals; specifically including the following comments:

The proposed development is likely to result in a reduction in the overall motor vehicle trips to the site as a whole. This is because the development proposes a reduction in the number of on-site car parking spaces while the opportunity for the development to generate an increase in overspill on-street parking is minimised by the parking controls within the Controlled Parking Zone.

The pedestrian and cycle movements associated with the new development are likely to be comparable with that which could be generated under the site's extant use (535sqm B1 office space) which could reasonably accommodate more employees than the proposed development.

The proposed new access south of the bollards on Hayfield Road will provide access to just eight parking spaces. Therefore, the increase in motor vehicle movements at the four-way junction as a result of new access will be marginal. Furthermore, the public realm improvements including wider footways would help to create an environment that is more suitable for pedestrians and the new access would also provide a turning area so that vehicles exiting the southern end of Hayfield Road could do so in a forwards gear.

The concerns over the operation of the four-way junction are noted, however these issues are pre-existing and analysis of accident data stretching back to 2003 (beyond the usual 5 year period) does not indicate an underlying road safety issue at this junction. Taking this into account the County Council does not consider that the small number of additional vehicle movements associated with the proposed new access would be sufficient to raise concerns over road safety.

8. Officers from Oxfordshire County Council Highways will attend the Planning Review Committee meeting on 18th January 2017 to answer questions relating to the impact of the proposed development on highway safety.
9. On the above basis, officers are satisfied that the proposed development would not give rise to an unacceptable impact on highway safety.

Conclusion:

10. The proposal is considered to be acceptable in terms of the 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 is to grant planning permission subject to the conditions as set out in the officer report (**Appendix 1**).

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: 16/01789/FUL

Contact Officer: Rob Fowler

Extension: 2104

Date: 9th January 2016