

Agenda

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West Area Planning Committee

Date: **Wednesday 11 April 2012**

Time: **6.00 pm**

Place: **The Old Library, Town Hall**

For any further information please contact:

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If you would like help to understand this document please call Lois Stock, Democratic and Electoral Services Officer on or email lstock@oxford.gov.uk in advance of the meeting.

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor John Goddard	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Michael Gotch	Wolvercote;
	Councillor Graham Jones	St. Clement's;
	Councillor Shah Khan	Cowley;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;

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AGENDA

Pages

1 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

2 **DECLARATIONS OF INTEREST**

Councillors serving on the Committee are asked to declare any personal or personal prejudicial interests they may have in any of the following agenda items.

3 **PLANNING APPEALS**

1 - 4

To receive information on planning appeals received and determined.

The Committee is asked to note this information.

4 **PLANNING APPLICATION FOR DETERMINATION -
SUMMERTOWN HOUSE, BANBURY ROAD - 12/00239/FUL**

5 - 18

Report of the Head of City Development attached.

Summertown House – 12/00239/FUL

Proposal: Refurbishment of eastern block of student accommodation including re-cladding of all elevations, internal alterations to stairs, lifts and student flats to create 5 additional residential units. Alterations to central car parking area to create landscaped garden, plus creation of covered cycle store for additional 84 cycles to rear of site, and new car port and store to serve Lodge. (Amended plans) (Amended description)

Officer recommendation: West Area Planning Committee is recommended to support the proposals in principle but to defer the application in order to receive a Unilateral Undertaking and to delegate to officers the issuing of the notice of planning permission subject to conditions on its receipt.

5 **PLANNING APPLICATION FOR DETERMINATION - 10 PARK END
STREET - 12/00435/VAR**

19 - 26

Report of Head of City Development attached.

The application is required to be determined by Planning Committee as the applicant is a Councillor of Oxford City Council.

10 Park End Street – 12/00435/VAR

Proposal: Variation of condition 2 of application 11/02123/FUL to extend the hours of opening to 10:00am to 3:00am, with last customer entry to the

premises at 2:45am.

Officer recommendation: Refuse

6 FORTHCOMING APPLICATIONS

The following items are listed for information. They are not for discussion at this meeting.

1. University Press, Great Clarendon St - 12/00371/FUL: Office accommodation ;
2. University press, Great Clarendon Street - 12/00416/LBD: Listed building consent;
3. Magdalen College - 12/00459/FUL: Extension to library (Call in)
4. University Science Area - 11/00940/CONSLT: Masterplan (Not a planning application).
5. 376 Banbury Road - 11/03008/FUL: 9 flats
6. Land adjacent Redbridge Park & Ride, Abingdon Road - 12/00249/FUL: Travelodge
7. 7 Wentworth Road - 12/00435/FUL: Flat over garage (Call in)
8. 48A Donnington Bridge Road - Variation of conditions to permission for 2 bed house (Call in)
9. 9 & 12 Whitson Place - 12/00147/FUL: Extensions (Call in)
10. 37 Meadow Prospect - 12/00503/FUL: Extensions
11. Grantham House, Cranham Street 11/03271/FUL, 11/03272/FUL, 11/03273/FUL, 11/03269/ FUL - demolition, extensions, erection of dwellings and conversions

7 MINUTES

Minutes of the meeting held on 14th March 2012

27 - 30

DECLARING INTERESTS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;

(Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;

 - (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
 - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application (or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting,
6. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Agenda Item 3

Monthly Planning Appeals Performance Update – February 2012

Contact: Head of Service City Development: Michael Crofton-Briggs.
Tel 01865 252360.

1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 29 February 2012, while Table B does the same for the current business plan year, ie. 1 April 2011 to 29 February 2012.

Table A. BV204 Rolling annual performance (to 29 February 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	12	(33%)	5 (50%)	7 (27%)
Dismissed	24	67%	5 (50%)	19 (73%)
<i>Total BV204 appeals</i>	36			

Table B. BV204: Current Business plan year performance (1 April to 29 February 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(34%)	4 (50%)	7 (29%)
Dismissed	21	66%	4 (50%)	17 (71%)
<i>Total BV204 appeals</i>	32		8	24

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C. All planning appeals (not just BV204 appeals): Rolling year to 29 February 2012

	Appeals	Percentage performance
Allowed	14	(31%)
Dismissed	31	69%
All appeals decided	45	
Withdrawn	5	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during February 2012.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. If the appeal is against a delegated decision the relevant ward members receive a copy of this notification letter. If the appeal is against a committee decision then all members of the committee receive the notification letter. Table E, appended below, is a breakdown of all appeals started during February 2012. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D**Appeals Decided Between 1/2/12 And 29/2/12**

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
11/01039/FUL	11/00039/REFUSE	DEL	REF	DIS	01/02/2012	JEROSN	63 Botley Road Oxford Oxfordshire OX2 0BS	Erection of two storey side extension to provide external stair to first floor flat and store.
11/01348/FUL	11/00040/REFUSE	DEL	REF	DIS	07/02/2012	JEROSN	Rear Of 48 And 49 Great Clarendon Street Oxford Oxfordshire	Alteration and extension of disused storage building to form 2 dwellings including partial demolition of roof and walls
11/01548/FUL	11/00036/REFUSE	DEL	REF	DIS	15/02/2012	QUARIS	34-36 York Road Oxford Oxfordshire OX3 8NW	Erection of single storey dwelling. Provision of car parking and private amenity space.
11/01905/FUL	11/00041/REFUSE	DEL	REF	ALW	17/02/2012	STMARY	235 To 239 Iffley Road Oxford Oxfordshire OX4 1SQ	Retention of 6no cycle shelters.
11/02154/FUL	12/00002/REFUSE	DEL	REF	DIS	21/02/2012	MARST	5 Boults Lane Oxford Oxfordshire OX3 0PW	Two storey side extension following demolition of existing side extension.
11/02150/FUL	11/00043/REFUSE	DELCOM	PER	DIS	22/02/2012	HINKPK	81 Wytham Street Oxford Oxfordshire OX1 4TN	Proposed two storey side extension and single storey rear extensions (amended plans)

Total Decided: 6

TABLE E Appeals Received Between 1/2/12 And 29/2/12

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECMND KEY: PER - Approve, REF - Refuse, SPL - Split Decision, NDA - Not Determined; TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

DC CASE NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
11/02416/FUL	12/00004/REFUSE	DEL	REF	W	226 London Road Headington Oxford Oxfordshire OX3 9EG	QUARIS	Erection of single storey building for use as annexe to main house
11/02602/FUL	12/00006/REFUSE	DEL	REF	H	38 Linkside Avenue Oxford Oxfordshire OX2 8JB	WOLVER	Proposed first floor rear extension
11/02850/FUL	12/00005/COND	COMM	PER	W	109A Banbury Road Oxford Oxfordshire OX2 6JX	STMARG	Alterations to garden building including the addition of a kitchen to enable it to be used as a self contained annexe ancillary to 109A Banbury Road (amended plan)

Total 3

West Area Planning Committee

11th April 2012

Application Number: 12/00239/FUL

Decision Due by: 4th May 2012

Proposal: Refurbishment of eastern block of student accommodation including recladding of all elevations, internal alterations to stairs, lifts and student flats to create 5 additional residential units. Alterations to central car parking area to create landscaped garden, plus creation of covered cycle store for additional 84 cycles to rear of site, and new car port and store to serve Lodge. (Amended plans) (Amended description)

Site Address: Summertown House, Apsley Road, (**Appendix 1**)

Ward: Summertown Ward

Agent: Ferax Planning

Applicant: University Of Oxford

Recommendation: West Area Planning Committee is recommended to support the proposals in principle but to defer the application in order to receive a Unilateral Undertaking and to delegate to officers the issuing of the notice of planning permission subject to conditions on its receipt.

Reasons for Approval.

- 1 The refurbishment, alterations and additions are considered to form an appropriate visual relationship with the surroundings which will enhance the style and perception of this section of Banbury Road and have due regard to the setting of the listed building. The removal of the energy centre has eliminated any impact on the adjoining neighbouring properties.
- 2 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 matters, 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.
- 3 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

- 4 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Revised landscape plan
- 5 Tree Protection Plan (TPP)
- 6 Arboricultural Method Statement (AMS)
- 7 Recommendations ecological survey
- 8 Cycle parking details required
- 9 Target Hardening measures cycle parking
- 10 SUDS
- 11 Construction Travel Plan
- 12 Travel Plan Statement/Travel Statement
- 13 Details of Gates
- 14 Internal noise levels
- 15 Mechanical ventilation

Legal Agreement:

Unilateral Undertaking for £690 as contribution towards off site cycle works.

Principal Planning Documents:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- CP13 - Accessibility
- CP21 - Noise
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- NE15 - Loss of Trees and Hedgerows
- NE16 - Protected Trees
- HE3 - Listed Buildings and Their Setting
- HS19 - Privacy & Amenity

Core Strategy 2026

- CS9 - Energy and natural resources
- CS12 - Biodiversity
- CS18 - Community safety
- CS25 - Student accommodation

CS29 - The universities

Sites and Housing DPD – Proposed Submission

HP5 - Location of Student Accommodation
HP6 - Affordable Housing from Student Accommodation
HP9 - Design, Character and Context
HP14 - Privacy and Daylight
HP15 - Residential cycle parking
HP16 - Residential car parking
SP55 - Summertown House, Apsley Road

NB: The City Council has recently approved the Sites and Housing Development Plan Document (SHDPD) for consultation prior to public examination by an Inspector later this year. It forms part of Oxford's Development Plan Framework and although not formally adopted it does carry weight as a material consideration in determining planning applications.

National Planning Policy Framework

As of 27th March 2012 the National Planning Policy Framework (NPPF) replaced various Planning Policy Statements (PPSs) and Planning Policy Guidance Notes (PPGs) which are now withdrawn.

Relevant Site History:

- 99/01619/NF - Timber multi activity play building/climbing frame for children at Summertown House and attending nursery on site. Permitted 21st December 1999.
- 08/02393/LBC - Listed Building Consent for internal works to convert two ground floor rooms into 2 self-contained flats with shared bathroom facilities. Permitted 2nd April 2009.
- 00/00789/NF - Refurbishment of 133 flats to include removal of external cladding, infilling of balconies & structural repairs. Overcladding in insulated render & new metal roof. Demolition of 5 car points to rear & construct single storey building. Permitted 8th August 2001.

Public Consultation:

Statutory and Other Parties:

Thames Valley Police: No objection subject to condition/informative

Highway Authority: No objection subject to conditions regarding cycle parking details to be confirmed, development to be SUDS compliant, Construction Travel Plan to be submitted and approved prior to the commencement of development and a Travel Plan Statement to be submitted within 3 months of occupation (or existing Travel Plan/Travel Statement to be updated within 3 months of occupation).

Oxford Civic Society: Many aspects of the refurbishment are welcomed, the energy issues give some cause for concern and could be better organised. Use of solar energy could come in immediately; the energy centre is likely to cause noise disturbance and possibly harmful emissions.

Third Party Comments:

Energy Centre:

- Energy centre will reduce amenity of residents of Upland Park Road backing on to the site
- Industrial type unit close to residential properties
- Loss of privacy
- Loss of light to gardens due to height of energy centre
- Not enough detail known of the noise/emissions implications/lack of information
- Noise nuisance
- Background noise survey taken in winter when acoustic protection from trees/foilage is at a minimum which would bias the findings. In summer less noise in the relevant area from traffic in Banbury Road
- Noise survey not taken from Upland Park Road gardens
- Emission plumes unsightly
- Emission plumes could cause harm to garden plants
- Unsightly flue
- Increase of pollution
- Out of keeping with character of area
- No justification for its proposed location
- No information on how fuel will be transported to the site and how the site will be accessed
- No information on how possible contaminants into the water supply will be controlled
- Also included was a petition signed by 20 people, all residents of Upland Park Road which are opposed to the energy centre element of the application for the reasons given above.
- 28 Upland Park Road commissioned a desktop study of the noise survey which stated "The acoustic survey does not demonstrate that noise from the proposed energy centre will not result in justified complaints from the residents in the existing adjacent noise sensitive properties".

Other Comments:

- No bat survey

NB: The comments received relate to the planning application as submitted. However during the course of processing the planning application the contentious energy centre was deleted from the proposals. Amended plan were received accordingly and site notices were displayed with a consultation deadline of 6th April 2012. Any further comments received will be reported verbally to committee.

Officers Assessment:

Site Description

1. The application site lies to the north of Summertown on the northern side of Apsley Road with the largest block of accommodation fronting onto Banbury Road. The main access to the site is from two vehicular access points off Apsley Road. The site comprises the original Summertown House, which is a listed building situated centrally to the site, and three

large 1960s blocks of post graduate student accommodation which surround it. A single storey building has been added to the rear of the listed house and is used as a day nursery operated by the University.

Proposals

2. The application seeks the refurbishment of the eastern block of accommodation which involves the removal of the existing cladding and roofing material and recladding with modern materials; creation of five additional units by the subdivision of five existing larger units; internal alterations including the enclosure of an open staircase; and the formation of balconies within the building. Alterations are also proposed to the old lodge and the gate piers located to the north - east corner of the site near Banbury Road. The proposal as submitted included an energy centre which was intended to provide a combined heat and power (CHP) scheme for the development. This was intended to be located to the northern side of the site, to the rear of the main accommodation blocks. An alternative location is now being sought however, and this is referred to in the text which follows. The proposals also include new landscaping and covered cycle stores. In terms of landscaping the intention is to improve the setting of the listed house as part of a more strategic maintenance and planting regime. The new cycle parking is located along the northern boundary behind the north west block and the existing cycle stores are to be refurbished.
3. Two variations of the proposals are presented which show alternative arrangements relating to the position of the main lift and stairs and how these appear on the main elevation. The selection of which option is implemented is dependant on viability when the tendering process for the refurbishment work is complete.
4. Following submission of the planning application the applicants and their representatives met with the residents of Apsley Road and Upland Park Road to discuss the proposal and in particular the proposed energy centre which has caused concern amongst the residents. As a result of these discussions the University has decided to review the location of the energy centre. The review has concluded that there are a number of alternative locations on the site which could be suitable. Work continues in assessing these locations. As a result the application has been amended to exclude the energy centre but with a view to submitting a separate application at a later date once a suitable location has been finalised.
5. Officers consider the principle determining issues in this case to be:
 - the principle of development;
 - design and built forms;
 - impact on the listed building;
 - trees and landscaping;
 - biodiversity;
 - residential amenity;

- highways and access;
- cycle stores; and
- sustainability

Principle of Development

6. The application site is referred to in the draft Sites and Housing DPD at policy SP55. The policy is supportive of new student accommodation. However this application is for refurbishment only and there is therefore no conflict with policy SP55.

Design and Built Forms

7. The eastern block of accommodation fronts onto Banbury Road and is the main elevation of the site when viewed from Banbury Road. The block has a mixture of flat types with the majority being two bed units with some studios and one beds units and 5 x 3 bed flats. These are arranged over five floors off a central corridor. The three bed flats are to the northern end of block. The elevations are currently hung with distinctive concrete hung tiles with single glazed timber framed windows all on a concrete frame.
8. The current flats have small external balconies which are recessed and considered to be too small and to be useful for their intended purpose. They appear to be mainly used as additional storage space. The internal arrangements of the flats are also considered to be too small with poor circulation, a lack natural lighting and with an institutional feel to them. None of the flats are accessible by the disabled as all have a step up into them.
9. The overall aim of the proposal is to provide a better standard of accommodation for the occupiers and to increase the energy efficiency of the building. This can be achieved by increasing the space within the flats by replacing the balconies with projecting bay window seats and opening up the internal space by bringing the lounge, diner and kitchen spaces together at the rear of the flats. It is proposed to replace the concrete tiles with a modern terracotta rainscreen cladding system and the existing dark stained external joinery by composite timber and aluminium windows and glazing systems.
10. The main entrance to the building is mid way along the west elevation. There is a secondary entrance from this side to the north - west corner. The main entrance provides access to the lift only with the stair cases being remote from the main entrance to the southern and northern ends of the building. Two options presented to improve this situation.
11. Option 1.
This retains the existing main entrance from the west side. The northern external stair well is to be rebuilt within an enclosed space with interconnection to the three storey northern block. The southern stair well

would be remodelled to comply with current building regulations. A new lift would be installed within the existing shaft with the addition of some glazing to the Banbury Road elevation to provide views out and animation to the elevation.

12. Option 2

Again this retains the main entrance from the west side. The existing lift and shaft are removed and replaced with a new main staircase in a glazed structure to the Banbury Road elevation. The existing southern staircase is removed to allow natural light into the corridor.

13. In both alternatives the refurbishment and alterations can only be seen as an overall improvement in access terms as well as enhancing the Banbury Road elevation and street scene. Both options in relation to the lift / stairs have their advantages and neither would be detrimental to the overall elevation fronting Banbury Road. As either option is supportable, a condition can be added to the permission if granted requiring the applicant to inform the planning authority which is to proceed.

Impact on Listed Building

14. Summertown was developed from the early 1830s with a series of villas set in large grounds and elsewhere smaller rows of terraces. Summertown House is one of these villas and is one of the few that survive that is listed (grade II). There is only one left that has not has its garden developed, at 304 Woodstock Road and that is listed grade II*.
15. The early OS maps show the original garden layout as a series of compartments, depending on the function. So there is a kitchen garden, a garden which forms part of the formal approach, a pleasure garden and then larger paddock areas. The 1960s development occupies the area that was the kitchen garden, part of the formal approach gardens and spaces along a north - south boundary between two paddock areas.
16. The 1960s development changed the orientation and setting of the house and how it is now experienced. The 1960s buildings was designed by Howard, Killick, Partridge and Amis, a recognised and respected practice whose buildings elsewhere in Oxford are listed. These current buildings have also been considered for listing in view of their unusual construction and distinctive tile hung exteriors but did not meet the required criteria.
17. The setting of the original house is now one that relies on a green 'quad' to the south, framed by these modern residential blocks. The lodge house and gate piers to the north - east corner of the site also survive as evidence and a memory of the original entrance and approach. The quad area has been compromised by areas of tarmac and parking.
18. The proposals do not involve any works to the listed or curtilage buildings that would require listed building consent. The recladding of the 1960s western

accommodation block will revive the building, giving it a more contemporary appearance, whilst still respecting its architectural origins and provenance.

19. In accordance with policy SP55 of the SHDPD further development on the site it must demonstrate that the refurbished buildings and other works will have a positive effect on the setting of the listed building compared to the existing development. Officers conclude that the proposals are in accordance with this policy.

Trees and Landscaping

20. The application site is not within a conservation area nor are there any tree preservation orders on the site. Notwithstanding this there are some significant trees present.
21. The proposals in relation to the “Oval” to the southern side of the site adjacent to the eastern vehicular access, are likely to impact on the large Plane tree present at this point. The work involves the removal of four car parking spaces and the re-instatement with a permeable material of the tarmac area of roadway, and the introduction of steps and a ramp giving access to the building. Officers recommend that a grassed area is retained around the tree and that the “hard surface” should be of a permeable material. The ramp is within the root protection area of the tree and given that it is on a raised area above the road, any excavation to construct the ramp would be harmful. It is suggested that the ramp should be re-located to a position alongside the west face of the western accommodation block, and that the permeable area should then extend to the new edge of carriageway.
22. A diseased Horse Chestnut and a Plane tree that are close to a large Wellingtonia to the Apsley Road frontage are proposed to be removed so that views of the listed building are opened up from Apsley Road and from the site entrance. Officers have no objections to the removal of these trees or to the trees closer to the House which are almost all evergreens (Cypressus and Irish Yew).
23. A new pedestrian access to the nursery is also proposed with a formal line of tree planting alongside this path. A more informal arrangement is preferred and can be dealt with via a landscaping condition.
24. In addition the westernmost of the three new cycle sheds would be within the root protection zone of a large oak tree at the northern side of the site along with a proposed path. The positions need to be adjusted to avoid the root protection zone of the tree. Again this can be dealt with via a condition.
25. Overall the proposed landscaping works will greatly improve the setting and visibility of the listed house, and as part of a more strategic maintenance and planting regime will ensure that any further depletion of the surviving original landscape features is avoided.

Biodiversity

26. A Phase 1 habitat survey (baseline ecological survey) was submitted as part of the application. The survey noted that the existing cladding could have the potential to house species such as bats though no indications of them being present were found. If a bat maternity roost is subsequently encountered however, then suitable mitigation will be required. A condition can be added accordingly.

Residential Amenity

27. The main concern with regards to the neighbouring properties was the impact of the proposed energy centre. However this element has now been removed. The application in its amended form is not considered to have a detrimental impact on neighbouring residential properties.

Highways and Access

28. The supporting 'Planning Statement' indicates that the proposal involves the subdivision of 5 no. existing 2 bed flats to create an additional 5 no. 1 bed flats within the existing eastern block. Thus creating in total, provision of 84 graduate rooms within the eastern block.
29. The submission also indicates that a new pedestrian gate would also be created from Apsley Rd. Further details on the design of this gate have not been included, but it should open inwards and not oversail the adjacent public footway. A condition can be added accordingly.
30. As part of the proposals the number of parking spaces within the site (accessed via the Apsley Road access) will be reduced by 4 spaces following the introduction of a landscape strategy. This is welcomed. The drawings do however indicate the provision of a new car port for two cars specifically for the occupants of the Lodge which is not opposed.
31. As the proposal will give rise to an additional 5 student rooms, the Local Highway Authority requests a contribution of £690 towards cycle infrastructure measures within the city. This can be secured via a Unilateral Undertaking.

Cycle Stores

32. An additional 84 cycle parking spaces are also proposed, to be located at the rear of the site. Again this is to be welcomed. There are no details on the internal arrangements of this cycle parking provision however and further details should be provided to demonstrate how cycles would be secured internally within the designated cycle store. This can be covered by the inclusion of a condition.
33. The proposed cycle stores to the north and south of the eastern block are integrated into the site layout where there is likely to be opportunity for natural surveillance and policing from the residents and visitors to the site. This should reduce opportunity for cycles to be stolen from the new

secured cycle stores.

34. The Thames Valley Police Crime Prevention Design Advisor has some concerns in relation to the refurbishment of the existing cycle store which is situated to the rear of the site however. This location is more secluded and is not particularly well lit, making it a possible target for cycle theft. Measures to improve security of cycles at this point is therefore recommended, which can again be secured by condition.

Sustainability

35. The eastern block of accommodation was built in the 1960s and had poor insulation and inadequate heating, with the existing façade possessing no insulation at all. Complete demolition and rebuilding was considered but the embodied energy / carbon gains, thermal mass benefits and lower environmental impact of retaining the building outweighed the benefits of a new building.
36. The proposal therefore aims to refurbish the block and enhance its thermal and environmental performance. This is to be achieved by reducing the energy demand by installing energy efficient features such as high levels of insulation, high performance glazing, local and intelligent heating controls, reducing drafts, energy efficient lighting etc. All flats would be provided with under floor heating which would replace the old and inefficient electrical heating systems. This will provide a more even distribution of heat and will also improve the acoustic performance of the floors. In the event of planning permission being granted a further planning application would be submitted for the relocated energy referred to above.

Conclusion

37. The proposals represent a much welcomed scheme of improvement and refurbishment of the eastern block of accommodation at Summertown house. It also improves the setting of the listed house, reduces car parking and increases cycle parking. A separate application will be submitted for a relocated energy centre.
38. Committee is recommended to support the proposals accordingly.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying Unilateral Undertaking. 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 subject to conditions and accompanying Unilateral Undertaking officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Contact Officer: Lisa Green

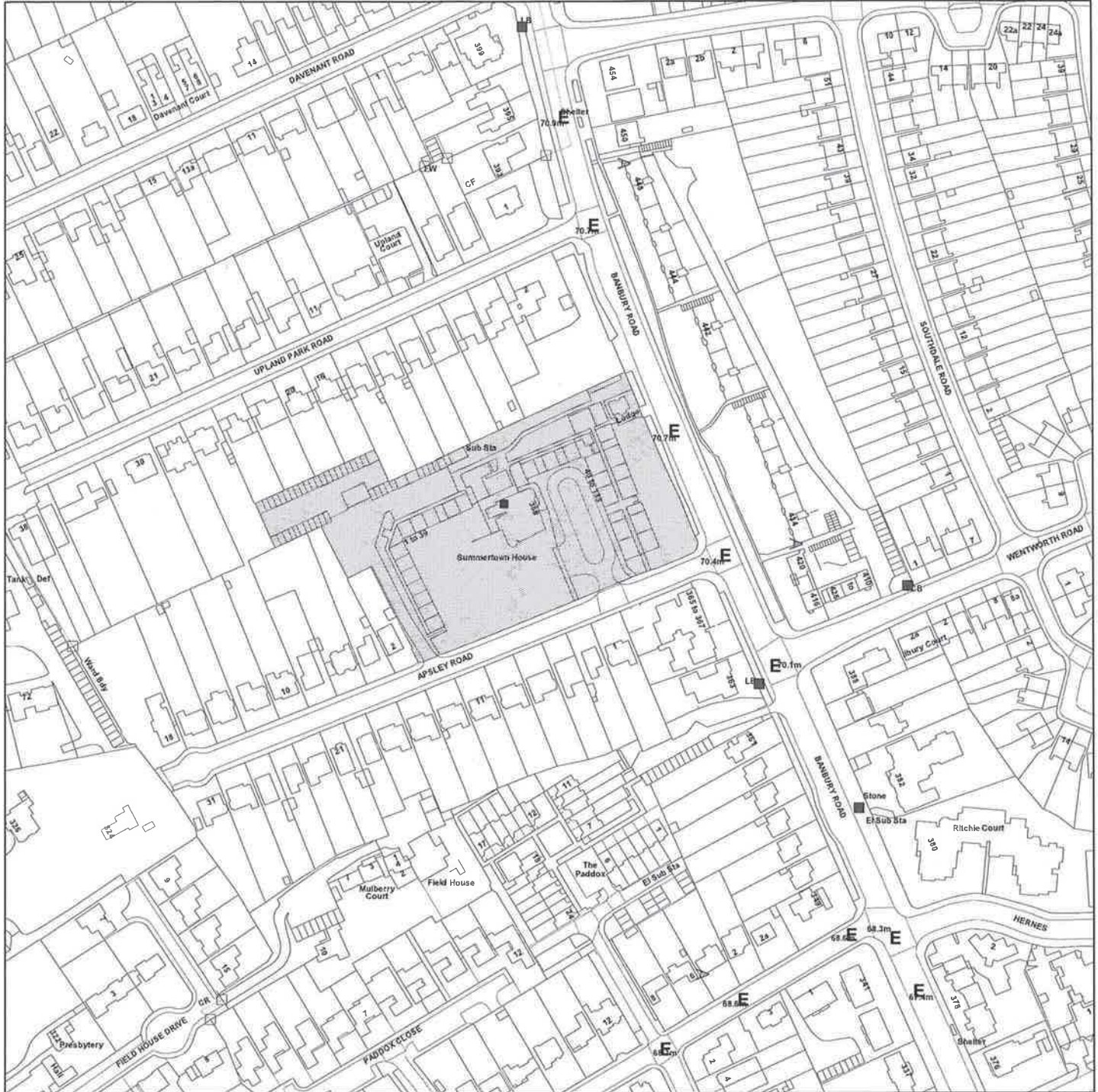
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Date: 26th March 2012

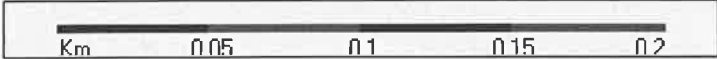
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Appendix 1

12/00239/FUL Summertown House, Apsley Road



Scale : 1:2500



Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	26 March 2012
SLA Number	LA100019348

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Ordnance Survey 100019348.

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WEST AREA PLANNING COMMITTEE

11th April 2012

Application Number: 12/00302/VAR

Decision Due by: 4th April 2012

Proposal: Variation of condition 2 of application 11/02123/FUL to extend the hours of opening to 10:00am to 3:00am, with last customer entry to the premises at 2:45am.

Site Address: 10 Park End Street Oxford Oxfordshire OX1 1HH –
Appendix 1

Ward: Carfax Ward

Agent: Kemp And Kemp

Applicant: Mr Sajjad Malik

The application is required to be determined by Planning Committee as the applicant is a Councillor of Oxford City Council.

Recommendation:

APPLICATION BE REFUSED

For the Following Reason:-

- 1 Park End Street is an area identified by Thames Valley Police as suffering from high incidences of primarily alcohol fuelled violent crime and anti-social behaviour resulting from the effects of the night time economy operating in the immediate area. The Council considers that by extending the opening hours of the take-away establishment such that it would operate until after many of the nearby pubs and clubs have closed it would act as a 'honey pot' drawing potentially rowdy and intoxicated people to it. This would be contrary to the crime prevention strategies and objectives of Thames Valley Police and the Oxford City Centre Neighbourhood Action Group which seek to encourage swift and safe dispersal of late night revellers so to reduce the opportunity for violence and anti-social behaviour. Consequently the proposals are considered to be contrary to policy CP1 and CP9 of the Oxford Local Plan 2001-2016, policy CS19 of the Oxford Core Strategy 2026 as well as Government guidance set out in PPS1 and Safer Places - The Planning System. The Council also considers that the refusal of the application complies with its duties under Section 17 of the Crime and Disorder Act 1998 which imposes an obligation on it to consider crime and disorder reduction in the exercise of its functions and the need to do all that it can to help prevent crime and disorder in its area.

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

CP19 - Nuisance

CP21 - Noise

TR3 - Car Parking Standards

TR4 - Pedestrian & Cycle Facilities

Core Strategy

CS19_ - Community safety

Other Material Considerations:

National Planning Policy Framework

Crime and Disorder Act 1998

Safer Places – The Planning System and Crime Prevention

Relevant Site History:

00/00961/NF - Change of use of ground floor from retail (A1) to food & drink (A3) – Permitted October 2000

11/01820/VAR - Variation of condition 5 of planning permission 00/00961/NF to allow premises to extend hours of food sales operations from 10am to 4am every day. (Amended description) – Withdrawn August 2011

11/02123/FUL - Change of use from restaurant (A3) to a restaurant and take-away (A3 and A5 mixed use) and extension of opening hours to 10am – 1am every day.

11/02537/FUL - Installation of new extracting system and external ducting – Permitted December 2011

Representations Received:

Cantay Investments, Cantay House, Park End Street – Object to the application on the grounds that the extension of the opening hours to correspond with that for the local nightclubs would be ‘disastrous for the local area’ with it potentially generating an increase in anti-social behaviour and putting even greater pressure on police resources. It could also place the City Council in an unenviable position should it approve an application contrary to specific advice from Thames Valley Police. The recently granted planning permission overturned the original 11pm closing restrictions and the current application goes way beyond what was originally

intended and permissible for the premises. Those who are required to contend with the levels of anti-social behaviour on a regular basis should be offered a fair and reasonable hearing and their considered opinions taken into account in the determination of this application.

Oxford Civic Society – The hours of opening are already too generous and the current application should be refused as it would encourage noisy behaviour and increased disturbance to neighbours.

Statutory and Internal Consultees:

Thames Valley Police – Object to the planning application on the following grounds:

The section of Park End Street in which the premises is located is considered by local police officers to be the busiest road for the night time economy in Oxford City and has been identified by Thames Valley Police as a hotspot for crime, violence, anti-social behaviour and public disorder. Much of this is caused by large crowds of often alcohol fuelled people congregating and moving through and around a confined area to access the pubs and clubs. During the evening this section of Park End Street develops into a pinch point with conflict arising between crowds of people. As a result of this, local police work with the existing licensed premises and their door staff and have established a series of control measures along Park End Street especially on a Friday and Saturday night in order to reduce the opportunity for crime and public disorder to occur. These measures include placing ‘no parking’ bollards along the roadside, lining the footpath with barriers and having dedicated high profile police patrols from around 11.30pm until the early hours of the morning. This joint approach ensures the generally quick, effective and safe movement of people in and out of this area throughout these times.

Thames Valley Police have serious concerns that extending the opening hours of the premises until 3am would have a detrimental impact on community safety by reducing the ability to safely and quickly disperse late night revellers from the area particularly as it is timed to ‘catch’ people leaving the nearby nightclubs. This would increase the opportunity for violent crime and anti-social behaviour to occur as people would be encouraged to stop and go into the premises and either eat inside or eat food in the street resulting in a congregation of intoxicated, rowdy and potentially volatile people. This would also cause an obstruction to other people trying to leave the area. Thames Valley Police consider that allowing the planning application would result in the premises being at odds with the overall aims of the local police force and existing licensed premises with respect to crime reduction and community safety objectives.

Issues:

Impact on Neighbouring Amenity
Crime and Community Safety
Highways/Parking

Officers Assessment:

Site Description

1. The application site relates to ‘Bodrum’, a Mediterranean restaurant and hot food

take-away premises (A3/A5 use) located on Park End Street approximately opposite the Oxford Conference Centre and about 80m from the junction with New Road, Worcester Street and Tidmarsh Lane. The hours of operation of the restaurant/take-away premises are currently limited by condition 2 of planning permission 11/02123/FUL to 10am – 1am every day of the week.

Description of Proposal

2. The application seeks consent for a variation of condition 2 of planning permission 11/02123/FUL so as to change the restriction on the hours of operation to 10:00am – 3am.

Impact on Neighbouring Amenity

3. There are now very few known residential properties located within close proximity to the site with just four flats above the Al Salam restaurant and one flat above The Duke's Cut public house within 100m either side of the premises. It is thought that the majority of the occupiers of these dwellings are landlords or staff associated with the operation of the bars and restaurants on the ground floors. With the loss of residential units over the past 25 years, the predominant character of Park End Street is now one of late night drinking and eating establishments (until as late as 3am) as well as some generally compatible commercial uses that are not significantly harmed by the activities of evening/night time revellers because the businesses are closed at these times.

4. The proposed operating hours of the premises are scheduled to attempt to capture people leaving the nearby bars and clubs, many of which have licenses to operate until between 2am and 3am on most days of the week. Policy RC16 of the Local Plan states that 'planning permission will only be granted for Class A3-5 uses where the Council is satisfied that they will not give rise to unacceptable environmental problems or nuisance from noise, smell or visual disturbance'. However, in the context of the significant number of other existing late opening premises, the potential increase in noise and disturbance to the occupiers of the small number of nearby residential properties is likely to be minimal though it is recognised that there is likely to be an increase in noise caused by the lingering and congregation of potentially rowdy people on the street whilst they eat their take-away food. No harm to nearby commercial activities will result given that they will not be in operation during these late night hours.

Crime and Community Safety

5. Park End Street experiences high recordings of crime and disorder incidents as recorded by Thames Valley Police and, between 1st August 2010 and 31st July 2011 there were 69 assaults and 103 public order incidents as well as other reports of rowdy behaviour and criminal damage. According to Thames Valley Police, many of the reported incidents are alcohol fuelled and are related to the night time economy operating in the immediate area.

6. At present there is a high concentration of late night entertainment venues in Park End Street and their closing times, as regulated by the Council's Licensing department (through consultation with Thames Valley Police), are staggered to assist with the quick and safe dispersal of people away from the area. The majority of the late night venues currently operate until either 2am or 3am and when they close a large number of people exit out into Park End Street. The application premises sits

almost directly at the axis between Park End Street, Tidmarsh Lane and Holybush Road and this has the tendency to develop into something of a pinch point with conflict arising between crowds of people. This surge in people onto the street creates a high demand for police resources and their aim is to assist in the rapid dispersion of people from the area and therefore reduce the opportunity for violence, aggression and anti-social behaviour as well as safeguarding members of the public.

7. Officers have taken account of the views expressed in consultation on the application and concur with the representations made by Thames Valley Police, a statutory consultee, that an extension to the hours of operation of the business would act as a 'honey pot' drawing people to it rather than away from the area as is the current strategy employed by local police officers and door staff. The late opening hours and nature of a take-away business ensure that many of the people using the premises at these extended hours are likely to be intoxicated, rowdy and potentially disruptive which will cumulatively increase the opportunity for violence and anti-social behaviour in an area that already suffers from a high number of such incidents. In addition, many of the customers will leave the premises eating hot food and are likely to linger in the immediate vicinity for some time without the internal controls associated with the existing entertainment venues (doorman etc).

8. The premises has been operating under the current 10am-1am operating time restriction for approximately five months now following the granting of planning consent at the West Area Planning Committee in October against the advice of Thames Valley Police at the time. This was considered by Committee to represent an acceptable compromise position though importantly the 1am closing time was agreed upon as it was before the majority of people leave the nearby nightclubs therefore preventing the premises from becoming a potential focal point for large numbers of people. Officers consider it important that this limit on the hours of operation remains as, not only would any extension to the opening hours be contrary to the overall strategy employed by the police and existing licensed premises, but also because the current premises has been operating for an insufficient period of time for Thames Valley Police to have fully recorded or assessed any harm created by the most recent extension of the closing time until 1am.

9. Policy CS19 of the Oxford Core Strategy 2026 states that 'new developments are expected to promote safe and attractive environments which reduce the opportunity for crime and the fear of crime'. In addition to this policy, Government guidance set out in PPS1 states that key objectives of development should include 'creating safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion'. Notwithstanding the above planning policy framework, the Council has a duty imposed on it by the Crime and Disorder Act 1998 to give due regard to the likely effect of the exercise of its functions on the need to do all it reasonably can to prevent crime and disorder.

10. In light of the above, officers have concluded that an extension to the operating hours of the premises would not only be contrary to development plan policy and Government guidance but would also undermine the priorities of the Oxford City Centre Neighbourhood Action Group and Thames Valley Police's wider crime prevention objectives.

Highways/Parking

11. The existing restaurant/take-away premises does not benefit from any off-street parking and, due to its location on a street with parking controls, is not served by nearby on-street parking spaces. Worcester Street public car park is however located approximately 75m away from the site albeit officers recognise that it is unlikely that potential customers would be willing to pay the necessary parking charges in order to park for just a few minutes to pick up food from the take-away though they may do if they were using the restaurant. However, the increase in the trading period is to cover the hours after the pubs close and when the nightclubs close later on where it is anticipated that there would be very few, if any, customers arriving by car as they will be mostly on foot. As a result, little or no impact on the functioning of the highway is anticipated and indeed Highways Officers at the County Council have not objected to the application.

Conclusion:

The proposal is considered to be contrary to policies CP1 of the Oxford Local Plan 2001-2016, CS19 of the Oxford Core Strategy 2026 as well as Government guidance contained in the National Planning Policy Framework. In addition, the Council has a duty to consider the impact of exercising its functions on the requirement to prevent crime and disorder within its area. Officers therefore recommend that Committee refuse the application both so as to accord with its statutory duties as well as to prevent harm to wider community safety objectives in accordance with the above policies of the development plan.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse 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.

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 refuse officers consider that the proposal will indeed undermine crime prevention and the promotion of community safety.

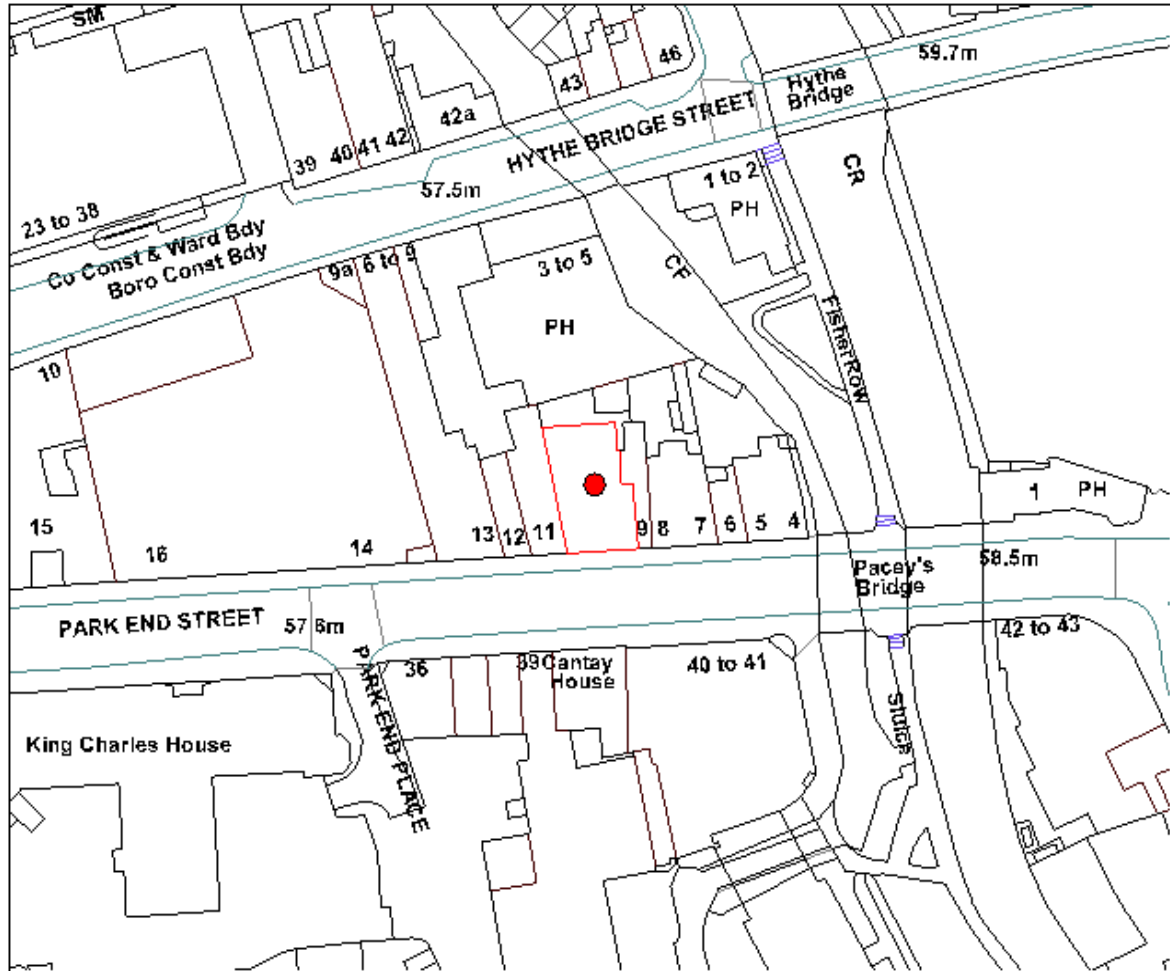
Background Papers: 00/00961/NF, 11/01820/VAR & 11/02123/FUL

Contact Officer: Matthew Parry

Extension: 2160

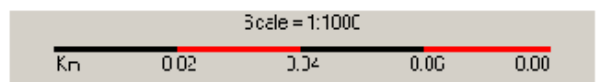
Appendix 1

10 Park End Street



Legend

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Organisation	Oxford City Council
Department	City Development
Comments	12/00302/VAR
Date	22 March 2012
SLA Number	Not Set

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WEST AREA PLANNING COMMITTEE

Wednesday 14 March 2012

COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Goddard (Vice-Chair), Gotch, Jones, Khan, Price, Coulter and Wolff.

OFFICERS PRESENT: Alec Dubberley (Democratic and Electoral Services Officer), Murray Hancock (City Development), Steven Roberts (City Development) and Michael Morgan (Law and Governance)

100. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Benjamin, Cook and Tanner with Councillors Coulter and Wolff attending as substitutes.

101. DECLARATIONS OF INTEREST

None received.

102. GRANTHAM HOUSE, CRANHAM STREET, OXFORD - 11/03269/FUL, 11/03273/FUL, 03272/CAC AND 11/03271/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing applications for the following:

11/03269/FUL: External alterations and additions, including extension to roof to form 3/4 floor, external cladding and balconies. Provision of bin and cycle storage

11/03273/FUL: 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

03272/CAC, 11/03271/FUL: Conservation consent for demolition of building. Erection of 2x3 bed semi detached houses and car parking

In accordance with the criteria for public speaking Rita De Podesta spoke in objection to some aspects of the development and Nik Lyzba, on behalf of the applicant, spoke in support.

The Committee considered all representations both written and oral and it was:

Resolved to defer consideration of the application to obtain clear advice on whether the applicant should be required to make a financial contribution towards affordable housing.

103. INNOVATION HOUSE, MILL STREET, OXFORD - 11/03005/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing an application for change of use from office (class B1a) to student accommodation, together with alterations to the building facade, changes to the car parking arrangements, landscaping and the provision of 100 covered cycle stands.

In accordance with the criteria for public speaking Anne James spoke in objection to the development and Debbie Jones, on behalf of the applicant, spoke in support.

The Planning Officer advised that the reason for refusal relating to affordable housing could be withdrawn as the applicant had now made an acceptable offer of £333,000 towards affordable housing provision..

The Committee considered all representations both written and oral and it was:

Resolved to refuse planning permission for the remaining two reasons outlined in the officer's report.

104. SPORTS FIELD, ST EDWARD'S SCHOOL, WOODSTOCK ROAD, OXFORD - 12/00179/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing a planning application for a Erection of new three storey boarding house and associated external works including a new car park and landscaping.

The Committee considered all written representations and it was:

Resolved to approve planning permission subject to the conditions in the officer's report with the additional informative to encourage the development to be low carbon and to consider the use of a combined heat /power unit. The applicant should also be encouraged to plant good specimen trees as part of the landscaping proposals to mitigate the loss of the lime and yew trees due to be removed.

105. ST ALDATE'S CHAMBERS, 109 - 113 ST. ALDATE'S, OXFORD - 12/00248/CT3

The Head of City Development submitted a report (previously circulated, now appended) detailing a planning application for the erection of an external canopy to existing lightwell area; new cladding to walls; new door to replace existing gate and erection of a new turnstile.

The Planning Officer explained that this was before the Committee as the City Council was the applicant.

Resolved to grant planning permission subject to the conditions in the officer's report.

106. PLANNING APPEALS

The Head of City Development submitted a report (previously circulated, now appended) giving details of planning appeals received and determined during January 2012.

Resolved to note the report

107. FORTHCOMING APPLICATIONS

Members noted the following planning application which would be before the Committee at future meetings:-

- (1) Summertown House, Banbury Road: 12/00239/FUL:
Refurbishment of graduate flats etc
- (2) 7 Woodstock Road: 12/00435/FUL: Flat above garage
- (3) 10 Park End Street: 12/00302/VAR: Variation of restaurant hours
- (4) University Science Area: Masterplan (Not a planning application)
- (5) 376 Banbury Road: 11/03008/FUL: 9 flats

108. MINUTES

Resolved to approve as a correct record the minutes of the meeting held on 15 February 2012 subject to the alteration of minute 95 to correct a typing error.

The meeting started at 6.00 pm and ended at 6.50 pm

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