

Agenda

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East Area Planning Committee

Date: **Wednesday 6 November 2013**

Time: **6.30 pm**

Place: **Council Chamber**

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 Michele Paule	Rose Hill and Iffley;

The quorum for this meeting is five members. Substitutes are permitted.

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AGENDA

	Pages	
1	APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2	DECLARATIONS OF INTEREST	
3	23 NOWELL ROAD: 13/01792/FUL	1 - 10

The Head of City Development has submitted a report which details a planning application to erect a two storey side and rear extension. Creation of 2 bed dwelling house to the side (use class C3) with associated parking and self-contained garden. (Amended Plans)

Officer recommendation: That the Committee REFUSE planning permission for the following reasons:

- 1 The proposed two-storey side extension would be of a size, scale and design that would create an inappropriate visual relationship with the built form of the existing dwelling creating a discordant feature that would not be successful in terms of providing a subservient extension to the main dwelling, nor in creating a terraced row across the three properties. As such it would have a detrimental impact upon the character and appearance of the street scene and be detrimental to the visual amenities of the surrounding residential area. This would be contrary to Policy CP1, CP6, CP8 and CP9 of the Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Plan 2011-2026
- 2 That by reason of its overall size, scale, and proximity to the common boundary with nos.2, 2a, 4, and 6 Wynbush Road, the proposed two-storey extension would create a sense of enclosure that would have an overbearing impact and loss of light to the rear gardens of these adjoining properties. Furthermore the provision of a first floor bathroom window in the side elevation would create a loss of privacy within the rear gardens of these properties. As a result, the proposed extension has not been designed in a manner that would safeguard the residential amenities of these adjoining properties which would be contrary to Policies CP10 of the Oxford Local Plan 2001-2016, and Policy HP14 of the Sites and Housing Plan 2011-2026.
- 3 That the proposed development would fail to provide good quality living accommodation for a single family dwelling of this size given its internal floor area would fall below the minimum 75sqm threshold and therefore would not make adequate provision for the future occupants of this dwellinghouse. As such the proposal would be contrary to Policies HP2 and HP12 of the Sites and Housing Plan which seek to ensure the provision of good quality housing which is accessible to all.

4 28 ABBEBURY ROAD: 13/02419/FUL

11 - 22

The Head of City Development has submitted a report which details a planning application to erection 1 x 3-bedroom detached dwellinghouse (Use Class C3) to rear of existing house.

Officer recommendation: That the Committee REFUSE the planning application for the following reasons:-

- 1 As a result of its inappropriate siting within established spacious rear gardens of houses that exhibit a strong building line, the proposals represent a backland form of development that is, in principle, unacceptable. Furthermore the proposals would set a precedent for similar development that would result in the long term fundamental loss of the open, verdant and semi-rural character of the area contrary to the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016 as well as policies HP9 and HP10 of the Sites and Housing Plan 2011-2026.
- 2 As a result of its diminutive height, awkward combination of flat and mono-pitched roof forms as well as contrived design detailing, the proposed dwelling represents a building of alien appearance that contrasts with the established traditional scale, form and style of housing within the immediate locality to the detriment of the character and appearance of the area. The proposals therefore fail to accord with the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policy HP9 of the Sites and Housing Plan 2011-2026.

**5 LAND FRONTING 33 TO 61 BLACKBIRD LEYS ROAD:
13/02285/CT3**

23 - 30

The Head of City Development has submitted a report which details a planning application to provide 18 residents' parking spaces on existing grass verges.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Tree Protection Plan to be approved
- 4 Ground resurfacing - SUDS compliant
- 5 Landscaping shall be carried out in accordance with the details shown on plan
- 6 Details of verge protection measures to be approved

6 LAND FRONTING 1 TO 21 MONKS CLOSE: 13/02286/CT3

31 - 38

The Head of City Development has submitted a report which details a planning application to provide 19 residents' parking spaces on existing grass verges.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Ground resurfacing - SUDS compliant
- 4 Details of verge protection measures to be approved

7 LAND AT NORMANDY CRESCENT: 13/02287/CT3

39 - 46

The Head of City Development has submitted a report which details a planning application to provide 30 residents' parking spaces on existing grass verges.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Ground resurfacing - SUDS compliant
- 4 Tree Protection Plan to be approved
- 5 No dig technique to be used within Root Protection Areas
- 6 Details of verge protection measures to be approved

**8 SITES OF VERGES AT 34 TO 56 AND 106 TO 128
CHILLINGWORTH CRESCENT: 13/02508/CT3**

47 - 54

The Head of City Development has submitted a report which details a planning application to provide 16 residents' parking spaces on existing grass verges.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Tree Protection Plan to be approved
- 4 Ground resurfacing - SUDS compliant
- 5 Landscaping to be carried out in accordance with plans
- 6 Amendment to Traffic Regulation Order required
- 7 Details of verge protection measures to be approved

9 SITE OF VERGE AT 1 TO 15 REDMOOR CLOSE: 13/02507/CT3

55 - 60

The Head of City Development has submitted a report which details a planning application to provide 13 residents' parking spaces on existing grass verges.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions

- 1 Development begun within time limit

- 2 Develop in accordance with approved plans
- 3 Tree Protection Plan to be approved
- 4 Landscaping to be carried out in accordance with plan
- 5 No dig technique to be used within Root Protection Areas
- 6 Details of verge protection measures to be approved

10 34 MILL LANE: 13/01796/FUL

61 - 68

The Head of City Development has submitted a report which details a retrospective planning application for a change of use from dwellinghouse (use class C3) to HMO (use class C4).

Officer recommendation: That the Committee REFUSE the planning application for the following reasons:

1. The use of the property as two self-contained flats would be unacceptable by virtue of the loss of a family dwelling. In addition the existing dwelling is below the threshold of 110 square metres in area which is the minimum permissible for subdivisions. As such the proposal is contrary to Policy CS23 of the adopted Core Strategy and the Balance of Dwellings Supplementary Planning Document.
2. The development does not provide an adequate level of private amenity space for use by the occupiers of the first floor unit, which would have a detrimental impact upon the living conditions of the current and future occupiers of this dwelling. This is contrary to policy HP13 of the Sites and Housing Plan 2013.
3. The ground and first floor flats do not provide an adequate level of good quality living accommodation which would have a detrimental impact upon the living conditions of the current and future occupiers of this dwelling. This is contrary to Policy HP12 of the Sites and Housing Plan 2013.

11 OXFORD CITY COUNCIL DEPOT: 13/02281/CT3

69 - 76

The Head of City Development has submitted a report which details a planning application to insert a new roller shutter door, relocation of fire exit, and installation of 2 new extraction flues.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions:

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

12 255 MARSTON ROAD: 13/01502/FUL

77 - 86

The Head of City Development has submitted a report which details a planning application to demolish the existing three storey building and redevelop the site to create a retail unit on the ground floor (use class A1) and 1 x 2 bed maisonette above (use class C3) and erection of 2 x 2 storey,

2 bed flats (use class C3). (Amended description). (Amended plans)

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Bins and Cycle Stores
- 5 Reinstate dropped kerb
- 6 Contaminated Land
- 7 Variation of Road Traffic Order Marston South CPZ,
- 8 Sustainability design/construction

13 PLANNING APPEALS

87 - 90

To receive information on planning appeals received and determined during September 2013

The Committee is asked to note this information.

14 MINUTES

91 - 96

Minutes from 2 October 2013

Recommendation: That the minutes of the meeting held on 2 October 2013 be APPROVED as a true and accurate record.

15 FORTHCOMING APPLICATIONS

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

- 13/02500/OUT - Sports Field, William Morris Close - Outline application (seeking access, appearance, layout and scale) for residential development consisting of 6 x 1-bed, 15 x 2-bed, 15 x 3-bed and 4 x 4-bed residential units, together with 55 car parking spaces, access road and informal recreation area.
- 13/02607/FUL- BMW UK Manufacturing Ltd, Garsington Road - To construct in two phases a single storey Test Track weather resistant enclosure adjacent the existing railway lines.
- 13/02697/FUL - Headington School, Headington Road - Removal of existing portacabin and temporary buildings. Extension to existing sports hall to provide dance studio and fitness suite. Provision of replacement car parking and external works.
- 13/00302/FUL – Oxford Stadium, Sandy Lane - Demolition of existing structures. Erection of 220 x residential units (37 x 1 bed flats, 43 x 2 bed flats, 24 x 2 bed houses, 90 x 3 bed houses, 26 x 4 bed houses) (use class C3 - single family dwellings), new site accesses, parking, landscaping, public open space and ancillary works.
- 13/01553/CT3 - Eastern House, Eastern Avenue - Demolition of Eastern House and erection of 7 x 3-bed and 2 x 2-bed dwellings (use class C3).

Provision of associated car parking, landscaping, private amenity space and bin and cycle stores.

- 13/01555/CT3 - Land East of Warren Crescent - Erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath.
- 13/01811/FUL – 98 London Road - Installation of two aluminium louvres to rear elevation in association with internal plant machinery. (Amended plan and Additional Information)
- 13/02559/FUL – 8 Marshall Road - Erection of single storey front extension and part single, part two storey rear extensions.
- 13/02549/ADV - 72 Rose Hill - Display of 1 x internally illuminated fascia sign, 2 x non-illuminated fascia signs and 1 x non-illuminated totem sign.

16 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Thursday 14 November if necessary

Wednesday 4 December 2013 (and Thursday 12 December 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 sclaridge@oxford.gov.uk 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 of the public are reminded that the recording of the meeting (audio or visual) is not permitted without the consent of the Committee, which should be sought via the Chair.
7. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Agenda Item 3

East Area Planning Committee

6th November 2013

Application Number: 13/01792/FUL

Decision Due by: 17th September 2013

Proposal: Erection of two storey side and rear extension. Creation of 2 bed dwelling house to the side (use class C3) with associated parking and self-contained garden. (Amended Plans)

Site Address: 23 Nowell Road, Oxford, OX4 4TA

Ward: Rose Hill and Iffley

Agent: Greenfields Architectural Services

Applicant: Mrs Shamsia Hoque

The application is before committee as the applicant is an employee of the Council. The report has been seen by the Oxford City Councils Monitoring Officer.

Recommendation:

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

- 1 The proposed two-storey side extension would be of a size, scale and design that would create an inappropriate visual relationship with the built form of the existing dwelling creating a discordant feature that would not be successful in terms of providing a subservient extension to the main dwelling, nor in creating a terraced row across the three properties. As such it would have a detrimental impact upon the character and appearance of the street scene and be detrimental to the visual amenities of the surrounding residential area. This would be contrary to Policy CP1, CP6, CP8 and CP9 of the Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Plan 2011-2026
- 2 That by reason of its overall size, scale, and proximity to the common boundary with nos.2, 2a, 4, and 6 Wynbush Road, the proposed two-storey extension would create a sense of enclosure that would have an overbearing impact and loss of light to the rear gardens of these adjoining properties. Furthermore the provision of a first floor bathroom window in the side elevation would create a loss of privacy within the rear gardens of these properties. As a result, the proposed extension has not been designed in a manner that would safeguard the residential amenities of these adjoining

properties which would be contrary to Policies CP10 of the Oxford Local Plan 2001-2016, and Policy HP14 of the Sites and Housing Plan 2011-2026.

- 3 That the proposed development would fail to provide good quality living accommodation for a single family dwelling of this size given its internal floor area would fall below the minimum 75sqm threshold and therefore would not make adequate provision for the future occupants of this dwellinghouse. As such the proposal would be contrary to Policies HP2 and HP12 of the Sites and Housing Plan which seek to ensure the provision of good quality housing which is accessible to all.

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

Core Strategy

CS2_ - Previously developed and greenfield land

CS18_ - Urban design, town character, historic environment

CS23_ - Mix of housing

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes

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

Balance of Dwellings Supplementary Planning Document

Relevant Site History:

10/00833/FUL - Erection of two storey side extension to provide 2x1 bed flats, associated amenity space and off-street parking: Withdrawn

Public Consultation:

Statutory Consultees:

Oxfordshire County Council

- Highways Authority: No objection subject to conditions
- Drainage Authority: The development should be drained using sustainable urban drainage methods

Thames Water Utilities Limited: No objection

Third Parties

No comments have been received

Officers Assessment:

Site Location and Description

1. The site is located on the southern side of Nowell Road, and is bordered by residential properties of Wynbush Road, Williamson Way, and Nowell Road, to the east, south, and west respectively (**site plan: appendix 1**)
2. The site comprises a two-storey semi-detached dwellinghouse which is separated from the street by a small front garden and has a private garden to the rear.

Proposal

3. Planning permission is sought for the erection of a two-storey side and rear extension to the existing dwellinghouse and the creation of 2 bedroom dwellinghouse (Use Class C3) within the side-extension with associated parking and self-contained garden. The plans have been amended since they were initially submitted.
4. Officers consider that the principle determining issues in this case are the principle of development, balance of dwellings, residential accommodation, form and appearance, impact upon adjoining properties, highway matters

Principle of Development

5. 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. These aims are supported through Policy CS2 of the Oxford Core Strategy 2026.
6. The proposed extension would be sited to the side of the building within part of the site that would be considered previously-developed land. The principle of redeveloping the site for residential use would accord with the NPPF and Policy CS2 of the adopted Oxford Core Strategy 2026.

Balance of Dwellings

7. 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.

8. 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 Rose Hill Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. The proposed development would provide 1x2 bedroom dwelling which would be considered an appropriate mix of housing type for this area in accordance with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Form and Appearance

9. Sites and Housing Plan Policy HP9 states that planning permission will only be granted for residential developments that responds to the overall character of the area, including its built and natural features; the form, layout and density of the scheme make an efficient use of land whilst respecting the site context; the development exploits opportunities to sustain and enhance the significance of heritage assets and makes a positive contribution to local character and distinctiveness; landscaping, and boundary treatments are provided that integrate the development, in a way that defines public and private space and maintains natural surveillance of the public realm. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1, CP6, CP8, CP9, and CP10 of the Oxford Local Plan.
10. The proposed two-storey side extension would have a pitched roof and would measure approximately 7.2m (l) x 4.2m (w) x 7.2m (h). There is a porch with a mono-pitch roof at the front that has an overall height of 2.35m. The two-storey side extension would also have an element that extends to the rear which measures 3.2m (l) x 4.2m (w) x 7.2m (h). The existing dwellinghouse is a modest two-storey semi-detached property that was part of the original estate. The street itself has a varying range of flatted developments, semi-detached properties and terraces which have been established through the recent redevelopment of the Rose Hill Neighbourhood Area. As a result much of the new development has created a coherent built form and appearance throughout the area with the older properties appearing more obvious in the street. Having regards to these characteristics it is important that the proposed extension sits comfortably with the pair of semi-detached properties of which it would form a part.
11. The proposed two-storey extension would be of a size, scale, and design that would not sit comfortably with the built form of the existing semi-detached property. The extension would be set back from the façade only at first floor level, and would have a minimal set down from the roof. Officers consider that the design approach does not appear to understand how the extension should relate to the host dwelling or indeed the pair of semi-detached properties as a whole. The provision of the porch and the limited sense of subservience would mean that it unbalances the symmetrical appearance of

the pair of semis and would not be successful in terms of providing a subservient extension to the main dwelling, nor successful in creating a terraced row across the three properties.

Impact upon Adjoining Properties

12. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes. This is supported by Policy CP10 of the Oxford Local Plan 2001-2016.
13. The proposed extension would not have an adverse impact upon the adjoining property at 23 Nowell Road. It would be dwellings in Wynbush Road which have their rear gardens forming the eastern boundary of the site that stand to be most affected by the proposal. The rear gardens to these properties are only 9m long and so the rear facades of these properties (particularly nos. 2, 2a, 4, and 6) would face the side of the new dwelling. The proposed extension would be sited only 1m-1.5m away from the common boundary with these properties. Officers consider that the close proximity of the extension to the rear gardens and rear facades of these properties would create a sense of enclosure that would have an overbearing impact and lead to a loss of light to these properties. The provision of a bathroom window at first floor level would also give rise to a loss of privacy through the sense of being overlooked even if direct overlooking was prevented by obscure glazing. This would conflict with the aims of the above-mentioned policies.

Residential Use

14. The proposed dwelling has been amended since it was originally submitted with the layout of the dwellinghouse altered as above. The proposed extension would provide a 2 bedroom dwellinghouse which according to the dimensions on the revised floor plans would have an internal floor area of 72.56m².
15. Sites and Housing Plan Policy HP12 makes clear that new dwellings should provide good quality living accommodation for the intended use. It states that each dwelling should have its own lockable entrance, kitchen and bathroom. It should provide adequate space for circulation and household facilities in each part of the home, and also for storage based on the occupation intended. It goes on to explicitly state that any single family dwelling should not provide less than 75m² floor space, and have adequate floor to ceiling heights, natural light and ventilation and outlook. In addition Policy HP2 requires new dwellings to meet lifetime homes standards. The Sites and Housing Plan defines a family home as a self-contained house (or bungalow) of 2 or more bedrooms. The proposed dwelling would have a floor area that would fall notably short of the minimum 75m² and therefore fail to provide good quality internal space for the future occupants. This would conflict with the aims of Policy HP12. The design and access statement has provided a statement to set out how the proposed dwelling would meet lifetime homes standards in accordance with Policy HP2.

16. In terms of outdoor space, the unit would have its own private garden which would be commensurate in size to the footprint of the proposed dwelling and no objection would be raised under Sites and Housing Plan Policy HP13. Similarly the existing dwelling at 23 Nowell Road would retain a suitable sized garden space to accord with the requirements of Policy HP13.

Highway Matters

17. The proposal would provide 3 off-street parking spaces with 2 for the existing dwelling and 1 for the proposed dwelling. The proposed parking would meet the standards, and the Local Highways Authority has raised no objection on this basis.

Community Infrastructure Levy

18. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development. CIL applies to developments of 100 square metres or more, or to new houses of any size. The reason that CIL has been introduced is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities. CIL is being brought in by councils across the country, although each local council has the ability to set the actual charges according to local circumstances.

19. As this application is proposing a new dwelling it will be liable for a CIL payment should permission be granted. The CIL payment has been calculated as approximately £6,342 (plus admin fee £317.10). However this will only apply if planning permission is granted and the scheme is implemented.

Conclusion:

20. The proposal would be contrary to the aims and objectives of the National Planning Policy Framework, and the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan and therefore officer's recommendation to the Members of the East Area Planning Committee is to refuse planning permission.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 21st October 2013

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EAST AREA PLANNING COMMITTEE

6th November 2013

Application Number: 13/02419/FUL

Decision Due by: 11th November 2013

Proposal: Erection of 1 x 3-bedroom detached dwellinghouse (Use Class C3) to rear of existing house.

Site Address: 28 Abberbury Road – Appendix 1

Ward: Rose Hill and Iffley

Agent: Nicholas Kidwell

Applicant: Mrs Christine Noble

Application called in by Councillors Turner, Fry, Brown and Paule so that it can be determined in public.

Recommendation:

APPLICATION BE REFUSED

For the following reasons:-

- 1 As a result of its inappropriate siting within established spacious rear gardens of houses that exhibit a strong building line, the proposals represent a backland form of development that is, in principle, unacceptable. Furthermore the proposals would set a precedent for similar development that would result in the long term fundamental loss of the open, verdant and semi-rural character of the area contrary to the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016 as well as policies HP9 and HP10 of the Sites and Housing Plan 2011-2026.
- 2 As a result of its diminutive height, awkward combination of flat and mono-pitched roof forms as well as contrived design detailing, the proposed dwelling represents a building of alien appearance that contrasts with the established traditional scale, form and style of housing within the immediate locality to the detriment of the character and appearance of the area. The proposals therefore fail to accord with the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policy HP9 of the Sites and Housing Plan 2011-2026.

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
NE15 - Loss of Trees and Hedgerows
NE16 - Protected Trees
HE2 - Archaeology

Core Strategy

CS2_ - Previously developed and greenfield land
CS18_ - Urb design, town character, historic environment

Sites and Housing Plan

HP9_ - Design, Character and Context
HP10_ - Developing on residential gardens
HP2_ - Accessible and Adaptable Homes
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

Relevant Site History:

13/00279/FUL - Erection of 1x3 bed detached dwelling house (Class C3) to rear of existing house. Provision of additional vehicular access from highway. **Refused 15.03.2013**

Representations Received:

Six third party representations have been received. The comments raised can be summarised as follows:

- Granting planning permission for the development proposed would have a serious adverse impact on the low density, spacious and semi-rural character of the area which contains green, open and tranquil garden spaces;
- There is no precedent for this type of development in Abberbury Road though approving the application could set a very difficult precedent for the Council to

- resist;
- The proposal is a classic case of “garden grabbing” that the Government has been seeking to resist;
 - The garden is large and able to satisfactorily accommodate a new dwelling;
 - The proposals will not have a significant adverse impact on neighbouring properties;
 - New housing is much needed in Oxford and this would help towards delivering it.

Friends of Iffley Village – Concerns expressed about the principle of backland development in the area though do not object in this case.

Statutory and Internal Consultees:

Local Highway Authority (LHA) (Oxfordshire County Council) – The provision of one off-street parking space to serve a three bedroom dwelling in Iffley Village is unlikely to be sufficient and the proposal is therefore likely to result in some additional on-street parking. Furthermore, cars serving the new dwelling are unlikely to be able to turn around within the site and be able to leave in a forward gear. However, overall, the harm to the highway network as a result of the proposals is not considered to be significant enough to merit an objection.

Thames Water – No objection.

Officers’ Assessment:

Application Site and Locality

1. The application site consists of a large detached family house of approximately 1930’s construction designed in a traditional form and scale and set within a large plot. The site is located on Abberbury Road in Iffley Village. Abberbury Road and indeed this part of Iffley Village is typified by similarly large detached properties set within spacious, verdant and tranquil surroundings which results in the area having something of a semi-rural character which is unusual within the city. The street is generally quiet with little through-traffic and the street frontages feature significant greenery including shrubbery and more formal planting as well as larger trees which contribute towards giving the area a low density, verdant character. The houses are generally set back into their plots which allows the aforementioned greenery to establish along the plot fronts as well as afford ample space for off-street parking outside the houses. The gaps between and at the front of the houses further contribute towards the semi-rural qualities that the area enjoys.

2. The application site can be seen in its context on the site location plan attached as appendix 1 to this report.

Description of Proposed Development

3. The application seeks consent for the erection of a three bedroom detached dwelling within the rear garden of No. 28 Abberbury Road following the lateral subdivision of the plot. The dwelling is proposed to be single storey in height though features a basement level as well as a mezzanine floor. The dwelling is proposed to feature white smooth rendered external walls with a part sedum covered flat roof and

part mono-pitched roof covered with photovoltaic tiles. Off-street parking would be provided alongside the existing house following the demolition of its existing attached side garage.

4. The current application follows the Council's refusal of a similar application earlier in 2013. The current scheme differs from that previously refused in that it does not include a separate vehicular access for the new dwelling with both the existing and proposed dwellings gaining access sharing the same existing driveway which would be extended. The previous scheme was refused for four reasons which will be discussed in more detail in the next section of the report.

5. Officers' consider the principal determining issues in this case to be:

- Principle;
- Impact on the Character and Appearance of the Area;
- Design;
- Standard of Accommodation;
- Impact on Neighbouring Properties;
- Impact on Trees;
- Parking; and
- Archaeology.

Principle

6. Planning permission was refused for a similar type of development within the rear garden of No. 28 Abberbury Road earlier in 2013. The application was refused for four reasons and these can be summarised as follows:

- The proposals represented an inappropriate form of backland development that, as a result of the inappropriate siting of the dwelling, did not respond to the established character and appearance of the area;
- As a result of its awkward form and contrived diminutive scale, the proposed dwelling failed to respect the more traditional form and scale of established built development in the area;
- The proposals resulted in the loss of a number of protected trees that made significant contributions to public amenity. It also would have resulted in harm to other important trees that would have jeopardised their long term survival. The proposals were therefore found to be detrimental to the character and appearance of the area as well as public amenity;
- The development was proposed to take place close to the extent of a known Anglo-Saxon burial ground and, in the absence of on-site investigations, the Council could not satisfactorily assess whether the proposals would have given rise to harm to deposits of heritage significance.

7. Consequently, in order to be considered to be acceptable, the current proposals need to overcome the reasons for refusal of the previous application whilst continuing to be acceptable in other respects.

8. In 2010 the Government re-classified residential gardens as greenfield land in the face of concerns about the inappropriate development of gardens which was considered to be having significant and lasting adverse impacts on the character of residential areas. Concern was also raised by the Government about the loss of green spaces within towns and cities both in terms of the loss of outdoor amenity

spaces as well as harm to ecology.

9. The National Planning Policy Framework re-emphasises the Government's position on the matter and states that *"local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area"*.

10. Partly of its own accord but also in response to Government guidance, the Council adopted policy HP10 as part of its Sites and Housing Plan 2011-2026 (SHP) which states, inter alia, that planning permission will be granted for new residential development on garden land provided it responds to the character and appearance of the area.

Impact on Character and Appearance of the Area

11. As already set out, Abberbury Road and its adjoining Abberbury Avenue are characterised by large houses of traditional form and scale set within large, spacious and undeveloped plots along verdant, quiet roads. The result is an unusual but very pleasant semi-rural character. The houses are laid out in a relatively consistent building line where there is a clear established pattern to the built development with houses set back from the road frontage to allow for a combination of front gardens and off-street parking. Gaps between houses allow both prolonged and glimpsed views through to the large open gardens that are intimated by the spaces around the houses and the green street frontages.

12. In order to be considered to be acceptable when considered against policy HP10 of the SHP, new development must respond to the character and appearance of the area taking account of views from the streets, the public realm and the wider residential environment. It also states that the size of plot to be developed should be of an appropriate size and shape to accommodate the proposal, taking into account the scale, layout and spacing of existing and surrounding buildings.

13. Officers consider that the erection of a new dwelling in the rear garden of No. 28 Abberbury Road would be wholly at odds with the established character described above. It would introduce a large new building into an undeveloped area of garden completely out of step with the layout of existing houses which would be visible both from the public realm as well as the wider residential environment.

14. However, it is not just the harm caused by the location of the building itself that is unacceptable but also the associated development and uses that follow. The lateral subdivision of the rear garden will be created with fences or other means of enclosure that will clearly delineate a separate residential use taking place at the lower end of the garden. This kind of plot subdivision and the associated relationship between the built and natural environment is not in evidence anywhere else in Abberbury Road and would conflict with the established layout of gardens. This established layout contributes to the area's feeling of spaciousness and tranquillity that far exceeds anything caused by a more typical residential garden outbuilding where the use is inherently connected to the main house. Moreover, the separate use associated with a large new habitable building in the rear garden would also be in evidence at night time when lights from windows will provide clear evidence of activity and occupation of the rear garden that is not consistent with the semi-rural

undeveloped character of the area. Other developments are also likely to accumulate over the years including potentially new hardstanding areas (patios) and additional outbuildings that would all further harm the green and spacious rear gardens.

15. Whilst applications must be considered on their individual merits there are occasions when the precedent set by approving a development must be considered and forms a material planning consideration. In this case the application site is very similar in layout to the majority of other plots in both Abberbury Road and Abberbury Avenue with similar opportunities and constraints to development. Were the application to be approved officers consider it exceptionally likely that similar proposals for development within rear gardens of nearby properties would come forward over the next few years that the Council would then find very difficult to resist. For this reason the proposals would, if approved, result in a long-term and fundamental change to the character of the area that would be completely at odds with the requirements of development plan policy. Furthermore it would fail to be consistent with at least one of the three key sustainability dimensions set out in the NPPF which sets out the importance of *“contributing to protecting and enhancing our natural, built and historic environment”*. Consequently, and for the reasons above, officers recommend that Members give significant material weight to the precedent that would be created were this application to be approved against the advice of officers.

16. Planning permission was granted back in 2007 for a new house in the rear garden of 9 Abberbury Avenue. However, this decision was taken under now superseded Government guidance as well as superseded development plan policies. Consequently the circumstances under which that proposal was assessed back in 2007 were fundamentally different to that existing today. In addition, the approved house had a number of differences to the application proposals that further reduces its relevance to the consideration of this application. The approved house was proposed to be located in the rear garden of a house that formed the end of the street so that, to a degree, it “book-ended” development within the road rather than amounting to the type of backland infill development that characterises the application proposals. For these reasons the Committee is advised to give this 2007 decision no material weight in the decision making process. Consequently, officers recommend that the application should be refused due to the clear conflict with development plan policies and Government guidance.

Design

17. The built development in the immediate context of the site is characterised by large detached houses mainly with gabled, hipped and mansard roof forms constructed from a variety of common materials. However, they are generally of a similar scale (two storey) such that they clearly appear as family houses within the street and, notwithstanding the variety of roof forms, they are all designed in a more traditional style. The combination of the large traditionally designed houses amongst spacious and verdant surroundings works successfully to create a pleasant balance between the natural and built environment where they complement each other.

18. Policy HP9 of the SHP states that *“planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features”*. Policies CP1 and CP8 of the Local Plan reflect these

requirements and add that development is expected to be of a high quality and respect the character of the area by reinforcing important local characteristics.

19. The erection of a single storey part flat, part mono-pitched roof structure is considered to represent a development of contrived and awkward form that has in fact been designed to prevent undue impact on neighbouring properties rather than respond to the character of existing built development. Rather than attempting to take reference from the architectural styles of existing houses it introduces an alien form and scale of building that is without precedent in the locality and which will further compound its unsuitability when viewed from surrounding properties as well gaps in the street frontage. It appears neither as a more traditional outbuilding in a residential garden setting (due to its excessive footprint and awkward, anomalous form) nor as a more traditional house in keeping with the prevailing building character of the area.

20. Consequently officers are of the view that, notwithstanding the in principle objection to the backland development proposed, the form and scale of the building proposed continue to be inappropriate for its context only serving to exacerbate its unacceptability when considered against a number of development plan policies including policies HP9 and HP10 of the SHP as well as policies CP1 and CP8 of the Local Plan. In this respect the proposals are considered to have failed to overcome the second reason for refusal of the previous application and it follows that the proposals should once again be refused on similar grounds.

Standard of Accommodation

21. Policies HP2 and HP12 of the SHP require all new dwellings to provide a reasonable standard of internal living space including a requirement to meet Lifetime Homes standard.

22. The dwelling proposed is found to be of sufficient size to meet the Council's minimum size criterion for new family sized dwellings (the floor area exceeds 75 sq m) with all habitable rooms having access to reasonable levels of natural light and outlook.

23. The proposals do broadly comply with the majority of Lifetime Homes requirements though the distance from the parking space to the front door of the dwelling is greater than would normally be expected (though the access is level) and the front door width does not allow sufficient 'nib' width for wheelchair users to comfortably open the front door from inside. Bathroom and bedroom sizes are however adequate as is the circulation space. Officers therefore, on balance, find the proposals acceptable in this regard particularly given that the previous scheme was not refused on this ground.

24. Policy HP13 of the SHP requires new dwellings to be provided with a reasonable quality and quantity of outdoor space. In the case of family sized dwellings such as that proposed, a private garden at least equivalent to the footprint of the dwelling should be provided which should also be of a good usable layout.

25. The dwelling proposed is to be served by a garden of more than sufficient size to meet the Council's amenity space requirements and is also of good usable dimensions. It is also not unduly overlooked by the upper floor windows in existing

houses given that the proposed dwelling has been sited and orientated to screen the rear garden. Whilst there is a band of tall conifer trees along the southern boundary of the site, these are unlikely to result in significant overshadowing of the new garden given the separation distances involved.

26. The proposals will result in the existing garden of 28 Abberbury Road being approximately halved. This will result in the remaining rear garden left to serve the existing house being smaller than almost any other garden in the immediate area with the exception of the three houses on the corner between Abberbury Road and Abberbury Avenue. Policy HP10 states that existing dwellings must retain a private garden that is at least equivalent to the footprint of the house. However, the remaining amenity space will still be of sufficient size to meet with the minimum requirements of policy HP10 with a layout that would make it genuinely usable for family occupiers. As already discussed the height of the proposed new dwelling is modest given its single storey flat roof nature and as such it will not unduly overbear the resultant rear garden of No.28 or result in significant overlooking of it given the substantive omission of windows in the north elevation of the new dwelling.

Impact on Neighbouring Properties

27. Policy HP14 of the SHP states that planning permission will only be granted for new development that adequately safeguards existing neighbouring residential amenity. It is against this policy requirement that the proposals should be assessed in this regard.

28. The dwelling proposed is, as already discussed, low rise and consequently of a modest height. It is also set a significant distance down into the rear garden. This combination of limited height and generous separation distance from neighbouring houses prevents it causing any significant loss of outlook or light for neighbouring occupiers. In addition the dwelling has been designed with low level windows so that there will not be the potential for significant direct overlooking above the boundary fences into adjacent gardens.

29. The previous refused scheme included an extended driveway running alongside the existing house that allowed separate vehicular and pedestrian access to the new dwelling. Concern was raised about the potential for disturbance to be caused to neighbouring occupiers (including future occupiers of the existing application house) stemming from car movements between gardens and the associated noise this generates. On balance however, officers concluded that this would not have been significant enough to justify another reason for refusal. Whilst vehicular access is now proposed to terminate at the side of the existing house, pedestrian access will still occur between the gardens and though this will bring with it the increased ability to overlook existing boundary fences, officers do not believe that this would be to an unacceptable degree.

30. Consequently, and for the above reasons, officers are comfortable with the impact that the proposed dwelling and its occupiers would have on residents of existing neighbouring properties such that the proposals are considered to accord with the requirements of policy HP14 of the SHP.

Trees

31. As already set out earlier in this report, the immediate area is characterised by its verdant streetscapes and features substantial vegetation adjacent to the roadsides which contribute towards its semi-rural character. The previous refused scheme included the removal of a protected silver birch tree at the front of the site to facilitate the creation of a new separate driveway to serve the existing house. It would also have involved construction works within the root protection areas of three other protected trees on the site which would have prejudiced their long term survival as significant contributors to public amenity. However the current scheme has omitted this new separate access so that no works are now proposed to affect either existing protected trees or trees of any real significance to the streetscene. A number of smaller trees are proposed to be removed from within the rear garden but these are not of any particular landscape importance.

32. Consequently officers are satisfied that the proposals will not result in significant harm to any trees of significant public amenity benefit such that the proposals are considered to accord with the requirements of policies NE15 and NE16 of the Local Plan. No concern is therefore raised about the proposals in this regard and officers are of the view that the third reason for refusal of the previous application has been successfully overcome as part of these proposals.

Parking

33. Iffley Fields and more specifically Abberbury Road feature large family sized housing where on-plot parking is common and car ownership is higher than the city average. Two off-street parking spaces are proposed to serve the existing house which officers consider to be sufficient and in accordance with the requirements of policy HP16 of the SHP. Furthermore the LHA also find this level of provision acceptable. One off-street parking space is proposed to serve the new three bedroom dwelling. Where off-street parking is common, car ownership is higher and in the absence of on-street parking controls, officers are of the view that this level of provision is below standard. It is therefore likely to result in additional on-street parking whether for residents of the new dwelling or for their visitors. In addition, there is inadequate turning space for a car to manoeuvre within the site and exit onto Abberbury Road in a forward gear however this is a common situation for many households. The area however is not subject to significant on-street parking pressure and so, on balance, officers do not consider it reasonable to conclude that the proposals are unacceptable in this respect particularly in light of the LHA's decision not to object to the proposals.

34. Whilst bin and cycle storage is not shown on the submitted plans they can clearly be comfortably accommodated on site for the new dwelling in accordance with the requirements of policies HP13 and HP15 of the SHP. Were Members to approve the application against the advice of officers, a condition should be imposed requiring details of such provision to be submitted by condition.

Archaeology

35. The proposals involve development within close proximity to the known extent of an Anglo-Saxon burial ground. The previous application was refused due to the potential for the development to involve construction works within this historic burial ground which could have resulted in damage to deposits of heritage significance. In

the absence of results of on-site trial investigations it was not possible for the Council to assess the potential for this impact and to determine how it could be mitigated. However, invasive ground investigations have since been carried out by archaeologists following the refusal of the previous application and established that the garden land of 28 Abberbury Road is undisturbed such that there is no possibility that the Anglo-Saxon burial ground or indeed any other historic development extended out to this location. Consequently officers are satisfied that the proposals will not result in harm to buried heritage assets. For this reason officers are of the view that the current proposals have successfully overcome the fourth reason for reason of the previous application.

Conclusion:

36. The proposals are considered to represent a form of inappropriate backland residential development that would be detrimental to the character and appearance of the area. Moreover the proposals would, if approved, set a clear precedent for the Council where it would prove very difficult to resist further new dwellings within rear gardens of Abberbury Road resulting in a long-term and fundamental change to the character of the area that would not be consistent with sustainability objectives set out in Government guidance. To compound matters officers also find the design of the proposed dwelling to be unacceptable as it fails to respond to the established form and scale of the more traditionally styled houses in the immediate area. For these reasons officers have concluded that the proposals would be contrary to policies of the development plan as well as Government guidance and, as such, Committee is recommended to refuse the application for the reasons set out at the beginning of this report.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 13/00279/FUL & 13/02419/FUL

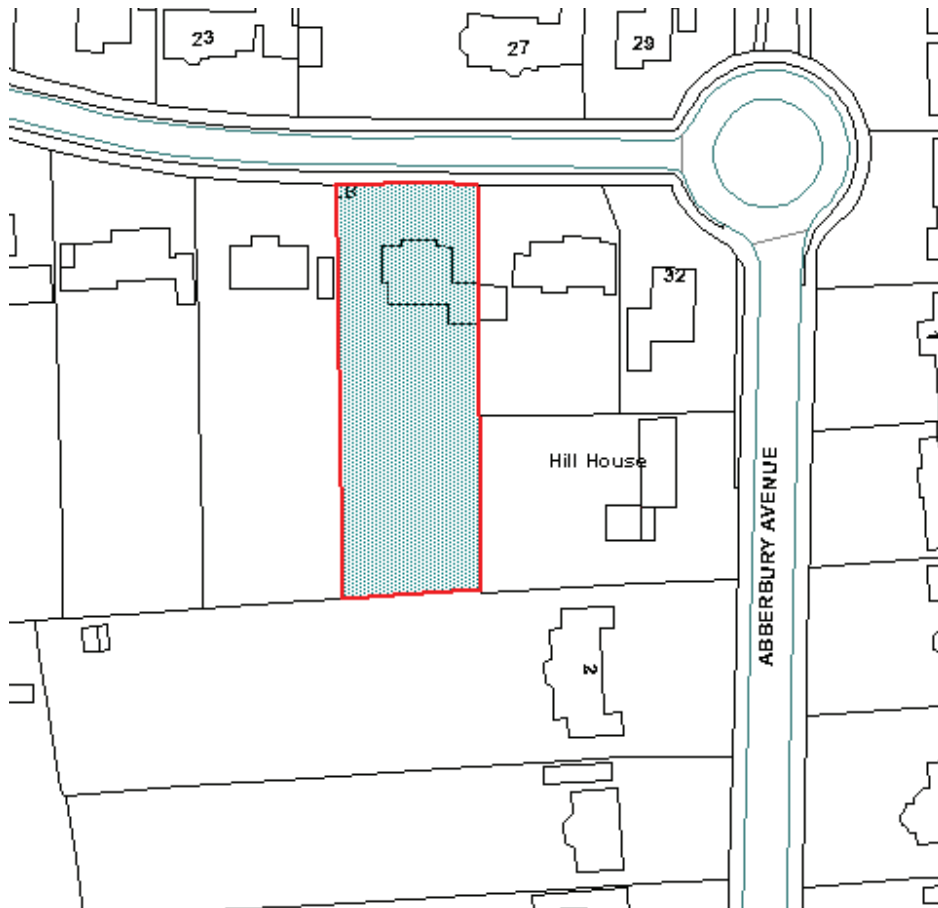
Contact Officer: Matthew Parry

Extension: 2160

Date: 28th October 2013

Appendix 1

13/02419/FUL - 28 Abberbury Road



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Ordnance Survey 100019348

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East Area Planning Committee

-6th November 2013

Application Number: 13/02285/CT3

Decision Due by: 29th October 2013

Proposal: Provision of 18 residents' parking spaces on existing grass verges.

Site Address: Land fronting 33 to 61 Blackbird Leys Road (**Site plan: Appendix 1**)

Ward: Blackbird Leys

Agent: Mr Stewart Thorp

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. Important trees will be retained and planting will be incorporated into the scheme. Officers were mindful of comments raised through consultation and conclude that the proposal is acceptable in design terms and would not cause any acceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local 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 Tree Protection Plan to be approved
- 4 Ground resurfacing - SUDS compliant
- 5 Landscaping shall be carried out in accordance with the details shown on plan
- 6 Details of verge protection measures to be approved

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
- CP20** - Lighting
- NE15** - Loss of Trees and Hedgerows

Core Strategy

CS18_ Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

Representations Received:

37 Blackbird Leys Road – will not be able to park as close to house which will impact on a wheelchair user; entrance to car park will create congestion at Balfour Road; other areas could be used; loss of grass and trees; impact on future property buyers

39 Blackbird Leys Road – loss of grass and green space; other areas could be used; spaces not allocated

Statutory and Internal Consultees:

Blackbird Leys Parish Council – no objection

Highways Authority – no objection

Oxfordshire County Council Environmental Services – Drainage - drain the proposed parking places using SUDs methods as shown

Issues:

Visual impact
Residential amenity
Trees
Access

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when it was unusual for social housing tenants to own cars. In the 1980s, additional parking bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.
3. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
4. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
5. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas, and more recently, the City Council have accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a truly permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
6. The proposed schemes would provide formal parking areas on existing grassed areas in five locations across the City. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. The five areas are:
 - Blackbird Leys Road, Blackbird Leys
 - Monks Close, Blackbird Leys
 - Normandy Crescent, Lye Valley
 - Chillingworth Crescent, Woodfarm
7. The new spaces would be unallocated.

Officers Assessment:

Site description

8. The application site comprises an area of land in front of properties near the

top of Blackbird Leys Road, at the junction with Balfour Road. The area is grassed with several trees.

Proposal

9. It is proposed to create a formal parking area for residents comprising of 18 spaces, accessed off Balfour Road.

Visual impact and trees

10. The number of spaces at this site was derived to provide enough parking so that residents would no longer park on the existing grass areas both immediately at the site and also further along the road. The site is on a main route into the estate and it positively contributes to the appearance of the area, providing an open green space, with a number of mature trees. The creation of the parking area will result in the loss of a significant amount of this open space, but in designing the scheme, the spaces have been sited at the northern end of the strip of land so as to avoid the removal of trees. The retention of trees will help to preserve the appearance of this area, and two new trees will be planted on the Blackbird Leys frontage to provide some natural screening and to improve the verdant character of the site.
11. Providing parking spaces at this site will reduce the need for residents to park on the grass verges further down the road, where currently the surface is damaged by vehicles. To discourage further informal parking on the grass, timber posts are proposed. A condition is suggested requiring details of the timber posts to be approved to ensure they are an appropriate height and would not lead to a sense of enclosure.
12. The proposals require parking spaces to be constructed within the Root Protection Area (RPA) of two trees; however, these are low quality trees and the potentially harmful effects of root damage on these trees and on amenity in the area will be mitigated by the proposed tree planting adjacent to Blackbird Leys Road.

Access

13. Currently there is no vehicle access available to the front entrances for the houses on Blackbird Leys Rd no's 33 to 61. Any vehicles accessing the area are bumping up the kerb over highway footpath and driving across Council owned grassed areas. This practice has no formal approval. When designing schemes of this nature, disabled access is always considered. The new scheme gives vehicle access via a new entrance to the area via Balfour Rd. This entrance therefore provides approved vehicle access close to their front doors. The scheme also incorporates highway standard, DDA (Disability Discrimination Act) compliant, level, hard surface footpath access which is ideal for wheelchair use into the new parking spaces. One of these footpaths connects the existing front door access footpath from in front of nos. 35 and 37 right into the middle of the scheme itself, thus giving flat even surface wheelchair access straight to any awaiting vehicle.

Whilst the new scheme does not have allocated spaces, if required in the future, one or two spaces could be converted to dedicated disabled parking bays.

Conclusion: Approve

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Rona Knott

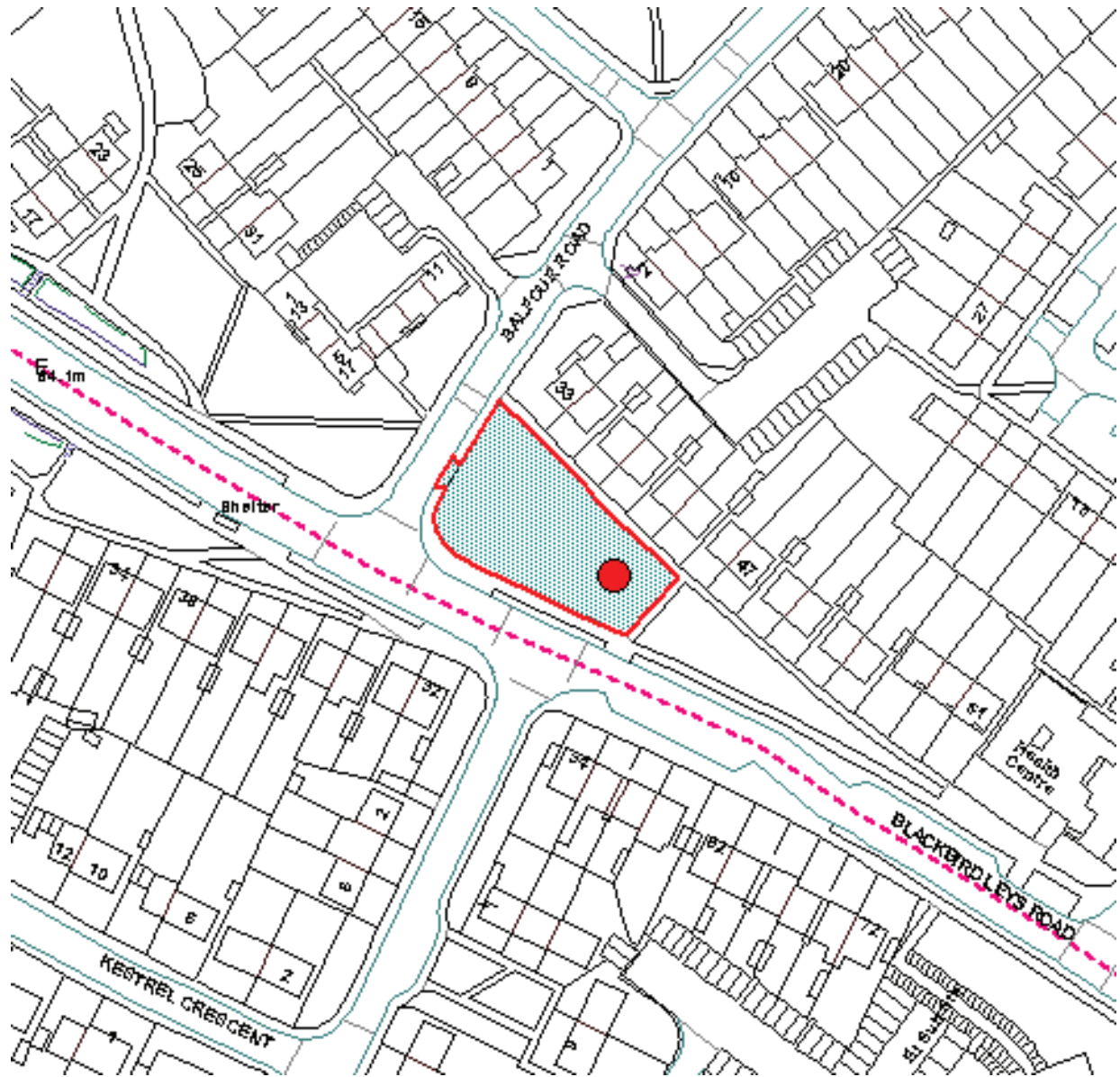
Extension: 2157

Date: 29th October 2013

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Appendix 1

13/02285/CT3 - Land Fronting 33 To 61
Blackbird Leys Road



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East Area Planning Committee

-6th November 2013

Application Number: 13/02286/CT3

Decision Due by: 29th October 2013

Proposal: Provision of 19 residents' parking spaces on existing grass verges.

Site Address: Land Fronting 1 To 21 Monks Close (**Site plan: Appendix 2**)

Ward: Northfield Brook

Agent: Mr Stewart Thorp

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. New trees will be incorporated into the scheme. No objections have been received and officers conclude that the proposal is acceptable in design terms and would not cause any acceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local 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 Ground resurfacing - SUDS compliant
- 4 Details of verge protection measures to be approved

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

Core Strategy

CS18_Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

Representations Received:

None

Statutory and Internal Consultees:

Blackbird Leys Parish Council – no objection

Highways Authority – no objection

Oxfordshire County Council Environmental Services – Drainage - drain the proposed parking places using SUDs methods as shown

Issues:

Visual impact

Residential amenity

Trees

Access

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when it was unusual for social housing tenants to own cars. In the 1980s, additional parking bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.
3. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
4. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
5. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas, and more recently, the City Council have accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a truly permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
6. The proposed schemes would provide formal parking areas on existing grassed areas in five locations across the City. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. The five areas are:
 - Blackbird Leys Road, Blackbird Leys
 - Monks Close, Blackbird Leys
 - Normandy Crescent, Lye Valley
 - Chillingworth Crescent, Woodfarm
 - Redmoor Close, Littlemore
7. The new spaces would be unallocated.

Officers Assessment:

Site description

8. The application site comprises land at Monks Close in Blackbird Leys, a cul-de-sac off Merlin Road. Cars currently park in the turning area and on grass verges, damaging the surface.

Proposal

9. It is proposed re-design the existing cul-de-sac to create 19 no. residents' car parking spaces along with landscape enhancement and grass verge protection measures to discourage informal parking that currently takes place on adjacent green spaces.

Visual impact and trees

10. The entrance to the Close and the area around the turning head will provide the parking spaces, but will still retain some grass verges. The area of grass at the western end will be retained. A loss of some of the grass making up the green areas in front of the houses will take place, but the siting of the spaces has been designed in order to achieve the required number of spaces which preserves the open and green character of the Close. Where appropriate, to discourage further informal parking on the grass, the erection of timber posts will be incorporated into the scheme. A condition is suggested requiring details of the timber posts to be approved to ensure they are an appropriate height and would not lead to a sense of enclosure. In addition, to reduce the impact of the new spaces and to mitigate against the loss of grass, some shrub planting and three new trees will be introduced.
11. Overall, the proposal retains a high proportion of green space in the Close and the character of the close would not be significantly altered.

Access

12. If required in the future, one or two spaces could be converted into dedicated disabled parking bays.

Conclusion: Approve

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Rona Knott

Extension: 2157

Date: 24th October 2013

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Appendix 2

13/02286/CT3 - Land Fronting 1 To 21
Monks Close



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East Area Planning Committee

6th November 2013

Application Number: 13/02287/CT3

Decision Due by: 29th October 2013

Proposal: Provision of 30 residents' parking spaces on existing grass verges.

Site Address: Land at Normandy Crescent (**Site plan: Appendix 3**)

Ward: Lye Valley

Agent: Mr Stewart Thorp

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. Important trees will be retained and planting will be incorporated into the scheme. Officers were mindful of comments raised through consultation and conclude that the proposal is acceptable in design terms and would not cause any acceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local 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 Ground resurfacing - SUDS compliant
- 4 Tree Protection Plan to be approved
- 5 No dig technique to be used within Root Protection Areas
- 6 Details of verge protection measures to be approved

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

Core Strategy

CS18_Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

Representations Received:

35 Normandy Crescent – loss of green space and trees; noise and pollution

Statutory and Internal Consultees:

Highways Authority – no objection

Oxfordshire County Council Environmental Services – Drainage - drain the proposed parking places using SUDs methods as shown

Issues:

Visual impact

Residential amenity

Trees

Access

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when it was unusual for social housing tenants to own cars. In the 1980s, additional parking

bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.

3. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
4. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
5. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas, and more recently, the City Council have accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a truly permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
6. The proposed schemes would provide formal parking areas on existing grassed areas in five locations across the City. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. The five areas are:
 - Blackbird Leys Road, Blackbird Leys
 - Monks Close, Blackbird Leys
 - Normandy Crescent, Lye Valley
 - Chillingworth Crescent, Woodfarm
 - Redmoor Close, Littlemore
7. The new spaces would be unallocated.

Officers Assessment:

Site description

8. Normandy Crescent is located off Horspath Road in Lye Valley. There are several blocks of flats in the area as well as single dwelling houses.

Proposal

9. It is proposed to provide 30 no. off road parking spaces for residents' vehicles together with landscape enhancement and verge protection measures to discourage informal parking on green spaces. Revised plans have been submitted for this site to relocate some spaces so that a significant (category A) tree can be retained.

10. There will be a total of 30 no. off road car parking spaces, 24 to the north and 6 at the southern end.

Visual impact and trees

11. This site has some significant trees that are important to the visual amenity of the area. It is proposed to remove four trees, but the significant trees will all be retained. The trees to be removed are described in the tree schedule as in poor or fair condition and fall within category C2 or U. The loss of some category U and C trees will be mitigated by new planting. All category A and B trees are to be retained and the spaces have been sited so as not to interfere with the root protection zones of these trees.
12. In the northern section the spaces are broken up into four areas to avoid one large area of parking. The scheme will retain some green space in front of the flats and new planting will soften the appearance of the parking areas. Hedging will be planted in front of the spaces facing the flats in order to prevent glare from headlights entering the ground floor flats. The proposed planting would also provide natural screening of the parking areas.

Access

13. If required in the future, one or two spaces could be converted to wider disabled parking bays.

Conclusion: Approve

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

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

Contact Officer: Rona Knott

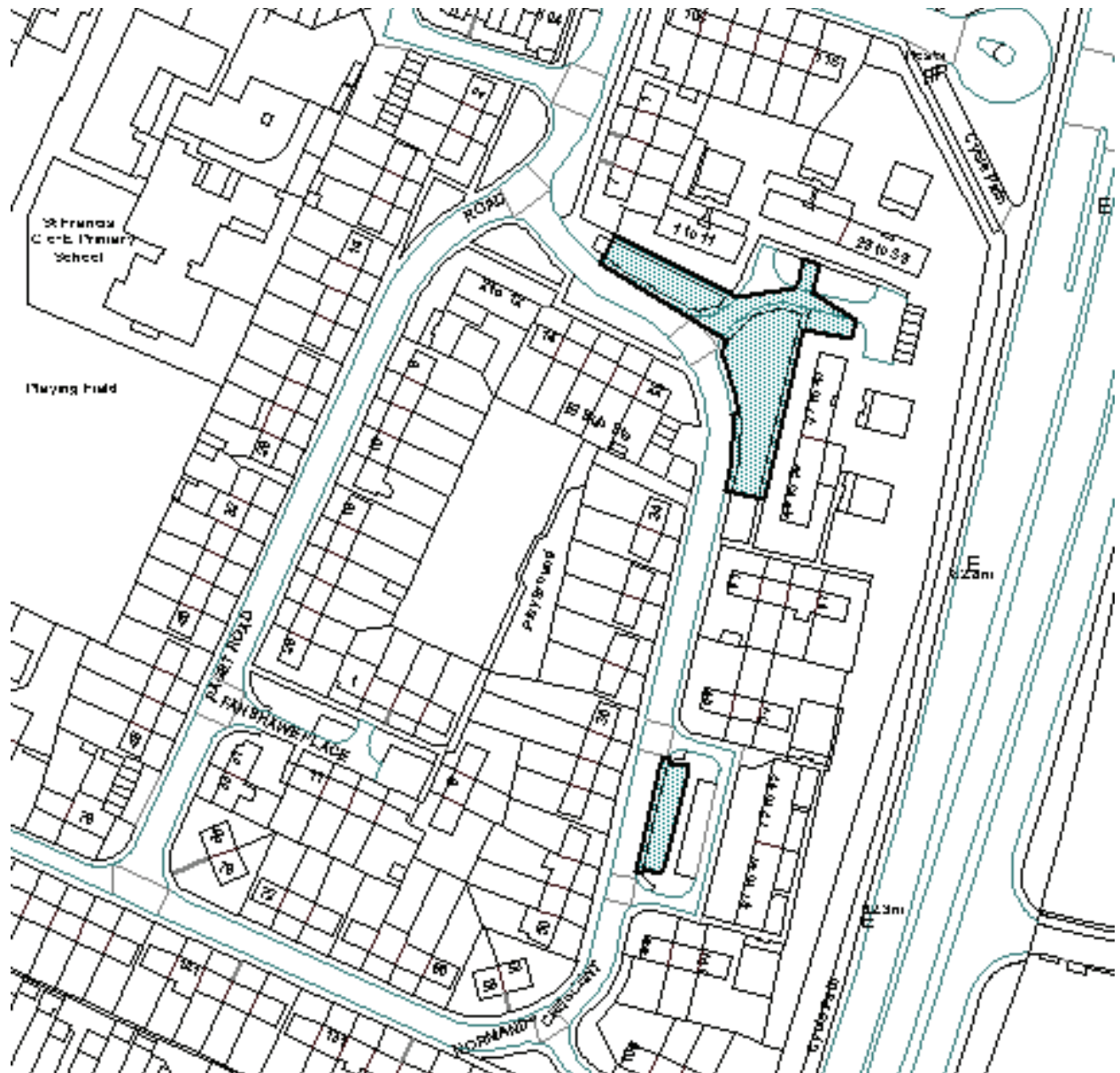
Extension: 2157

Date: 24th October 2013

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Appendix 3

13/02287/CT3 - Land At Normandy Crescent



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East Area Planning Committee

-6th November 2013

Application Number: 13/02508/CT3

Decision Due by: 13th November 2013

Proposal: Provision of 16 residents' parking spaces on existing grass verges.

Site Address: Sites of verges at 34 to 56 and 106 to 128 Chillingworth Crescent (**Site plan: Appendix 5**)

Ward: Churchill

Agent: Stewart Thorp

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. Important trees will be retained and officers conclude that the proposal is acceptable in design terms and would not cause any acceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local 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 Tree Protection Plan to be approved
- 4 Ground resurfacing - SUDS compliant
- 5 Landscaping to be carried out in accordance with plans
- 6 Amendment to Traffic Regulation Order required
- 7 Details of verge protection measures to be approved

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

Core Strategy

CS18_ - Urb design, town character, historic env

Other Material Considerations:

National Planning Policy Framework

Representations Received:

None received

Statutory and Internal Consultees:

Risinghurst&Sandhills Parish Council – no objection

Highways Authority – no objection subject to the Traffic Regulation Order being amended to remove an existing on-street disabled parking space at Chillingworth Crescent

Oxfordshire County Council Environmental Services – Drainage - drain the proposed parking places using SUDs methods as shown

Issues:

Visual impact

Residential amenity

Trees

Access

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when it was unusual for social housing tenants to own cars. In the 1980s, additional parking bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.
3. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
4. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
5. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas, and more recently, the City Council have accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a truly permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
6. The proposed schemes would provide formal parking areas on existing grassed areas in five locations across the City. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. The five areas are:
 - Blackbird Leys Road, Blackbird Leys
 - Monks Close, Blackbird Leys
 - Normandy Crescent, Lye Valley
 - Chillingworth Crescent, Woodfarm
 - Redmoor Close, Littlemore
7. The new spaces would be unallocated.

Officers Assessment:

Site description

8. Chillingworth Crescent is located off Nuffield Road in the Wood Farm Estate. There are several blocks of flats in the area together with single dwelling houses.

Proposal

9. It is proposed to provide a total of 16 car parking spaces in two locations at Chillingworth Crescent (shown as North and South on the plans). The open spaces in this area that are suitable or large enough for parking are fairly limited so the scheme focuses on the two larger areas in the road.
10. An amended plan was sought to reduce the number of spaces in the southern section from 18 spaces to 10 spaces. Six spaces are proposed at the northern end.

Visual impact and trees

11. The original scheme proposed a large amount of hard surfacing and involved the loss of a significant amount of green space. This open space positively contributes to the character of the area and provides an open and pleasant break in this built up area. A revised scheme has therefore been submitted which retains more open space. The proposed scheme still involves the loss of some green space but strikes a balance between hard and soft landscaping.
12. No trees are proposed to be removed, and provided the existing trees are adequately protected during construction, the revised proposals should not adversely affect them. A condition requiring a tree protection plan to be approved is suggested. The retention of the trees, the siting of the spaces and the retention of a significant amount of the open space will ensure that development does not significantly alter the character of the area.

Conclusion: Approve

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application,

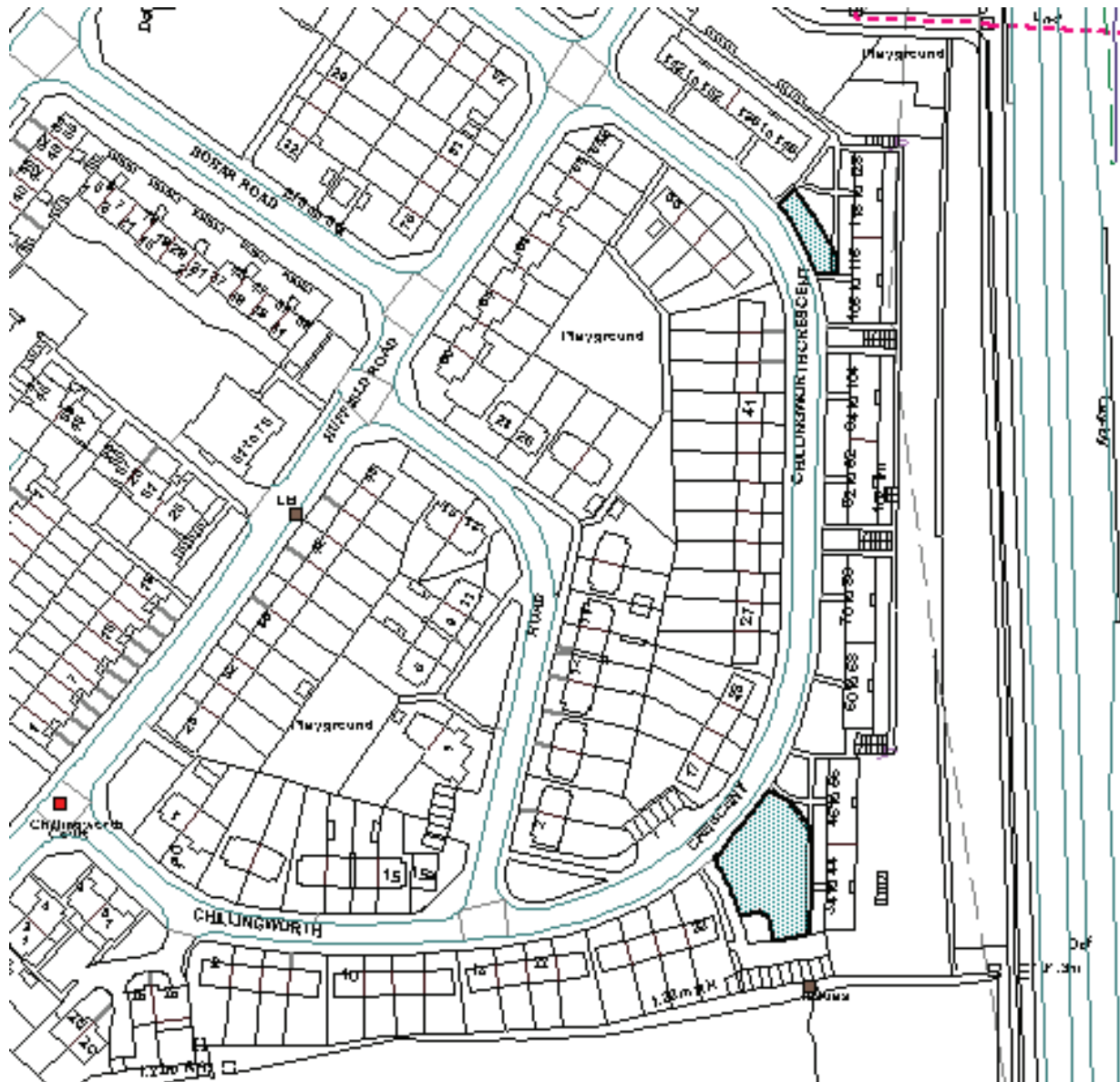
in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Rona Knott
Extension: 2157
Date: 25th October 2013

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Appendix 5

13/02508/CT3 - Sites Of Verges At 34 To 56 And 106 To 128 Chillingworth Crescent



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East Area Planning Committee

-6th November 2013

Application Number: 13/02507/CT3

Decision Due by: 13th November 2013

Proposal: Provision of 13 residents' parking spaces on existing grass verges.

Site Address: Site of verge at 1 to 15 Redmoor Close (**Site plan: Appendix 4**)

Ward: Littlemore

Agent: Stewart Thorp

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. New trees will be incorporated into the scheme. No objections have been received and officers conclude that the proposal is acceptable in design terms and would not cause any acceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local 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 Tree Protection Plan to be approved
- 4 Landscaping to be carried out in accordance with plan
- 5 No dig technique to be used within Root Protection Areas
- 6 Details of verge protection measures to be approved

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

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

Representations Received:

None

Statutory and Internal Consultees:

Highways Authority – no objection

Oxfordshire County Council Environmental Services – Drainage - drain the proposed parking places using SUDs methods as shown

Issues:

Visual impact

Residential amenity

Trees

Access

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when it was unusual for social housing tenants to own cars. In the 1980s, additional parking

bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.

3. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
4. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
5. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas, and more recently, the City Council have accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a truly permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
6. The proposed schemes would provide formal parking areas on existing grassed areas in five locations across the City. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. The five areas are:
 - Blackbird Leys Road, Blackbird Leys
 - Monks Close, Blackbird Leys
 - Normandy Crescent, Lye Valley
 - Chillingworth Crescent, Woodfarm
 - Redmoor Close, Littlemore
7. The new spaces would be unallocated.

Officers Assessment:

Site description

8. Redmoor Close is a cul-de-sac off St. Nicholas Road in the Minchery Farm area of Littlemore.

Proposal

9. It is proposed to re-design the existing cul-de-sac to create 13 no. residents' car parking spaces along with landscape enhancement and grass verge protection measures to discourage informal parking on green spaces. A condition is

suggested requiring details of the timber posts to be approved to ensure they are an appropriate height and would not lead to a sense of enclosure.

Visual impact and trees

10. The new spaces will be introduced along the entrance to the Close and at the turning head. A significant proportion of the open space will be retained, and the open character of the Close would be preserved.
11. The proposal requires the removal of quite a large multi-stemmed Himalayan cotoneaster, but new planting will mitigate its loss. Car parking spaces are to be constructed within the Root Protection Area of retained trees and therefore a condition is suggested requiring “no-dig” techniques to be used during construction, along with other tree protection measures.

Conclusion: Approve

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

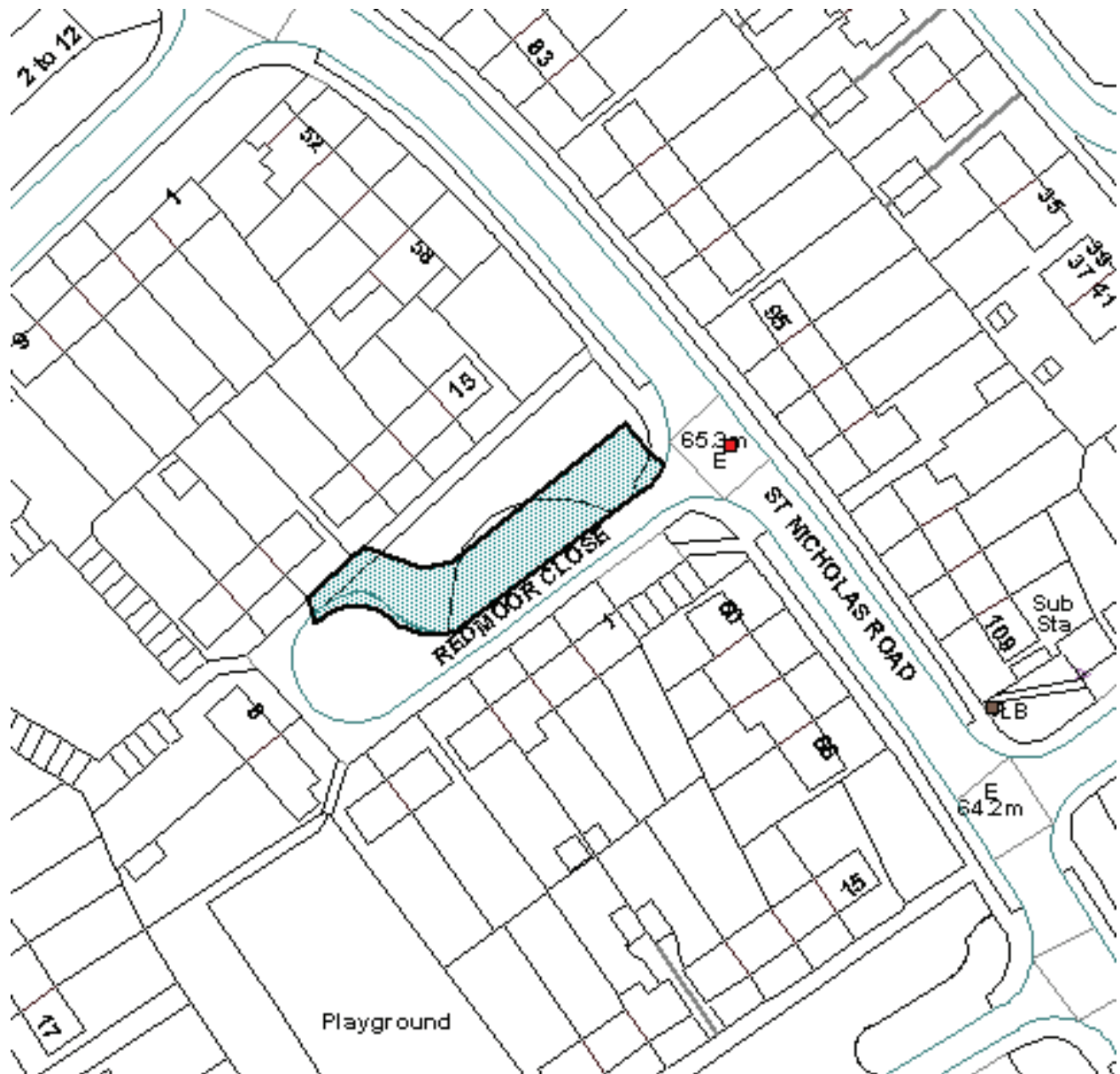
Contact Officer: Rona Knott

Extension: 2157

Date: 25th October 2013

Appendix 4

13/02507/CT3 - Site Of Verge At 1 To 15
Redmoor Close



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East Area Planning Committee

6th November 2013

Application Number: 13/01796/FUL

Decision Due by: 11th September 2013

Proposal: Change of use from dwellinghouse (use class C3) to HMO (use class C4) (retrospective)

Site Address: 34 Mill Lane, Marston, Oxford

Ward: Marston

Agent: N/A

Applicant: Mr Cowell

Application called in by Councillor Clarkson supported by Councillors Price, Fry and Lloyd-Shogbesan.

Recommendation:

APPLICATION BE REFUSED

For the following reasons:

1. The use of the property as two self-contained flats would be unacceptable by virtue of the loss of a family dwelling. In addition the existing dwelling is below the threshold of 110 square metres in area which is the minimum permissible for subdivisions. As such the proposal is contrary to Policy CS23 of the adopted Core Strategy and the Balance of Dwellings Supplementary Planning Document.
2. The development does not provide an adequate level of private amenity space for use by the occupiers of the first floor unit, which would have a detrimental impact upon the living conditions of the current and future occupiers of this dwelling. This is contrary to policy HP13 of the Sites and Housing Plan 2013.
3. The ground and first floor flats do not provide an adequate level of good quality living accommodation which would have a detrimental impact upon the living conditions of the current and future occupiers of this dwelling. This is contrary to Policy HP12 of the Sites and Housing Plan 2013.

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
HE7 - Conservation Areas

Core Strategy

CS18_ - Urban design, town character, historic environment
CS23 – Mix of Housing

Sites and Housing Plan

HP7 – Houses in Multiple Occupancy
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
Good Practice Guide on HMO Amenities and Facilities

This application is close to or affecting the setting of the Marston Conservation Area

Relevant Site History:

06/02529/FUL - Retention of existing bungalow. Conversion of existing dwelling into 2 flats. – REF

08/00125/FUL - Sub-division of existing house to provide 2x1 bed flats. Retention of existing bungalow in rear garden as separate 1 bed dwelling –REF

Representations Received:

None

Statutory and Internal Consultees:

Old Marston Parish Council

Objections:

- Size of each flat is very small.
- Concerns about car parking

Issues:

- Principle (HMO)
- Use
- Design and layout
- Impact on Neighbours
- Amenity space and living conditions

Officers Assessment:
Site Location and Description

1. 34 Mill Lane is a semi-detached property in Old Marston. The application site extends to some 373m². The property is set back from the road with an existing area of lawn and car parking at the front. There is an existing rear garden amenity space of approximately 64m². At the end of the rear garden there is a fenced off area which is not accessible from the garden; this is the site of a former bungalow.
2. 34 Mill Lane is currently in use as two self-contained one bedroom flats. Each flat has its own kitchen and bathroom facilities. There is an adjoining garage and store at ground level which provides communal storage for bikes as well as providing appliances for laundry.
3. The existing use of the property as two one bedroom flats is unauthorised and is the subject of an extant enforcement notice (12/00394/ENF). The enforcement notice requires the existing use to cease and the kitchen and cooking facilities to be removed from the first floor flat. To clarify, the enforcement notice requires the property to revert to its lawful use as a dwellinghouse (use class C3)The enforcement notice was the subject of an appeal and public inquiry. The appeal was dismissed and the enforcement notice upheld.

The Proposal

4. Planning permission is sought for a change of use to a House in Multiple Occupancy (HMO) (use class C4) with two kitchens and two bathrooms. The proposed floor plans are unchanged from the existing layout of the property.
5. Despite the proposed use of the property being a House in Multiple Occupancy it is the view of Officers' that **the proposed use and layout would in fact constitute two self-contained flats**. This use would be identical to the existing unauthorised use of the property and would also be at odds with the requirements of the extant enforcement notice. As such it is important that the application is treated as being for the retention of the unauthorised use as two self-contained flats rather than as an application for the use of the property as a small HMO. If planning permission is granted for the proposal it will effectively regularise the proposed layout and, in default, regularise the retention of the two unauthorised flats. This would undermine the Council's position of resisting the subdivision of the property and its ability to take enforcement action. This would be contrary to the conclusions of the Inspector who had upheld the Council's enforcement action and the requirements of the enforcement notice.
6. Planning permission has been refused for the subdivision of 34 Mill Lane into two flats on two previous occasions (06/02529/FUL and 08/00125/FUL). In both cases, the layouts shown in those applications are

very similar to those shown in this application.

7. There are no physical changes proposed to the property as part of the application.

Principle

8. The proposed change of use of the property to a C4 HMO should be assessed against the requirements of Policy HP7 of the Sites and Housing Plan (2013). One requirement Policy HP7 relates to the proportion of HMOs in the vicinity of the site; in this respect the proposal would be acceptable as it meets this requirement of the policy and would not lead to an unacceptable concentration of HMOs.
9. In addition to the above consideration Policy HP7 also requires that the proposals comply with the Council's Good Practice Guide on HMO Amenities and Facilities. The Good Practice Guide on HMO Amenities and Facilities suggests that occupants of an HMO where there are 1-5 people can share a kitchen. On this basis there is no requirement for a second kitchen; as has been proposed for this application.
10. The proposed use of the property as an HMO would fail some of the criteria set out in The Good Practice Guide on HMO Amenities and Facilities and could therefore be argued to be contrary to Policy HP7. The size of the bedrooms shown on the proposed plans would be unacceptable as a separate living room is not provided (only kitchen/dining rooms on each floor).
11. Despite the above, the principle of the development should be seen in the context of what planning permission is being sought for having had regard to the floor plans and proposed layout. In reality, planning permission is sought for two self-contained flats as each floor of the proposed HMO would benefit from all the facilities required for day to day living. There is no physical separation between the two flats at present and the proposed plans reflect the existing use and layout. Despite this lack of physical separation the use of the property would in fact constitute a subdivided property where each floor is occupied on an independent basis.
12. On the above basis the planning permission sought is unacceptable. The conversion of a property of less than 110m² into two or more flats is contrary to the Balance of Dwellings Supplementary Planning Document and Policy CS23 of the Oxford Core Strategy (2011). This policy seeks to address the loss of family dwellings as there has been a significant rise in the subdivision of larger houses to the detriment of Oxford's range of housing. In this way the development is unacceptable in principle.

Design and Living Conditions

13. The proposed change of use would regularise an existing unauthorised subdivision; the proposed design and internal layout of the unauthorised

flats provide inadequate living conditions that are contrary to policies set out in the Sites and Housing Plan (2013). Policy HP12 of the Sites and Housing Plan (2013) require that an indoor living space of 39m² be provided in each single dwelling; the proposed ground floor and first floor flats at 34 Mill Lane fall well short of these requirements (being approximately 28.1m² and 25.9m² respectively).

14. Objections have been raised by Old Marston Parish Council in relation to the very small size of the existing flats.
15. The change of use of the property has resulted in a deficiency of amenity space for the occupiers of the first floor flat which is contrary to Policy HP13 of the Sites and Housing Plan. A shared amenity space and garden exists at the rear of the property which is accessible for both the first and ground floor tenants. However, there is an existing patio and French doors from the ground floor flat bedroom which provides access to the shared amenity space. If the amenity space was used by the first floor tenant it would give rise to an awkward and impractical arrangement which would likely be to the detriment of the ground floor tenant's privacy. It should also be noted that the first floor occupiers would have to exit the property through the front door and go through the shared store area in order to access rear amenity space. On the basis of these points it is not considered that the usability of the shared amenity space by both sets of tenants would be acceptable; in reality it is likely that the space could only be practically used by the tenants of the ground floor. In this way, the existing and proposed layout is contrary to Policy HP13 of the Sites and Housing Plan (2013).
16. As there are no physical changes proposed to the property as part of the development proposed it would not have a detrimental impact on the character and appearance of the streetscene or setting of the Marston Conservation Area.

Car and Cycle Parking

17. The car parking arrangements for the property are unchanged in these proposals from the existing arrangements on the site. There are currently two car parking spaces at the front of the property which appears to be adequate for the existing flats. There is also cycle parking provision within the existing store; this is secure, covered and accessible for both tenants. On this basis the development would meet the requirements of Policies HP15 and HP16 of the Sites and Housing Plan (2013).

Conclusion

18. Despite the application description suggesting that the proposed use of the property is for an HMO the proposals would in fact give rise to two self-contained flats. The property is currently already in use as two self-contained flats and this has been the subject of enforcement action by the Council and a public inquiry. The subdivision of the property is

unacceptable in principle and in terms of its design, layout and the living conditions it provides to occupiers. The development is contrary to adopted policies and would fail to meet the requirements of the Council's Good Practice Guide on HMO Amenities and Facilities.

19. If planning permission were granted for the proposed change of use it would supersede the requirements of an extant enforcement notice. This would significantly undermine the Council's enforcement action and the lengthy work that has been carried out in relation to enforcement at the property and the appeal.

20. On the above basis, the recommendation is that the application be refused.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

13/01796/FUL

12/00394/ENF (Enforcement Notice)

Contact Officer: Robert Fowler

Extension: 2104

Date: 18th September 2013

Appendix 1

34 Mill Lane, Marston, Oxford, 3/01796/FUL



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EAST AREA PLANNING COMMITTEE

6th November 2013

Application Number: 13/02281/CT3

Decision Due by: 12th November 2013

Proposal: Insertion of new roller shutter door, relocation of fire exit, and installation of 2 new extraction flues.

Site Address: Oxford City Council Depot, Marsh Road (Appendix 1)

Ward: Cowley Marsh

Agent: N/A

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed development blend in with the existing character and nature of the buildings on the depot site whilst improving their ability to carry out their functions. Consequently the proposals are considered to accord with all relevant policies of the development plan including policies CP1, CP8, CP9 and CP10 of the Oxford Local Plan 2001-2016 as well as policy CS18 of the Oxford 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

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 Functionl Needs

Core Strategy

CS18_ - Urb design, town character, historic env

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

65/16791/A_H - Outline application for City engineers highway and mechanical transport depot – Permitted 26.10.1965

67/16791/A_H - Erection of transport depot with workshops, offices, garages, stores, wash - down bay, cycle sheds and 2 dwelling houses – Permitted 27.06.1967

Representations Received:

None

Statutory and Internal Consultees:

No comments received

Officer's Assessment:

Site Description

1. The application site relates to the City Council's transport depot located off Marsh Road. There are a number of relatively large buildings of industrial appearance on the site of which one, the application building, is used for the repair and testing of motor vehicles including the Council's own vehicles as well as other commercial vehicles.

Description of Proposal

2. The application proposes a number of alterations to the building including the installation of a new roller shutter door, the relocation of a fire exit and installation of two new extraction flues. The existing extraction flues would be removed from the roof.

3. Officers consider the principal determining issues to be:

- Principle; and

- Appearance.

Principle

4. The transport depot repairs, tests and maintains both the Council's own vehicles as well as other commercial vehicles and alterations are required to improve the way the building functions and the service it provides. The improvement of an existing site to improve the way the Council carries out its functions is an objective supported by adopted development plan policies.

Appearance

5. The building already contains roller shutter doors and the installation of new similar doors in one of the elevations is considered to be entirely consistent with the existing appearance of the building and that of industrial buildings generally. In the same manner, new flues and fire escape doors are also a typical feature of such workshop type buildings. The application building and other buildings on the site are of no architectural merit and so officers raise no objection to the works proposed which are considered to form an appropriate visual relationship with existing built development in accordance with the requirements of policies CP1 and CP8 of the Local Plan as well as policy CS18 of the Core Strategy.

Conclusion:

6. The proposals are considered to improve the functioning of the depot facility whilst being visually in keeping with the existing appearance of the building. Consequently officers find that the proposals accord with all relevant policies of the development plan and Committee is 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:

65/16791/A_H

67/16791/A_H

13/02281/CT3

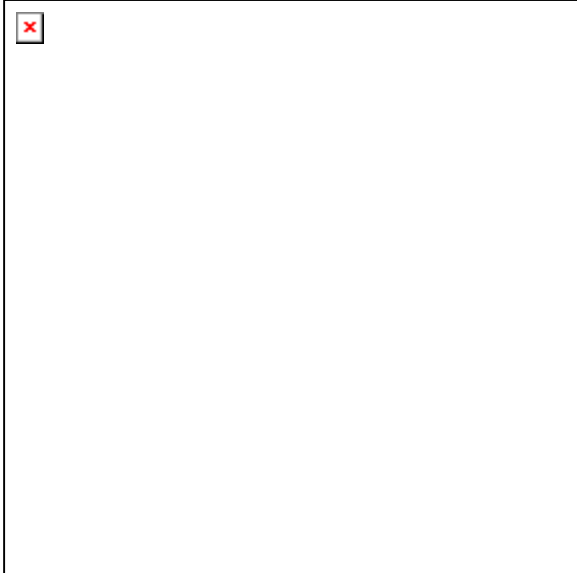
Contact Officer: Matthew Parry

Extension: 2160

Date: 24th October 2013

Appendix 1

13/02281/CT3 - Oxford City Council Depot



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Appendix 1

13/02281/CT3 - Oxford City Council Depot



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East Area Planning Committee

6th November 2013

Application Number: 13/01502/FUL

Decision Due by: 15th August 2013

Proposal: Demolition of existing three storey building and redevelopment of the site to create a retail unit on the ground floor (use class A1) and 1 x 2 bed maisonette above (use class C3) and erection of 2 x 2 storey, 2 bed flats (use class C3). (Amended description).(Amended plans)

Site Address: M H S Plumbing & Heating 255 Marston Road, **Appendix 1**

Ward: Marston

Agent: The Anderson Orr Partnership **Applicant:** HERS LLC
Ltd

Application Called in – by Councillors – Clarkson, Lloyd-Shogbesan, Lygo and Price
for the following reasons – a tight site, local concerns about parking

Recommendation: Approve subject to conditions

For the following reasons:

- 1 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.
- 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.

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
- 4 Bins and Cycle Stores

- 5 Reinststate dropped kerb
- 6 Contaminated Land
- 7 Variation of Road Traffic Order Marston South CPZ,
- 8 Sustainability design/construction

Main Planning Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density

Core Strategy (OCS)

- CS2_ - Previously developed and greenfield land
- CS9_ - Energy and natural resources
- CS10_ - Waste and recycling
- CS18_ - Urban design, town character, historic environment
- CS22_ - Level of housing growth
- CS23_ - Mix of housing

Sites and Housing Plan (SHP)

- MP1 - Model Policy
- HP1 - Changes of use from existing homes
- HP2 - Accessible and Adaptable Homes
- HP9 - Design, Character and Context
- HP11 - Low Carbon Homes
- HP12 - Indoor Space
- HP13 - Outdoor Space
- HP14 - Privacy and Daylight
- HP15 - Residential cycle parking
- HP16 - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document Jan 2008
- Parking Standards, Transport Assessments and travel Plans Supplementary Planning Document Feb 2007

Relevant Site History:

54/03434/A_H - Alterations. PER 23rd February 1954.

63/13069/AH - Demolition and rebuilding part of shop store and flat over. PER 22nd January 1963.

63/13457/AH - Demolition, rebuilding and extension to shop and flat. PER 28th May 1963.

64/15635/AH - Extension to shop. PER 27th October 1964.

69/21631/AH - Alterations and extension at 1st floor level to form bathroom and sitting room and provision of a conservatory. (Revised). PER 19th August 1969.

70/22933/AH - Formation of new entrance to flat over shop premises. PER 23rd June 1970.

71/24744/AH - New shop front, new windows, new dormer window, alterations and repairs. PER 14th September 1971.

86/00805/NF - Re-erection of storage shed (Retrospective). ALW 15th April 1987.

94/01539/NF - Demolition of front elevation and roof and rebuilding to original design but with brickwork to shop front at street level. PER 9th March 1995.

13/00570/FUL - Change of use from a heating plumbing distributors (A1) to a private hire/taxi office to include a waiting area (Sui Generis) (amended description). REF 10th May 2013.

13/01248/PDC - Use of office to rear of shop at 255 Marston Road as a taxi control office (ancillary to the shop use). PRQ 30th May 2013.

Representations Received:

53 Purcell Road: concerned with the effect on access to and from Marston Rd for Edgeway and connecting roads - Hugh Allen Crescent and Purcell Rd – when building work is being carried out. Obstruction, visibility, hazards, parking restrictions likely to be ignored

51 Hugh Allen Crescent: not in line with existing houses as being built up to pavement; would class them as two bed houses which should be in line with other houses; balconies overhang the pavement therefore a hazard with people dropping items off them; overlooking issues; no parking; building will over dominate that area/other properties either side; Line of sight will be reduced coming into and out of Edgeway Road, which will cause a safety hazard for pedestrians; no cycle storage space; loss of pavement during construction causing safety issues to the public

27 Hugh Allen Crescent: will increase footprint considerably; reduction in pedestrian access and pavement space on a very well used corner of Edgeway Road; balconies overhang the existing pavement which is unacceptable; they are also very obtrusive and would overlook neighbouring properties; no car parking; out of scale and proportion; dominate this part of Edgeway Road.

104 Ferry Road: The small group of Victorian houses lining the Marston Road in this area represent the historic core of the New Marston settlement and give the area character. Losing any of them would diminish the area.

42 Ferry Road: The character of this original Victorian terrace in the heart of New Marston would be maintained by retaining the facade of the original Victorian corner shop. There is a recent precedent for this in the new development/restoration of the terrace on the corner of Walton Street and Little Clarendon Street. The original facade could be integrated with the rest of the proposed development which clearly improves on the current "modern" extension to the original property.

Statutory Consultees:

Thames Water: no objections

Highway Authority: no objection subject to conditions to exclude from the CPZ and reinstate the dropped kerb

Issues:

- Principle
- Design
- Residential Amenity
- Highway Issues
- Sustainability
- Lifetime Homes
- Community Infrastructure Levy (CIL)
- Other matters

Officers Assessment:**Site Description**

1. The application site lies on the corner of Marston Road and Edgeway Road within the Marston area. The existing building which fronts Marston Road is a three storey late Victorian property built in brick with a slate roof. To the rear, along Edgeway Road, is a two storey flat roofed rendered extension. Also along the Edgeway Road elevation is a timber shed which butts up to the footpath along with a fence. The building currently has a retail element on the ground floor with the remaining floors given over to residential.

Proposal

2. The application is seeking permission for demolition of existing three storey building and redevelop the site to create a retail unit on the ground floor (use class A1) and 1 x 2 bed maisonette above and erection of 2 x 2 storey, 2 bed flats (use class C3). This differs from the proposal as originally submitted, (redevelopment of site to create retail on ground floor, 1x2 bed maisonette above and 2x2 bed houses), as officers had concerns regarding the size of the 2 bed houses, the lack of amenity space, the balconies etc. As a result of officers' concerns amended plans were submitted which are now before committee. The main visual difference is the removal of the balconies.

Assessment**Principle**

3. The NPPF states planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land). This is supported by Policy CS2 of the OCS.
4. Previously developed land is defined as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land in built-up areas such as private residential gardens.
5. The application site is considered to be previously developed by virtue of its previous use as retail and residential therefore the principle of redeveloping

the site for retail and residential use would still accord with the NPPF and Policy CS2 of the OCS.

6. Policy HP1 of the SHP states planning permission will not be granted for any development that results in the net loss of one or more self-contained dwellings on a site. There will be a loss of residential units but these will be replaced and there is in fact a net gain of one unit.

Design

7. As the building is not listed and not in a conservation area the demolition of the building in itself does not require planning permission. It is permitted development, subject to prior approval for the method of demolition, in accordance with Class A, Part 31 of Schedule 2 of the general Permitted Development Order condition A2(b)(i).
8. The existing building is in a poor state of repair and has undergone extensive alteration during its lifetime. The replacement building is of a similar scale and form as the original and steps down as you turn into Edgeway Road. It maintains a presence on the corner and imitates the original building in form, height and scale albeit with more modern detailing.
9. The proposed building generally follows the footprint of the existing building but comes out further towards Edgeway Road to utilise an area of hardstanding. This will result in elements of the building coming up to the footpath but still within the applicants control and will not encroach onto the public footway. Given the curve of Edgeway Road; the fact that the current building sits forward on the plot compared to the properties fronting Edgeway Road building line; and a more active frontage is created along Edgeway Road as the entrance doors to the flats are being located on this elevation, then the proposal would read as a logical part of the street scene of Marston Road and would not harm the appearance of Edgeway Road. It is therefore 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 Edgeway Road.
10. In short, the proposal is acceptable in terms of policy CS18 of the Core Strategy 2026, CP1 of the Oxford Local Plan 2001-2016 and HP9 of the Sites and Housing Plan in that it respects 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 creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area.

Residential Amenity

11. Policy HP12 of the SHP requires good quality internal living accommodation, with policy HP12 stipulating that any single dwelling provides less than 39m² of floorspace (measured internally) will not be granted permission. A single dwelling is a self-contained house of one bedroom or a self-contained flat of 1 or 2 bedrooms.

12. The proposed flats are all two beds and all are significantly over 39m². 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 and each has its own lockable entrance, its own kitchen and at least one bathroom. Therefore the proposal is in compliance with policy HP12.
13. 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, to meet the following specifications: 1 or 2 bedroom flats and maisonettes should provide either a private balcony or terrace of useable level space, or direct access to a private or shared garden.
14. The maisonette above the retail unit has access to a balcony which fronts onto Marston Road and the two flats have access to an area of shared private amenity space at the rear. The amenity spaces are small and considered adequate in size for their intended users. The existing flat has no external amenity space.
15. Policy HP13 goes on to say planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. Bin storage is proposed at the end of the unit accessed off Edgeway Road. However there are no details therefore a condition will be added to obtain such details.
16. Policy HP14 of the SHP states planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. The balconies that were originally proposed overhanging Edgeway Road have been removed. These have been replaced with windows. The maisonette above the retail unit has a balcony facing out onto Marston Road which is a busy arterial road into the city and as such will not create any overlooking/loss of privacy. It also has a large full height window with a Juliet balcony on the side elevation which faces down Marston Road/side of 257 Marston Road. It also has a full height window and Juliet balcony which faces onto Edgeway Road.
17. Policy HP14 goes on to say planning permission will not be granted for any development that has an overbearing effect on existing homes. The building to the south is the main property affected by the proposal. The eaves of the two storey rear element are at 3.9m compared to the existing flat roof which is at just over 5m. overall there is an improvement on existing conditions for the adjoining property. There have been no objections received from any of the properties to the south of the application site.

Highway Issues

18. The proposal is to be car free. In accordance with policy HP16 of the SHP planning permission will be granted for car-free or low-parking houses and flats in locations that have excellent access to public transport, are in a

controlled parking zone, and are within 800 metres of a local supermarket or equivalent facilities.

19. The site is located within minutes of bus stops to and from the city centre; it is in a controlled parking zone and a condition will be added to exclude it from residents and visitors parking permits and whilst it is not within 800m of a local supermarket or equivalent facilities it is within easy reach of St Clements, a convenience store on Marston Road (almost opposite the scheme) and various other small shops along Marston Road. In addition a valid planning permission exists for a local supermarket at the former Friar public house to the north at 2 Old Marston Road which is 805m from the application site. No objection is therefore raised in these terms.
20. Policy CS13 of the OCS states that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. A fundamental part of encouraging cycling is the provision of secure cycle storage within people's homes. This is reiterated in the Parking Standards SPD which says secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments and again in policy HP15 of the SHP which states all residential cycle storage must be secure, undercover, preferably enclosed, and provide level, unobstructed external access to the street. Policy HP15 also requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
21. Cycle storage is proposed in a combined store for each flat with the bin store although there are no details supplied. A condition is suggested requiring details.

Sustainability

22. Policy CS9 of the OCS sets out a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve Zero Carbon developments. A key strategic objective in the Core Strategy seeks to maximise Oxford's contribution to tackling the causes of climate change and minimise the use of non-renewable resources.
23. Energy use in new development can be further reduced by appropriate siting, design, landscaping and energy efficiencies within the building. New developments, including conversions and refurbishments, will be expected to achieve high environmental standards. All development must include the use of renewable energy where possible.
24. Minimal detail has been submitted and in relates to materials, orientation and location. There is no mention of renewables etc. A condition will be added to seek further details.

Lifetime Homes

25. The proposal has demonstrated, where appropriate, Lifetime Homes standards are achievable in accordance with policy HP2 of the SHP. This will

ensure that the spaces and features in new homes can readily meet the needs of most people, including those with reduced mobility. Given the need to promote social inclusion, the City Council considers it appropriate that all new homes should be built to Lifetime Homes standard.

Community Infrastructure Levy

26. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development. CIL applies to developments of 100 square metres or more, or to new dwellings of any size. The reason that CIL has been introduced is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities. CIL is being brought in by councils across the country, although each local council has the ability to set the actual charges according to local circumstances. CIL is non-negotiable and payable on commencement.

Other Matters

27. Contaminated Land.
In view of the previous use, Officers have considered the application with respect to contaminated land and would recommend that a condition requiring a phased risk assessment is attached to any planning permission. This recommendation has been made due to the sensitive nature of the proposed development i.e. the creation of new residential properties with gardens and the former use of the site as a plumbers yard and central heating supplier. There is, therefore, some potential for contamination to be present on site and it is important that the developer demonstrates that the site is suitable for use. As a minimum, a desk study and documented site walkover are required to ensure that there are no sources of contamination on or near to the site and that the site is suitable for its proposed use.
28. Construction
Oxford City Council strongly encourages that when this permission is implemented all building works and the management of the development site are carried out in accordance with the Code of Considerate Practice promoted by the Considerate Contractors scheme. An informative is added giving details for the applicant.

Conclusion:

29. Approve subject to conditions.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers

of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Lisa Green

Extension: 2614

Date: 25th October 2013

Appendix 1



The ANDERSON ORR Partnership The Studio, 70. Church Road, Wheatley, OXON, OX33 1LZ t: 01865 873936	scale 1:1000 @A4	client HERS LLC.	
	date MAY '13	drawing LOCATION PLAN	
PROJECT REDEVELOPMENT OF 255 MARSTON ROAD, OXFORD, OX3 0EN	drawn IG	no. 13011-L01	
	job 13011	rev /	

Monthly Planning Appeals Performance Update – September 2013

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 30 September 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 September 2013.

Table A. BV204 Rolling annual performance (to 30 September 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	15	(38%)	5 (63%)	10 (31%)
Dismissed	25	62%	3 (38%)	22 (69%)
<i>Total BV204 appeals</i>	40		8	32

Table B. BV204: Current Business plan year performance (1 April to 30 September 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	5	(29%)	2(50%)	3 (23%)
Dismissed	12	71%	2 (50%)	10 (77%)
<i>Total BV204 appeals</i>	17		4	13

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 30 September 2013

	Appeals	Percentage performance
Allowed	18	(38%)
Dismissed	30	62%
All appeals decided	48	
Withdrawn	2	

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 September 2013.
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 September 2013. 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 1/9/13 And 30/9/13**

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	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/02821/FUL	13/00017/REFUSE	DEL	REF	DIS	03/09/2013	COWLYM	66 Cricket Road Oxford Oxfordshire OX4 3DQ	Erection of 1-bed detached bungalow (use class C3). Provision of car parking, bin and cycle stores and private amenity space.
12/02914/ADV	13/00021/REFUSE	DEL	REF	DIS	04/09/2013	STMARY	146 Cowley Road Oxford Oxfordshire OX4 1JJ	Installation of 1 x illuminated fascia sign to the front elevation. (Retrospective)
12/03159/FUL	13/00019/REFUSE	DEL	REF	ALC	04/09/2013	STCLEM	78B St Clement's Street Oxford Oxfordshire OX4 1AW	Erection of three storey rear extension and internal alterations to create enlarged 8-bedroom HMO (Sui Generis). Insertion of basement level door to front elevation and 4 x windows to rear
13/00654/FUL	13/00031/REFUSE	DEL	REF	DIS	04/09/2013	COWLEY	11 Cornwallis Road Oxford Oxfordshire OX4 3NP	Erection of conservatory to rear.
12/02935/FUL	13/00014/REFUSE	COMM	PER	ALC	12/09/2013	COWLYM	The Lord Nuffield Club William Morris Close Oxford Oxfordshire OX4 2JX	Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping. (Amended plans) (Amended description).

Enforcement Appeals Decided Between 1/9/13 And 30/9/13

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

EN CASE	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
12/0060/0/ENF OX3 7QF	13/00026/ENFORC	ALC	25/09/2013	29 Harcourt Terrace	CHURCH	Alleged erection of rear dormer without planning permission

TABLE E**Appeals Received Between 1/9/13 And 30/9/13**

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

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
13/00656/VAR	13/00051/COND	DEL	REF	W	10 Stephen Road Oxford Oxfordshire OX3 9AY	HEAD	Variation of condition 10 of planning permission 08/01961/FUL to allow for a single parking permit to be provided to the 2 bed flat identified on the plan
13/00757/FUL	13/00054/NONDET			W	8 Jersey Road Oxford Oxfordshire OX4 4RT	RHIFF	Internal alterations to an existing, lawfully extended, building to provide enlarged flats (2 x 2-bed and 2 x 1-bed). Provision of vehicle parking, bin/cycle storage, communal amenity space and landscaping. (Amended)
13/00880/FUL	13/00052/REFUSE	DELCOM	REF	P	29 Old High Street Oxford Oxfordshire OX3 9HP	HEAD	Partial demolition of existing house and demolition of existing garages and outbuildings. Erection of two storey side and rear extension. Provision of new access, car parking and turning area. Rebuilding of stone boundary wall fronting Old High Street.
13/00881/CAC	13/00053/REFUSE	DELCOM	REF	P	29 Old High Street Oxford Oxfordshire OX3 9HP	HEAD	Partial demolition of existing house, boundary wall and complete demolition of existing garages and outbuildings.
13/00906/FUL	13/00049/REFUSE	DEL	REF	W	184 And 186 Headington Road Oxford Oxfordshire OX3 0BS	CHURCH	Change of use from HMO properties (use class C4) into 2 x 3 bed maisonettes (use class C3) with provision for 1 x parking space each and private amenity space and 2 x 1 bed apartments (use class C3) with provision of cycle storage and a communal garden area.
13/01202/FUL	13/00050/REFUSE	DEL	REF	W	Land To The Rear Of 34 And 36 York Road Headington Oxford OX3 8NW	QUARIS	Erection of 1 x 2 bed single storey dwelling in the rear gardens of 34 and 36 York Road. (Amended information)

Total Received: 6

EAST AREA PLANNING COMMITTEE

Wednesday 2 October 2013

COUNCILLORS PRESENT: Councillors Altaf-Khan, Clarkson, Coulter, Gotch, Lloyd-Shogbesan, O'Hara, Paule and Williams.

OFFICERS PRESENT: Lois Stock (Democratic and Electoral Services Officer), Martin Armstrong (City Development) and Michael Morgan (Law and Governance)

73. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The following apologies were given:-

Councillor Rundle – Councillor Gotch substituted;
Councillor Curran – Councillor O'Hara substituted;
Councillor Hollick – Councillor Williams substituted
Councillor Darke – apologies.

In the absence of both the Chair and the Vice Chair, it was resolved that Councillor Van Coulter be elected as Chair for this meeting.

74. DECLARATIONS OF INTEREST

None made.

75. ROSE HILL SPORTS GROUND, ASHHURST WAY: 13/01940/CT3

The Head of City Development submitted a report (previously circulated now appended) concerning a planning application to demolish the existing sports pavilion, and the erection of 2 storey community centre involving replacement sports pavilion, car and cycle parking, entrance square, multi-use games area and children's play area.

Having taken all submissions into account, both written and oral, the Committee resolved to APPROVE the application as detailed in the officer's report (and shown below); and that the Head of City Development be authorised to issue the notice of permission.

Conditions.

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of exterior materials
- 4 Development to adopt Secure by Design Principles
- 5 Management Plan
- 6 Hours of operation
- 7 Details of external lighting
- 8 Provision of refuse storage
- 9 Provision of cycle storage

- 10 Landscape Plan
- 11 Landscape carried out on completion
- 12 Details of access road and parking area
- 13 Details of mechanical plant and ventilation
- 14 Scheme for treatment of cooking odours
- 15 Sustainable Urban Drainage Scheme
- 16 Provision of NRIA recommendations
- 17 Provision of Biodiversity Report recommendations
- 18 Noise impact assessment required.

76. 43 GLADSTONE ROAD: 13/01643/FUL

The Head of City Development submitted a report (previously circulated now appended) concerning a planning application for a change of use from a residential dwelling house (use class C3) to a House of Multiple Occupation (use class C4).

Martin Armstrong (Planning Officer) presented the report to the Committee. There were no speakers for or against the application.

Having taken all submissions into account, both written and oral, the Committee resolved to APPROVE the application as detailed in the officer's report (and shown below); and that the Head of City Development be authorised to issue the notice of permission.

Conditions.

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Specific exclusion approved plans
- 4 Details excluded submit revised plans, the cycle and refuse bin stores, 001 and 004,
- 5 Variation of road traffic order

77. 65 ASQUITH ROAD: 13/02146/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish an existing conservatory and the erection of part single storey, part two storey, side and rear extension including balcony to rear.

Martin Armstrong (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking Ed Turner spoke clarifying the reasons why he called in the application, and Gavin Lovatt (Applicant) spoke in favour of it.

Having taken all submissions into account, both written and oral, the Committee resolved to APPROVE the planning application with standard conditions listed below, and that the Head of City Development be authorised to issue the notice of permission.

Conditions.

- 1 Commence within 3 years;
- 2 Use of matching materials;
- 3 Removal of permitted development rights.

Should officers consider further conditions to be necessary, these will be agreed in consultation with Councillor Coulter (Acting Chair at the meeting)

78. 81 EDGEWAY ROAD: 13/01929/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish the existing bungalow and garages and the erection of 1 x 4-bed dwelling (use class C3).

Martin Armstrong (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, Jill Northover, Amanda Jeffries, Mark Arnold and Charles Parrack spoke against the application and Garry Tan (Applicant) spoke in favour of it.

Having taken all submissions into account, both written and oral, the Committee resolved to REFUSE the planning application for the following reasons:-

- 1 Height, bulk and massing out of keeping with surrounding area and having a detrimental effect on the street;
- 2 Overlooking of neighbouring properties in Ferry Road

79. JR HOSPITAL, HEADLEY WAY: 13/01803/FUL, NUFFIELD ORTHOPAEDIC CENTRE, WINDMILL ROAD: 13/01807/FUL & CHURCHILL HOSPITAL, OLD ROAD: 13/01806/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for three planning applications for smoking shelters at the John Radcliffe, Nuffield and Churchill Hospitals, as follows:-

Planning application 13/01803/FUL is for provision of 5 free-standing proprietary smoking shelters across the John Radcliffe Hospital site for use by patients and visitors.

Planning application 13/01806/FUL is for provision of 3 proprietary smoking shelters on the Churchill hospital site

Planning application 13/01807/FUL is for provision of 1 smoking shelter on the Nuffield hospital site

Martin Armstrong (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, Ruth Wilkinson spoke in favour of the application. No-one spoke against it.

Having taken all submissions into account, both written and oral, the Committee resolved to APPROVE planning applications 13/01803/FUL, 13/013806/FUL and 13/013807/FUL with conditions as laid out in the planning officer's report (and shown below) and that the Head of City Development be authorised to issue the three notices of permission

Conditions (for each application):-

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

80. 312 LONDON ROAD: 13/01395/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish the existing dental surgery and garage, and the erection of three-storey building to provide 9 flats (3 x 3-bed, 4 x 2-bed and 2 x 1-bed) (Use class C3). Provision of private and shared amenity space, 19 cycle parking spaces, 12 car parking spaces and a communal bin store and access off the London Road (amended plans).

Martin Armstrong (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, Mark Chenery (Agent for the Applicant) spoke in favour of the application. No-one spoke against it.

Having taken all submissions into account, both written and oral, the Committee resolved to APPROVE the planning application, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the notice of permission upon its completion.

Should however the Community Infrastructure Levy [CIL] charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development on the grounds that the development has failed to adequately mitigate its impacts.

Conditions.

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Sustainability design/construction
- 5 Landscape plan required
- 6 Landscape carry out by completion
- 7 Tree Protection Plan (TPP) 1
- 8 Boundary details before commencement
- 9 Privacy screens
- 10 Landscape management plan
- 11 Permeable parking area

- 12 SUDS drainage
- 13 Suspected contamination - Risk assess
- 14 Bin stores and cycle parking
- 15 Construction Travel Plan
- 16 Landscape hard surface design - tree roots
- 17 Landscape underground services - tree roots
- 18 Vision splays
- 19 Levels details
- 20 Retain trees/shrubs along southern boundary
- 21 Side windows obscure glazed
- 22 Arboricultural Method Statement
- 23 No use of flat roof – use of patios and balconies only.

Legal Agreement.

Contribution towards affordable housing as required by policy HP4 of the sites and Housing Plan for all new development of between 4 – 9 units

(During consideration of this item, Councillor David Williams explained that he lived nearby but that he did not consider this to be a disclosable pecuniary interest).

81. PLANNING APPEALS

Resolved to note the report on planning appeals received and determined during August 2013

82. FORTHCOMING APPLICATIONS

Resolved to note the forthcoming applications as listed on the agenda, with the addition of a report for 34 Mill Lane, Marston.

83. DATES OF FUTURE MEETINGS

Resolved to note the following forthcoming meetings:-

Wednesday 6th November 2013 (and Thursday 14th November is necessary);

Wednesday 4th December 2013 (and Thursday 12th December if necessary)

The meeting started at 6.00 pm and ended at 8.30 pm

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