

## WEST AREA PLANNING COMMITTEE

10th November 2020

<b>Application number:</b>	20/01156/FUL		
<b>Decision due by</b>	19th August 2020		
<b>Extension of time</b>	18th November 2020		
<b>Proposal</b>	Demolition of existing hotel. Erection of a three storey 43no. bedroom hotel (use class C1) and creation of 1no. 2 bedroom dwelling (use class C3). Provision of vehicular and cycle parking and bin storage (amended description).		
<b>Site address</b>	178-184 , Abingdon Road, Oxford, OX1 4RA – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Hinksey Park		
<b>Case officer</b>	Jennifer Coppock		
<b>Agent:</b>	Mr Michael Gilbert	<b>Applicant:</b>	The Edge Hotel (Oxford) Ltd
<b>Reason at Committee</b>	The proposed floorspace would be in excess of 1000sq. m. and therefore the application proposes a major development.		

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## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **refuse the application** for the reasons considered fully in the report; and

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

**finalise the recommended reasons for refusing the application as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.**

1.1.3. The reasons for refusal are as follows:

1. The proposed scale, massing, height and use of inappropriate materials would fail to respond appropriately to the existing character, form, scale and massing of the surrounding area. The large expanse of flat roof would impose a jarring, box-like form against the existing interesting and attractive variety of roof forms and prominent gable ends along Abingdon Road. The proposed development would therefore be detrimental to the character and context of the site, the visual amenity of the area and streetscene. Furthermore, the proposed development would not contribute positively to the existing roofscape and is

likely to impact on long distance views from Hinksey Hill view cone, however sufficient analysis has not been provided. As such, the proposal would be in conflict with policies DH1 and DH2 of the Oxford Local Plan 2036.

2. The increased height, overall scale of development and distance from neighbouring dwellings, particularly to the west, would create an unacceptable overbearing impact on neighbours to the south and west. Due to the close proximity of the proposed development to neighbouring dwellings, a number of the proposed rear and side bedroom and stairwell windows would lead to unacceptable overlooking or perceived overlooking. The 45 and 25 degree lines would be contravened when applied to the nearest habitable windows of no. 178 Abingdon Road. The proposed development would therefore lead to an unacceptable impact on the daylight/ sunlight to this property. The proposed development would create an unacceptable impact on neighbouring amenity, in conflict with policies RE7 and H14 of the Oxford Local Plan 2036.
3. Having had regard to the proposals being situated in a high flood risk area and the proposals being for a more vulnerable use, insufficient information has been submitted, in particular the application is deficient in its failure to provide a comprehensive flood warning and evacuation plan in accordance with policy RE3 of the Oxford Local Plan 2036 and paragraphs 163 of the NPPF.
4. The proposed increase in vehicular parking provision within this highly sustainable location would not accord with the requirements of policy M3 of the Oxford Local Plan 2036. The cycle parking provision is acceptable in terms of quantity but the proposed location is not considered practical in accordance with policy M5 of the Oxford Local Plan 2036. The proposed development is therefore not acceptable in highways terms.
5. Insufficient information has been submitted, in particular the application is deficient in its failure to provide an Energy Statement to enable the Local Planning Authority to fully assess whether sustainable design and construction principles have been incorporated into the development. The application therefore does not conform to the requirements of Policy RE1 of the Oxford Local Plan 2036.

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers the proposals to demolish the existing hotel and outbuildings and erect a new, 3 storey hotel with an external footprint of approximately 584sq.m. and an internal floor area of approximately 1,528sq. m. 19no. car parking spaces, 10 cycle parking spaces and bin storage to serve the hotel is proposed to the rear. The proposed hotel would accommodate 43no. bedrooms, 1no. staff room, a reception, dining/ lounge area and associated plant and laundry rooms. The existing residential accommodation on site would be re-provided on the ground floor in the form of a self-contained 2no. bedroom apartment with private amenity space. 1no. vehicular parking space is proposed to serve the apartment, no separate cycle parking for the dwelling is proposed.
- 2.2. Policy V5 of the Oxford Local Plan 2036 sets out a locational requirement for holiday and short stay accommodation which includes Oxford's main arterial roads where

there is frequent and direct public transport to the City centre. Abingdon Road is listed as such an arterial road within footnote 33 and therefore the location of the application site is considered acceptable for new holiday and short stay accommodation in principle. However, the proposal fails to successfully address vehicular and cycle parking requirements in accordance with policies M3 and M5 and criterion a) of policy V5 of the Oxford Local Plan 2036 and therefore, the proposed development is not considered acceptable.

- 2.3. It is considered that the proposed contemporary flat roof, box form would sit very uncomfortably within the streetscene and fails to reference the existing character, form, scale and massing of the surrounding area. The increased height and flat roof creates a building out of scale with the surrounding context. It is considered that harm would be caused to local, street level, views by virtue of the form, scale, bulk, height and massing of the proposed development. The proposed flat roof would detract from the existing pleasing and characterful variety of roof forms and would impose a jarring, box-like form against this character which would be harmful to the appearance of the streetscene. In terms of more long distance views, it is considered that the proposed development probably would be visible from the view cone, however this cannot be sufficiently analysed as the submitted Landscape and Visual Impact Assessment (LVIA) does not illustrate the impacts of the proposal adequately. It is considered that the proposed development would be detrimental to the character and context of the site, the visual amenity of the area and streetscene, in conflict with policy DH1 of the Oxford Local Plan 2036. Furthermore, the proposed development would not contribute positively to the existing roofscape and could give rise to an impact on long distance views from Hinksey Hill view cone. As such, the proposal would be in conflict with policy DH2 of the Oxford Local Plan 2036.
- 2.4. In terms of impact on neighbouring amenity, it is considered that the proposal would lead to unacceptable overlooking onto properties and private gardens to the rear and side. In terms of light impact, having had regard to the 45/25 degree code test set out in Policy H14 of the Oxford Local Plan (2036) there would be an unacceptable impact on habitable rear windows at no. 178 Abingdon Road. It is considered that the three storey building would have an overbearing impact on residential properties to the rear, taking into account the distance between the dwellings and proposed hotel. In light of the above factors, it is concluded that the proposed development would lead to an unacceptable impact on neighbouring amenity in conflict with policy H14 of the Oxford Local Plan 2036.
- 2.5. It is considered that the 1no. 2 bedroom self-contained apartment would provide acceptable internal and external living conditions in accordance with policies H15 and H16 of the Oxford Local Plan 2036.
- 2.6. Whilst the application site lies within flood zone 3b (functional floodplain), the proposed land use would remain the same as the existing with a reduced built footprint and therefore, the proposed development is considered acceptable in terms of flood risk in accordance with policy RE3 of the Oxford Local Plan 2036. However, the proposed development is not considered acceptable in terms of safe access and egress during times of flood as a comprehensive evacuation plan has not been submitted as required by policy RE3 of the Oxford Local Plan 2036 and paragraph 163 of the NPPF.

2.7. The application proposes to increase the number of vehicular parking spaces by 2, from 17 to 19 within this highly sustainable location. This is in conflict with the requirements of policy M3 of the Oxford Local Plan 2036 to reduce, or at least retain existing parking provision, within sustainable locations for non-residential development. The cycle parking provision is acceptable in terms of quantity but the proposed location is not considered practical. Therefore the proposed development does not accord with policies M3 and M5 of the Oxford Local Plan 2036 in terms of its provision of vehicular and cycle parking.

2.8. In light of the above, Officers are recommending refusal.

### **3. LEGAL AGREEMENT**

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

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal would be liable for a CIL payment of £112,669.12.

### **5. SITE AND SURROUNDINGS**

5.1. The site comprises The Victoria Hotel, a two storey property which was originally three separate dwellings, all built in the 1800's. A number of run-down and unused outbuildings and a hard surfaced car park are located to the rear of the site. The hotel has an external footprint (including outbuildings) of 592sq. m. and an approximate gross internal area of 688.2sq.m. Vehicular and pedestrian access to the hotel is from Abingdon Road. The surrounding area does not form part of a Controlled Parking Zone (CPZ).

5.2. Nos. 182-184, originally a pair of Victorian semi-detached cottages, are red brick under a hipped roof with central chimney stack. No. 180, a more recent addition, dates back to the late 1800's and is double fronted with white rendered walls, a double pile pitched roof and a central chimney stack. Over time, the buildings have been unsympathetically altered with the insertion and alteration of inappropriately designed windows and the addition of a porch and a number of single storey extensions to the rear.

5.3. The principal building line of the three properties varies which is characteristic of Abingdon Road, illustrating the development of New Hinksey in the Victorian period.

5.4. Whilst historic, the buildings are not locally or nationally listed and the site does not lie within a Conservation Area.

5.5. Internally, the Hotel is run down, so much so, the current owners have been prohibited from operating due to health and safety concerns – the site is now vacant. When last in use, the hotel accommodated 16 letting rooms plus the owner's residential accommodation which is integrated into the footprint of the hotel.

5.6. Surrounding built form along the west side of Abingdon Road comprises 2 and 3 storey red brick and rendered properties under pitched tiled roofs. The area is characterised by an interesting variety of roof forms with gable ends of the double pile block adding to the attraction of the area. To the east side of Abingdon Road lies

the stone built Oxford Spires Hotel which is set back from the street frontage and undeveloped green belt land.

5.7. In terms of planning policy constraints, the site lies within flood zone 3b (functional floodplain) and sits within the Hinksey Hill view cone.

5.8. See site location plan below:



## 6. PROPOSAL

6.1. The application proposes to demolish the existing hotel and outbuildings and erect a new, 3 storey hotel with an external footprint of approximately 584sq.m. and an internal floor area of approximately 1,528sq. m. 19no. car parking spaces, 10 cycle parking spaces and bin storage to serve the hotel is proposed to the rear. The proposed hotel would accommodate 43no. bedrooms, 1no. staff room, a reception, dining/ lounge area and associated plant and laundry rooms. The existing residential accommodation on site would be re-provided on the ground floor in the form of a self-contained 2no. bedroom apartment with private amenity space. 1no. vehicular parking space is proposed to serve the apartment, however no separate cycle parking is provided.

6.2. The proposed flat roofed hotel would measure approximately 9.4m in height, unfortunately it is not possible to accurately compare this proposed height with that of the existing buildings on site as existing elevation plans have not been submitted with the application. These were requested by officers. The footprint of the proposed building incorporates multiple step-backs fronting Abingdon Road, resulting in an elevation that measures between 1.6m and 17m from the site frontage (north east elevation). Balconies are proposed to the first and second floor, fronting Abingdon

Road and a number of oriel/ bay windows are proposed to the northern section of the building, fronting Abingdon Road.

6.3. A wide range of materials are proposed, including buff brick to the external walls, powder coated aluminium fascia's and soffits to second floor balconies and high level roof, glazed balustrades to balconies and bronzed copper vertical privacy louveres to the ground and first floor windows.

6.4. Soft landscaping would be located along the Abingdon Road frontage, however a landscape plan has not been provided and therefore, details are unknown.

## 7. RELEVANT PLANNING HISTORY

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

Reference	Description	Decision
00/01340/NF	Demolition of existing garage & outbuildings. Erection of new building to consist of garage, garden store & fuel store	Approved 02.01.2001
98/01702/NF	Conservatory for Victoria Hotel	Approved 02.12.1998
91/00137/NF	Change of use of 178 Abingdon Road from single family dwelling to hotel annexe and part of 182 Abingdon Road from hotel proprietor's accommodation to guest accommodation (Retrospective).	Appeal Dismissed 15.07.1991
84/00483/NF	Front extension to form refrigerated cold store for existing hotel kitchen for Victoria Hotel (Revised) (Amended Plans).	Approved 13.08.1984
83/00287/NF	Change of use from single family dwelling to two flats	Approved 02.08.1983
83/00363/NF	Entrance porch at rear	Approved 06.07.1983
83/00112/NF	Alterations and extension to two existing entrance porches for Victoria Hotel	Approved 18.04.1983
82/00739/NF	Two storey extension at side for Victoria Hotel	Approved 16.11.1982
82/00040/NF	1)Change of use from single family dwelling to guest house, to include accommodation for guest house proprietor. 2)Extension of car parking for 180 Abingdon Road into part of rear garden. 3)First floor rear extension to replace existing.	Refused 24.03.1982
82/00039/NF	Single storey extension to provide additional accommodation for guest house and link to 182	Refused 24.03.1982 Allowed at Appeal 07.02.1983
80/00906/NF	Extension to provide 3 additional guest	Approved 28.01.1980

	bedrooms. Conversion of private lounge on ground floor of link block to new guest bedroom. Additional car parking and landscaping at rear for Victoria Hotel.	
80/00447/NF	Extension to provide four additional guest bedrooms and ancillary office/storage. Conversion of private lounge on ground floor of link block to new guest bedrooms. Additional car parking and landscaping at rear for Victoria Hotel.	Refused 25.07.1980
79/00163/A_H	Two storey bedroom extension to Guest House	Approved 18.04.1979
78/00357/A_H	Erection of storm porch for Victoria Hotel	Approved 31.07.1978
77/01068/A_H	Bedroom and kitchen extension to guest house	Approved 18.01.1978
77/00418/A_H	Demolition of rear store building - construction of 2 storey extension to guest house	Approved 17.08.1977
75/00507/A_H	Outline application to demolish existing house and outbuildings and erection of flats with car parking	Refused 02.07.1975
73/01164/A_H	Outline application for 3 bed house, garage and car port.	Refused 24.08.1973

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	117-123, 124-132	RE2 - Efficient use of Land DH1 - High quality design and placemaking	
Conservation/Heritage	184-202	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	
Housing	59-76	H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards	
Commercial	170-183	V5 - Sustainable tourism	

Natural environment	91-101	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface G1 - Protection of Green/Blue Infrastructure G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	102-111		
Transport	117-123	M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking M1 - Prioritising walking, cycling and public transport	
Environmental	117-121, 148-165, 170-183	RE1 - Sustainable design and construction RE6 - Air Quality RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-12		

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 11th June 2020 and an advertisement was published in The Oxford Times newspaper on 11th June 2020.

### Statutory and non-statutory consultees

#### Oxfordshire County Council (Highways)

9.2. The application seeks the demolition of the existing hotel, erection of a three storey 43no. bedroom hotel (use class C1) and creation of 1no. 2 bedroom dwelling (use class C3) and provision of vehicular and cycle parking and bin storage (amended description).

The proposals are in a highly sustainable location with good access to public transport and local amenities. The proposals are not in a CPZ.

Cycle Parking – The proposals demonstrate 10 covered and secure cycle parking spaces, the level of provision is considered satisfactory and accords to policy requirements. The location of the cycle parking is not considered acceptable. The current location will be difficult to access and use will prove inconvenient as access is restricted by car parking spaces. This must be amended for the proposals to be considered acceptable.

Car Parking – The proposals demonstrate 19 car parking spaces, 4 below the required maximum of 23. The proposals are for an additional 27 bedrooms but only 2 additional car parking spaces. This is problematic as the surrounding residential streets are not covered by parking restrictions and experience high levels of parking stress. Despite the sustainable location of the proposals, the above factors do not warrant a deviation from the required maximum parking provision. The development in its current form is likely to result in overspill parking into surrounding residential streets.

Traffic Generation – The transport statement is considered acceptable and the trip rate figures are based on appropriate comparisons from the TRICS database. The net gain of 11 vehicles/hr during the AM/PM peak period is insignificant and unlikely to have a detrimental impact on the local highway network.

Private Parking Space – Pedestrian visibility splays must be provided on each side of this access to demonstrate that adequate pedestrian visibility can be provided. Oxfordshire County Council object to the granting of planning permission. If permission is granted despite our objections then the following conditions should be attached to any approval:

#### Cycle Parking

Before the development permitted is commenced details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with the 2036 Local Plan

#### Visibility Splays

Prior to occupation of the dwelling visibility splays measuring 2m by 2m shall be provided to each side of the access. This visibility splay shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level.

Reason: To provide and maintain adequate visibility in the interest of highway safety in accordance with policy.

#### Construction Traffic Management Plan (CTMP) - (For small scale)

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;

- The routing of construction vehicles,
- Access arrangements for construction vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

## Oxfordshire County Council (Drainage)

### 9.3. No objection subject to conditions

#### **Conditions:**

Development shall not begin until a detailed surface water drainage scheme for the site, in accordance with the approved FRA & Strategy, has been submitted to and approved in writing by the planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Detailed design drainage layout drawings of the SuDS proposals including cross sections and construction details;
- Evidence that the connection into the surface water sewer has been approved by Thames Water;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
- Details of how water quality will be managed during construction.

#### Detailed comments:

Further to the further clarification received, we have no further concerns with this application, subject to the above condition being attached to the approval.

## Oxfordshire County Council (Emergency planning)

9.4. The hotel should have an evacuation or in-vacuation plan either closing and evacuating residents prior to water cutting off access and egress routes and providing them with somewhere else to go or the ability to move to the upper floors with adequate supplies and generator access and being able to stay in situ. Any development in a flood zone should not rely on the emergency services to care for their residents.

## Environment Agency

9.5. The site lies within Flood Zone 3b (functional floodplain). Flood Zone 3b is defined as “land where water has to flow or be stored in times of flood”, in accordance with Table 1 ‘Flood risk’ of the Planning Practice Guidance. The proposed development is more vulnerable in accordance with Table 2 ‘Flood risk vulnerability classification’ of the Planning Practice Guidance. The existing land use is a hotels and proposed land use is a hotel with a reduced built footprint. If the development was changing to another more vulnerable or highly vulnerable development use or a new planning application for any vulnerability classification with the exception of water-compatible or essential infrastructure, then we would be objecting on policy grounds as these

developments are inappropriate in Flood Zone 3b in accordance with Table 3 'Flood risk vulnerability and flood zone 'compatibility.'

This development proposal includes increasing the number of rooms in the hotel by 26. There will also be the creation of 1 no. 2 bedroom dwelling. Please be aware that you will need to make an assessment of the safe access and egress for this site and especially consider the increased number of occupants at risk. I have added a paragraph below in this letter giving advice on this.

Environment Agency position:

We have no objections to the proposed development subject to the following condition being imposed on any planning permission granted. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to this application.

Condition: The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Drainage Statement (FRA), Project Number 3682, dated February 2020 by Mateo Blanco of Infrastruct CS Ltd., and the Planning, Design and Access Statement dated May 2020 by Mike Gilbert Planning Ltd., and the following mitigation measures detailed within the FRA:

1. Finished flood levels are set no lower than 56.63 metres above Ordnance Datum

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reasons:

1. To prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage
2. To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

This condition is also supported by local plan policy NE3 of the Oxford Local Plan 2036.

### **Advice to the local planning authority - Flood Risk - Safe Access and Egress**

The proposed development and/or the access route is located within the 1% annual probability (AP) plus an appropriate allowance for climate change flood extent.

In accordance with paragraph 163 of the National Planning Policy Framework (NPPF), you must ensure that 'the development is appropriately flood resistant and resilient' and that 'safe access and escape routes are included where appropriate, as part of an agreed emergency plan...'. This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test as required.

Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable.

We enclose a copy of our safe access and egress guidance statement to assist you with your assessment. **Please note we have not assessed the proposed access and egress route.**

### **Advice to applicant and LPA**

There shall be no raising of existing ground levels on the site.

There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

### Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.

### Oxford Civic Society

9.6. The plots on Abingdon Road align with those at the rear. This historic arrangement has created the distinctive angled frontages of property along this southern entry into the city. The properties of a modest domestic character reflect their plot heritage. Whilst the stepping back of half the new building begins to suggest this heritage, it is negated by the horizontal emphasis of the design.

The Victoria Hotel occupies an L-shaped two-storey building with a double frontage, traditional pitched roof form and modest out-chutes and outbuildings at the rear. By its very articulated nature it sits comfortably within the area with no harmful impact on neighbours. The proposal occupies a considerably larger footprint of unrelieved three storey building. It harms the amenity of the houses on the east side of Summerfield Road, adjacent property and is overbearing of the character of Abingdon Road.

The flat roof covering of all three storeys is an unsatisfactory unifying unrelieved element of the design and ignores the broken skyline of broken eaves lines, pitched roofs and chimneys of the buildings in area. The strong horizontal nature of the proposal emphasized by the large expanse of flat roof is out of scale and harmful to the character of the street scene.

The lack of a main entrance to the frontage of the new hotel ignores the important element of good streets and the safety arising from comings and goings on foot. A front door is a distinguishing feature of the front and back of a building and adds variety to the street scene and a focal point of the façade.

The northern block of the proposed three storey building makes an unsatisfactory impact on the public realm. By moving the building back by two metres less harm would accrue at this angled boundary junction and the parking at the rear would be unaffected.

The architectural treatment of the northern block adjacent to no. 178. is monotonous and in its prominent position is out of scale with the residential vertical character of the road.

The set-back at third storey level is insufficient to reduce the impact of the three-storey building. Its accompanying horizontal treatment emphasises the weakness of this set-back. This part of the proposal impacts on the neighbouring property and the street-scape.

There is potential of overlooking and loss of privacy to adjoining side property from balconies and from windows at the rear to the houses in Summerfield Road.

The supporting proposed site and block plans are misleading as the existing is shown as one homogeneous block when it is in fact articulated and consists of various built forms having minimal impact on neighbours, unlike the proposed building.

The proposed 43 bedrooms is an unacceptable increase on the existing 15 and has resulted in a high-density development of monotonous, horizontal building form which has an overbearing impact on neighbours and the street scene.

We recommend that the application be refused.

#### Thames Valley Police

9.7. Thank you for consulting me on the planning application above. I have reviewed the submitted documents and visited the site. Although I do not wish to object to the proposals, I do have some concerns relating to community safety/crime prevention design. If these are not addressed I feel that the development may not meet the requirements of;

- The National Planning Policy Framework 2018, Section 12 'Achieving well-designed places', point 127 (part f), which states that; 'Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. And;
- HMCLG's Planning Practice Guidance on 'Design', which states that; 'Although design is only part of the planning process it can affect a range of objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives.

The following issues should be considered: safe, connected and efficient streets... crime prevention... security measures... cohesive & vibrant neighbourhoods.' In addition, the Design and Access Statement (DAS) does not address crime and disorder as required by CABE's 'Design & Access Statements- How to write, read and use them'. This states that DAS' should; 'Demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime'. I would have expected this document to contain a commitment to achieving Secured by Design (SBD) accreditation at a minimum. Therefore, to ensure that this is the case and that the opportunity to design out crime is not

missed, I request that the following (or a similarly worded) condition be placed upon any approval for this application;

*Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority.*

With the above in mind, I offer the following advice in the hope that it will assist the authority and applicants in creating a safer and more sustainable development, should approval be granted:

I have concerns that the vehicular access route to the rear of the hotel is open to casual intrusion. This is likely to create opportunities for anti-social behaviour (ASB) and criminal activity. The pedestrian route along the south east boundary is also open. I recommend that appropriate boundary treatments and gates (of at least 1.8m height) are provided to ensure only authorised personnel and patrons can gain access to the sides and rear of the premises. Gates should be robust, visually permeable, self-closing and on the hotels access control system with a failsafe mechanism included to allow for emergency egress. Lighting of the access routes and parking areas must be to SBD recommended standards. Low level lighting such as bollards should be avoided in almost all situations as it creates hiding places, and pooling and shadowing of light. It generally feels less safe and can increase the fear of crime. Pedestrian scale columns or building mounted units would be a far more appropriate solution in this situation. Lighting of internal communal areas should be 24hr, controlled by switched, photoelectric cells to create an environment that feels safe. Two-stage lighting could be considered to provide a more energy efficient system. External lighting must be provided at each point of entry or egress, which should again be operated by switched, photoelectric cell. Passive Infrared (PIR) motion detection sensors should not be used to operate external lighting. There are cycle stands proposed. If the facility is intended for staff or for storage of guests cycles overnight, then the provision should be within the hotel itself or within secured storage facilities to SBD standards. Details on this and all of my advice can be found at; <https://www.securedbydesign.com/guidance/design-guides> By the same token, the refuse store should also be secure and meet SBD requirements. A CCTV system that covers all access points (internally and externally) and parking areas as a minimum must be provided. Again, SBD guidance should be incorporated prior to specification of a system. This will not only ensure it will be fit for purpose, but would also assist with cost-effectiveness. All ground floor and easily accessible windows and the doors at the main entrance, fire escapes, internal entrance lobby and all guest rooms must meet current SBD standards (BS PAS24). Any glazing within these units must also have at least one pane that is laminate.

Internally, it is unclear from the plans supplied where the lift doors open on the ground floor. I recommend that the access point is beyond the second set of foyer doors to ensure an airlock style lobby is created. This will assist in preventing unauthorised access to the guest areas of the hotel. Reception operation and the physical control of access need careful design to ensure guests are welcomed appropriately, but that employees and patrons are kept safe and secure. A

management plan should describe how procedures will tie in with, and make the best use of the physical security that is yet to be specified.

The comments above are made on behalf of Thames Valley Police and relate to crime prevention design only. I hope that you find them of assistance in determining the application and if you or the applicants have any queries relating to crime prevention design in the meantime, please do not hesitate to contact me.

Oxfordshire Architectural and Historical Society

9.8. Our caseworkers have considered this application and wish to object for the following reasons:

The application appears to concern the buildings at nos. 180-184 (not 178-184).

Nos. 182-184, in particular, are significant properties. Their history and heritage value have not been fully and properly assessed in this application. These buildings may not be designated but they are heritage assets of local historic value and, as such, the NPPF (para. 189) applies to them. Paragraph 54 of the Design and Access Statement inadequately and incorrectly states: 'There are no heritage assets within the vicinity of the site, so the proposal will not have any direct or indirect heritage impact.' This is contrary to what is set out below.

**1. History of the buildings** The buildings form part of the early Victorian settlement of New Hinksey. New Hinksey was set out as a new island suburb on land auctioned by Henry Greenaway in 1847 and 1849 in response to the demand for housing from workers on the new (1844) railway. Many of the buildings were completed by the 1850s. The historic field boundary separating Greenaway's two fields is preserved in the lines of some of the New Hinksey building plots

**1a. Nos. 182-184 Abingdon Road** The southern part of the applicant's site proposed for demolition (nos.182-184: not actually discussed or photographed extensively in the application, although they should have been) is part of this important early New Hinksey development. It consists of two semi-detached early Victorian cottages, complete with scrolled metal nameplate bearing the name 'Tenby Cottage'. They are built in a characterful, polychromatic chequer pattern using Flemish bond and vitrified bricks, with a raised, tripartite string course of vitrified header and non-vitrified stretcher bricks. The cottages have a hipped roof and central chimney stack. Windows are placed symmetrically. The apertures are original and *in situ*; see the rubbed brick lintels and queen closer bricks down each side. This is true at the rear also. The window frames have been replaced with modern substitutes, but this is not irreversible and there remains the opportunity for improving the building by returning the windows to a more historically sensitive condition. The southern side elevation retains evidence of a blocked doorway (the entrance to Tenby Cottage). It is the only one of such buildings built in New Hinksey which is visible from the Abingdon Road, able to be seen by those travelling into and out of Oxford. Tenby Cottage is no. 184 and Swansea Cottage is no. 182. Both are listed in the 1871 census. It is possible that Tenby Cottage, occupied by the Weatherhead family, also features in the 1861 census. (Absence of numbering and naming of roads in this particular census makes it hard to be certain but it is likely; the site is listed as close to the

nearby Berkshire House pub on the Abingdon Road.) It is likely that nos. 184 and 182 are two of the oldest buildings extant on Abingdon Road, together with no. 202 which has a stone bearing the date 1849.4

**1b. No. 180 Abingdon Road** This building was built slightly later than nos. 182 and 184, but it was present by the time of the Ordnance Survey of 1873 (25-inch map, published 1878). In the 1881 census, no.180 was occupied by a Scottish draper, John McLean. In Kelly's trade directory of 1899 it was known as Yew Tree House, occupied by Harry Kent Frost. Throughout the early and mid 20th century it was run as a University lodging house and boarding house. It has a characterful double-pile, white-rendered exterior with central chimney stack. Both the northern and southern double-pile gable ends are visible along the Abingdon Road, adding historic character to the streetscape. Part of the history of this road is that plots were laid out at different times by different landowners and builders. Hence, building lines varied, creating a historic texture and irregularity which will be eradicated permanently by the proposed new building. The interesting variation (some of the building lines are stepped in and out of each other; some are on different diagonals to each other and to the Abingdon Road itself) will be erased. The designed stepping-back of part of the proposed hotel in the plans does not compensate for this. No. 180 has double-storey symmetrical polygonal bay windows, capped with polygonal slate roofs, topped with decorative finials. It has some historical architectural merit. Modern window frames have been substituted, but the historic fabric could be enhanced by reversing this insensitive intervention. The bay window apertures all retain attractive barge board detailing.

The long outrigger at the rear of no. 180, visible on the Ordnance Survey historic maps, is still extant today. There are two distinctive circular porthole windows with cross glazing bars in this outrigger. A proper building recording of the inside of no. 180 would be necessary to determine the nature and original function of these unusual windows. It would be beneficial to be able to see inside the property (and nos.182-184) to determine how much of the original layout remains and how many other original details exist.

By 1898, a long narrow alleyway between nos. 180 and 182, leading originally to orchards behind, had been built over (see OS 25 inch map surveyed 1898, published 1899). This infill is still visible in the southern half of no.180 (note the elongated façade and absence of symmetry to the frontage). There have been subsequent additions to the rear of no. 180, and to that of nos.182-184, and they have been linked together, but the historic layout of all three buildings remains very legible from all angles. Alterations have not removed historic form or plot layout.

**2. Significance of the site** The site lies directly opposite the highly historically-significant Eastwyke Farmhouse. This is set in one of the last remaining examples of the open, rural water meadows that entirely surrounded the Abingdon Road until the 1840s. Eastwyke Farmhouse is a listed building (1369700). Under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the council, when considering whether to grant permission for a development which will affect the setting of a listed building, must have special regard to the desirability of preserving the setting of that building.

This application will significantly harm the setting of Eastwyke Farmhouse. The farmhouse's setting includes other recorded heritage assets: civil war earthworks (Monument no. 338455), medieval ridge and furrow, and a possible moat (MOX26743). The development will affect the setting of all of these assets (under para. 190 of the NPPF this must be taken into account). The modern (Voco) hotel buildings currently within this setting are set well back, with pitched roofs and using traditional materials including rubble stone and wooden lintels. They are designed to read as if rural farm buildings. They retain the openness of the historic rural landscape in this area. This is in contrast to the proposed development, which is overly-large, dominating and monolithic, using unsympathetic materials. The proposed hotel is in a style which could be built anywhere, without regard to the history of that area. Hence, it removes the local particularity and historical narrative of this location and setting.

- 3. The proposal** As already stated, the proposal is essentially a large rectangular block with a flat roof which damages the streetscape by removing historic varying pitched roof lines, gable ends and chimney stacks. It removes the historic variety of building lines and frontages. It eliminates the historic evolution in building plots which is traceable through historic mapping, and, crucially, is still legible on the ground. In place of three separate plots, with three individual historic narratives, one homogenous building would be inserted. It would eclipse the current domestic scale of Abingdon Road (we note that previous applications have been refused on these grounds e.g. 82/00040/NF, 91/00137/NF). It will dominate. The materials are not sympathetic to the historic setting. Moreover, this is an area that is highly susceptible to flooding. Much of the problem appears to come from the water and drainage system not being able to cope at times of heightened ground water levels. Whilst it is accepted that some of the site is currently tarmacked, 43 new bedrooms, plus bedrooms and services for onsite staff, is a substantial increase which will place considerably greater demand on the local (Victorian) drainage system. It is plausible that it will increase flooding in the area. Furthermore, it is unrealistic to think that such a development will not increase traffic to, and parking in, the area. Parking is already highly strained in this area. None of the streets from Lake Street southwards are controlled zones. Hinksey swimming pool and park attract considerable parking congestion already (as does the Ethos Hotel further north on Western Road, notwithstanding that that is a hotel within a controlled zone).

The existing buildings have considerable energy embodied within their fabric. To demolish them and build from scratch is not a responsible use of energy resources, particularly given climate change. Retention and enhancement of existing building stock is to be preferred where possible. Additionally, in the post-corona virus world, a large, new hotel in this location is not what Oxford may need. Sensitive reuse of, and improvement and reversal of damage to, the existing historic buildings would be far more appropriate, whether as a hotel, another community use or as private residences. No evidence has been put forward in the application to suggest that the buildings cannot be sustainably and viably used with appropriate investment and renovation. The hotel apparently ceased business only in late 2019.

For all these reasons, we would strongly ask the council to reject this application.

## **Public representations**

9.9.51 local people commented on this application from addresses in Summerfield, Sunningwell Road, Isis Close, White House Road, Wytham Street, Chilswell Road, Toranean Kilmahog Callander (Perthshire), Lake Street, Norreys Avenue, Abingdon Road, Marlborough Road, Western Road, Chapel End (Stonesfield), Vicarage Road, Green Place, Unthank Road, Bullockspits Lane (Longworth), South Oxford Flood Action Group, Parking Action around Lake Street.

9.10. In summary, the main points of objection (51 residents) were:

- Privacy
- Loss of daylight
- Noise
- Traffic
- Flood risk
- Insufficient number of electric charging points
- Unsympathetic design
- Overdevelopment of site
- Retention of existing buildings should be explored
- Too much parking on site
- Saturation of hotels in the area

## **Officer response**

9.11. In response to the comments made by local residents and statutory consultees, Officers sought amendments to the proposed scheme and requested a comprehensive evacuation plan during the determination process. Further details were also sought of the existing elevations. However, an alternative design approach could not be agreed upon and the revised FRA/ evacuation plan did not sufficiently address officer and consultee concerns. No existing elevation plans were provided.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- i.Principle of development
- ii.Design
- iii.Impact on listed building
- iv.Neighbouring amenity
- v.Living conditions
- vi.Flooding
- vii.Highways

## **i. Principle of development**

- 10.2. Policy V5 of the Oxford Local Plan 2036 sets out a locational requirement for holiday and short stay accommodation which includes Oxford's main arterial roads where there is frequent and direct public transport to the City centre. Abingdon Road is listed as such an arterial road within footnote 33 and therefore the location of the application site is considered acceptable for new holiday and short stay accommodation in principle.
- 10.3. In accordance with policy V5, proposals must be considered a) acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements; b) must not result in a loss of residential dwellings; and c) not result in an unacceptable level of noise and disturbance to nearby residents.
- 10.4. In response to the criteria set out within policy V5:
- a) the access off Abingdon Road would remain unchanged from the existing, however as set out below at paragraphs 10.24 and 10.25, the proposal is not considered acceptable in terms of its vehicular parking provision or cycle parking arrangement;
  - b) As set out above, the current hotel includes residential accommodation for the owner and in order to comply with policy, the proposal includes the provision of 1no. self-contained 2 bedroom apartment. Therefore, there would be no loss of residential dwellings on site and as such criterion b) would be satisfied.
- 10.5. In terms of levels of noise and disturbance to nearby residents, no information has been provided in relation to proposed mechanical ventilation/ extraction or proposed measures to safeguard the amenity of neighbours in terms of noise pollution and therefore, this criterion cannot be assessed fully.
- 10.6. In light of the above, it is considered that whilst the location of the application site for short stay accommodation is acceptable, the proposed development is not acceptable in principle due to its failure to comply with criterion a) of policy V5 of the Oxford Local Plan 2036.

## **ii. Design**

- 10.7. Policy DH1 of the Oxford Local Plan 2036 stipulates that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.
- 10.8. As set out at Policy DH2, the City Council will seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning permission will not be granted for any building or structure that would harm the special significance of Oxford's historic skyline. Policy DH2 continues that proposals within view cones that may impact on roofscape should be based on a clear understanding of characteristic positive aspects of the roofscape in the area and should contribute positively to the roofscape, to enhance any significant long views the development may be part of and also the experience at street level.

- 10.9. It is considered that the contemporary flat roof, box form in inappropriate external materials would sit very uncomfortably within the street and fails to reference the existing character, form, scale and massing of the surrounding area. The increased height and flat roof creates a building out of scale with the surrounding context and the multiple step backs of the footprint, which have been incorporated to mitigate impact on no. 188 Abingdon Road, give the building an inappropriately busy and dominant presence. The ground and first floor oriel windows, especially on the section closest to the pavement, are too large for the context, exacerbating the bulk of the building.
- 10.10. Harm would be caused to local, street level, views by virtue of the form, scale, bulk, height, massing and inappropriate materials of the proposed development. The proposed flat roof would detract from the existing pleasing and characterful variety of roof forms, as described above, and would impose a jarring, box-like form against this characteristic. In terms of more long distance views, it is considered that the proposed development probably would be visible from the view cone, however this cannot be sufficiently analysed as the submitted Landscape and Visual Impact Assessment (LVIA) does not illustrate the impacts of the proposal adequately.
- 10.11. In light of the above, it is considered that the proposed development would be detrimental to the character and context of the site, the visual amenity of the area and streetscene, in conflict with policy DH1 of the Oxford Local Plan 2036. Furthermore, the proposed development would not contribute positively to the existing roofscape or experience of the area at street level. The proposal is likely to impact on long distance views from Hinksey Hill view cone. The proposal would also be in conflict with policy DH2 of the Oxford Local Plan 2036.

### **iii. Impact on Listed Building**

- 10.12. Policy DH3 of the Oxford Local Plan 2036 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.
- 10.13. The application site lies approximately 150m from Eastwyck Farmhouse which is a grade II listed building. This listed building is an important reminder of the rural nature of what was once the southern fringes of the City; although converted into a hotel annexe, the farm house is still legible as a rare survival of a detached rural countryside farmhouse set in a rural, verdant, pastoral setting. The proposals would give rise to a very low degree of less than substantial harm to the setting of the listed building. Officers consider that the existing site does not contribute positively to the setting of the listed building and on balance the less than substantial harm in this case would be outweighed by the public benefit of providing a redevelopment and increased efficient use of land. The significant

distance between the listed building and the application site significantly reduces the impact of the proposals on the setting of the listed building. In reaching this view, officers have had regard to paragraph 192-196 of the NPPF in reaching a decision. Therefore, the proposals would be acceptable in terms of their impact on these designated heritage assets.

- 10.14. Special attention has been paid to the statutory test of preserving the listed buildings or their settings under Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the nearby listed buildings and so the proposal accords with Section 66 of the Act in respect of listed buildings.

#### **iv. Impact on neighbouring amenity**

- 10.15. Policy H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of existing homes. Consideration must be given to the degree of overlooking to and from neighbouring properties or gardens, the orientation of windows in both new and existing development in respect of access to daylight, sunlight and solar gain and existing and proposed walls, hedges, trees and fences in respect of their impact on overshadowing both existing and new development. Planning permission will not be granted for any development that has an overbearing effect on existing homes.

##### Privacy

- 10.16. It is considered that the proposed development would give rise to unacceptable overlooking and perceived overlooking onto residential dwellings to the rear, fronting Summerfield, from the windows to the proposed rear staircase and bedrooms 27 and 43 given there would only be 14 metres between the proposed hotel and residential properties to the southern end of the application site. Furthermore, it is considered that the windows to proposed bedrooms 17, 18, 33 and 34 would lead to unacceptable overlooking onto the private residential garden of no. 178 Abingdon Road.

##### Daylight and sunlight

- 10.17. In terms of the impact on light for neighbouring residential properties and specifically the 45/25 degree test set out in Policy H14 of the Oxford Local Plan 2036, the 45 degree line would not be contravened with applied to the nearest habitable windows of no. 188 Abingdon Road. However, the 45 degree line would be contravened when applied to the nearest habitable windows of no. 178 Abingdon Road. When applied to the rear elevation plan, the 25 degree line would also be contravened and therefore it is considered that the proposal would unacceptably impact on the level of daylight and sunlight enjoyed by this property.
- 10.18. With regards to the residential properties to the rear of the application site, it is considered that the orientation of the proposed building and distance from neighbouring properties is such that the proposal would not unacceptably impact on the levels of daylight and sunlight to these residential neighbours.

### Overbearing

- 10.19. It is considered that the three storey building would have an overbearing impact on residential properties to the rear, particularly those to the southern end of the application site which would be closest to the proposed development at a distance of only 14 metres which is insufficient having had regard to the height of the proposed development.
- 10.20. In light of the above it is considered that the proposed development would lead to an unacceptable impact on neighbouring amenity in conflict with policy H14 of the Oxford Local Plan 2036.

#### **iv. Living conditions**

- 10.21. Proposed dwellings are required to meet nationally described space standards as required by policy H15 of the Oxford Local Plan 2036. In accordance with the national space standards (March 2015), a single storey, 2 bedroom dwelling for 4 people is required to have a minimum floor area of 70sq. m. with a double bedroom measuring 11.5sq. m. and at least 2.55m in width. The floorspace of the proposed 2 bedroom apartment would measure 78.3sq. m. The bedrooms would measure between 11.6 and 13.2sq. m. with a minimum width of 2.9m.
- 10.22. Policy H16 requires 1 or 2 bedroom flats to provide either a private balcony, terrace or direct access to a private or shared garden. The proposed apartment would provide an area of outdoor amenity space to the front of the property measuring approximately 29sq. m. Whilst it is not ideal to locate private amenity space fronting a busy arterial road, it does meet the policy requirements.
- 10.23. It is considered that the proposed internal and external living conditions would comply with the requirements of policies H15 and H16 of the Oxford Local Plan 2036.

#### **v. Flooding**

- 10.24. Policy RE3 of the Oxford Local Plan 2036 permits development in flood zone 3b where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Planning permission will only be granted for development within flood zone 3 where: the proposed development will not increase flood risk on site or off-site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.
- 10.25. Paragraph 163 of the NPPF also requires planning proposals in flood risk areas to provide safe access and escape routes as part of an agreed emergency plan.
- 10.26. As set out above, the site lies within flood zone 3b (functional floodplain). Flood Zone 3b is defined as “land where water has to flow or be stored in times of flood”, in accordance with Table 1 ‘Flood Risk’ of the Planning Practice Guidance. The proposed development is classed as ‘more vulnerable’ in accordance with Table 2 ‘Flood risk vulnerability classification’ of the Planning Practice Guidance. The proposed land use would however remain the same as the existing with a reduced

built footprint and therefore, the proposed development is considered acceptable in terms of flood risk in accordance with policy RE3 of the Oxford Local Plan.

- 10.27. However, the proposed development is not considered acceptable in terms of safe access and egress during times of flood. The proposal would increase the number of rooms to 43 from 17, which is a potential increase in occupants at any one time from 34 to 86. Environment Agency (EA) /DEFRA guidance is that a route of access/egress should be provided that is safe for all, on the basis that this is not provided, there may be additional burden placed on emergency services in times of flood, if occupants are required to be evacuated. The flood hazard maps have not been included within the submitted FRA, however mapping held by the City Council shows that the routes to a safe area places 'Danger to Most', which is not acceptable. Officers advised the applicant that the hotel should be closed upon receipt of a flood warning from the EA to ensure safe egress for all occupants, however an amended FRA, specifically addressing this, was not forthcoming. Therefore, the proposed development does not comply with policy RE3 of the Oxford Local Plan and paragraph 163 of the NPPF.

#### **vi. Highways**

- 10.28. In the case of the redevelopment of an existing or previously cleared site, policy M3 of the Oxford Local Plan 2036 states that there should be no net increase in parking on the site from the previous level and requires a reduction in parking where there is good accessibility to a range of facilities.
- 10.29. The application proposes to increase the number of vehicular parking spaces by 2, from 17 to 19. It is acknowledged that the highways authority has objected to the proposals due to concerns that the proposal would result in overspill parking on surrounding residential streets which are not currently within a Controlled Parking Zone, and as such has requested that further additional parking spaces are provided on-site. However, the application site is in a highly sustainable location with good access to public transport and local amenities and is therefore considered an appropriate location to reduce parking on-site in accordance with policy M3. In light of the requirements of policy M3, the proposal is considered unacceptable in terms of its vehicular parking provision.
- 10.30. Policy M5 of the Oxford Local Plan 2036 requires hotels to provide at least 1 bicycle parking space per 5 non-resident staff (or other people), plus 1 space per resident staff. The proposal provides 10 covered and secure cycle parking spaces, which is considered satisfactory in accordance with policy requirements. However, the location of the cycle parking as proposed is not considered acceptable as they would be difficult to access as the spaces would be restricted when the adjacent car parking spaces are occupied. The proposal is therefore considered unacceptable in terms of its cycle parking provision.
- 10.31. With regards to the proposed 2 bedroom apartment, 1 no. vehicular parking space is proposed to the front of the property. Whilst the application site is within a highly sustainable location as set out above, and the Council would encourage car-free development, the site does not lie within a CPZ and therefore the proposed parking provision is considered acceptable in accordance with policy M3 of the Oxford Local Plan 2036. The proposal does not include separate cycle parking

provision for the dwelling, policy M5 of the Oxford Local Plan 2036 requires dwellings of up to 2 bedrooms to provide at least 2 spaces, and therefore a proportion of the cycle parking provision proposed within the hotel car park would need to be located within the boundary of the dwelling.

- 10.32. The highways authority considers that the supporting Transport Statement is acceptable and the trip rate figures are based on appropriate comparisons from the TRICS database. The net gain of 11 vehicles/hr during the AM/PM peak period is insignificant and unlikely to have a detrimental impact on the local highway network. In terms of the proposed access, visibility splays would need to be submitted to demonstrate that adequate pedestrian visibility could be provided. This could be secured by condition if permission were to be granted.

#### **viii. Other Matters**

- 10.33. The application site address is listed as 178-184 Abingdon Road whereas the application site location plan only edges 180-184 Abingdon Road. 178-184 Abingdon Road is listed as the application site address by the applicant. This is because the application site address is taken from the address of the application property and it is listed this way in the Royal Mail database and the Council's database. Officers are satisfied that the application site location plan is correct and this defines accurately the area where the development is proposed to take place.
- 10.34. Officers have carefully considered the matters raised in public consultation when reaching a recommendation to refuse planning permission.

### **11. CONCLUSION**

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.3. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. In summary, the proposed development is not considered acceptable for the reasons set out within this report and would not accord with the relevant policies of the Oxford Local Plan 2036.

*Material consideration*

11.5. The principal material considerations which arise have been addressed in earlier sections of this report.

11.6. National Planning Policy: the NPPF has a presumption in favour of sustainable development.

11.7. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

11.8. Officers consider that the proposal would not accord with the overall aims and objectives of the NPPF for the reasons set out within the report.

11.9. Officers would advise members that, having considered the application carefully, the proposal is not considered acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Local Plan 2036 when considered as a whole. There are no material considerations that would outweigh these policies.

11.10. It is recommended that the Committee resolve to refuse planning permission for the development proposed.

## **12. APPENDICES**

### **Appendix 1 – Site location plan**

## **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**

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