

2PPC ref: HV/5703
Portal ref: PP-09426572 – hv
OCC ref: tbc

Planning Control
Oxford City Council

By electronic means

2 February 2021

Dear Sirs

**Application for Change of Use of Lower Ground Floor Level,
Premier Place, 190-196 Garsington Road, Cowley From
Commercial to Dwelling**

An application for the above development has been submitted via the Planning Portal and comprises:

- Application forms
- This covering letter
- PL1 Location Plan
- PL2 Block Plan Existing
- PL3 Proposed Block Plan
- Existing floor plan + existing south elevation
- Proposed floorplan + proposed south elevation
- CIL Form 1;
- The application fee will be paid via the Planning Portal

The building to which this application relates has two uses; the lower ground floor level comprising (vacant) commercial accommodation (formerly offices) and gated parking for cars and bicycles and the upper floors wholly residential apartments.

The application relates solely to the now vacant office accommodation in the lower ground floor.

The building is accessed from a shared access off Garsington Road with a courtyard to the south side of the building providing vehicle and cycle parking (and refuse storage) for the residential units and office.

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To the north, east and south of the site are other buildings generally in commercial use although the Council has recently allowed the redevelopment of the former motorbike sales garage at No208 Garsington Road to provide eight additional dwellings. (18/02401/OUT applies- for nine apartments etc)

Garsington Road (also called the Watlington Road or B480) is served by Bus Service 11 which runs quarter hourly and stops outside the BMW MINI factory gate almost opposite the site.

History

In 2013 under application reference 13/03426/B56 prior approval was granted by Oxford City Council for change of use of all the office accommodation then on site (B1(a)) to residential use (C3) to provide 27 units. This work was carried out and the apartments have been in use since 2014.

More recently, under planning application reference 15/02216/FUL planning permission was granted on 16th September 2015 for conversion of part of the existing lower ground floor then and previously available for parking to create a new small office (Use Class B1). That consent authorised use of part of the undercroft parking area to new office accommodation and was implemented with the office being occupied from February 2017- on completion of the works- until September 2019 by the same company.

Since the tenant vacated the office, and despite extensive marketing by two companies, the office accommodation has remained vacant. Hence in March 2020 on the owner's behalf we made an application for planning permission to widen the potential commercial use of the office accommodation to include what was then D1 use. That application was granted.

In September 2020 the government altered the Use Classes Order and by doing so created a new amalgam use called Class E which would cover both office and uses formerly in D1.

Since September the site has been available as a Class E premises, and could have been given a wide number of uses.

Alas no-one has shown any interest in taking on the premises and they sit unused.

The applicant is aware of the pressing need for housing in the City. It wants to do its bit to improve the amount of accommodation on offer and make use of this vacant accommodation .

The flats on the upper levels remain popular with no vacancies.

The proposal

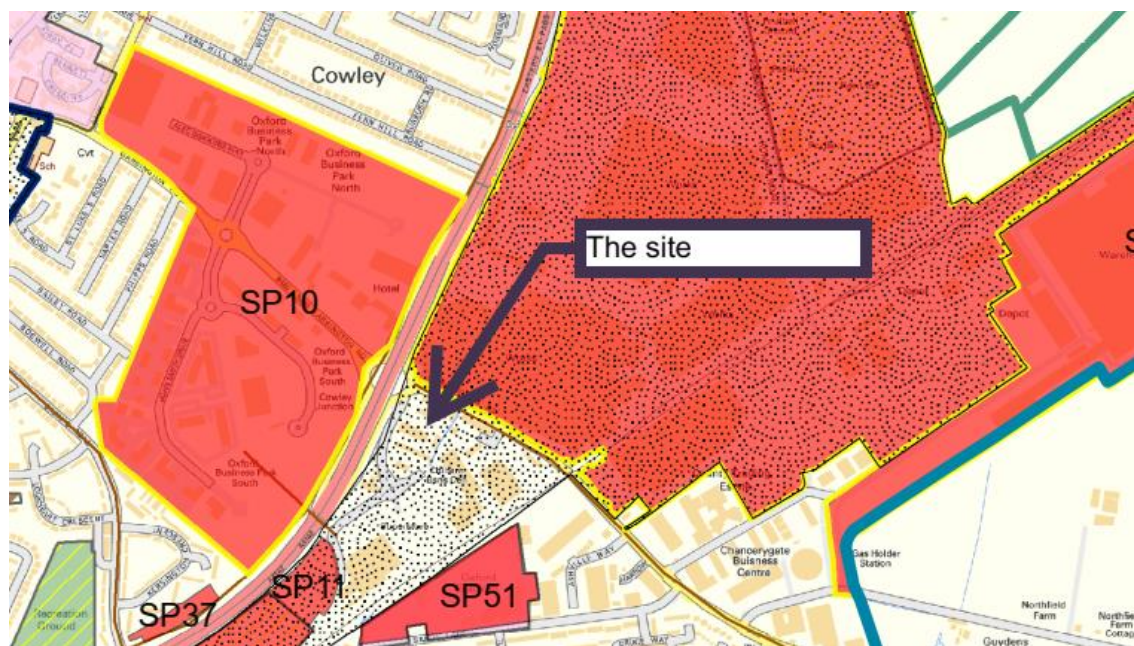
In the circumstances, it seems to the applicant that residential use would be appropriate, therefore this application for change of use is being made. The site cannot continue to sit there purposeless.

To facilitate the change of use only very minor changes to the internal layout and external appearance of the building are proposed. A new lightwell is proposed to the eastern side of the building and a new door and window to the southern elevation. The latter being the only obvious changes, and then only visible from within the site.

A small amenity space is proposed outside the main living space of the dwelling.

Planning considerations

The site is identified on the online Planning Policies Map as a protected employment site, but this is an out-of-date historic notation preceding the change of use of the upper floors to residential use under permitted development rights. That should have been altered when the new local plan was brought in and we are not aware why it was not changed.



OLP proposals map extract

The Oxford Local Plan 2036 was adopted in June 2020 and has changed the designation of the site. It is no longer a key protected employment site (although the Council’s website seems to erroneously maintain this superseded designation). The site has no specific allocation in the new plan but is noted as falling within an ‘Area of Change’ on the proposals map to which the following policy applies:

Policy AOC7: ‘Cowley Branch Line’

Planning permission will be granted for new development within the area of change where it would take opportunities to deliver the following, where relevant:

- To enhance existing tree cover and semi-rural landscape;
- To retain wildlife corridor function of the brooks;
- To safeguard land for proposed stations and access;
- To make more efficient use of space through intensification of existing sites; and
 - rationalisation of parking and reduction in surface-level car parking;
 - Improved connectivity between different parts of the area

The site is not listed as a Category 1 or Category 2 employment site. It is perhaps therefore a Category three employment site to which policy E1 of the OLP advises:

Proposals for residential development on Category 3 employment sites will be assessed by a balanced judgement which will take into account the following objectives:

- g) the desirability of meeting as much housing need as possible in sustainable locations within the city;
- h) the need to avoid loss of or significant harm to the continued operation or integrity of successful, and/or locally-useful, or high-employment businesses and employment sites, and to avoid impairing business operations through the juxtaposition of incompatible residential uses;
- i) the essential importance of creating satisfactory residential living conditions and a pleasant residential environment with a sense of place, connected by safe walking routes to shops, schools, open space, community facilities and public transport; and
- j) the desirability of achieving environmental improvements such as remediation, planting, biodiversity gains, sustainable development forms, improvements in highway conditions and the improvement of living conditions for existing residents

It can be seen that this policy provides the most useful policy context in terms of the principle of the proposed change of use. We comment as follows:

E1 Criterion G

This site is considered to be a sustainable one. It has a choice of supermarkets within walking distance and lies on a regular bus route. There are many workplaces and services such as eateries in walking or cycling distance. The bus route runs directly along the main road outside the site.

Providing an additional dwelling here would help to support existing services nearby.

E1 criterion H

As an employment policy, quite clearly the policy seeks to do what it can to retain employment but is realistic about where the best places to retain employment uses are. Given that the top three floors of this site are already in residential use (for six years) and do not seem in any way to have caused any harm to the continued operation or integrity of successful, and/or locally-useful, or high-employment businesses and employment sites nearby, there is no reason to think that one additional dwelling would do either. The additional unit proposed would not be any closer to neighbours than the existing flats.

Indeed, the further E1h 'test' that residential use should avoid impairing business operations through the juxtaposition of incompatible residential uses would also be passed. We are aware of no concerns by business or residents concerning the present juxtaposition(s).

The office inserted into the site after the conversion of the main building into dwellings was an idea of the applicant that just has not worked out, but that is not due to incompatible juxtapositions. The reason why the site is not appealing to commercial users is not easy to understand. A thorough marketing exercise has been undertaken (since November 2019 by VSL) but this has not drawn forward prospective occupiers nor reasons why people are not interested alas. Most likely it is the lack of visible site frontage which cannot be altered. Marketing has now endured since September 2019- a period of fourteen months- and has not produced a viable new commercial use. Strictly speaking a period of marketing is no longer required under the new OLP policy, but it was done nonetheless and that is what has revealed a new use must be sought. As such we consider that the time is right to allow residential use.

E1 Criterion I

It is of course important that every dwelling is a pleasant place to live. The 100% occupancy of the 27 existing flats attests to them being pleasant dwellings. Occasionally there is turnover of units, but these are soon filled with no notable vacancy periods. As such it is not considered that the local environment would make this an unsatisfactory immediate environment.

The floor area of the unit would be quite generous for a 2-bedroom unit, but this strikes an appropriate balance between accommodation and providing appropriate daylighting and privacy and amenity to occupiers.

All the facilities and reasons why existing residents would live here would apply to the new occupiers. The site is well managed and appears a pleasant living place with no reason to query the way it is run or occupied.

This change of use would see a new change to the parking area. So that cars belonging to other occupiers would not park immediately outside of the windows to the proposed new dwelling a new garden area is proposed. None of the other units here has a garden but this garden would be dedicated to the proposed new flat, given its location. The size of this is considered adequate for the 2-bedroom units suggested. It will provide an area where people can sit out and enjoy fresh air without being unduly overlooked. Some fencing is proposed to be provided to mark the extent of the amenity space.

Given these conclusions we consider that the provisions of the OLP in relation to amenity etc would also be met in relation to policies H14, H15 and H16.

E1 Criterion J

This is a very minor development; thus its scope for improving the area is limited. There is a small garden area proposed outside of the flat. This is presently hardsurfaced and 'bleak'. By providing a small garden here there is the potential to

make biodiversity and planting gains by allowing even small things like herb planting boxes to be provided.

As the site is not presently in use it is difficult to say for sure that there would be other gains but by providing another dwelling in such an accessible spot close to BMW for instance, would potentially remove some car borne traffic from the roads. Removal of three parking spaces is moving towards City wide aims.

As the upper storeys have been in close to 100% use there have been some parking surveys undertaken which have shown that occupants of these units do not have need for all the parking which is available.

Indeed, the parking area is never full and the 25 spaces have never been anything like fully occupied over a prolonged period (no matter the time of day). We have repeated photographs below taken before lockdown to show how unused the parking area is. An uptodate photo (taken during lockdown when people could have been expected to be at home) have been added too to show how little the site is used. There is no risk of overspill parking occurring in this case.

In the sense of the 'Area of Change' policy this proposal would make more efficient use of space through intensification and assist in reducing surface-level car parking.

On the application form we have indicated that there are 25 spaces and that 3 would be lost. The spaces are all available to all occupiers on a shared basis which allows for efficiency of use.

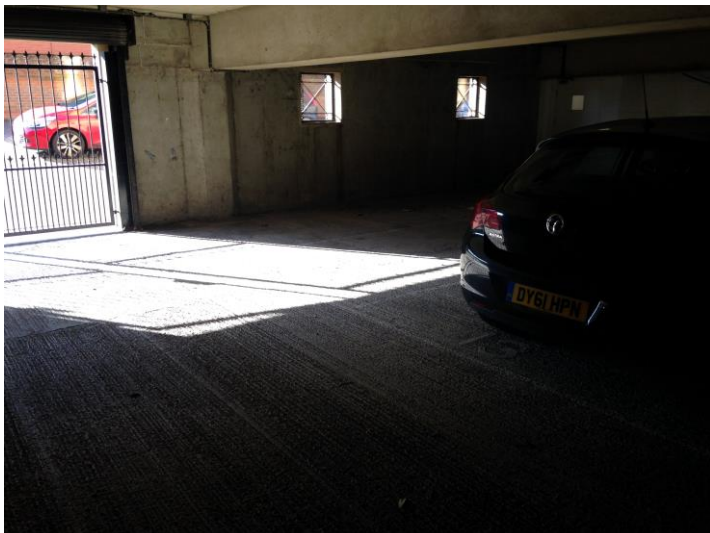
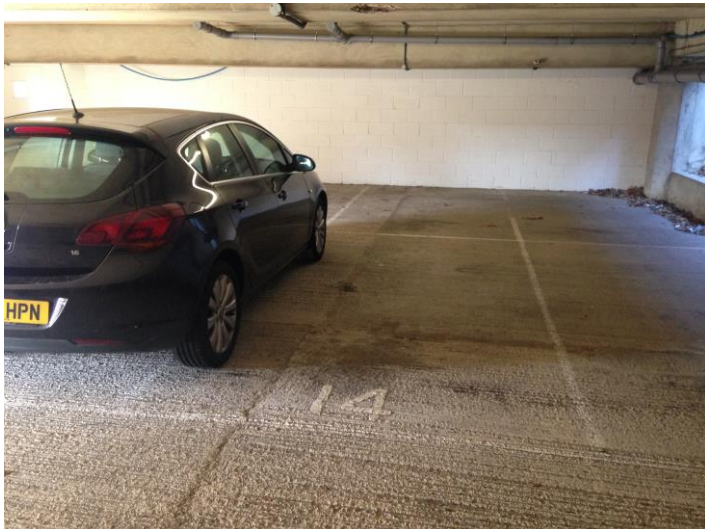
We trust that the application can be supported. If you have any questions, please do not hesitate to contact me.

Yours faithfully

Henry Venners

Photographs (x5) taken at midday (approx.) 6th February 2020.







Photograph (x1) taken 29 November 2020.



At 10pm on Monday 1st February again only half the spaces were occupied at most.