

EAST AREA PLANNING COMMITTEE

- 5th July 2017

Application Number: 17/01115/CT3

Decision Due by: 23rd June 2017

Extension of Time: 14th July 2017

Proposal: Provision of 16no. parking spaces.

Site Address: Land Between 21 And 45, Van Diemens Lane, Oxford, Oxfordshire

Ward: Littlemore

Agent: Stephen Smith

Applicant: Oxford City Council

Reason at Committee: Oxford City Council is the applicant.

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers and application for the provision of 16no. parking spaces at land between 21 and 45 Van Diemens Lane. The proposal seeks to reorganise the existing parking spaces within the grasses verges to make a more efficient use of the land and increase the capacity.

2.2. The key matters for assessment set out in this report include the following:

- Design
- Impact on amenity
- Parking Standards
- Trees and Landscaping
- Drainage

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located within the Littlemore Ward of Oxford inside the ring road. There is a junction within Van Diemens Lane which provides access to Nos 23-43. This access is characterised by spaces green verges the western verge of which already has a section of concrete designed for parking.

5.2. The site location plan is at Appendix 1.

6. PROPOSAL

6.1. The application proposes to reorganise the parking spaces on the western side of the road and introduce parking onto the eastern verge. The parking will have green spaces between each pair of spaces which will be perpendicular to the highway.

7. RELEVANT PLANNING HISTORY

7.1. No relevant planning history to the site.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	Paras 56 – 68	CP1, CP6, CP8	CS18		
Natural Environment	Paras 109-125	CP.11, NE15			
Transport		CP13		HP16	Parking Standards SPD
Amenity		CP10, CP19, CP20	CS19		
Drainage			CS11		

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 8th May 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. No objection subject to provision of disabled parking bays and that works to the public highway are carried out at the applicant's expense.

Littlemore Parish Council

- 9.3. Littlemore Parish Council supports measures to reduce on-street parking but endorse the concern expressed by a neighbour about pedestrian access along this road, especially in view of the fact that it leads to a footpath with access to Church Cowley School, Bartholomew Road and Barns Road with its bus services to Oxford via the Cowley Centre. They would like to see some planting to soften the impact of the loss of open space.

Public representations

- 9.4. 2 local residents commented on this application from addresses in Van Diemens Lane.

In summary, the main points of objection (2 residents) were:

- Loss of pavement and creation of different uneven surfaces.
- Pedestrian access to the rear of 45 Van Diemens Lane should be retained.

Officer Response

- 9.5. The pavement is to be retained albeit a different surface. This will need to be flush with the existing pavement to ensure that a level surface is retained. Vehicular movements from the spaces are not expected to be frequent and will be at slow speed. The Local Highway Authority has assessed the proposal and has raised no concerns with highway safety due to good pedestrian and vehicular visibility when cars are emerging from spaces.
- 9.6. The plans show that a tarmac path will be retained to the rear garden of 45 Van Diemens Lane.
- 9.7. Additional planting as requested by the Parish Council has been could reduce visibility for pedestrians and drivers. Green spaces have been retained between the pairs of spaces to reduce the mass of hard standing. This is a significant visual improvement of the existing concrete hardstanding.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i) Design
- ii) Impact on amenity
- iii) Parking Standards
- iv) Trees and Landscaping
- v) Drainage

i. Design

10.2. The proposed development would be acceptable in design terms. Large parts of the existing grass area would be retained which would ensure that the pleasant and verdant appearance of the area would be preserved and not completely dominated by car parking. The rearrangement of spaces and use of materials is considered to a significant visual improvement to the existing concrete parking area which is not visually broken up.

ii. Impact on amenity

10.3. The proposed development would be in an area where there is an existing parking area and on-street parking. Therefore the impact of noise and activity associated with car parking would not be materially different from the existing situation for residents. The parking spaces have also been pulled away from the neighbouring properties, 21 and 45 Van Diemens Lane so the parking spaces will not be up against the side elevations of these properties.

10.4. The site experiences a sense of overlooking and the proposal would not form an enclosed parking court. The proposal is therefore considered to comply with the principles of policy CS19 of the Core Strategy.

iii. Parking

10.5. The area already has parking on the western verge and the road already experiences on street parking. The application seeks to alleviate on-street parking and create formalised parking spaces with good visibility and comply with highway safety requirements.

10.6. The spaces are adequately sized and meet the standard size required. No provision has currently been made for the provision of disabled parking spaces however spaces could easily be adapted for this purpose in the future if there is demand. Disabled spaces are allocated spaces and if there is currently no demand for these spaces this would reduce the capacity available to current residents.

iv. Trees and Landscaping

10.7. The eastern verge lies adjacent to an existing silver birch tree. Due to the proximity the tree would need to be adequately protected during the construction

phase. Any permission should therefore be subject to the approval of a tree protection plan and an arboricultural method statement by condition.

v. Drainage

- 10.8. The proposed development lies within Flood Zone 1 according to the Environment Agency's Flood Maps. Furthermore the Environment Agency's Surface Flood Mapping does not indicate the development as being in an area at risk to surface water flooding.
- 10.9. The proposal does however result in the partial loss of a permeable grass verge area and introduce approximately 238m² of hardstanding. Whilst it is proposed to use SuDs to drain the parking areas no details have been provided with the application or on the drawings, further information is therefore requested by condition including supporting calculations to ensure that the development complies with policy CS11 of the Core Strategy.

11. CONCLUSION

- 11.1. The proposed development is considered to make a more efficient use of the land, reduce on street parking and provide safe SuDs compliant parking spaces whilst retaining green verges and existing trees.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the approval of satisfactory conditions.

12. CONDITIONS

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. Develop in accordance with the approved plans

The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Materials as specified

The materials used in the external construction of the approved development

shall be those specified in the submitted application form and approved plans unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy CP1 of the Oxford Local Plan 2001-2016.

4. Tree Protection Plan

Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

5. Arboricultural Method Statement

A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

6. Drainage – SuDs

Prior to the commencement of development, drainage details to show how surface water will be dealt with and disposed of on-site through the use of sustainable drainage methods (SuDS) and supporting calculations shall be submitted to and approved in writing by the Local Planning Authority. The drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained and maintained.

Reason: To avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

Informatives

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

13. HUMAN RIGHTS ACT 1998

13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

14 SECTION 17 OF THE CRIME AND DISORDER ACT 1998

13.2. 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 refusal of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community

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