

Report 3

APPLICATION NO.	P06/W1296
APPLICATION TYPE	FULL
REGISTERED	26.01.2007
PARISH	HOLTON
WARD MEMBER(S)	Ms Anne Purse
APPLICANT SITE	Oxford Brookes University Oxford Brookes University, Land adjacent to garages & pavillion Holton
PROPOSAL AMENDMENTS	Construction of car park and includes low level bollard lighting.
GRID REFERENCE	460017/206056
OFFICER	Mr M.Moore
APPLICATION NO.	P06/W1297
APPLICATION TYPE	FULL
REGISTERED	22.01.2007
PARISH	HOLTON
WARD MEMBER(S)	Ms Anne Purse
APPLICANT SITE	Oxford Brookes University Oxford Brookes University, Land adjacent to entrance lodge, Kortenay & Long White Cloud, Holton
PROPOSAL AMENDMENTS	Formation of a car park including low level bollard lighting.
GRID REFERENCE	460506/205956
OFFICER	Mr M.Moore

1.0 INTRODUCTION

- 1.1 These applications have been referred to Planning Committee as the officer recommendation differs from the views of the Parish Council. In addition, the local Ward Member, Mrs A Purse, has requested that the applications be referred to Planning Committee.
- 1.2 Both applications propose new parking areas on different parts of the University Campus.

2.0 THE SITES

P06/W1296 (107 spaces adjoining Sports Pavilion – see below)

- 2.1 The site lies in the parkland adjoining the developed area of the Oxford Brookes University, some 270 metres from the principal teaching areas. Part of the site has a recently constructed car parking area which would appear to be unauthorised and requires further investigation. Immediately to the south is a tarmaced driveway from which the site slopes upwards towards an adjoining ancient monument. On the northern boundary are two groups of trees the subject of a Tree Preservation Order.

P06/W1297 (142 spaces on residential property at entrance – see below)

- 2.2 This site lies adjacent to the existing entrance lodge to the University campus on land which currently forms part of the residential curtilage of Kortanay, a large single storey dwelling which has now been purchased by the University. The land is becoming unkempt through lack of maintenance but is part of the garden of the residential property.
- 2.3 A plan indicating the location of both sites is **attached**.

3.0 THE APPLICATIONS

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- 3.1 The application proposes the construction of a 107 space car park together with an 18 space cycle rack on a site of some 0.23 ha. Bollard lighting would be provided. Despite the rising nature of the land, no cross-sections have been given. Access would be taken from College Close through the University campus which presently serves the residential properties to the east within the campus owned by the University.
- 3.2 The surface is proposed to be golden shingle.

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- 3.3 This application proposes the construction of a 142 space car park again with bollard lighting on a site of some 0.5 ha. Access is proposed to be taken through the existing reception car park and a one way system implemented with traffic exiting through an existing car park at the western end of the reception block.
- 3.4 In respect of both applications, as originally submitted, the information accompanying the application made it clear that these were for permanent car parks. The District Council queried the justification put forward with the applications and the applicant has now indicated that they are both for temporary planning permission. However, no indication has been given as to how long “temporary” is. Letters dated 22 March from the agent and highway engineer acting on behalf of the University are **attached** to this report.

4.0 RELEVANT PLANNING HISTORY

- 4.1 The surrounding area has been the subject of numerous applications over many years. Of particular relevance is P04/W1380 which granted planning permission in

February 2005 for the construction of the School of Technology. This application was recognised as being contrary to Green Belt policy but the applicant had put forward very special circumstances to justify the grant of planning permission. That building has recently been completed. No additional parking was provided. The applicant advised there would only be a limited increase in student numbers.

5.0 CONSULTATIONS & REPRESENTATIONS

- 5.1 Holton Parish Council - Support. They consider it will greatly improve highway safety as it will remove cars parked on adjoining roads. This would then remove the impact of these parked cars on the local area.
- Wheatley Parish Council - Approve. Similar comments to Holton Parish Council.
- Neighbours - 35 support the proposal. They consider it will remove the off-site, on-street parking which is causing danger and inconvenience in the local area. One further neighbour has supported the proposal provided that the entry to the site does not move.
- OCC (Highways) - Object. A copy of their most recent response is **attached** to this report. The Highway Authority considers that there is insufficient justification for the additional parking proposed having regard to the maximum standards which would normally be expected on such sites. They express concern that travel plans could be undermined.
- 5.2 In addition to the above in respect of application P06/W1296:
- Forestry Officer - Objection. The car parking area encroaches within the tree protection zone and therefore prejudices the long-term retention of TPO trees.
- English Heritage - Objection. The existing (unauthorised) parking area already has an impact on the setting of the ancient monument and the increase in surfaced area will further impact on the setting of the adjoining ancient monument.

6.0 POLICY & GUIDANCE

6.1 South Oxfordshire Local Plan Policies:

G2 Protect district from adverse development

G3 Development well served by facilities and transport

GB3 Openness of Green Belt maintained and no conflict with purpose

C1 Development would have adverse impact on landscape character

CON11 Protection of archaeological remains

CON12 Archaeological field evaluation

CON14 Building record survey

EP3 Adverse affect by external lighting

T2 Transport requirements

T3 Transport assessment

T8 Provision and management of car parking

RUR1 Infill development at Oxford Brookes University

RUR2 Redevelopment at Oxford Brookes University

Government Advice: PPS1: General Policies and Principles

PPG2: Green Belt

PPG13: Transport

7.0 PLANNING CONSIDERATIONS

7.1 In respect of both applications the main considerations are:

- i) Whether the proposals are “appropriate development” in the Green Belt
 - ii) If not, are there any ‘very special circumstances’ to justify the grant of planning permission
- iii) Whether the proposals represent sustainable development
- iv) Policies RUR1 and RUR2

i) Whether the proposals are “appropriate development” in the Green Belt

7.2 The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, and can assist in moving towards more sustainable patterns of urban development. Within Green Belts there is a general presumption against ‘inappropriate development’ (PPG2 Green Belts). ‘Inappropriate development’ is, by definition harmful to the Green Belt and it is up to applicants to demonstrate what special circumstances exist to justify inappropriate development. ‘Development’ includes engineering and other operations such as car parks and are ‘inappropriate development’ unless the spaces maintain the openness of the

Green Belt. The applications propose over 0.8 ha of parking and lighting with associated traffic movements. These applications therefore, propose inappropriate development, which by definition is harmful to the openness of the Green Belt and it is necessary to consider what 'very special circumstances' exist which would justify the Development.

ii) If not, are there any 'very special circumstances' to justify the grant of planning permission

- 7.3 In this case, it is accepted, that for some time, indiscriminate parking on the roads surrounding the University has caused problems. The problems are both visual, inconvenience and occasionally danger to other users of the local highway network. Residents in the area have indicated support for the applications because of the difficulties caused by the indiscriminate parking on the surrounding streets. These problems appear to have become worse since The School of Technology has opened. When determining the application for The School of Technology, the Council were advised by the University that there would be limited increase in student numbers. That application included a Green Travel Plan which has either, yet to be fully implemented or, is not working.
- 7.4 The University's highway consultants and the Oxfordshire County Council consider that surveys are required to establish the travel patterns of users of the University, which can then inform the preparation of a further travel plan for the site with specific targets. Officers from the Council raised these issues with the University in January but no survey work has been submitted to support these applications. As indicated above, when submitted, the application was for a permanent permission. Now however the applicants are asking for a temporary period but with no indication given as to the method of restoration and alternative measures to meet transportation needs once the temporary period expires. Increasing parking on the site will encourage car borne travel to the site. No compelling evidence has been submitted to suggest that approval of these applications will actually resolve the problems.
- 7.5 In these circumstances, officers consider that neither application has justified "very special circumstances" to allow them to be approved. The developments are inappropriate development in the Green Belt and therefore contrary to Policy GB3 of the approved South Oxfordshire Local Plan.

iii) Whether the proposals represent sustainable development

- 7.6 Policies T2 and T8 require provision of parking to the maximum parking standard only and that a comprehensive approach to provision and management of car parking.
- 7.7 The site lies in an unsustainable location. However, over the years, a very good bus service has been introduced by the applicants as part of the University's Green Travel Plan. Buses run 24 hours a day from the campus, through Wheatley, to Headington. Although the service is well used, there remains the increasing indiscriminate parking both on and off campus. As indicated above, there remains no guarantee that approval of these applications would actually resolve the off site parking difficulties or, would simply increase car borne travel to the site, and represent an unsustainable form of development. It could also

undermine the existing bus service which is an integral part of the existing Green Travel Plan. Government advice (PPG13) is generally to reduce parking levels as part of a package of planning and transport measures to promote sustainable travel choices.

- 7.8 The applicant has indicated that on site at present are some 365 spaces with a further 100 – 150 spaces used on an informal basis. Applying the Oxfordshire County Council's standard for such institutions would suggest a total of 478 spaces would be required. The proposal would result in an additional 249 spaces making a total of 614 spaces or 714 – 764 if the informal spaces are included. Both numbers are far in excess of the standard. The applicant has suggested that the revised parking areas would hopefully remove the 100 – 150 informal spaces, although no indication has been given as to how this would be achieved. The applicant has not indicated how they would monitor usage of the car parks, whether a pricing regime would be introduced to discourage parking and, how ultimately the two parking areas would actually resolve the off-site parking difficulty. The proposed development is unsustainable and contrary to Local Plan Policies T2, T3 and T8.

iv) Policies RUR1 and RUR2

- 7.9 Policies RUR1 and RUR2 of the Local Plan specifically relate to the Oxford Brookes University site. Both sites fall outside the 'infill boundary'. Although Policy RUR2 allows for the redevelopment of the Oxford Brookes University site, it is made clear that it should be undertaken in a comprehensive manner. Late last year, meetings took place between officers of the District Council and representatives of the Oxford Brookes University who are currently in discussion and consultation about a draft master plan. These applications have been submitted in advance of any agreement on a master plan and no reference has been made as to how these would fit in with such a master plan. The applicant has suggested temporary planning permissions but without any indication as to how this would work in practice. In any event, to achieve proper surfacing and so on together with the provision of the electricity for the bollard lighting, does represent a substantial investment which would not be undertaken lightly for a temporary period.

Other planning considerations

P06/W1296 (107 spaces adjoining Sports Pavilion)

- 7.10 In addition to the above, the following are relevant planning considerations.

- i) Impact on visual amenity of both parking and lighting
- ii) Impact on trees
- iii) Impact on ancient monument

i) Visual impact

- 7.11 This site lies within the well established parkland surrounding the Wheatley campus. It will also be visible from the A40 dual carriageway. Officers consider that the impact on the visual amenity of the area will be detrimental caused not

only by the earthworks which would be necessary to form the car park but also the impact of having parked cars in the parkland. In respect of the lighting, it is appreciated that once a car park is in place, lighting is required for security reasons. The adjoining tarmaced footway/access has limited lighting and it is considered that the additional lighting required by such a substantial car park would further urbanise the parkland (Policies G2, C1 and GB3).

ii) Impact on trees

- 7.12 The site chosen lies within the root protection zone of trees which are included within a group Tree Preservation Order. Extensive earthworks are bound to be required in order to construct the car park and, although no land levels or cross-sections have been given, officers are satisfied that it will almost inevitably lead to damage to the roots of the trees. No arboricultural report has been submitted and in the absence of information to the contrary, officers consider that the application should be rejected because of the probable impact on the trees. They are of considerable significance in their parkland setting and do have a public interest in views into the site from the adjoining road network.

iii) Impact on ancient monument

- 7.13 Immediately to the north of the site lies an ancient monument which is a moated site. English Heritage has advised that it is a well preserved monument set in a circular platform surrounded by a ditch and is all linked with an earlier manor house to the north which was replaced by the current listed building, Holton House. In addition to any physical damage which may occur during the construction of the car park, the setting of the scheduled ancient monument should also be protected. At the present time, it is surrounded by the former parkland although there has been some compromise to its setting caused by the unauthorised car park. As submitted however, and with support from English Heritage, officers consider that the application will not preserve the archaeological remains and would damage its setting contrary to Policy CON11 of the South Oxfordshire Local Plan.

P06/W1297 (142 spaces on existing residential property)

- 7.14 In addition to the above it is considered that the following are of relevance:

i) Impact on visual amenity and lighting

ii) Impact on neighbours

i) Impact on visual amenity of the area

- 7.15 The existing site is not particularly prominent and with existing boundary treatments retained, officers consider that the impact on the visual amenity of the locality will be relatively neutral. The lighting proposed is as low level as it can be, and although is likely to add to general light levels locally, is not considered by officers, to be sufficiently intrusive to justify a refusal of planning permission on those grounds.

ii) Impact on neighbours

- 7.16 There are no immediate neighbours and consequently the impact is considered to be acceptable. There is the likelihood of more traffic using the site due to the car park but the increased impact on neighbours in terms of noise and disturbance is not in itself is not considered to be sufficient to justify a refusal of planning permission.

8.0 ENFORCEMENT CONSIDERATIONS

8.1 In respect of the apparent unauthorised car park referred to above, an enforcement file has been opened and investigations are continuing.

9.0 CONCLUSION

9.1 Support of neighbours to the construction of new car parks in an attempt to alleviate existing off-site highway problems is well understood. However, the sites do lie within the Oxford Green Belt where very special circumstances have to be proved before such developments can be approved. In this case, limited evidence has been submitted to suggest that approval of these applications would actually resolve the parking problems locally. These developments will encourage car borne travel and if implemented, the problems would still not be resolved. The development is unsustainable and will cause harm to the Green Belt.

9.2 Furthermore, one of the proposed parks has a detrimental impact on trees and a scheduled ancient monument.

10.0 RECOMMENDATION

10.1 In respect of application P06/W01296 that planning permission be refused for the following reasons:

- 1. That the site lies within the Oxford Green Belt and the application proposes the construction of a large parking area and associated lighting which is, inappropriate development and therefore, by definition, harmful to the open nature and rural, parkland character of this part of the Green Belt. No special circumstance exists to set aside the general presumption against such developments, and, is therefore contrary to Policy GB2 of the adopted South Oxfordshire Local Plan, 2011.**
- 2. That the proposed development provides parking in excess of the Council's standards and will encourage car borne travel. The development does not demonstrate measures that would be taken to minimise the need for car travel and parking and does not assist in promoting other alternative and more sustainable transport modes, contrary to Policies T2, T3 and T8 of the adopted South Oxfordshire Local Plan.**
- 3. That the site lies in a remote rural location and the provision of such a large area of parking, with associated lighting and other development, would detract from the rural character and appearance of the locality, contrary to Policies C1 and EP3 of the adopted South Oxfordshire Local Plan.**

4. **That insufficient information accompanies the application to demonstrate that the development will not have an adverse impact on the adjoining trees which are the subject of tree preservation orders. The loss of the trees would detract from the character and appearance of the area contrary to Policy C9 of the adopted South Oxfordshire Local Plan.**

5. **That the earthworks required to provide the car park, and the use for the parking of cars, would detract from the character and setting of the Ancient Monument 30824 contrary to Policy CON11 of the adopted South Oxfordshire Local Plan.**

10.2 And in respect of application P06/W1297 that planning permission be refused for the following reasons:

1. **That the site lies within the Oxford Green Belt and the application proposes the construction of a large parking area and associated lighting which is, inappropriate development and therefore, by definition, harmful to the character of this part of the Green Belt. No special circumstance exists to set aside the general presumption against such developments, and, is therefore contrary to Policy GB2 of the adopted South Oxfordshire Local Plan, 2011.**

2. **That the proposed development provides parking in excess of the Councils standards and will encourage car borne travel. The development does not demonstrate measures that would be taken to minimise the need for car travel and parking and does not assist in promoting other alternative and more sustainable transport modes, contrary to Policies T2, T3 and T8 of the adopted South Oxfordshire Local Plan.**

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