

Agenda

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West Area Planning Committee

Date: **Wednesday 10 October 2012**

Time: **6.00 pm**

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

For any further information please contact:

Sarah Claridge, Democratic and Electoral Services Officer

Telephone: 01865 252402

Email: sclaridge@oxford.gov.uk

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

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor John Goddard	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Anne-Marie Canning	Carfax;
	Councillor Bev Clack	St. Clement's;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Graham Jones	St. Clement's;
	Councillor Shah Khan	Cowley;
	Councillor John Tanner	Littlemore;

HOW TO OBTAIN AGENDA

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AGENDA

	Pages
1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2 DECLARATIONS OF INTEREST	
Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.	
3 PLANNING APPEALS	1 - 6
To receive information on planning appeals received and determined during August 2012.	
The Committee is asked to note this information.	
4 251 COWLEY ROAD, OXFORD - 12/01924/FUL	7 - 12
The Head of City Development submitted a report which details a planning application for a change of use from Estate Agency (class A2) to Letting Agency (Class A2) and radio station (Class B1).	
Officer recommendation: Approve subject to conditions.	
5 43 DONNINGTON BRIDGE ROAD, OXFORD - 12/02141/FUL	13 - 22
The Head of City Development has submitted a report which details a planning application for the erection of two storey side extension to form 2x1 bed flats (Class C3 dwelling). Demolition of existing garage and provision of 4xcar parking spaces. Provision of bin store and covered cycle store.	
Officer recommendation: Approve subject to conditions.	
6 52 MARSTON STREET, OXFORD - 12/01994/FUL	23 - 30
The Head of City Development has submitted a report which details a planning application for the erection of a two storey side extension.	
Officer recommendation: Approve subject to conditions.	
7 24 COMPLINS CLOSE, OXFORD - 12/02166/FUL	31 - 38
The Head of City Development has submitted a report which details a planning application for the erection of a single storey rear extension. Loft conversion to include insertion of rear dormer and three rooflights to front	

elevation. (Amended plans).

Officer recommendation: Approve subject to conditions.

8 37 MEADOW PROSPECT, OXFORD - 12/02113/FUL

39 - 42

The Head of City Development has submitted a report which details a planning application for the demolition of existing outbuilding. Erection of part single, part two storey, side and rear extensions and insertion loft roof lights to front and rear roof slopes.

Officer recommendation: Approve subject to conditions.

9 21 BUCKLER CLOSE, OXFORD - 12/01901/CT3

43 - 46

The Head of City Development has submitted a report which details an application for the erection of two storey side extension.

Officer recommendation: Approve subject to conditions.

10 PLANNING APPEALS

The Head of City Development has submitted a note which details planning appeals received and determined during August 2012.

The Committee is asked to note the information.

11 FORTHCOMING PLANNING APPLICATIONS

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

- (1) University Science Area – Masterplan.
- (2) 42 Stratfield Road, Oxford – 12/02278/FUL
- (3) 42 Pembroke Street, The Story Museum – 12/02218/FUL
- (4) Luther Street, Oxford – 12/01228/FUL
- (5) Worcester College – 12/01809/FUL and 12/01810/LBD
- (6) 95 Cowley Road, Oxford – 12/01901/CT3
- (7) Chester Arms, Chester Street, Oxford - 12/02310/FUL
- (8) 30 Bartlemas Road, Oxford - 12/01294/FUL

12 MINUTES

47 - 50

Minutes of the meeting held on 13th September 2012.

13 DATES OF FUTURE MEETINGS

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

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	(40%)	4 (57%)	10 (36%)
Dismissed	21	60%	3 (43%)	18 (64%)
<i>Total BV204 appeals</i>	35		7	28

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	5	(42%)	1 (33%)	4 (44%)
Dismissed	7	58%	2 (67%)	5 (56%)
<i>Total BV204 appeals</i>	12		3	9

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 August 2012

	Appeals	Percentage performance
Allowed	17	(41 %)
Dismissed	24	59 %
All appeals decided	41	
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 August 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 August 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 1/8/12 And 31/8/12

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
12/00559/FUL	12/00021/REFUSE	DEL	REF	DIS	03/08/2012	HINKPK	28 Edith Road Oxford Oxfordshire OX1 4QA	Erection of single storey rear extension.
12/00580/FUL	12/00022/REFUSE	DEL	REF	ALW	21/08/2012	RHIFF	2 John Parker Close Oxford Oxfordshire OX4 4FG	Erection of single storey rear extension.

Total Decided: 2

3

Enforcement Appeals Decided Between 1/8/12 And 31/8/12

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS - Dismissed

EN CASE NO.	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
12//0005/0/ENF	12/00009/ENFORC	DIS	15/08/2012	4 Netherwoods Road Oxford	QUARIS	Appeal against enforcement against alleged unauthorized use of part of extension (approved by planning permission 06/01148/FUL) as self contained dwelling

Total Decided: 1

TABLE E Appeals Received Between 1/8/12 And 31/8/12

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
11/03268/FUL	12/00028/REFUSE	DEL	REF	W	24 Milton Road Oxford Oxfordshire OX4 3EF	COWLYM	Erection of 2 bedroom house.
12/00435/FUL	12/00029/REFUSE	DEL	REF	W	7 Wentworth Road Oxford Oxfordshire OX2 7TG	SUMMTN	Erection of two storey building, providing garage on ground floor and self-contained flat on the first floor, to be used as accommodation ancillary to main dwelling
12/00821/FUL	12/00031/REFUSE	DEL	REF	W	54 William Street Oxford Oxfordshire OX3 0ER	MARST	Demolition of existing building. Erection of 1x4 bed dwelling
12/00876/FUL	12/00037/REFUSE	DELCOM	PER	W	241 Banbury Road Oxford Oxfordshire OX2 7HN	SUMMTN	New first floor rear 2 bedroom apartment with separate ground floor entrance
12/00914/FUL	12/00036/REFUSE	DEL	REF	W	1 Clive Road Oxford Oxfordshire OX4 3EJ	COWLEY	Two-storey, side extension and other alterations to create 2x1 bed flats with associated car parking, amenity space and refuse/cycle storage facilities (variation of scheme approved by application 11/02631/FUL)
12/00994/FUL	12/00032/REFUSE	DEL	REF	W	Store Adjacent 79 St Leonard's Road Oxford	HEAD	Demolition of garage/store building and erection of two storey house (3 bedroom).
12/01325/FUL	12/00030/REFUSE	DEL	REF	W	32 Cherwell Street Oxford Oxfordshire OX4 1BG	STCLEM	Change of use from C3 dwellinghouse to C4 house of multiple occupation
12/01437/FUL	12/00033/REFUSE	DEL	REF	H	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Erection of single storey side extension and single storey rear extension.

Enforcement Appeals Received Between 1/8/12 And 31/8/12

TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00193/ENF	12/00034/ENFORC	W	14 East Street Oxford Oxfordshire OX2 0AU	JEROSN	Alledged replacement of windows in Osney Article 4 area
12/00355/ENF	12/00035/ENFORC	W	8 Jersey Road Oxford Oxfordshire OX4 4RT	RHIFF	Alledged erection of single storey garden building without planning permission

Total Received: 2

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West Area Planning Committee

10th October 2012

Application Number: 12/01924/FUL

Decision Due by: 20th September 2012

Proposal: Change of use from estate agency (Class A2) to letting agency (Class A2) and radio station (Class B1)

Site Address: 251 Cowley Road, **Appendix 1**

Ward: St Clement's Ward

Agent: N/A

Applicant: Mr Kandola

Application Called in – by Councillors – Jones, Wilkinson, Campbell and Gotch for the following reasons – impact on amenity due to working 24/7 and traffic/parking

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 Whilst there is a reduction in the amount of Class A use on the site the proposal will not result in a net loss therefore the proportion of units at ground level in Class A uses does not alter. The automated system of operating the radio station during the night will avoid any impact on the amenity of the neighbouring properties in terms of people coming and going from the site. The site is in a highly sustainable location with parking controls which will prevent any highway issues/parking problems. 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.

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

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

TR3 - Car Parking Standards

TR4 - Pedestrian & Cycle Facilities

RC5 - Secondary Shopping Frontage

Core Strategy (OCS)

CS1_ - Hierarchy of centres

CS18_ - Urban design, town character, historic env

CS20_ - Cultural and community development

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

70/23168/A_H - Change of use from shop with flat over to estate agents' office with flat over. PER 8th December 1970.

71/02011/P_H - Internally illuminated projecting box sign. PER 12th January 1971.

71/24169/A_H - Outline application for erection of four ground floor shop units with office accommodation on the first and second floors and provision of rear access and parking space (247-251 Cowley Road). REF 25th May 1971.

72/03059/P_H - Internally illuminated fascia sign. REF 22nd February 1972.

77/00510/AA_H - Alterations to shop front. PER 3rd August 1977.

77/00510/A_H - Ground floor office extension, first floor flat, car parking (2). REF 17th August 1977.

77/00511/A_H - Alterations to shop front. PER 3rd August 1977.

77/00512/P_H - Illuminated shop sign. PER 3rd August 1977.

77/00800/A_H - Extension to ground floor office, additional first floor flat and parking spaces. PER 2nd November 1977.

78/00255/A_H - Erection of 2 no one bedroom flats with 2 parking spaces (1A and 1B Southfield Road). PER 17th May 1978.

78/00272/A_H - Erection of single storey office extension. PER 19th April 1978.

95/00903/NF - Change of use of ground floor from shop (Class A1) to restaurant (Class A3). (No takeaway) Erection of flue. REF 16th August 1995.

96/01252/NF - Change of use of ground floor from shop (Class A1) to restaurant (Class A3) including rebuilding of brick chimney at rear to enclose extract duct. Provision of bin store. Amended plans). WDN 27th February 1997.

99/00518/NF - Change of use of ground floor from Shop (A1) to Estate Agent (A2). PER 23rd June 1999.

07/00299/ADV - Retention of externally illuminated fascia sign. PER 5th April 2007.

Representations Received:

None.

Statutory and Internal Consultees:

Highways Authority: No objections

Issues:

Operation of Radio Station
Change of Use
Highways
Design
Residential Amenity

Officers Assessment:

Site Description

1. The application site lies on the corner of Cowley Road and Southfield Road within the secondary shopping frontage of Cowley Road. It forms an end of terrace with commercial units on the ground floors and residential above. The site's authorised use is that of an estate agent on the ground floor with residential above.

Proposal

2. The application is seeking permission for a partial change of use of the ground floor to include a community radio station (Class B1). The radio station will occupy the front half of the ground floor with the estate agency the rear half fronting Southfield Road. The application also involves the removal of the existing lean-to roof at the rear and its replacement with a flat roof.

Assessment

Operation of Radio Station

3. The radio station is a community radio station called OX105 which at present is run from Blackbird Leys. It is operated 24 hours a day but is run automatically between the hours of 11.00pm and 7.00am. It is run by volunteers on a part time basis with 2 to 3 people on site at any one time. The volunteers are local to the area gaining experience as radio d.j.'s. The move to this new site is considered necessary in order to make the radio station more accessible to the community they are trying to reach. Given the operational use of the radio station it is not likely to impact on the surrounding properties.

Change of Use

4. The site lies within Secondary Shopping Frontage, as identified within the OLP, which aims to allow more flexibility and diversification of uses. Secondary Shopping Frontages ensure a predominance of Class A1 uses, but allows for other Class A uses. A small proportion of other uses is possible on their merits. Policy RC5 of the OLP applies and states other uses are permitted only where the proportion of units at ground level in Class A uses does not fall below 95% of the total units in that frontage. Although there will be a reduction in the amount of A2 use on the site there is no actual loss and therefore the percentage of Class A uses will not change. Therefore the partial change of use is considered acceptable.

Highways

5. Although the radio station is run 24 hours it is automated during the night time and during the day there would only be 2 to 3 people on the site at any one time. The Highway Authority have raised no objections to the application as they consider there are no significant changes to use of the premises with respect to highway impacts where there are parking controls at this location and sustainable transport options available to staff and visitors.

Design

6. At the rear/side a small lean-to extension exists with a mono pitched roof. It is proposed to raise the lower end of the roof to create a flat roof in order to gain additional height internally. The external wall will be built up in brickwork to match the existing and the roof would be flat with a felt covering. The alterations will not be visible within the public domain i.e. from the street therefore they will not have a detrimental impact on the character and appearance of the area.
7. The alterations are considered to form an appropriate visual relationship with the building and its surroundings in accordance with policy CS18 of the OCS and CP1, CP6 and CP8 of the OLP.

Residential Amenity

8. The adjoining property, 249 Cowley Road, has offices on the ground floor and residential above. The proposed alterations to the roof will not have a detrimental impact in terms of sunlight/daylight, sense of enclosure and will not cause any issues of overlooking or loss of privacy. The alterations are therefore in accordance with policy CP1 and CP10 of the OLP.

Conclusion:

9. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016. Therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development.

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: Lisa Green

Extension: 2614

Date: 26th September 2012

Appendix 1

12/01924/FUL 251 Cowley Road



Scale : 1:1250



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

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Ordnance Survey 100019348.

West Area Planning Committee

10th October 2012

Application Number: 12/02141/FUL

Decision Due by: 11th October 2012

Proposal: Erection of two storey side extension to form 2x1 bed flats (Class C3 dwelling). Demolition of existing garage and provision of 4 x car parking spaces. Provision of bin store and covered cycle store.

Site Address: 43 Donnington Bridge Road, **Appendix 1**

Ward: Iffley Fields Ward

Agent: N/A

Applicant: S Khanam

Application Called in – by Councillors – Benjamin, fry, Rowley, Simmons, Hollick and Williams.
for the following reasons – possible overdevelopment and traffic access issues

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed development would make an efficient use of an appropriate site within a residential area. It has been designed in a manner whereby the level of development suits the sites capacity and creates an appropriate visual relationship with the surrounding area. The proposal would not have a detrimental impact upon the residential amenities of the neighbouring property. The proposed unit would have a good standard of internal and external environment which adequately provide for the living conditions of future occupants of each unit. The development would therefore accord with the relevant policies of the development plan and would not constitute an overdevelopment of the site.
- 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 Amenity windows obscure glass first floor side elevation serving bathroom,
- 5 Suspected contamination - Risk assess
- 6 SUDs/surface water
- 7 Arch - Implementation of programme prehistoric remains,
- 8 Sustainability desing/construction
- 9 Cycles and Bins
- 10 Parking arrangements
- 11 Vision Splays
- 12 Pedestrian awareness vision splays

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
- CS9_** - Energy and natural resources
- CS18_** - Urban design, town character, historic environment
- CS22_** - Level of housing growth
- CS23_** - Mix of housing

Sites and Housing Plan – Submission (SHP)

- HP9_** - Design, Character and Context
- HP10_** - Developing on residential gardens

HP11_ - Low Carbon Homes
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
Supplementary Planning Document: Parking Standards, TAs and TPs Adopted Feb 2007.
Supplementary Planning Document Balance of Dwellings Adopted Jan 2008
Oxford City Council Planning Design Guides 2 Side Extensions

Relevant Site History:

07/02836/FUL - Conversion of house to 2 x 1 bed flats. REF 8th February 2008.
DIS at appeal 12th December 2008

09/00975/FUL - Erection of two storey side extension to form 2 x 1 bedroom flats.
Provision of 2 parking spaces for the flats and 2 parking spaces for the existing dwelling, private amenity space and bin and cycle storage (amended plans). PER 9th July 2009.

12/01776/EXT - Application for a new permission to replace 09/00975/FUL (erection of two storey side extension to form 2 x 1 bedroom flats) in order to extend the time for implementation. Application Returned.

Representations Received:

15 Arnold Road: window on east side (bathroom) to be frosted, materials to match.

Statutory and Internal Consultees:

Oxfordshire County Council Drainage: no surface water to enter the highway, hardstanding areas to be SUDs compliant

Highways Authority: no objection subject to further information.

Issues:

Principle
Balance of Dwellings
Design
Residential Amenity
Car Parking
Cycle Parking
Sustainability:
Archaeology

Officers Assessment: Site Description

1. The application site comprises an end of terrace residential property on the southern side of Donnington Bridge Road on corner with Arnold Road. To the rear the property has a two storey flat roof extension and a lean-to style conservatory. It also has a single garage accessed off Arnold Road.

Proposal

2. The application is seeking permission for the erection of a two storey side extension to accommodate 2 x 1 bed flats along with associated car parking, amenity space and cycle and bin stores.

Assessment Principle

3. NPPF requires LPA's to reconsider the development of garden areas, whilst policy CS2 of the OCS resists development on large areas of greenfield land. Policy HP10 of the emerging 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 indicates that development can continue to come forward on appropriate sites in residential areas.

Balance of Dwellings

4. 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 (BoDS) sets out the appropriate housing mixes for each Neighbourhood Area within the City.
5. The site lies within a red area where pressure is considerable, so the Council needs to safeguard family dwellings and achieve a higher proportion of new family dwellings as part of the mix for new developments. For new residential developments of between 1 – 3 units, there should be no loss of an existing family dwelling.
6. The application site is located to the side of the existing dwelling therefore there is no loss of an existing family dwelling and as the proposal is for less than 3 units no specific mix of new housing is required. However it will add to the mix of housing within the area.

Design

7. The two storey side extension will be built flush with the existing property and will continue the existing ridgeline. The side extension is considered to be in

keeping with the existing row of terrace properties in that it maintains the form, scale, mass and details of the surrounding area.

8. The proposal is forward of the building line of the terrace of houses in Arnold Road though not all the properties are along the same line and on the opposite side of the street are "rear" gardens to 9 to 47 (odd) Arnold Road. Moreover there are a variety of corner plot arrangements within the immediate vicinity and a number have been developed or have planning permission to be developed in similar fashion, for example at 48 Donnington Bridge Road. The proposal would read as a logical part of the street scene of Donnington Bridge Road and would not harm the appearance of Arnold Road. It is considered acceptable as it would be viewed as an integral part of the corner development rather than as one of the row of houses along Arnold Road and, because of its design and materials it would reflect the appearance of the terrace of which it would form part.
9. The existing lean-to conservatory is to be removed and a hipped roof is to be constructed on the current flat roof of the two storey rear extension. The loss of the lean-to conservatory is welcomed as it is in a state of disrepair. The addition of the hipped roof again is welcomed as it will remove an unattractive flat roof.
10. The proposal is therefore considered to form an appropriate visual relationship with the dwelling and its surroundings and would make appropriate use of the land available in accordance with policy CS18 of the OCS, CP1, CP6, CP8 and CP10 of the OLP, HP9 of the SHP and Oxford City Council Design Guides 2: Side Extensions. A condition is suggested to ensure it is built in materials to match the existing property.

Residential Amenity

11. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation, with policy HP12 stipulating any single dwelling providing less than 39m² of floor space will not be granted permission. The proposed two flats are in excess of the required 39m² and therefore in compliance with HS20 and HP12. The rooms and corridors are able to accommodate furniture and household equipment that would be expected in that part of the home, and allow for convenient circulation and access.
12. Policy HS20 of the OLP and HP13 of the SHP require new dwellings to have access to private amenity space. The existing garden is to be divided to provide private amenity space of the existing property and the proposed two flats. Two areas are provided for the flats, one at the front and one at the rear. The resultant areas are considered to be adequate in size for each of the flats and the existing dwelling.
13. Policies HS19 and CP10 of the OLP and HP14 of the SHP require the 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

proposals do not give rise to any issues of overlooking or loss of privacy and a condition is suggested to require obscure glazing to the first floor bathroom window in the side elevation.

14. Policy HS19 of the OLP and HP14 of the SHP set 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. The two storey side extension extends beyond the rear elevation of the existing house but does not breach the 45/25-degree code of practice when taken from the nearest habitable room (kitchen).
15. Policy HS19 also allows the local Planning Authority to assess proposals in terms of sense of enclosure or being of an overbearing nature. The two storey side extension is set away from the corner boundary by a minimum of 800mm and a maximum of 2m. It is therefore not considered to be overbearing or create a sense of enclosure within the street scene.

Car Parking

16. 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. The maximum standard for a 1 bed dwelling is 1 space.
17. The existing property has two off street car parking spaces, one being in the form of a garage. The garage is to be removed and tandem parking to be provided for the existing property. Two additional spaces are to be provided for the flats. The number of spaces accords with policy TR3 of the OLP.

Cycle Parking

18. 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 in policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
19. Cycle parking (and bin storage) has been shown to the front of the existing property and the proposed flats. However no details have been provided. This can be requested via a condition to ensure compliance with policy TR4 of the OLP and HP15 of the SHP and the Parking Standards SPD which requires secure, and preferably sheltered, cycle parking which should be integrated in the design of residential developments.

Sustainability:

20. 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 an existing site.
21. How sustainable design and construction methods will be incorporated into the building and how energy efficiency has been optimised through design and utilising technology that helps achieve Zero Carbon Development can be secured by a condition.

Archaeology

22. This site is of interest because it is located on the edge of Cornish's Pit, a 19th century extraction pit that produced an important collection of Lower Palaeolithic flint tools including hand axes, scrapers, chopping tools (County Historic Environment No 6442). The artefacts were reported as coming from the base of the Summertown-Radley gravel formation, close to the surface of the underlying Oxford Clay. Pleistocene faunal remains, including woolly rhino, mammoth and horse were reported from a similar stratigraphic position. The site information has been reviewed and summarised by Wymer (1968) and Nicholas (2010). Subsequent re-evaluation of the flint assemblage collection held by the Pitt Rivers Museum has established that a larger number of flints were collected than previously published. In 2000 the Iffley tools were re-examined by Lee (2001: 104-112). Lee analysed 145 tools from Iffley and agreed with previous assertions that the assemblage was predominantly Middle Acheulian in date.
23. The National Planning Policy Framework states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
24. In this case, bearing in mind the archaeological interest of this site, the requirements for contamination/geotechnical investigation, the unknown depth of the gravel in this location and the uncertainty regarding the depth and character of the foundations that will be required, it is suggested, in line with the advice in the National Planning Policy Framework, any consent granted for this development should be subject to a condition securing the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Conclusion:

25. 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. Therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development.

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: Lisa Green

Extension: 2614

Date: 27th September 2012

Appendix 1

12/02141/FUL 43 Donnington Bridge Road



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	27 September 2012
SLA Number	LA100019348

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West Area Planning Committee

10th October 2012

Application Number: 12/01994/FUL

Decision Due by: 27th September 2012

Proposal: Erection of a two storey side extension.

Site Address: 52 Marston Street, **Appendix 1**

Ward: St Marys Ward

Agent: N/A

Applicant: Mrs Alison Berman

Application Called in – by Councillors – van Nooijen, Coulter, Canning, Price, Lygo, Fry and Baxter
for the following reasons – to ensure local concerns are fully addressed

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is considered to respect the character and appearance of the area, uses materials of a quality appropriate to the nature of the development, the site and its surroundings and will not impact on the neighbours in significantly detrimental way. The development would therefore accord with the relevant policies of the development plan and would not constitute an overdevelopment of the site.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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 Revised front elevation - windows
- 5 SUDs/Surface water
- 6 Vision splays
- 7 Pedestrian awareness vision splays
- 8 Car parking size
- 9 Sustainability design/construction

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

Core Strategy (OCS)

- CS18_ - Urban design, town character, historic environment

Sites and Housing Plan – Submission (SHP)

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

Other Material Considerations:

National Planning Policy Framework
Oxford City Council Planning Design Guides 2 Side Extensions

Relevant Site History:

11/02077/FUL - Demolition of existing rear extension, garage and side extension. Erection of a two storey side and rear extension to provide a new 3 bed house and

extended accommodations at no. 52 Marston Street. Provision of two off street car parking spaces. WDN 15th August 2011.

Representations Received:

29 Marston Street, 51 Marston Street, 12 Marston Street, 37 Marston Street

Summary of comments

- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on privacy
- Local plan policies
- Noise and disturbance
- Parking provision
- Light – daylight/sunlight
- Restrict use to current HMO licence
- Drawings not detailed enough, windows out of proportion
- Materials should match existing.

Statutory and Internal Consultees:

Highways Authority: No objections subject to conditions.

Issues:

Design
Residential Amenity
Sustainability:
Other

Officers Assessment:

Site Description

1. The application site comprises a semi detached residential property on the western side of Marston Street. Marston Street links Cowley Road with Iffley Road within St Marys ward. The property is constructed in light brick with darker, red brick, detailing. It has a front bay window in timber to the ground floor window and the main entrance to the property is set back to the side but facing the highway. To the side is a detached prefabricated garage.

Proposal

2. The application is seeking permission for the erection of a two storey side extension which will require the removal of the existing garage. An off street car parking space will be retained to the front of the new extension.

Assessment Design

3. Policy CS18 of the OCS 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 OLP and HP9 of the SHDPD. 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. Policy CP8 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. Policy CP8 also does not rule out innovative design.
4. The proposed two storey side extension is set back, by some two and a half metres, from the front building line and the ridge of the roof is in line with the eaves of the existing property and the ridgeline of the neighbouring property at 51 Marston Street. The existing entrance is retained and built above which then creates a link to the new extension. The extension creates a gable within the street scene.
5. The proposed extension is subservient to the main property and is set back from the front building line so as not to be seen within the street scene from long range views. Marston Street has a variety of style of properties along it and therefore the proposal will not look out of character or context when viewed within the street.
6. The windows to the front elevation are proposed to be aluminum casements rather than timber sashes as used in the original house. They also vary in their size and proportions. Officers would wish to give further consideration to these details and materials. For the elevations matching brickwork is welcomed though natural rather than artificial slate would be preferred as the roofing material. Appropriate conditions are suggested to require alternative detailing.

Residential Amenity

7. 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 proposal does not give rise to any issues of overlooking or loss of privacy.
8. The proposal has been designed so as not to breach the 45/25-degree code of practice in relation to the neighbouring properties. It is therefore in accordance with policy HS19 of the OLP and HP14 of the SHP and will not have a detrimental impact in terms of sunlight/daylight.
9. Policy HS19 of the OLP also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. The proposal

is subservient within the street scene when compared to the existing property and will therefore not be overbearing. Its design and position in relation to the neighbouring properties makes it acceptable in terms of policy HS19.

Sustainability

10. 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 an existing site.
11. How sustainable design and construction methods will be incorporated into the building and how energy efficiency has been optimised through design and utilising technology that helps achieve Zero Carbon Development can be secured by a condition.

Other

12. The drawings as submitted are considered adequate, along with the details submitted on the application form, to enable officers to reach a decision.
13. Having looked at the property history for the site a HMO license was granted on 8th August 2012 for up to 4 people. However no application for planning permission has been received to change the property to a HMO and planning permission would be required to do so. The plans as submitted show the property to be a family home and the application form states the applicant wishes to modernise the property and make it a useable family home. Officers have no reason to doubt this and the application has to be determined as it stands.

Conclusion:

14. 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. Therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development.

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: Lisa Green

Extension: 2614

Date: 26th September 2012

Appendix 1

12/01994/FUL 52 Marston Street



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	27 September 2012
SLA Number	LA100019348

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West Area Planning Committee

10th October 2012

Application Number: 12/02166/FUL

Decision Due by: 16th October 2012

Proposal: Erection of single storey rear extension. Loft conversion to include insertion of rear dormer and three rooflights to front elevation. (Amended plans)

Site Address: 24 Complins Close, **Appendix 1**

Ward: St Margarets Ward

Agent: Mr D Turner

Applicant: Mr S Spittlehouse

Application called in by Councillors Campbell, Fooks, Rundle, Royce and Goddard due to concerns that the proposal is potentially overbearing and will take light from the neighbouring property.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The extension is considered to form an appropriate visual relationship with the existing house and surrounding development without resulting in unacceptable harm to neighbouring residential amenity. Consequently the proposal complies with policies CP1, CP8, CP10, HS19 and HS21 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 and policies HP9 and HP14 of the Sites and Housing Development Plan Document proposed submission 2011-2026.
- 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.
- 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 Develop in accordance with approved plans
- 3 Materials to match existing

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

HS21 - Private Open Space

Core Strategy

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:

23 Complins Close: Objection – Inaccuracies in plans relating to parking spaces and proposed roof plan. Affect on amenity and loss of light, overbearing and oppressive development caused by size and materials.

Statutory and Internal Consultees:

Highways Authority: No objection

Environmental Development: Comments received regarding contaminated land issues, an informative has been recommended.

Determining Issues:

- Design
- Impact on Neighbouring Amenity

Officers Assessment:

Site Description and Proposal

1. The application site comprises an end of terrace two storey property comprising two bedrooms. Complins Close is located off the Elizabeth Jennings Way residential development which was constructed in 2002 following the demolition of factory buildings. The Close is characterised by two and three storey houses and a block of flats with shared green spaces rather than individual front gardens. The green spaces are edged with trees and shrubs as well as several parking bays and bicycle racks. The property backs onto a parcel of land, close to Port Meadow to the west of the railway line which is shielded from the property by mature trees to the rear. Appendix 1.
2. The application seeks planning permission for a single storey rear extension and a loft conversion with a rear dormer window and Juliette balcony and three rooflights to the front. The extension and dormer window will be built with matching materials to the existing dwelling.
3. During the course of processing the planning application amended plans were requested to omit the balcony originally attached to the dormer window. Amended plans were submitted and included the removal of the balcony which was replaced by a Juliette style balcony and a reduction in the height of the single storey extension from 3.3 metres to 3.0 metres.

Design

4. Policies CP1 and CP8 of the Oxford Local Plan state that planning permission will only be granted for development that respects the character and appearance of the area and creates an appropriate visual relationship with the site and its surroundings 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 single storey extension would project 3.4 metres from the rear wall of the existing property and measure 3.0 metres in height. The extension will be set away from the neighbouring boundary fence to the east by 30 centimetres and flush with the boundary wall to the west. The current garden length is 12 metres, if the proposed extension is approved the property would still benefit from a reasonably sized garden of 8.5 metres in length and 5 metres in width (42.5m²). It is the Council's view

that the extension will therefore not create an unacceptably overbearing effect on the site itself or on the neighbouring property in terms of its overall size or proximity to boundaries.

6. The proposed dormer window will be set back by 30 centimetres from the eaves and will be set in from the east boundary by 1.1 metres and 1.3 metres to the west. The dormer will be 3.5 metres in height over and above the height of the eaves and will be 0.8 metres lower than the ridge of the original roof; the dormer window will therefore be subservient to the existing roof in terms of scale.
7. The materials used would match those of the existing dwelling and would thus be in keeping with the character of the dwelling and surrounding area. The extension and dormer window would not unacceptably detract from the view from the land to the rear of the property and would have an appropriate visual relationship to the surrounding area, as required by policies CP1 and CP8 of the Oxford Local Plan and policy CS18 of the Core Strategy.

Living Conditions and Impact on Neighbours

8. Policy HS19 of the Oxford Local Plan 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 Oxford Local Plan. Policies HS19 and CP10 of the Oxford Local Plan also require the correct siting of a new development to protect the privacy and amenity of the occupants of the proposed and existing neighbouring residential properties.
9. The single storey rear extension would provide the property with additional living accommodation in the form of a sun room and the loft conversion with the dormer window would provide a third bedroom and en suite.
10. The rear wall of the neighbouring property at no. 23 projects 1.8 metres from the rear wall of no.24, therefore the proposed extension would only project 1.4 metres from the rear wall of no. 23. The nearest habitable window at no. 23 is 1.68 metres from the boundary fence, with the proposed extension set away from this fence by 30 centimetres. Therefore the total distance from the neighbouring habitable window is 1.98 metres. The single storey extension would not contravene the 45 degree rule set out in policy HS19 of the Oxford Local Plan.
11. The privacy of the neighbours would be maintained as there are no proposed windows to the east elevation of the single storey extension and the dormer window is set back 30 centimetres from the eaves.
12. It is the officer's view that the design of the extension and dormer window is acceptable.

Conclusion:

13. The extension is considered to form an appropriate visual relationship with the existing house and surrounding development without resulting in unacceptable harm to neighbouring residential amenity. Consequently the proposal complies with policies CP1, CP8, CP10, HS19 and HS21 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 and policies HP9 and HP14 of the Sites and Housing Development Plan Document proposed submission 2011-2026. The Council is recommending 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:

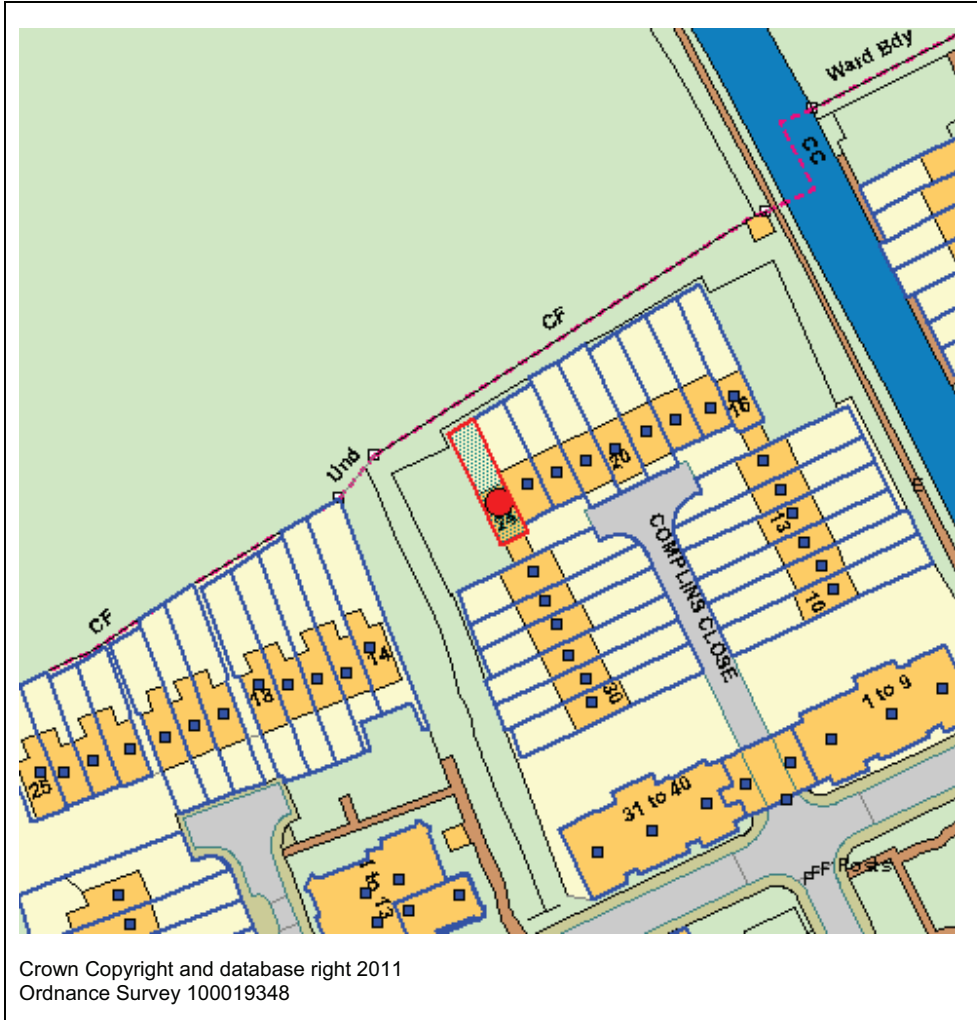
Contact Officer: Jennifer Owen

Extension: 2818

Date: 26th September 2012

Oxford City Council

12/02166/FUL – 24 Complins Close



Organisation	Oxford City Council
Department	Planning
Comments	
Date	25th September 2012
SLA Number	LA100019348

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West Area Planning Committee

10th October 2012

Application Number: 12/02113/FUL

Decision Due by: 15th October 2012

Proposal: Demolition of existing outbuildings. Erection of part single, part two storey, side and rear extensions and insertion loft roof lights to front and rear roof slopes.

Site Address: 37 Meadow Prospect **Appendix 1**

Ward: Wolvercote Ward

Agent: Lesley Cotton Architect

Applicant: Mr Ian Callaghan

Application Called in – by Councillors – Goddard, Wilkinson, McCreedy Fooks and Gotch; for the following reasons in that its similar to one refused recently and deserves public consideration.

Recommendation: West Area Planning Committee is recommended to grant planning permission.

Reasons for Approval:

- 1 The proposed extension would reduce the gap between no's 35 and 37 Meadow Prospect, however the extension would be set down from the main ridgeline and would be significantly set back from the existing building frontage to reinforce its subservience and to retain the sense of openness. Officers consider that the design is acceptable and that the character and appearance of the area would be preserved. The development would not result in any unacceptable levels of harm to the amenities of neighbouring properties and there would be no increased risk of flooding. Officers consider that the proposal complies with policies CP1, CP6, CP8, CP10, HS19 and HE7 of the Oxford Local Plan 2001-2016 and policies CS11 and CS18 of the Core Strategy 2026.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give

- Increase of flooding due to extension and hard landscaping;
- Extension is too big for the existing house and ruins the character of the area; style and size is out of keeping with existing house and area;
- Extension is overbearing to neighbouring properties;
- Loss of privacy to neighbouring properties;
- Visual amenity effect as outlook is effected by the extension;
- Increase in noise levels;
- Loss of heat and light due to extension shading photovoltaic and solar water heating panels on neighbouring house;
- Not an attractive view from Port Meadow.
- Too many extensions in Meadow Prospect spoiling the street.

Statutory and Internal Consultees:

- Highway Authority – No objection, the proposal does not have any significant highway impacts where adequate off-street parking is provided within the curtilage of the property and there is very little on-street parking.

Officers Assessment:

Site Description

1. The application site comprises a two storey semi-detached dwelling located in the cul-de-sac of Meadow Prospect. Some of the properties back directly on to Port Meadow and the application site lies on the south side of Meadow Prospect which backs on Port Meadow. The surrounding area is characterised by similar semi-detached properties with reasonable size gaps to the side boundaries.

Proposal

2. A previous planning application for a first floor rear extension (application 12/00503/FUL) was refused due to the impact of the extension being overbearing to the neighbouring properties, overlooking, being out of keeping and being too large and bulky. This latest application represents a revised design of the proposed extension.

Issues:

3. Officers consider the principal determining issues in this case to be:
 - Design
 - Residential amenity
 - Flooding

Design

4. Policy CS18 of the Core Strategy (CS) states that 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

9. To the side the proposal would partly infill the gap at first floor level, which is already largely in-filled by the side extension of no.35. No. 37 Meadow Prospect has not been extended to the side previously and the proposed side element would leave a 1.0m gap at first floor level, a gap of 0.2m at ground floor level and would be set back 2.5m from the front. It would not therefore completely infill the gap or result in a terracing effect. Due to the significant set back from the building frontage and the set down from the main ridge, officers are of the view that the extension would not appear overbearing within the street scene and would not erode the feeling of openness that currently exists.

Residential Amenity

10. Policies HS19 and CP10 of the OLP require the siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties. An amended plan was received on 25th September 2012 removing the side window facing on the ground floor of the family room which would look directly into the garden of no.39 Meadow Prospect. Also the removal of the two Juliet balconies at first floor level reduced the perception of being overlooking and prevent the flat roof of the ground floor extension being used as a terrace. A condition will be imposed to ensure that the flat roof is not used as a terrace.
11. Whilst there is still a large amount of glazing in the rear gable of the master bedroom, the majority of this glazing would be at high level and therefore the glazing remaining would be relatively no different to the glazing at no.35 at first floor level. Officers consider that resultant glazing would not significantly increase the levels of overlooking to such extent as to warrant a refusal for loss of privacy.
11. Policy HS19 of 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, detailed in Appendix 6 of the OLP. The proposal does not breach the 45/25 degree line from 35 and 39 Meadow Prospect and is therefore considered acceptable in this regard.

Flooding

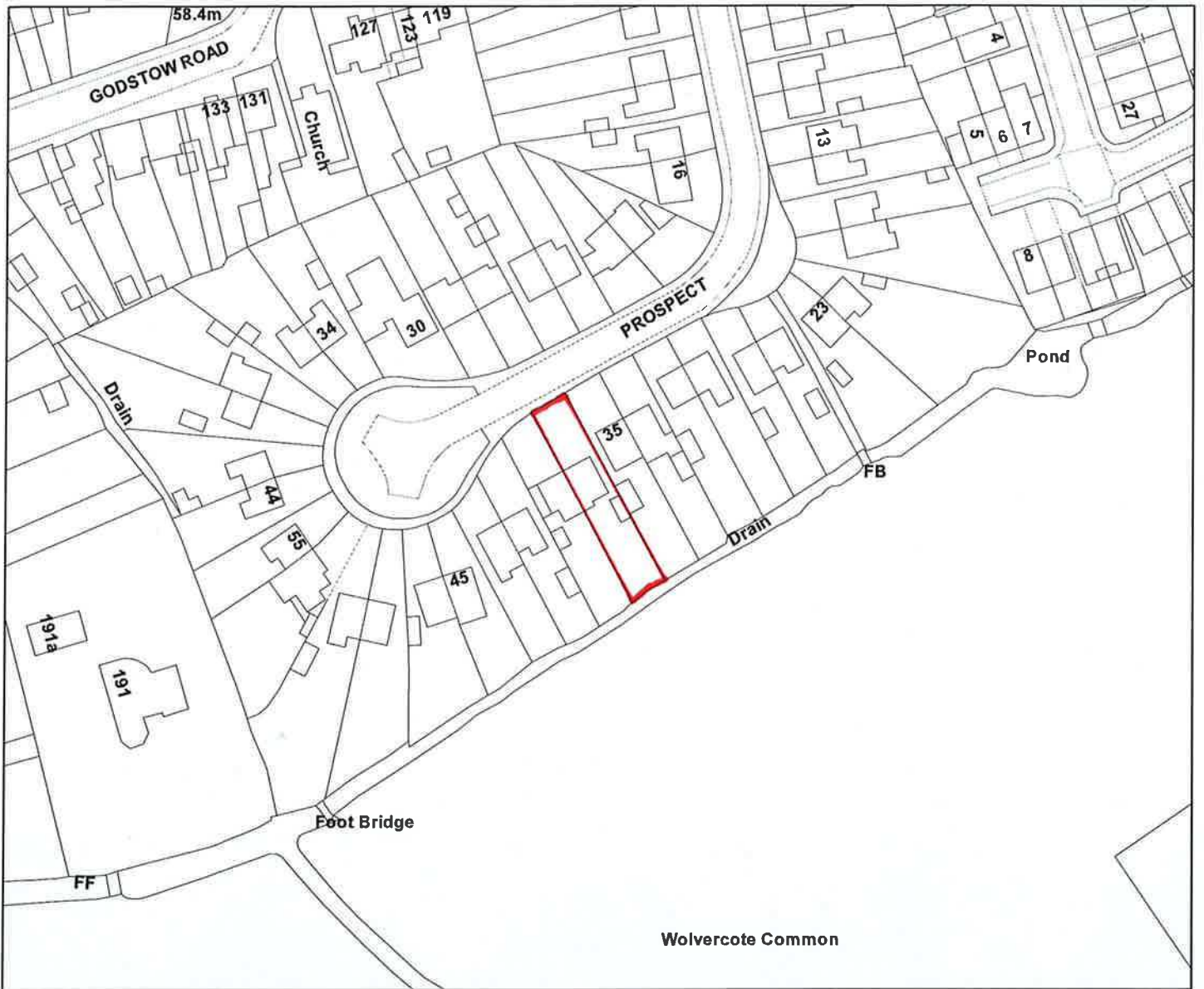
12. The application site is located within a flood zone. A Flood Risk Assessment (FRA) has been submitted as part of the application which satisfies any potential impact on flooding in the area, and incorporates mitigation techniques to ensure the safety of the occupiers. A condition has been imposed to require the application to be carried out in accordance with the details submitted in the FRA.

Parking

13. The proposal involves the loss of an existing garage but there is space on the frontage and driveway to provide adequate off-street parking. The

12/02113/FUL

37 Meadow Prospect



Legend



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Department	Planning
Comments	
Date	26 September 2012
SLA Number	100019348

Scale: 1:1250

West Area Planning Committee

10th October 2012

Application Number: 12/01901/CT3

Decision Due by: 20th September 2012

Proposal: Erection of two storey side extension.

Site Address: 21 Buckler Road, **Appendix 1**

Ward: Summertown Ward

Agent: Mr Chris Ridges

Applicant: Oxford City Council

Recommendation: West Area Planning Committee is recommended to grant planning permission.

Reasons for Approval:

- 1 The proposal is acceptable in design terms and would not cause any unacceptable levels of harm to neighbouring properties. 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.

Conditions:

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

Main Planning 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

HS19 - Privacy & Amenity

HS20 - Local Residential Environment

HS21 - Private Open Space

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.

5. 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. It also stated building design is specific to the site and its context and should respect, without necessarily replicating, local characteristics, and should not rule out innovative design.
6. The Council's design guidance on corner plot side extensions suggests that side extension should not project more than 1.5m beyond the building line and that that they should be set back from the front elevation of the property by 1.0m. In this case the existing house is on a prominent corner plot and the parcel of land available for development to the side of the house is constrained. Whilst the proposed extension is shown not to protrude further than 1.5m from the building line it is only set back 0.7m from the front elevation of the house.
7. As the site is prominent it was considered that the extension should be set back further still in order that the extension would appear less prominent within the street scene. Amended plans were received on 25th September 2012 showing extension set back by 1.34m from the front elevation. Officers consider that this helps to create a better visual relationship within the street scene. The extension would be built in materials that match those of the existing dwelling and would therefore form an appropriate visual relationship and would not appear out of character within the surrounding context.

Residential Amenity

8. Policies HS19 and CP10 of the OLP require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties. The proposal does not give rise to any issues of overlooking or loss of privacy.
9. Policy HS19 of 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, detailed in Appendix 6 of the OLP. The proposal does not breach the 45/25 degree line from 23 Buckler Road and is therefore considered acceptable in this regard.
10. Officers were concerned with regards to size of the ground floor bedroom being too small. However given the constrained nature of the site the internal alterations move the downstairs toilet to the front and the bedroom to the back to compensate for the loss of space at the front in the amended plan. Officers consider that this is the best design solution for this difficult site.

12/01901/CT3

21 Buckler Road



Legend



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WEST AREA PLANNING COMMITTEE

Thursday 13 September 2012

COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Goddard (Vice-Chair), Benjamin, Canning, Clack, Cook, Jones, Khan and Tanner.

59. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

60. DECLARATIONS OF INTEREST

There were no declarations of interests.

61. 71 HILL TOP ROAD- 12/01853/FUL

The Head of City Development submitted a report (attached, previously appended) which detailed a planning application to demolish an existing dwelling house. The erection of a 3 storey terrace (including basement) building to provide 2x4 bed semi-detached dwelling houses with car parking, bin and cycle stores (amended plans).

In accordance with the criteria for public speaking, the Committee noted Huw Mellor spoke for the application.

The Committee considered all submissions both written and oral and resolved (by 9 votes to 0) to APPROVE the application subject to the 14 conditions listed in the Planning Officer's report.

62. 46 STRATFIELD ROAD: 12/01789/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect a part single, part storey rear extension to form side entrance and front gable end (amended description and plans)

In accordance with the criteria for public speaking, the Committee noted Robin Laurance spoke against the application and Nick Turner spoke for the application.

The Committee considered all submissions both written and oral and resolved (by 8 votes to 1) to APPROVE the application subject to the four conditions listed in the Planning Officer's report, with the following amendment and informative:

Condition 4 Obscure glazed fixed shut window

Informative: That the applicant considers shortening the length of the conservatory to 3 metres to improve the privacy to the neighbouring property, 44 Stratfield Road.

63. 68 ABINGDON ROAD - 2/01798/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to modify the rear extension approved under 09/02587/FUL comprising the introduction of 3 windows and 1 door on ground floor

Nobody spoke for or against the application.

The Committee considered all written submissions and resolved (by 9 votes to 0) to APPROVE the application subject to the five conditions listed in the Planning Officer's report and the additional condition:

Condition 6 -Property to be used only as a family dwelling (class C3 in Local Plan)

64. RECEIPT AND EXPENDITURE OF DEVELOPER CONTRIBUTIONS

The Head of City Development submitted a report (previously circulated now appended) that summarised the receipt and expenditure of developer contributions in the last financial year (2011/12)

The Committee resolved (by 9 votes to 0) 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

65. PLANNING APPEALS

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

The Committee resolved (by 9 votes to 0) to NOTE the report.

66. FORTHCOMING APPLICATIONS

The Committee resolved (by 9 votes to 0) to NOTE the following planning application which will be before the Committee at future meetings:-

- Worcester College: 12/02141/FUL & 12/01810/LBD: Lecture theatre and kitchen
- 43 Donnington Bridge Road: 12/02141/FUL: 2 flats
- 251 Cowley Road: 12/01924/FUL: Part change of use from estate agent to radio station
- University Science Area: Masterplan

67. FORTHCOMING DATES OF COMMITTEE MEETING

The Committee resolved (by 9 votes to 0) to NOTE that the next meeting would be held on Wednesday 10 October 2012

68. MINUTES

The Committee resolved (by 9 votes to 0) to APPROVE as a correct record the minutes of the meetings held on 15 and 23 August 2012

The meeting started at 6.00 pm and ended at 7.10 pm

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