



Appeal Decision

Site visit made on 24 January 2024

by Jonathan Bore MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2024

Appeal Ref: APP/G3110/W/23/3322566

152 London Road, Headington, Oxford, OX3 9ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Cantay Estates Ltd against Oxford City Council.
- The application Ref 23/00272/FUL, is dated 7 February 2023.
- The development proposed is the demolition of the existing retail store (Use Class E) and the erection of a new building at 1 to 4 storeys containing a retail store (Use Class E) and hotel (Use Class C1), service area, landscaping, cycle parking, and drop off bays on Stile Road.

Decision

1. The appeal is dismissed and planning permission is refused.

Main Issues

2. The main issues in this case are, firstly, the effect of the proposed development on the street scene; secondly, the impact on the setting of St Andrews CE Primary School, which is a non-designated heritage asset; and thirdly, the effect on parking, congestion and highway safety in the area.

Reasons

The effect of the proposed development on the street scene

3. The site is on the corner of London Road and Stile Road, and is occupied by a Co-op supermarket. The proposed building would consist of a 92 room hotel with reception area and smaller retail store than at present. The site lies within the Headington District Centre Area of Change and within Headington's primary shopping frontage as defined by the Oxford Local Plan. The centre is characterised by 2 to 3 storey buildings with ground floor shop frontages, interspersed with a few larger commercial buildings.
4. The Local Plan states that within the Area of Change there may be an opportunity to redevelop some sites in a more intensive way which would still be in keeping with the character and the function of the centre. Policy AOC6 thus allows for development within the district centre where it would (among other things) make more efficient use of land through infill and taller development. The Co-op store is mostly single storey but with a small two storey element, and is set back behind a parking area; the scheme would make more intensive use of the site.
5. However, the appeal site lies towards the eastern edge of the District Centre Area of Change and any redevelopment scheme must have due regard to its

immediate surroundings. Stile Road marks an important break in the character of London Road. The more intensively built up commercial part of London Road lies to the west of Stile Road and includes a few buildings that rise above the prevailing height such as Holyoake Hall and John Leon House. But to the east of the Stile Road junction, which includes the appeal site, London Road has a more relaxed, domestic, lower scale character. The building line also changes at Stile Road, so that the school and the interwar semi-detached houses beyond it are set further back than the shops and commercial buildings to the west of the junction. This change of character is reinforced by the trees and low wall of Bury Knowle Park on the other side of London Road. The appeal site, despite its commercial nature, belongs in location, scale and character to the area to the east of Stile Road.

6. On the corner of London Road and Stile Road, the proposed hotel building would step up to a full 4 storeys on the frontage of both roads, and it would be sited in such a way that its front building line would advance to line up with the building line of the shops beyond Stile Road. This would give the building a prominent and bulky appearance when seen from both east and west along London Road, and from the opposite side of the road adjacent to Bury Knowle Park. It would have a blocky appearance in the street scene would contrast awkwardly with the modest scale and prevailing pitched roofs and gables of its surroundings. Even away from the corner of Stile Road, where the 4 storey elements would be stepped back, the development would present prominent areas of largely blank high level brickwork when seen from Stile Road and from London Road to the west of the junction. The building would also appear excessively bulky in views along Stile Road towards the park, and would be out of scale with the domestic scale of the street.
7. The development would unacceptably disrupt the transition to the lower scale at the edge of the shopping centre and would be an unattractive and out of scale feature in the street scene. In addition, the three storey and four storey elements would be overly dominant in relation to the adjacent school, and this is dealt with in more detail below.
8. The use of obscure glazing for some of the hotel rooms to avoid the overlooking of the school and neighbouring residential property is symptomatic of the excessive bulk and inappropriate siting and design of the development.
9. The other redevelopment schemes referred to by the appellant are noted, but the site circumstances of each case are different. Whilst Oxford Local Plan Policy AOC6 recognises the potential for change in Areas of Change, and Policy V5 supports hotels in District Centres, it does not follow that a scheme of this nature is acceptable in this location. The scheme would conflict with Oxford Local Plan Policy DH1 and Headington Neighbourhood Plan Policies GSP4, CIP1 and CIP3 which seek high quality design that enhances local distinctiveness and responds appropriately to its setting.

The effect on the setting of St Andrews CE Primary School

10. Immediately to the east of the site is St Andrews CE Primary School, a non-designated heritage asset, which is of a simple red brick single storey design with pitched roofs. Part of the proposed building would present a bulky three storey elevation towards the school and, behind a set back, the building would rise to four floors. This scale and design, combined with the slight forward step in its building line adjacent to the school, would give the building an

overbearing presence next to the school when seen from both east and west along London Road and would erode its setting. Further into the site the upper floors would be set back a little more, but even this part of the development would appear too dominant in scale in relation to the school. The scheme would harm the setting of the non-designated heritage asset and would conflict with Policies DH5 of the Oxford Local Plan and CIP4 of the Neighbourhood Plan which requires development to have regard to the impact of the scheme on the significance and setting of a non-designated heritage asset.

The effect on parking, congestion and highway safety in the area

11. London Road Headington benefits from good public transport accessibility. Local Plan Policy M3 states that in the case of the redevelopment of an existing site, the Council will seek a reduction in parking where there is good accessibility to a range of facilities. This would be the case in the appeal scheme, which would be car free save for two drop off spaces and a servicing area. It is possible that some hotel guests would use local car parks, but the demand placed by hotel accommodation on car parking tends to be early and late in the day and is unlikely to coincide with peak shopping demand for parking. Moreover, traffic generation associated with the proposed use has the potential to be lower than the multiple trips associated with the existing shopping use.
12. There is therefore no evidence that the scheme would create problems in respect of car parking, congestion or highway safety and it would accord with Local Plan Policy M3. It would also accord with Policy M1 of the Local Plan, which seeks to prioritise the use of sustainable transport; the appellant has submitted an agreement with the County Council under s106 to provide for a contribution towards 4 real time passenger information displays at nearby bus stops, together with a travel plan monitoring contribution. However, none of these considerations outweigh the objections discussed above.

Conclusion

13. The building's height, bulk, design and siting would be inappropriate in this location and would harm the street scene and the setting of the adjacent school which is a non-designated heritage asset. Whilst the scheme would make more intensive use of the site, and would encourage the use of sustainable means of transport, these benefits do not outweigh the harm that the proposed building would cause.
14. I have considered all the other matters raised. The Council's concerns about BREEAM standards, drainage, trees and ecology would in my view all be capable of resolution, but neither these nor any other matters raised alter the balance of my conclusions. For the reasons given above I dismiss the appeal.

Jonathan Bore

INSPECTOR