

## EAST AREA PLANNING COMMITTEE

**Application Number:** 17/03426/CT3

**Decision Due by:** 16th February 2018

**Extension of Time:** 16th March 2018

**Proposal:** Part demolition of existing community centre. Erection of part single part double height front and side extension.

**Site Address:** Bullingdon Community Centre, Peat Moors, Oxford, Oxfordshire

**Ward:** Lye Valley Ward

**Case Officer** Sarah Orchard

**Agent:** Mr Daniel Wadsworth      **Applicant:** Oxford City Council

**Reason at Committee:** The applicant is the City Council.

---

## 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 and grant planning permission.**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. 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 the demolition of the original hall which formed Bullingdon Community Centre and erection of an extension to the 1960s community centre to provide improved community facilities. The proposed development is considered to provide much needed improved community facilities without causing harm to the amenity of the area or of the neighbouring occupiers, trees, biodiversity or the adjoining Lye Valley SSSI in accordance with the above policies and the NPPF.

### 3. LEGAL AGREEMENT

3.1. This application is subject to any legal agreements.

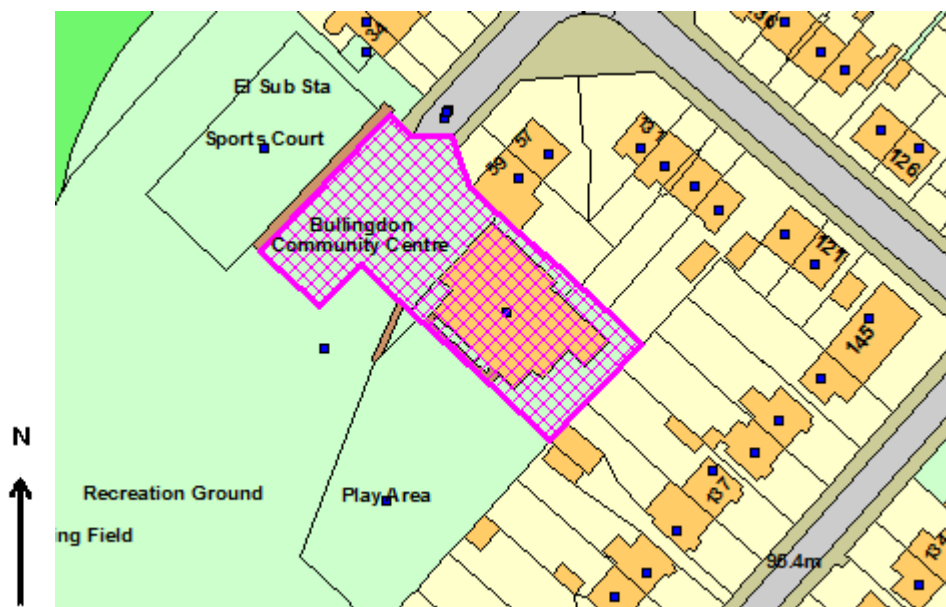
### 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

### 5. SITE AND SURROUNDINGS

5.1. The site is located within the Lye Valley Ward of Oxford to the east of the city centre. To the east of the site the application site adjoins residential properties. To the west of the site is a recreation ground, the Lye Valley SSSI and the car park which serves the community centre. The community centre sits within its own area separated from the play area and residential properties by fences.

5.2. Site Location Plan:



© Crown Copyright and database right 2011.  
Ordnance Survey 100019348

### 6. PROPOSAL

6.1. The application proposes the partial demolition of existing community centre, predominantly the hall to the south west of the site and erection of part single part double height front and side extension to form a replacement 109m<sup>2</sup> main hall, kitchen office and storage with a central atrium and entrance lobby which is approximately 21 metres deep with a 10 metre wide fontage. The proposals also include shifting existing parking spaces away from the entrance in order to provide better pedestrian access to the front of the building and bicycle storage. This results in the provision of an additional parking space.

### 7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

49/00567/A\_H - Recreation Ground Peat Moors - Community centre. TEM 15th June 1949.

51/01624/A\_H - Social Club Peat Moors – Store. REF 13th February 1951.

52/02577/A\_H - Dressing room. TEM 14th October 1952.

62/00567/A\_H - Recreation Ground Peat Moors - Community centre building.. PER 13th March 1962.

62/11455/A\_H - Extension of a new additional building. PER 13th March 1962.

84/00484/GF - Demolition of part of existing building and erection of new enlarged single storey extension and extension to car park. DMD 20th July 1984.

90/00963/GF - Erection of timber storage shed. DMD 3rd January 1991.

06/00297/CT4 - Erection of community notice board. PER 11th April 2006.

10/01832/FUL - Removal of existing timber storage shed. Erection of larger timber storage shed as extension to community centre. PER 13th August 2010.

10/02606/CND - Details of sustainable drainage scheme submitted in compliance with condition 3 of planning permission 10/01832/FUL. PER 27th October 2010.

## 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
<b>Design</b>	7	CP1, CP6, CP8,	CS18_		
<b>Conservation/ Heritage</b>	109	CP11, NE15,			
<b>Natural Environment</b>	9, 11, 94, 100, 103, 109	NE21, NE23,	CS11_ CS12_		
<b>Social and community</b>	74	SR2	CS20_ CS21_		
<b>Transport</b>		TR3, TR4,			Parking

					Standards SPD
<b>Environmental</b>	17	CP10,			
<b>Misc</b>				MP1	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 8th January 2018 and an advertisement was published in The Oxford Times newspaper on 4th January 2018.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

9.2. Oxfordshire County Council has no comments to make on this application.

### **Public representations**

9.3. No third party comments were received.

## 10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Neighbouring amenity;
- iv. Trees
- v. Biodiversity
- vi. Drainage
- vii. Parking

### **i. Principle of Development**

10.2. Policy CS20 of the Core Strategy supports the enhancement of new community facilities. Demolition of community facilities is allowed where equivalent or new and improved facilities are being provided. In this case improved facilities are being provided on the same site. This is furthermore supported by paragraph 70 of the NPPF which states that decisions should guard against the loss of valued facilities and services

10.3. Policy SR2 of the Oxford Local Plan protects open air sports facilities. In relation to this site, the play area to the south west of the application site boundary and the recreation site and car park to the west fall within protected SR2 land. The

proposed replacement extension to the community centre does not result in the loss of any of the play area and is contained within the existing fenced off Community Centre site. The extension repositions some parking within the car park to enhance the entrance area to the community centre but does not result in the loss of any green open space. The requirements of policy SR2 are echoed by policy CS21 of the Core Strategy which also supports retention of sports and leisure facilities. This is further supported by paragraph 74 of the NPPF.

- 10.4. The proposal is therefore considered to comply with policies SR2 of the Oxford Local Plan, CS20 and CS21 of the Core Strategy and the NPPF.

**ii. Design and Impact on Character of Surrounding Area**

- 10.5. The section of the community centre to be demolished is the original hall but is substandard and there is also evidence of subsidence. The hall reads as an extension to the 1960s building, is of limited architectural merit and does not particularly relate to the main 1960s building with its characteristic asymmetric roof form. The proposed extension is designed to secure the future of the building and ensure it remains available for community use.
- 10.6. The proposed development is designed to create a more welcoming entrance and increase surveillance of the entrance for security reasons. The proposed extension is also pulled off the eastern boundary with properties in Dene Road creating a larger community garden space. The design relates to the existing building by predominantly using materials to match the existing main building but also introduces a contemporary glazed element running through the building. The proposal is therefore considered to form an appropriate visual relationship with the existing building with a contemporary, innovative twist.
- 10.7. The proposal is therefore considered to comply with policies CP1, CP6 and CP8 of the Oxford Local Plan and CS18 of the Core Strategy.

**iii. Impact on Neighbouring Amenity**

- 10.8. The proposed extension is stepped away from the boundaries with neighbouring residential properties to the east of the site. The previous hall was approximately 7.5 metres from the boundary at its closest point where the proposed hall is approximately 11.5 metres away from the boundary at its nearest point. The proposals are also located at least 8 metres away from properties to the north of the site. Given that the extension is a replacement facility in a similar location to the existing extension and is therefore not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light, overbearing impact, overlooking or increased noise and disturbance. Whilst there is an increase in height the separation to neighbouring properties is considered adequate to negate any impact.
- 10.9. The proposed development is therefore considered to comply with policies CP1 and CP10 of the Oxford Local Plan.

**iv. Trees**

- 10.10. The proposals are not considered to be harmful to any trees which are important to public amenity and are therefore considered to comply with Oxford Local Plan Policies CP1, CP11 and NE15.
- 10.11. However there are retained trees on and adjacent to the site which should be adequately protected during the demolition and construction phases, details of the tree protected measures are requested by condition.

**v. Biodiversity**

- 10.12. The application involves the demolition of a substantial part of the existing building which contains features suitable for bats and is located near prime bat habitat (The Lye Valley). Subsequently, a bat survey report was submitted and the Local Authority is satisfied that the buildings are unlikely to be occupied by bats.
- 10.13. In accordance with Core Policy CS12: Biodiversity of the Core Strategy for Oxford City: *“Opportunities will be taken (including through planning conditions or obligations) to: ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford.”* In addition to local policy, the NPPF sets out that *“The planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible”* and *“opportunities to incorporate biodiversity in and around developments should be encouraged.”*
- 10.14. Given the proximity of the development to the Lye Valley details of at least 2 bird nesting and 2 bat roosting devices are requested by condition and the approved details will need to be installed prior to the occupation of the new extension.
- 10.15. Subject to the satisfactory approval of this condition, the development is considered to comply with the requirements of policy NE23 of the Oxford Local Plan and CS12 of the Core Strategy and the NPPF.

**vi. Drainage**

- 10.16. The site is not at significant risk of flooding; however it does lie within the catchment zone for the Lye Valley fen SSSI, which is sensitive to changes in water quantity and quality. Therefore, a Sustainable Drainage scheme will be required by condition. Infiltration drainage is preferential where feasible (proven by soakage tests) and SuDS providing a treatment benefit (such as permeable paving) are encouraged in order to protect the sensitive SSSI from pollutants. Inert materials should be used in order to prevent adversely affecting the Ph of the receiving waterbodies.
- 10.17. Subject to the satisfactory approval of this condition the proposal is considered to comply with policy CS11 of the Core Strategy.

**vii. Parking**

- 10.18. The Local Highway Authority has reviewed the application and raised no concerns with the proposed development. The proposal includes improvement of pedestrian access to the main entrance of the building which results in the relocation of 3no. parking spaces. The proposal results in the gain in one parking space and therefore the proposal do not result in the loss of any spaces. This is not above the maximum parking standard. The two existing disabled parking spaces are to be retained.
- 10.19. The proposal also contains the provision of 10 cycle storage spaces which is an improvement due to the lack of current provision. Policy TR3 of the Oxford Local plan advises that 1 space should be provided per 20m<sup>2</sup> of assembly floorspace therefore the cycle storage proposed is in excess of that required to serve the replacement hall which is approximately 109m<sup>2</sup>.
- 10.20. The proposal is therefore considered to comply with policies TR3 and TR4 of the Oxford Local Plan and requirements of the NPPF in relation to sustainable development and transport.

## **11. CONCLUSION**

- 11.1. The proposed development is considered to provide much needed improved community facilities without causing harm to the amenity of the area or of the neighbouring occupiers, trees, biodiversity or the adjoining Lye Valley SSSI in accordance with the above policies and the NPPF.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out below.

## **12. CONDITIONS**

- 1 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 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 Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.  
  
Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

- 4 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 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 2x bird nesting and 2x bat roosting devices shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved extension and retained as such thereafter.  
Note: Bird (swift and / or house sparrow types) and bat boxes should be of durable make and installed on the buildings (bird boxes to the north side, and bat boxes to the south or west).

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 6 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA.

A SuDS maintenance plan should also be submitted and approved by the LPA. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by



a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDs maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 7 Inert gravel materials are to be used in any Sustainable Drainage system.

Reason: To ensure groundwater chemistry upstream of the Lye Valley Sites of Special Scientific Interest (SSSI) is maintained.

### **13. APPENDICES**

#### **Appendix 1 – Site plan**

### **14. HUMAN RIGHTS ACT 1998**

- 14.1. 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.

### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 15.1. 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.

This page is intentionally left blank