

Agenda

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East Area Planning Committee

Date: **Monday 9 September 2013**

Time: **6.00 pm**

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

For any further information please contact:

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East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor 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 **AFFORDABLE HOUSING APPLICATIONS FROM MEETING HELD ON 4 SEPTEMBER 2013**

To consider any application that was not determined at the Affordable Housing meeting on 4 September 2013:

- 13/01815/CT3 & 13/01814/CT3 - Parks Depot, Bury Knowle Park
- 13/01557/CT3 - Garage Block, Leiden Road
- 13/01558/CT3 - Land to the rear of 1 and 3 Thomson Terrace
- 13/01603/CT3 - Land at Cardinal Close
- 13/01555/CT3 - Land East of Warren Crescent
- 13/01592/CT3 - Alice Smith House, Alice Smith Square
- 13/01610/CT3 - East Minchery Allotments, Grenoble Road

4 **LAWN UPTON HOUSE, SANDFORD ROAD, LITTLEMORE: 13/00739/FUL AND 13/00740/CAC**

1 - 28

The Head of City Development has submitted a report which details a conservation area consent and planning application to:

(i) 13/00740/CAC: Conservation Area Consent for demolition of existing buildings on site

(ii) 13/00639/FUL: Erection of 22 residential units consisting of 5 x 1-bed, 9 x 2-bed and 8 x 3-bed flats. Provision of 29 car parking spaces, cycle parking and landscaping. (Amended plans and description and additional information) to erect 24 residential units consisting of 5 x 1-bed, 9 x 2-bed and 10 x 3-bed flats. Provision of 34 car parking spaces, 58 cycle parking spaces and landscaping and demolition of existing buildings

Officer recommendation: That the Committee GRANT planning permission, 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. Subject to the following conditions and legal agreement:

Conservation Area Consent 13/00740/CAC

Condition

- 1 Commencement of works LB/CAC consent

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials for all exterior surfaces to be approved
- 4 Archaeological investigation
- 5 Phased Risk Assessment for land contamination
- 6 Ground resurfacing - SUDS compliant
- 7 Car and cycle parking to be laid out prior to use of buildings
- 8 First floor window in northern elevation of block C and first floor window in south-western elevation of block A to be obscure glazed and fixed shut below 1.7 metres
- 9 Details of all boundary treatments required
- 10 Level access to communal entrances to be provided
- 11 Details of posts to prevent parking on the open spaces
- 12 Details of footpath – surfacing
- 13 Vehicle and pedestrian access laid out before occupation
- 14 Highway improvement works to be carried out before occupation of flats
- 15 Details of a Construction Traffic Management Plan to be approved
- 16 Landscape plan to be approved
- 17 Landscape proposals to be carried out upon completion of development
- 18 Landscape Management Plan to be approved
- 19 Details of design of all new hard surfaces and a method statement for their construction
- 20 Details of the location of all underground services and soakaways, taking account of the need to avoid tree roots
- 21 Tree Protection Plan
- 22 Arboricultural Method Statement
- 23 Details of balconies and screening
- 24 Details to be submitted showing how ‘Secured by Design’ principles have been incorporated
- 25 A further wildlife survey to be carried out if development not commenced within 12 months
- 26 Details of street lighting
- 27 Design and method statement for ground works that could have an impact on archaeology
- 28 No felling/lopping/chopping of retained trees
- 29 Replacement planting in the event that any trees/hedges are removed/damaged

Legal Agreement:

- Provision of 11 units of affordable housing
- Financial contributions totalling £191,299, broken down as follows:

Education (County Council) - £119,341
Community Infrastructure (City Council) - £5,908
Transport (County Council) –
£5,000 for traffic management
£10,000 for a new bus shelter
£51,050 for transport

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.

5 LAND TO THE REAR OF WILLIAM MORRIS CLOSE: 13/01096/FUL

29 - 52

The Head of City Development has submitted a report which details a planning application to construct two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane.

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

- 1 The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a need in the City. The replacement sports facilities in the form of all-weather mini-pitches with restricted community access are not equal to or better than retaining the potential of the site to provide for open air sport and recreation. Further it is not essential that the all-weather mini-pitches are provided on this particular site to satisfy local need. For these reasons the proposal does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan.
- 2 The site meets the requirements of the NPPF as a local green space, a valued local amenity which will be lost by developing housing on part of the site and diminished on the mini-pitches part of the site. The all-weather mini-pitches do not form an acceptable alternative to retention of this green space. This is contrary to guidance in the NPPF and Policies CS21 of the Core Strategy and SR2 of the Oxford Local Plan.
- 3 The development is contrary to Policy CS2 of the Core Strategy in that the site is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. There are no other balancing reasons or mitigating circumstances why housing should be allowed on this site. It is not essential that the housing or all-weather mini-pitch developments are developed on his particular site which it is preferable to retain as open space for the well-being of the community it serves.
- 4 The proposed development fails properly to demonstrate how the renewable energy element of the NRIA SPD will be complied with, and as such fails to meet the standards of resource efficiency required by the Council's adopted planning policies on energy, natural

resources, waste and recycling, namely Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan Policies CP17 and CP18

6 FORMER DHL SITE, SANDY LANE: 13/01119/FUL

53 - 64

The Head of City Development has submitted a report which details a planning application to erect 3 units providing 3509sqm of accommodation for Class B1 (Business), Class B2 (General Industrial) or Class B8 (Storage or Distribution) use. Provision of 31 car parking spaces and 15 cycle parking spaces

Officer recommendation: That the Committee GRANT planning permission, 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, subject to the following conditions and legal agreement:

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Drainage details
- 5 No soakaway in contaminated ground
- 6 Soakaway depth
- 7 Landscaping/Biodiversity
- 8 Public Art
- 9 fixed plant and machinery noise
- 10 No external operations
- 11 Doors and windows closed at night
- 12 Night time internal noise
- 13 Noise barrier

Legal Agreement

Financial contributions are sought for the following:

Affordable Housing: £54,472

Highways: £9,975

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.

7 51 LITTLEMORE ROAD: 13/01516/FUL

65 - 78

The Head of City Development has submitted a report which details a planning application to demolish the existing garage structures. Erection of 1 x 3 bedroom dwelling with associated off street parking, cycle storage and bin stores.

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 plns
- 3 Samples
- 4 Vision splays
- 5 SUDS
- 6 Remove outbuildings
- 7 Cycle parking details required
- 8 Design - no additions to dwelling
- 9 Amenity no additional windows side and rear,
- 10 no outbuildings at No. 51

8 28 QUARRY HIGH STREET: 12-01340-CND

79 - 86

The Head of City Development has submitted a report which details the pre-commencement conditions for planning permission 12/01340/FUL. Details submitted in accordance with conditions 3 (exterior materials), 4 (sample panel), 5 (existing stone), 8 (landscape plan), 10 (boundary details), 11 (new boundary wall), 12 (highway specifications), 14 (construction travel plan), 15 (permeable parking and driveway areas), 16 (desktop survey), 17 (cycle parking details), 18 (SAP calculations), 20 (provision of bat boxes) and 21 (omit bin store).

Officer recommendations:

(1) That the Committee APPROVE the details submitted pursuant to conditions 3 [external materials], 8 [landscaping plan], 10 [boundary details], 12 [highway specifications], 14 [construction travel plan], 15 [permeable parking and driveway areas], 16 [contamination desk top study], 17 [cycle parking details], 18 [sustainable construction and design details], 20 [provision of bat boxes] and 21 [omit bin store] of planning permission 12/01340/FUL.

(2) That the Committee delegate to officers the approval of the stone, the mortar mix and the sample panel conditions 4 [sample panel], 5 [existing stone to be used in new front wall] and 11 [new boundary wall].

9 RECEIPT AND EXPENDITURE ON S106 CONTRIBUTIONS FOR THE YEAR 2012-13

87 - 104

The Head of City Development has submitted a report which details the receipt and expenditure of developer contributions in the last financial year 2012/13.

Officer recommendation: That the Committee NOTE the receipt and expenditure of developer contributions in the last financial year (2012/13) and the proposed expenditure of developer contributions for 2013/14 plus future years.

10 PLANNING APPEALS

105 - 110

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

The Committee is asked to NOTE this information.

11 MINUTES

111 - 118

Minutes from 3 July and 7 August 2013

Recommendation: That the minutes of the meeting held on 3 July 2013 be APPROVED as a true and accurate record.

Recommendation: That the minutes of the meeting held on 7 August 2013 be APPROVED as a true and accurate record.

12 FORTHCOMING APPLICATIONS

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

12/02848/OUT - Land North Of Littlemore Healthcare Trust, Sandford Road - Outline application (fixing access) for up to 140 residential units together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space.

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.

13/00757/FUL – 8 Jersey Road – 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.

13/01643/FUL – 43 Gladstone Road - Change of use from a residential dwelling house (use class C3) to a House of Multiple Occupation (use class C4).

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)

13/01800/FUL – St Cross College, St Giles - Demolition and rebuilding of

existing boundary walls. Erection of 53 study bedrooms, lecture theatre, library, seminar rooms and ancillary accommodation on 4 floor plus basement.

13/01796/FUL – 34 Mill Lane - Change of use from dwellinghouse (use class C3) to HMO (use class C4) (retrospective).

13/01777/FUL - Tyndale House, 134A Cowley Road - Change of use of unit 1 from A1 (shop) to A3 (restaurant/cafe)

13/01502/FUL – 255 Marston Road - 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 dwelling houses (use class C3). (Amended description)

13/01792/FUL – 23 Nowell Road - 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.

13/01940/CT3 - Rose Hill Sports Ground Ashhurst Way - Demolition of existing sports pavilion. 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.

13 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

12 September – Q&A session_ Barton application

16 September (provisional Spill-over meeting)

24 September- Special meeting_ Barton application

Wednesday 2 October 2013 (and Thursday 10 October 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**](mailto: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.