

# Agenda

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## East Area Planning Committee

Date: **Tuesday 3 April 2012**

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Time: **6.00 pm**

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

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For any further information please contact:

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If you would like help to understand this document please call Mathew Metcalfe, Democratic Services Officer on or email [mmetcalfe@oxford.gov.uk](mailto:mmetcalfe@oxford.gov.uk) in advance of the meeting.

# East Area Planning Committee

## Membership

<b>Chair</b>	<b>Councillor Roy Darke</b>	Headington Hill and Northway;
<b>Vice-Chair</b>	<b>Councillor David Rundle</b>	Headington;
	<b>Councillor Stephen Brown</b>	Carfax;
	<b>Councillor Mary Clarkson</b>	Marston;
	<b>Councillor Van Coulter</b>	Barton and Sandhills;
	<b>Councillor Jean Fooks</b>	Summertown;
	<b>Councillor Bryan Keen</b>	Cowley;
	<b>Councillor Gill Sanders</b>	Littlemore;
	<b>Councillor Dick Wolff</b>	St. Mary's;

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# AGENDA

		Pages
1	<b>APOLOGIES FOR ABSENCE AND SUBSTITUTIONS</b>	
2	<b>DECLARATIONS OF INTEREST</b>  Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any of the following items.	
3	<b>RISINGHURST COMMUNITY CENTRE, KILN LANE, OXFORD - 12/00259/CT3</b>  The Head of City Development has submitted a report detailing an application for external alterations consisting of renewal of roof coverings, replacement windows and doors, and new entrance canopy.  Officer recommendation: Approve subject to conditions.	1 - 4
4	<b>HEADINGTON PREPARATORY SCHOOL, 26 LONDON ROAD, OXFORD - 11/02528/FUL</b>  The Head of City Development has submitted a report which details a planning application for the construction of two storey entrance foyer. Single storey extension to form kitchen. First floor extension to provide store and teaching space. Two storey extension to provide cloakroom. New entrance lobby at rear with canopy over library. (Amended plans)  Officer recommendation: Approve subject to conditions.	5 - 16
5	<b>169 AND TEMPLE COWLEY UNITED REFORMED CHURCH HALL, OXFORD ROAD, OXFORD - 12/00281/VAR</b>  The Head of City Development has submitted a report which details a planning application for the variation of condition 4 of planning permission 05/02333/FUL to allow occupation of two warden flats by ex-homeless persons.  Officer recommendation: Approve subject to conditions.	17 - 24
6	<b>77 SANDFIELD ROAD, OXFORD - 12/00077/FUL</b>  The Head of City Development has submitted a report which details a planning application for the erection of single and two storey side, front and rear extensions and alteration to roof. Sub-division to form two bedroom dwelling provision of parking to front.	25 - 34

Officer recommendation: Approve subject to conditions.

35 - 42

## **7 PLANNING APPEALS**

To receive information on planning appeals received and determined during January and February 2011/12.

The Committee is asked to note this information.

## **8 FORTHCOMING PLANNING APPLICATIONS**

These items are for information only and are not for discussion or determination at this meeting.

- (1) Former Dominion Oils Site, Railway Lane, Oxford – 11/02189/OUT – Outline application (seeking access and layout) for residential redevelopment of site including the erection of 78 flats and houses comprising 3x5 bedroom houses, 4x4 bed houses, 32x3 bed houses, 20x2 bed houses and 13x1 bed houses and 6x2 bed houses. Access road, footpaths and car parking.
- (2) Land between 38 and 40 Cardinal Close, Oxford – 11/03011/CT3 – Outline application for the erection of 3x3 bed units with associated parking and bin storage (all matters reserved) (amended description).
- (3) Garage court adjoining 102 Leiden Road, Oxford – 11/03012/CT3 – Outline permission for demolition of garage block. Erection of 3x3 bed units with associated parking and bin store.
- (4) Temple Court Business Centre, 107 Oxford Road, Oxford – 11/02960/FUL – Conversion of offices to form 6 flats (2x3 bed, 3x2 bed and 1x1 bed) and 1x3 bed house, gardens, car parking, cycle parking, refuse storage and landscaping.
- (5) 10 Stephen Road, Oxford – 12/00036/EXT – Application to extend the time limit for implementation of planning permission 08/01961/FUL (Demolition of existing property to create 4x3 bed houses, 3x1 bed apartments and 1x2 duplex apartment. On plot car parking. Retention of existing commercial unit and parking at rear).
- (6) Part Manzil Way Gardens and 205 Cowley road, Oxford – 12/00028/VAR – Variation of condition 3 of planning permission 09/00731/FUL to allow student accommodation to be occupied by students in full time education of one academic year or more.

## **9 MINUTES**

43 - 46

Minutes of the meeting held on 7<sup>th</sup> March 2012.

## **10 DATES OF FUTURE MEETINGS**

Tuesday 29 May 2012  
Tuesday 12 June 2012 (and 14 June if necessary)  
Tuesday 3 July 2012 (and 5 July if necessary)  
Tuesday 14 August 2012 (and 16 August if necessary)  
Tuesday 4 September 2012 (and 6 September if necessary)  
Tuesday 9 October 2012 (and 11 October if necessary)  
Tuesday 6 November 2012 (and 8 November if necessary)  
Tuesday 4 December 2012 (and 6 December if necessary)  
Tuesday 8 January 2013 (and 10 January if necessary)  
Tuesday 5 February 2013 (and 12 February if necessary)  
Tuesday 5 March 2013 (and 7 March if necessary)  
Tuesday 16 April 2013 (and 23 April 2013 if necessary)  
Tuesday 7 May 2013 (and 9 May if necessary)

## **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](mailto: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.

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**East Area Planning Committee**

Tuesday 3<sup>rd</sup> April 2012

**Application Number:** 12/00259/CT3

**Decision Due by:** 3rd April 2012

**Proposal:** External alterations consisting of renewal of roof coverings, replacement windows and doors, and new entrance canopy.

**Site Address:** Risinghurst Community Centre Kiln Lane Oxford  
Oxfordshire

**Ward:** Quarry And Risinghurst Ward

**Agent:** Corporate Assets

**Applicant:** Oxford City Council

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The external alterations are considered to have an acceptable visual relationship with the dwellings and their surroundings in accordance with policies CS18 of the Oxford Core Strategy 2026 and CP1 and CP8 of the Oxford Local Plan 2001-2016 and do not impact on the immediate neighbours in a detrimental way.
- 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.

For the following reasons:

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials to match existing

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP10** - Siting Developmnt to Meet Functionl Needs

**CP8** - Design Developmt to Relate to its Context

### **Core Strategy**

**CS18** - Urb design, town character, historic env

## **Other Material Considerations:**

PPS1 Delivering Sustainable Development

## **Relevant Site History:**

56/00666/M\_H - Retention of community centre.. TEM 4th September 1956.

57/00162/M\_H - Extension to existing community centre.. PER 12th March 1957.

59/00054/M\_H - New hall in prefabricated timber construction for community centre activity. PER 4th February 1959.

59/00934/M\_H - Retention of hut and continued use as Community Centre. PER 7th October 1959.

65/00162/M\_H - Covered Way.. PER 24th March 1965.

92/00465/GF - Single storey extension. DMD 9th July 1992.

## **Representations Received:**

None received.

## **Statutory and Internal Consultees:**

Risinghurst & Sandhills Parish Council – No objections. The Parish Council is highly supportive of the proposal.

## **Issues:**

Visual impact and design

Impact on adjacent occupiers

## **Officers Assessment:**

### Site description

1. The application site is Risinghurst Community Centre situated in Kiln Lane shown as **Appendix 1**. The Community Centre is used for community support

and learning groups and comprises two single storey buildings linked via an entrance foyer and toilet facility.

#### The proposal

2. The proposal is for the renewal of roof coverings to the East cabin post war concrete building, renewal of windows, entrance doors and the installation of an entrance canopy.

#### Visual impact and design

3. Policies CP1 and CP8 of the Oxford Local Plan 2001-2011 state that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings.

#### Roof

4. Roof works are proposed to the post-war East cabin as the asbestos sheets are beyond repair. No roof works are proposed to the timber West cabin or roof of the WC/ foyer. The proposed replacement roof would relate well to the existing building and have an acceptable appearance.

#### Windows

5. Most windows have been historically replaced with double glazed UPVC casement sections, however, a few windows are still to be replaced. The replacement windows would reflect the existing UPVC windows and are considered to be acceptable.

#### Entrance

6. The community centre is currently accessed by two pairs of timber ply flush doors. The proposal includes the renewal of complete door set to provide a more durable, secure, thermal performing, accessible and aesthetically pleasing entrance to the community centre. A new door and window set will be formed of aluminium sections with fixed double glazing to the upper sections. A coated steel canopy is proposed to be located above the new entrance. The vaulted roof of the canopy will be formed of UV protected solid polycarbonate glazing with two part fixing bars. The canopy would have an acceptable relationship with the existing building.

7. The above works form part of a general refurbishment of the community centre.

8. It is considered that all of the above alterations would improve the appearance of the building and would facilitate access to it in accordance with policies CP1 and CP8 of the Oxford Local Plan 2001 – 2011 and policy CS18 of the Oxford Core Strategy 2026.

#### Impact on adjacent occupiers

9. Given the separation distance of the application property from the neighbouring residential dwellings and the small scale of the proposed works, the proposal would not be detrimental to the amenity of the nearest neighbouring properties.

**Conclusion:**

The proposal is considered to have an acceptable visual relationship with the building and its surroundings in accordance with policies CS18 of the Oxford Core Strategy 2026 and CP1 and CP8 of the Oxford Local Plan 2001 – 2016 and does not impact on the immediate neighbours in a detrimental way. The proposal is therefore recommended for approval.

**Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

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

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

**Background Papers:** 12/00259/CT3

**Contact Officer:** Marta Bou Fernandez

**Extension:** 2477

**Date:** 14<sup>th</sup> March 2012

East Area Planning Committee

3<sup>rd</sup> April 2012

**Application Number:** 11/02528/FUL

**Decision Due by:** 6th January 2012

**Proposal:** Construction of two storey entrance foyer. Single storey extension to form kitchen. First floor extension to provide store and teaching space. Two storey extension to provide cloakroom. New entrance lobby at rear with canopy over library. (Amended plans)

**Site Address:** Headington Preparatory School, 26 London Road (**site plan: appendix 1**)

**Ward:** Headington Ward

**Agent:** Solway Brown Partnership

**Applicant:** Headington School

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## Recommendation:

The East Area Planning Committee is recommended to approve planning permission for the following reasons:

- 1 The proposed development would make an efficient and appropriate use of previously developed land in order to improve the existing academic accommodation for the school. The proposed extension and alterations would be of a size and scale that would create an appropriate visual relationship with the built form of the original house, and be sited in a manner that maintains the importance of this building and its grounds as a heritage asset and its value to the character and appearance of the London Road and wider area. The extensions have been designed in a manner that would safeguard the residential amenities of the surrounding residential properties and would not create any adverse impacts upon the local highway, protected trees, or biodiversity. The proposed development would therefore accord with the relevant national planning policy and policies of the current development plan.
- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application, however officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material 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.

**Conditions:**

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Landscape plan required
- 5 Landscape carried out after completion
- 6 Tree Protection Plan & Measures
- 7 Details of construction plant storage
- 8 Construction Traffic Management Plan
- 9 SUDs drainage scheme required
- 10 Biodiversity enhancements – Bird and Bat boxes

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP19** - Nuisance
- CP21** - Noise
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE16** - Protected Trees

**Core Strategy**

- CS12\_** - Biodiversity
- CS16\_** - Access to education
- CS18\_** - Urban design, town character, historic environment

**Other Material Considerations:**

- PPS1: Delivering Sustainable Development
- PPS5: Planning for the Historic Environment

**Relevant Site History:**

The site has an extensive planning history, not all of which is directly relevant to this application. The history that is considered relevant is listed below.

01/01277/NF: Erection of single storey building for use as nursery and kindergarten:  
Approved

03/01688/FUL: Erection of single storey extension to provide a larger library: Approved

05/00705/FUL: Single storey classroom extension (24 sq m): Approved

08/01233/FUL: Erection of a temporary class room building for five years: Approved

10/01541/FUL - Demolition of existing stone wall and chainlink fence and erection of new brick piers and railings: Approved

10/03214/FUL: Extension to foundation building to provide 2 additional classrooms, work room and link to main school buildings. (Amended plans): Approved

### **Representations Received:**

#### 12 The Croft:

- Object to the proposal
- The westward extension of the buildings façade on the London Road is ugly and discordant, consisting of bluff monotonous glazing, and aluminium bonded windows which are totally out of keeping with the character of the oldest and finest building in an incoherent part of Headington.
- Much of the public amenity of the small wooded parkland provided by the childrens playground and the lovely old stone wall has been destroyed by earlier, closely related planning applications which in my view were granted in clear breach of planning policies.
- The lovely stone wall, replaced by ugly Council estate boundary treatments was an inherent part of the character of the building.
- A computer generated 3D image of the North/London Roadside is noticeable by its absence in the application this should be required before it can proceed so an accurate assessment of the proposed extension can be formed.
- The application is invalid as no Heritage report has been undertaken. The English Heritage report was based only on searched for registered (HER, Designated assets), earlier applications did not consider the loss of the heritage assets at all.
- The planning history of the site is relevant to this application as it touches on the balance between conservation of heritage assets (PPS5) and presumption of consent, and the total damage done to the heritage asset.
- The undoing or remediation of the damage done already to the front of the property, by removal of the ugly close-boarded fence, or possibly dressing all in stone (not just the caps) and replacement of the close boarded fence with visually permeable iron railings or wall plantings, would do much to redress this balance.

### **Statutory and Internal Consultees:**

English Heritage Commission: The application should be determined in accordance with national and local policy guidance and on the basis of the Councils specialist conservation advice.

Oxfordshire County Council Highways Authority

In view of the above comments, the LHA has no objections to the proposed development subject to the inclusion of the following conditions:

- School Travel Plan to be updated if proposed extension will result in an increase in pupil numbers.
- Construction Travel Plan to be submitted and approved prior to the commencement of development.
- Drainage details (surface water and foul drainage) to be submitted to LPA for approval prior to the commencement of development
- Development to be SUDS compliant.
- No surface water from the development shall be discharged onto the adjacent public highway.

Thames Water Utilities Limited: No objection

Environment Agency Thames Region: No objection

Thames Valley Police: No objection to the proposal

**Issues:**

- Principle of development
- Visual impact
- Impact upon adjoining properties
- Highway Matters
- Trees
- Biodiversity
- Other matters

**Officers Assessment:**

Site Location and Description:

1. The site is located on the southern side of London Road and is bordered by the residential properties of London Road and Latimer Road to the east, and Brookside to the west and south (**site plan: appendix 1**)
2. The site comprises the Headington Preparatory School and school grounds which have occupied the site since 1916. The main school building is a two-storey building originally built as a residential dwelling 'Brookside' in 1880 by Wilkinson and Moore. A number of other school buildings within the site have been added over the past 94 years.
3. The site is accessed from the London Road, with a parking area separating the building from the street. A small area of woodland is located to the north-west, which provides the recreation area for the school. The trees within the grounds are subject to a Tree Preservation Order.

Proposal:

4. The proposal is seeking planning permission for a number of alterations and



extensions to the school buildings in order to provide approximately 1122m<sup>2</sup> of additional teaching accommodation.

5. These works would include the construction of a two-storey entrance foyer; the extension of the current hall to accommodate the kitchen; the addition of 3 new classrooms, 2 music practice rooms, a hall, office storage and toilets on the first floor over the existing accommodation; two-storey extension to provide cloakroom; and new entrance lobby at the rear with canopy over the library.
6. The scheme has been amended since it was originally submitted with alterations made to the two-storey entrance foyer and the provision of chimneys on the roof of the first floor extension.

### Principle of Development

7. Policy CS2 of the Oxford Core Strategy requires development to be focussed upon previously developed land. While Policy CP6 of the Oxford Local Plan 2001-2016 requires development proposals to make an efficient use of land in a manner where the built form suits the sites capacity.
8. The general principle of extending and remodelling the existing school buildings in order to improve the teaching accommodation for the school, would be consistent with the aims and objectives of these policies.

### Visual Impact

9. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. Policy CP1 of the Local Plan requires new development to enhance the quality of the environment, with Policy CP8 emphasising the need to ensure that development relates to its context and the siting, massing and design to create an appropriate visual relationship with the form, grain and scale of the surrounding area.
10. PPS5: Planning for the Historic Environment expects proposals to be based upon an informed analysis of the significance of a heritage asset and expects applicants to understand the impacts of any proposal with the objective being to preserve that significance. The school and its grounds are not listed or within a conservation area, and there is no formal adopted list of Buildings of Local Interest. Therefore as defined by PPS5, they would not constitute a designated heritage asset. Notwithstanding this, the guidance does recognise that heritage assets can be identified by local authorities during the process of decision-making reflecting their value to the quality of the historic environment. Having considered the application, officers are of the view that the building and its grounds would be considered a heritage asset. The main building was designed by Wilkinson and Moore in 1880, who are architects of importance to the city. The house and its grounds are evidence of the historic development of the local area and important to the character and significance of the London Road. The long history of the site's association with Headington School has also been noted as an aspect of its

historic and architectural interest contributing to its significance. Therefore the impact of the proposal upon this asset is a material consideration in the determination of this application.

11. A 'Heritage Impact Statement' has been submitted during the application process. This concludes that the historic interest of the original building and quality of its setting have been compromised by the extensions and ancillary school buildings that have been added, and that the parking area to the front and the small woodland area restricts views into the site from the London Road. Officers would not necessarily agree with these conclusions, and consider that the original building and the landscape character of the grounds have not been compromised to the extent suggested. As a result, officers would not rely on the findings of this document in considering this or future applications.
12. The main part of the proposed alterations would consist of first floor extensions to the accommodation that lie to the west and rear of the original house, which are then linked by a two-storey glazed entrance foyer. These extensions, whilst relatively large, would maintain the diminution of scale that allows the oldest part of the building to remain prominent within the site, and the gable end of the resultant building to the west would have a scale of detailing that complements the gables within the original house. The size and scale of the two-storey glazed entrance foyer has been reduced since it was originally submitted and now sits more comfortably between the two built elements. The glazed link and the first floor extension to the west are set back from the frontage of the original building, which restricts views from the public realm and would not detract from the importance of the original house. In addition, the proposal would retain the function of the original main entrance to the house and includes the removal of a fire escape from the main frontage, which would result in a minor enhancement to the façade of the building and its visual relationship with the London Road. The rest of the alterations to the building, such as the entrance lobby with canopy to the library and the two-storey extension to provide cloakrooms, are modest in scale and would not have a significant impact upon the building.
13. Therefore officers consider that the proposed alterations would be of a size and scale that would create an appropriate visual relationship with the built form of the original house, and sited in a manner that maintains the importance of this building within the setting of the site. As a result the proposal would preserve the local significance of this heritage asset, and its value to the quality of the character and appearance of the London Road and surrounding area. This would accord with the aims and objectives of PPS5, and the above-mentioned development plan policies.

#### Impact upon Adjoining Properties

14. The Council seeks to safeguard the amenities of properties surrounding proposed development as new development can block light, have an overbearing effect and overlook adjoining properties. Policy HS19 states that development should protect the privacy or amenity of existing residential properties, specifically in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also supported

through Policy CP10

15. The school grounds are bordered by private residential properties of London Road, Latimer Road, and Brookside to the east, south and west respectively along with the amenity area of the St Lukes Nursing Home which runs along the southern boundary. The existing school buildings are already of a significant scale. However, considering the orientation of these extensions and their relationship to the adjoining properties, officers consider that the proposed extensions would not have an adverse impact upon these adjoining residential properties in terms of sense of enclosure, overbearing impact or loss of light.
16. Although there would be first floor windows serving the two music rooms to the rear of the site, officers consider that these would not give rise to any significant loss of privacy given the relationship that already exists between the school and this site. The proposal would not create any adverse overlooking issues for any other properties.

#### Highway Matters

17. The proposal will increase the amount of academic accommodation for the school, but according to the application form this will not result in an increase in staff numbers. The number of pupils at the school are capped at 280 (by legal agreement), as part of the planning permission for the foundation stage building and the applicant has confirmed that there is no intention to expand this figure as a result of the extensions. The Local Highways Authority has raised no objection to the proposal.
18. A construction travel plan has been submitted in support of the application, with a drawing that shows the likely vehicle and pedestrian routes into the site. This also includes the position of the contractor's compound within the site and the designated entrances for pedestrians into both the main and foundation stage buildings, separating them from the construction traffic. The Local Highways Authority have indicated that this Travel Plan would not meet their required standards and would recommend that a condition be attached requiring a revised Construction Traffic Management Plan to be submitted.
19. A condition should also be attached requiring further details of the drainage for the scheme to ensure that there is a sustainable urban drainage scheme in place.

#### Trees:

20. The proposed extensions will not have any implications for any of the significant trees within the school grounds which are subject to Tree Preservation Orders.
21. The existing tree protection measures that are in place in association with the other developments on site, and as shown on the submitted tree location and constraints plan are considered adequate tree protection measures. These could be secured by condition.

### Biodiversity:

22. The existing roofs of buildings within the site appear to be in a good condition, and as such would be unlikely to be used by bats. However, due to the location and scale of the proposed development there would be scope to provide biodiversity enhancements as required by Policy CS12 of the Oxford Core Strategy 2026. Therefore a condition should be attached which requires the provision of bat and bird boxes in the design of the building.

### Other Matters:

23. During the consultation process comments have been made about the impact of the recently constructed boundary wall along the London Road frontage. It is suggested that any permission should be subject to a condition that requires this wall to be removed or remodelled.

24. The wall has already been granted planning permission under reference number 10/01541/FUL, and therefore this application is not an opportunity to revisit this previous permission. The wall would not constitute a material planning consideration for the determination of this application.

### **Conclusion:**

25. The proposal is considered to be acceptable in terms of the relevant policies of the adopted Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore officer's recommendation is to approve.

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

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

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

**Contact Officer:** Andrew Murdoch

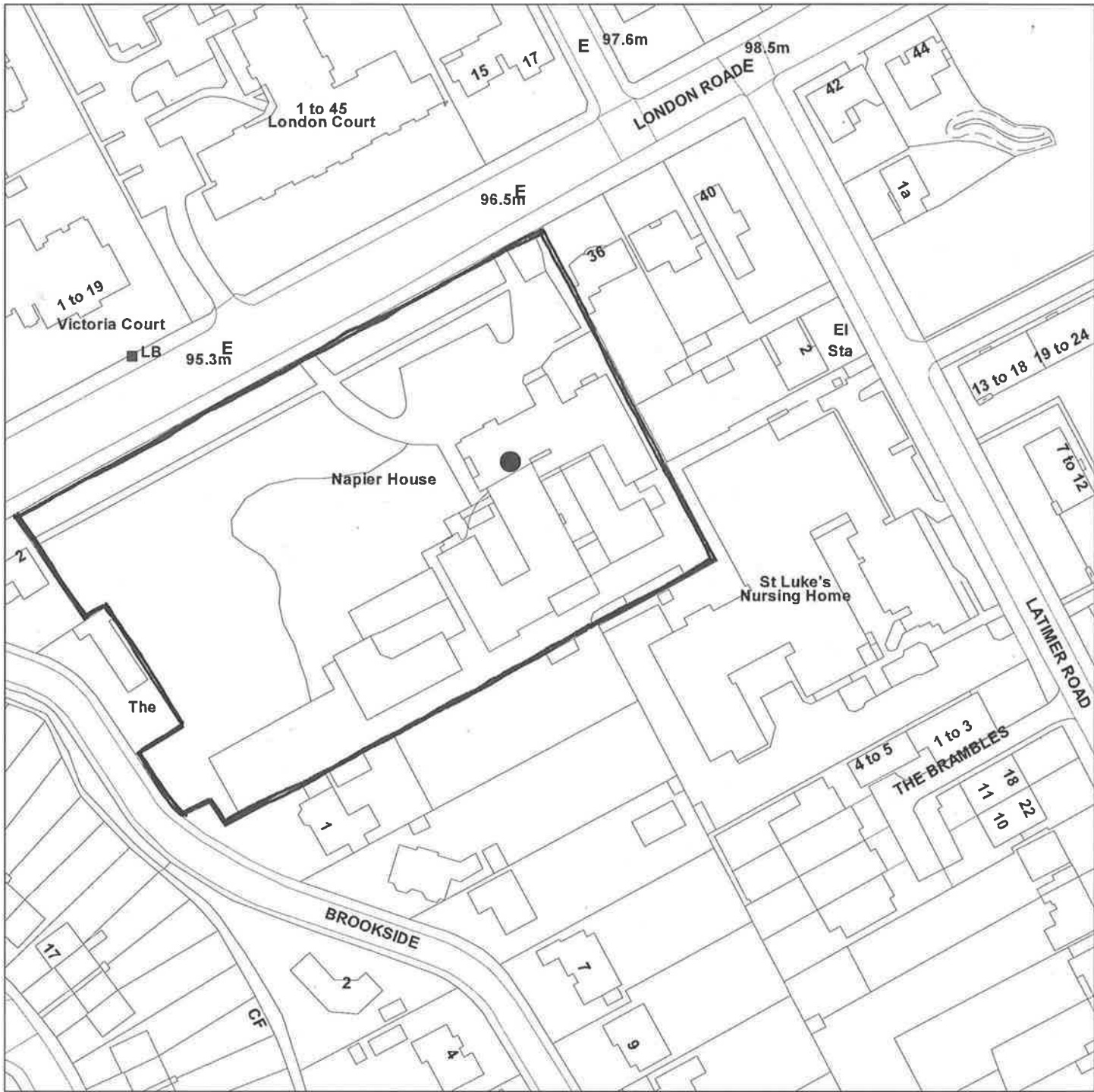
**Extension:** 2228

**Date:** 9th March 2012

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# Appendix 1

Headington Prep School (Ref: 11/02528/FUL)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	16 March 2012
SLA Number	Not Set

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**East Area Planning Committee**

3<sup>rd</sup> April 2012

**Application Number:** 12/00281/VAR

**Decision Due by:** 7th May 2012

**Proposal:** Application to vary condition 4 of planning permission 05/02333/FUL to allow occupation of two warden flats by ex-homeless persons.

**Site Address:** 169 And Temple Cowley United Reformed Church Hall  
Oxford Road, Site Plan **Appendix 1**

**Ward:** Cowley Marsh Ward

**Agent:** N/A

**Applicant:** Emmaus Oxford

---

**Recommendation:** East Area Planning Committee is recommended to agree to vary the wording of the condition to allow approval of the submitted details and implementation of the development in accordance with those details.

**Reasons:**

- 1 It is considered that the proposed variation to condition 4 would not be harmful to the development approved under 05/02333/FUL or adjacent residential amenities. No objections have been received. It is in accordance with Local Plan, Core Strategy and Housing DPD Proposed Submission policies.
- 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.

**Conditions:**

- 1 Development begun within time limit
- 2 Approved Plans
- 3 Use
- 4 Occupation of 169 and details of supervision
- 5 Samples as approved
- 6 Landscape plan as approved
- 7 Landscape commencement
- 8 Means of enclosure as approved
- 9 Parking

- 10 Cycle parking details as approved
- 11 Means of access
- 12 Access for disabled required
- 13 Archaeological evaluation as approved
- 14 Cooking fumes as approved
- 15 Music/refuse
- 16 Obscure glazing
- 17 Noise

**Main Local Plan Policies:**  
**Oxford Local Plan 2001-2016**

**CP1** - Development Proposals  
**HS19** - Privacy & Amenity  
**HS20** - Local Residential Environment  
**HS21** - Private Open Space

**Core Strategy:**  
**CS23** – Mix of housing

**Housing DPD – Proposed Submission**

**HP14\_** - Privacy and Daylight  
**HP16\_** - Residential car parking  
**TR3** - Car Parking Standards

**Other Material Considerations:** None

**Relevant Site History:**

01/02104/OUT: Demolition of church hall and outbuildings. Outline application seeking approval of means of access) to erect a building to provide accommodation for the homeless and 2 warden's flats. (Amended description). Approved 13.05.2002.

05/00723/FUL: 2/3 storey building to provide residential and community facility for homeless. Parking at rear accessed from Temple Road. (Amended Plans). Approved 10.08.2005.

05/02333/FUL: 2/3 storey building to provide residential and community facility for homeless. Parking at rear accessed from Temple Road. (Variation to permission 05/00723/FUL). Approved 16.01.2006 and constructed.

**Representations Received:** No representations have been received.

**Statutory and Internal Consultees:**

County Highways Authority: After reviewing the proposed plans at 169 and Temple Cowley United Reformed Church Hall, Oxford Road, Oxford the Highway Authority has no objection in principle to the following application.

Thames Valley Police: I have liaised with the local Neighbourhood Team and reviewed crime and disorder reported from this area. I have no comments to make in relation to this planning application.

**Officers Assessment:**

1. Full planning permission was granted for the redevelopment of the site and erection of a 2/3 storey building to provide residential and community facility for homeless accommodation and parking at rear accessed from Temple Road in 2005 (05/00723/FUL refers) and a variation to this was approved in early 2006 as it was discovered that the original site survey was inaccurate leaving the site smaller than previously stated. This permission has been fully implemented. No.169 Cowley Road formed part of this overall redevelopment, providing 2 flats for wardens to enable onsite supervision/ care , which was secured by condition.
2. The application seeks to vary the wording of condition 4 of 05/0233/FUL which restricts the occupation of No. 169 to wardens to allow occupation of the house as a shared single dwelling by 4 ex-homeless persons.

**Issues:**

3. Officers consider the main issue is the principle of the proposed variation, residential amenities and highways issues.

**Principle of Development:**

4. No.169 Cowley Road is a semi-detached house fronting Cowley Road and formed part of the redevelopment of the larger site for homeless accommodation managed by Emmaus. It is therefore considered that the use of the dwelling by ex-homeless persons would not constitute a change of use. The applicant has submitted detailed supporting information and it would appear that the need for 24hr on-site warden presence has never materialised. Only one of the flats has ever been constantly occupied and the other available if needed for over night stays, which apparently it never has. There are 4 wardens for the site operating an on-call system, 3 of whom live off-site within a 30 minute drive time. Therefore, whilst there is a warden living at No. 169, they are only on duty a small proportion of the time.
5. The current warden living at No.169 has recently left Emmaus and they feel that the house could be put to better use by providing a 'half way house' between the halls of residence adjacent and going to live independently. For them this is an important step to help acclimatise an ex-homeless person (they call a Companion) to living on their own and managing work. They would still nevertheless be able to use the facilities next door within the main building and be provided with support, food and communal facilities. It would therefore remain as part of the overall development. The on-call warden system currently operating would also remain in place, assisted by a number of Companion Assistants who have gained responsibility to manage minor incidents.
6. Officer's consider that the proposed occupation by ex-homeless persons would be a benefit to the provision of homeless accommodation in the City

and would be entirely appropriate in this location in accordance with Local Plan, Core Strategy and DPD Policies to provide a mix of housing in the city. The development is considered acceptable in principle. Appropriate rewording of the condition could secure the occupation solely by 4 homeless persons and ensure that the warden system is still kept in place. No objection is therefore raised.

**Residential Amenities:**

7. No objections have been received from adjacent residential properties. The occupation as a shared house would not involve any external or internal alterations and therefore have no adverse impact on the residential amenities of the adjoining property.

**Highways and Traffic:**

8. The County Highway Authority has raised no objections. There would be no adverse impact in terms of car parking, pedestrian safety or traffic. No objection is raised.

**Other:**

9. As the development has been constructed, there is no requirement for pre-commencement submissions as included on the original permission 05/02333/FUL. It is therefore appropriate to re-word those relevant conditions (Nos.5,6,8,10,13,14) to relate to the approved condition documents/ information submitted.

**Conclusion:** The proposal accords with Local Plan, Core Strategy and emerging DPD Housing Site Policies and as such officers recommend that planning permission be granted.

**Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

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

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998.

In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 12/00281/VAR

**Contact Officer:** Felicity Byrne

**Extension:** 2159

**Date:** 20th March 2012

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# 12/00281/VAR - APPENDIX 1

169 - 171 Oxford Road, Cowley



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Ordnance Survey 100019348.

Organisation	Oxford City Council
Department	Planning
Comments	
Date	23 March 2012
SLA Number	100019348

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**East Area Planning Committee**

**- 3<sup>rd</sup> April 2012**

**Application Number:** 12/00077/FUL

**Decision Due by:** 19th March 2012

**Proposal:** Erection of single and two storey side, front and rear extensions and alteration to roof. Sub-division to form two bedroom dwelling provision of parking to front

**Site Address:** 77 Sandfield Road (**Appendix 1**)

**Ward:** Headington Ward

**Agent:** Mr Saeed Khan

**Applicant:** Dr Z Jiang

**Call in:** The application was called in by Councillors Wilkinson, Rundle, Mills, Jones and Campbell on the grounds of concerns expressed by Highway Authority about the vicinity of the access to the bend in the road and the need for parking spaces to conform with new parking standards.

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**Recommendation:** It is recommended that planning permission be **approved** for the following reasons:

- 1 The principle of the development was established by the extant planning permissions (ref 10/02781/FUL and 11/00051/FUL). The application seeks to bring these two permissions together under one consent with some small alterations that are not considered to unacceptably impact on neighbouring properties or the character and appearance of the building or street. Adequate car parking is provided in accordance with Appendix 3 of the Local Plan. The application accords with policies CP1, CP6, CP8, CP10, TR3, TR4, HS19, HS20 and HS21 of the Oxford Local Plan 2001 - 2016 and policies CS2, CS18 and CS23 of the Oxford Core Strategy 2026.
- 2 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 and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Boundary treatment to accord with plans
- 5 Landscaping to accord with plans
- 6 Car parking to accord with plans
- 7 Vision Splays
- 8 Removal from controlled parking zone
- 9 Bin and cycle storage
- 10 Northeast bathroom window obscure glass
- 11 Design - no additions to dwelling

**Principal Planning Policies:**

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Oxford Core Strategy 2026

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

Sites and Housing DPD – Proposed Submission

- HP9\_ - Design, Character and Context
- HP11\_ - Low Carbon Homes
- HP12\_ - Indoor Space
- HP13\_ - Outdoor Space
- HP14\_ - Privacy and Daylight
- HP15\_ - Residential cycle parking
- HP16\_ - Residential car parking

**Other Material Considerations:**

- PPS 1 – Delivering Sustainable Development
- PPS 3 – Housing
- PPG 13 – Transport

**Relevant Site History:**

10/02781/FUL - Alteration to front and rear elevation to include porch and rear patio door. Conversion of existing two storey side extension to self contained one bedroom house- provision of 3 car parking spaces to frontage plus cycle and storage for bins and provision of amenity space to rear – Approved

11/00051/FUL - Erection of part single storey, part two storey, extensions to the side and rear and single storey front extension. (Amended plans) – Approved

11/02153/VAR - Variation of conditions 5 and 7 of planning permission 10/02781/FUL for extension and creation of one bedroom house, to allow details of landscaping to be submitted following commencement of development, and car parking spaces to be laid out after occupation – Withdrawn

11/02155/VAR - Variation of conditions 5 and 10 of planning permission 11/00051/FUL for extension to front – Withdrawn

11/02243/FUL - Demolition of existing rear single storey extension and front porch. Erection of single and two storey side and rear extension, front porch and alterations to roof. Subdivision to form 1 bed house. Provision of car parking – Withdrawn

11/02816/FUL - Demolition of existing rear single storey extension and front porch. Erection of single and two storey side, front and rear extension, and alterations to roof. Sub-division to form 2 bed house and provision of car parking - Withdrawn

**Third Party Representations Received:** Two letters of objection have been received. The issues raised can be summarised as follows:

- Increased width of northwest side of building results in loss of light front and rear of to No 79 Sandfield Road
- Proximity of extension to No 79 Sandfield Road prevents access for maintenance
- Front garden dividing walls above 0.6m. Neighbours not prepared to allow them to be lowered to provide vision splays
- Layout of No 77a contrived
- Concerns that both houses will be multi occupancy
- Rear extension being built larger than approved in 2011
- Unapproved retrospective development
- Location of windows provides insufficient light to rooms
- No means of escape from loft
- Roof lights out of keeping and harmful to residential amenity
- Overdevelopment

- Insufficient cycle parking
- Garden for 77a is poor standard
- Poor general workmanship

### **Statutory and Internal Consultees:**

Highways And Traffic – No objection – some initial concern raised about the proximity of new access to junction, however it has been acknowledged that part of this is existing and as such no objection to this has been formally raised. Conditions have been suggested to secure visibility splays, porous surface treatment and cycle storage.

Thames Water Utilities Limited – No objection

### **Officers Assessment:**

#### **Site Description and Proposal**

1. The application site comprises No 77 Sandfield Road, a two storey detached property within a predominately residential area. The building is presently undergoing alterations to the front, side and rear. Prior to these works the property had already been extended to the side and rear.
2. The application proposes the erection of a single and two storey side and rear extension and single storey front porch in connection with the subdivision of the property to provide two houses (1x2 bed and 1x4 bed). It is proposed to widen the existing access on the site frontage to accommodate two additional cars (3 spaces in total).
3. Officers consider the main issues of the case to be the planning history and the principles that have been established therein, the impact on neighbouring properties, the proposed residential environment, the visual impact, and car parking.

#### **Planning History**

4. At the March meeting of the East Area Planning Committee it was resolved to defer this application to allow to Members to visit the site, and to allow officers to measure the depth of the building as constructed following representations by No 75 Sandfield Road that the rear extension had been constructed larger (further rearward) than approved under application 11/00051/FUL and therefore the current plans are for a larger extension than approved.
5. Officers can confirm that the total depth of the extension (front to rear) as approved under reference 11/00051/FUL was 15.4m and the measurement taken by officers on site on the 12<sup>th</sup> March 2012 was 15.4m. The 1<sup>st</sup> floor element was measured as being 1.57m in from the rear most part of the ground floor extension. The plans approved under reference 11/00051/FUL show this measurement to be 1.57m. The proposed plans therefore accurately show the measurements taken on site and the

extension as constructed, in depth at least, complies with the plans approved under reference 11/00051/FUL.

6. The difference in depth which has been referred to in representations from No 75 Sandfield Road arises from the fact that the rear of No 75 has been shown in a different position on the approved plans to that on the proposed plans. It is the size of the actual extension shown on the approved and proposed plans that is relevant to this case and as your officers have confirmed above there is no difference in depth. Figure 1 below shows the outline of the extension approved under reference 11/00051/FUL plotted on the proposed plan. This confirms that the footprint of the proposal/building as constructed is almost identical to that approved.
7. Planning permission was granted in 2010 to convert the earlier side extension into a one bed house. As part of that proposal a separate rear garden and car parking space was proposed (this property was known as 77A Sandfield Road). In 2011 planning permission was granted to erect a single and two storey extension to the side and rear of the original house (known as 77 Sandfield Road). Work has commenced on site, however these works differed from the approved plans and included additions to 77A Sandfield Road which were not approved under the 2010 permission. As a result a fresh planning permission is required to regularise what has/is being constructed and to bring the 2010 and 2011 planning permissions together as they could not technically be implemented together under the separate permissions.
8. The following difference were identified between the approved applications and what was being constructed on site:
  - The porch is 300mm closer to the boundary with No 79 Sandfield Road;
  - The rear ground floor extension is 200mm closer to the boundary with No 79 Sandfield Road and its roof form has changed to incorporate a small area of flat roof to the rear of No 77A Sandfield Road;
  - The roof of the single storey side extension adjacent to No 75 Sandfield Road, previously fully glazed, has been replaced with tiles with two roof lights inserted;
  - The rear single storey extension now has two roof lights;
  - The rear French doors of No 77A Sandfield Road are lower than originally approved;
  - The 1<sup>st</sup> floor rear extension adjacent to No 79 Sandfield Road is 200mm closer to the boundary;
  - The internal layout of No 77A Sandfield Road has changed, with an additional room in its roof space (lit by roof lights);
  - Two roof lights have been omitted above bedroom 4 (within the roof) in No 77 Sandfield Road. As storage area has been included which is lit by two new roof lights on the southeast roof slope;
  - The roof lights on the ground floor are actually casement windows



circumstances. In this regard officers would advise that as the changes in the size of the extensions are only very minor (300mm at most) it would not be reasonable to resist the principle of the extensions, or for that matter the principle of the new house. Officers would therefore recommend that the previous permission be afforded considerable weight in assessing the current application.

### **Impact on Neighbouring Properties**

11. Local Plan policy CP10 states that development should be sited to ensure that the 'use or amenity of other properties is adequately safeguarded'. Whilst policy HS19 goes further and explains that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
12. The porch and rear single storey extension of No 77A Sandfield Road would be 300mm and 200mm closer to No 79 Sandfield Road. There are ground floor habitable room windows in both the front and rear elevation of No 79. The front window is a bay window which is of sufficient size and distance away from the porch so as to not suffer any unacceptable loss of light or outlook. Whilst the rear window is again of a sufficient distance away so as to not be unreasonably affected by the marginal encroachment of the proposal. Officers conclude that the difference in impact between the approved extensions and those proposed is very minor and would not give rise to significant additional harm.
13. The proposals would be no closer to No 75 Sandfield Road than the approved scheme and as such there would be no material change to the impact on daylight to No 75.
14. The new roof lights would not look directly into neighbouring gardens and officers would conclude that they are therefore acceptable. The omission of the glazed roof of the single storey extension adjacent to No 75 Sandfield Road and its replacement with a tile roof with roof lights would not materially affect the privacy of No 75, indeed it would improve the situation.

### **Proposed Residential Environment**

15. Local Plan policy HS21 states that residential development should have access to private amenity space. Units with 2 or more bedrooms are required to have exclusive access to an outdoor space and where the unit is a house the garden should generally be a minimum of 10m in length. The existing house would retain a substantial rear garden in excess of 10m, while the new two bed dwelling would have a rear garden approximately 10.8m in length. The proposal would therefore comply with policy HS21.
16. The Local Plan does not give standards for the layout or size of houses. They should however be well lit and provide a good environment with space enough for furnishings. The ground floor of 77A Sandfield Road

would be lit by windows to the front and rear and as such the rooms would receive an acceptable level of light and ventilation. The layout is such that it would allow sufficient space for storage and furnishings suitable for a dwelling of this size and type.

17. The proposal includes bin and cycle storage which is of adequate size and located within easy access of the street. This provision accords with Local Plan policies CP10 and HS19.

### **Visual Impact**

18. The proposed external alterations are very minor and would not significantly change the appearance or scale of the development. Officers therefore consider the visual impact on the site and character of the area to be acceptable.
19. The roof lights that were originally intended for the single storey side and rear extension have been replaced by casement windows. The windows have been set into the roof so that they do not project above the plane of the roof to any greater extent than a roof light. Because of this, and the location of the windows at the side and rear of the property, they can not be seen from the public realm and officers therefore conclude that in this particular instance they would not be unacceptable.

### **Car Parking**

20. Three off street car parking spaces are proposed, one for the new house and 2 for the existing house. This level of parking provision would not fully comply with the standards set out in the Local Plan, however they are maximum standards and the Local Plan supports reduced parking provision in a sustainable locations such as this and that there are on street parking controls to prevent any additional parking on the highway. The site is within an accessible location and a Controlled Parking Zone. In the light of this officers consider the level of parking to be acceptable. Officers would recommend a condition to remove the houses from entitlement to parking permits.
21. The Highway Authority had initially raised concerns about the proximity of the access to the bend in the road, however this has since been withdrawn on the basis that the original house had an access in the same position and that the parking and new access have been approved under the previous applications. The Highway Authority has recommended conditions relating to visibility splays and that the parking area is SUD compliant.

### **Sustainability**

22. The application site lies within a sustainable location, on the edge of the Headington District Centre. The site therefore has excellent access to shops, services and public transport nodes. The proposal will make efficient use of the site.
23. Policy CS9 states that all applications for development are expected to



minimise carbon emissions by incorporating sustainable design and construction methods into the development. The application is silent on this issue, however parts of the Building Regulations, in particular Part G (Sanitation, Hot Water Safety and Water Efficiency) and Part L (Conservation of fuel and power), aim to help reduce carbon emissions and protect the environment.

- 24.** Although ordinarily officers would suggest a condition requiring details of how sustainable design and construction methods would be incorporated into the building, this application is a minor reworking of two previous planning permissions which did not include such a condition. As the approved works are now well advanced officers would in this particular instance recommend that the condition not be imposed as any such measures could not now be reasonably accommodated.

**Conclusion:** The principle of development was established in granted planning permission under references 10/02781/FUL and 11/00051/FUL. The difference between those schemes and the one before Committee are not considered to give rise to an unacceptable adverse impact on neighbouring properties or the character and appearance of the area. Officers would therefore recommend that planning permission be granted subject to conditions.

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

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

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

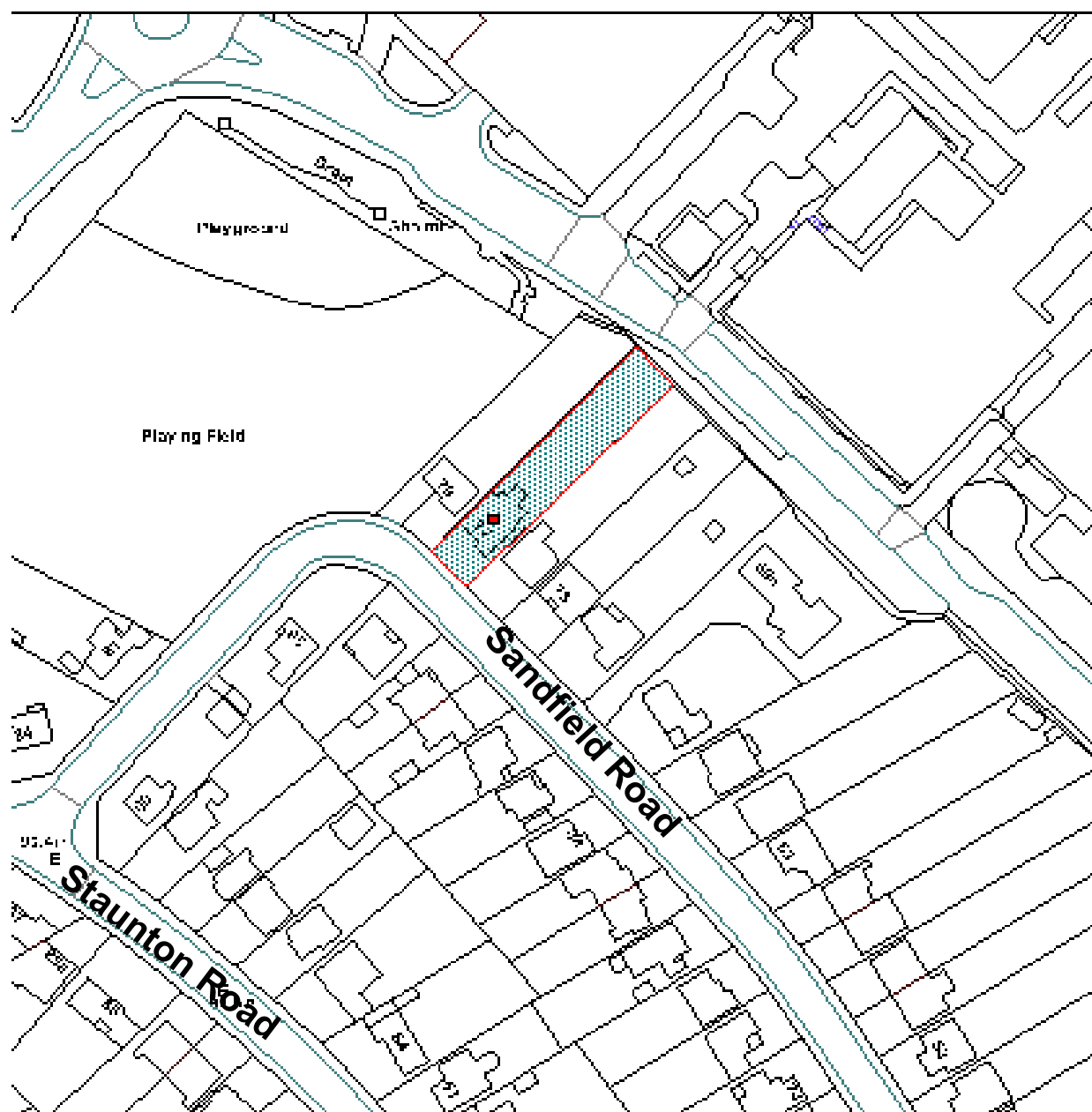
**Background Papers:** 12/00077/FUL, 10/02781/FUL, 11/00051/FUL

**Contact Officer:** Steven Roberts

**Extension:** 2221

**Date:** 23<sup>rd</sup> March 2012

## Appendix 1



# Agenda Item 7

## Monthly Planning Appeals Performance Update – January 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 31 January 2012, while Table B does the same for the current business plan year, ie. 1 April 2011 to 31 January 2012.

Table A. BV204 Rolling annual performance (to 31 January 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(35%)	5 (50%)	6 (29%)
Dismissed	20	64%	5 (50%)	15 (71%)
<i>Total BV204 appeals</i>	31		10	21

Table B. BV204: Current Business plan year performance (1 April 2011 to 31 January 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	10	(37%)	4 (50%)	6 (32%)
Dismissed	17	63%	4 (50%)	13 (68%)
<i>Total BV204 appeals</i>	27			

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 31 January 2012

	Appeals	Percentage performance
Allowed	13	(32.5%)
Dismissed	27	67.5%
All appeals decided	40	
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 January 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 January 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 1/1/12 And 31/1/12

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	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
11/01867/FUL	11/00042/REFUSE	DEL	REF	DIS	10/01/2012	COWLYM	82 Cricket Road Oxford Oxfordshire OX4 3DH	Proposed two storey side extension. Part single and part two storey rear extension.
11/01214/FUL	11/00034/REFUSE	COMM	PER	ALWCST	24/01/2012	JEROSN	Oxonian Rewley Press Ltd Lamarsh Road Oxford Oxfordshire OX2 0HY	Demolition of former Oxonian Press premises. Erection of 8 flats (2 x 1-bed, 4 x 2-bed and 2 x 3-bed) in a 3 storey block with 10 car parking spaces, cycle and bin storage. (Amended Plans)

**Total Decided: 2**

## TABLE E

### Appeals Received Between 1/1/12 And 31/1/12

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	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
10/03074/FUL	12/00003/REFUSE	COMM	PER	W	184 Woodstock Road Oxford Oxfordshire OX2 7NQ	STMARG	Demolition of existing house. Erection of 2x3 bed, 2x2 bed and 1x1 bedroom flats. Provision of 2 car parking spaces, cycle and bin store. (Amended description) (Amended plans)
11/00641/VAR	12/00001/COND	DEL	PER	W	Land To The Rear Of 19 Islip Road Oxford Oxfordshire OX2 7SN	SUMMT	Removal of condition no. 18 of planning permission 08/00885/FUL to allow clear glazing to windows at upper level.
11/02154/FUL	12/00002/REFUSE	DEL	REF	H	5 Boults Lane Oxford Oxfordshire OX3 0PW	MARST	Two storey side extension following demolition of existing side extension.

**Total Received: 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**

## EAST AREA PLANNING COMMITTEE

**Wednesday 7 March 2012**

**COUNCILLORS PRESENT:** Councillors Darke (Chair), Rundle (Vice-Chair), Brown, Clarkson, Fooks, Keen, Sanders, Wolff and Khan.

**OFFICERS PRESENT:** Mathew Metcalfe (Democratic and Electoral Services) and Martin Armstrong (City Development) and Michael Morgan (Law and Governance).

### **110. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Councillor Van Coulter (Councillor Shah Jahan Khan attended as a substitute).

### **111. DECLARATIONS OF INTEREST**

Councillor Mary Clarkson declared a personal interest in agenda item 4 (77 Sandfield Road, Oxford – 12/00077/FUL) as she knew the neighbours, but had not expressed an opinion either for or against the application. (Minute 113 refers).

### **112. 51 GREEN ROAD, OXFORD 11/02890/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the retention of outbuilding to rear, incorporating reduction to size and removal of existing garage.

In accordance with the criteria for public speaking Dee Sinclair spoke against the application, no one registered to speak in favour of the application.

The Committee considered all submissions both written and oral and agreed to grant planning permission subject to the two conditions as laid out in the Planning Officers report and subject to the following additional two conditions and an informative:

#### Additional conditions

Condition (3) – Details of surface water drainage to be submitted.

Condition (4) – Removal of Permitted Development Rights.

#### Informative

That an application be made to the Oxfordshire County Council for dropped kerbs at the front of the property.

#### **113. 77 SANDFIELD ROAD, OXFORD - 12/00077/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the erection of single and two storey, front and rear extensions and alteration to roof, sub-division to form two bedroom dwelling, provision of parking to front.

Councillor Mary Clarkson declared a personal interest as she knew the neighbours, but had not expressed an opinion either for or against the application.

In accordance with the criteria for public speaking Christopher Coniam spoke against the application, no one had registered to speak in favour of the application.

The Committee agreed to defer the determination of the application to a future meeting of the East Area Planning Committee pending a site visit and the submission of current photographs of the application site and a revised Officers report detailing third party representations received during the consultation period.

#### **114. OXFORD CITY COUNCIL - ROLFE PLACE (NO.1) TREE PRESERVATION ORDER 2011**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a proposed Tree Preservation Order for a tree in Rolfe Place.

In accordance with the criteria for public speaking Hans Andreae spoke against the Tree Preservation Order. No one had registered to speak in favour of the Tree Preservation Order.

The Committee considered all submissions both written and oral and agreed to confirm the Oxford City Council – Rolfe Place (No.1) TPO 2011 without modification.

#### **115. FORTHCOMING PLANNING APPLICATIONS**

The Committee agreed to note that the following applications may be submitted to a future meeting for consideration and determination.

- 1) Former Dominion Oils Site, Railway Lane, Oxford – 11/02189/OUT – Outline application (seeking access and layout) for residential redevelopment of site including the erection of 78 flats and houses comprising 3x5 bedroom houses, 4x4 bed houses, 32x3 bed houses, 20x2 bed houses and 13x1 bed houses and 6x2 bed houses. Access road, footpaths and car parking.
- (2) Land between 38 and 40 Cardinal Close, Oxford – 11/03011/CT3 – Outline application for the erection of 3x3 bed units with associated parking and bin storage (all matters reserved) (amended description).

- (3) Garage court adjoining 102 Leiden Road, Oxford – 11/03012/CT3 – Outline permission for demolition of garage block. Erection of 3x3 bed units with associated parking and bin store.
- (4) Temple Court Business Centre, 107 Oxford Road, Oxford – 11/02960/FUL – Conversion of offices to form 6 flats (2x3 bed, 3x2 bed and 1x1 bed) and 1x3 bed house, gardens, car parking, cycle parking, refuse storage and landscaping.
- (5) Headington Preparatory School, 26 London Road, Oxford – 11/02528/FUL – Construction of two storey entrance foyer. Single storey extension to form kitchen. First floor extension to provide store and teaching space. Two storey extension to provide cloakroom. New entrance lobby at rear with canopy over library.
- (6) 10 Stephen Road, Oxford – 12/00036/EXT – Application to extend the time limit for implementation of planning permission 08/01961/FUL (Demolition of existing property to create 4x3 bed houses, 3x1 bed apartments and 1x2 duplex apartment. On plot car parking. Retention of existing commercial unit and parking at rear).
- (7) Part Manzil Way Gardens and 205 Cowley road, Oxford – 12/00028/VAR – Variation of condition 3 of planning permission 09/00731/FUL to allow student accommodation to be occupied by students in full time education of one academic year or more.

## **116. MINUTES**

The Committee agreed to approve the minutes (previously circulated) of the meeting held on 1<sup>st</sup> February 2012.

## **117. DATES OF FUTURE MEETINGS**

The Committee agreed to note the dates and times of future meetings as detailed on the agenda and that the next meeting would be on Tuesday 3 April 2012.

**The meeting started at 6.00 pm and ended at 7.30 pm**

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