

**West Area Planning Committee**

**14 March 2012**

**Application A:** 11/03269/FUL

**Proposal:** External alterations and additions, including extension to roof to form 3/4 floor, external cladding and balconies. Provision of bin and cycle storage

**Application B:** 11/03273/FUL

**Proposal:** External alterations and additions, including extension to roof to form 3rd floor, external cladding and balconies. Conversion to 7 flats (3x1 bed, 1x2 bed and 3x3 bed). Provision of 1 off street car parking space

**Application C:** 03272/CAC, 11/03271/FUL

**Proposal:** Conservation consent for demolition of building  
Erection of 2x3 bed semi detached houses and car parking

**Decision Due by:** 13 February 2012

**Site Address:** Grantham House Cranham Street (**Appendix 1**)

**Ward:** Jericho And Osney Ward

**Agent:** Mr Douglas Riach

**Applicant:** Iconic Strategic Asset Fund

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**Recommendation:**

### **Application for Planning Permission**

It is recommended that the West Area Planning Committee grant planning permission to the above applications.

#### **Reasons:**

- 1 The development makes a more efficient use of a brownfield site which is within an existing residential area and sustainable location in accordance with policy CP1 and CP6 of the Local Plan. The proposal offers a good balance and mix of dwelling types and sizes in accordance with policy CS23 of the Core Strategy, as well as significantly improving the residential environment of the site in accordance with policy CP1, CP10 and HS19 of the Local Plan. The development would not adversely affect the amenities of neighbouring residential properties in accordance with Policy CP1, CP10 and HS19 of the

Local Plan, and it would sustain the special qualities of this part of the Jericho Conservation Area in accordance with policy HE7 of the Oxford Local Plan. The proposal would not increase on street car parking by reason of sites removal from the Controlled Parking Zone with is reasonable in light f the sustainable location.

- 2 The Council has had regard to all the comments received through the consultation process. The matters raised have been addressed within the report and when taken on balance are not considered to warrant refusal of the application.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material issues, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 In accordance with approved plans
- 3 Samples of Materials in Conservation Area
- 4 Submit further architectural & construction details
- 5 Boundary details before commencement
- 6 Landscaping plan required
- 7 Details of green wall
- 8 Landscape Implementation
- 9 Landscape management plan
- 10 Tree Protection Plan
- 11 Arboricultural Method Statement
- 12 Hard Surface design – tree roots
- 13 Underground Services – tree roots
- 14 Bin and cycle storage
- 15 Construction Traffic Management Plan
- 16 Visibility Splays
- 17 Car Parking (Porous material)
- 18 Removal of site from Controlled Parking Zone
- 19 Removal of Permitted Development Rights
- 20 Details of services (i.e. satellite, meters)
- 21 Sustainability design/construction

(the above conditions are a summary and conditions 10-13 only apply to Application A)

**Application for Conservation Area Consent**

It is recommended that the West Area Planning Committee grant conservation area consent:

Reasons:

1. The Council considers that the proposal, subject to the conditions imposed,

would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Conditions:

- 1 No demolition prior to contract for redevelopment

**Principal Planning Policies:**

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- HE2 - Archaeology
- HE7 - Conservation Areas
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- HS11 - Sub-Division of Dwellings
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Oxford Core Strategy 2026

- CS2 - Previously developed and greenfield land
- CS9 - Energy and natural resources
- CS12 - Biodiversity
- CS18 - Urban design, town character, historic environment
- CS23 - Mix of housing

Sites and Housing DPD – Proposed Submission

- HP2 - Accessible and Adaptable Homes
- HP4 - Affordable Homes from Small Housing Sites

**Other Material Considerations:**

- This application is located within the Jericho Conservation Area.
- PPS 1 – Delivering Sustainable Development
- PPS 3 – Housing
- PPS 5 – Planning for the Historic Environment
- PPS 9 – Biodiversity and Geological Conservation
- PPG 13 – Transport
- National Planning Policy Framework (Draft)
- Regional Spatial Strategy for the South East
- Balance of Dwellings Supplementary Planning Document
- Parking Standards, Transport Assessments and Travel Plans SPD
- Manual for Streets

**Relevant Site History:**

67/19136/AA H - Grantham House - Erection of 36 old people's flatlets, warden's flat and communal rooms. (revised) – Approved

67/19136/A H - Erection of 36 old people's flatlets, warden's flat and communal rooms – Approved

95/00473/NF - 3 storey extension to provide lift shaft and external alterations - Approved

**Third Party Representations Received:** One letter of comment has been received.

The issues raised can be summarised as follows:

- Generally applaud proposal
- Could have been 2 or 3 storeys higher
- Could have had a commercial unit on ground floor
- Roof terrace could have been communal
- No family accommodation provided

**Statutory Consultees:**

Environment Agency Thames Region – No objection

Thames Valley Police – No objection

Thames Water Utilities Limited – No objection

Highways Authority – No objection subject to conditions to ensure adequate cycle parking is provided, car parking for 2x3 bed houses has adequate visibility, porous hard surfaces, and that the site be removed from the controlled parking zone

Oxford Civic Society – No objection – This is an acceptable and reasonable adaptation of the site which has been too long neglected and disused.

**Officers Assessment:****Site Description and Proposal**

1. The application site comprises Grantham House, a two/three storey residential building occupying a rectangular plot (**Appendix 1**). The site has three street frontages, Cranham Street which is the primary frontage, Blomfield Place which runs parallel to Cranham Street, and Cranham Terrace.
2. Grantham House is predominantly two storey, however due to the change in levels from the northeast to southwest, the southwestern end of the building is three storeys, with part of the central area accommodating a lower ground store. The accommodation comprises 20x1 bed flats, which are in the southwest end of the building, and 16 flatlets, a warden's flat and common area, which are in the northeast end of the building. The building occupies the majority of the site and as such landscaping is limited, although there are two trees at both ends of the site, the London Plan on the junction with Cranham Terrace being of particular prominence. The limited space on site also means that there is no off street car parking.
3. The proposals relate to three separate planning applications, which are set out below, and an application for conservation area consent. Figure 1 shows Applications A, B and C on a block plan for ease of reference.

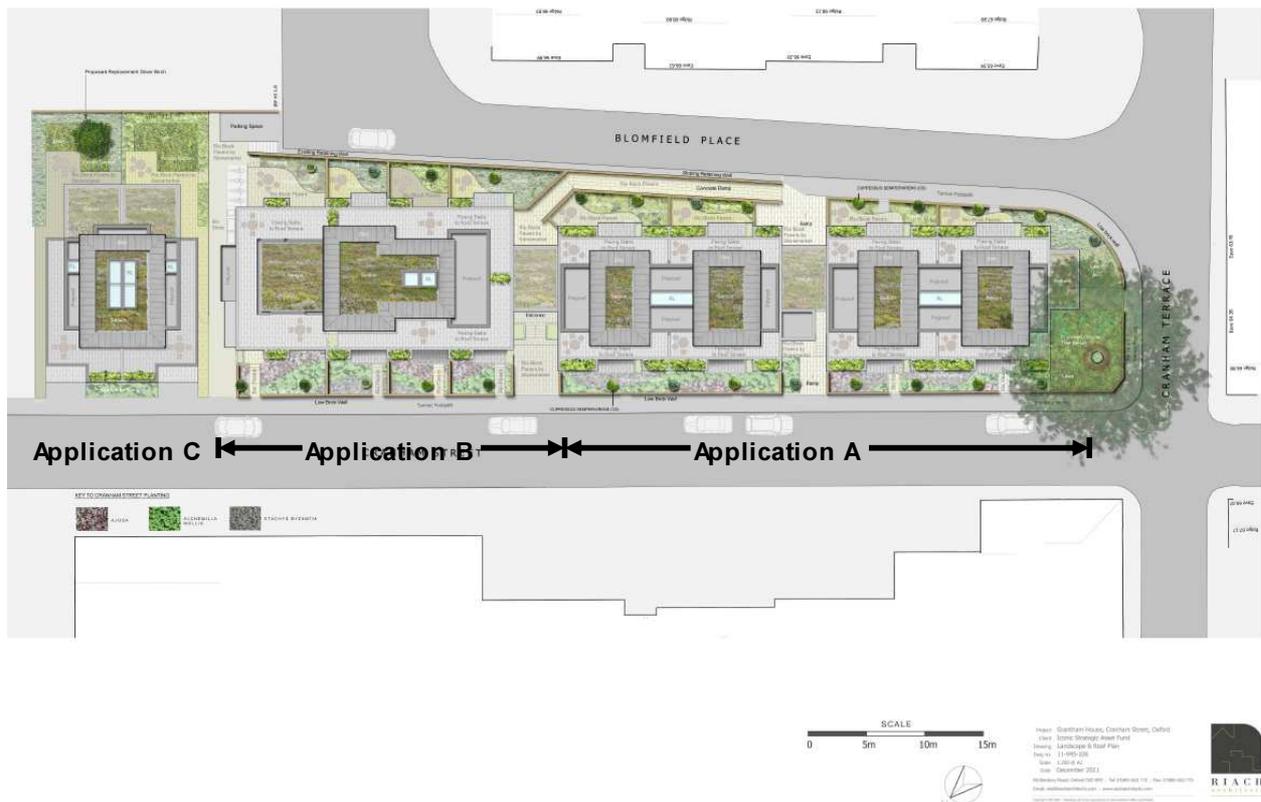
**Application A** – Extension to the roof to provide additional floor and alterations to the elevations (including new bay windows and cladding) in association with the extension to and internal refurbishment of the 20 one bed flats. The flats on the 1<sup>st</sup> floor become duplex units with second bedrooms in the new roof extension.

**Application B** - Extension to the roof to provide additional floor and alterations to the elevations (including new bay windows and cladding) in association with the conversion of the 16 flatlets into 3x1 bed, 1x2 bed, and 3x3 bed flats. The 3 bed flats are duplex units with rooms in the roof extension.

**Application C** – Demolition of the existing two storey warden flat and common area. The erection of a pair of three bed houses over three floors, with integral garages.

4. The application for conservation area consent proposes the demolition the warden flat and common area.

**Figure 1**



5. Officers consider the principal determining issues of the case to be:
  - principle of development
  - affordable housing
  - balance and mix of dwellings
  - impact on the character and appearance of the conservation area

- Proposed residential environment
- impact on trees
- archaeology
- impact on neighbouring properties
- car parking
- sustainability

### **Principle of Development**

6. Local Plan policy CP6 states that development proposals should make efficient use of land by making best use of site capacity. This is a brownfield site within an existing residential area. The proposed use is historic to this site and officers therefore consider the principle of development to be acceptable.
7. The existing building is of a typically utilitarian 1960's design and officers consider the demolition of the warden flat and common area in connection with the redevelopment of the site is acceptable. However, the warden flat and common area are connected to the flatlets and as such officers would not encourage the loss of these until the flatlets have been/are being redeveloped.

### **Affordable Housing**

8. The three planning applications include a total of 29 residential units. Application A proposes extensions/alterations to existing units and as such does not trigger the policy thresholds in Local Plan policy HS4 where affordable housing would be required. The remainder of the site provides new residential accommodation and it is therefore reasonable to apply policy HS4. In the first instance the 9 new units would not exceed the threshold set out in policy HS4 where affordable housing would be required. Secondly, the site is tightly constrained and in order to accommodate more units to trigger the threshold in policy HS4 the development would be likely to create a unacceptable mix of units with a poor level of amenity. In light of this officers would conclude that it is not possible to provide additional units on this part of the site in an acceptable manner which would provide good levels of amenity and respect the character and appearance of the conservation area.
9. Policy HP4 of the Site and Housing Development Plan Document (DPD) (Proposed Submission) sets a new affordable housing threshold. Policy HP4 states that *'Planning Permission will only be granted for residential development on sites with a capacity for 4-9 dwellings, if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford.'* Application B and C therefore triggers the requirement for affordable housing delivery under policy HP4.
10. The Committee should be mindful that whilst the document is not adopted, the Council endorsed the DPD for development control purposes. In this particular case officers would conclude that there are exceptional

circumstances for not requiring the affordable housing contribution which officers have had to take into consideration. These are set out below.

11. In approving the sale of Grantham House the City Executive Board (CEB) agreed that the originally estimated capital receipt be used to finance the decent homes programme, which feeds into regeneration and the creation of new affordable homes. CEB also indicated that indicated that the remainder of the balance from the sale of Grantham House be used to fund affordable housing and strongly pressed for reinvestment in social housing in Jericho. CEB has indicated this will be a priority if a scheme comes forward in a timely fashion and can deliver affordable housing providing good value for money. Therefore the site has already made a contribution towards affordable housing.
12. In addition to the above officers would also draw the Committee's attention to the benefits of the proposal. In its present condition the site is considered to have a negative impact on the character and appearance of the conservation area (see below for more detail), it offers a poor balance and mix of accommodation contrary to the Balance of Dwellings SPD (also discussed in more detail below), it offers no private outdoor space for occupants and has a generally poor residential environment. The proposals significantly improve all of these features by bringing a vacant building back into use, by improving the visual impact of the site and how it contributes to the area, and by introducing a mix of dwelling types and sizes which have a good level of amenity both internally and externally.
13. For the reasons set out above officers conclude that in this particular instance it is reasonable not to impose a requirement for an additional contribution towards affordable housing.

### **Balance of Dwellings**

14. Core Strategy policy CS23 explains that the predominance of one particular form of housing type within a locality may have unwelcome social implications and as such policy CS23 supports a balance of dwelling types within any given locality.
15. In support of policy CS23 the Balance of Dwellings Supplementary Planning Document (BoDs) assesses the housing stock within Oxford and has identified areas of pressure. The aim of BoDs is to ensure that development provides a balanced and mixed community and as a result Neighbourhood Areas provide the framework for the assessment of new residential developments. The application site falls within an area defined by BoDs as amber, which means that the scale of pressure is considerable and therefore a proportion of family dwellings should form part of new residential development.
16. Application A does not create any new units and is therefore exempt, while Application B and C create 9 new units. For developments of 4-9 units in this area BoDs prescribes the mix set out in column 3 in Figure 2 below.

The proposal complies with the 2 and 3 bed requirement, but provides marginally too many 1 bed flats (33% 1 bed, 11% 2 bed and 55% 3 bed provided). Officers consider this to be acceptable in light of the very marginal infringement and that it substantially improves the existing balance and mix of units on this site.

**Figure 2**

Dwelling types	Residential developments of 10-24 units (percentage range)	Residential developments 4-9 units (percentage range)	Residential developments 1-3 units
1 bed	0-20 %	0-30 %	No net loss of 'family units'
2 bed	10-35 %	0-50 %	
3 bed	30-75 %	30-100 %	
4+bed	0-35 %	0-50 %	

### Impact on the Character and Appearance of the Conservation Area

#### Heritage Policy Framework

17. PPS5 - *Planning for the Historic Environment* explains the government's commitment to the protection of the historic environment and provides a policy framework on its effective management. The guidance asks that applicants and the local planning authority (LPA) have sufficient information to understand the significance of a heritage asset and to understand the impacts that any proposal would have. It advises in particular that the LPA should take into account the desirability of sustaining and enhancing the significance of heritage assets and the positive role that their conservation can make to the establishment and maintenance of sustainable communities and economic viability. PPS 5 recognises that intelligently managed change is necessary if heritage assets are to be maintained for the long term, but equally that it is desirable for development to make a positive contribution.

#### Heritage Impacts

18. Using the Jericho Conservation Area Appraisal the applicants have undertaken an analysis of the character and appearance of the Jericho Conservation Area to inform the design of the proposals. They have identified the following issues with the existing buildings and their context:
- Lack of activity at street level;
  - Retaining wall along Blomfield Place oppressive;
  - No definition to the edge of the highway as is characteristic of the area (e.g. front wall);
  - Roof pitch shallow which is uncharacteristic of Jericho;
  - Materials uncharacteristic of the area and give building its dowdy appearance;
  - Lack of landscaping;
19. The existing buildings do not possess any historic or architectural interest.

The 1960s redevelopment involved the demolition of one of the earliest phases (1820s) of the development of Jericho and the removal of other rows of later C19th terraces. This changed the character, layout and appearance of the area and introduced more green spaces. Whilst the redeveloped area attempts to knit in with its context the site does not retain any elements that reflect the historic character of the suburb and there is potential to improve the present contribution the existing buildings make by enhancing the perceptions of the immediate area and the character of this part of the conservation area. There is no harmful impact from the demolition proposed.

#### Bulk and Height

20. Traditionally the terrace houses off Walton Street are primarily two storey (e.g. Juxon Street). However Grantham House is an exception, as is the 1970's development opposite and Blomfield Place to the east. The existing building uses the gradient of the street to change from 2 to 3 storey without raising the ridge height and therefore not appearing out of scale. An important issue for these proposals is how the roof extension is therefore designed so that it does not appear top heavy and out of scale with the site. The mass of the roof extension has been limited by it being set in from the edges of the building and having an irregular form with staggered roof line and face. The materials are also different from the rest of the elevation which allows it to appear more as an attic storey rather than a conventional floor. One of the details which makes the existing building stand out is its shallow pitched roof. The proposed extension would give the building a better proportioned scale.

#### Design and use of materials

21. Crucial to the success of the scheme is the quality of the design and materials that are used. Key to this is the activity at street level and to address this issue the proposal introduces doors to individual flats accessed by individual footpaths leading directly off the street. It also introduces larger windows and low front boundary walls to provide greater surveillance of the front gardens and a more clearly defined boundary between the private and public realm. Officers have had discussions with the applicant about introducing railings of traditional or contemporary styling to the boundary wall on this wall along Cranham Street to reflect a characteristic feature of the area and to help the site integrate with the wider conservation area. This is a matter of detail which can be addressed by condition.
22. The proposals also increase the size of existing bays and introduce new ones with larger openings to enliven and articulate the elevations. This, along with the window grouping, creates a new rhythm in the building which is common to the terraced streets of Jericho. Key to the success of this will be the fine detailing of the windows and the materials and colours of the bay elements. Again officers would advise that these matters can be addressed by imposed conditions.

### Landscaping

23. The proposals include a comprehensive outline scheme for landscaping which involves new tree and shrub planting. The principle of these elements is reasonable. However if planning permission is granted officers would recommend a condition to secure a full landscaping scheme prior to commencement of development.
24. The application has also sought to address the oppressive retaining wall along Bromfield Place. It is intended to introduce wall planting to create a green wall. This is considered to be a intelligent response to this issue and officers would recommend that if planning permission is granted a condition be imposed to secure specific details of the green wall.

### **Proposed Residential Environment**

25. The Local Plan requires proposals for new residential development to adequately provide for the needs of future occupiers. An acceptable internal and external environment must be provided. Specifically policy HS11 requires flats to be well lit and ventilated, fully self contained and to have a floor area in excess of 25m<sup>2</sup>. The Balance of Dwellings Supplementary Planning Document (BoDs) is more specific and requires 3 bed dwellings to have a minimum floor area of 75m<sup>2</sup>. The proposed dwellings in Application B and C exceed these requirements. Whilst Application A is not required to comply with this policy as the application relates to the extension of existing units, the internal and external alterations to them greatly improves their internal environment.
26. Policy HS21 of the OLP states that residential development should have access to private outdoor space, possibly in the form of a balcony/terrace where, and that in the case of family dwellings of 2 or more bedrooms this should be exclusive to the residential property and generally in excess of 10m in length.
27. The existing accommodation has no private outdoor space exclusive to any of the units. The landscaping around the site is not enclosed and does not offer a private or secure outdoor space. The development proposes private outdoor space for each of the extended and new residential units. This has been accommodated through the introduction of balconies, roof terraces and private gardens enclosed by new boundary walls. The single bed flats are served by balconies or gardens in the case of the ground floor units. The two bed flats have access to both a balcony and roof terrace, with those on the ground floor having a private garden. The three bed flats have access to a balcony and roof terrace, while the two three bed houses have access to rear private gardens and roof terrace.
28. In most cases the private outdoor space for each unit is small. However this is not due to the footprint of the building being increased, rather it is the result of its existing tightly drawn boundaries. A balance needs to be struck between the policy requirements and the particular circumstances of the case. Officers have concluded that in light of the constrained nature

of the site and other benefits of the development, that it is reasonable in this instance to accept the outdoor space provided, which although small is secure, private and exclusive to each unit. This is a significant improvement upon the current situation.

29. Across the three sites 52 cycle parking spaces are provided. This falls short of the Local Plan requirement of 2 spaces per dwelling (total of 54). There is space to accommodate additional cycle parking and officers would recommend that a condition be imposed to secure this.
30. Notwithstanding the number of cycle parking spaces, officers have concerns regarding the location of cycle parking for Application B. They are sited some distance from the flat entrances to the side of the block where there is no natural surveillance. Officers consider it likely that cycles will be placed elsewhere where they would be more secure and closer to the entrance to the flats. In light of this officers would recommend that in imposing the condition mentioned in paragraph 36 an additional requirement be included to ensure that the cycle stands are sited more centrally.
31. There is a large bin store beneath flats 9-12 of Application A. Officers commend the applicants design for including an integral bin store. However Application B is not as well served by a store and would be some distance from the store beneath flats 9-12. As such officer consider that it would be more practical to include bin storage closer to the entrance of flats in Application B and as such would recommend imposing a condition to secure this.

### **Impact on Neighbouring Properties**

32. Core policy CP10 of the Local Plan states that development should be sited to ensure that the *'use or amenity of other properties is adequately safeguarded'*. Local Plan policy HS19 goes further and states that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
33. The proposal would introduce some new and enlarged windows, as well as balconies and a roof terrace. The proposals would not be any closer to neighbouring properties and officers consider the relationship to be reasonable and common to an urban environment. The proposal would not therefore adversely affect the privacy of neighbouring properties.
34. Two new houses are under construction on the site to the east of Application Site C. Although not complete they are under construction and therefore the impact of the proposals on these houses need to be considered. The houses in Application C would be approximately 6.6m away from the boundary, approximately 2m closer than the existing building. However, despite this relatively close relationship the proposal would not affect the new houses to the east to a significantly greater

extent than the existing building due to the relatively similar separation distances and the change in levels between the two sites (ground level of Application C approx 1.5 higher). This change in levels means that any view of the rear gardens of the new houses from the 1<sup>st</sup> floor windows of the proposal would be obscured by the boundary fence which would be approximately 3.5m above the garden level of the new houses. This would prevent any unacceptable overlooking.

35. Application C would replace the warden flat and common area with a larger pair of 3 bed houses. These houses would be approximately 10m from the rear boundary of Nos 59 and 60 Walton Street. The new houses would not have any side facing habitable room windows and as such there would not be any direct overlooking of Nos 59 and 60. While the separation distance and massing of the proposal ensures that it would not have an overbearing impact on or cause a loss of light to Nos 59 and 60.
36. The proposal would not adversely affect daylight to neighbouring properties due to the separation distances.

### **Trees**

37. There is a very large mature London plane tree at the south western end of the site (within the site of Application A) near the corner of Cranham Street and Cranham Terrace. The tree is very significant in public views and makes a very important contribution to the character and appearance of this part of the Jericho Conservation Area. Although it is classified as moderate quality and value (B category) for planning purposes, this does not adequately reflect the important contribution that the tree makes in relation to its amenity.
38. The alterations proposed include increasing the height of the building next to the tree and altering the gable end to provide a flat roof terrace and this will require the tree to be pruned to reduce the spread of lateral branches which extend over the roof of the building. If this pruning work is undertaken by a competent arboricultural contractor working in accordance with good practice (BS3988:2010) it should not be harmful the health, structural condition or appearance of the tree so that its amenity value will be maintained. If planning permission is granted it should be conditional upon a detailed specification for pruning works being approved by the Council before the work is undertaken.
39. It is essential that the tree is adequately protected from physical damage during the construction phase of development. Barrier fencing and ground protection measures will be required to ensure that the roots of the tree are not damaged by ground works and the construction details of new hard surfacing and the route of any new under ground services will need to be designed to minimise the impact on the tree. These details can be secured and agreed by condition.
40. The site of Application B contains several small trees and large shrubs

including 2 holly trees which stand along the Cranham Road frontage. The removal of these trees will not have a significant harmful effect on visual amenity and their loss can be adequately mitigated by new planting that is proposed as part of soft landscaping which can be secured by condition.

41. The site of Application C contains a mature silver birch tree in the rear of the site which is a pleasing feature of public views looking from Blomfield Place and a section of Cranham Terrace. The tree makes a valuable contribution to the character and appearance of this part of the Jericho Conservation Area.
42. However, it grows within a raised planted and is inconveniently sited within the application site. While the tree could be retained, the raised planter would be located centrally within the garden of one of the proposed houses and would unreasonably restrict enjoyment of the garden. The visual impact of removing it can be mitigated to a large extent by planting a new silver birch tree along the western boundary of the rear garden of the houses as is proposed. The new tree should be an advanced nursery stock sized specimen so that it has some stature on planting and immediately replaces some of the visual amenity that will be lost to public views when the existing silver birch is removed.
43. Although the loss of the existing silver birch tree is regrettable and planning permission might not usually be granted for development that required it to be removed, officer consider that the mitigation proposed and the other benefits of the scheme would outweigh any harm arising from the removal of the tree.
44. The site of Application C also contains several other small trees and shrubs including and elder and buddleia which stand in the gap between Grantham House and 1a Cranham Street. The removal of these trees will not have a significant harmful effect on visual amenity and their loss can be adequately mitigated by new planting that is proposed as part of soft landscaping which can be secure by condition.

### **Archaeology**

45. The site lies close to prehistoric and Saxon remains identified at the Radcliffe Infirmary site during excavations in the summer of 2009. The excavations identified a Middle Neolithic enclosure and a linear alignment of late Neolithic-early Bronze Age barrows. The alignment of barrows can be projected through the application site. The full extent of this prehistoric landscape is not currently known and is likely to be defined by the edge of the Summertown-Radley gravel terrace, which itself is not accurately plotted on the available geological maps. PPS5 states that where the loss of the whole or a material part of a heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. In light of this officers would recommend that a condition be imposed to secure a programme of archaeological work prior to demolition.

## **Car Parking**

46. It is proposed that the development would be car free, with the exception of Application C which provides one car per house. The site is within the Transport Central Area (TCA) which the Local Plan considers to be a highly sustainable given its excellent availability of shops, services and public transport. In the TCA the Local Plan states that residential proposals that are car free will be treated favourably. In this regard officers consider the principle of a car free housing scheme to be acceptable. It is recommended however that the development be excluded entitlement to parking permits in order to prevent any undue pressure to on street parking. A condition is suggested accordingly.

## **Sustainability**

47. The application site lies within a sustainable location with excellent access to shops, services and public transport nodes. The proposal will make efficient use of this brownfield site.
48. Policy CS9 states that all applications for development are expected to minimise carbon emissions by incorporating sustainable design and construction methods into the development. The Building Regulations, in particular Part G (Sanitation, Hot Water Safety and Water Efficiency) and Part L (Conservation of fuel and power), aim to help reduce carbon emissions and protect the environment.
49. Notwithstanding the requirements of the Building Regulations, officers would recommend that if the Committee is minded to grant planning permission a condition be attached requiring details of how sustainable design and construction methods would be incorporated into the new and refurbished structures and how energy efficiency has been optimised through design and by utilising technology that helps achieve Zero Carbon Development.

## **Conclusion:**

The applications make a more efficient use of a previously developed site in a manner which would be sympathetic to the character and appearance of the conservation area. The loss of trees and shrubs on site can be adequately mitigated by a comprehensive replacement planting scheme. The development would not adversely affect the living conditions of neighbouring properties and would create a much improved residential environment. Some refinements are required to details of the development, but these can be secured by the imposition of appropriate conditions.

## **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers

of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

### **Section 17 of the Crime and Disorder Act 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 11/03272/CAC, 11/03269/FUL, 11/03271/FUL, 11/03273/FUL

**Contact Officer:** Steven Roberts

**Extension:** 2221

**Date:** 2 March 2012

# Appendix 1

