

Agenda

www.oxford.gov.uk



East Area Planning Committee

Date: **Wednesday 3 December 2014**

Time: **6.00 pm**

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

For any further information please contact:

Jennifer Thompson, Committee and Member Services Officer

Telephone: 01865 252275

Email: democraticservices@oxford.gov.uk

As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor Van Coulter	Barton and Sandhills;
	Councillor Mohammed Altaf-Khan	Headington;
	Councillor Farida Anwar	Headington Hill and Northway;
	Councillor Ruthi Brandt	Carfax;
	Councillor Mary Clarkson	Marston;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Michele Paule	Rose Hill and Iffley;
	Councillor Ruth Wilkinson	Headington;

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

HOW TO OBTAIN A COPY OF THE AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

A copy of the agenda may be:-

- Viewed on our website – mycouncil.oxford.gov.uk
- Downloaded from our website
- Subscribed to electronically by registering online at mycouncil.oxford.gov.uk
- Sent to you in hard copy form upon payment of an annual subscription.

AGENDA

	Pages
1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2 DECLARATIONS OF INTEREST	
3 3 ANNE GREENWOOD CLOSE: 14/02524/FUL	9 - 16
Proposal: Erection of a single storey rear extension. (amended plans).	
Officer recommendation: to grant planning permission with conditions	
<ol style="list-style-type: none">1. Development begun within time limit.2. Develop in accordance with approved plans.3. Materials – matching.4. Amenity - No windows to side.5. Sustainable drainage.6. Tree Protection Plan (TPP) 1.	
4 PRINCE OF WALES PH, CHURCH WAY:14/02181/FUL	17 - 36
Proposal: Erection of single storey extension over existing yard to provide extension to bar area. New external doors to utility room and bar area and associated works. Provision of a kitchen extract flue.	
Officer recommendation: grant planning permission with conditions:	
<ol style="list-style-type: none">1. Development begun within time limit.2. Develop in accordance with approved plans.3. Samples in Conservation Area.4. Windows to be non-opening.5. The use of beer garden ceases after 2300.6. Full design details of extraction equipment.7. A scheme for the treatment of cooking odours.	
5 33 WILLIAM STREET:14/01495/FUL	37 - 52
Proposal: Erection of two storey side and single storey rear extension.	
Officer recommendation: to grant planning permission with conditions:	
<ol style="list-style-type: none">1. Development begun within time limit.2. Develop in accordance with approved plans.3. Materials – matching.4. Removal of Part 1 Classes A, B and D permitted development rights.5. Car parking to be laid out prior to occupation and retained as such thereafter.6. Construction environmental management plan required including details	

in relation to:

- Construction traffic management;
 - Hours of working;
 - Machine noise;
 - Vibration;
 - Emissions.
7. Biodiversity improvements required in accordance with details to be first approved in writing by the LPA.
 8. West facing first floor windows to be obscure glazed and non-opening below 1.7m.
 9. All hard surfacing in the development to be SuDS compliant.

This report is confidential under S100 A (2) of the Local Government Act 1972 as it contains sensitive personal data. Consequently the committee must exclude the press and public during its consideration. The decision will be published in the minutes.

6 PLANNING APPEALS

53 - 58

Summary information on planning appeals received and determined up to and during November 2014. The Committee is asked to note this information.

7 MINUTES

59 - 64

Minutes from the meeting of 5 November 2014.

Recommendation: That the minutes of the meeting held on 5 November 2014 are approved as a true and accurate record.

8 FORTHCOMING APPLICATIONS

This lists applications which may be considered by the committee at future meetings. It is provided to help the committee plan its workload, and there will be no discussion of the applications at this meeting.

23 Spring Lane, Littlemore, Oxford: 14/03049/FUL

14/02628/FUL – 153 Headley Way -| Demolition of existing house. Erection of 1 x 5 bedroom dwelling house (Use Class C3) and formation of a basement to form 1 x 1 bedroom flat (Use Class C3). Provision of car parking space, private amenity space, bin and cycle stores.

14/02781/FUL – 5 & 7 Marshall Road - Demolition of existing dwelling at no. 5 Marshall Road. Erection of 1 x 2 bed semi-detached dwelling and 2 x 3 bed detached dwellings (Use Class C3). Provision of private amenity space, car parking and bin storage.

14/02550/FUL – Beenhams Cottage, Railway Lane - Erection of a part single, part two storey side and rear extension. Erection of first floor front extension. Formation of 1 no. front and 2 no. rear dormers and new vehicular access onto Railway Lane.

14/02182/FUL – 159 Windmill Road - Erection of two storey side and rear extension (amended plans received 15/9/14)

14/02093/FUL – 62 Dashwood Road - Erection of two storey building to form 3-bed bungalow (use class C3).

14/02103/FUL – Ashlar House Adjacent 2 Glanville Road - Demolition of existing builder's yard. Erection of 1 x 2 bed flat (use class C3), 2 x 3 bed flat (use class C3), 3 x 3 bed flat (use class C3), 3 x 3 bed house (use class C3). Provision of private amenity space, carparking, cycling and bins storage.

14/01332/FUL – 51 Sandfield Road - Erection of single storey rear and first floor side extension. Formation of new roof over existing flat roof (amended description).

14/01770/FUL - Marywood House, Leiden Road - Demolition of existing buildings on site. Erection of 2 buildings on 2 and 3 levels to provide 2 x 1 bed and 12 x 2 bed flats, plus 9 supported housing flats, 20 car parking spaces, cycle parking, landscaping and ancillary works.

13/03411/FUL – John Radcliffe Hospital, Headley Way - Erection of roof based plant and louvred enclosure.

14/02456/FUL - Land within Former DHL Site, Sandy Lane West - Erection of electricity generation plant.

14/02650/FUL - Former DHL Site, Sandy Lane West - Erection of nine industrial units for Class B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) use and including 70 car parking spaces including 20 covered cycle parking spaces.

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. (Deferred from meeting of 4th September 2013)

9 DATES OF FUTURE MEETINGS

The Committee will meet on Thursday 11th December if necessary

Then in 2015

Wednesday 7th January (Thursday 15th January if necessary)

Wednesday 4th February (Thursday 12th February if necessary)

Wednesday 4th March (Thursday 19th March if necessary)

Wednesday 8th April (Thursday 16th April if necessary)

Wednesday 6th May (Thursday 14th May if necessary)

DECLARING INTERESTS

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

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

Members' Code of Conduct and public perception

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

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

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed.

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;
 - (d) 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;
 - (e) 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 Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

4. Public requests to speak

Members of the public wishing to speak must notify the Chair or the Democratic Services Officer before the beginning of the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda) or given in person before the meeting starts.

5. Written statements from the public

Members of the public and councillors can send the Democratic Services Officer written statements to circulate to committee members, and the planning officer prior to the meeting. Statements are accepted and circulated up to 24 hours before the start of the meeting.

Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising.

6. Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention at least 24 hours before the start of the meeting so that members can be notified.

7. Recording meetings

Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best plan to record. You are not allowed to disturb the meeting and the Chair will stop the meeting if they feel a recording is disruptive.

The Council asks those recording the meeting:

- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
- To avoid recording members of the public present unless they are addressing the meeting.

For more information on recording at meetings please refer to the Council's [Protocol for Recording at Public Meetings](#)

8. Meeting Etiquette

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.

9. 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

3rd December 2014

Application Number: 14/02524/FUL

Decision Due by: 3rd November 2014

Proposal: Erection of a single storey rear extension. (Amended plans)

Site Address: 3 Anne Greenwood Close Oxford OX4 4DN

Ward: Rose Hill And Iffley Ward

Agent: Mr Roger Watkins

Applicant: Mrs Georgina Wood

Application Called in – by Councillors - Turner, van Nooijen, Seamons and Price.

for the following reasons – Size and impact on neighbours

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding and overlooking can be dealt with by condition and the proposals therefore comply with Policies CP1, CP8, CP10 and HE7 of the adopted Oxford Local Plan 2001 - 2016, Policies CS11 and CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Amenity - No windows to side
- 5 Sustainable drainage
- 6 Tree Protection Plan (TPP) 1

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HE7 - Conservation Areas

Core Strategy

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan

MP1 - Model Policy

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- This application is in or affecting the Iffley Village Conservation Area.
- Planning Practice Guidance
- The Town and Country Planning (General Permitted Development) Order 1995. As amended. (GPDO).

Relevant Site History:

None relevant

Representations Received:

Comments and objections have been received from the following addresses:

2 Anne Greenwood Close

4 Anne Greenwood Close

5 Anne Greenwood Close
17 Anne Greenwood Close
3 Denton House, Anne Greenwood Close
28 Tree Lane
9 Rothwell Street, London

Issues raised can be summarised as follows: Loss of light, tunnelling effect, loss of outlook, risk of flooding, light pollution, out of character with area.

Statutory and Internal Consultees:

Natural England: No objection.

12 Bay Tree Close for Friends of Iffley Village: Loss of light, increase in tunnelling effect Light pollution, increase in risk of flooding. Suggests that roof should reflect the approach used at number 1 Green wood Close.

Issues:

Visual impact in a conservation area
Effect on adjacent occupiers
Flooding

Officers Assessment:

Site description and proposal

1. 3 Anne Greenwood Close is a terraced house on a close of mainly modern dwellings, within Iffley [Village] Conservation Area. The terrace is somewhat staggered between number 3 and 4, with the rear wall of number 3 being placed some 1.5 metres further back in the plot than number 4.
2. Permission is sought to erect a single storey extension that would project 2 metres beyond the existing rear wall. The current proposal is an amended version of the original submission that has been developed in an attempt to reduce the effect on adjoining occupants.

Visual impact in a conservation area

3. Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard, whilst policy HE7 of the OLP states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation area or its setting.
4. The proposed development would have an asymmetric roof profile and an arrangement of glazing that is not typical of the surrounding dwellings or wider

conservation area. However, it would not appear prominent when viewed from the public domain and subject to a condition of planning permission to control the appearance of materials used in the build, is not considered to be materially out of character with the existing house or local area, preserves the special character and appearance of the conservation area and complies with Policies CP1, CP8 and HE7 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

Effect on adjacent occupiers

5. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim. Appendix 7 of the SHP sets out the 45/25 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
6. When viewed from number 2 Anne Greenwood Close, the extension would extend 2 metres behind the rear walls. Number 2 is to the north of the application site and particular regard has been given to any loss of light or direct sunlight. The proposal does comply with the 45/25 degree guidance. Furthermore, the current plans show a height on the boundary of 2 metres and officers are mindful of the fact that a boundary treatment could be erected to the same height for the full depth of the garden. The pitch of the roof, at less than 30 degrees, is modest. Officers are of the opinion that the low height at the eaves and modest pitch to the proposed roof would mean any loss of light and direct sunlight would be little more than the result of what could be erected under remaining Permitted Development rights granted by the GPDO.
7. The extension would appear deeper in relation to number 4, because of the staggered nature of the existing terrace. However the extension does still comply with the 45/25 degree guidance, because the 25 degree element of the guidance would pass above the eaves and roof of the extension. The orientation of the properties means that there will be no material loss of direct sunlight to number 4 and the low height at the eaves and modest pitch to the proposed roof would further reduce any loss of light or outlook to number 4 to a level that would be little more than the effect of a 2 metre boundary treatment that could be erected under Permitted Development rights granted by the GPDO.
8. There is some potential for light pollution from the proposed skylights, however this is the case with all windows, whether fitted with blinds or not and the impact of any light escaping from the proposed skylights is not sufficient to reasonably justify refusal of the proposal, either in whole or in part
9. Overall, the extension will not have an unacceptable effect on adjacent occupiers, and subject to a condition to prevent overlooking by the formation of side facing windows, there is no conflict with Policies CP1 and CP10 of the OLP, Policy HP14 of the SHP or the 45/25 degree guidance of Appendix 7 of the SHP.

Flooding

10. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off.
11. The majority of the rear garden is already hard surfaced and any increase in surface water run-off will be marginal. Nevertheless, the opportunity exists to secure a reduction in this run-off, through a condition requiring the use of sustainable drainage. Such a condition would be both a reasonable condition of any grant of permission, and in accordance with Policy CS11.

Other matters

12. The remaining rear garden would measure 7m in depth and whilst relatively small would remain sufficient for a two bedroom house in this area.
13. The number of bedrooms would not change and there would be no material effect on parking pressures in the area.
14. There is a path to the rear of the garden and whilst public access is not physically prevented, the path appears to be used for only for access to the rear gardens in the terrace and is not a public byway.
15. Whilst the area is characterised by a high level of mature trees, some of which may be within falling height of the proposed development, there are no nearby trees that are subject to a Tree Preservation Order and subject to a condition requiring tree protection measures if materials are to be brought in from the rear path, the proposed development is not considered likely to result in harm to surrounding trees.

Conclusion:

16. The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding and overlooking can be dealt with by condition and the proposals therefore comply with Policies CP1, CP8, CP10 and HE7 of the adopted Oxford Local Plan 2001 – 2016, Policies CS11 and CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 14/02524/FUL

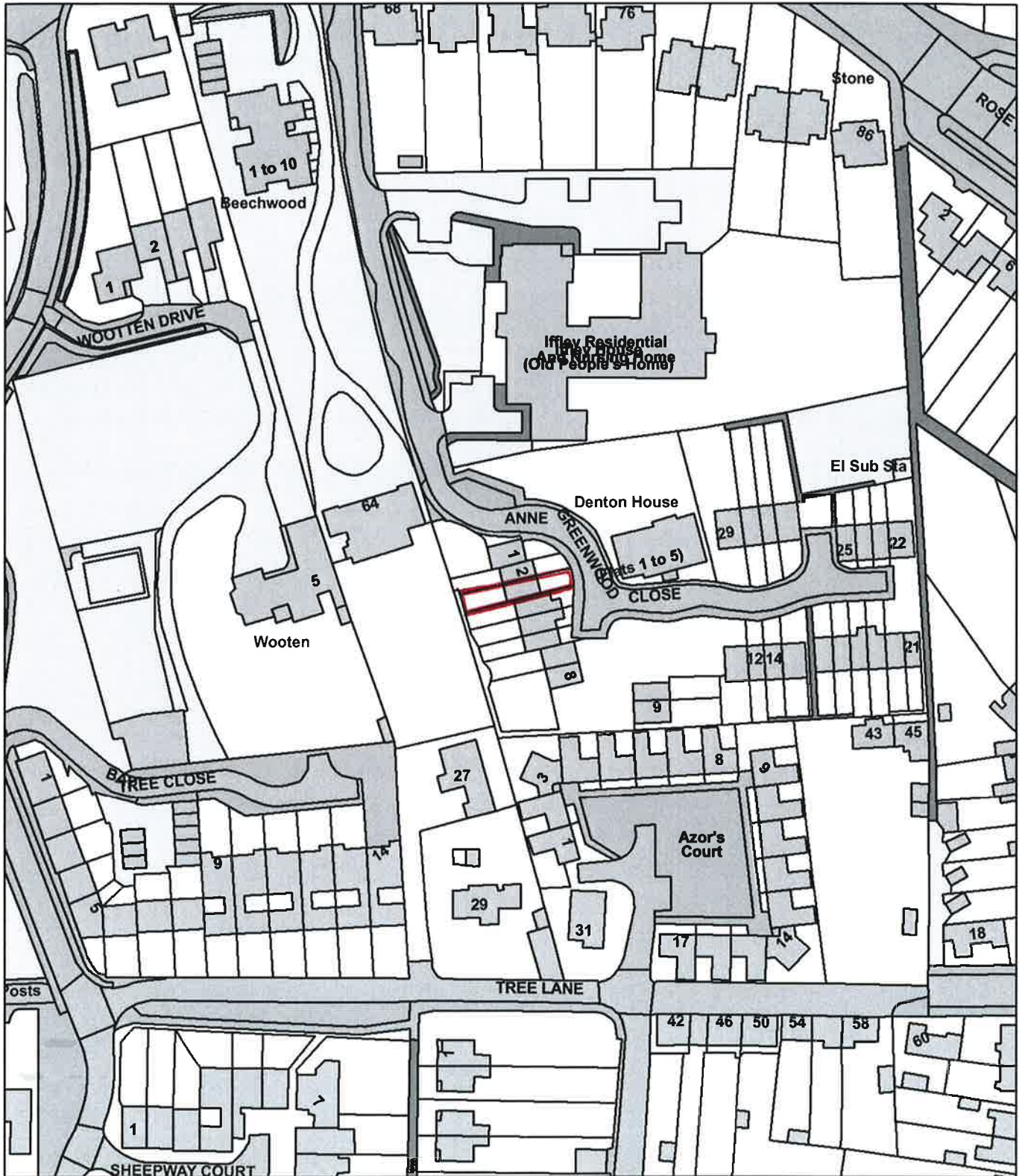
Contact Officer: Tim Hunter

Extension: 2154

Date: 20th November 2014

Appendix 1

3 Anne Greenwood Close



© Crown Copyright and database right 2014.
Ordnance Survey 100019348.



14/02524/FUL

Oxford City Council

Scale: 1:1,250 (printed to A4)

This page is intentionally left blank

East Area Planning Committee

3rd December 2014

Application Number: 14/02181/FUL

Decision Due by: 30th September 2014

Proposal: Erection of single storey extension over existing yard to provide extension to bar area. New external doors to utility room and bar area and associated works. Provision of a kitchen extract flue.

Site Address: The Prince Of Wales Church Way, Oxford (**site plan: appendix 1**)

Ward: Rose Hill And Iffley Ward

Agent: Mr Paul Oakley

Applicant: Mr L Stephens

Application Called in by Councillors Turner, Seamons, Fry and Price on the basis that similar applications and particularly extract flues for the public house have created concern from neighbours and therefore need to be looked at carefully to avoid any adverse impacts or at least mitigate them as far as possible.

Recommendation:

APPROVE

Reasons for Approval

- 1 The proposed development would represent an efficient use of land that would improve the viability of the public house without giving rise to any unacceptable environmental problems or disturbance for the adjoining residential properties or highway implications for Church Way and the surrounding area. The proposed extension would create an appropriate visual relationship with the built form of the existing building and would preserve the special character and appearance of the Iffley Village Conservation Area, while at the same time safeguarding the amenities of the adjoining properties. The proposed development would therefore accord with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2026.
- 2 In considering the application, officers have had specific regard to all the comments of third parties and statutory bodies in relation to the application however officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and that any harm identified by the proposal could be successfully mitigated by

appropriately worded conditions.

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Windows to be non-opening
- 5 The use of beer garden ceases after 23.00h
- 6 Full design details of extraction equipment
- 7 A scheme for the treatment of cooking odours

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP19 - Nuisance
- CP21 - Noise
- HE7 - Conservation Areas
- TR3 - Car Parking Standards
- RC12 - Food & Drinks Outlets

Core Strategy

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

Sites and Housing Plan

- HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework
This application is in the Iffley Village Conservation Area.
Planning Practice Guidance

Relevant Site History:

73/01734/A H: Two storey extension and alterations to improve facilities: Refused

74/00589/A H: Two storey extension and alterations to improve facilities: Approved

93/01325/NFH: Extension of car park from 8 to 14 spaces. Scheme B: Withdrawn

00/00138/NFH: Extension to provide replacement kitchen for public house. New entrance lobby. New chimney. External alterations including new doors and windows plus balcony on west elevation and screen wall on boundary with no. 71. (Amended plans): Approved

07/01709/FUL: Single storey extension to front, including new lobby entrance and balcony, and rear single storey extension: Approved

11/01701/FUL: Single storey extension over existing yard to provide extension to bar/dining area. New external doors to utility room and bar area and associated works: Approved

11/02875/FUL: The provision of a kitchen extract flue on the north gable of the building: Withdrawn

Representations Received:

Letters have been received from the following addresses, and the comments are summarised below

- 12 Bay Tree Close; 71, 78, 78a, 79, 80, 86, 2 Church Way; 11, 12 Cordrey Green; 8 Fitzherbert Close; 68 Gloucester Court, Richmond
- The requirement for a pub to be economically viable is accepted but this needs to be delivered in harmony with local residents
- The scheme differs from the scheme approved 13 years ago, which had a balcony to the front for people to enjoy views of the river instead of the kitchen with blacked out windows. This scheme should be considered again
- The proposal will have an adverse impact upon the residential amenities of 71 Church Way
- There are residential properties on the opposite side of Church Way that also need to be considered
- The existing beer garden is separated from 71 Church Way by a yard which provides a buffer between the two properties from noise and smoke fumes. The conversion of this yard into a beer garden will have an adverse impact upon 71 Church Way from noise and disturbance along with uncensored adult conversation.
- The existing beer garden creates noise and disturbance to the rear garden and master bedroom of 8 Fitzherbert Close. The proposed double doors from the extension and extended beer garden will create further potential for disturbance, particularly in warm weather
- The new kitchen extract is 1.5m away from the bedroom window at 71 Church Way. The chimney breast will cause considerable visual impact as it will run directly opposite this window and the noise levels will extend beyond the existing noise limit for the premises.
- Church Way is a congested road. The parking proposed will provide 25 spaces, increasing the capacity from the existing 13 spaces. This can only be assumed to bring extra traffic and increase congestion on Church Way from overspill parking
- The development will increase the public area in the pub from 140m² to 182m² which is an increase of 30%. This will place pressure on the car park and

- increase congestion
- The pub's entrance / exit are on a blind bend which creates a hazard for road users, and any increase in traffic will amplify this.
- The increase in use of the pub will increase the amount of noise generated from the pub especially at closing time.
- The proposed chimney breast or industrial type kitchen vent will not preserve or enhance the character of the conservation area

Statutory Consultees:

Friends of Iffley Village:

This application is for much-needed upgrading and extension of facilities at this long established pub, prominently situated near the centre of Iffley on its main road. In response to local concerns, FOIV conducted a thorough review of a similar application in 2011, and supported it with some reservations about noise from vehicles & customers, traffic & parking and cooking fumes. Opposition from residents of adjacent homes to the current proposals focus on many of the same issues. All accept that the PoW pub is an important amenity for both residents and visitors to Iffley's many tourist attractions but changes in legislation and economic climate for such businesses require these improvements. The present plans achieve these objectives without detracting from the appearance of the building from the road or harming the conservation area.

The proposed upgrading of the arrangements for expelling kitchen fumes are expected to produce welcomed reduction in cooking odours but may increase noise and be unsightly for the adjoining home. One solution may be to place the flue inside the existing chimney. FOIV welcomes the proposal to shift towards meals in favour of just drinking and the diversification of food offered. Diners are usually less rowdy than drinkers thus mitigating both noise and traffic hazards. However, although residents of adjoining homes accept that the ban on smoking inside pubs inevitably leads to more customers being outside, and accept that the managers have implemented a previous agreement to move clients further away after 11pm, concerns remain that extension of the beer garden to the south may increase the noise and tobacco fumes that they experience.

Traffic and parking are a long-standing problem in Iffley, particularly that part of Church Way which is narrow, curving and adjacent to the community shop. The report on the 2011 application mentions a previous claim of 25 off-street car-parking spaces though around 14 seems to be the practical maximum. There was concern that the current proposal failed to address such matters thoroughly. However, many customers, especially residents of Iffley and Rose Hill, university students and the passing trade of long-distance walkers and cyclists, arrive without motor vehicles and we hope the improvements will attract more of them. Patrons of a country pub obviously do not wish to sit close to the car-park and road, so we understand why the seating is to be expanded behind the main building. There is no easy solution to the parking problem, as the PoW site is small and formal restrictions such as yellow lines and residents permits in Church Way would arouse strong opposition.

In conclusion FOIVs position is similar to that of the 2011 application: support with the reservations outlined above.

Officers Assessment:

Site Location and Description:

1. The site is located on the eastern side of Church Way, and is bordered by residential properties of 71 Church Way to the North, 8 Fitzherberts Close to the east, Bakers Lane to the south with 77 Church Way beyond. The site is within the Iffley Village Conservation Area (**site plan: appendix 1**)
2. The site comprises the Prince of Wales Public House, which is a large detached building that has a pub garden to the site and rear with an enclosed service area, and a frontage which is used for car parking.

Proposal

3. Planning permission is sought for the erection of a single-storey extension over the existing yard to provide an extension to the bar area, alterations to the existing building to create new external doors to the utility room and bar area and other associated works.
4. The proposal is also seeking permission for the provision of a new kitchen extraction flue for the public house as part of on-going discussions with City Environmental Health Officers. The original plans showed a vertical flue located on the northern elevation which was enclosed by a false chimney. These plans have subsequently been amended with the vertical flue now located within the existing building and projecting through the rear roof slope.
5. Officers consider that the principle determining issues with regards to the proposal are as follows; principle of development; form and appearance; impact upon adjoining properties; environmental impacts; and highway matters.

Principle of Development

6. The principle of extending the Public House including alterations to the internal layout of the premises to provide an additional bar has previously been accepted through the grant of planning permission 11/01701/FUL.
7. Since this decision was taken there has been a material change in national planning policy with the adoption of the National Planning Policy Framework [NPPF]. The NPPF has a presumption in favour of sustainable development and encourages the effective use of previously developed land provided that it is not of high environmental value. This is supported through the Oxford Core Strategy 2026 which encourages development proposals to make an efficient use of land in built up areas through Policy CS2.
8. Officers consider that the general principle of improvements to the public house would accord with the aims of national and local planning policy to make an efficient use of land.

Form and Appearance

9. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. The Local Plan requires new development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP8 requires development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area. The site lies within the Iffley Village Conservation Area. Policy HE7 of the Local Plan states that new development should preserve or enhance the special character and appearance of the conservation area or its setting.
10. The proposed extension would be identical to the one approved under 11/01701/FUL. It would be sited in the current service area of the public house and would be single storey with a double pile roof and lantern. The extension would be of a modest size and would create an appropriate visual relationship with the built form of the existing building. As the structure would be sited to the rear there would be no views from the frontage and as such the extension would not have an impact upon the significance of the conservation area or its setting. There will also be some minor alterations to the existing building through the formation of a new doorway in the existing bar and the closing of the existing rear door to enable the provision of a disabled WC. Again the alterations would create an appropriate visual relationship with the built form of the existing building.
11. The scheme also includes the provision of a new kitchen extraction flue. The original plans showed this to be located on the northern elevation and encased within a false chimney. The plans have subsequently been amended to locate the flue internally within the building with the extract projecting through the rear roof slope. The location of the flue within the building would represent the best option in terms of minimising the visual impact upon the building and preserving the significance of the conservation area. Although the flue would project above the ridgeline of the building this would not go beyond the height of the existing chimney breast and views from the public realm will be limited given the orientation of the site and the change in land levels between the building and Church Way. Although the flue will be visible in private views from the surrounding residential properties the visual impact of this will be minimal. It would be important to ensure that the flue is appropriately coloured in a grey or mid-grey to help reduce its visual impact further, however this could be secured by condition.
12. Overall officers consider that the proposed development would be of a size, scale, and design that would create an appropriate visual relationship with the built form of the existing building and has been designed in a manner to preserve the significance of the Iffley Village Conservation Area. This would accord with the aims of the above-mentioned policies.

Impact upon Adjoining Properties

13. Sites and Housing Plan Policy HP14 states that permission will only be granted for development that protects the privacy and amenity of proposed and existing residential properties, and will be assessed in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also supported through Local Plan Policy CP10.
14. Having regards to the location of the single storey extension and the minor works to the existing building, the proposal would not have an impact upon the adjoining properties in Church Way or Fitzherbert Close in terms of loss of light, overbearing impact, or overlooking of private open space.
15. The main issues that have been raised during the public consultation in relation to the impact upon the adjoining properties relate primarily to environmental problems from noise and odour disturbance which will be dealt with in the next sections of the report.

Environmental Impacts

16. During the consultation process concerns have been raised by the adjoining properties that the public house is currently causing environmental problems in terms of noise and disturbance from the kitchen extraction, and the use of the pub garden. The public house is a well-established use within the local community, but it is important to bear in mind that this use has the potential to create noise and disturbance for adjoining residential properties. That said it is equally important to consider that there is a level of noise that can reasonably be attributed to the practical needs of the business that also has to be balanced against the needs of adjoining residential properties.
17. Policy CP19 of the Local Plan states that permission will be refused for development that causes unacceptable nuisance, but where such nuisance is controllable, appropriate planning conditions will be imposed. Policy CP21 also states that permission will not be granted for development that causes unacceptable noise, with particular attention paid to noise levels close to noise-sensitive developments; and public and private amenity space, both indoor and outdoor. It goes on to state that the Council will impose enforceable conditions to minimise any adverse impacts as a result of noise and transmission. When imposing conditions it is necessary to consider that such matters are also dealt with through other regulatory authorities such as Environmental Health and Licensing and in instances where there appears to be a cross-over between such authorities and different legislation, care needs to be taken to ensure the appropriate authority regulates the matter in question.

Kitchen Extraction

18. The existing kitchen extraction for the public house has been subject to a long standing investigation by City Environmental Health Officers. These investigations have found that the extract is currently causing a noise and odour nuisance to the upper floor bedroom window in the side gable of the adjoining

property at 71 Church Way. As a result of this investigation, Environmental Health officers have been discussing a suitably designed solution for the kitchen extraction with the applicant that will reduce the impact upon the adjoining property at 71 Church Way. The current proposal stems from these discussions.

19. The proposed extraction has been amended since it was originally submitted and now proposes to locate the vertical flue within the existing building, projecting through the rear roof slope and terminating above the existing ridge line in order to discharge odour at high level. This designed solution would represent a significant improvement on the existing situation whereby the kitchen extract currently discharges at low level through a ground floor level vent in the side gable with limited filtration and no noise attenuation.
20. City Environmental Health Officers have advised in the first instance that given the proximity and layout of both buildings it is unlikely that noise and smell disturbances from the kitchen extraction could be removed altogether. The public house has the right to operate on this site and to some extent generate noise and emissions commensurate with their use on the proviso that all reasonable action has been taken to mitigate these impacts. The submitted plans indicate that the proposed extraction flue will use a single din padded silencer, 500mm axial extractor and double din padded silencer to reduce noise impact, and a carbon filter with pre-filter to remove any cooking odours. This would introduce a level of extraction that does not currently exist on site at present. As proposed the flue will also be set within the existing building and therefore behind the gable wall which would provide a further level of insulation between the extract and the adjoining property at 71 Church Way. Similarly the use of carbon filters to remove smells and discharge at high speed and high level will ensure that smells do not linger and also represent an improvement on the existing situation. As a result Environmental Health officers have advised that on the basis of the information and revised drawings submitted for the kitchen extract they are satisfied that the scheme will properly address the noise and odour issues experienced by 71 Church Way. In order to ensure that this is properly addressed a condition should be imposed requiring the full details of the extraction flue to be approved by officers before the development commences.

Pub Garden / Alterations to building

21. The public house has a beer garden to the side and rear of the building. The proposal is seeking to extend the beer garden into the small area of space behind the proposed extension. The use of this area would not materially increase the potential for noise and disturbance beyond the existing situation when you consider the proximity of the current beer garden to the adjoining properties and that the existing premises licence restricts live and recorded music, other entertainment and dancing facilities to indoors only, and all licensable activities of the current outside areas to cease after 23.00 hours. The potential for further noise and disturbance from the use of this area would normally be controlled through the Environmental Protection Act 1990 and also the Licensing Authority. However the condition on the licence (**appendix 2**) relates to the existing external area and may not cover the new beer garden, therefore for completeness officers would recommend imposing a condition which requires the beer garden to cease

use after 23.00hours

22. The proposed extension would result in a modest increase in the size and scale of the bar / dining area for the public house and also the provision of a pair of French doors in the rear elevation. As this would increase the area of licensable activity within the public house, there would be a potential for noise to escape from this area when the windows and doors are open. The premises licence currently stipulates a set noise level (35dba) for regulated entertainment when measured 1m from any residential building, and also that all external doors (except when persons are entering and leaving the premises) and windows shall remain closed when regulated entertainment takes place. Therefore a condition should also be attached which imposes the same on this planning permission to ensure that the new extension and works are consistent with the licence.
23. Officers consider that subject to appropriate conditions the proposed works would not create any unacceptable noise and disturbance for the adjoining properties that would conflict with Policies CP19 and CP21 of the Oxford Local Plan 2001-2016, and that where any such impact has been identified this could be appropriately dealt with by way of condition.

Highway Matters

24. During the consultation process concerns have been raised that the extension to the public house will result in a significant increase in traffic and parking problems for Church Way.
25. The Public House currently has a large forecourt to the frontage which provides parking for patrons of the public house. The forecourt does not have any designated spaces marked out in this parking area although the application states that this area can accommodate 25 vehicles and that this level of parking will be maintained on site. The previous planning permission for the site (07/01709/FUL) identified the frontage as having space for 14 spaces which was to be reorganised to provide 16 spaces. On this basis the comment that 25 spaces can be provided in the forecourt may not be accurate, however, it is clear that the fact that the car park does not currently have any designated spaces may well prevent the existing car park from meeting its maximum potential.
26. The proposed extension to the public house would be modest in terms of the additional floor area created and identical to the scheme approved under reference number 11/01701/FUL. In considering this proposal, the Local Highways Authority concluded that there would be no highway implications with the proposal. Officers would suggest that there has been no material change in site circumstances since this previous decision. The roads within Iffley Village are narrow and Church Way does experience some congestion at busy periods. However, the proposal would offer a small scale extension to the existing premises which in turn would not generate significant levels of traffic. The public house is a community pub which serves the residential area of Iffley and Rose Hill along with walkers and tourists from further afield, and, as such, there would be a high proportion of customers that would visit the premises by alternative means to the car (i.e. walking and cycling). Officers would therefore maintain the

previously held view that there would be no unacceptable highway safety consequences resulting from this modest extension to the bar area that would conflict with the overall aims of Oxford Local Plan Policy CP1.

Conclusion

27. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2026 and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Andrew Murdoch

Extension: 2228

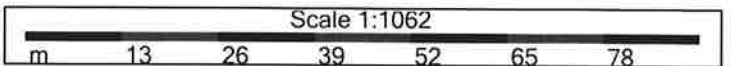
Date: 17th October 2014

Appendix 1

Prince of Wales Public House, Iffley (14/02181/FUL)



1:1062



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	24 November 2014
SLA Number	100019348



**The Licensing Act 2003
(Premises licences and club premises certificates) Regulations 2005
Regulation 33, 34 and Schedule 12
Part A**

**Premises Licence
Oxford City Council**

Premises Licence Number

13/01575/MVPREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post

Town, Post Code

Prince of Wales
73 Church Way
Iffley
Oxford
OX4 4EF

Telephone number 01865 778544

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Live music
Recorded music
Other entertainment similar to music or dance
Provision of facilities for dancing
Late night refreshment
Sale of alcohol

Times the licence authorises the carrying out of licensable activities

Live and recorded music:

Monday to Sunday: 10:00 hours to 23:00 hours
New Year's Eve: 10:00 hours to 02:00 hours on New Year's Day
Provided indoors only

Other entertainment similar to music or dance:

Monday to Sunday: 10:00 hours to 00:30 hours the following day
New Year's Eve: 10:00 hours to 02:00 hours on New Year's Day
Provided indoors only

Provision of facilities for dancing:

Monday to Sunday: 10:00 hours to 23:00 hours
New Year's Eve: 10:00 hours to 02:00 hours on New Year's Day
Provided indoors only

Late night refreshment:

Monday to Sunday: 23:00 hours to 00:30 hours the following day
New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day
Provided indoors only

Sale of alcohol:

Monday to Sunday: 10:00 hours to 00:30 hours the following day
New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day

The opening hours of the premises

Sunday to Thursday: 10:00 hours to 00:30 hours the following day
Friday to Saturday: 10:00 hours to 01:00 hours the following day
New Year's Eve: 10:00 hours to 00:30 hours on 2nd January

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and off sales

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Wadworth And Company Limited
Northgate Brewery
Devizes
SN10 1JW

Daytime Phone Number 01380 723361

Registered number of holder, for example company number, charity number (where applicable)

30177

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Stephen Gerald Bant

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: 1840/PERS/20005-434
Licensing Authority: Wychavon District Council

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the Premises Licence;
 - (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence,
 - or
 - (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

7. The responsible person shall ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.
8. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1:
- (a) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) permitted price is the price found by applying the formula: $P=D+(D \times V)$ where:
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) relevant person means, in relation to premises in respect of which there is in force a premises licence:
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) valued added tax means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (the first day) would be different from the permitted price on the next day (the second day) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

9. All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage, and shall be aware of how to seek identification from anyone who appears to be underage.
10. Noise emanating from the premises as a result of regulated entertainment shall not exceed 35dB(A) as measured 1 metre from any residential building.
11. All external doors (except when persons are entering and leaving premises) and windows at the premises shall remain closed at all times when regulated entertainment takes place.
12. The following dispersal policy shall be followed :
 - a. Prominent, clear notices will be displayed at all exits requesting that customers respect the needs of local residents and leave the premises and the area quietly.
 - b. At the end of the opening hours staff will ensure that all customers are not causing a nuisance and have moved away from the vicinity of the premises.
 - c. The volume of background music will be reduced between regulated entertainment finishing and the premises closing.
 - d. Patrons will be able to call a taxi from within the premises.
 - e. Taxi drivers will be asked to turn off their engines when waiting for passengers, and to enter the premises to collect fares and not sound their horns outside.
 - f. All staff will be informed of and trained in the dispersal policy.
13. There shall be no use of the outside areas for licensable activities after 23:00 hours. The external area shown hashed on the plan, reference 1011-193-01 and dated 06.04.05, may be used by customers after 23:00 hours for smoking only.

Annex 3 – Conditions attached after a hearing by the licensing authority

14. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

Annex 4 – Plans

Agenda Item 5

Document is restricted for reasons stated on the agenda.

This page is intentionally left blank

Document is restricted for reasons stated on the agenda.

This page is intentionally left blank

Monthly Planning Appeals Performance Update – November 2014

Contact: Head of Service City Development: Michael Crofton-Briggs

Tel 01865 252360

1. The purpose of this report is two-fold:
 - i. To provide an update on the Council's planning appeal performance; and
 - ii. To list those appeal cases that were decided and also those received during the specified month.

Best Value Performance Indicator BV204

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 21 November 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 21 November 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	23	34.8%	9	14
Dismissed	43	65.2%	9	34
Total BV204 appeals	66	100.0%	18	48

**Table A. BV204 Rolling annual performance
(1 December 2013 to 21 November 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	16	44.4%	9	7
Dismissed	20	55.6%	7	13
Total BV204 appeals	36	100.0%	16	20

**Table B. BV204: Current business plan year performance
(1 April 2014 to 21 November 2014)**

All Appeal Types

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	Appeals	Performance
Allowed	26	34.7%
Dismissed	49	65.3%
All appeals decided	75	100.0%
Withdrawn	3	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 December 2013 to 21 November 2014**

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to the committee chairs and ward councillors. If the case is significant, the case officer also subsequently circulates committee members with a commentary on the appeal decision. Table D, appended below, shows a breakdown of appeal decisions received during November 2014.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. The relevant ward members also receive a copy of this notification letter. Table E, appended below, is a breakdown of all appeals started during November 2014. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

Table D

Appeals Decided Between 24/10/14 And 21/11/14

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
14/00184/FUL	14/00030/NONDET	DEL	REF	DIS	07/11/2014	COWLYM	St Dominic Hall Hollow Way Oxford Oxfordshire	Temporary change of use for two years of existing car parking area to car washing facility, erection of means of enclosure to car wash bays, machinery housing, office and waiting room building.

Total Decided: 1

Enforcement Appeals Decided Between 24/10/2014 And 21/11/2014

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
----------------	--------------------	----------------	----------------	----------------	--------------	--------------------

Total Decided: 0

Table E

Appeals Received Between 24/10/14 And 21/11/14

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
14/00942/FUL	14/00055/REFUSE	DEL	REF	H	64 Kelburne Road Oxford OX4 3SH	LITTM	Change of roof from hipped to gable end and formation of 1no dormer to rear roofslope
14/01578/FUL	14/00063/REFUSE	DEL	REF	H	12 Middle Way Oxford OX2 7LH	SUMMT	Erection of a two storey side and rear extension and formation of vehicular access and parking.
14/01802/FUL	14/00064/REFUSE	DEL	REF	W	6 And 8 Mortimer Road Oxford OX4 4UQ	RHIFB	Erection of two storey side extension to form 1x1-bed dwelling. Provision of car parking and bin and cycle stores.
14/02287/H42	14/00062/PRIOR	DEL	7PA	H	30 Regent Street Oxford Oxfordshire OX4 1QX	STMARY	Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3.565m, and for which the height of the eaves would be 2.81m.

Total Received: 4

This page is intentionally left blank

EAST AREA PLANNING COMMITTEE

Wednesday 5 November 2014

COUNCILLORS PRESENT: Councillors Darke (Chair), Coulter (Vice-Chair), Altaf-Khan, Brandt, Clack, Henwood, Paule and Wilkinson.

OFFICERS PRESENT: Martin Armstrong (City Development), Michael Morgan (Law and Governance) and Jennifer J Thompson

53. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Lloyd-Shogbeson (substitute Councillor Clack), Councillor Anwar (substitute Councillor Henwood), and Councillor Clarkson.

54. DECLARATIONS OF INTEREST

There were no declarations of interest made.

55. TOWER BLOCKS (FIVE SITES): 14/02640/CT3, 14/02641/CT3, 14/02642/CT3, 14/02643/CT3, 14/02644/CT3

The Head of City Development submitted a report which detailed five separate planning applications for the refurbishment of each of the five residential tower blocks in locations across the east of the city at Evenlode, Foresters, Hockmore, Plowman and Windrush Towers.

The Committee noted that no further representations had been received between publication of the agenda and the meeting.

Martin Armstrong, development control team leader, recommended an additional condition to require mitigation of contamination for four applications (excluding Hockmore) and an additional condition for all applications to require appropriate boundary treatments. The Committee agreed to include these.

David Tatman, the project manager, and Mary Gaskell, the architect, spoke in support of the applications and answered questions from the Committee.

The Committee considered the general and specific issues for these applications including the impact of the loss of garages and increased parking at Plowman Tower, and voted on each application separately.

Decisions

The Committee resolved to grant planning permission for application 14/02640/CT3, Evenlode Tower, Blackbird Leys, Oxford OX4 6JA, subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Bat and bird boxes integrated into build.
4. Landscape plan required.

5. Landscape carry out after completion.
6. Landscape hard surface design - tree roots.
7. Materials as specified.
8. Car parking management plan.
9. Landscape underground services - tree roots.
10. Tree protection plan (TPP) 1.
11. Arboricultural method statement (AMS) 1.
12. Contamination remediation.
13. Boundary treatment required.

The Committee resolved to grant planning permission for application 14/02641/CT3, Windrush Tower, Knights Road, Oxford OX4 6HX subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Bat and bird boxes integrated into build.
4. Landscape plan required.
5. Landscape carry out after completion.
6. Landscape hard surface design - tree roots.
7. Materials as specified.
8. Car parking management plan.
9. Landscape underground services - tree roots.
10. Tree protection plan (TPP) 1.
11. Arboricultural method statement (AMS) 1.
12. Contamination remediation.
13. Boundary treatment required.

The Committee resolved to grant planning permission for application 14/02642/CT3, Plowman Tower, Westlands Drive, Oxford OX3 9RB subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Bat and bird boxes integrated into build.
4. Landscape plan required.
5. Landscape carry out after completion.
6. Landscape hard surface design - tree roots.
7. Materials as specified.
8. Car parking management plan.
9. Landscape underground services - tree roots.
10. Tree protection plan (TPP) 1.
11. Arboricultural method statement (AMS) 1.
12. Contamination remediation.
13. Boundary treatment required.

The Committee resolved to grant planning permission for application 14/02643/CT3, Foresters Tower, Wood Farm Road, Oxford OX3 8PJ subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Bat and bird boxes integrated into build.
4. Landscape plan required.

5. Landscape carry out after completion.
6. Landscape hard surface design - tree roots.
7. Materials as specified.
8. Car parking management plan.
9. Landscape underground services - tree roots.
10. Tree protection plan (TPP) 1.
11. Arboricultural method statement (AMS) 1.
12. Contamination remediation.
13. Boundary treatment required.

The Committee resolved to grant planning permission for application 14/02644/CT3, at Hockmore Tower, Pound Way, Oxford OX4 3YG subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Bat and bird boxes integrated into build.
4. Materials as specified.
5. Boundary treatment required.

56. 108-160 PEGASUS ROAD - VERGES: 14/02816/CT3, 14/02817/CT3, 14/02818/CT3

The Head of City Development submitted a report which detailed three separate planning applications for the provision of residents' parking spaces on existing grass verges on sites in Pegasus Road, Blackbird Leys.

The Committee voted on each application separately.

Decisions

The Committee resolved to grant planning permission for application 14/02816/CT3, 108-124 Pegasus Road subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Ground resurfacing to be SUDS compliant.
4. Development to be carried out in accordance with the submitted Tree Protection Plan.
5. The development to be carried out in accordance with the construction measures set out in the submitted Arboricultural Method Statement.
6. Prior to the car parking areas being brought into use, a landscaping scheme is required to be submitted to and approved in writing by the local planning authority.
7. Management plan required to restrict parking to local residents only.

The Committee resolved to grant planning permission for application 14/02817/CT3, 142-160 Pegasus Road OX4 6JQ subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Ground resurfacing to be SUDS compliant.
4. Development to be carried out in accordance with the submitted Tree Protection Plan.

5. The development to be carried out in accordance with the construction measures set out in the submitted Arboricultural Method Statement.
6. Prior to the car parking areas being brought into use, a landscaping scheme is required to be submitted to and approved in writing by the local planning authority.
7. Management plan required to restrict parking to local residents only.

The Committee resolved to grant planning permission for application 14/02818/CT3, 126-140 Pegasus Road subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Ground resurfacing to be SUDS compliant.
4. Development to be carried out in accordance with the submitted Tree Protection Plan.
5. The development to be carried out in accordance with the construction measures set out in the submitted Arboricultural Method Statement.
6. Prior to the car parking areas being brought into use, a landscaping scheme is required to be submitted to and approved in writing by the local planning authority.
7. Management plan required to restrict parking to local residents only.

57. 105 OLD ROAD:14/02025/FUL

The Head of City Development submitted a report detailing a planning application for the erection of a two storey side extension at 105 Old Road.

The Committee resolved to grant planning permission for application 14/02025/FUL, 105 Old Road, Oxford subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials – matching.
4. SUDs Drainage.

58. LAND FORMING SITE ADJACENT TO THE PRIORY, GRENOBLE ROAD: 14/02243/VAR

The Head of City Development submitted a report detailing a planning application for the removal of condition 4 of planning permission 05/00287/FUL (erection of hotel) that required a scheme for the layout and construction of a footpath and cycle route linking Minchery Farm Track and Grenoble Road roundabout.

The Committee resolved to grant planning permission for application 14/02243/VAR on land adjacent to the Priory, Grenoble Road South subject to conditions:

1. Built in accordance with approved plans.
2. Detailed design drawings.
3. Repair works to Priory Public House.
4. (i) Implement recommendations of Flood Risk Assessment.
(ii) Details to reduce crime and disorder.
(iii) Emergency vehicle access.

- (iv) NRA.
5. Archaeological scheme of investigation.
 6. External materials.
 7. Scheme for treatment of cooking fumes.
 8. Details of extraction plant and machinery.
 9. Refuse storage.
 10. Green travel plan.
 11. Access road details and other related items (surface water drainage, street lighting).
 12. Parking areas constructed in accordance with approved details.
 13. Vision splays.
 14. Cycle parking.
 15. Lighting Scheme.
 16. No vehicular access onto Minchery Farm Track.
 17. Construction vehicle routeing.
 18. Construction vehicle wheel cleaning.
 19. No tree felling, topping or lopping.
 20. Tree protection.
 21. Landscape plan.
 22. Landscaping completion.
 23. Means of enclosure.
 24. Details for accessibility.
 25. No raising of ground levels.
 26. No spoil deposited on land liable to flood.
 27. Permeable walls and fencing.
 28. Land contamination.

59. 19 MORTIMER DRIVE: 14/02561/CPU

The Head of City Development submitted a report (previously circulated, now appended) which details an application for a certificate of lawful development for a proposed single storey rear extension at 19 Mortimer Drive, Oxford.

The Committee resolved to grant a certificate of lawful development for the development detailed in application 14/02561/CPU at 19 Mortimer Drive, Oxford, OX3 0RU.

60. PLANNING APPEALS

The Committee noted the report on planning appeals received and determined during October 2014 and noted the difference in appeal dismissal rates between applications considered by the two area planning committees.

61. MINUTES

The Committee resolved to approve the minutes of the meeting held on 1 October 2014, with a correction to Minute 43 (Apologies) to include Councillor Altaf-Khan, as a true and accurate record.

62. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

63. DATES OF FUTURE MEETINGS

The Committee noted that the next meeting would be held on Wednesday 3rd December.

The meeting started at 6.00 pm and ended at 7.10 pm