

Agenda

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East Area Planning Committee

Date: **Thursday 6 September 2012**

Time: **6.00 pm**

Place: **Oxford Town Hall**

For any further information please contact:

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East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Dee Sinclair	Quarry and Risinghurst;

HOW TO OBTAIN AGENDA

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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 prejudicial interests they may have in any of the following items.

3 1- 30 BRADLANDS, MILL LANE, OXFORD - 12/01116/CT3

1 - 12

The Head of City Development has submitted a report which details a planning application for the demolition of existing buildings. Erection of 3 storey sheltered accommodation comprising 49 flats with ancillary communal space and facilities

Officer recommendation: Support the proposal in principle but 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 (listed in the Planning Officer's report) upon its receipt.

4 TEMPLE COURT BUSINESS CENTRE, 107 OXFORD ROAD, OXFORD - 11/02960/FUL

13 - 24

The Head of City Development has submitted a report which details a planning application for a 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.

Officer recommendation: To support the development in principle but DEFER the application in order to draw up a legal agreement in the terms outlined in the report, and delegate to officers the issuing of the notice of permission, subject to the conditions set out in the Planning Officer's report upon completion of the agreement.

5 THE STABLES, NORTH PLACE -12/01606/CAC & 12/01605/CT3

25 - 38

The Head of City Development had submitted a report which details a planning application to:

- (1) Grant Conservation Area Consent to demolish an outbuilding and lean-to
- (2) Convert Bury Knowle Stables and Barn to 3 x 2-bed dwellings. Provision of car parking, bin and cycle storage demolish an outbuilding and lean-to.

Officer's recommendation: Grant Conservation Area Consent and approve the planning application subject to the conditions listed in the Planning Officer's report.

6 HEADINGTON COMMUNITY CENTRE, 39 GLADSTONE ROAD - 12/01716/CT3 39 - 44

The Head of City Development has submitted a report which details a planning application to create disabled access

Officer recommendation: Approve the application subject to the conditions listed in the Planning Officer's report

7 101 BULAN ROAD - 12/01954/FUL 45 - 52

The Head of City Development has submitted a report which details a planning application for the erection of a two storey rear extension

Officer recommendation: Approve the application subject to the conditions listed in the Planning Officer's report

8 JOHN RADCLIFFE HOSPITAL, HEADLEY WAY- 12/01779/FUL 53 - 60

The Head of City Development had submitted a report which details a planning application to erect a single storey extension to the main hospital entrance to provide a new reception area and support facilities plus 4 ancillary retail units, cafe, reconfigured vehicular and parking arrangements.

Officer's recommendation: Approve the application subject to the conditions listed in the Planning Officer's report.

9 57 WILKINS ROAD- 12/01727/FUL 61 - 66

The Head of City Development has submitted a report which details a planning application for the erection of detached single storey garden building to rear.

Officer recommendation: Approve the application subject to the conditions listed in the Planning Officer's report

10 13 FAIR VIEW- 12/01622/FUL 67 - 72

The Head of City Development has submitted a report which details a change of use of single family dwelling (use class C3) to dwelling used as House in Multiple Occupation (use class C4).

Officer's Recommendation: APPROVE the application subject to the

conditions listed in the Planning Officer's report.

11 7 MOODY ROAD - 12/01734/FUL

73 - 78

The Head of City Development has submitted a report which details a change of use of single family dwelling (use class C3) to dwelling used as House in Multiple Occupation (use class C4).

Officer's Recommendation: APPROVE the application subject to the conditions listed in the Planning Officer's report.

12 33 DENE ROAD, OXFORD - 12/00815/FUL

79 - 90

The Head of City Development has submitted a report which details a planning application for the erection of a single storey 1 bedroom dwelling and 1 x car parking space accessed from Town Furze (retrospective) (amendment to 07/02540/FUL)

Officer recommendation: Approve the application subject to the conditions listed in the Planning Officer's report.

13 23 OUTRAM ROAD 12/01135/FUL

91 - 98

The Head of City Development has submitted a report which details a planning application for the erection of two storey side and rear extension (Amended Plans)

Officer recommendation: Approve the application subject to the conditions listed in the report

14 34 RYMERS LANE- 12-01931-FUL

99 - 106

The Head of City Development has submitted a report which details a planning application for the erection of single storey rear extension

Officer recommendation: Approve the application subject to the conditions listed in the Planning Officer's report

15 RECEIPT AND EXPENDITURE OF DEVELOPER CONTRIBUTIONS

107 - 124

The Head of City Development has submitted a report that summarises the receipt and expenditure of developer contributions in the last financial year (11/12)

Officer's recommendation: That the East Area Planning Committee notes the receipt and expenditure of developer contributions in the last financial year (2011/12) and the proposed expenditure of developer contributions for 2012/13 plus future years.

16 PLANNING APPEALS JULY 2012

125 - 128

The Committee is asked to note the Planning Appeals July 2012

17 FORTHCOMING PLANNING APPLICATIONS

12/01643/FUL – 1 Elsfield Road - Proposed removal of existing porch and erection of single storey extension with a dormer window.

12/01608/VAR – 77 & 77A Sandfield Road - Application to remove conditions 7, 11, 15, 18 and 19 from planning permission 12/00077/FUL

12/01845/CT3 – Garage Block, Leiden Road - Outline planning application for demolition of garage block and erection of 3x3 bed houses with associated parking and bin stores

12/01106/FUL – Cotuit Hall, Pullens Lane - Erection of 3 new buildings on 3 floors plus basement to provide teaching, residential and ancillary accommodation, together with underground common room to frontage. Refurbishment of existing Marcus and Brewer buildings, including alteration to existing elevations. Provision of new pedestrian footpath from Pullens Lane.

12/01107/CAC – Cotuit Hall, Pullens Lane - Demolition of existing upper and middle blocks of accommodation.

11/03107/FUL – Hawkwell House Hotel, Church Way - Refurbishment of hotel by: (i) conversion of conference room to additional 11 bedrooms; (ii) extension to dining room by infilling courtyard and fitting new glazed roof; (iii) re-laying and extending service road and parking area; (iv) excavation and construction of gabion cage, retaining structure and walkways; and (v) fitting of patio doors and external screens.

12/01967/FUL – 10 A Kelbourne Road - Erection of part single storey, part two storey, rear extension to existing dwelling and two storey side extension to create two-bed dwelling (class C3) with associated parking, amenity space and bin and cycle storage.

18 MINUTES

129 - 132

Minutes of the meeting held on 14 August 2012

19 DATES OF FUTURE MEETINGS

That the committee notes the following meeting dates:

Wednesday 12 September 2012 (provisional if necessary)

Tuesday 9 October 2012 (and Thursday, 11 October 2012 if necessary)

Tuesday 6 November 2012 (and Thursday, 8 November 2012 if necessary)

Tuesday 4 December 2012 (and Thursday, 6 December 2012 if necessary)

Tuesday 8th January 2013 (and Thursday 10th January if necessary)
Tuesday 5th February 2013 (and Tuesday 12th February if necessary)
Tuesday 5th March 2013 (and Thursday 7th March if necessary)
Tuesday 16th April 2013 (and Tuesday 23rd April if necessary)
Tuesday 7th May 2013 (and Thursday 9th May if necessary)

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners..

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.

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Agenda Item 3

East Area Planning Committee

6th September 2012

Application Number: 12/01116/CT3

Decision Due by: 9th August 2012

Proposal: Demolition of existing buildings. Erection of 3 storey sheltered accommodation comprising 49 flats with ancillary communal space and facilities. (Additional information)

Site Address: Site Of 1 - 30 Bradlands Mill Lane (site plan at **Appendix 1**)

Ward:

Agent: Michael Simpson

Applicant: Oxford City Council

Recommendation: East 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 upon its receipt.

Reasons for Approval:

- 1 The proposed development would make an efficient use of previously developed land, and be designed in a manner whereby the level of development suits the sites capacity and creates an appropriate visual relationship with the surrounding area. Furthermore the proposal would be sited in a manner that would not have a detrimental impact upon the residential amenities of the surrounding properties including those adjacent to the site. The residential units would have a good standard of internal and external environment which adequately provide for the living conditions of future occupants of the units. The development would therefore accord with the relevant policies of the development plan.
- 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 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Landscape plan required
- 5 No felling lopping cutting
- 6 Landscape carry out after completion
- 7 Landscape management plan
- 8 Landscape underground services - tree roots
- 9 Tree Protection Plan
- 10 Arboricultural Method Statement
- 11 Ecological recommendations
- 12 SUDS
- 13 Cycle Parking
- 14 Sheltered/affordable accommodation only

Legal Agreement:

Unilateral Undertaking for £1,801 towards library infrastructure and book stock has been requested by the County Council. It has been agreed that the contribution is to be ring fenced to Old Marston Library.

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- 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
- CP18** - Natural Resource Impact Analysis
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HS4** - Gen Requirement - Provide Affordable Housing
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

Core Strategy 2026 (OCS)

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS18_** - Urban design, town character, historic environment

CS19_ - Community safety
CS22_ - Level of housing growth
CS24_ - Affordable housing

Sites and Housing Plan – Submission (SHP)

HP3_ - Affordable Homes from Large Housing Sites
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

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.

Other Material Considerations:

Supplementary Planning Document: Affordable Housing Nov 2006
Supplementary Planning Document: Parking Standards, Transport Assessments and Travel Plans Feb 2007
Supplementary Planning Document: natural Resources Impact Analysis Nov 2006
Supplementary Planning Document: The Balance of Dwellings Jan 2008
National Planning Policy Framework (NPPF)

NB: As of 27th March 2012 the National Planning Policy Framework replaced various Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) which are now withdrawn.

Relevant Site History:

There is a long planning history for the site however as the site is going to be redeveloped it is of little relevance.

Representations Received:

1 Cumberlege Close: close to adjoining properties, development too high, general dislike of proposal, increase in traffic, loss of privacy, out of keeping with character of area, overdevelopment.

54 Mill Lane: the west elevation shows the 3 blocks to the right are two storey only whilst the 3D model shows these as three stories, close to adjoining properties, development too high, inadequate parking, more open space needed, tree screening minimal in winter,

Cross Farm, 2 Oxford Road: bulk and height out of keeping with neighbouring properties, isolated from shops, public transport,

33 Oxford Road: access, amount of development on site, effect on adjoining properties, effect on character of area, effect on existing community facilities, effect on traffic, general dislike of proposal, height, not enough info given, info missing off plans, on street parking, public transport provision/accessibility

Statutory and Internal Consultees:

Highway Authority: Raise objection due to lack of parking

Old Marston Parish Council: Out of keeping due to bulk, will affect Elsfield view cone, urban design not suitable for a rural village area, uniform design detracts from the green and rural character of the village, too large so near the conservation area and green belt, infrastructure such as shops and public transport not adequate enough.

Thames Water Utilities Limited: No objections subject to informatives.

Oxford Preservation Trust: Existing buildings are of little architectural merit, support the redevelopment of the site, scale and layout not appropriate, greater consideration needs to be given to character of surrounding area in terms of design, use of materials and appearance, too urban and geometric in design, not appropriate in a semi rural setting, intensification of the site, building heights inappropriate, overbearing on neighbours.

Issues:

- Principle of Development
- Affordable Housing
- Use
- Balance of Dwellings
- Design
- Residential Amenity
- Trees and Biodiversity
- Car Parking
- Cycle Parking
- Sustainability:

Officers Assessment:

Site Description

1. The application site is located at end of Mill Lane within Marston village. The site is at the urban edge of the city where it gives way to open fields and countryside. Immediately to the north of the site are allotments and to the east a mobile home park with the northern by pass bordering both.

Proposal

2. The application involves the demolition of the existing sheltered accommodation which comprises 25 x 1 bed units and 5 x 2 bed units (total 30 units to be demolished) and the erection of 45 x 1 bed units and 4 x 2 bed units (total 49 units to be erected).

3. All the flats will be accessed from communal circulation areas and communal facilities are to be provided including lounge with kitchen facilities, assisted bathroom, and treatment room, guest bedroom with en-suite along with storage space for buggies, waste and recycling.
4. The current sheltered accommodation is now below current access standards and lack communal facilities and would be difficult to upgrade within the current fragmented layout of the site. The redevelopment of the site will fulfil part of an ongoing programme to replace sub-standard sheltered accommodation across the city as a whole.
5. The existing residents will be given alternative accommodation for the duration of the construction work and in particular there will be the opportunity for residents to decant into the nearby sheltered accommodation in Cumberlege Close.

Assessment

Principle of Development

6. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. This is supported by policy CS2 of the OCS. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.
7. The site is considered to be previously developed land therefore the principle of redeveloping the site would accord with the NPPF and policy CS2 of the OCS

Affordable Housing

8. The proposal is to be 100% affordable housing in the form of sheltered accommodation for the elderly. The proposal is therefore in accordance with policy CS24 of the OCS which seeks a minimum of 50% affordable housing on qualifying sites. A condition will be added to ensure the units remain as sheltered accommodation for the intended occupiers.

Use

9. Bradlands is designated as sheltered housing and the flats are designed to meet the housing needs of older people in terms of adaptability and accessibility. The Councils' Allocations Policy identifies sheltered housing as suitable for people, single and couples of age 60 years and above with an identified support need.
10. Generally tenants of sheltered housing meet one or more of the following criteria
 - a support need related to a health condition

- vulnerability due to age
 - benefit from communal facilities and activities
 - benefit from added security of controlled entry
11. Many tenants receive support in the form of a daily visit from the Community Support Team and are connected to the telecare community alarm system. Others require more intensive support and receive personal care visits through the Adult Social Care Team. This allows the tenants to retain their independence while living in a secure environment.
 12. Applicants for sheltered housing must also have a housing need. Generally these are
 - living with relatives where the relationship is breaking down
 - living in overcrowded conditions
 - living in accommodation that is unsuitable
 - living in accommodation that is difficult to get into or get around in
 - homeless
 - under occupying a Council property
 13. Current tenants have the choice to return to the new Bradlands development. Five of the fifteen households have expressed their preference to return, while the others have taken the opportunity to move to more independent accommodation, or closer to friends and family. Tenants at a nearby scheme that does not meet current design standards for sheltered housing also have the choice to move to the new development

Balance of Dwellings

14. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City.
15. In this case given the specialist housing need being supplied i.e. sheltered accommodation for the elderly a mix of units is not going to be sought as generally accommodation for the elderly is usually one and two bedroom accommodation with one beds being more sought after than two beds.

Design

16. The National Planning Policy Framework recognises that good design is a key aspect of sustainable development, contributing to making places better for people. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should

create an appropriate visual relationship with the form, grain, scale, materials, and details of the surrounding area. This is supported in Policy HP9 of the emerging Sites and Housing Plan.

17. Mill Lane varies considerably along its length in terms of character; with the development to the west side at this point consisting mainly of semi detached housing at low density set well back from the carriageway. The trees are a significant element of this part of Marston village though the buildings in the immediate vicinity of the application site are uncharacteristic of the nearby Old Marston Conservation Area. For this reason the application site and surroundings fall outside the conservation area.
18. The design of the proposal is contemporary with a series of single pitched roofs based around a courtyard with three storey buildings to the north and west sides and two storeys along the east side. The south side is left open where it faces a detached bungalow at 47 Mill Lane. The facing materials are rendering with timber cladding to the bays. Much of the roof is to be single ply roofing. The actual choice of roofing has not been specified as it is subject to further development of construction details. A condition has been added to request samples of the materials.
19. The proposal provides a clear building frontage and building line to Mill Lane with an active frontage at ground floor level in the form of individual front spaces with doors opening out on to front gardens for each ground floor unit. This creates a positive active frontage which the current development lacks and responds positively to the general form of Mill Lane at this point.
20. Officers consider 2, 2.5 and 3 storeys on this site to be acceptable providing the building does not break the height of the existing tree canopy in order to maintain the green edge to the street. This has been achieved. This section of Mill Street is relatively open due to the layout of the properties opposite. Whilst the proposal will be relatively prominent in the street scene therefore (albeit set back and behind mature trees) three storeys is considered to be achievable and appropriate and would not appear overbearing in this context.

Residential Amenity

21. Immediately to the east of the site is a mobile home park with a permanent dwelling, Parkway House, abutting the application site. For this reason the east wing has been kept at two storey so as to minimise any impact on this property. The current site has one and two storey units along the eastern boundary and the proposal is therefore considered to be acceptable given the existing relationship and the fact the development is set further away from the boundary than currently. There are minimal windows along the rear of the east wing. There will be no issues of overlooking or loss of privacy to Parkway House as these serve an internal corridor only. In summary officers have concluded that the proposed development would not appear overbearing when viewed from Parkway House, nor would there be any significant loss of light as the 45/25 degree code of practice is not breached in relation to the rear windows of that property.

22. To the south of the site is 47 Mill Lane which is a single storey dwelling. Given the presence of this property the existing access is to be relocated to the southern end of the site along with a small car parking area in order to set the development away from that property. The end elevation of the west wing is some 20m from the side of 47 Mill Lane. Officers are of the opinion that this distance is adequate enough so as not to cause the proposal to be overbearing or create a sense of enclosure. The windows within the development have been angled away from 47 Mill Lane to avoid there being any issues of overlooking or loss of privacy.
23. Therefore the proposal is considered acceptable in terms of policies HS19 and CP10 of the OLP and HP14 of the SHP in relation to overbearing, creating a sense of enclosure, overlooking, loss of privacy and sunlight/daylight in relation to Parkway House and 47 Mill Lane.
24. The Oxford Local Plan also states at policy HS21 that planning permission will not be granted for proposals involving residential uses where insufficient or poor quality private open space is proposed. In these proposals all ground floor units have access to an area of space dedicated to it to allow the occupiers to grow plants and sit out. Within the courtyard is a communal garden with a communal patio facing out onto the courtyard and landscaped grounds around the main entrance area. This level of amenity space is considered acceptable.

Trees and Biodiversity

25. The proposal involves the loss of approximately 14 of the 25 trees on the site. Most of these are semi-mature trees including fruit trees in the interior of the existing site, and which have little wider landscape relevance. The trees to be lost were planted contemporaneous with the existing development. The loss of these trees is considered to be an acceptable and can be replaced by tree planting.
26. The proposal recognises the importance of trees along the western boundary of the site along the Mill Lane frontage however, which include the most significant mature specimens of birch and lime. These trees are retained and the proposed design affords them sufficient space for successful retention. A secondary line of two hollies and one birch tree, set back from the Mill Lane boundary would be lost to the development but this is considered acceptable as the frontage trees provide sufficient cover. Overall Officers advise that in principle the development is acceptable in arboricultural terms subject to conditions.
27. The application site does not fall within any designated area in terms of protected species etc. However an ecological appraisal was carried out and the ecological value of the site was concluded to be low in accordance with policy CS12 of the OCS a condition can be added to ensure the implementation of its findings i.e. any works affecting trees and scrub be undertaken outside of the bird nesting season. Enhancement of the site is

also recommended including at the northern part of the site through the planting of native trees and scrub and the erection of log piles and compost piles within the landscaping proposals. Nesting boxes for birds can also be required by condition.

Car Parking

28. The maximum car parking standard, as defined within the OLP, for retirement homes/sheltered housing is 1 space per 2 units plus 1 space per 2 staff, or a maximum of 24 car parking spaces in this case. 14 spaces are in fact provided which includes 2 disabled spaces. Despite its edge of village location Officers are not seeking the maximum car parking standards which are not felt to be required due to the nature of the use where it is unlikely that other than a very few residents would be car owners. The development does not lie within an area of particular parking pressure.

Cycle Parking

29. The minimum cycle parking standard for residential use, as defined within the OLP, is 2 spaces per residential unit. However this requirement is applied flexibly dependant on the type of accommodation proposed. No cycle parking provision has been shown in view of the specialist nature of the accommodation. Instead a dedicated buggy store has been provided near the entrance and there is space to park and re-charge a motorized wheelchair in the entrance hall to each flat. It is suggested however that a small number of visitor cycle stands be provided. This can be secured by condition tom the permission.

Sustainability

30. In accordance with policy CP18 of the OLP a Natural Resource Impact Analysis (NRIA) has been submitted with the application. The NRIA should evaluate the use of natural resources and the environmental impacts and benefits arising from a proposed development, both at the construction phase and through the subsequent day-to-day running of the buildings. It must demonstrate how the building is designed to minimise the use of natural resources over its lifetime.
31. The development is above the minimum standard required scoring above six overall. In addition the Council has stipulated that the minimum standard of Code for Sustainable Homes Level 5 is to be achieved along with sustainable construction technologies. There is the potential for the use of solar panels and PV given the south facing roof design which is supported. The development would also meet all the current standards in terms of access and sustainability and the Council's Design Guide for New Build Homes, including 'Building for Life', 'Secure by Design', 'Lifetime Homes' and the 'Code for Sustainable Homes'.

Conclusion:

32. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. 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 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, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 12/01116/CT3

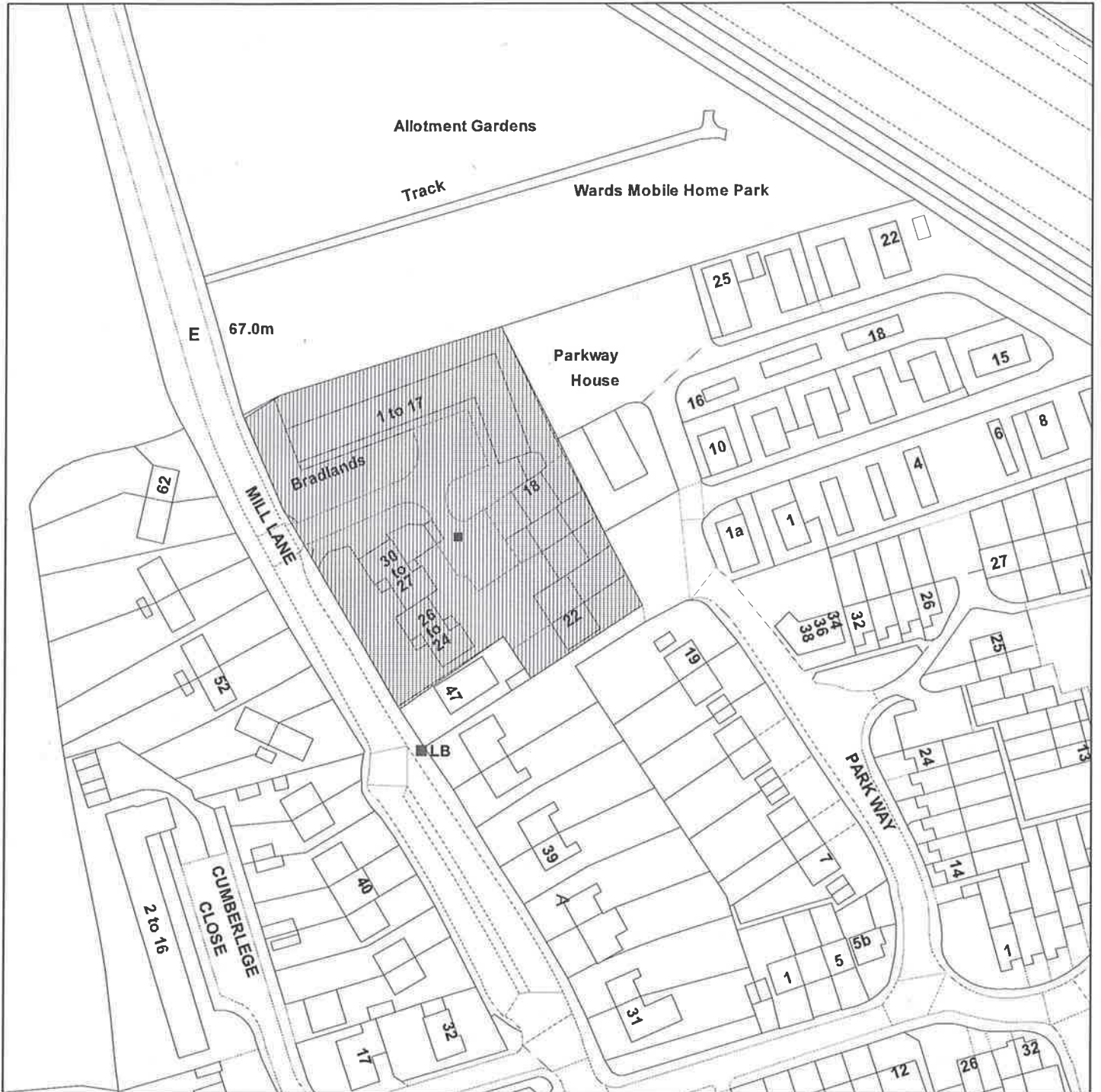
Contact Officer: Lisa Green

Extension: 2614

Date: 22nd August 2012

Appendix 1

12/01116/CT3 1-30 Bradlands, Mill Street



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	31 July 2012
SLA Number	LA100019348

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Ordnance Survey 100019348.

East Area Planning Committee

6th September 2012

Application Number: 11/02960/FUL

Decision Due by: 11th January 2012

Proposal: 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.

Site Address: Temple Court Business Centre, 107 Oxford Road (**Site Plan: Appendix 1**)

Ward: Cowley Marsh Ward

Agent: John Philips Planning Consultancy

Applicant: Manlet Group Holdings Ltd

Recommendation:

To support the development in principle but defer the application in order to draw up a legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to the conditions set out below upon completion of the agreement.

- 1 The proposed conversion and change of use would make an efficient use of previously developed land in a manner that would deliver a balanced and sustainable mix of accommodation for the East Oxford Neighbourhood Area. The proposed physical alterations would improve the visual appearance of the building, to the benefit of the surrounding area. The proposal would safeguard the residential amenities of the adjoining properties and provide a good standard of internal and external living environment for the future occupants of the proposed housing. The dwellings would provide a level of off-street parking which would be considered suitable for a sustainable area such as this, and would be acceptable in highway terms. The proposed development would accord with the overall aims of the National Planning Policy Framework and the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the emerging Sites and Housing Plan.
- 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 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of refuse and cycle storage
- 5 Landscape plan required
- 6 Landscape carried out by completion
- 7 Details of car parking management
- 8 Pedestrian walkway to be provided on site
- 9 Design - no additions to dwelling
- 10 Details of privacy screen for office stairway

Legal Agreement:

Affordable Housing Contribution

- Fixed sum of £25,779 prior to first occupation
- A further payment if the actual GDV from 6 flats exceeds £1,260,000 (precise details set out in this report)

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP11 - Landscape Design
- CP13 - Accessibility
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- HS11 - Sub-Division of Dwellings
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities

Core Strategy

- CS2_ - Previously developed and greenfield land
- CS13_ - Supporting access to new development
- CS17_ - Infrastructure and developer contributions
- CS18_ - Urban design, town character, historic environment
- CS23_ - Mix of housing
- CS24_ - Affordable housing
- CS28_ - Employment sites

Sites and Housing Plan

- HP4_ - Affordable Homes from Small Housing Sites
- HP9_ - Design, Character and Context
- HP12_ - Indoor Space

HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document (Jan 2008)

Relevant Site History:

84/00039/NF - Land between 101 and 111 Oxford Road Cowley - (1) 3 storey block of 12 one bedroom flats. (2) 2 storey block of 5 flats (3) Change of use of part garden of 111 Oxford Road (4) Retention of 101 Oxford Road as dwelling house (5) Formation of new accesses: Approved

84/00041/NF - Land between 101 and 111 Oxford Road Cowley - (1) 3 storey block of 12 one bedroom flats. (2) 3 three bedroomed houses.(3) 3 storey office block. (4) Retention of 101 Oxford Road as dwelling house. (5) Formation of new accesses: Refused

84/00042/NF - Land between 101 and 111 Oxford Road Cowley - (1) 6 two storey one bedroom flats. (2) 3 storey detached office block. (3) 3 storey attached office block. (4) Change of use of part of garden of 111 Oxford Road. (5) Retention of 101 Oxford Road as dwelling house. (6)Formation of new accesses: Refused

04/00344/FUL - Change of use from office (Class B1) to use for education (Class D1): Approved

08/00851/FUL - Change of use of former fitness centre and night club and conversion to form 8 flats (3x1 bed, 3x2 bed and 2x3 bed) plus 8 car parking spaces, bin and cycle stores: Approved

08/01128/FUL - Alterations and conversion of part existing leisure building to offices. Reorganisation of car park (Temple Court, 107 Oxford Road): Approved

11/02152/FUL - Proposed conversion of offices to form 8 flats (3 x 1-bed, 3 x 2-bed and 2 x 3-bed), car parking cycle parking and bin storage: Withdrawn

Representations Received:

None

Statutory and Internal Consultees:

Thames Water Utilities Limited: No objections

Oxfordshire County Council Highways Authority:

The Highway Authority has no objection in principle to the following application. The Highway Authority does raise concern with the amount of parking provided for the proposed dwellings 9 car parking spaces have been allocated for 2x3 bed dwellings,

3x2 bed dwellings and 1x1 bed dwelling and 1x3 bed house. On-plot parking standards states the maximum number of bedrooms within a dwelling to parking spaces provided: 1 bedroom dwellings – 1 space, 2/3 bedroom dwellings – 2 spaces, 4+ bedroom dwelling – 3 spaces.

Officers Assessment:

Site Location and Description:

1. The application site is situated on the northern side of Oxford Road. It is bordered to the south by residential properties that front onto Oxford Road, the Temple Cowley School playing fields to the north, and the flatted development and offices of Temple Court to the east and west (**site plan: appendix 1**)
2. The site comprises a three-storey office building [109 Temple Court] which forms part of the Temple Court Business Centre and the office space of Temple Court Mews. The adjoining office building of 107 Oxford Road is not included within the development.
3. The site is accessed from Oxford Road and includes a large parking area to the frontage which is also shared by the other flatted developments and offices in this collection of buildings.

Proposal

4. Planning permission is sought for the conversion of the offices to form 6 flats (2x3 beds, 3x2 beds, and 1x1 bed) and 1x3 bed dwellinghouse with associated amenity space, car parking, cycle and refuse storage, and landscaping.
5. The proposal would also include a number of alterations to the façade of the building to facilitate the change of use from office to residential accommodation.
6. Officers consider the principle determining issues in this case to be;
 - principle of residential development
 - loss of employment use
 - balance of dwellings
 - residential amenities
 - design
 - impact upon adjoining properties
 - sustainability
 - highway matters

Principle of Residential Development

7. The National Planning Policy Framework [NPPF] encourages the effective use of previously developed land, provided it is not of high environmental value. These aims are embodied within Policy CS2 of the Oxford Core Strategy.

8. The NPPF also states that Local Planning Authorities should identify and bring back into residential use empty buildings in line with local housing and empty homes strategies. Proposals involving the change of use of commercial buildings (currently in class B use) to residential should normally be approved where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
9. There would be no objection to the principle of converting the building to residential use in accordance with the aims of the NPPF and Policy CS2 of the Oxford Core Strategy, provided there would be no objection to the loss of the employment-generating uses from the site.

Loss of Employment Site

10. The proposal would result in the loss of approximately 750m² of office (Class B1) space from the site [109 Temple Court & Temple Court Mews]. The office building [107 Oxford Road] to the west of the application site will be retained.
11. The site is not designated as a key protected employment site. Policy CS28 states that in considering proposals for the change of use of employment sites that are not protected, it would be necessary to demonstrate that the site has caused or is causing nuisance or environmental problems, or that no other future occupiers could be found despite substantial evidence of marketing and the loss of jobs would not reduce the diversity and availability of job opportunities or available start up business premises.
12. A marketing statement has been submitted by Kemp & Kemp Property Consultants in support of the application. A full marketing campaign for the vacant suites within Temple Court Mews (approved under 08/01128/FUL) and the older existing building at 109 Temple Court has been undertaken for a considerable period time (beginning in January 2008), and by two further agents for over 9 months. The report states that whilst there were some expressions of interest, it has been difficult to secure new tenants despite competitive terms being offered. In the meantime the existing tenants within 109 Temple Court have vacated the premises with the final remaining tenants serving notice. The reasons behind the lack of interest and retention of existing tenants are reported as having ranged from the current economic climate, the difficulty with modernising 109 Temple Court to comply with disability and access regulations, and the surplus of better located office accommodation within Oxford. It is clear that Kemp and Kemp conclude that there is no interest and therefore no value in the site's existing use as an office development. This is important in relation to the viability assessment considered later in this report.
13. Having regards to this evidence, officers consider that a reasonable case has been made to justify the loss of the employment use in accordance with Policy CS28 of the Oxford Core Strategy 2026.

Balance of Dwellings

14. Policy CS23 of the Oxford Core Strategy 2026 seeks to ensure that residential development delivers a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
15. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The application site is located within the East Oxford Neighbourhood Area where there is need to secure a higher proportion of family dwellings as part of the mix for new residential schemes.
16. The proposed development would provide 6 flats (2x3 beds, 3x2 bed, and 1x1 bed) and 1x3 bed dwellinghouse, which would deliver an appropriate balanced mix of housing for the neighbourhood area in accordance with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Affordable Housing

17. Policy HP4 of the emerging Sites and Housing Plan requires residential developments of 4-9 units to provide a financial contribution towards affordable housing. This is calculated as 15% of the combined sale value of all homes on site plus a 5% admin fee. The proposed development would provide 7 units of accommodation which would clearly trigger this policy, and based on the applicants own sales figures would equate to approximately £246,000.
18. The justification text to Policy HP4 makes clear that if the applicant can robustly demonstrate that providing the full contribution would make the development unviable, then the Council will expect an alternative sum to be negotiated on an 'open book' basis. This reflects the normal approach of considering whether there are any material considerations which would justify a departure from the development plan policy.
19. The applicant provided a viability appraisal by VSL and Partners which indicated that the scheme would not be viable if the 15% of the gross development value was sought. Following a review of the appraisal, officers do not consider that the contents provided a robust justification to waive the requirement for a financial contribution. The applicant provided further evidence in support of its case, which also is not considered to be a robust demonstration of the lack of viability. It should be noted that the conclusions of the appraisals undertaken by VSL were based upon the 3 bedroom dwellinghouse being undertaken by the applicant, and not sold separately with a planning permission as is now the case. This on its own renders the viability work undertaken to date irrelevant.
20. Notwithstanding this view the applicant has sought to negotiate a suitable contribution which would meet the aims of Policy HP4, and officers have taken a pragmatic approach with regards to these negotiations with the applicant.

21. The applicant has offered to pay a fixed sum of £25,779 prior to the first occupation of the development. In addition future payments will then be made if the actual gross development value achieves a level higher than a pre-agreed threshold. The agreed threshold would be limited to the 6 flats and would be £1,260,000 which is a discounted figure based on the sales figures within the submitted viability appraisal. For every pound over and above this value, 100% would be required as part of the affordable housing contribution. The applicant actually expects the 6 flats to sell for £1,295,000, which if this is achieved means the overall contribution would be £60,779.
22. The 3 bedroom dwelling (which is valued at £300,000) is excluded from the agreed threshold on the basis that applicant intends to sell the part of the site where the 3 bedroom dwelling is proposed as an individual unit with permission for a dwellinghouse for someone else to carry out the conversion. Including this dwellinghouse within the legal agreement would add a level of complication to any agreement and could impact upon any future sale. The legal agreement would also need to include a trigger mechanism so that a contribution can be made after the 3rd unit has been sold or occupied, and prior to the sale or occupation of the last unit. If the applicant chose to rent the units and not to sell them, a valuation would be calculated based upon an RICS valuation of the units, taking account of their rental yields.
23. While officers did not agree with the contents of the viability appraisal, the proposed heads of terms would provide an initial fixed sum towards affordable housing and enable the Council to catch any uplift in value over the applicant's predicted sales figures set out within the viability appraisal. Therefore the offer is considered appropriate in this instance without undermining the aims of Policy HP4. In this case, the affordable housing contribution would make a limited contribution towards the provision of mixed and balanced communities across Oxford as required by policy HP4, albeit only approximately 10% of what the full requirement would be.

Design

24. Policy CS18 of the Oxford Core Strategy 2026 requires proposals to demonstrate high-quality urban design that responds to the site and its surroundings; create a strong sense of place and attractive public realm; and provide high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should create an appropriate visual relationship with the form, grain, scale, materials, and details of the surrounding area. This is supported in Policy HP9 of the emerging Sites and Housing Plan.
25. The design and access statement submitted with the application indicates that the conversion intends to make use of the existing framework of the building and provide some alterations to the façade in order to update a building that has a relatively tired appearance.
26. Officers raise no objection to the general alterations to the buildings façade which would certainly improve its appearance and, when viewed against the collection of buildings within the general surrounds, would have a positive impact upon the

general character and appearance of this area.

Impact upon adjoining properties

27. Policy HS19 states that permission will only be granted for development that protects the privacy or amenity of proposed and 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.
28. The proposed alterations would include the provision of balconies on the frontage of the building. These would not have a detrimental impact upon the residential amenities of the adjacent properties in the flatted development and dwellinghouses that front onto Oxford Road in terms of loss of light or privacy. There is already a high level of mutual overlooking between all of these properties as a result of the relationships between buildings which would certainly be no worse, even with the creation of balconies on the frontage of the building. The amenities of the properties to the east of the site approved under 08/00851/FUL will also be unaffected by the proposal. A screen to the stairway serving the existing first floor offices are proposed to have screens fitted to prevent overlooking into habitable room windows and details of this are secured by condition.

Residential Uses

29. The residential accommodation would all be provided with a good standard of internal environment appropriate to the size and type of unit, in accordance with Policy HS20 of the Oxford Local Plan 2001-2016, and Policy HP12 of the emerging Sites and Housing Plan.
30. The units would all be provided with individual amenity areas in the form of balconies or private gardens which would be of an appropriate size for the type of accommodation they serve. They would all be south-west facing and would therefore receive sufficient levels of natural light, which would improve the quality of the spaces. As such officers consider that the proposal would satisfy Saved Policies CP10, HS20, and HS21 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan.
31. There would be sufficient space within the site for suitable refuse and cycle storage to be provided which is in an accessible and practical location in accordance with Policies CP10, HS19, and HS20 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan.

Sustainability

32. In terms of sustainability, the proposal would seek to make an efficient use of land by converting an existing building into a viable use. The conversion would seek to reduce overall energy consumption by minimising the internal and external alterations to provide the residential accommodation. The units will comply to current building regulations, and makes best use of natural light and ventilation in their design.

Highways

33. The submitted site plans show a total of 9 off-street parking spaces within the frontage, which would be utilised by the development. The Local Highways Authority have indicated this would be below the maximum standards in the Local Plan which requires 1 space for the 1 and 2 bed units and 2 spaces for the 3 bedroom units. These standards are maximum parking standards and it is recognised that the site is in a sustainable location which is well served by public transport and has a range of facilities within a reasonable distance. Therefore officers consider that the location would support a reduction in parking provision.
34. The application has not stated whether or not these spaces would be allocated to each flat and which would provide visitors parking. A condition should be attached to any grant of permission which requires details of the car parking management for the flats.
35. The Local Highways Authority has stated that the nature of the development will alter the amount of pedestrian movements through the current parking area and along the access road. The residential use will result in more pedestrian movements including mother and toddlers etc, and as such it is necessary to ensure that the parking area can enable safe pedestrian movement. The site plan has shown the route of a designated pedestrian walkway through the site, and has satisfied the Local Highways Authority. This could be achieved through condition.

Conclusion:

36. The proposal would accord with the relevant national and local plan policies and officer's recommendation to the Members of the East Area Planning Committee is that planning permission should be granted subject to the completion of a legal agreement, and the conditions for the reasons listed above.

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: 22nd August 2012

Appendix 1

Temple Court, 107 Oxford Road



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	28 August 2012
SLA Number	Not Set

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East Area Planning Committee

6th September 2012

Application Number: (1) 12/01606/CAC
(2) 12/01605/CT3

Decision Due by: 29th August 2012

Proposal: (1) Conservation Area Consent for demolition of outbuilding and lean-to

(2) Conversion of Bury Knowle Stables and Barn to 3 x 2-bed dwellings. Provision of car parking, bin and cycle storage

Site Address: The Stables, North Place, Oxford (**Site Plan: Appendix 1**)

Ward: Headington Ward

Agent: Kemp And Kemp Property Consultants

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to grant conservation area consent and planning permission for the following reasons:

- 1 The proposed conversion of the Stable Block and Barn would make an efficient use of previously developed land and make use of a redundant building for residential purposes in a manner that would deliver a balanced mix of accommodation for the Headington Neighbourhood Area. The demolition of the outbuilding and lean-to extension would not have a detrimental impact upon the character and appearance of the buildings or the conservation area. The proposed conversion would result in a viable conservation of this under-used building within the Old Headington Conservation Area in a manner that would conserve the significance of the heritage asset and make best use of the opportunities to integrate the Stable Block and Barn with the Bury Knowle Estate to the benefit of the heritage asset. The proposal would safeguard the residential amenities of the adjoining properties and provide a good standard of internal and external living environment for the future occupants of the proposed housing. The dwellings would provide a level of off-street parking which would be considered suitable for a sustainable area such as this, and would be acceptable in highway terms. The proposed development would accord with the overall aims of the National Planning Policy Framework and the relevant

policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the emerging Sites and Housing 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 (12/01606/CAC):

- 1 Commencement of works LB/CAC consent
- 2 No demolition before rebuilding contract
- 3 Architectural Recording

Conditions (12/01605/CT3):

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Further details of all doors, windows, and rooflights
- 5 Further details of roof construction
- 6 Retention of Stable Door Screens
- 7 Details of means of enclosure
- 8 Details of Bin and Cycle Stores
- 9 Archaeological Recording and Watching Brief
- 10 Biodiversity Mitigation Measures
- 11 Details of hard surfacing of forecourt
- 12 Details of Parking Areas
- 13 Vision Splays
- 14 Contaminated Land Assessment

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
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HE7** - Conservation Areas
- HE2** - Archaeology
- NE16** - Protected Trees

HS11 - Sub-Division of Dwellings
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space

Core Strategy

CS2_ - Previously developed and greenfield land
CS18_ - Urban design, town character, historic environment
CS23_ - Mix of housing

Sites and Housing Plan - Submission

HP9_ - Design, Character and Context
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
This application is within the Old Headington Conservation Area.

Relevant Site History:

82/00991/NT - Renewal of temporary consent for light industrial use and ancillary office for Oxford Film Makers Workshop Ltd: Temporary Permission

85/00085/NT - Retention for light industrial use and ancillary office for Oxford Film Makers Workshop Ltd (Renewal of application No.A991/82): Temporary Permission

90/00109/NTH - Retention of light industrial use and ancillary office for Oxford Film and Video Makers Ltd. (Renewal of NT/85/85): Temporary Permission

93/00121/NTH - Retention of light industrial use and ancillary office for Oxford Film and Video Ltd (Renewal of NTH/109/90): Approved

96/00349/NTH - Retention of light industrial use and ancillary office for Oxford Film and video Ltd. (Renewal of 93/121/NTH): Approved

Representations Received:

Letters have been received from the following addresses, and their comments are summarised as follows:

- 12 The Croft; 39 Kennett Road; Lowe's Cottage, Hixet Wood, Charlbury; Viking Sports Club; 69 Old High Street; 12 London Place; 19 Periwood Crescent
- Bury Knowle is the only large estate in Headington that remains in public hands. The villa, together with its surrounding parkland is an important landmark and is well used by local people who have had public access for the last 80 years

- The barn and stable are an integral part of the estate, and if they were to become private dwellings they would be cut off forever from the estate that they were built to serve and the area loses an important part of its local heritage
- The proposal would remove a heritage asset from public enjoyment (a key NPPF point) that is part of the Bury Knowle Estate, a community asset
- The proposal would severely impact the fundamental character of the heritage asset by the addition of windows and doors that will not be covered by stable door covers as they will not be retained by residents
- It would destroy the heritage open internal space and roof structure, the last in the Headington area
- It is clear that some sort of sensitive development is necessary, but a clear directive for alternative use must be carefully considered.
- It would remove a community asset from public use, it would make a good community building which would make it possible to keep its attractive features intact, as befits a Conservation Area
- Negatively impact on the struggling Headington District Centre by conversion of a viable Class B (business) building located in the district centre into housing
- Reduce the vibrancy of the community and Bury Knowle Park amenity
- The Council should give its inhabitants something to compensate for everything that we have lost in recent years through the development of Oxford Brookes University, hospitals galore, and now the Old Road Campus
- Provide very dark residences with East facing principal light sources which can only be mitigated by the removal of the false stable doors
- Increase parking problems in the area.
- The development should be car free
- A traffic report should be carried out, as there are children and pedestrians in the area
- The application is premature as no local list or assessment of whether it is an 'asset of community value' under the Localism Act Section 37 has been undertaken
- No up to date Neighbourhood Plan has been developed of which the Bury Knowle Estate and park must be part and no positive or creative planning has been undertaken as required under the NPPF.
- If the proposal goes ahead it should be allocated to aged or disabled person(s) due to its highly sustainable location
- The proposal would result in the loss of a family sized building which are at risk in the city. The 3x2 bed flats do not provide adequate compensation for this because of the loss of a family sized building. This would be contrary to Policy CS23 of the Core Strategy
- The proposed sub-station could have an impact upon the health of residents
- The development does not propose any renewable technologies
- There is no flood risk report, the hard standing areas are not permeable
- The Viking Sports Club object to windows on the eastern elevation as they look directly onto our carpark and outside area. The area is used by members to play Aunt Sally, there are two throws and one is facing the eastern elevation
- The occupant of 69 Old High Street would request assurance that the wall to the north of the development will be left structurally and aesthetically sound after the toilets are dismantled. The barn roof to the north slopes onto the outbuilding of our property and therefore we would want confirmation that this will remain watertight

during the development. The window in the eastern elevation overlooking next doors car park should be omitted to safeguard our privacy. The windows should be in keeping with the barn

Statutory and Internal Consultees:

Oxfordshire County Council Highways Authority: No objection subject to conditions requiring vision splays, parking spaces to highway standards, sustainable urban drainage scheme for the parking areas.

Oxford Civic Society: The two applications for the same building should be treated together. The interesting historic barn building should not be demolished, but instead it should be sensitively restored, and a practical use found for it, possibly even involving making it habitable.

Friends of Old Headington:

The proposed conversion is broadly sympathetic to the original building and its surroundings, though we would like to see the original glazing bars retained in the windows or, if the windows are to be replaced, double glazing with such bars put in their place. We would question, however, whether sufficient thought has been given to the idea of retaining the building for community use. The building is potentially a valuable public asset and we would prefer to see it kept for the people of Headington and Oxford to use and enjoy

Officers Assessment:

Site Location and Description:

1. The site is located on the western side of North Place, and bordered by residential properties to the north and west, the Viking Sports Club to the west; and Bury Knowle Park to the south and east (**appendix 1**). The site is within the Old Headington Conservation Area, and the Headington Transport District Centre.
2. The site comprises a Stable Block and Barn which form part of the historic Bury Knowle Estate. There is a small outbuilding and lean-to extension which has been added to the barn. The buildings are accessed from North Place and there is a large courtyard area to the front.
3. The buildings are currently vacant, but were formerly used by a film making company although this ceased in 1999 and more recently provided storage for Oxford City Council Parks and Leisure.

Proposal

4. The proposal is seeking conservation area consent for the demolition of the existing small-scale outbuildings on the eastern flank of the barn.
5. Planning permission is then sought for the conversion of the Bury Knowle Stable Block and Barn to form 3x2 bedroom dwellings, with associated amenity space, refuse and cycle storage.

6. Officers consider that the determining issues in this case are the principle of development; balance of dwellings; impact upon a heritage asset; impact upon adjoining properties; community use; residential amenity; archaeology; biodiversity; and highway matters.

Principle of Development

7. The National Planning Policy Framework [NPPF] encourages the effective use of previously developed land, provided it is not of high environmental value. These aims are embodied within Policy CS2 of the Oxford Core Strategy.
8. The Stable Block and Barn are currently vacant with the last authorised use being a workshop and office for a small film company. This use ceased in 1999 when the temporary consent expired and the building reverted back to its historic use for horticultural purposes. In more recent times it has been used for storage by the Councils Parks and Leisure Services who also use the yard for car parking for the offices at Bury Knowle House.
9. The site is not located within the Headington District Centre, and contrary to comments made during the consultation process the conversion would not result in the loss of an employment-generating use or community building. The NPPF states that Local Planning Authorities should identify and bring back into residential use empty buildings in line with local housing and empty homes strategies. The buildings are situated within a residential area and therefore the principle of converting the building for residential purposes would accord with the aims of the NPPF and Policy CS2 of the Oxford Core Strategy.

Balance of Dwellings

10. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
11. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Headington Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. In this area the BoDSPD states that development proposals involving the provision of 1-3 units should not result in the net loss of a family unit of accommodation.
12. The existing barn and stables are currently vacant and therefore the proposed conversion would not result in the loss of a family unit of accommodation. The provision of 3x2 bedroom units would be wholly consistent with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Impact on Heritage Asset

13. The Stable Block and Barn are not statutorily listed, but are considered to be of high local heritage significance having associations with a number of listed buildings specifically Bury Knowle House and 69 Old High Street and are sited within the Old Headington Conservation Area which is a designated heritage asset.
14. The National Planning Policy Framework requires proposals to be based upon an informed analysis of the significance of any heritage asset affected and expects applicants to understand the impact of any proposal upon the asset with the objective being to preserve that significance. A Heritage Assessment has been prepared for the site by the Council's Heritage and Specialist Services Team in order to inform the decisions about the building's future. This assessment identified 4 key elements that contribute to the building's interest. These being the simple roof form of both buildings; pattern of door and window openings for the stables; absence of domestic detailing; historic roof trusses of the barn as a visible feature of the building and an open ground floor to roof space that reveals the openness of the building.
15. During the consultation process concerns have been raised that converting the buildings to a residential use would undermine the historic character of the Bury Knowle Estate by virtue that it would remove a heritage asset from public use, and separate the building from the estate which it was built to serve. Having regard to these points, it is important to recognise that buildings have not been used for their original purpose since at least the 1950s, and throughout time have become naturally separated from the rest of the Bury Knowle Estate by the creation of the boundary wall to North Place and the use as a workshop and office. It is the building itself that has more significance in terms of the historic interest of the site and therefore the introduction of a residential use into this redundant building, if appropriately designed, would constitute a viable conservation of the structure which maintains the significance of the asset.
16. The conversion has been designed to respond to the 4 key elements identified within the heritage assessment. The proposal would work with the existing fabric of the building and retain the simple roof form of the Stable Block and Barn. The existing windows and doors would be utilised in order to minimise the alterations to the external appearance of the buildings, with the doors in the stable block fitted with screens to reflect the historical use and the existing window and cart door in the barn retained. The only additional windows and doors would be in the eastern elevation of the barn. The replacement doors and windows would be sympathetic to the appearance of the building. The internal layout of the barn would retain the existing roof trusses which are an important feature and would also provide internal voids to respond to the traditional open ground floor to roof space of the Barn and at the same time achieving an open and light living environment. It is considered that the conversion would maintain the integrity and significance of the buildings, although officers would recommend that conditions are attached which treat the alterations to the building in a similar fashion to a listed building and ensure that the integrity of the roof is retained and also securing approval of all windows, doors, and rooflights.

17. The Heritage Assessment also identified 7 opportunities to conserve or better reveal the significance of the buildings as heritage assets. These were the re-introduction of the cart-shed element that stood against the east face of the barn, reusing the north boundary wall; the retention or repair of the historic cobbled yard surface; revealing the former wagon door in the west facing elevation of the barn; the removal of the modern boundary wall to better integrate the site with the wider Bury Knowle estate; retention of the barn door in the eastern elevation; reinstating the former boundary to the passage just east of the barn, creating an enclosed front garden between the buildings and forecourt; and the provision of green landscaping to the forecourt.
18. The proposal has also responded to these opportunities in order to enhance the significance of the asset. The existing toilets and outbuilding are to be demolished, which would improve the eastern elevation of the building. It would be replaced by a cycle and refuse store which is of a smaller scale and set against the northern boundary wall which will be retained. The existing cobbled surface will be retained as a feature of the development, and a condition should be attached requiring approval of any surfacing within the yard to ensure that it reflects this historical context. It is not possible to reinstate the wagon door in the Barns eastern elevation as it would face onto the car park of the Viking Sports Club, but high level windows are shown in this location. Importantly, the scheme would result in the removal of the existing boundary wall to the site, which currently separates the site from the Bury Knowle Estate. This would be replaced by railings which would open up views into the courtyard and better integrate the site with the other buildings that form part of the estate.
19. Therefore officers consider that the proposed conversion would represent an appropriate conservation of the existing building, which would preserve the significance of the heritage asset and improve its relationship with the Bury Knowle Estate and wider Old Headington Conservation Area in a manner that would be consistent with the National Planning Policy Framework, Policies CP1, CP6, CP8, HE6 and HE7 of the Oxford Local Plan, Policy CS18 of the Oxford Core Strategy 2026 and Policy HP9 of the Sites and Housing Plan.

Community Asset

20. During the consultation process it has been suggested that the proposal would remove a community asset from public use and would be premature as no local list or assessment of whether it is an 'asset of community value' under Section 37 of the Localism Act has been undertaken.
21. The existing Stable Block and Barn is owned by Oxford City Council and may have formed part of the Bury Knowle Estate but it is not and never has been a public building. It has previously been used as a workshop for a small film company, and until recently for storage by the Oxford City Council Leisure and Parks services. Therefore proposed conversion would not result in the loss of a building that is either in public use or an existing community facility. There are no planning policies within the Oxford Core Strategy or Oxford Local Plan which would prevent its conversion to a residential use.

22. In terms of whether the building must be considered an asset of community value under S37 of the Localism Act, it should be noted that the provisions of this act have yet to be brought into force and in any event it is Section 88 that covers land of community value.
23. Notwithstanding this point, the issue of whether this building constitutes an 'Asset of Community Value' would not be a planning matter or material consideration for the determination of the application. The intention of this part of the Localism Act will be for the Council to maintain a list of such land with the effect being that landowners for any sites on such a list will have to give notice before disposing of this land. It would not represent a planning designation and therefore is not relevant to the determination of this application.

Impact upon Adjoining Properties

24. The proposed development would work within the existing fabric of the Stable Block and Barn with no external additions that could have a detrimental impact upon the amenities of the adjoining residential properties in terms of loss of light or overbearing impact.
25. The main concern that has been raised by the properties to the west of the site relates to the provision of the high level windows above the baths in the bathrooms on the western elevation of the Barn. The Viking Sports Club has raised concerns about their position as they would be sited above one of the Aunt Sally throws. The occupant at 69 Old High Street has also raised similar concerns. The proposed windows would not have any impact upon 69 Old High Street due to the oblique angle, but would overlook the private car park of the sports club. As this is a private car park, the impact of the windows would not be the same as say overlooking of a private residential garden or habitable room window and therefore there would be no material planning reason to object to the provision of these windows.
26. Officers consider that the proposed development would accord with the aims and objectives of Policies CP10 and HS19 of the Oxford Local Plan 2001-2016 which seek to safeguard the residential amenities of adjoining properties.

Residential Uses

27. The barn and stables would be converted into 3x2 bedroom dwellings, which would all have internal floor sizes that comfortably exceed the indoor space standards set out within Policies CP10, HS20 and HS21 of the Oxford Local Plan 2001-2016 and Policy HP12 of the emerging Sites and Housing Plan.
28. In terms of private amenity space, it is recognised that this is a constrained site and so each unit would have a small private area to the frontage which would be suitable for the size and type of accommodation it serves. The close proximity of the site to Bury Knowle Park would also provide good quality recreational space for occupants to supplement the private space provided. The dwellings would have suitable refuse and cycle storage that is in an accessible and practical

location for the occupants. The scheme would therefore satisfy Policies CP10, HS19, HS20, and HS21 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan

Sustainability

29.A Sustainability Statement prepared by TSH Architects is included with the application. It states that the conversion would be designed to satisfy the recent amendments to Building Regulations Part L (conservation of fuel and energy) and Part F (ventilation), and will include high performance double glazing, 'A' rated condensing gas boilers, high levels of insulation, natural light and ventilation with integrated management controls.

Archaeology

30.The site is of historical interest as it is an 18th century barn and late 19th century stable block, and therefore warrants a photographic record being carried out before the conversion. In addition to this an archaeological watching brief would also be appropriate in order to note any other potential structural details to be exposed, particularly in relation to the roof, which may arise during the conversion of the buildings. This should be secured by condition.

Biodiversity

31.A Bat Survey Report has been prepared by Windrush Ecology Ltd, this concludes that although there was a small amount of evidence to suggest that brown long-eared bats have accessed the barn in the past there is no evidence that this is being used as a roost site. It goes on to state that the conversion of the buildings would not result in significance disturbance to bats, but that there would be opportunities to provide biodiversity enhancements such as bat and bird boxes for the converted building. This could be secured by condition.

Highway Matters

32.The Stable Block and Barn is accessed from North Place and has a courtyard which is currently used to provide additional car parking for Oxford City Council staff at Bury Knowle House. The proposed development would maintain the existing access from North Place, and a Traffic Impact Statement has been provided which establishes that the proposal would reduce traffic movements to the site to the benefit of highway safety. In addition the replacement of the boundary wall with railings will increase visibility into the site especially at the access to the further benefit of highway safety.

33.The proposal would provide 3 off-street parking spaces for the proposed dwellings. The site lies within the Headington Transport District Area which is considered to be a sustainable location where there are excellent links to shops and services and public transport links. The Oxford Local Plan states that lower levels of parking provision will be sought in areas such as this. The units will also be provided with 2 secure cycle spaces per dwelling in accordance with the Council's standards.

34. The Local Highways Authority have raised no objection to the proposal in highway terms, subject to conditions being attached requiring suitable visibility splays being provided; the parking spaces to be built to standard (2.5m x5.0m); and the drive and parking area to have a sustainable urban drainage system.
35. During the consultation process concerns have been raised that the proposal would place pressure on the controlled parking zone within the area. The Local Highways Authority consider that the location of North Place would make it highly unlikely that residents at the proposed development would park on the streets in the controlled parking zone, where there is pressure, as these are some distance from the development site. Therefore the exclusion of the site from eligibility for permits would not be reasonable in this instance.

Other Matters

36. It has also been suggested during the consultation process that the application is premature as no up-to-date Neighbourhood Plan has been developed of which the Bury Knowle Estate and Park must form a part. Although the National Planning Policy Framework provides guidance on Neighbourhood Plans, it does not require the Local Planning Authority to undertake such plans. The National Planning Policy Framework makes clear that the framework does not change the statutory status of the development plan as a starting point for decision making and that development that accords with an up-to-date local plan should be approved unless there are material considerations that state otherwise. In this case the Oxford Core Strategy 2026 and Oxford Local Plan 2001-2016 are considered up-to-date development plans.

Conclusion:

37. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and emerging Sites and Housing Plan.

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 permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

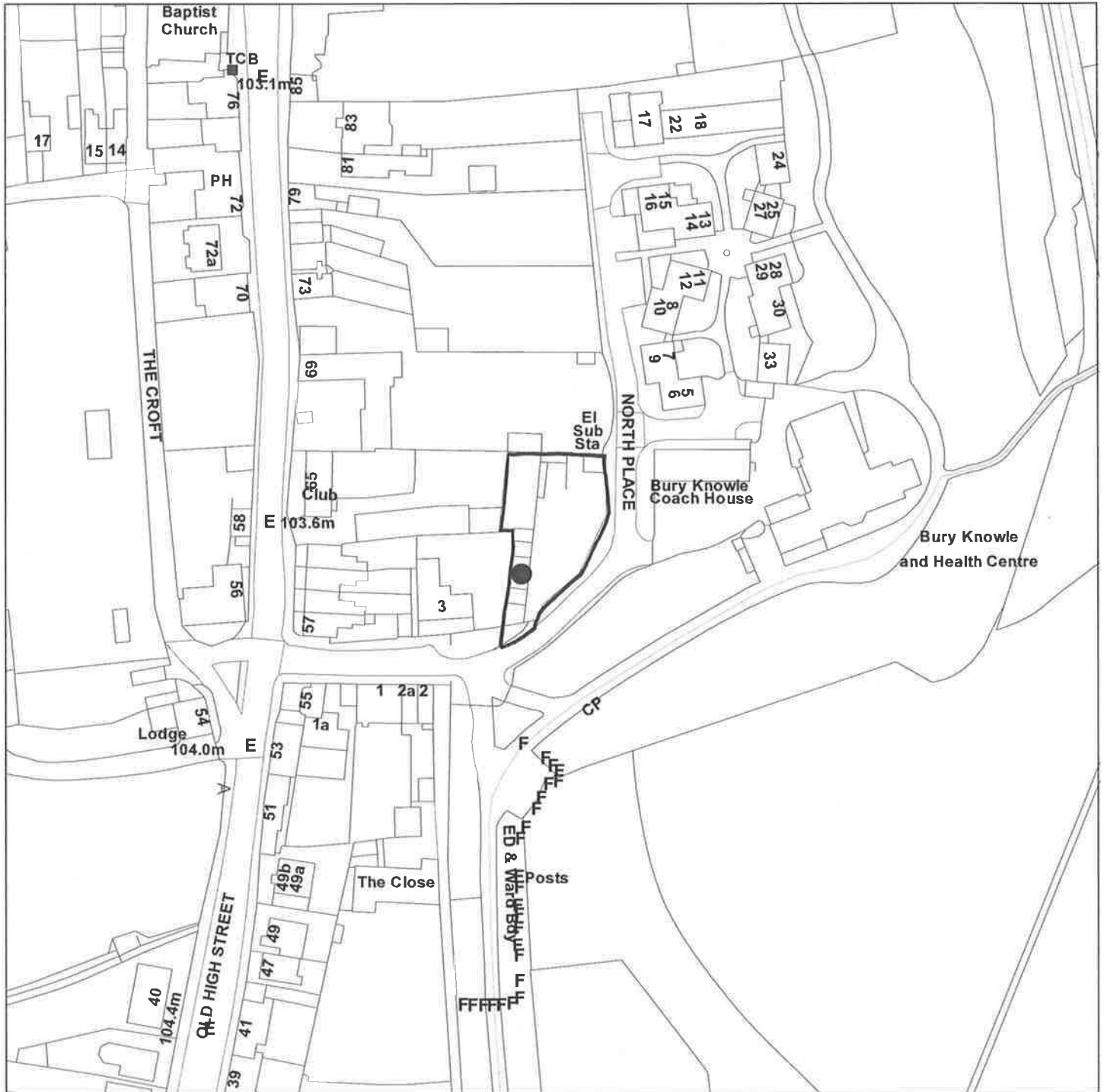
Contact Officer: Andrew Murdoch

Extension: 2228

Date: 14th August 2012

Appendix 1

The Stables, North Place



Scale : 1:1250

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Comments	
Date	28 August 2012
SLA Number	Not Set

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East Area Planning Committee

- 6th September 2012

Application Number: 12/01716/CT3

Decision Due by: 4th September 2012

Proposal: Creation of disabled access.

Site Address: Headington Community Centre 39 Gladstone Road (Site plan **Appendix 1**)

Ward: Quarry And Risinghurst Ward

Agent: N/A

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed alterations would improve disabled access to the building, and would have no adverse impact on the appearance of the building, or the character of the surrounding area. No objections have been received and the proposal is considered to comply with policies CP1, CP10, CP13 and HE7 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2026.
- 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.

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 as specified

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP10 - Siting Development to Meet Functional Needs
CP13 - Accessibility
HE7 - Conservation Areas

Core Strategy

CS18 - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

None

Representations Received:

None

Statutory and Internal Consultees:

Highways Authority – no objection

Issues:

Accessibility
Visual impact

Officers Assessment:

Site

1. The application site comprises the Headington Community Centre, a detached building located on the corner of Gladstone Road and William Kimber Crescent. The building has undergone an assessment of disabled access resulting in some elements of the building requiring upgrading and renewal.
2. The site is adjacent to, but not within, the Headington Quarry Conservation Area.

Proposal

3. Alterations are required to improve level access to the main stage hall via the rear access on the southern elevation and to enlarge the main entrance doors and ramp on the northern elevation to improve access for a wider range of visitors. This involves fitting new doors and windows; laying new paving and surfaces and removing existing redundant ramps and platforms.

Accessibility

4. Policies CP1 and CP13 of the Oxford Local Plan states that planning permission will only be granted for development which makes reasonable provision for access by all members of the community, including people with children, the elderly and people with disabilities. Access to the

building is currently restricted by the limited opening of doorways and turning circle from the ramps and the proposals would overcome this, improving access to the building for wheelchair users and pushchair users.

Visual impact

5. The proposals would upgrade the external appearance of the building and would positively improve its appearance, as well as allowing more natural light into the lobby areas. There would be no adverse impact on the adjacent conservation area.

Conclusion

The proposals are minor in nature and would have a positive impact on the appearance of the community centre. Access to the building would be enhanced. The proposal complies with policies CP1, CP10, CP13 and HE7 of the Oxford Local Plan.

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: 12/01716/CT3

Contact Officer: Rona Gregory

Extension: 2157

Date: 16th August 2012

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Appendix 1

Headington Community Centre 12/01716/CT3



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Date	28 August 2012
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East Area Planning Committee

-6th September 2012

Application Number: 12/01954/FUL

Decision Due by: 24th September 2012

Proposal: Erection of two storey rear extension

Site Address: 101 Bulan Road Oxford (Site Plan: appendix 1)

Ward: Lye Valley Ward

Agent: Richard Two Ltd

Applicant: Mr And Mrs M Parsons

Application Called in – by Councillors Kennedy, van Nooijen, Khan, Tanner
For the following reasons - over development of the site
and subsequent parking issues

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is acceptable in design terms and would not cause any unacceptable levels of harm to adjacent neighbours. The proposal is considered to comply with policies CP1, CP6, CP8, CP10 and HS19 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2026.
- 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.

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 - matching
- 4 Lye Valley SSSI – rain water drainage plan approved

- 5 Vision splays – access point
- 6 Pedestrian vision splays
- 7 Parking provided in accordance with parking plan
- 8 No surface water discharged onto Highway
- 9 Removal of garage

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

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

NE12 - Groundwater Flow

TR3 – Parking standards

Core Strategy

CS12 - Biodiversity

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan - Submission

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

None

Representations Received:

At the time of writing the report the consultation period was still open. To date there have been no comments received; any comments received will be reported verbally at Committee.

Statutory and Internal Consultees:

Highways Authority – no objection subject to conditions, which have been attached

Issues:

Design

Impact on neighbours

Parking

Biodiversity

Sustainability:

This proposal aims to make the best use of urban land and recognises one of the aims of sustainable development in that it will create extended accommodation on a brownfield site, within an existing residential area.

Officers Assessment:Site

1. The application site comprises a two-storey semi-detached dwelling located on the western side of Bulan Road. The property has had no previous extensions.

Proposal

2. Planning permission is sought for a single and two-storey rear extension to provide a large kitchen/diner and utility on the ground floor and a fourth bedroom upstairs.
3. An existing garage in the garden would be removed. This is secured by condition as it would otherwise compromise the development of the extension.

Design

4. Policies CP1 and CP8 of the OLP 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. Policy CS18 of the Core Strategy states that planning permission will only be granted for development that demonstrates high quality urban design and responds appropriately to the site and its surroundings.
5. The proposed extension would be finished in matching materials and would have a pitched roof, in keeping with the host building. Several other properties in this area, including the next door property at 103 Bulan Road, have had similar extensions and this development would not appear out of character. The extension would be sited at the rear and would not impact on the streetscene.
6. The extension would measure 4 metres in depth, and the plot is large enough to accommodate an extension of this size without appearing cramped. Adequate amenity space for the size of dwelling would remain.

Impact on neighbours

7. Policy HS19 of the OLP states that the Council must assess proposals in terms of the potential for overlooking, sense of enclosure, overbearing

nature and sunlight and daylight standards.

8. The OLP sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25 degree code of practice, as detailed in Appendix 6 of the OLP.
9. To the north of the site, no 103 Bulan Road has had a single and two-storey rear extension (ref. 04/01095/FUL) and the proposed extension would project out in line with this. There would therefore be no harmful impact on this property. The windows in the side facing elevation of the original dwelling serve a bathroom and staircase and not habitable rooms.
10. To the south, no. 99 Bulan Road has a single storey rear extension, and the proposal complies with the 45° guidance when measured from nearest ground floor window. The proposal breaches the 45° guidance when measured from the nearest first floor window and just clips a line drawn at an angle of 25°, but the breach is marginal. The affected window serves a bedroom that has another window on the rear elevation that also lights this room. Furthermore, the room faces west-south-west and so would receive adequate sunlight and the extension would be sited 2.8 metres way from the edge of the window so would not appear unduly overbearing. Officers are satisfied that the impact on no. 99 Bulan Road is acceptable.

Parking

11. Following a request from the Highway Authority, a parking plan has been provided to show two off-street parking spaces on the frontage. This meets with the requirements in the Oxford Local Plan for dwellings of this size, and the Highway Authority raises no objection to the proposal, subject to conditions which have been attached.

Biodiversity

12. The site lies within the Lye Valley aquifer area and therefore any additional roof water should to be drained to the vegetated areas of the garden and not put down the surface drains. A condition has been attached to this effect.

Conclusion: For the reasons given above, the proposal is considered acceptable in all respects and is 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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 12/01954/FUL

Contact Officer: Rona Gregory

Extension: 2157

Date: 17th August 2012

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Appendix 1

101 Bulan Road 12/01954/FUL



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Date	28 August 2012
SLA Number	Not Set

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East Area Planning Committee

6th September 2012

Application Number: 12/01779/FUL

Decision Due by: 12th October 2012

Proposal: Erection of single storey extension to main hospital entrance to provide new reception area and support facilities plus 4 ancillary retail units, cafe, reconfigured vehicular and parking arrangements.

Site Address: John Radcliffe Hospital Headley Way Headington (site plan at **Appendix 1**)

Ward: Headington Ward

Agent: Capita Symonds

Applicant: Oxford University Hospitals NHS Trust

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate relationship with the existing main hospital building and the surrounding buildings and it will create a more prominent and welcoming entrance for patients, staff and visitors. Whilst the removal of the trees is regrettable considered in the context of the overall improvements that the extension building will make to the area, their removal is not unacceptable and new tree planting will help to mitigate the loss of tree cover. The proposal will not have a detrimental impact on vehicle and pedestrian movements and helps to rationalise these arrangements.
- 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.

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 Samples
- 4 Landscape Plan
- 5 Landscape carry out by completion
- 6 Landscape hard surface design - tree roots
- 7 Landscape underground services - tree roots
- 8 Tree Protection Plan
- 9 Arboricultural Method Statement
- 10 Construction Travel Plan
- 11 SUDS/Drainage
- 12 Noise

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- 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
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- NE15 - Loss of Trees and Hedgerows
- DS37 - John Radcliffe - Hospital Use

Core Strategy (OCS)

- CS9_ - Energy and natural resources
- CS11_ - Flooding
- CS15_ - Primary healthcare
- CS18_ - Urban design, town character, historic environment
- CS30_ - Hospitals and medical research

Sites and Housing Plan – Submission (SHP)

- SP23_ - John Radcliffe Hospital Site

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

The site history for the hospital is many and varied. Two recent applications within the immediate vicinity of the entrance are:

11/02878/FUL - Erection of single storey extension above existing front porch. Structure for use as offices. (Amended Plans). PER 23rd December 2011.

11/02888/FUL - Two storey extension to the existing Women's unit, containing ground floor plant room and first floor new born intensive care unit. (Amended Plans). PER 10th February 2012.

Representations Received:

None

Statutory and Internal Consultees:

Environment Agency: No objection to the proposal

Natural England: Proposal does not appear to affect any statutory protected species or landscapes or have significant impacts on the conservation of soils nor is the proposal an EIA development.

English Heritage: Do not consider that it is necessary for this application to be notified to English Heritage.

Oxfordshire County Council Developer Funding: Application does not increase residential accommodation therefore does not raise concerns.

Oxfordshire County Council Drainage: At present Marston, to the north east, currently floods with much of the water running off from the hospital site. The development provides opportunity to increase attenuation.

Oxfordshire County Council Highways: See below.

Thames Valley Police: As the Trust security advisor has already been involved with the project TVP have no comments to make

Environmental Development: No objection in relation to noise subject to conditions.

Issues:

- Principle of Development
- Design
- Sustainability:
- Trees
- Highway Issues
- Other Issues

Officers Assessment:

Site Description

1. The application site is located within the John Radcliffe Hospital site in Headington whose main access is off Headley Way. The application site relates to the main hospital building which is located in the centre of the site and specifically the main entrance there.

Proposal

2. The application is seeking permission for the refurbishment, redevelopment and extension to the ground floor main entrance to the main hospital building to provide a new improved main entrance with overhead canopy, a new reception area, Patient Advice Liaison Service facilities, waiting areas, IT hub, four ancillary retail units and a café to serve patients, visitors and staff, plus reconfiguration of vehicular access and parking arrangements.
3. There would be 1085m² of new build which would occupy the space currently taken by the main access road which services the main entrance. The range of materials has been kept to a minimum to consist of curtain walling glazing, aluminium cladding panels and a green roof with the inclusion of PV panels and skylights.

Assessment

Principle of Development

4. The proposal meets the requirements of Policy CS30 of the OCS, DS37 of the OLP and SP23 of the SHP in that hospital related activities are retained on the existing site. Policy SP13 of the SHP allows small scale retail units provided that they are ancillary to the hospital as is the case here.

Design

5. The proposed new main entrance would be single storey and would read as a glazed 'box' with a canopy extending over the ambulance drop off area. The canopy also links the main pedestrian access route to the main entrance. The shop/retail frontages would be glazed with appropriate levels of solar shading and Brise Soleil where required.
6. The proposal stretches east to west across the site, forming a curve around the main access route to the hospital entrance and will create a single point of entrance for all outpatients, public and staff. The proposals are designed to allow for a future pedestrian link to the Women's Centre located opposite the main building.
7. The existing main hospital building is seven storeys in height and is rather a large monolithic structure. The new Kadoorie centre extension now under construction at the front of the building helps to lessen the massing of the

main building and the proposed new entrance extension would step down further in terms of massing to the front elevation. The proposal is subservient to the surrounding buildings and would create an improved and more welcoming environment for patients, staff and visitors.

Sustainability

8. Given the extensive flat roof and the prominent location within the hospital site i.e. it will be overlooked by the adjoining buildings, a green sedum roof is proposed. Green roofs serve several purposes for a building, including absorbing rainwater (increase storage and attenuation), providing insulation, creating a habitat for wildlife, and helping to lower urban air temperatures and mitigate the heat island effect.
9. The proposal incorporates measures to optimise energy efficiency and the environmental performance of the building and is seeking to achieve a BREEAM rating of 'Very Good'. The development is below the size where a full Natural Resource Impact Analysis (NRIA) is required.

Trees

10. The proposals require the removal of a large proportion of the existing trees in the area around the main hospital entrance. The submitted Arboricultural Impact Assessment (AIA) identifies 8 trees that will need to be removed; 2 copper beech, a manna ash, a rowan, a sycamore, and 3 Turkey oak trees. The proposal also includes the removal of the Dawyck beech. The roots of retained Turkey oak trees appear to be particularly vulnerable to damage as a result of ground works that will need to be undertaken within their Root Protection Areas. A condition is suggested for a construction methodology around retained trees so as not to have an impact on their longevity
11. The value of many of these trees is collective in that they act together to improve amenity in the area; softening and screening the harsh outline of the hospital buildings whilst also providing a broad range of other environmental benefits to an otherwise functional urban environment. Their value is limited in extent in that the trees are not a feature of views from outside of the hospital site and most of them are only significant in internal views within the hospital site from the area near to the main entrance of the hospital. Considered in the context of the overall improvements that the extension building will make to the area, removal of these trees is regrettable but not unacceptable if new trees are planted to help mitigate the loss of tree cover.
12. As it stands the proposal includes only 3 new trees which is considered to be inadequate to mitigate the loss of exiting trees, but opportunities appear to exist to plant additional trees in the area and an improved proposal can be secured by condition if planning permission is granted.

Highway Issues

13. The proposal reconfigures the entrance arrangement and relocates the

disabled car parking adjacent the entrance to the main car park disabled parking area. Ten designated disable spaces are to be relocated. Vehicles can still be driven up to the main entrance to allow set down and pick up with reception staff and supporting volunteers available to help with onward movement within the hospital. The circulation to and from the entrance is also to be improved. On the whole the relocation of the disabled car parking spaces is not considered to be a major issue given the drop off points and the proximity of the existing disabled parking facilities.

14. Servicing arrangements for the proposed new commercial/retail units is to be directed away from the main hospital entrance to a dedicated new delivery bay which will also serve the Welcome Centre to the rear of the hospital building along the rear inner link road.
15. The proposal also reconfigures the bus turnaround area though the existing bus stops and shelters remain as now.
16. No additional car parking or cycle parking is being sought as the Trust has a Car Parking and Procedures Policy and the proposal is unlikely to create any additional traffic movements as it is to be used by existing staff, patients and visitors. There are already 300 new covered cycle shelters within the immediate vicinity.

Other Issues

17. Surface Drainage: Given the comments from the County Council Drainage Team there is an opportunity to reduce the amount of impermeable surfaces and thus reduce the water discharge rates down stream of the site and to improve storage and attenuation of surface water. A condition can be added to request this information.

Conclusion:

18. The proposal is considered to be acceptable in terms of the relevant policies in the Oxford Core Strategy 2026, the Oxford Local Plan 2001-2016 and the Sites and Housing Plan – Submission and provides much improved facilities at the hospital's main entrance for staff, patients and visitors alike. Committee is recommended to support the proposal accordingly.

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.

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:

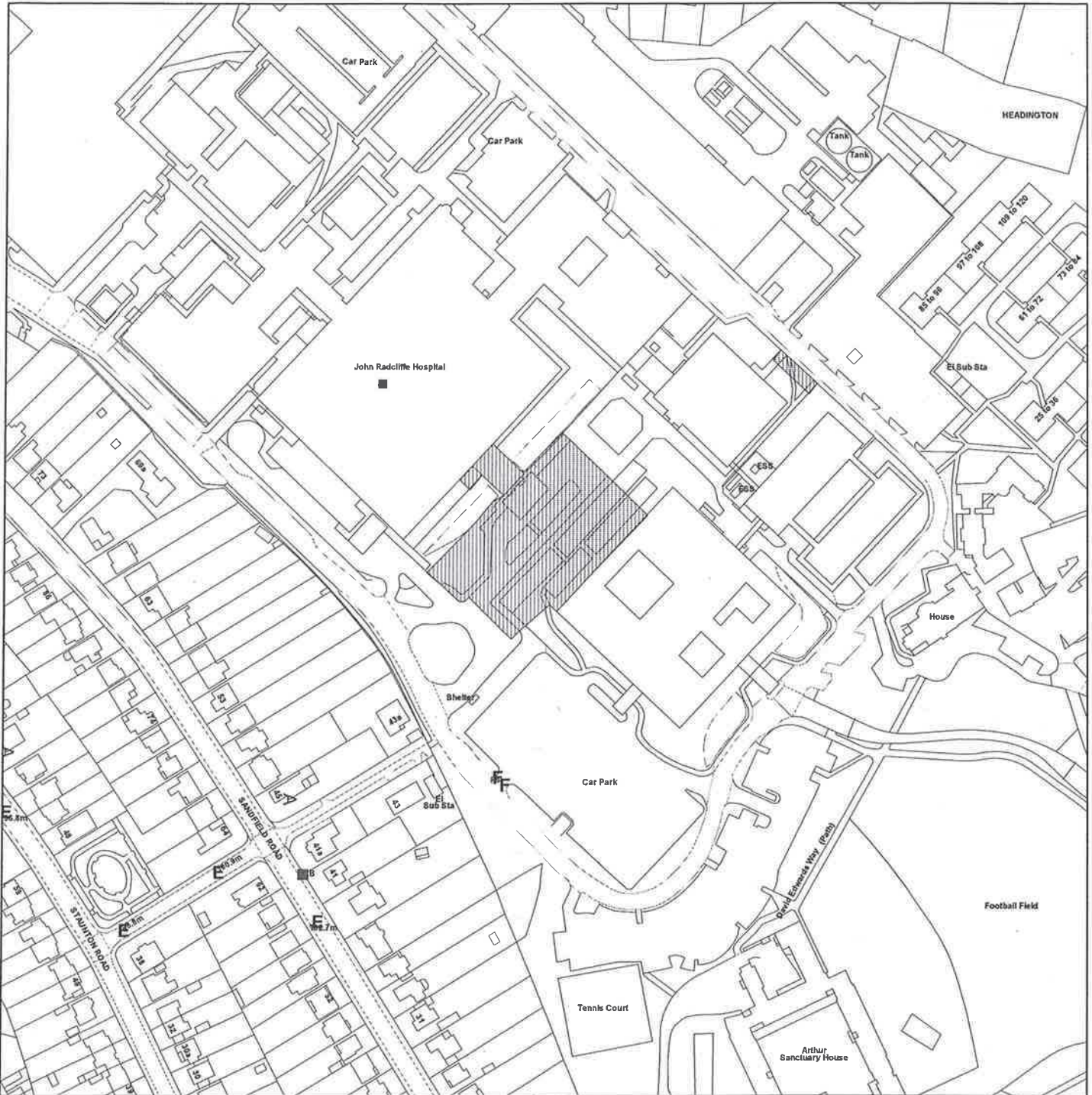
Contact Officer: Lisa Green

Extension: 2614

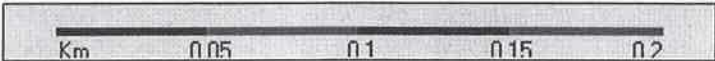
Date: 21st August 2012

Appendix 1

12/01779/FUL John Radcliffe Hospital



Scale : 1:2500



Organisation	Not Set
Department	Not Set
Comments	
Date	22 August 2012
SLA Number	LA100019348

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Ordnance Survey 100019348.

East Area Planning Committee

6th September 2012

Application Number: 12/01727/FUL

Decision Due by: 3rd September 2012

Proposal: Erection of detached single storey garden building to rear.

Site Address: 57 Wilkins Road Oxford Oxfordshire OX4 2HZ

Ward: Lye Valley Ward

Agent: B A Benham

Applicant: Mr Ran

Call in from Councillors Kennedy, Fry, Clarkson, Price, Canning, Tanner and Lygo over concerns relating to use of the building.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is considered to form an acceptable visual relationship with the existing building and local area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. The proposals therefore comply with Policies CP1, CP8, CP10, NE15 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy. No objections have been received from third parties.
- 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.

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 as specified
- 4 Exclusion of other uses incidental uses (i.e. not for living accommodation), C3,

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

The Town and Country Planning (General Permitted Development) Order 1995. As amended. (GPDO).

Relevant Site History:

No comments received

Representations Received:

No comments received

Statutory and Internal Consultees:

Local Highway Authority: No objection.

Issues:

Design

Effect on adjacent occupiers

Use

Officers Assessment:

Site description and proposal

1. 57 Wilkins Road is a semi detached house with a shared drive giving pedestrian access to the rear garden.
2. Permission is sought to construct a garden building at the bottom of the rear garden for uses incidental to the main dwelling (The application form states that it would be used as a games-room / gym / workshop.)

Design

3. Oxford City Council desires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8 and CS18 are key in this regard.
4. The proposed development will not be easily visible from the public domain, however it will be clearly visible from adjacent gardens. A number of substantial sheds and garden buildings are visible in surrounding gardens and subject to a condition to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP and CS18 of the Core Strategy.

Effect on adjacent occupiers

5. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1, CP10 and HS19 of the OLP support this aim. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
6. The proposal complies with the 45-degree guidance, is considered unlikely to have a material effect on adjacent occupiers, and complies with Policies CP1, CP10 and HS19 of the OLP. In addition, the building will not be overbearing to the neighbouring residential gardens.

Use

7. The proposed building would provide 29.4 square metres of floor space, which is substantial for a garden building and could be accessed independently of the main house. A further grant of planning permission would be needed to change the use of the building to that of a self-contained dwelling, however, it is considered reasonable to make any grant of planning permission conditional on the building being used only for purposes incidental to the main dwelling, to ensure that the building is not used as primary accommodation ancillary to the main house and that the Local Planning Authority can properly consider any alternative use of the premises in accordance with the relevant policies of the Adopted Oxford Local Plan 2001-2016.

Conclusion:

8. **The development is considered to form an acceptable visual relationship with the existing building and local area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. The proposals therefore comply with Policies CP1, CP8, CP10, NE15 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.**

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: 12/01727/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 16th August 2012

APPENDIX 1

57 WILKINS ROAD 12/01727/FUL



1:1250



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EAST AREA PLANNING COMMITTEE

6th September 2012

Application Number: 12/01622/FUL

Decision Due by: 3rd September 2012

Proposal: Change of use of family dwelling (class C3) to HMO (C4).

Site Address: 13 Fair View (Appendix 1)

Ward: Lye Valley Ward

Agent: N/A

Applicant: Mr James Schumann

Application called-in by Councillors Lloyd-Shogbesan, Fry, Kennedy, Curran, Rowley, Price, Canning and Tanner due to concerns about overdevelopment and the potential impact on parking in the area.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed change of use to an HMO would not result in an over-concentration of HMOs in the immediate area and the property would be adequately served by bin and cycle storage as well as off-street car parking. The proposals therefore accord with policies CP1, HS15, TR3, TR4 and TR13 of the Oxford Local Plan 2001-2016 as well as policies HP7, HP15 and HP16 of the Sites and Housing Plan Submission Document.
- 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.

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 Bin and Cycle Storage

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
HS15 - Housing in Multiple Occupation
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR13 - Controlled Parking Zones

Sites and Housing Plan - Submission

HP7_ - Houses in Multiple Occupation
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

None

Representations Received:

Twelve third party representations (eleven objecting, one supporting) have been received citing the following points:

- The existing area is quiet and characterised by family housing such that an HMO (probably occupied by students) is not appropriate;
- Noise will prevent enjoyment of neighbouring properties;
- The proposals will inevitably lead to more on-street parking and this will cause problems for vehicles trying to navigate the road;
- If the application is approved it could set a precedent for further HMOs in the road;
- An HMO would require the regular testing of fire alarms etc to comply with an Environmental Health license to the detriment of the enjoyment of the area by neighbours;
- It doesn't state if the property would be occupied by students;
- When living at the property in the past there was never a problem with parking and these proposals should make it no worse.

Statutory and Internal Consultees:

Highway Authority – No objection

Officers' Assessment:

Site Description

1. The application site consists of a detached four bedroom chalet style bungalow within a wider suburban residential area of Headington.

The Proposal

2. The application seeks consent for the conversion of the property from a single family dwelling (Use Class C3) to dwelling used as a six bedroom HMO (small HMO – Use Class C4) following alterations to the internal layout of the house.

3. Officers consider the principle determining issues in this case to be:

- Mix of Housing;
- Amenities; and
- Parking/Highway Implications

Mix of Housing

4. Since February 2012 all changes of use from houses to small HMOs (six or fewer occupants) in Oxford City require planning permission. Policy HS15 of the Local Plan prevents the change of use of a house to an HMO in the designated HMO Registration Area (this covers mainly East Oxford). The site is however not within this designated area. Outside the HMO Registration Area policy HS15 then states that changes of use will be acceptable provided no more than 25% of the residential properties in the same road are in HMO use. An analysis of both the Council's planning and Environmental Development records show that there are no other authorised existing HMOs in Fair View. Consequently the proposals clearly comply with the Council's adopted policy in this regard.

5. Policy HS15 of the Local Plan is proposed to be superseded by policy HP7 of the emerging Sites and Housing Plan. This emerging policy document is now, given its advanced stage, being given significant weight in decision making. Policy HP7 differs from the adopted policy in that it states that planning permission will not be granted if greater than 20% of residential properties within 100m of the application site are in HMO use. However, once again the Council's records show that this threshold is not even close to being reached as only one other building within 100m of the application site is authorised as within HMO use. Consequently, when assessed against both adopted and emerging policy it is clear that the mix of housing within the immediate area will not be materially or unacceptably affected by the proposals such that the principle of the conversion of the house to a small HMO is considered to be acceptable.

Amenities

6. Details relating to bin and cycle storage have not been submitted with the application though it is clear from the size and nature of the plot that it can be more than adequately provided on site at the rear of the house. Consequently a condition is recommended to be imposed requiring details of the type and location of such facilities prior to the change of use being implemented in accordance with the requirements of both policy HS15 of the Local Plan and emerging policy HP7 of the Sites and Housing Plan.

Parking/Highway Implications

7. The site is not located within a controlled parking zone and, as such, the property cannot be excluded from eligibility for parking permits to prevent additional on-street parking. However, the house is served by an existing driveway which can hold up to three cars. Such off-street parking provision complies with the standards set out in policy TR3 of the Local Plan and policy HP16 of the emerging Sites and Housing Plan. Highway Officers at the County Council have not raised concern about the adequacy of the parking provision and planning officers concur with their views. In any event officers would suggest that, despite some of the comments raised in third party representations, the area is not subject to the intense parking pressure found in other areas of the City and, given the ample provision of off-street parking provision it would not be reasonable to refuse planning permission on these grounds.

Other Matters

8. Some concern has been raised that the proposals would have a significant impact on the quiet enjoyment of neighbouring properties. Officers would however suggest that the occupation of the house by six unrelated people is not likely to result in significant disturbance to neighbours to a materially greater extent than a six person family occupying the house. In any event, such an impact would be highly presumptuous and, given that it would be the only HMO in the street, cannot reasonably be considered likely either by itself or cumulatively to significantly harm the amenity enjoyed by neighbouring properties. It should also be noted that unacceptable noise disturbance is covered by Environmental Health legislation and if significant, could potentially be addressed under this separate legislative process.

Conclusion:

8. The proposed change of use will not materially affect the mix or balance of residential accommodation in the area and will allow for adequate bin and cycle storage facilities as well as sufficient off-street parking. Consequently, Members are recommended to approve the application subject to the conditions set out at the beginning of the report.

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: 12/01622/FUL

Contact Officer: Matthew Parry

Extension: 2160

Appendix 1

13 Fair View



Scale : 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	L201622/F/JJ
Date	06 August 2012
SLA Number	NoL Se.

EAST AREA PLANNING COMMITTEE

6th September 2012

Application Number: 12/01734/FUL

Decision Due by: 12th September 2012

Proposal: Change of use of single family dwelling (use class C3) to dwelling used as House in Multiple Occupation (use class C4).

Site Address: 7 Moody Road (Appendix 1)

Ward: Marston Ward

Agent: N/A

Applicant: Dr Ankur Gupta

Application called-in by Councillors Clarkson, Van Nooijen, Humblestone, Curran, Lygo, Price, Kennedy due to:

1. Concerns that Moody Road is a narrow road suffering existing parking pressure; and
2. On top of recent subdivisions to houses in Moody Road, an HMO may seriously affect the balance of housing within the street.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed change of use to an HMO would not result in an over-concentration of HMOs in the immediate area and the property would be able to be adequately served by bin and cycle storage as well as off-street car parking. The proposals therefore accord with policies CP1, HS15, TR3, TR4 and TR13 of the Oxford Local Plan 2001-2016 as well as policies HP7, HP15 and HP16 of the Sites and Housing Plan Submission Document.
- 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.

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 Bin and Cycles details required prior to occupation
- 4 Removal of Eligibility for Parking Permits
- 5 Car parking to be laid out prior to occupation

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
HS15 - Housing in Multiple Occupation
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR13 - Controlled Parking Zones

Sites and Housing Plan - Submission

HP7_ - Houses in Multiple Occupation
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

None

Representations Received:

None

Statutory and Internal Consultees:

Highway Authority – No objection subject to the property being removed from eligibility for parking permits.

Officers' Assessment:

Site Description

1. The application site relates to a linked 1950s semi-detached house located in a small residential cul-de-sac just off Marston Road. The house benefits from an attached single storey garage to the side and an area of hardstanding to the front which allows for the off-street parking of cars.

The Proposal

2. The application seeks consent for the conversion of the house from a dwelling (Use Class C3) to a small House in Multiple Occupation (HMO – Use Class C4) with five bedrooms.

3. Officers consider the principle determining issues in this case to be:

- Mix of Housing;
- Amenities; and
- Parking/Highway Implications

Mix of Housing

4. Since February 2012 all changes of use from houses to small HMOs (six or fewer occupants) in Oxford require planning permission. Policy HS15 of the Local Plan prevents the change of use of a house to an HMO in the designated HMO Registration Area which, in the main, covers East Oxford. The site is not within this designated area and thus, in terms of adopted policy, an application should be permitted where no more than 25% of the residential properties in the same road are in HMO use. An analysis of both the Council's planning and Environmental Development records show that there is only one other HMO in Moody Road. Consequently the proposal complies with the Council's adopted policy in this regard.

5. Policy HS15 of the Local Plan is proposed to be superseded by policy HP7 of the emerging Sites and Housing Plan. This emerging policy document is now, given its advanced stage, being given significant weight in decision making. Policy HP7 differs from the adopted policy in that it states that planning permission will not be granted if greater than 20% of residential properties within 100m of the application site are in HMO use. However, once again the Council's records show that this threshold is clearly not even close to being met as there is still only one property being used as an HMO within 100m of the application site. Consequently, when assessed against both adopted and emerging policy it is clear that the immediate area does not show a significant concentration of existing HMOs such that the proposals will not materially harm the overall mix of housing within the area.

Amenities

6. Both policies HS15 of the Local Plan and HP7 of the Sites and Housing Plan require HMOs to be served by appropriate provision of bin and cycle storage as well as car parking. The property is not proposed to be served by any purpose built and designated cycle or bin storage facilities, however, the existing side garage is available for the parking of cycles and storage of refuse bins. A condition is recommended to be imposed to ensure that the garage is made available at all times for this purpose. Consequently the amenities of future occupiers are considered to be satisfactorily met by the proposals.

Parking/Highway Implications

7. The proposals include provision of two off-street parking spaces. Whilst this complies with the Council's maximum standards as set out in policy TR3 of the

Local Plan and policy HP16 of the emerging Sites and Housing Plan, it should be noted that Moody Road is located within a controlled parking zone such that, prior to the change of use, the property can be excluded from eligibility for parking permits. In order for the proposals not to result in a potential and unacceptable increase in on-street parking, officers recommend the imposition of such a condition preventing occupiers from obtaining parking permits in line with the recommendations of the County Council as Highway Authority. Officers also recommend a condition be imposed that the proposed car parking area is laid out prior to the change of use occurring and that, thereafter, it be retained for such off-street parking.

Conclusion:

8. The proposed change of use would not materially harm the overall mix of housing within the immediate area and includes adequate provision for bin and cycle storage as well as car parking. Members are therefore recommended to approve the application subject to the conditions suggested.

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: 12/01734/FUL

Contact Officer: Matthew Parry

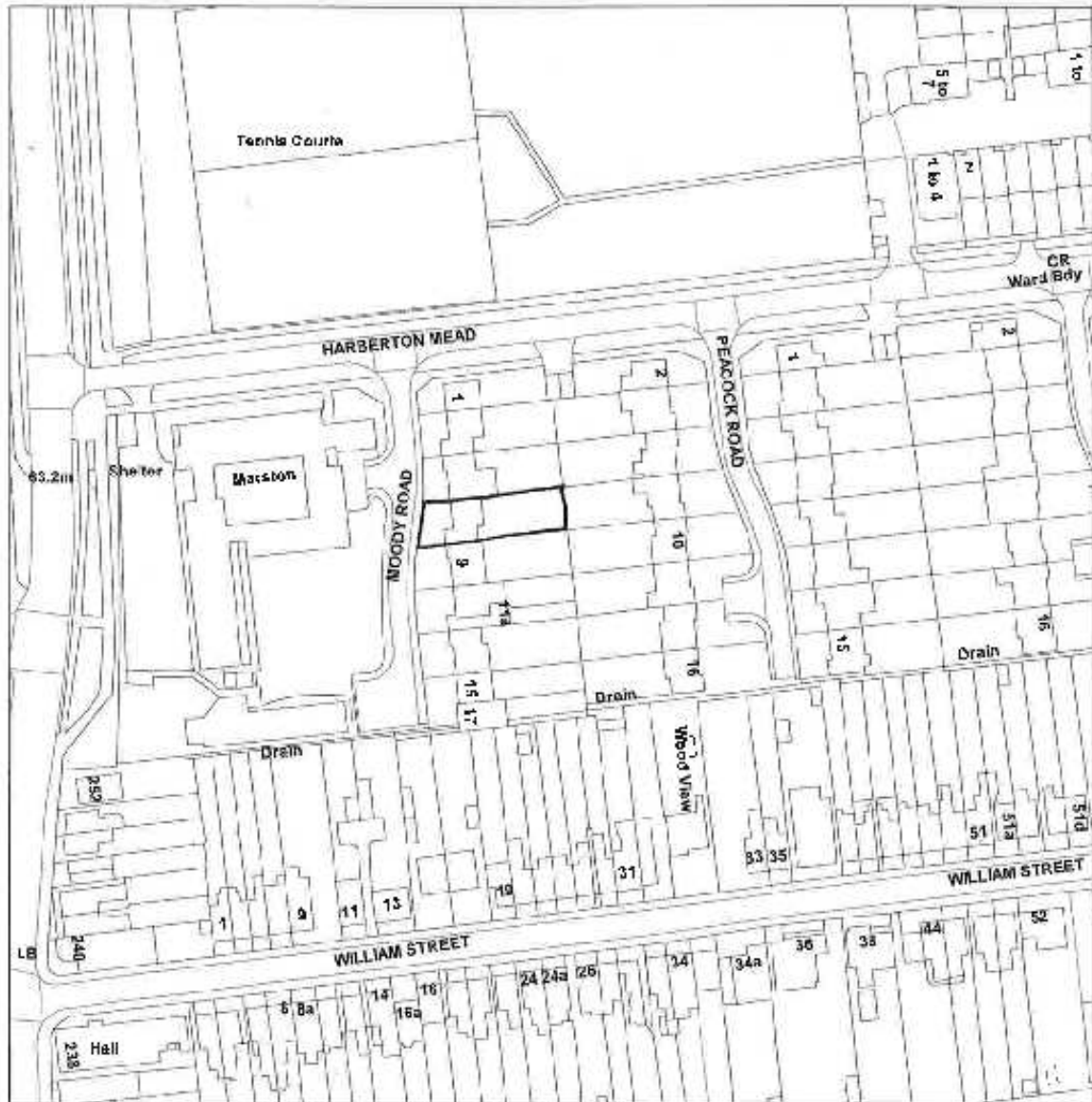
Extension: 2160

Appendix 1

7 Moody Road



OS by ORION (UK)



Scale : 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	12/01734-PDL
Date	06 August 2012
SLA Number	Not Set

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East Area Planning Committee

6th September 2012

Application Number: 12/00815/FUL

Decision Due by: 8th June 2012

Proposal: Erection of single storey 1 bedroom dwelling and 1 x car parking space accessed from Town Furze (retrospective) (amendment to 07/02540/FUL)

Site Address: 33 Dene Road (site plan at **Appendix 1**)

Ward: Lye Valley Ward

Agent: N/A

Applicant: Mr G Higgison

Application Called in – by Councillors – Timbs, Coulter, Humberstone, Khan, McManners and Clarkson.
For the following reasons – not built in accordance with the approved plans

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development differs from the previously approved plans in terms of the additional height at eaves and ridge but with a reduced width. Although the building is more prominent in views from the street it is still single storey and seen as a subordinate building when compared to the existing housing. The reduced width has allowed for the retention of the existing mature planting abutting the boundary that may otherwise have been lost and will allow for further planting both of which will soften the appearance of the building and mitigate against the additional height. Overall any additional net visual impact over the approved scheme will be modest and insufficient to warrant refusal of the application. The building will still be an acceptable addition to the streetscene. The increased height will not have any unacceptable impact on daylight and sunlight to the existing neighbouring housing and due to reduced width will not have an unacceptable overbearing impact on the neighbouring gardens. The new dwelling will be adequately served by amenity space, parking and bin and cycle storage. As such the proposal to retain the building will comply with policies CP1, CP6, CP8, CP10, TR3, TR4, HS19, HS20 and HS21 of the Oxford Local Plan 2001 – 2016, CS2, CS18, CS22 and CS23 of the Oxford Core Strategy and HP2, HP9, HP10, HP12, HP13, HP14, HP15 and HP16 of the Sites and Housing Plan Submission Document.

- 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 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.

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

- 1 Development begun within time limit
- 2 Development in accordance with approved plans
- 3 Amenity no additional windows (roof and any elevation),
- 4 Design - no additions to dwelling
- 5 Car parking space
- 6 Vision splays
- 7 SUDS - Lye Valley (Ecology)
- 8 Landscape plan required
- 9 Landscape carry out after completion
- 10 Boundary details before commencement and implementation before the development is occupied,
- 11 Provision of bins and bikes
- 12 No use of loft space as living accommodation.

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities

HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space

Core Strategy (OCS)

CS2_ - Previously developed and greenfield land
CS18_ - Urban design, town character, historic environment
CS22_ - Level of housing growth
CS23_ - Mix of housing

Sites and Housing Plan – Submission (SHP)

HP2_ - Accessible and Adaptable Homes
HP9_ - Design, Character and Context
HP10_ - Developing on residential gardens
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

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.

Other Material Considerations:

National Planning Policy Framework March 2012 (NPPF)

NB: As of 27th March 2012 the National Planning Policy Framework replaced various Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) which are now withdrawn.

Relevant Site History:

02/00430/FUL - Single and 2 storey rear extension. PER 26th April 2002.

63/13378/A_H - Private garage. PDV 23rd April 1963.

67/19033/A_H - Conservatory. PDV 25th July 1967.

07/01614/FUL - Demolish garage and shed at rear. Erection of 2 storey 1 bed dwelling and 1 car parking space accessed from Town Furze. REF 11th September 2007.

07/02540/FUL - Demolish garage. Erection of single storey 1 bed dwelling and 1 car parking space accessed from Town Furze. PER 20th December 2007.

10/03221/CND - Details submitted in compliance with condition 3 (samples) of planning permission 07/02540/FUL. PER 14th December 2010.

Representations Received:

44 Town Furze, 39 Dene Road, 41 Dene Road, 45 Dene Road, 151 Dene Road, 23 Stanton Road. 67 North Way, 81 Old Road, 31 Dene Road, 16 Long Close, 58 Dene Road, 60 Dene Road, 35 Dene Road, 50 Town Furze, 1B Dene Road, 26 Wilkins Road, 16 Balfour Road, 25 Quarry Road, 20 Leafield Road, 37 Dene Road, 43 Town Furze

In Opposition

Development too high
Inadequate parking provision
Out of keeping with character of area
Strain on existing community facilities
Affect on local ecology
Close to adjoining properties
Conflict with local plan
Noise nuisance
Information missing from plans
Loss of privacy
Loss of light
Loss of views
Overdevelopment
Materials out of character of area

In Favour

Building replaces a dilapidated and dangerous garage
High standard of development
Sympathetic to local area
Alterations accommodate concerns of neighbours
Imaginative development
Enhance the neighbourhood
Has ample parking
It is definitely a one storey building
Less windows give better privacy to neighbours
Changes are simple
Will not cause any issues with regards to access to the street, loss of privacy or loss of light
Incremental development spreads the additional load on resources

Statutory and Internal Consultees:

Oxford Civic Society: bungalow built without permission and has been lived in for 5 years; it is an anarchic precedent for flouting of planning rules which should not be allowed if orderly urban organisation is to be fostered.

Thames Water Utilities Limited: no objection

Highway Authority: no objection subject to conditions regarding no water discharge

onto the highway; vision splays and car parking space dimensions.

Lye Valley Residents Association: Has a second floor, pitch on roof too steep, will set a precedent, overdevelopment, out of character, unsightly development,

Issues:

Principle
Design
Residential Amenity
Car Parking
Cycle Parking
Other

Officers Assessment:

Site Description

1. The application site lies to the rear of 33 Dene Road with access off Town Furze. Dene Road is characterised by semi detached residential properties set within reasonably large plots. The rear gardens back onto Town Furze with many having single storey garages accessed from Town Furze.

Proposal

2. The application is seeking amendments to a previously approved scheme for the erection of single storey 1 bed dwelling and 1 car parking space accessed from Town Furze. Planning permission was granted in December 2007 under reference 07/02540/FUL.
3. The building has been reduced in width by 0.75m from 8.2m to 7.45m. The height to the ridge has increased from 4.5m to 5m (from the damp proof course) an increase in 0.5m. The eaves have also increased in height from 2.4m to 2.98m (from the damp proof course) an increase of 0.58m.
4. Other changes include the reduction in the number of roof lights on the rear elevation from four to one and an increase in the number of roof lights on the front elevation from none to two. On the front elevation the porch has been increased in size from 1.3m to 2.1m in width and from 0.6m in depth to 1.0m. The height remains the same at 2.5m. The doors/windows on the front elevation have also been altered with the main door now having a window adjacent to it and the double patio doors being reduced to a door with a window adjacent to it. On the rear elevation a small high level window has been installed where none existed on the approved scheme to allow light to the kitchen.
5. All dimensions have been taken from the plans approved under 07/02540/FUL. However the applicant disputes these measurements and claims the approved plans show the building to be approved at 5m in

height. No plans have been forthcoming to prove this therefore the plans as approved and detailed on the website have been used.

Assessment

Principle

6. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed. It goes on to state that Local Planning Authorities should resist inappropriate development of residential gardens.
7. Policy CS2 of the OCS – Previously Developed and Greenfield Land resists development on large areas of greenfield land. It does not apply to residential gardens. Policy HP10 of the SHP is designed to strike a balance between the contribution of gardens to local character, and the need to ensure that suitable land can be used for well-designed residential development. The policy therefore defines residential garden land differently to 'greenfield' land, such that development can continue to come forward on appropriate sites in residential areas.
8. The principle of developing this site has been established by the granting of permission in December 2007 and the scheme was implemented by the digging of foundations albeit now not in accordance with the approved plans. The site was deemed appropriate for development and is still considered as such.
9. Policy CS23 of the Oxford Core Strategy 2026 seeks to ensure that residential development delivers a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
10. The Balance of Dwellings Supplementary Planning Document (BoDs) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The application site is located within the Lye Valley Neighbourhood Area which has been classified as an amber area which requires the City Council to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new developments.
11. The retention of the stock of family housing is particularly important in Oxford, given the relative lack of new family housing coming forward. There is a lack of new family housing being built, and a continuing trend for more conversions of family houses to smaller flats. In order to ensure a mixed and balanced community is encouraged, family housing needs to be retained, as well as new family housing being built to allow choice.
12. Whilst the proposal is not considered to be a family dwelling it will further add to the mix to achieving a balance and suitable distribution of dwelling types within the area.

Design

13. Policy CS18 of the Core Strategy (CS) states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the Oxford Local Plan (OLP). Policy CP1 states 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.
14. Policy CP8 of the Oxford Local Plan 2001-2016 suggests the siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area.
15. The character of Town Furze is one of harsh and abrasive edges to the public realm composed of a variety of unattractive single storey garden buildings of varying heights. Although the proposal is larger than the existing garden buildings it is set back from the highway therefore its bulk, scale and height is less intrusive.
16. The proposal is a detached building not in association with the main dwelling therefore the use of materials to match the existing dwelling is not necessary and the approval of 10/03221/CND (details submitted in compliance with condition 3 (samples) of planning permission 07/02540/FUL) confirmed the acceptability of the materials used. The external materials are that of a brick finish compared to the render of the existing dwellings. This difference is considered acceptable for the reason given above. The visual appearance of the building and its appearance in the streetscene of Town Furze are therefore considered acceptable.
17. Prior to the granting of permission under 07/02540/FUL a scheme was refused (07/01614/FUL- demolish garage and shed at rear and erection of a 2 storey 1 bed dwelling and 1 car parking space accessed from Town Furze). This refused scheme was at a similar height to that now seeking permission but it was of a different design in that it was asymmetrical with the front and rear elevations being at different heights thus creating a discordant feature when compared to the current scheme which is symmetrical and therefore less intrusive. It was also refused for proposing too much accommodation that could not be adequately provided for by way of amenity space.

Residential Amenity

18. Policies HS19 and CP10 of the OLP and HP14 of the SHDPD require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. The insertion of the window in the rear elevation will not lead to any issues of overlooking or loss of privacy due to its position within the rear elevation i.e. high level. Roof lights by their design do not lead to any issues of overlooking

or loss of privacy and the reduction in the numbers of roof lights on the rear roof slope will reduce the perception of being overlooked. There are no windows in the side elevations and a condition has been added to the recommendation to ensure none are inserted at a later date without planning permission. A further condition is recommended to ensure that the roof space is not used for living accommodation as this would add unacceptable opportunities for overlooking as well as placing a requirement for additional parking and amenity space.

19. Policy HS19 of the OLP and HP14 of the SHP sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25-degree code of practice, detailed in Appendix 6 of the OLP and Appendix 7 of the SHP. There will be no loss of light to neighbouring properties as the proposal is located towards the end of the garden and complies with the 45/25-degree code of practice despite the increase in height.
20. Policy HS19 also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. The proposal has been built away from the boundary when compared to the approved scheme thus allowing the existing boundary planting to be retained in the neighbouring gardens. A condition can be added to mitigate and soften the boundary even more to allow planting along the boundary within the application site which wasn't available on the approved scheme as the building approved by the original planning permission extended the full width of the plot right up to either boundary. It is acknowledged that the proposal is higher than that approved however the set back from the boundary mitigates this increase in height and therefore there will be no additional sense of enclosure or overbearing impact to neighbouring gardens..
21. Policy HS20 of the OLP states developments involving residential uses should provide a good environmental standard within and outside each dwelling. However policy HP12 of the SHP goes into more detail and also requires the space provided within each room to allow for reasonable furnishing, circulation and use of household facilities in each part of the home, including for desk based home working; and each dwelling should provide adequate storage space, taking account of the occupation intended. It also goes on to say planning permission will not be granted for new dwellings if any single dwelling provides less than 39m² of floor space (measured internally). The ground floor area is 41.25m² and it is considered there is enough space within each room for everyday living. Therefore the proposal is considered acceptable in terms of policies HS20 of the OLP and HP12 of the SHP. Only the ground floor area has been used as the space in the loft is to be used as storage. As stated above a condition is recommended to prevent any use of the loft space as living accommodation and any attempt to use the loft area as habitable space will be strongly resisted by the Council as the plot is not large enough to accommodate a family dwelling in terms of the additional servicing requirements that would otherwise be required.

22. Policy HS21 states that planning permission will not be granted for proposals involving residential uses where insufficient or poor quality private open space is proposed and policy HP13 of the SHP states planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space. Policy HS13 does not specify dimensions for amenity space. Given the proposal is for a small one bed unit the amount of amenity space proposed is considered acceptable to allow the occupants to enjoy fresh air and light in privacy.

Car Parking

23. Policy TR3 of the OLP states Planning Permission will only be granted for development that provides an appropriate level of car parking spaces, no greater than the maximum parking standards shown in Appendix 3 of the OLP. The maximum for a 1 bed dwelling is 1 space. It has been demonstrated that one car parking space can be provided on site and the Highway Authority have raised no objections.

Cycle Parking

24. Policy TR4 of the OLP states that planning permission will only be granted for development that provides good access and facilities for pedestrians and for cyclists and complies with the minimum cycle parking standards shown in Appendix 4. According to the Parking Standards SPD secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments. The minimum requirement for residential dwellings is two spaces per residential unit. This is reiterated by policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
25. No cycle parking (or bin storage) is shown on the submitted plans therefore a condition is recommended to require details to be submitted and approved. It is considered that ample space is available to achieve this requirement.

Sustainability:

26. The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal would constitute a sustainable form of development that would make more efficient use of the existing site.

Other matters

27. With regards to comments made it is accepted that there is no private "right to a view", that the planning system should protect, as stated in former PPG1 para.64.
28. Precedence is not a reason to grant or refuse planning permission, although this is the first development of its kind in this street, each application will be taken on a case by case basis and assessed against

the relevant policies in the Local Plan.

Conclusion:

29. The proposal is considered to be acceptable in terms of the relevant policies in the Oxford Core Strategy 2026, the Oxford Local Plan 2001-2016 and the Sites and Housing Plan – Submission therefore approval is recommended.

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:

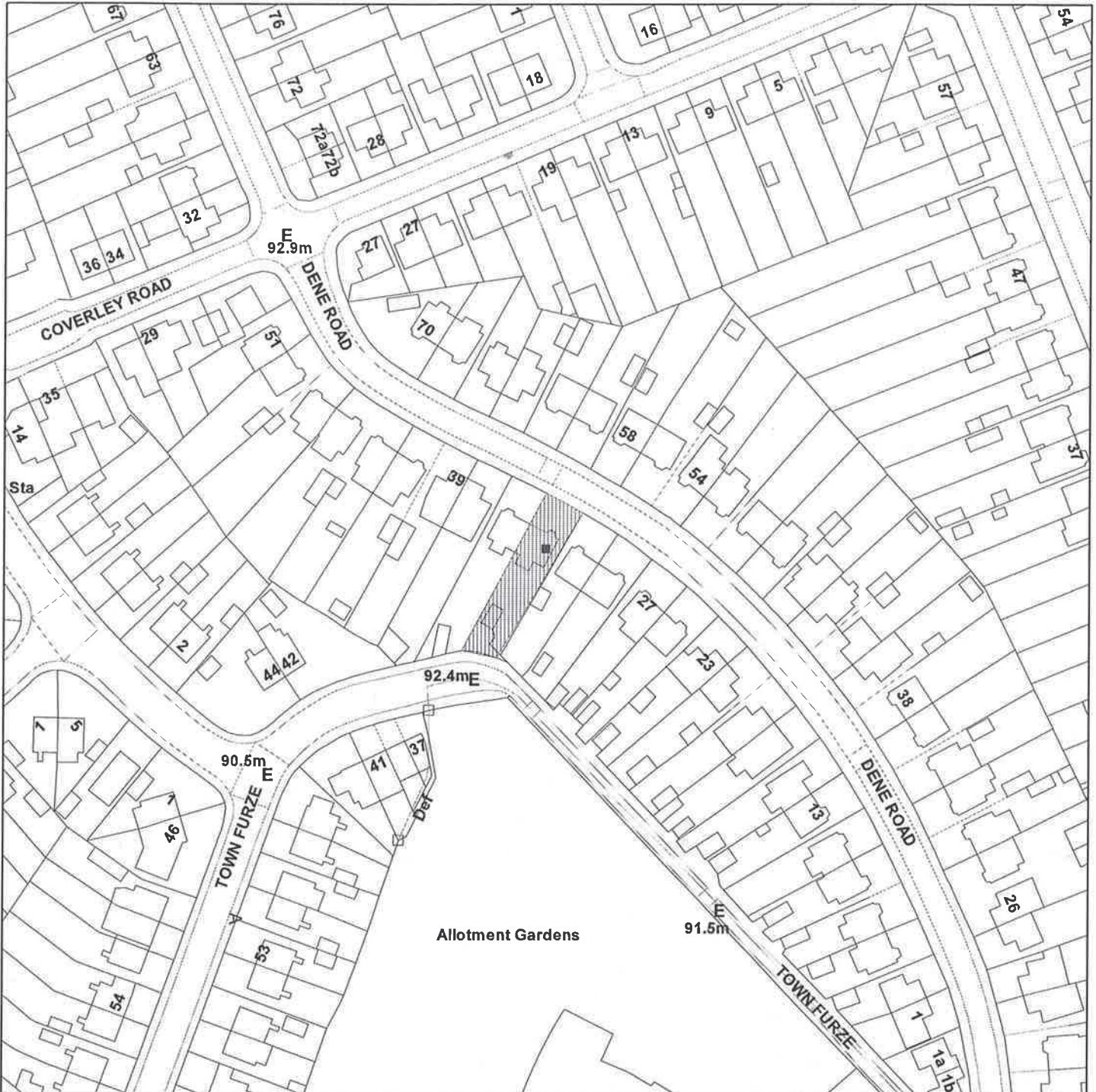
Contact Officer: Martin Armstrong

Direct Line: 01865 252703

Date: 20th August 2012

Appendix 1

12/00815/FUL 33 Dene Road



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	29 August 2012
SLA Number	LA100019348

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East Area Planning Committee

6th September 2012

Application Number: 12/01135/FUL

Decision Due by: 12th July 2012

Proposal: Erection of two storey side and rear extension (Amended Plans)

Site Address: 23 Outram Road Oxford Oxfordshire OX4 3PD
(Site plan: **Appendix 1**)

Ward: Cowley Ward

Agent: N/A

Applicant: Mr Mazhar Dogar

The application has been called in by Councillors Rowley, Tanning, Coulter and Canning for reasons relating to overdevelopment and overbearing effect on the neighbouring house and garden at 21 Outram Road.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

1. The development is considered to form an acceptable visual relationship with the existing building and local area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. The area of private amenity space is not reduced and issues relating to highway safety and flooding can be dealt with by way of condition to ensure the proposals comply with Policies CP1, CP8, CP10, TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policies CS11 and CS18 of the Core Strategy.
2. A number of comments and objections have been received from nearby residents and the Local Highway Authority. These comments and the issues raised are addressed in the officers' report.
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.

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 - matching
- 4 Amenity no additional windows side,
- 5 Amenity no balcony
- 6 Sustainable drainage scheme
- 7 Yellow lines to be painted on junction before first occupation
- 8 Approved landscaping plan to be implemented before first occupation
- 9 Boundary details before commencement

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

TR3 - Car Parking Standards

HS19 - Privacy & Amenity

HS20 - Local Residential Environment

HS19 - Privacy & Amenity

TR3 - Car Parking Standards

Core Strategy

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

Oxford City Council Planning Design Guide 1 – Corner Site Extensions
(Design Guide1)

Oxford City Council Planning Design Guide 2 – Side Extension (Design Guide 2)

Relevant Site History:

72/26085/A_H - Erection of kitchen extension.. PDV 5th June 1972.

05/01745/FUL - Two storey side, single storey rear extension with pitched roof over existing rear extension. Use of side extension as 1 bed house. Parking for 3 cars on frontage. REF 10th October 2005.

Representations Received:

19 Outram Road: Object – Effect on adjoining properties, character of area and flooding risk. Concerns over noise and disturbance due to number of occupants. Concern that 3 parking spaces would not fit appropriately onto plot. Loss of garden to parking and resultant flooding issues

21 Outram Road: Object – Development would lead to overshadowing, loss of natural light and be overbearing. Concerns over parking and congestion and access for maintenance

25 Outram Road: Object – Proximity to adjacent property will lead to loss of light. Three parking spaces will cause problems for road users around junction. Parking provision and access are inadequate. Concerns over settlement of building and use of building. Raises issues relating to boundary treatment, quality of finish and landscaping.

Statutory and Internal Consultees:

Local Highways Authority: No objection subject to conditions requiring an extension of the dropped kerb and the creation of Double Yellow Lines on the junction of Outram Road and Cornwallis Road.

Issues:

Design
Effect on adjacent occupiers
Parking
Private amenity space

Officers Assessment:

Site description and proposal

1. 23 Outram Road is a semi detached house on a corner plot that is wider at the front of the plot. A single storey extension has been erected to the rear. Permission is sought to construct a two storey side and rear extension and to add a first floor to the existing single storey extension.
2. A previous application (05/01745/FUL) for a two storey side extension and single storey rear extension was refused in 2005. That application differed from the current application in that it proposed to use the side extension as a separate dwelling, and was refused on the basis that the private amenity space was inadequate for both dwellings.

Design

3. Oxford City Council desires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8 and CS18 are key in this regard.
4. Oxford City Council Planning Design Guide 1 – Corner Site Extensions seeks to ensure that houses on corner sites are not unbalanced by excessively wide side extensions that dominate the existing houses.
5. Oxford City Council Planning Design Guide 2 – Side Extension seeks to ensure that pairs of semidetached houses are not unbalanced by side extensions that are not subordinate to the existing houses.
6. The proposed development would be highly visible from the public domain, and the two storey side extension will project beyond the building line along the West side of Outram Road, contrary to the aims of Design Guide 1. However, it is noted that there are other two storey extensions in the local area that also breach the building line, specifically at 26 Outram Road, which is directly opposite the application site and 25 Outram Road, which is the adjoining semi.
7. Following consultation with officers, the originally submitted plans have been substantially amended to reduce the side extension from 4 metres in width to 3 metres and to remove the bay window. The rear extension has also been reduced in width to reflect the width of the rear extension at number 25.
8. The result is a series of extensions that in form and scale closely reflect other extensions on corner sites in the area. The side extension, whilst not entirely subordinate to the existing house, is nearly identical to the side extension at number 25 and will serve to rebalance the pair of semis in accordance with the aims of Design Guides 1 and 2. It is noted that the side extension does project further to the rear than that at number 25, but this part is set back from the side wall to reduce the visual impact.
9. Overall, the form of the proposed extensions cannot be said to be out of character with the area, due to the close proximity of similar extensions and subject to a condition of planning permission to control the appearance of materials used in the build, the proposals are not considered to be harmful to visual amenity and the proposals comply with Policies CP1 and CP8 of the OLP and CS18 of the Core Strategy.

Effect on adjacent occupiers

10. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1, CP10 and HS19 of the OLP support this aim. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.

11. As originally submitted, the 45 degree guidance indicated that the proposed side extension would have a material effect on the amount of light reaching the front facing window and glazed door serving a habitable room within a side extension at number 21 Outram Road.
12. Following amendments to reduce the width of the side extension, the 45 degree guidance indicates that the front facing window may still be affected, but the glazed door is no longer materially affected. The glazed door provides an acceptable alternative source of light, and it is noted that if the fenestration to the front of the extension at number 21 was still as permitted by application 91/00591/NF, that window would not be materially affected. Officers therefore consider that there is no unacceptable overshadowing or overbearing effect and subject to conditions to prevent overlooking the proposals are considered unlikely to have a material effect on adjacent occupiers, and comply with Policies CP1, CP10 and HS19 of the OLP.

Parking

13. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. Policy TR3 states that planning permission will only be granted for development that provides an appropriate level of car parking spaces no greater than the maximum car-parking standards shown in the plan's Appendix 3. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk, floodwater flows and flood water storage.
14. The proposed extension will create a four bedroom house. Appendix 3 of the OLP gives a maximum standard of three parking spaces for a four bedroom house and the amended plans show three spaces within the front garden. However, the spaces will be very close to the junction of Outram Road and Cornwallis Road, and views of the junction may be impeded by parked cars. The Local Highway Authority has recommended that any grant of planning permission be conditional on a financial contribution from the applicant to fund the painting of Double Yellow Lines on the junction to prevent parked cars from obscuring views of the junctions from vehicles using the spaces.
15. This is considered a reasonable imposition to ensure the development does not have an unacceptable effect on highway safety and subject to a condition requiring a sustainable drainage scheme to prevent an increase in the risk of flooding elsewhere will ensure that the development complies with Policies CP1 and TR3 of the adopted Oxford Local Plan 2001 – 2016 and CS11 of the Core Strategy

Private amenity space

16. The adopted Oxford Local Plan requires that new dwellings should provide an amount of private open space to allow their occupants to enjoy fresh air and light in privacy. It goes on to say that where occupiers are likely to be children, then shared amenity space is not appropriate and, generally, the length of a private garden for a family house should be 10 metres.

17. Policy HS21 states that planning permission will not be granted for development proposals where insufficient or poor quality private open space is proposed.
18. The existing single storey extension, coupled with the shape of the plot means that the rear garden is already compromised and although a maximum dimension of 10 metres does remain, the shape of the plot means that much of this is impractical to use. The current proposals will add to the living accommodation and further imbalance the ratio of accommodation to garden.
19. A wooden fence continues the line of the existing side wall and means that the area to the side of the house does not currently form part of the enclosed rear garden, whilst the proposed extension would be constructed entirely on land that is not currently part of the enclosed rear garden, or above the existing rear extension.
20. It is noted that the existing side fence is shown on the plans as removed, meaning that the proposed extensions will result in a marginal increase in private amenity space. However, the rear garden is still considered insufficient to serve the extended house and it is considered reasonable that any grant of planning permission be conditional on the implementation of approved boundary treatments and an approved landscaping plan that makes better use of the areas of land to the front and side of the house to ensure that an adequate amount of private amenity space be provided to the extended house, and that the proposal complies with Policies CP1, CP10 and HS21 of the OLP.

Other issues

21. Comments have been received relating to settlement of the property and a potential effect on the attached house, as well as access for maintenance and upkeep of boundary fences. These are not matters that can be dealt with by the planning system and are in the main civil matters to be settled between the individuals.
22. Comments have been received relating to the potential to rent the house to additional people. Whilst it is appreciated that the enlarged house would be able to accommodate a larger family, officers believe that the house is currently let to a family and would therefore require a further and separate grant of planning permission to allow it to be let to more than two unrelated persons (a House in Multiple Occupation).

Conclusion:

- 23. The development is considered to form an acceptable visual relationship with the existing building and local area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. The area of private amenity space is not reduced and issues relating to highway safety and flooding can be dealt with by way of condition to ensure the proposals comply with Policies CP1, CP8, CP10,**

TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policies CS11 and CS18 of the Core Strategy.

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: 12/01135/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 21st August 2012

Appendix 1

12/01135/FUL 23 Outram Road



	LA100019348

EAST AREA PLANNING COMMITTEE

6th September 2012

Application Number: 12/01931/FUL

Decision Due by: 25th September 2012

Proposal: Erection of single storey rear extension

Site Address: 34 Rymers Lane Oxford (Appendix 1)

Ward: Cowley Ward

Agent: Jim Driscoll

Applicant: Mr Shah Khan

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

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed rear extension is, whilst relatively significant depth in comparison with the existing house, considered to be of appropriate form, scale and appearance such that it enhances the appearance of the rear of the house without significantly harming neighbouring amenity. The proposals therefore accord with policies CP1, CP8, CP9, CP10 and HS19 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9 and HP14 of the Sites and Housing Plan Submission Document.
- 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.

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 plns
- 3 Materials - matching

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP8 - Design Developmt to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Developmnt to Meet Functional Needs
- HS19 - Privacy & Amenity

Core Strategy

- CS18_ - Urb design, town character, historic env

Sites and Housing Plan - Submission

- HP9_ - Design, Character and Context
- HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

10/01735/CEU - Lawful Development Certificate: Application to certify that existing use of the property as 2 flats is lawful – Granted 23.08.2010

11/03209/FUL - Ground floor rear extension (amended plans) – Permitted 01.02.2012

Representations Received:

None

Statutory and Internal Consultees:

Highway Authority – No objection

Issues:

Design
Impact on Neighbouring Amenity

Officers' Assessment:

Site Description

1. The application site relates to a mid-terrace house on a wider residential street within the Cowley area of Oxford. The house has been subdivided into two flats and this was confirmed as lawful in 2010 through the issuing of the Certificate of Lawfulness. The house has been extended through an existing relatively small single storey predominantly flat roof rear extension.

The Proposal

2. The application seeks consent to demolish the existing single storey flat roof extension and erect a larger pitched roof ground floor extension.

Design

3. Policies CP1 and CP8 of the Local Plan require development proposals integrate well with the surrounding area through reflecting and responding to its context in terms of its form, grain, scale and materials.

4. The existing rear extension is visibly in a relatively poor state of repair and of flat roof form that evidently does not relate well to the existing house. The replacement of this existing extension is therefore welcomed. The proposed extension is of more typical and traditional form for a domestic building and better reflects the roof form of the existing house and surrounding development. Whilst its depth is quite significant in comparison with the existing house, the height and width of the extension are relatively modest such that, overall, the extension is considered to be proportionate in scale to both its host dwelling and surrounding development and thus forms an appropriate visual relationship with the surrounding area. In order for the extension to be in keeping with the existing house and condition is recommended to be imposed requiring the use of materials to match the existing building.

Impact on Neighbouring Amenity

5. The height of the extension is not significant and indeed lower than that allowed to be constructed without planning permission under permitted development rights. Its depth is however more significant at nearly 5m though the combination of its height and depth are not considered significant enough to result in significant harm to the outlook or levels of light enjoyed by neighbouring properties. No windows are proposed to face the adjoining properties hence there will be no additional impact on the levels of privacy enjoyed by occupiers of neighbouring dwellings. Consequently, the proposals are considered to adequately safeguard neighbouring amenity in accordance with the requirement of policies CP1, CP10 and HS19 of the Local Plan.

Sustainability

6. The extension provides additional and improved residential accommodation on a brownfield site in a sustainable location close to everyday amenities and public transport routes.

Conclusion:

7. The extension is considered to be visually commensurate with its surroundings without unacceptably harming neighbouring amenity such that the proposals are considered to accord with the policies of the development plan. Committee is

therefore recommended to approve the application subject to the conditions set out at the beginning of this report.

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:

12/01931/FUL

11/03209/FUL

10/01735/CEU

Contact Officer: Matthew Parry

Extension: 2160

Appendix 1

34 Rymers Lane



Scale : 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	120193/1-UL
Date	21 August 2012
SLA Number	Not Set

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To: East Area Planning Committee

Date: 4th September 2012

Item No:

Report of: Head of City Development

Title of Report: Receipt and Expenditure of Developer Contributions

Summary and Recommendations

Purpose of report: This report summarises the receipt and expenditure of developer contributions in the last financial year (11/12)

Report Approved by:

Finance: Jonathan Marks or David Watts?

Legal: Michael Morgan or Daniel Smith?

Policy Framework:

Oxford City Council corporate priorities:

- Meeting Housing Needs
- Strong Active Communities
- Cleaner, Greener Oxford

Local Development Framework

- Planning Obligations SPD

Core Strategy 2026

- Policy CS17 Infrastructure and developer contributions
- Policy CS24 Affordable housing

Recommendation(s): This report asks the East Area Planning Committee to note the receipt and expenditure of developer contributions in the last financial year (2011/12) and the proposed expenditure of developer contributions for 2012/13 plus future years.

Summary

1. The report summarises the receipt and expenditure of developer contributions in the last financial year (11/12) and reviews progress to date of schemes in the Capital Programme for 2012/13 and future

years. The report also lists legal agreements where the contributions are yet to be triggered and draft legal agreements yet to be finalised. Previously this report went annually to each of the six area committees, but will now go to the East and West Area Planning Committees.

Introduction

2. Developer contributions are sought to mitigate the impact of development, compensate for loss or damage caused by a development and overcome what would otherwise be a potential reason to refuse a planning application. The contributions are received under the terms of legally binding planning agreements that restrict the purpose for which the contributions can be used. The expenditure of the contribution can only be used on schemes that cover the purpose for which the contribution was received.

Summary of all Council Expenditure

3. In 11/12 £542k of developer contributions held by the City Council was been spent and 9 schemes were completed. The main expenditure has been on the following types of scheme:

Leisure/City Development	Highway/County	Housing/Community Facilities
£353,132	£88,798	£100,000

4. At the start of this financial year there was £2,184,725 of developer funding held by the City Council, which is due for expenditure (subject to Council approval) as set out below on the following types of scheme (the figures for years of expenditure are only approximate and may change due to slippage or early completion of schemes):

Year for expenditure	12/13	13/14 forward
Affordable Housing/Community	£ 21,169	£ 392,135
Highway	£ 270,923	£ 164,633
Leisure	£ 171,447	£ 424,635
West End Infrastructure/Other	£ 292,281	£ 447,502
Total	£ 755,820	£ 1,428,905

City Council Schemes for East Area Planning Committee Area

5. In this Area Committee area 8 schemes have been completed as follows:
 - Marsh Lane to Stockleys Road – cycle-link
 - Barton Village Pavilion – new building
 - Replacement sports facilities - Cowley Marsh
 - Bury Knowle Park – improvements to play area
 - Florence Park - improvements to play area
 - St Christopher’s Place - improvements to play area
 - Rose Hill – affordable housing
 - Milham Ford – work of art
6. **Appendix 1** sets out the schemes in the Capital Programme for the East Area Planning Committee area funded by developer contributions according to type of scheme, approximate year of implementation and explains the current position on schemes to be implemented by the City Council. There is currently £1,083,116 of developer contribution funds held specifically to be used in this area committee area.
7. **Appendix 2** sets out the agreements that:
 - require a contribution to be paid to the Council under a sealed agreement but the trigger to receive the contribution (such as commencement of development) has not yet occurred; plus
 - do not require a financial contribution but require the developer to provide on-site measures with which the Committee may have future involvement such as work of art, community facilities, travel plan details etc;
 - sets out on-site affordable housing to be provided within the development.
8. **Appendix 3** lists the proposed legal agreement that have been reported to Area Committee but the legal agreements have not yet been sealed.

County Contributions

9. **Appendix 4** sets out the contributions received, spent and held by the County Council between 1st April 2011 and 31st March 2012. The list is set out by County Council Members responsibility. The County currently hold £6,032,080 of developer contributions.
10. List of appendices:
 - Appendix 1 – Developer funded schemes included in Capital Programme with current position and contributions not as yet allocated to a scheme.
 - Appendix 2 - List of legal agreements completed but the clauses in the agreement have not been triggered.
 - Appendix 3 - List of planning applications approved subject to legal agreements which have not yet been completed.

Appendix 4 - Contributions paid or payable to the County Council.

Name and contact details of author:

Lorraine Freeman 252178 lfreeman@oxford.gov.uk

Background papers:

Legal Agreements for the developer contributions listed, copies of which are held in Planning Policy – (THESE ARE DOCUMENTS IN THE PUBLIC DOMAIN AND SO DO NOT NEED TO BE STATED TO BE BACKGROUND PAPERS).

ALLOCATED TO SCHEMES

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
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CITY DEVELOPMENT - HIGHWAY SCHEMES

Barton - cycle link and infrastructure measures	F5011	13/14	Barton & Sandhills	35,225.01	Bernwood School site, North Way	Barratt Mercia	improvements of local transport infrastructure which may include cycle & pedestrian measures	11.01.15	£18k to be used towards a residents parking lay-by along Northway to ease the current problem of parking. Remainder of contribution will be paid back to County for use towards cycle and pedestrian measures		
				13,000.00						County Council contribution	improvements of local transport infrastructure which may include cycle & pedestrian measures
				48,225.01							
Marsh Lane to Stockleys Road - cyclelink → → →	F5010	Complete	Headington Hill & Northway	2697.65	JR Hospital, Headley Way, Headington	Oxford Radcliffe Hospitals NHS Trust (payment from County to City)	various measures including cycle & pedestrian infrastructure designed to improve further the extent & safety of cycle & pedestrian access to the hospital		Scheme COMPLETE - awaiting final invoices to be processed.		
TOTAL CITY DEVELOPMENT - HIGHWAY SCHEMES				50,922.66							

COMMUNITY HOUSING & DEVELOPMENT

unallocated affordable housing contributions	M5013	13/14	Littlemore	16,428.83	Yamanouchi Research Institute, 33 Armstrong Road	RO Developments Ltd	Provision of Affordable Housing		Currently unallocated - awaiting further funds
Bullington Community Centre - provision or enhancement of facilities	F6013	12/13	Lye Valley	4,807.00	TA Centre, Slade Barracks, Mascall Avenue, Headington	Berkeley Homes	Towards the provision or enhancement of community facilities in the vicinity of the land.	22.07.18	Report to Cowley Area Committee 1st April 2009 approved scheme for improvements to Bullington Community Centre - on-going
Rose Hill - provision or enhancement of community facilities and programmes	F6014	13/14	Rose Hill & Iffley	255,820.00	Orlit Housing, Rose Hill	Ox. Citizens Housing Assoc.	Towards provision of or enhancement of community facilities and programmes in the Rose Hill area of the City.		New Community Centre
Wood Farm/Headington Community Centre - improvement of facilities	F7007	13/14	Headington	19,886.60	Windmill School, Margaret Road	Rectory Homes Ltd	Towards improvement of facilities at Wood Farm Community Centre &/or Headington Community Centre		Scheme to be drawn up
TOTAL COMMUNITY HOUSING & DEVELOPMENT				296,942.43					

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
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CITY LEISURE

Cuddesdon Way - relocation of street sports site	F7001	12/13	Blackbird Leys	60,000.00	2 Cuddesdon Way, Childrens Nursery	Midcounties Co-op	Towards relocation/ provision of street sports area		Skate park to be relocated to Frys Hill - to be installed this financial year
Slade Area - Indoor/Outdoor sports facilities	F7018	12/13	Churchill	1,260.00	TA Centre, Mascall Avenue	Berkley Homes	Towards indoor/outdoor sports facilities		To be used towards All weather pith a Bullingdon(Peat Moors)
Town Furze Allotments - enhancement of facilities	F6009	12/13	Churchill	338.50	TA Centre, Slade Barracks, Mascall Avenue, Headington	Berkeley Homes	Towards provision or enhancement of allotments in the vicinity of the land.	22.07.2018	Contribution to be split 50/50 between Fairview and Town Furze allotments. SF meeting with allotment associations. Fairview have received their contribution of £338.50. Awaiting Town Furze
Recreation/Sports in City of Oxford	F7017	13/14	Churchill	200,000.00	Highfield Adolescent Unit, Warneford	Ox & Busks Mental Health NHS Trust	Towards provision, improvement or replacement of sports and recreation facilities in the City of Oxford		To use towards Blackbird Leys Competition Pool
Girdlestone Rd - Provision/improvements to public open space within the vicinity	A3127	13/14	Churchill	500.00	Former play area between 12 & 14 Dynham Place	Home Group	Provision or improvements to public open space		Scheme to be drawn up
Temple Cowley Pool - Provision or enhancement of facilities	F6002	13/14	Churchill	24,150.00	TA Centre, Slade Barracks, Mascall Avenue, Headington	Berkeley Homes	Towards the provision or enhancement of indoor leisure facilities in the vicinity of the land.	22.07.18	Contribution to be reallocated to Blackbird Leys Competition Pool.
			Cowley Marsh	2,322.84	12-27 Salesian Gardens	Cherwell Housing Trust	Provision or enhancement of indoor facilities in the vicinity of the land.	17.09.18	
				26,472.84					

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
Horspath Road Recreation ground - Installation of Adizone		13/14	Cowley	1,265.00	162-164 Hollow Way	Imran Khan T/A Speedy Property Solutions	Towards indoor sport to be used towards outdoor sports as per ctt minutes of East Area Planning ctt 3rd Aug 2011- adiZone installed in the Horspath Rd recreation ground		Scheme to be drawn up - further funds needed
Temple Cowley/Blackbird Leys - improvements to indoor facilities 113	F7003	13/14	Cowley	780.00	231 and 233 Cowley Rd	Mr Singh	Towards indoor sports facilities that serve the site		To use towards Blackbird Leys Competition Pool
			St Marys	540.00	239 Iffley Road	Exeter College, University of Oxford	Towards the cost of the infrastructure (indoor sports facilities).		
			Cowley Marsh	240.00	379 Cowley Road	Mr Clive Smith	Towards the provision of indoor sports facilities		
			Cowley Marsh	528.00	379 Cowley Road	Mr Clive Smith	Towards the provision of indoor sports facilities		
			St Marys	2,640.00	145-146 Magdalen Road	Vanderbilt Homes Ltd	Towards the provision of indoor sports facilities		
			Littlemore	504.00	Cardinal House, Cardinal Close	Oxford City Council - Housing	Towards the provision of indoor sports facilities		
			Cowley	300.00	258-262 Cowley Road	Mr P Patel	Towards indoor sport		
				5,532.00					
Cowley Marsh Pavilion/Recreation Ground Improvements		13/14	Cowley Marsh	1,543.00	381 Cowley Road	Greenings (Oxford) Ltd	Towards cost of sports facilities.		Cowley Marsh Pavilion/recreation ground
Margaret Road Recreation Ground - Improvements	F7002	13/14	Headington	7,603.70	Windmill School, Margaret Road	Rectory Homes Ltd	Towards improvements to Margaret Road Recreation Ground	22/04/18	Possibly use towards Margaret Rd Pavilion
Barton Pool/Margaret Road pavilion Improvements		13/14	Headington	16,620.00	Dorset House, London Road	Berkley Homes	Towards indoor sport		Barton Pool/Margaret Rd Pavilion
			Lye Valley	7,649.00	Shotover View, Crauford Road	bpha	Towards indoor sport	14.06.2022	Barton Pool/Margaret Rd Pavilion
				24,269.00					

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
Milham Ford Park Land and Recreational Facilities	A3125	12/13	Headington & Northway	13,189.47	Milham Ford School, Harbourton Mead	Brookes University	Park Land contribution for laying out of Park Land and other recreational purpose which shall include the Court Place Farm Artificial Turf Pitch	20.02.2014	Further expenditure to take place this financial year.
Oxford Road Park, Littlemore - Improvements (parish council)	F7005	12/13	Littlemore	17,624.00	Beenham, Railway Lane	Smith & Williamson Ltd	Towards provision & enhancement of public open space, park/ecology area, childrens play area, sports ground and allotment facilities.	22/10/19	Parish Council to use towards Street Sports site
Herchel Crescent Recreation Ground Improvements	F7016	12/13	Littlemore	7,002.00	Cardinal House, Cardinal Close	Oxford City Council - Housing	Towards open space within Littlemore in the vicinity of the development		Parish Council
Thomson Terrace Allotments improvements	F7008	12/13	Littlemore	126.00	Cardinal House, Cardinal Close	Oxford City Council - Housing	Towards improvements to allotment facilities within the vicinity of Littlemore		Scheme to be drawn up
Fry's Hill Leisure Development - BBL Pool	A1161	13/14	Northfield Brook	140,073.71	Brake Hill & Frys Hill BBL	Willmott Dixon Ltd	Provision of recreation facilities incl. all weather pitch, small court, changing rooms, car park, footpath + spindleberry footbridge		Remainder of this contribution to be used towards the new competition pool at Blackbird Leys.
Rose Hill Play Area Improvements	F7013	12/13	Rose Hill	3,050.00	Lambourn Road	Oxford City Council - Housing	Towards play area		
Rose Hill Recreation Ground/Pavilion Improvements	F7012	13/14	Rose Hill	3,300.00	Lambourn Road	Oxford City Council - Housing	Towards sports ground		
Lenthall Road Allotments Improvements	F7013	12/13	Rose Hill	220.00	Lambourn Road	Oxford City Council - Housing	Towards allotments		Scheme to be drawn up
Rose Hill Indoor Sports - improvements		13/14	Rose Hill	4,620.00	Lambourn Road	OCC (Housing)	Towards the provision of indoor sports facilities		To be used in new scheme for indoor sport in Rose Hill
Donnington Recreation Ground Improvements	A3129	12/13	Rose Hill & Iffley	13,374.79	St Augustines of Canterbury School, Iffley Turn	Banner Homes	Towards costs of improvements to Donnington Rec. Ground		£3,750 to remove, portacabins spent. To use towards refurbishment of play area scheduled for 12/13.

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
				31,000.00	St. Augustine of Canterbury School	Banner Homes Ltd	Towards the cost of improvements to Donnington play area and Meadow Lane play area		£61,500 received - split 30K donnington 31.5k meadow lane
				44,374.79					

TOTAL **562,364.01**

CITY LEISURE & CITY DEVELOPMENT - CULTURE CONTRIBUTIONS RECEIVED BUT NOT YET ALLOCATED TO A SCHEME

			St Clements	1,920.00	Part Manzil Way gardens & 205 Cowley Road	Crampton Smith	Towards indoor sport		To use towards Blackbird Leys Competition Pool
			St Clements	1,560.00	51 Union Street	Thomas and Sandra Crampton Smith	Towards indoor sport		To be used towards Astro Turf area at Union St - confirmed by applicant via email 17/04/12
			Lye Valley	366.00	Shotover View, Crauford Road	bpha	Towards allotments		Towards fairview Allotments

TOTAL UNALLOCATED **3,846.00**

ENVIRONMENTAL IMPROVEMENT MEASURES

CCTV - in vicinity of Brookes University	F7009		Churchill	60,000.00	Student Services Building. Gipsy Lane Campus, Gipsy Lane - Erection of new library building (NLTB) consisting of lecture theatre, library, teaching accommodation and social facilities, plus linked extension to the Abercrombie building and arcaded building to new entrance piazza to Headington Road.	Oxford Brookes University	For the installation and maintenance of CCTV equipment within a radius of one mile of the applicant's Gipsy Lane campus or for such other purpose arising from the development.	13.01.2021	Scheme to be drawn up
Environmental Improvements - Headington area	F7011			60,000.00			For environmental improvements (which may include CCTV) within the public realm of the central Headington shopping area on London Road and Windmill Road or for such other purpose arising from the development.	13.01.2021	Scheme to be drawn up

TOTAL **120,000.00**

ENVIRONMENTAL IMPROVEMENTS - CONTRIBUTIONS RECEIVED BUT NOT YET ALLOCATED TO A SCHEME

Tree Planting		13/14	Littlemore	5,000.00	Former Mabel Pritchard School, St. Nicholas Road	Persimmon Homes & catalyst Communities Housing Association	Towards the cost of tree planting adjacent to land		Scheme to be drawn up for tree planting on land adjacent to site
TOTAL				5,000.00					

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
CITY DEVELOPMENT - WORK OF ART									
Public Art in Slade Area	F6015	12/13	Churchill	3,379.00	TA Centre, Slade Barracks, Marscall Avenue, Headington	Berkeley Homes	Towards provision or enhancement of public art in the vicinity of the land	22.07.2018	Abi to deal once WOA in situ advise Joanna Hargreaves of details to add to insurance policy
Work of Art - Littlemore	F7006	13/14	Littlemore	17,717.00	Beenham, Railway Lane	Smith & Williamson Ltd	Towards provision of a work or works of art on the development site or within the vicinity of the land	22.10.2019	Parish Council would like to use towards woa incorporated in refurb of Oxford Rd Park
Work of Art Shotover	F7020	13/14	Lye Valley	14,635.00	Shotover View, Crauford Road	bpha	Towards WOA	14.06.2022	10/01897/FUL
Rosehill work of art	F7019	12/13	Rose Hill	8,310.00	Lambourn Road	OCC (Housing)	Towards work of art		Scheme in progress. Artist Tiffany Black working with local school, associations and residents. Further contribution of £6k to be received towards this project.
TOTAL				44,041.00					

TOTAL FUNDING FOR AREA COMMITTEE AREA

1,083,116.10

(financial contributions payable to the City Council on-site affordable housing and on-site measures on which there will be future committee consultation)

Planning Permission	Application No	Contributor	Date of Agreement	Date pl. perm. Expires	Ward	Amount	Trigger for Clause	Purpose	Comment
Network Oxford, Sandy Lane West (DHL)	07/02809/FU L	Naus Albion (Ox) Ltd	13.06.08	3 Yrs	Littlemore	£67,968	Prior to commencement of Phase 2	Towards the provision of affordable housing in Oxford - <i>NB to be spent within 10 yrs from due date of payment</i>	Not triggered
Templars Retail Park, Cowley	11/02032/FU L	KYARRA S.A.R.L	24.01.12	3 Yrs	Cowley	£10,000	Prior to commencement	Towards public safety measures including en	Not triggered
Travis Perkins Builders Yard, Chapel Street & nos. 1,11,37 & 41 Iffley Road & 85,87,175 &177 Iffley Road	09/02518/OU T (11/01712/FU L)	WE Black Ltd & St. Hilda's College	21.09.10	3 Yrs	St Clements (East)	£60 per student room	Prior to commencement	For the provision or enhancement of indoor sports facilities in the vicinity of the land and which relates to the Development	11/01712/FUL approved at ccte 12 October 2011 Not Triggered
The Cavalier Public House, 148-150 Copse Lane →	11/01681/FU L	I & O Ltd	06.09.11	3 Yrs	Headington Hill & N	£3,480	Prior to commencement of development	For the provision and enhancement of indoor sports facilities in the vicinity of the land.	Awaiting payment
Land at Rose Hill (Orlit) - Demolition of existing garage block. Outline application for residential development, notionally for the erection of 7x3 bed houses (All matters reserved) Demolition of 99 "Orlit" houses. Erection 160x3 bed houses, 9x1 bed flats, 39x2 bed flats.	05/00637/OU T & 05/0039/OUT	Ox. Citizens Housing Association Ltd	03.12.07	3 Yrs	Rose Hill & Iffley	£173,935	Prior to Commencement To pay on earlier of: - 21 days of the date of completion of final affordable housing unit or 31st July 2012	Provision or enhancement of community facilities and programmes in the Rose Hill area of the City or such other purpose arising from the Development as the applicant and the City Council shall agree	Awaiting payment
						£6,000	Within 21 days of completion of the final affordable housing unit or by 31st July 2012 whichever is the earlier	For the provision of a work of art on the site or on the land belonging to the City Council in the vicinity of the site.	

Planning Permission	Application No	Contributor	Date of Agreement	Date pl. perm. Expires	Ward	Amount	Trigger for Clause	Purpose	Comment
118	Oxford & Cherwell Valley College, Cuddesdon Way - Demolition of existing buildings. Outline application for new college and residential development with car parking and associated landscaping (Amended plan)	Oxford & Cherwell Valley College	07.06.10	3 Yrs	Blackbird Leys (SE)	<p>Indoor Sport 1 bed £125, 2 bed £168, 3 bed £240, 4/5 bed £393</p> <p>Public open space 1 bed £444, 2 bed £631, 3 bed £969, 4/5 bed £1666</p> <p>£40,000</p> <p>£15,000</p>	Prior to commencement	<p>For the provision or enhancement of public open space (inclusive of open space park/ecology-play areas, sports ground allotments) and upgrading the leisure centre close to the land and other indoor sports facilities close to the land which relate to the development</p> <p>For provision/ improvements to community facilities and/or nursery facilities in the vicinity of the Land.</p> <p>For environmental improvements in the vicinity of or for such other purposed arising from the Development.</p>	Not triggered

Planning reference	Address	Proposal	Obligation / value (and comments on agreements prior to 05 permissions)
11/00480/FUL	Part Railtrack Land To The Rear Of The Bungalow Garsington Road	Erection of 4 No. units for storage or distribution (class B8). Provision of 17 car parking spaces and 25 cycle parking spaces. Associated infrastructure and landscaping. Provision of shelter and waiting bay for future Guided Transit Express.	Contributions for highway measures - agreement being processed - completion immanent

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Notes

The contribution types incorporate various infrastructure and service provisions such as:

Adult Care	Day care centres, Resource centres & transport provision
Adult Learning	Facilities
C/side Service	The Countryside Service delivering improved access to Rights of Way, and to the Windrush Valley Project
Education	Primary schools, Secondary schools and Special Educational Needs provision
Fire	Fire hydrant provision where not secured by condition
Library	Static and mobile library services including bookstock provision
Minerals	Aftercare and site monitoring of minerals extraction proposals
Museums	Museum Resource Centre at Standlake
Transport	Highway infrastructure (roads, crossings etc.), Bus service support & rail infrastructure
Waste	Strategic waste reception and recycling centres

Table 1 - County Contributions Received, Spent and Held Shown by County Member Division and Types of Proposed Use

	Contribution Type	Opening Balance	Income	Interest	Expenditure	Closing Balance
County Member Division Barton & Churchill	Adult Care	- 15,303.92	-	- 612.16	-	15,916.08
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 105,920.71	-	- 3,437.31	39,976.15	69,381.87
	Fire	-	-	-	-	-
	Library	- 57,508.20	-	- 2,299.70	31.42	59,776.48
	Minerals	-	-	-	-	-
	Museums	-	-	-	-	-
	Transport	- 811,147.60	- 257,718.00	- 34,548.23	164,533.27	938,880.56
Waste	- 7,023.31	-	- 280.93	-	7,304.24	
Total		- 996,903.74	- 257,718.00	- 41,178.33	204,540.84	- 1,091,259.23
County Member Division Cowley & Littlemore	Adult Care	- 2,173.67	- 6,257.00	- 212.09	-	8,642.76
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 79,194.48	- 124,756.00	- 5,662.89	-	209,613.37
	Fire	-	-	-	-	-
	Library	- 8,640.35	- 6,845.00	- 418.69	3,191.62	12,712.42
	Minerals	-	-	-	-	-
	Museums	-	- 398.00	- 7.96	-	405.96
	Transport	- 489,690.60	- 172,009.55	- 23,027.83	-	684,727.98
Waste	- 3,535.07	- 3,400.00	- 209.41	-	7,144.48	
Total		- 583,234.17	- 313,665.55	- 29,538.87	3,191.62	- 923,246.97
County Member Division East Oxford	Adult Care	- 1,429.95	-	- 57.20	-	1,487.15
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 91,411.22	-	- 3,656.45	-	95,067.67
	Fire	-	-	-	-	-
	Library	- 2,742.38	- 3,654.00	- 87.61	4,757.85	1,726.14
	Minerals	-	-	-	-	-
	Museums	- 97.29	-	- 3.89	-	101.18
	Transport	- 152,508.28	- 8,004.00	- 6,270.59	-	166,782.87
Waste	- 1,518.28	-	- 60.73	-	1,579.01	
Total		- 249,707.40	- 11,658.00	- 10,136.47	4,757.85	- 266,744.02
County Member Division Headington & Marston	Adult Care	-	-	-	-	-
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 53,109.02	-	- 2,124.36	-	55,233.38
	Fire	-	-	-	-	-
	Library	- 50,698.21	- 28,822.50	- 2,591.31	7,805.31	74,306.71
	Minerals	-	-	-	-	-
	Museums	-	-	-	-	-
	Transport	- 1,087,894.39	- 145,202.16	- 34,883.43	266,629.31	1,001,350.67
Waste	-	-	-	-	-	
Total		- 1,191,701.62	- 174,024.66	- 39,599.10	274,434.62	- 1,130,890.76
County Member Division Isis	Adult Care	- 421.49	-	- 16.86	-	438.35
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 9,967.70	-	- 398.71	-	10,366.41
	Fire	- 94.39	-	- 3.78	-	98.17
	Library	- 743.99	-	- 14.87	743.99	14.87
	Minerals	-	-	-	-	-
	Museums	- 0.05	-	-	-	0.05
	Transport	- 1,358,612.64	- 10,754.20	- 54,559.57	380,256.63	1,043,669.78
Waste	- 1,734.14	-	- 69.37	-	1,803.51	
Total		- 1,371,574.40	- 10,754.20	- 55,063.16	381,000.62	- 1,056,391.14
Cluster	Contribution Type	Opening Balance	Income	Interest	Expenditure	Closing Balance
County Member	Adult Care	-	-	-	-	-
	Adult Learning	-	121	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 0.32	-	0.01	-	0.33

County member Division Leys & Lye.	Fire	-	-	-	-	-
	Library	- 29,176.88	- 1,315.00	- 1,167.08	1,315.00	- 30,343.96
	Minerals	-	-	-	-	-
	Museums	-	-	-	-	-
	Transport	- 218,346.38	- 2,622.00	- 8,786.29	1,300.62	- 228,454.05
	Waste	-	-	-	-	-
	Total	- 247,523.58	- 3,937.00	- 9,953.38	2,615.62	- 258,798.34
County Member Division Summertown & Wolvercote	Adult Care	- 7,520.84	-	- 300.83	-	- 7,821.67
	Adult Learning C/side Service	-	-	-	-	-
	Education	- 46,791.31	-	- 1,591.78	11,000.00	- 37,383.09
	Fire	- 67.51	-	- 2.70	-	- 70.21
	Library	- 40,825.23	- 3,969.00	- 895.88	40,825.23	- 4,864.88
	Minerals	-	-	-	-	-
	Museums	- 0.07	-	-	-	- 0.07
	Transport	- 238,482.29	- 9,414.00	- 8,827.58	82,107.38	- 174,616.49
Waste	- 5,635.79	-	- 225.44	-	- 5,861.23	
Total	- 339,323.04	- 13,383.00	- 11,844.21	133,932.61	- 230,617.64	
County Member Division West Central Oxford	Adult Care	- 1,142.87	-	- 45.71	-	- 1,188.58
	Adult Learning C/side Service	-	-	-	-	-
	Education	- 95,583.55	-	- 3,823.35	-	- 99,406.90
	Fire	-	-	-	-	-
	Library	- 1,470.48	- 7,933.09	- 84.75	6,631.57	- 2,856.75
	Minerals	-	-	-	-	-
	Museums	- 0.06	-	-	-	- 0.06
	Transport	- 1,413,041.66	- 101,380.72	- 50,909.96	636,930.44	- 928,401.90
Waste	- 1,431.60	-	- 57.26	-	- 1,488.86	
Total	- 1,512,670.22	- 109,313.81	- 54,921.03	643,562.01	- 1,033,343.05	
Non Division Specific - Interest	Transport	- 39,220.01	-	- 1,568.80	-	- 40,788.81
Oxford Total		- 6,531,858.18	- 894,454.22	- 253,803.35	1,648,035.79	- 6,032,079.96

Table 2 - Details of Expenditure by County Member Division and Expenditure Type

County Council Division	Contribution Type	Amount	Scheme
Barton & Churchill	Education	39,976.15	Wood Farm School
	Library	31.42	RFID - Tagging Bookstock
	Transport	13,624.23	Divinity & Magdalen Road area CPZs
		3,785.74	Enhancements to Route 13
		19,123.20	Old Road/Windmill Road Cycle Lane
		128,000.00	Horspath Driftway/The Slade Crossing Improvements
Total	204,540.74		
Cowley & Littlemore	Library	3,191.62	RFID - Cowley & Central Library Equipment & Tagging of Bookstock
Total	3,191.62		
East Oxford	Library	4,757.85	RFID - Cowley & Central Library Equipment & Tagging of Bookstock
Total	4,757.85		
Headington & Marston	Library	7,805.31	RFID - Central Library Equipment & Tagging of Bookstock
	Transport	68,000.00	Highfield Area Traffic Management
		13,313.18	Jack Straws Lane Cycle Measures
		71,876.80	Old Rd/Windmill Road Cycle Lane
		29,000.00	Peat Moors Girdlestone Road Cycle Link
		3,688.05	Marston Road Cycle Lane Improvements
80,751.28	Public Transport - P&R Route to JR		
Total	274,434.62		
Isis	Library	743.99	RFID - Central Library Equipment & Tagging of Bookstock
	Transport	380,256.63	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
Total	381,000.62		
Leys & Lye.	Library	1,315.00	RFID - Cowley Library Equipment
	Transport	1,300.62	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
Total	2,615.62		
Summertown & Wolvercote	Education	11,000.00	Philip & James School
	Library	40,825.23	RFID - Summertown & Central Library Equipment
	Transport	65,071.17	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
		17,036.21	Summertown Entry Treatments
Total	133,932.61		
West Central Oxford	Library	6,631.57	RFID - Central Library Equipment & Tagging of Bookstock
	Transport	291,112.46	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
		344,905.19	Money Transferred to City for Schemes (Fiddlers Island, Sheepwash Channel & Station Yard etc)
		912.79	Fairfax Rd/Purcell Rd Cycle Link
Total	643,562.01		
Oxford Total		1,648,035.69	

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	(38%)	4 (57%)	9 (33%)
Dismissed	21	62%	3 (43%)	18 (67%)
<i>Total BV204 appeals</i>	34		7	27

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	4	(40%)	1 (33%)	3 (43%)
Dismissed	6	60%	2 (67%)	4 (57%)
<i>Total BV204 appeals</i>	10		3	7

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 July 2012

	Appeals	Percentage performance
Allowed	16	(41%)
Dismissed	23	59%
All appeals decided	39	
Withdrawn	3	

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 July 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 July 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 1/7/12 and 31/7/12

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, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
11/00641/VAR	12/00001/COND	DEL	PER	ALC	03/07/2012	SUMMTN	Land To The Rear Of 19 Islip Road Oxford Oxfordshire OX2 7SN	Appeal against imposition of condition 1 of planning application 11/00641/VAR
11/03352/FUL	12/00018/REFUSE	DEL	SPL	DIS	03/07/2012	NORTH	111 Kingston Road Oxford Oxfordshire OX2 6RN	Proposed single storey rear extension, and rear 2nd floor dormer extension. Formation of basement lightwell to front, and insertion of rooflights to side and rear elevations (amended plan)
11/02416/FUL	12/00004/REFUSE	DEL	REF	DIS	24/07/2012	QUARIS	226 London Road Headington Oxford Oxfordshire OX3 9EG	Erection of single storey building for use as annexe to main house

Total Decided: 3

TABLE E Appeals Received Between 1/7/12 and 31/7/12

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
11/02994/FUL	12/00027/REFUSE	DEL	REF	W	Land Rear Of 82, 84 And 86 Windmill Road Oxford Oxfordshire	HEAD	Erection of two storey building (with accommodation in roof space) comprising of 2 x 2-bed and 2 x 3-bed houses and 1 x 1-bed flat. Provision of bin and cycle storage.
11/03335/FUL	12/00025/REFUSE	DEL	REF	W	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT	SUMMTN	Retention of 3 storey building to former Grove House Club and conversion to 1x4 bedroom house Erection of detached 4 bedroom house.
12/00236/FUL	12/00024/REFUSE	DEL	REF	H	5 Boults Lane Oxford Oxfordshire OX3 0PW	MARST	Erection of two storey side extension following the demolition of existing extension
12/00660/FUL	12/00026/REFUSE	DELCOM	PER	W	Land Rear Of 82, 84 And 86 Windmill Road Oxford Oxfordshire	HEAD	Erection of 2x3 bed dwellings and 1x2 bed dwelling in terraced block, with associated refuse and cycle storage.
12/00764/FUL	12/00023/REFUSE	DEL	REF	W	120 Bulan Road Oxford Oxfordshire OX3 7HX	LYEVAL	Erection of single storey storage building to rear garden

Total Received: 5

EAST AREA PLANNING COMMITTEE

Tuesday 14 August 2012

COUNCILLORS PRESENT: Councillors Darke (Chair), Altaf-Khan, Coulter, Curran, Lloyd-Shogbesan, Sinclair, Baxter, Goddard and Williams.

OFFICERS PRESENT: Martin Armstrong (City Development), Murray Hancock (City Development), Nick Worlledge (City Development), Robert Lloyd-Sweet (Conservation Officer) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

30. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillor David Rundle (Councillor John Goddard attended as a substitute), Councillor Mary Clarkson (Councillor Laurence Baxter attended as a substitute) and Councillor Sam Hollick (Councillor David Williams attended as a substitute).

31. DECLARATIONS OF INTEREST

Councillor Sinclair declared that because of her previous involvement she would take no part in the discussion or voting on item 7 (26-28 Quarry High Street, Oxford 12/01340/FUL). (minute 36 refers) and would exclude herself from the meeting whilst this item was being discussed.

Councillor Baxter declared he had been involved in the appeal for a previous application for item 7 (26-28 Quarry High Street, Oxford 12/01340/FUL). (minute 36 refers) but was keeping an open mind regarding the new application.

32. LAND ON FORMER GOVERNMENT BUILDINGS MARSTON ROAD - 12/01434/CT3

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for a temporary 76 space public car park with the provision of motor cycle parking, pay machines, lighting column and footway.

In accordance with the criteria for public speaking, the Committee noted Tony Joyce and Clinton Pugh spoke against the application and no one spoke for the application.

The Committee considered all submissions both written and oral and resolved to support the proposals in principle subject to the eight conditions as detailed in the Planning Officer's report and the following two additional conditions:

- A secured free bus service to and from St Clements Road
- Landscaping- measures to improve visibility of the site from Marston Road

The Committee agreed to refer the planning application to officers to approve under delegated powers in the event that conservation area consent and planning permission are granted, relating to a development of student accommodation and remodelled public car park at St Clement's car park. In the event that the St Clements applications 12/01369/FUL & 12/01370/CAC are unsuccessful then the current application would be withdrawn.

33. DEPOT ADJACENT TO 70 NEW HIGH STREET, OXFORD - 12/01112/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the demolition of existing storage building and the erection of a 2 storey building comprising of 3 flats (3x1 bed) with ancillary amenity space.

In accordance with the criteria for public speaking, the Committee noted Jake Collinge (agent) spoke in favour of the application and no one spoke against the application.

The Committee considered all submissions both written and oral and agreed to grant planning permission (with the rear space subdivided as the applicant originally suggested) and subject to the ten conditions (excluding condition 4) as detailed in the Planning Officer's report and the following two conditions:

- Garden Maintenance
- Changing the bedroom window

34. 5 LOCKHEART CRESCENT, OXFORD - 12/01349/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for a single storey rear extension.

In accordance with the criteria for public speaking, the Committee noted Mr Rhys (agent) spoke in favour of the application and no one spoke against the application.

The Committee considered all submissions both written and oral and agreed to grant planning permission subject to the three conditions as detailed in the Planning Officer's report.

35. SHELLEY ARMS, CRICKET ROAD, OXFORD - 12/01357/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application to demolish a public house and erect 3x4 bedroom dwellings with undercroft with bin stores, cycle parking and private amenity space.

In accordance with the criteria for public speaking, the Committee noted Habib Khushi spoke in favour of the application and no one spoke against the application.

The Committee considered all submissions both written and oral and agreed to grant planning permission subject to the 17 conditions as detailed in the Planning Officer's report.

36. 26-28 QUARRY HIGH STREET, OXFORD - 12/01340/FUL & 12/01341/CAC

Councillor Sinclair left the room for the discussion of this item as referred to minute 31.

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of a new stone wall and construction of 2 detached houses (2x3 bedrooms), erection of a garage and a 2 storey rear extension for 28 Quarry High Street.

In accordance with the criteria for public speaking, the Committee noted that Malcolm Griffiths spoke in favour of the application and no one spoke against the application.

The Committee considered all submissions both written and oral and agreed to grant planning permission subject to the 21 conditions as detailed in the Planning Officer's report.

37. CONSERVATION AREA APPRAISAL

The Head of City Development submitted a report (previously circulated, now appended) which requested committee endorsement of the amended Headington Hill Conservation Area Appraisal.

The Conservation Officer presented the report and explained the year long conservation appraisal and consultation process to the Committee. The public and residential groups had been involved in the initial data collecting phase for the draft report followed by a 4 week consultation period which had ended 24 July 2012. From the consultation 42 comments had been received, many of which had been incorporated into the draft appraisal.

In accordance with the criteria for public speaking, the Committee noted Philip Waddy who spoke against the consultation process. He felt that the institutions within the conservation area had not been adequately consulted in the drafting of the appraisal.

The Chair offered to organise a meeting between representatives of the institutions, local resident associations, Headington Hill and Northway ward Councillors and officers to further discuss the proposed appraisal.

The Committee agreed to endorse the Headington Hill Conservation Area Appraisal subject to the Chair convening a meeting between all interested stakeholders to further discuss the proposed appraisal.

38. PLANNING APPEALS

The Committee noted the Planning Appeals for May and June 2012.

39. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming planning applications.

40. MINUTES

The Committee noted the Minutes of 3 July 2012

41. DATES OF FUTURE MEETINGS

The Committee noted that the next meeting would be on Thursday, 6 September 2012.

The meeting started at 6.00 pm and ended at 8.45 pm