

EAST AREA PLANNING COMMITTEE

3rd March 2020

Application number:	20/03198/FUL		
Decision due by	24th February 2020		
Extension of time	TBA		
Proposal	Erection of part four, part three storey building to create 4 x 1-bed flats and 3 x 2-bed flats (Use Class C3). Erection of single storey building to create 1 x 2-bed flat (Use Class C3). Provision of private amenity space, bin and cycle stores, alterations to landscaping and formation of 1no. disabled parking space.		
Site address	Land To The Rear Of 4 Lime Walk, Oxford, Oxfordshire, OX3 7AE – see Appendix 1 for site plan		
Ward	Headington Ward		
Case officer	Sarah Orchard		
Agent:	Mrs Anna Thomson	Applicant:	Biggin Morrison Investments Ltd.
Reason at Committee	More than five residential units		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the receipt of a satisfactory energy statement and the required planning conditions set out in section 12 of this report and grant planning permission.

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

review the submitted energy statement, finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the redevelopment of a former commercial garage site at 4 Lime Walk. The application proposes to erect a part four storey part three storey building to create 4no. one bedroom flats, 3no. two bedroom flats and a 1no. 1 bedroom flat in a detached single storey block with private amenity space, bin and cycle storage, landscaping and 1no. disabled parking space. The report

finds that residential development of the site is acceptable in principle. Following the unsuccessful appeal of the decision to refuse a previous application 19/03303/FUL, the scale of the development would now be considered appropriate for the backland plot, there would be no detrimental harm to neighbouring offices at Lime Tree Mews to the north of the site and the unacceptable perception of overlooking to properties in Lime Walk has been successfully addressed. For those reasons the proposals are considered to comply with the relevant planning policies set out in the report and the NPPF.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

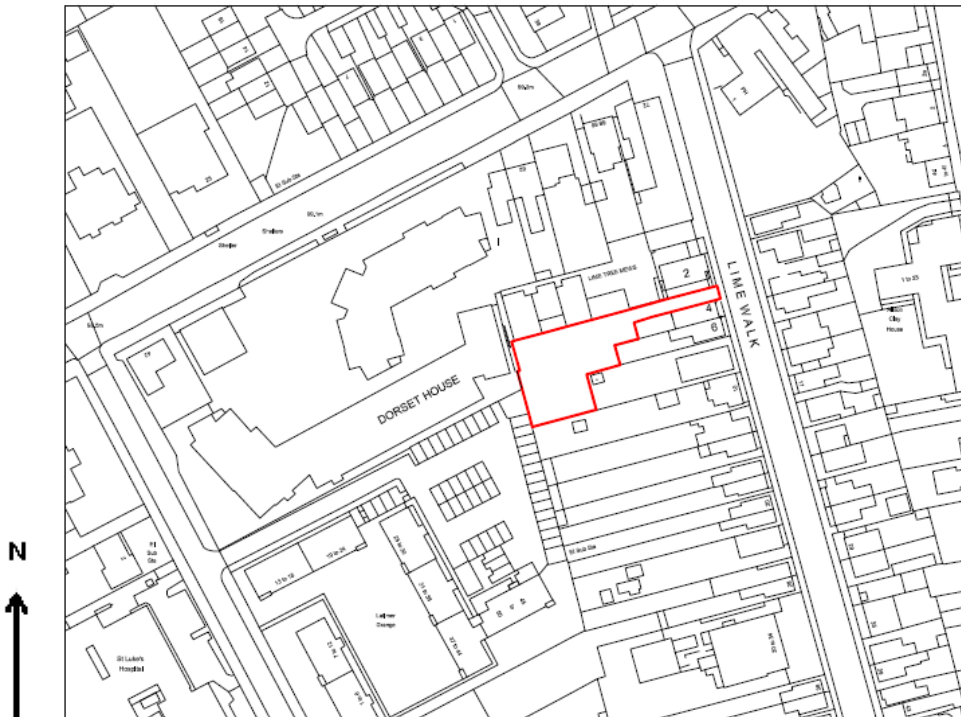
4.1. The proposal is liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located in the Headington Area of Oxford to the north-east of the city centre. The application site is a back land site accessed off Lime Walk but lies in close proximity to properties on the southern side of London Road. The neighbouring properties surrounding the site are predominantly residential. The site has a narrow vehicular access to the north of 4 Lime Walk. To the rear (west) of the plot, the site widens and extends to the south behind the rear gardens of 6 and 8 Lime Walk with high boundary fences.

5.2. The site contained an MOT garage which has now been demolished. Application 17/01480/FUL was allowed on appeal and subsequently varied by applications 19/03125/VAR and 19/03166/VAR, the latter of which is currently being implemented on site. The scheme currently being implemented is for the erection of part three storey part two storey building to create 3 x 1-bed flats and 2 x 2-bed flats (Use Class C3) and the erection of a single storey building to create 1 x 2-bed flat (Use Class C3).

5.3. See site location plan below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application site was previously occupied by an MOT facility, which has now been demolished. The proposal includes the construction of 2 buildings. The first would be located in the north-western corner of the site. It would have a total length of 21.7 metres. At its highest point, in the north-western corner of the site it would be four storeys and be 11.7 metres high, stepping down to three storeys with an approximate height of 8.8 metres. This building would accommodate 2 flats at ground floor level (1no. one bedroom and 1no. two bedroom), 2 flats at first floor level (1no. one bedroom and 1no. two bedroom), 2 flats at second floor level (1no. one bedroom and 1no. two bedroom), and 1no. one bedroom flat at third floor level. The second building would be located on southern section of the site which sits behind the garden of No. 8 Lime Walk. It would be of single storey construction and accommodate 1no. two bedroom flat. At its highest it would measure 4.5 metres sloping down to 3.1 metres where it nears the boundary with No. 8 Lime Walk.
- 6.2. The originally approved scheme was a maximum of 8.45 metres high. A variation (19/03125/VAR) to the original approval (17/01480/FUL) has however been approved to allow a small increase in height to accommodate the required insulation between flats. This was a maximum of 80cm to the three storey element, 30cm to the two storey element and 40cm to the single storey element. This overall results in a maximum overall height of 9.25 metres high in comparison to the 11.7 metres now proposed.
- 6.3. The application also includes the provision of private amenity space, bin and cycle storage, alterations to landscaping and formation of 1no. disabled parking

space.

- 6.4. This scheme was originally considered at East Area Planning Committee under application 19/03303/FUL. The application was refused due to concerns with impact on the character and appearance of the area, impact on light to the office building to the north of the site, lack of outdoor amenity space and overlooking of neighbouring properties. The scheme was then subject to an appeal where the inspector only upheld concerns about neighbouring privacy. This application has sought to address these concerns.

7. RELEVANT PLANNING HISTORY

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

51/01560/A_H - Workshop. TEMPORARY PERMISSION 23rd January 1951.

63/13257/A_H - Change of use from upholstery business to provide car hire business. PERMIT 9th April 1963.

68/20508/AA_H - Erection of a bathroom and office at rear of existing dwelling house and extension to garage building. PERMIT 24th September 1968.

68/20508/A_H - Extension to provide bathroom and office, extension to garage and additional use of existing car hire business for the repair and maintenance of vehicles unconnected with that business. REFUSED 20th August 1968.

71/23949/A_H - Erection of car port. REFUSED 23rd March 1971.

71/25150/A_H - Erection of car port. REFUSED 14th December 1971.

73/01335/A_H - Erection of garage for private car. REFUSED 4th October 1973.

15/03755/FUL - Erection of a two storey building to create 4 x 2-bed flats (Use Class C3). Provision of 2No. car parking spaces, private amenity space, bin and cycle store. WITHDRAWN 13th May 2016.

17/01198/H42 - Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.0m, for which the maximum height would be 3.80m, and for which the height of the eaves would be 2.85m. PRIOR APPROVAL NOT REQUIRED 20th June 2017.

17/01480/FUL - Demolition of former MOT facility (Use Class B2). Erection of three storey building to create 3 x 1-bed flats and 2 x 2-bed flats (Use Class C3). Erection of a single storey building to create 1 x 2-bed flat (Use Class C3). Provision of private amenity space, bin and cycle storage, alterations to landscaping and formation of 1no. disabled parking space (additional information). REFUSED 1st June 2018. ALLOWED ON APPEAL 9th September 2019.

18/02442/FUL - Demolition of former MOT facility (Use Class B2). Erection of three storey building to create 3 x 1-bed flats and 2 x 2-bed flats (Use Class C3). Erection of a single storey building to create 1 x 2-bed flat (Use Class C3). Provision of private amenity space, bin and cycle storage, alterations to landscaping and formation of 1no. disabled parking space. WITHDRAWN 28th May 2019.

17/01480/CND - Details submitted in compliance of condition 3(Samples), 4(Drainage), 12(Phased Risk Assessment) and 15(Landscape Plan) of refused planning permission 17/01480/FUL allowed on appeal APP/G3110/W/18/3213179. PENDING CONSIDERATION.

19/03125/VAR - Variation of condition 2 (in accordance with approved plans) of planning permission 17/01480/FUL (allowed on appeal) to allow an increase in height, alterations to the fenestration and alterations to the detailing of the buildings. PERMIT 30th January 2020.

19/03166/VAR - Variation of condition 6 (Building Regulations Part M) of planning permission 17/01480/FUL (allowed on appeal) (Demolition of former MOT facility (Use Class B2). Erection of three storey building to create 3 x 1-bed flats and 2 x 2-bed flats (Use Class C3). Erection of a single storey building to create 1 x 2-bed flat (Use Class C3). Provision of private amenity space, bin and cycle storage, alterations to landscaping and formation of 1no. disabled parking space (additional information)) to allow amendments to the wording of the condition. WITHDRAWN 4th February 2020.

19/03303/FUL - Demolition of former MOT facility (Use Class B2). Erection of part four part three storey building to create 4 x 1-bed flats and 3 x 2-bed flats (Use Class C3). Erection of a single storey building to create 1 x 2-bed flat (Use Class C3). Provision of private amenity space, bin and cycle storage, alterations to landscaping and formation of 1no. disabled parking space. REFUSED 18th February 2020. DISMISSED AT APPEAL 8th December 2020.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Headingt on Neighbourhood Plan	Oxford Local Plan 2036
Design	117, 122, 124, 127, 128, 130,	CIP1, GSP4,	RE2 – Efficient use of land DH1 – High quality design and placemaking DH7 – External servicing features and stores

Housing	63		H4 – Mix of dwelling sizes H10 – Accessible and adaptable homes H15 – Internal space standards H16 – Outdoor amenity space standards
Commercial			E1 – Employment sites
Natural Environment	153, 154		RE1 – Sustainable design and construction G1 – Protection of green and blue infrastructure network G8 – Protection of existing green infrastructure features
Transport	102, 108-110		M1 – Prioritising walking, cycling and public transport M3 – Motor vehicle parking M4 – Provision of electric charging points M5 – Cycle parking
Environmental	163, 178-180		H14 – Privacy, daylight and sunlight RE3 – Flood risk management RE4 – Sustainable drainage, surface and groundwater flow RE7 – Managing the impact of development RE9 – Land quality
Misc	11		S1 – Presumption in favour of sustainable development

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 6th January 2020.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. If large bin stores are to be used tracking details are required for a refuse vehicle to reverse into the site.

Headington Action

9.3. No comments received.

Central North Headington Residents Association

9.4. No comments received.

Barton Community Association

9.5. No comments received.

Public representations

9.6. No third party comments received.

Officer response

9.7. This matter is dealt with in the report below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of Development (including Loss of a Business Premises and Balance of Dwellings);
- ii. Affordable Housing
- iii. Design;
- iv. Neighbouring Amenity;
- v. Internal and External Space;
- vi. Highways/Parking;
- vii. Sustainability
- viii. Drainage;
- ix. Land Quality;
- x. Trees;

i. Principle of Development

10.2. Policy G7 of the Oxford Local Plan 2036 and the NPPF support the focusing of development on previously developed land. The application site was a former commercial garage which has been disused since 2005. This has been demolished under extant planning permissions on the site. Given the shortage of housing in Oxford the proposal is considered to be an efficient reuse of a previously developed site to provide housing. Policy RE7 and the NPPF also support making a more efficient use of sites.

10.3. Policy E1 of the Oxford Local Plan 2036 relates to employment sites. The application site is not a key protected employment site and has been vacant for some time. The proposal would be considered a category 3 site with the lowest level of protection. For the loss of a category 3 site it is required to demonstrate that there is no interest in the site for a business use. The last business rates were paid in 2005. Given the proximity to residential dwellings, applications to intensify and support the business use on the site have previously been refused due to impact on the amenity of neighbouring occupiers. When the property was marketed for sale, the only interest which came forward was for potential residential use as evidenced under the original approval, 17/01480/FUL. It is therefore considered that the loss of the business use on the site is considered acceptable and the existing buildings have been removed under application 17/01480/FUL.

10.4. Policy H4 Oxford Local Plan 2036 relates to mixed and balanced communities. This no longer requires a specific mix of housing on developments of less than 25 units and the mix of unit sizes proposed is therefore acceptable.

ii. Affordable Housing

- 10.5. Policy HP4 of the Sites and Housing Plan sought affordable housing contributions from developments of 4 to 9 dwellings towards the delivery of affordable housing elsewhere in Oxford. The Planning Practice Guidance (PPG) section 'Planning Obligations' at paragraph 31 advises that financial contributions should only be sought from major developments which are defined in the NPPF as being developments of ten dwellings or more homes or where the site has an area of 0.5 hectares or more. The application proposes 8no. units on a site of approximately 0.07 hectares and therefore does not meet this requirement.
- 10.6. Through the examination of the Oxford Local Plan 2036, the Inspectors requested that policy HP4 was not carried through to the emerging plan as there was insufficient evidence to support the policy. Full weight is therefore given to the national policy and affordable housing contributions are no longer being sought from schemes of 9 or less dwellings or where the site area is less than 0.5 hectares. The previous application, 17/01480/FUL, was also subject to an appeal in which the inspector concluded that there was not enough evidence to support seeking affordable housing contributions from this site and the appeal was therefore allowed.

iii. Design and Impact on Character of Surrounding Area

- 10.7. The recently determined scheme (19/03303/FUL) was dismissed at appeal following a hearing on affordable housing. That scheme was almost identical to the scheme currently being proposed in design terms. This proposal (19/03303/FUL) sought to add an additional storey to the main block creating a part four storey part three storey building approved under application 17/01480/FUL.
- 10.8. It was argued at appeal that the proposed development, by adding an additional storey across the main block failed to successfully integrate into the surrounding area between two storey residential properties in Lime Walk and taller properties to the east. The inspector disagreed with these views and this reason for refusal was not upheld at appeal. The scale and design of the building is therefore considered acceptable due to the view taken by the Planning Inspectorate.
- 10.9. The smallest block remains single storey only and respects the backland garden character to the rear of dwellings in Lime Walk and is acceptable on that basis.
- 10.10. Due to the above considerations in relation to the increased scale of the largest block, the proposal is considered acceptable in relation to policies DH1 of the Oxford Local Plan 2036 and CIP1 and GSP4 of the Headington Neighbourhood Plan.

iv. Impact on Neighbouring Amenity

- 10.11. The proposed development is considered to respect the impact on neighbouring

properties and has been designed to be mindful in terms of loss of light, overbearing impact and perceived loss of privacy. The main four storey/three storey block would be located in the north western corner of the plot. The northern side of the plot is currently bordered by a high brick wall, equivalent to two stories in height. This wall would be retained and the building would be set 1 metre off this boundary.

- 10.12. Third and fourth floor rear facing windows are located above this wall but are high level and as such there will not be an unacceptable sense of overlooking between windows. The windows in the rear elevations of the main block are also to be obscurely glazed. The main block sits to the east of existing student accommodation and does not sit in front of windows to habitable rooms. The primary outlook of the main block is south facing, these windows are between 15 and 17 metres from the southern boundary of the site. At their closest they are just under 6 metres from the very rear of the garden to 8 Lime Walk. The property itself is over 20 metres away and the proposals would be at an oblique angle to the rear facing windows of the dwellings. The single storey block will largely be obscured by boundary treatments.
- 10.13. Concerns were raised under application 19/03303/FUL that the additional storey proposed to the main block would be extremely visible and harmful to the amenities of the neighbouring properties in Lime Walk which would result in a perceived loss of privacy to the gardens of properties on the western side of Lime Walk. This view was not shared by the inspector at appeal and this impact is therefore now considered acceptable.
- 10.14. The Inspectors did however raise concerns with additional east facing windows looking towards the rear of properties in Lime Walk. These are secondary windows and the applicant has therefore decided to obscurely glaze these windows to address this concern and this approach is considered acceptable.
- 10.15. Concerns were also raised that no formal assessment was carried out on the impact on light to the offices at Lime Tree Mews directly to the north of the site. Further information regarding the impact on light to these offices was submitted at appeal and the Inspector considered the impact to be acceptable.
- 10.16. The proposal is therefore considered to comply with policies RE7 and H14 of the Oxford Local Plan 2036.

v. Internal and External Space

- 10.17. The development proposes 4no. one bedroom flats and 4no. two bedroom flats. Any new proposed residential units, in accordance with policy H15 of the Oxford Local Plan 2036, need to comply with National Space Standards, should provide natural lighting and outlook and have a separate lockable entrance and kitchen and bathroom facilities. Each one bedroom flat meets the 50m² minimum space standard for two occupants with a double bedroom over 11.5m². The two bedroom flats exceed the space standard of 61m² for three occupants with a double and single bedroom. The double room being over 11.5m² and the single room exceeding 7.5m². The proposal is therefore considered to meet the requirements of policy H15 of the Oxford Local Plan 2036.

- 10.18. Policy H10 of the Oxford Local Plan 2036 relates to accessible and adaptable dwellings. This policy refers to Part M of building regulations and only requires M4(2) or M4(3) standard on developments of over 10 dwellings. The proposal is therefore only required to comply with M4(1), the minimum which is secured by Building Regulations approval.
- 10.19. In terms of outdoor space, 1 and 2 bedroom flats are required to have direct access to a private balcony or terrace. All the units have access to this or a shared garden area. Two of the flats would have no direct access to private amenity space. The Inspector at the previous appeal considered the outdoor space provided to be adequate and accessible for these flats which would not have direct access to a balcony or terrace.
- 10.20. This outside space also accommodates bin storage, cycle storage and a disabled parking space, all of which have direct level access to the street in accordance with policy H16 of the Oxford Local Plan 2036. The indoor and outdoor space provided is therefore acceptable.

vi. Highways/Parking

- 10.21. The application displays 16 cycle parking spaces for the development in three locations adjacent to flat entrances. This level of provision is acceptable and meets the requirements of 2 cycle parking spaces for a 1-bed or 2-bed dwelling required under policy M5 of the Oxford Local Plan 2036. All residential cycle parking must also be secure, enclosed and undercover. Details of this have been provided and are considered acceptable.
- 10.22. The development would primarily be car free except for 1 no. disabled space which has previously been approved under extant schemes. The proposed location is considered to be sustainable due to the proximity of within 800 metres of a local supermarket and has excellent access to public transport. Therefore, the car free nature of this development is considered acceptable. The dwellings are situated within a CPZ and the dwellings would be excluded from eligibility from parking permits by condition to enforce the car free nature of this development in accordance with policy M3 of the Oxford Local Plan 2036.
- 10.23. The application proposes one disabled parking space for the site located at the end of the access road. A swept path analysis demonstrates that a modern family vehicle can safely and easily enter and exit the disabled parking space. Concerns have also been raised by the Local Highway Authority about access for a refuse vehicle into the site to access the communal bins. This was not a concern which was raised on previously approved applications with the same access arrangements. Swept path analysis also demonstrates a fire vehicle could access the site which would also cover a refuse vehicle. It is therefore not considered reasonable to request further information or refuse planning permission on this basis.
- 10.24. The proposal is therefore considered to comply with policies M3 and M5 of the Oxford Local Plan 2036.

vii. Sustainability

- 10.25. In accordance with policy RE1 of the Oxford Local Plan 2036, developments will only be granted for development proposals for new build residential dwellinghouses which achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. This reduction is to be secured through on-site renewable energy and other low carbon technologies (this would broadly be equivalent to 25% of all energy used) and/ or energy efficiency measures.
- 10.26. The applicant has submitted a draft energy statement and indicated that they wish to add solar panels to the flat roofs which would sit behind the parapet. This is acceptable in principle, however detailed SAP calculations are currently being finalised to demonstrate this would meet the above energy requirements. The application is recommended for approval, subject to the submission of a satisfactory final energy statement.
- 10.27. In addition to this, a condition is recommended that the development meets water efficiency standards. A condition relating to water efficiency is recommended that the development meets optional requirement G2 36 (2) (b) of building regulations as Oxford is located in an area of water stress and the basic building regulations requirement is therefore not sufficient.
- 10.28. Subject the receipt of a satisfactory finalised energy statement, the proposed development is considered to comply with policy RE1 of the Oxford Local Plan 2036.

viii. Drainage

- 10.29. The previous MOT garage occupied an area of approximately 400m² (including building and drive/parking area). A portion of the land, approximately 340m² is green undeveloped land. In excess of the current footprint of previously developed space.
- 10.30. The proposed development is located within Flood Zone 1 according to the Environment Agency's Pluvial (river) Flood Maps. Furthermore, the Environment Agency's Surface Flood Mapping does not indicate the development as at risk to surface water (fluvial) flooding. The site does however 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 should be required by condition.
- 10.31. 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.
- 10.32. A SuDs report was provided during the course of the application which demonstrates compliance with RE3 and RE4 of the Oxford Local Plan 2036.

ix. Land Quality

10.33. Phased risk assessments have previously been submitted for the site. The application has been reviewed by the Local Authority Land Quality Officer who has concluded that the development would be acceptable subject to evidence being provided that the proposed remedial works have been carried out, which is therefore requested by condition to ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2036. Any unexpected contamination should also be reported to the Local Planning Authority.

x. Trees

10.34. The application details indicate that five trees are shown to be removed; trees T3 (graded U), T5 (graded B) and T7, T8 and T11 (graded C). Two trees are shown to be retained; trees T2 and T4. There are also potential 'indirect' arboricultural implications, which are associated with the encroachment into the site of the Root Protection Area (RPA) of T1 (Horse chestnut) standing within the southeast corner of Dorset House (not included in the Oxford City Council - London Road (No. 3) Tree Preservation Order 2004). The Root Protection Area encroachment of T1 is minimal and therefore the proposed footprint of the northwestern block would not have any significant adverse impact on the tree providing appropriate tree protection measures are secured and associated hard surfaces around the block are designed and constructed to minimise any ground level changes and are made permeable. In order to ensure the protection of the retained trees and mitigation planting is provided in accordance with policies G1, G7 and G8 of the Oxford Local Plan a tree protection plan and landscaping scheme have also been provided.

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 it 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 in conclusion 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.

- 11.1. Officers would advise members that having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 and the Headington Neighbourhood Plan, when considered as a whole, and that there are no material considerations that would outweigh these policies. On the basis of the above, Officers recommend that the East Area Planning Committee grant planning permission for the proposed development for the reasons set out at the beginning of this report subject to the conditions set out below and the receipt of a satisfactory energy statement.

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 DH1 of the Oxford Local Plan 2036.

- 3 The materials to be used in the new development shall be those as specified on the submitted materials sheet. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies DH1 of the Oxford Local Plan 2036 and CIP1 and GSP4 of the Headington Neighbourhood Plan.

- 4 The development shall be carried out in accordance with the submitted drainage scheme.

Reason: In the interests of flooding and sustainable drainage in accordance with the requirements of policies RE3 and RE4 of the Oxford Local Plan 2036.

- 5 Prior to the occupation of the dwellings hereby permitted, the bicycle and bin storage shown on the approved plans shall be provided on site and retained thereafter for the storage of bins and bicycle.

Reason: In the interests of the character and appearance of the site and promotion of sustainable modes of transport in accordance with policies DH1 and M5 of the Oxford Local Plan 2036.

- 6 The development shall be carried out in accordance with the energy efficiency measures as recommended in the submitted energy statement. The energy efficiency measures shall be retained thereafter.

Reason: In the interests of energy efficiency in accordance with policy RE1 of the Oxford Local Plan 2036.

- 7 The dwelling(s) hereby permitted shall not be occupied until the Building Regulations Part G sanitation, hot water safety and water efficiency, Category G2 water efficiency, Optional requirement G2 36 (2) (b) has been complied with.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Policy RE1 of the Oxford Local Plan 2036.

- 8 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect retained trees during construction. In accordance with policies G1 and G7 of the Oxford Local Plan 2001-2016.

- 9 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion. Any new trees that die, are removed or become severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with policy G8 of the Oxford Local Plan 2036.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no structure including additions to the dwelling houses as defined in Classes A and E of Part 1 of Schedule 2, of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenity of the occupiers to ensure adequate outdoor amenity space is retained in accordance with policy H16 of the Oxford Local Plan 2036.

- 11 The development hereby permitted shall not be occupied until the Order governing parking at the proposed development site has been varied by the Oxfordshire County Council as highway authority to exclude the site the subject of this permission from eligibility for residents' parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of preventing increased pressure on on-street parking in accordance with policy M3 of the Oxford Local Plan 2036.

- 12 The development shall not be occupied until the approved remedial works (as documented within Remedial Strategy - Land to rear of 4 Lime Walk, Headington, Oxford. OX3 7AE Report No: 17.04.002a. Dated Sept 2019) have been carried out and a full validation report has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with policy RE9 of the Oxford Local Plan 2036.

- 13 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2036.

INFORMATIVES :-

- 1 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
- 2 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. 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 grant 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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