

Agenda Item 3

East Area Planning Committee

8th March 2017

Application Number: 16/01225/FUL

Decision Due by: 9th August 2016

Proposal: Erection of 48 dwellings with associated car parking, landscaping, open space and access.

Site Address: Temple Cowley Pools, Temple Road (**site plan: appendix 1**)

Ward: Cowley Marsh Ward

Agent: Savills

Applicant: Catalyst Housing Limited

Recommendation:

The East Area Planning Committee is recommended to support the development in principle but defer the application in order to draw up a legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions on its completion for the following reasons:

Reasons for Approval

1. The proposed development would make an efficient use of an allocated development site to provide much needed good quality affordable and market housing in a manner that would establish a balanced and mixed community within the East Oxford Neighbourhood Area. With respect to the loss of the sports and leisure facility the requirements of Oxford Core Strategy Policy CS21 and NPPF paragraph 74 have been met through the provision of alternative facilities. The overall layout, form, and appearance of the development would be appropriate for the site and surrounding area while also safeguarding the amenities of existing and proposed residential properties and providing suitable public open space. It would be acceptable in highway terms with appropriate access arrangements to adjoining uses, and parking provision. The development would not have a significant impact upon biodiversity; trees; archaeology; flood risk; drainage; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated by appropriate measures secured by condition or contributions. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.

2. In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
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 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of all means of enclosure
- 5 Details of refuse and cycle storage (including residents and visitors)
- 6 Revised window design for southern elevation of Block C (either high level or repositioned)
- 7 Revised Landscaping plan required
- 8 Landscaping carried out by completion
- 9 Landscaping management plan
- 10 Details of access road (including tactile crossing at junction and visibility splays)
- 11 Swept Path Analysis for refuse vehicles
- 12 Residents travel Information Pack
- 13 Construction Environmental Management Plan (including Traffic Management)
- 14 Details of parking management (including parking controls, parking management for the library)
- 15 Electric Vehicles Charging Infrastructure
- 16 Details of Biodiversity Enhancements
- 17 Sustainable Urban Drainage Scheme & Strategy (including maintenance plan)
- 18 Archaeology Written Scheme of Investigation
- 19 Contaminated Land Assessment
- 20 Removal of Permitted Development Rights
- 21 Details of Fire Hydrants
- 22 Sustainability Measures (including detailed design of PV panels)

Legal Agreement:

- Affordable housing to the mix specified within the application

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places
CP10 - Siting Development to Meet Functional Needs
CP11 - Landscape Design
TR1 - Transport Assessment
TR2 - Travel Plans
HE2 - Archaeology
HE7 - Conservation Areas
NE15 - Loss of Trees and Hedgerows

Core Strategy

CS2_ - Previously developed and greenfield land
CS9_ - Energy and natural resources
CS11_ - Flooding
CS12_ - Biodiversity
CS18_ - Urban design, town character, historic environment
CS21_ - Green spaces, leisure and sport
CS23_ - Mix of housing
CS24_ - Affordable housing

Sites and Housing Plan

SP54_ - Temple Cowley Pools, Temple Road
HP3_ - Affordable Homes from Large Housing Sites
HP9_ - Design, Character and Context
HP11_ - Low Carbon Homes
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Planning Documents

National Planning Policy Framework – paragraphs 6, 7, 14, 74, 128
Balance of Dwellings Supplementary Planning Document
Affordable Housing and Planning Obligations Supplementary Planning Document

Public Consultation

A summary of all the comments received from statutory consultees and third parties can be found in **Appendix 2** of this committee report.

Pre-Application Discussions / Oxford Design Review Panel

The proposal has been developed following pre-application discussions with the Council and a public exhibition held in the adjacent Silver Band Hall on the 26th June 2015.

The proposal has also been reviewed by the Oxford Design Review Panel on the 7th May 2015 and 16th July 2015. The responses of the panel are enclosed in **Appendix 3** of this report

Officers Assessment:

Background to Proposals

1. The site is located on the western side of Temple Road and is bordered by the Temple Cowley Library to the south-east; residential properties of Oxford Road to the south-west; St Christopher's Primary School and playing fields to the north and north-west; Silver Band Hall and an employment site to the north (**appendix 1**)
2. The site formerly comprised the Temple Cowley Pool and Leisure Facility, which lay to the rear of the site behind the library. This use ceased in December 2014 and the building has subsequently been demolished following the grant of a prior approval application in November 2015 under reference 15/03107/DEM.
3. The site is accessed from Temple Road and leads to an access road that runs along the northern boundary of the site which provides access to the Silver Band Hall and pedestrian access to the primary school. The road also led to the car park for the leisure facility which was sited between the building and the library.
4. The site does not lie within an area of special control however the boundary of the Temple Cowley Conservation Area is immediately adjacent to the northern and eastern boundary of the site. The site is also within Flood Zone 1.
5. The application is seeking planning permission for the redevelopment of the site to provide 48 dwellings, in a group of three apartment blocks (35 dwellings) and a series of terrace and semi-detached dwellings (13 dwellings). The proposal will provide 50% affordable housing, with 19 of the units as social rent and 5 as shared ownership. The development will utilise the existing access from Temple Road, and will maintain vehicle access to the Silver Band Hall and pedestrian access to the school.
6. Officers consider the principal determining issues to be:
 - Principle of development;
 - Loss of existing sports and leisure facility;
 - Balance of dwellings and Affordable Housing
 - Site layout and built form;
 - Impact upon adjoining properties
 - Residential uses;
 - Transport;
 - Landscaping;
 - Flood risk and drainage;
 - Biodiversity;
 - Archaeology;
 - Sustainability
 - Air quality
 - Land Contamination

Principle of Development

7. The National Planning Policy Framework has a presumption in favour of delivering sustainable development, which it sees as meaning planning for economic, environmental, and social progress (paragraphs 6 & 7). The NPPF makes clear in Paragraph 14 that this presumption should be seen as the golden-thread running through plan-making and decision-taking, which for decision-taking means approving development proposals that accord with the development plan without delay.
8. In this regard the site has been allocated for residential development through Sites and Housing Plan Policy SP54. The site allocations within this development plan are an important part in delivering the Oxford Core Strategy's key principles of meeting Oxford's housing and employment needs; reducing the need to travel; and regeneration and reuse of previously developed land. They are also part of meeting the NPPF's requirement for authority's to demonstrate that they have a five-year housing land supply of deliverable sites. The general principle of redeveloping this site for residential accommodation would therefore accord with the aims of the development plan and therein meet the aims of the NPPF.
9. The allocation policy does include a number of points that any development proposal will need to address and these will be considered in further detail throughout this report, however, officers would make members aware that there would be no material reason to object to the general principle of providing residential development on this site.

Loss of Existing Sport and Leisure Facility

10. The site allocation policy (SP54) states that any redevelopment proposal for the site will be subject to Oxford Core Strategy Policy CS21. This policy states that the loss of existing sports and leisure facilities will only be supported if alternative facilities can be provided and if no deficiency is created in the area. It goes on to state that alternative facilities should be provided in a location equally or more accessible by walking, cycling and public transport and will be particularly welcomed in areas that have an identified shortage.
11. The Temple Cowley Pool and Leisure Facility ceased use in December 2014, following the opening of the new pool at the Blackbird Leys Leisure Centre. The new pool (Leys Pool and Leisure Centre) has been providing the swimming facilities for the south of the city since that time, and the Temple Cowley Pool buildings have since been demolished. The decision to replace the Temple Cowley Pool and Leisure Facility was taken by the City Council Executive Board in September 2010 following a Leisure Facilities Review in 2009. The Board concluded that the most appropriate solution to the provision of swimming facilities in south of the city was to close the outdated and expensive pools at Temple Cowley (along with another in Blackbird Leys) and replace them with a modern facility adjacent to the existing Blackbird Leys Leisure Centre which would serve as a local pool for south east Oxford as well as being a competition pool for a wider area. The Blackbird Leys Leisure Centre was considered to be

in an accessible location which has a greater catchment area of people living within a 10 minute walking distance than Temple Cowley Pools. Moreover it was also within walking and cycling distance for many within the Temple Cowley Pool catchment area, and well served by public transport with both services (Oxford Bus Company's route 5, and Stagecoach's route 1) running frequently from Blackbird Leys to the City Centre and therefore providing a direct bus from the Temple Cowley area to Blackbird Leys. In light of the intended quality of the new facility and its accessible location, officers advised the board that the replacement of the Temple Cowley Pool with a new facility would comply with the aims of Policy CS21. This is recognised in the preamble to the site allocation policy for the site (SP54) which states that the new pool in Blackbird Leys is anticipated to satisfy the requirements of Policy CS21. This supporting text was approved by an inspector following an Examination in Public and therefore forms part of the current development plan. Having regards to this context and decision making process behind the decision to replace Temple Cowley Pools (in particular the approval of the Sites and Housing Plan Inspector) with a modern facility at Blackbird Leys, officers would advise members that the loss of the sports facility would comply with the policies of the development plan.

12. During the consultation process it has been suggested that the redevelopment of the site for residential use would be contrary to the aims of the National Planning Policy Framework because the site has not been shown as being surplus to requirements for recreational use. This is a reference to NPPF paragraph 74, albeit the first part only, which essentially has the same intention as Oxford Core Strategy Policy CS21. This paragraph states that existing open space, sports and recreation buildings and land, including playing fields, should not be built on unless:
 - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the need for which clearly outweighs the loss'
13. In dealing specifically with this point, officers would advise members that proposal would accord with paragraph 74 because the Temple Cowley Pools and Leisure Facility have been replaced with a better facility in a suitable location. As will be clear from the above, the three bulleted criteria of NPPF paragraph 74 are alternatives and only one of the criteria needs to be met in order for the paragraph to be complied with. Members will also note that with the Sites and Housing Plan being a post NPPF document the Inspector would have been fully aware of the requirements of NPPF paragraph 74 when approving the allocation policy (SP54) and its supporting text.
14. In light of the above, officers are of the view that the requirements of Oxford Core Strategy Policy CS21 and NPPF paragraph 74 have been met.

Balance of Dwellings and Affordable Housing

15. Policy CS23 of the Oxford Core Strategy 2026 require residential development to deliver a balanced mix of housing to meet the projected future household need, within each site and across Oxford. The mix of housing relates to the size, type and tenure of dwellings.
16. The Balance of Dwellings Supplementary Planning Document (BoDSPD) provides guidance on the mix of units expected from a 'strategic site' of this size. The proposal would seek to provide 48 units made up of the following dwelling type – 10x1 beds (20.83%), 15x2 beds (31.25%), 21x3 beds (43.75%), 2x4 beds (4.17%). The mix of units would broadly accord with that prescribed for a site of this size, with the only deviation being that there should be no more than 20% of 1 beds and not less than 5% of 4 beds. The difference in terms of a policy compliant mix is marginal not sufficient to warrant refusal of the scheme on this basis.
17. During the consultation process, it has been suggested that the Sites and Housing Plan Background Paper 21, Open Spaces and Greenfield Sites identified the site as having a capacity for 25 dwellings which this proposal would exceed. Officers would make clear that the suggested capacity in this background paper should not be read as a definitive figure. The NPPF and the development plan no longer prescribe minimum densities for residential schemes, with the overall aim being to make the best and most efficient use of the site. As this site has been allocated as part of the council's five-year housing land supply it would therefore be important to ensure that best use of the site is made in order to meet Oxford's housing need.
18. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority for the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. Sites and Housing Plan Policy HP3 requires development sites with a capacity for 10 or more dwellings to provide 50% affordable homes on the site. It goes on to state that a minimum of 80% of these homes must be social rented accommodation, with the remaining as intermediate housing.
19. The scheme would provide 50% affordable homes, with 19 of the units (79.2%) as social rent, and 5 (20.8%) as shared ownership. While the level of social rent would fall just short of the 80%, the planning statement has stated that the mix of units in terms of types and tenure have been carefully considered to deliver as close to a policy compliant mix as possible while also reflecting current assessments of housing need. As with the overall balance of dwellings mix, the variance is minimal and officers consider that the difference would not be sufficient to warrant refusal of the scheme.

Site Layout and Built Form

20. The NPPF considers that good design is a key aspect of sustainable development. This means that the level of development within any scheme

should suit the sites capacity and respond appropriately and realistically to the site constraints. Sites and Housing Plan Policy HP9 states that residential development should respond to the overall character of an area, and that the form, density, and layout should make an efficient use of land in a manner that respects the sites context and makes a positive contribution to local character. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1, CP6, CP8, CP9, and CP10 of the Oxford Local Plan.

21. The NPPF and Oxford Local Plan Policy HE7 also require proposals to understand the impact upon the significance of a heritage asset with the objective being not to harm the significance. In this regard the site lies adjacent to the Temple Cowley Conservation Area, but not within, and therefore consideration should be given to the impact on the setting of the conservation area.
22. Layout: The layout for the development would comprise three main apartment blocks, with one sited adjacent to the library albeit set back from the frontage to retain the sense of civic space around the block and the library. The other two blocks would be sited rear of the library and frontage block. These blocks would be separated by publically accessible open space between the buildings. A group of terraces and semi-detached dwellinghouses would be located to the rear of the site and would front onto the extension to the main access road that runs through the site from Temple Road. These units would maximise views out from the rear towards the central core of the city.
23. The Oxford Design Review Panel considered that the submitted layout represented a significant improvement from the original concepts for the site, and that the houses and apartment blocks were sensibly sited. Officers would support this view and consider that the layout has taken a sensible approach in terms of making the best use of the site by creating a group of apartment buildings that are evenly spaced around the library which then read as a cluster of four blocks, and then a terraced row along the north-western boundary to form an end stop to the existing access road and creating a street alongside these blocks.
24. Size and Scale: The main frontage block would be three storeys in order to sit comfortably alongside the library, whereas the blocks to the rear would be four and five storey making use of the change in land levels through the site in order to accommodate the extra height. The dwellinghouses to the rear would be three-storey.
25. The Oxford Design Review Panel considered that the overall size and scale of the buildings would be suitably proportioned and in scale with the surrounding properties, particularly the library. Having considered this matter further, officers recognise that the majority of Temple Road is sited within the Temple Cowley Conservation Area. This Conservation Area is characterised by a number of small stone houses and cottages representing the remnants of its origins as a small village, but also includes a number of larger scale religious, manufacturing, and educational institutional buildings of stone and brick that were developed as part of the 19th and 20th century expansion of the area. There are also some

more modern interventions within the road such as the flatted developments of Silkdale Close and the building alongside the Temple Cowley Health Centre. The overall scale of the frontage building would relate well to the adjacent library and church which establish the larger scale built form at this end of the street (even though the library is only single storey). The other two apartment blocks whilst larger would be sited to the rear of this frontage block and utilise the change in land levels in order to sit comfortably within the group of buildings. The three-storey dwellinghouses to the rear would also be of an appropriate scale when viewed against the former pools building that they will replace. As such officers consider that the overall size and scale of the proposed buildings would be appropriate for the site, and would not have an adverse impact upon the setting of the conservation area.

26. Appearance: The appearance of the buildings has drawn on local building characteristics of the Temple Cowley Conservation Area to inform the design, while also including some contemporary influences. As recognised by the Oxford Design Review Panel, the elevational treatment in its materiality and fenestration relates well to the library. It would use red brick, and double height windows to provide some continuity to this building with detailing between ground and first floor windows to provide visual interest. The blocks to the rear would have a buff brick, with a change of colours at roof level in order to break up the mass of the buildings. The double height windows would follow through the proportions of the frontage buildings where possible. The dwellinghouses to the rear would have pitched roofs and gabled frontages, and be formed from a stone coloured brick in order to reflect the stone wall elements specific to the conservation area. As such officers consider that the appearance of the buildings would create an appropriate visual relationship with the surrounding area
27. Open Space: The layout has been developed to provide suitable public open space for residents and the general public. This aspect of the scheme has been developed further since the Oxford Design Review Panel. The open space between the apartment blocks and library would have pathways to orientate pedestrians through the space, and planting to create defensible space alongside the library and also the apartments. The central space would have a play area designed for the 2-6 year age range. In addition to this central space, another square would be provided alongside the Silver Band Hall with tree planting, seating, and cycle parking which would be accessible to all including those using the hall and the pedestrian access to the school.
28. Overall officers consider that the layout, scale, massing, and appearance of the development would be appropriate for the site and would not harm the significance of the adjacent Temple Cowley Conservation Area. This would accord with the aims of the NPPF and also the above-mentioned policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2026.

Impact upon Adjoining Properties

29. Policy HP14 of the Sites and Housing Plan states that residential development

should provide reasonable privacy and daylight for the occupants of both existing and new homes.

30. A Daylight and Sunlight Report has been submitted with the application which considers the impacts of the proposal upon the adjoining properties. A number of these buildings (St Christopher's School, Silver Band Hall, and Library) are not in residential use which the above-mentioned policy seeks to deal with. In this regard, the proposal has the potential to impact on the properties on Oxford Road, opposite side of Temple Road, and to the north of the development within the existing employment site.

31. At the outset it is important to recognise that the former pools building was a substantial building that was sited close to the boundary of the Oxford Road properties, and along with the Emmaus building have created a sense of enclosure to the rear of these dwellings. The dwellings on Oxford Road are modest two-storey semi-detached properties which are separated from the site by long north-west facing gardens (40-45m) which in most cases have mature screening within them. The removal of the existing pool building will have increased the sense of openness on the rear boundaries to these properties, and that this will be retained by the development, with the new built form limited to the flank walls of Block C and the terrace row. The Sunlight and Daylight Report has indicated that the built elements on the boundary will not create a significant loss of light to the habitable rooms or rear gardens of these properties. It should be noted that in the case of Block C, the closest gardens of 169-167 Oxford Road are set back further from the site because of the Emmaus building (171). In addition to this the report has also identified that Block C will not have an adverse impact upon the light received to the habitable rooms within the Emmaus building. In terms of overlooking, the terraced properties have no windows in the side elevation to overlook rear gardens. Block C would have windows in the side elevation at ground to second floor level which would serve the living room and kitchen. Having regards to the separation distance between these windows and the habitable rooms of the adjoining properties and the fact that the main outlook of Block C looks away from the Oxford Road properties, officers consider that these windows would not give rise to any significant overlooking issues between properties over and above the normal mutual level of overlooking that occurs from the upper levels of buildings. However, the windows may create a perception that the rear of these properties are overlooked, and therefore as they are only secondary windows within the flats, a condition should be imposed requiring these to be high level windows which will allow light into the flats but also reduce the sense of overlooking for the adjoining properties.

32. In terms of the cottage (no.83) on the eastern side of Temple Road, officers consider that the three storey frontage building would be sited some distance from this property to avoid any adverse impact on light and privacy. Although there are two cottages to the north of the site (104-106) it is also considered that the development is set sufficiently away from these properties so as to prevent any adverse impact in terms of light and privacy.

33. Having regards to the other non-residential buildings, the proposal has been designed in order to create a suitable separation distance between the buildings and the library. The Sunlight and Daylight Report has confirmed that although the proposed buildings would have some impact upon the library, it would be limited and within the Building Research Guidelines. There would be windows from the flats facing the library, but in most cases these are windows to secondary habitable rooms such as bedrooms rather than main living rooms. There would be no impact upon the Silver Band Hall building or St Christopher's School in terms of loss of light or overbearing impact.

Residential Uses

34. The development would allow for a range of dwelling types across the scheme each with varying layouts. The units would be self-contained and have internal layouts that exceed the requirements of Sites and Housing Plan Policy HP12 which sets minimum floor sizes and general living accommodation standards expected from residential accommodation.

35. In terms of outdoor space, Sites and Housing Plan Policy HP13 require new dwellings to have direct access to an area of private open space. It recognises that family homes should be provided with a private garden of adequate size and proportions to the size of house proposed. It goes on to state that 1 or 2 bedroom flats should be provided with a balcony or terrace of usable space, or direct access to a private or shared garden. The policy also makes clear that adequate provision should be made for the safe, discrete and conveniently accessible refuse and recycling areas.

36. The dwellinghouses would each have private gardens of adequate proportions to the properties they serve. The flats would also have balconies or terraces of adequate size and have use of the central open space as a shared communal area. The dwellings would each be provided with refuse storage within the rear gardens that are accessible via the side passageway, whilst the apartment blocks would have their own communal stores. A plan has been submitted which demonstrates that the location of each refuse storage area complies with the maximum recommended drag distances for both residents and refuse vehicles as set out in the Manual for Streets. Therefore the locations of the refuse storage areas are considered appropriate for the development. As such the proposal would accord with the aims of Policy HP13.

Transport

37. A Transport assessment has been submitted with this application, which considers the highway impacts of the proposal.

38. Site Accessibility: The site is considered to be situated in a highly sustainable location which is accessible by walking, cycling, and public transport. The site has upwards of 30 buses per hour passing along Cowley Road - for services to the city centre, Blackbird Leys, and Headington - which is within convenient walking distance of the site. In addition, the Oxford Business Park and Templars Square Shopping Centre is within an acceptable walk or cycle. There is therefore

the opportunity to travel to and from the site via a variety of sustainable means. The site is also served by good cycle infrastructure in the form of National Cycle Route 5 just to the north of the site. In addition to this, Cowley Road is set to become a Premium Cycle Route in the future, as per the proposals of the OTS, again increasing the opportunities for journeys to and from the site to be made by bicycle. There are also a range of local facilities within short distance of the site which can be accessed on foot.

39. Trip Generation: The Transport Assessment indicates that the residential development is expected to generate a similar amount of traffic to the previous use of the site during the morning peak hour, and over the course of the day, including during the PM peak hour, the development is likely to generate less trips than the previous use. The Local Highways Authority accepts these figures and considers that the development would not have a detrimental impact on the operation of the wider highway network.
40. Car Parking: The development will provide a total of 48 parking spaces for the residential accommodation, with 29 allocated parking spaces for the private and shared ownership units (one per unit) and 19 unallocated parking spaces for the social rented units and visitors. There will be two disabled parking spaces provided within the development and each is appropriately located near to the entrances of the two disability accessible flats. The applicant (Catalyst) has also confirmed that they have a number of sites where parking provision is limited and the matter is successfully managed through parking controls operated by the association. This site would be managed in the same way.
41. The site allocation policy (SP54) states that the development will be expected to minimise car parking spaces on site. The parking provision within the scheme would be below the maximum parking standards set out within Sites and Housing Plan Policy HP16, and also the County Councils Parking Standards for New Residential Development. The parking provision is considered appropriate given the sustainable location of the site. The Local Highways Authority welcomes the low car development but consider that control measures would be necessary to ensure that unacceptable overspill parking in the local area does not occur and to reinforce the principle of the development to encourage low levels of car ownership. Therefore the Local Highways Authority have requested that a Section 278 agreement is entered into to secure funding towards the implementation of a Controlled Parking Zone within the area and that the proposed dwellings are excluded from eligibility.
42. Having regards to this matter, officers would advise members that although the County Council have made a request for a financial contribution towards the implementation of a CPZ, this cannot be secured as part of this planning permission because the mechanism for raising such funds is through the Community Infrastructure Levy (CIL). It would be a matter for the applicant to take up directly with the Highways Authority as to whether they are prepared to provide a financial contribution through a S278 agreement.
43. The proposal would retain three parking spaces for the exclusive use of library customers while another two unallocated parking spaces are to be located close

by and therefore accessible for visitors to the library when not in use. The Transport Statement confirms that residents will be prevented from using the three library parking spaces through the use of lockable bollards that are to be unlocked by library staff each morning and locked every evening. The provision of three parking spaces for the library is lower than the standard set out in the Adopted Parking Standards SPD, however this is considered acceptable due to the library's highly accessible location.

44. **Travel Plan:** Having regards to the scale of the development, a full Travel Plan is not required under the Travel Plan Guidance. In order to encourage the use of sustainable transport over the use of private vehicles a Travel Information Pack should be created outlining the options available to residents of the site to take up the use of sustainable modes of transport. This Travel Information Pack should then be provided to the first residents of each dwelling. A Residential Travel Plan should therefore be secured by condition.
45. **Access:** The development will utilise and enhance the existing vehicle crossover from Temple Road to the site. The footways on either side of the access road will also be upgraded. The proposed carriageway is to have a width of 4.1m which is sufficient to allow two vehicles to pass and would be considered appropriate for the context of the development and the likely volume of traffic on the access road. The footways would have a width of 1.5m along the south side of the access and a footway with a minimum width of 1.8m on the north side.
46. The access road will also serve the Oxford Silver Band Practice Hall and provide pedestrian access to St Christopher's Primary School. Since pedestrians accessing the school are likely to predominantly use the footway on the north side of the access road (as this footway leads to the school) it is appropriate that this footway has the greater width. It is also proposed for trees to be planted alongside the northern footway which will help to separate pedestrians and vehicles.
47. The Local Highways Authority have recommended that controls be put in place to prevent the access road being used for vehicle parking, which might also result in vehicles parking half on the footway. This could restrict the width of the footways, which must remain clear due to their likely use by families walking to and from the primary school, or obstruct access into the site for emergency and service vehicles. It is understood that the County Council's Road Agreements Team are currently in discussions with the application about adopting the access road. However, in the meantime parking controls will need to be implemented along the access road, regardless of that road's status. A condition should be imposed which requires details of the parking controls for the site in the event that the road is not adopted.
48. The development proposes upgrading the existing access onto Temple Road to a bellmouth entrance. Therefore, an uncontrolled tactile crossing which complies with DDA standards would be required in this location. The Transport Statement also indicates visibility splays of 43m from the access junction with Temple Road in accordance with the level of visibility required for vehicle speeds of 30mph, as set out in the Manual for Streets. Temple Road has a speed limit of 20mph

however the 43m visibility splays set out from the access would be supported. There is an existing street lighting column within the visibility splays, immediately to the north of the access junction which could partially obstruct visibility to a small section of the carriageway to the north. However this is not considered to raise any significant safety concerns. The access for the swimming pool is in this same location and accident data record dated back to 2000 shows only one accident in this location which resulted in a slight injury was not attributed to visibility and furthermore, the traffic calming build out near to the access on Temple Road would act to reduce the risk of turning movement accidents.

49. Access to St Christopher's School: In accordance with the requirements of site allocation policy (SP54) a pedestrian access through the site to St Christopher's School would be provided albeit relocated to a position within the adjacent Silver Band Hall Site.
50. The access arrangements proposed within the scheme are consistent with the improved pedestrian access arrangements through the site that were approved by the County Council as part of the planning permission for the new classroom building and extension to the existing school hall granted in January 2013 under reference number R3.0185/12. This improved pedestrian access has not been provided as yet, but remains part of the permission, and would therefore be a matter for the county council to secure.
51. During the consultation process, reference has been made to the fact that the proposed layout has not included an emergency vehicle access for the school sited at the end of the existing access road on the north-western boundary with the school. Having investigated this matter, officers would advise Members that that this access was actually provided for contractors to facilitate the extensions approved as part of the above-mentioned development. The approved site plan for the school improvements make no reference to an emergency access or do they show any such vehicular access being retained as part of the access arrangements through the site. In addition to this, the officer's report for this application states that this construction access will be closed upon the completion of the works and makes no reference in the decision notice for an access to be retained.
52. Therefore it is considered that the access arrangements proposed within the scheme and as approved under an extant planning permission would comply with Site Allocation Policy SP54.
53. Cycle Parking: The proposal would provide 120 residents' cycle parking spaces in line with the minimum requirements set out in Sites and Housing Plan Policy HP15. Moreover additional spaces for visitors to the site are to be installed within the public open space towards the centre of the site however details of this provision have not been supplied. The details of this visitor parking should be secured by condition.
54. The cycle storage for the dwellinghouses would be provided within the rear gardens of those properties, which would also be acceptable as they are accessible through the rear entrance to each garden. In terms of the apartments

these are to be located within specific stores in the buildings. It is also noted that the provision of cycle storage located within the blocks is predominantly to be through the use of vertical cycle stands, with the exception of the cycle store in Block B which will have semi vertical bike stands. While the use of such stands is less practical for cyclists than the use of standard Sheffield style bike racks, it is accepted that the use of vertical cycle racks can be appropriate for urban developments, such as the one proposed, for the purpose of saving space.

55. **Swept Path Analysis:** A swept path analysis for a large refuse vehicle and fire tender has been submitted with the Transport Statement. However, the swept path analysis of the refuse vehicle does not show the reverse movement required for the turning manoeuvre. The Local Highways Authority has recommended that a swept path analysis of a large refuse vehicle demonstrating that such a vehicle can safely and easily enter, turn and exit the site from both directions at the proposed bellmouth from Temple Road is provided by condition. Currently the plan only demonstrates a refuse vehicle entering and exiting the site from the southern approach to the junction. Therefore, for completeness, the County Council recommends a condition be imposed that requires an amended swept path analysis plan demonstrating that all of these manoeuvres can be safely undertaken.

Landscaping

56. A detailed Landscape Plan and Tree Survey have been submitted with the application which sets out the overall strategy for the site. Having reviewed these plans, there are only 6 trees within the proposed development site. These are generally of low or poor quality and individually or collectively have no real public visual amenity significance. Only T.8 (Whitebeam), T.9 (Whitebeam) and T.16 (Rowan) are currently visible to public views from Temple Road. These are small, of poor or low quality (condition) and easily replaceable. In addition, the arboricultural tree survey accompanying the application correctly captures trees standing close to the outside of the site's boundaries. These include 3 Scots pine and 3 Silver birch trees standing in the playing fields of St Christopher's Church of England Primary School, which are shown retained.
57. The landscaping proposals within the detailed landscape plan would provide a range of replacement tree planting throughout the scheme in excess of those lost. These proposals are generally considered to be acceptable. However, the detail of proposed tree planting along the access road on the north-east boundary should be amended by condition. In particular, the first two proposed trees should be omitted from the entrance of the development access in order to maintain street views from the south-west of the Cricket's Arms Public House, which is a landmark building signifying the beginning of the Temple Cowley Conservation Area.
58. The application is considered acceptable in relation to Oxford Local Plan Policies CS18, CP1, CP11 and NE15 relating to trees and good landscape design, subject to conditions for tree protection measures and landscaping proposals.

Flood Risk and Drainage

59. A Flood Risk Assessment and Drainage Strategy have been submitted with the application. This indicates that the site is located within Flood Zone 1 which has a low probability of flooding.
60. The Oxfordshire County Council Drainage team have indicated that the application site is covered by a significant amount of hard-standing and that any sustainable urban drainage scheme needs to be designed carefully so as to prevent any adverse impact upon the area. Along with Thames Water, the County has recommended a condition requiring approval of the detailed drainage strategy for the site. The condition should ensure that the drainage system is designed to control surface water run off for all rainfall up to a 1 in 100 year storm event; that surface water run off should not exceed the greenfield run off rate for a storm event; any excess surface water must be stored on site and released to the receiving system at greenfield rates and that a suitable connection to a surface water sewer is made.

Biodiversity

61. An Ecological Assessment has been submitted with the application, along with a Bat Survey and Building and Tree Inspection survey. These surveys identify that the proposed development is located in an area comprised almost entirely of hard standing and no protected habitats are located on site or in close proximity which are likely to be impacted. The bat surveys found that bats were unlikely to be roosting on site, but could be utilising the area for foraging and commuting, however this would no longer be the case given the building has been demolished. Officers would agree with the findings of the report and are of the view that the development will not have a negative impact on protected species or habitats in accordance with Oxford Core Strategy Policy CS12.
62. The proposal sets out a number of suggested enhancement measures for biodiversity including using nectar rich plants as well as the provision of bat and bird boxes. In order to ensure that these measures are suitable a condition should be attached requiring approval of these enhancements and also that the landscaping plan shall incorporate planting to encourage night-flying insects to provide a food source for bats.

Archaeology

63. The site is of interest because it involves ground works in the vicinity of a Roman kiln and medieval remains that may be associated with the documented 12th century Templar Preceptory documented within the historic core of Temple Cowley. The Site is located within an extensive landscape of dispersed Roman manufacturing sites forming part of a nationally important regional pottery industry. The nearest recorded likely manufacturing site is located 90m north-east of the pool. Here an evaluation at the former joinery works at 77 Temple Road by Oxford Archaeological Unit in 1993 revealed the backfilled stokehole of a 2nd century Roman pottery kiln. The 2016 evaluation at the Temple Cowley Pool site located a single ditch of Roman date containing a small amount of 1st-

2nd century pottery (Cotswold Archaeology 2016)

64. An archaeological evaluation and watching brief in 2007-2008 at the adjacent Emmaus Community site, 169-171 Oxford Road, revealed 11th-13th century features. Three phases of activity were recorded including a pre-structural phase dated to the 11th century represented by two ditches (likely forming part of an enclosure) and several pits. A second phase of activity was represented by several stone walls including the corner of a building constructed of large angular limestone blocks. This medieval building was identified running northeast-southwest, located 6m from the Cowley Pool car park boundary. The remains were suggested by the excavator to be part of the 12th century Templar Preceptory however this was not conclusively demonstrated. The extent and character of the associated settlement remains unclear.
65. Having reviewed the Oxford Historic Environment Record, the results of the submitted archaeological desk based assessment (CgMs 2015) and the field evaluation by Cotswold Archaeology (2016), officers would recommend a condition be attached which requires the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Sustainability

66. In accordance with Sites and Housing Plan Policy HP11 the site would be a qualifying development to include at least 20% of their energy needs from on-site renewables or low carbon technologies.
67. An Energy Statement has been submitted with the application which follows the approach within the policy to first consider energy efficiency through the built fabric of the building and then the use of renewable technologies. This indicates that the strategy will adopt a fabric first approach, designed to the 2013 Part L Building Regulations Standards, with high standard insulation, double glazing and maximising south facing roof slopes or elevations for natural lighting and heating. The dwellings will include energy efficient boilers, lighting, and space heating controlled through programmers. The development will minimise water consumption through the fitting of aerators, water butts for harvesting and reuse of water, and a SUDS scheme. The houses will be timber frames and used locally sourced materials. In terms of renewable sources, the strategy has identified that photovoltaic panels will be the most appropriate means as all units have south to southwest orientation. The details of these panels should be agreed by condition.

Air Quality

68. An Air Quality Assessment that considers potential impacts on air quality during both the construction and operational phases of the proposed development has been submitted with the application. The assessment identifies a medium risk of impacts on sensitive receptors from dust during the construction phase. It recommends that a number of mitigation measures should be adopted for the development site. These should be reviewed prior to the commencement of construction works and incorporated into a Construction Environmental

Management Plan which should be secured by condition. The assessment also concludes that existing air quality is such that the location is suitable for the proposed development. Additionally, the assessment concludes that impacts on pollutant levels as a result of operational phase vehicle exhaust emissions were not predicted to be significant at any sensitive location in the vicinity of the site.

69. However, the assessment does not go on to recommend implementation of best practice mitigation measures. A key theme of the National Planning Policy Framework is that development should enable future occupiers to make “green” vehicle choices and “incorporate facilities for charging plug-in and other ultra-low emissions vehicles”. Oxford City Council’s Air Quality Action Plan 2013 commits to seeking to ensure that new developments make appropriate provision for walking, cycling, public transport and low emission vehicle infrastructure. As a minimum requirement, new development schemes should include the provision of electric vehicle recharging provision and any mitigation requirements arising from the exposure assessment, where applicable. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development. The recommended provision rate is 1 charging point per unit (house with dedicated parking) or 1 charging point per 10 spaces (unallocated parking, i.e. flat development).

Land Contamination

70. The Ground Investigation Report submitted with the application identifies the presence of made ground across with site with an elevated hotspot of arsenic and lead, and elevated polycyclic aromatic hydrocarbons (PAHs) site-wide. The report recommends that further sampling should be undertaken in areas of proposed soft landscaping to determine further the extent of the contamination and establish the requirement for remediation, or to remove 600mm of made ground and replace with a clean cover of imported subsoil and topsoil of 600mm in thickness in accordance with BRE guidance.

71. The report also recommended a watching brief be undertaken during the groundworks. Buried services were identified as a receptor which may be affected by the elevated PAHs in the soils. No assessment of pipe specifications has been submitted and will be required as part of the remediation strategy.

72. Officers would accept the findings of the report and recommend that conditions be imposed which secures a remediation and monitoring strategy for the site; a validation report for the remediation strategy; and a watching brief during construction for any unexpected contamination.

Other Matters

73. Rights of Way: The Silver Band Hall has indicated that two of the proposed houses and their car parking spaces would located on part of their right of way across the existing access road to Temple Road. Officers would advise members that matters relating to access rights across land are for the applicant to deal with in terms of whether they are able to implement a planning permission and would not constitute a material consideration for the

determination of this application.

74. **Fire and Rescue Service:** The County Council as Fire Authority have indicated that there is likely to be a requirement to provide fire hydrants within the development site. The exact numbers and locations cannot be given until the detailed plans showing the highways and water main layout are established. Therefore a condition should be attached which secures the provision of Fire Hydrants within the scheme. In addition to this an informative should be added which recommends that new dwellings be constructed with sprinkler systems.
75. **Community Infrastructure Levy:** The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development and applies to developments of 100 square metres or more. Based on the floor area of the proposed development the proposal will be liable for a CIL payment of £318,224.85.

Conclusion

76. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and National Planning Policy Framework and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development in principle, but defer the application for the completion of a legal agreement to secure the matters set out above.

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.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 27th February 2017

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