

Agenda

www.oxford.gov.uk



West Area Planning Committee

Date: **Tuesday 22 July 2014**

Time: **6.30 pm**

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

For any further information please contact:

Mathew Metcalfe, Committee and Members Services Officer

Telephone: 01865 252214

Email: mmetcalfe@oxford.gov.uk

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor Michael Gotch	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Anne-Marie Canning	Carfax;
	Councillor Bev Clack	St. Clement's;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Andrew Gant	Summertown;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;

The quorum for this Committee is 5 members. Substitutes are permitted.

HOW TO OBTAIN 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 16 CRICK ROAD, OXFORD - 14/00962/FUL	11 - 20
<p>The Head of City Development has submitted a report which details a planning application for the erection of two storey extension to rear and side elevations. Erection of double garage. Roof alterations, insertion of 1 no dormer window and 2 no velux windows to rear roof slope and rear gable projection. Re-arranged parking. New gate and railings to street frontage.</p> <p><u>Officer recommendation:</u> Approve subject to the following conditions:</p> <ul style="list-style-type: none">(1) Development begun within time limit(2) Develop in accordance with approved plans(3) Brick samples(4) Further details of railings(5) Arch – Implementation of programme(6) Landscape plan required(7) Tree Protection Plan (TPP) 1(8) Tree protection measures(9) SUDs(10) Biodiversity(11) Obscure glass	
4 125 HAREFIELDS - 14/01255/CEU	21 - 26
<p>The Head of City Development has submitted a report which details a planning application to certify that the existing subdivision of dwelling into 1x1 bed flat and 1x2 bed maisonette is lawful development.</p> <p><u>Officer recommendation:</u> Approve.</p>	
5 LAND OFF OSNEY LANE, OXFORD - 14/01160/FUL	27 - 34
<p>The Head of City Development has submitted a report which details a planning application for a temporary change of use from land to public car park for a period of 2 years (amended description)</p> <p><u>Officer recommendation:</u> Approve subject to the following conditions:</p> <ul style="list-style-type: none">(1) Development begun within time limit(2) Develop in accordance with approved plans(3) Car park only to operate while Westgate is closed(4) Drainage layout	

- (5) Construction management plan
- (6) Car park management plan
- (7) Design and operation of the access junction

6 162 COWLEY ROAD, OXFORD - BULLINGDON ARMS - 14/01296/FUL

35 - 42

The Head of City Development has submitted a report which details a planning application for conversion of existing first floor flat into bar area including roof terrace. Alterations to existing shopfront

Officer recommendation: Approve subject to the following conditions:

- (1) Development begun within time limit
- (2) Develop in accordance with approved plans
- (3) Materials as specified
- (4) Acoustic fence/barrier
- (5) Hours of use
- (6) Additional door top of stairs

7 TRAVIS PERKINS, CHAPEL STREET, OXFORD - 14/00992/FUL

43 - 50

The Head of City Development has submitted a report which details a planning application for a change of use of part of site to carwash (Sui Generis)

Officer recommendation: Approve subject to the following conditions:

- (1) Temporary use
- (2) Hours of operation
- (3) Drainage

8 ELSFIELD HALL, 15-17 ELSFIELD WAY, OXFORD - 13/03454/CT3

51 - 72

The Head of City Development has submitted a report which details a planning application for the demolition of existing Cadets building. Erection of 17 residential units (6 x 3-bed houses, 1 x-3 bed flat, 10 x 2-bed flats), together with revised access, 35 car parking spaces, cycle parking, bin stores, community garden/play area and landscaping. Change of use of existing office building to Cadets use. (Additional information) (Amended Description)

Officer recommendation: Approve subject to the following conditions:

- (1) Development begun within time limit
- (2) Develop in accordance with approved plans
- (3) Samples
- (4) Biodiversity enhancement
- (5) Tree protection plan
- (6) Arboricultural method statement
- (7) No felling, lopping, cutting
- (8) Service Plan

- (9) Site arrangements
- (10) Exclude from CPZ
- (11) Landscape carry out after completion
- (12) SUDS/Surface water drainage
- (13) Contaminated land
- (14) Secure by design
- (15) Road Safety Audits
- (16) Landscape Plan required
- (17) Sustainability measures to meet 20%
- (18) Noise reduction measures carried out in accordance with submitted details
- (19) Air quality measures

9 PLANNING SERVICES IMPROVEMENT ACTION PLAN

73 - 92

The Head of City Development has submitted a report which updates the Committee on the progress of the Planning Services Improvement Action Plan.

The Committee is asked to note the Action Plan.

10 PLANNING APPEALS

93 - 98

To receive information on planning appeals received and determined during June 2014.

The Committee is asked to note this information.

11 MINUTES

99 - 108

Minutes of the meeting held on 24th June 2014.

12 FORTHCOMING APPLICATIONS

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

- Former Builders Yard, Collins Street, Oxford – 14/01273/OUT – Employment and residential
- Former Filling Station, Abingdon Road, Oxford – 13/02638/FUL – Residential
- Former Paper Mill, Mill Street, Wolvercote, Oxford – 13/01861/OUT – Residential
- 12-15 Bath Street – 14/01272/FUL – Extensions
- 67 Walton Street – 14/01642/FUL – Extension to restaurant
- 117 Fairacres Road – 14/01012/FUL

13 DATE OF NEXT MEETING

The Committee will meet on the following dates:

2014

Tuesday 22nd July (Wednesday 23rd July if necessary)
Tuesday 12th August (Thursday 14th August if necessary)
Tuesday 9th September (Thursday 11th September if necessary)
Wednesday 8th October (Thursday 9th October if necessary)
Wednesday 12th November (Thursday 13th November if necessary)
Wednesday 10th December (Thursday 11th December if necessary)

2015

Tuesday 13th January (Thursday 15th January if necessary)
Tuesday 10th February (Thursday 12th February if necessary)
Tuesday 10th March (Thursday 19th March if necessary)
Tuesday 14th April (Thursday 16th April if necessary)
Tuesday 12th 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.

4. Preparation of Planning Policy documents – Public Meetings

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.

5. 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.

6. 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.

7. 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.

8. Recording meetings

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.

9. 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.

10. 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.

This page is intentionally left blank

West Area Planning Committee

22nd July 2014

Application Number: 14/00962/FUL

Decision Due by: 3rd June 2014

Proposal: Erection of two storey extension to rear and side elevations. Erection of double garage. Roof alterations, insertion of 1 no dormer window and 2 no velux windows to rear roof slope and rear gable projection. Re-arranged parking. New gate and railings to street frontage.

Site Address: 16 Crick Road (Appendix 1)

Ward: North Ward

Agent: Mr Henry Venners

Applicant: Mr & Mrs Patrick Moisy

Application Called in – by Councillors – Upton, Fry, Pressel and Curran for the following reasons – Overdevelopment and scale of the extensions being sought in the area.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extensions are considered to be of a form, scale and appearance that preserve the special character and appearance of the North Oxford Victorian Suburb Conservation Area without causing significant harm to the amenity enjoyed by occupiers of neighbouring properties. Consequently, the proposals accord with policies CP1, CP8, CP9, CP10, HE7 and HS19 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9 and HP14 of the Sites and Housing Plan Submission document.
- 2 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 Brick Samples
- 4 Further details of railings
- 5 Arch - Implementation of programme
- 6 Landscape plan required
- 7 Tree Protection Plan (TPP) 1
- 8 tree protection measures
- 9 SUDs
- 10 Biodiversity
- 11 Obscure glass

Main Planning Policies:

Oxford Local Plan 2001-2016:

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- HE7 - Conservation Areas

Core Strategy:

- CS18 - Urban design, town character, historic environment
- CS11 - Flooding
- NE16 - Protected Trees

Sites and Housing Plan:

- HP9 - Design, Character and Context
- HP14 - Privacy and Daylight
- MP1 - Model Policy

Other Material Considerations:

- National Planning Policy Framework
- Application is within the North Oxford Victorian Suburb Conservation Area.

Relevant Site History:

None.

Public consultation

Statutory Consultees:

None.

Third Party Comments Received:

Oxford Architectural and Historic Society Victorian Group, Oxford Preservation Trust, 15 Crick Road, Linton Road Residents Association, and Norham Road Residents Associations, the following comments are summarised below: -

- Overbearing and excessively large size of the proposed kitchen and side elevation plans which will impinge on privacy and impact on our outlook;
- Out of character with the original layout of the area's Victorian gardens and with the unique rural and architectural beauty specific to Norham Manor.
- The extension to the side of the house is too large.
- This application also needs to reconsider the design of the railings that are proposed for the front boundary. The design and access statement discusses the OPT and Oxford City Council Project to reinstate the North Oxford Railings, however the choice of railings design needs to better follow the guidance given.
- The proposed extensions add 44% to the existing house. The change from a simple single-storey garage to a 3-storey block presents a threatening aspect to no. 15. The gap between the garage and the wall of no.15 is already small and will be decreased.
- This is another example of purchasers buying a substantial house in a conservation area and then squeezing as much additional accommodation into the plot as possible.
- It is most regrettable that there has been a series of applications for extensions in recent years, almost all of which have been approved. This is changing the appearance of North Oxford irremediably. We should like to draw attention to the garage on the west side of the house. It is exceedingly rare for a garage in North Oxford to be an enhancement of the house, but this one is. The brickwork not only matches that of the house, but is carefully coursed in with it, and the bargeboards are attractive. This garage should certainly not be destroyed.
- It is again remarkable that the rear elevation has been more or less unaltered since the house was built. We deplore the proposal to mutilate it in such an inappropriate manner.
- The railings proposed to go along the street are of unsuitable design and should not be permitted.
- This specific application should be refused on the grounds that it does not preserve a sufficient gap between the house and the edge of the property. As an alternative, a lower extension on the same footprint might be acceptable - i.e. only allowing extension of the ground floor.
- There should not be brick piers on either side of the gateway. Generally speaking, brick gateway piers are only found on some of the larger houses in the conservation area, notably in Banbury and Woodstock Roads.

Determining Issues:

- Impact on the conservation area
- Impact on neighbouring amenity
- Archaeology
- Biodiversity
- Trees

Officers' Assessment:

Site Description

1. The application site relates to a detached Victorian three storey house set within the North Oxford Victorian Suburb Conservation Area. It was built in 1873 by Galpin and Shirley along with No.17 next door. The two houses were designed to mirror each other and placed close to each other, but with wider gaps on the further sides. The symmetry of the pair of houses has been lost by the unattractive flat roof two-storey side extension of no. 17. The property is constructed of yellow Oxford stock brick under a slate roof and lies on the southern side of Crick Road. Crick Road is accessed off the Banbury Road to the north of University Parks. The area is predominantly residential.

The Proposal

2. The application seeks consent for the erection of a two-storey side and rear extension with a basement extension. Also proposed is the formation of a double garage and alterations to the roof comprising the insertion of 1 no dormer window and 2 no Velux windows to rear roof slope and rear gable projection, 1 conservation roof light to the side roof elevation. A new gate and railings to the street frontage are also proposed.

Impact on the Conservation Area

3. The Conservation Area and immediate surroundings are characterised by large Victorian houses in a suburban setting with relatively generous gaps between buildings allowing views through to rear gardens as well as green, tree-lined streets. No's 16 & 17 although detached, are the only two houses in the street that are of the same architectural style. The existing house at no.17 has been altered with a two-storey side extension. Both houses still read as an architectural pair though their symmetry has been somewhat diminished by the extension to no.17.
4. Gaps between buildings are an important contributing feature towards the special character and appearance of the Conservation Area. The current proposal would infill some of the existing gap on the east side between the application property and no.15 Crick Road. However, views through to the green rear gardens and their associated trees would still be present by a retained 5.7m wide gap from the eaves of no.15 and the ridge of the side extension of the application site, thus preserving the green suburban character of the area. On balance therefore, and given that there would still be a 6.0m gap between the roofs of no.15 and the no.16, the proposal is not considered to cause an unacceptable degree of harm to the character and appearance of the Conservation Area to justify its refusal. Rather, whilst there is some closure of the existing gap, the extension would form an appropriate visual relationship with the existing building within the street whilst preserving views between buildings.
5. At the rear, the part single and part two-storey extension would be 6.5m in

length along the west elevation with a stepped back section of 600m so that along the east elevation it would be 5.8m in length on the ground floor level. The first floor level would not come out as far and it would be only 1.8m in length along the western elevation and then stepped back so that it is 1.2m in length from the eastern elevation. Whilst the ground floor proposes a large flat roof, it has been modified since originally submitted by a small step back of 600m to break up the width and appearance of the extension. In relation to other rear extensions in this part of North Oxford it is of a similar size, scale and form and would not be visible from the public realm of the Conservation Area. Painted timber windows and doors are proposed throughout.

6. The rear dormer window is of a scale and size that is considered appropriate, the proposed roof lights are conservation style roofs and therefore would not harm the character and appearance of the conservation area.
7. Revised plans were submitted showing the cast iron railing 'trellis' pattern to be erected above a replacement low brick wall which is appropriate to the Conservation Area and consistent with the historic precedents of the area. However, the railing shown on drawing no. PA03 rev. A are not shown correctly and therefore a condition shall be imposed requesting revised drawings and additional details of the gate opening mechanism and proposed boundary treatment prior to its construction in order that the fixings and gate openings are appropriate for the conservation area.
8. The drawings show two brick piers either side of the gate along with gate posts. There is no need for brick piers to be present because gate posts are enough to support the gate and railings. A condition shall be imposed requesting that a revised drawing is submitted showing the removal of the brick piers and the correct gate posts prior to commencement of the development.

Impact on Neighbouring Amenity

9. Development proposals are required to adequately safeguard the amenity of neighbouring occupiers to accord with policies CP1, CP10 of the Oxford Local Plan and policy HP14 of the Sites and Housing Plan.
10. The two main properties that could be affected by the proposed extensions would be No.15 and No.17 Crick Road.
11. In terms of the impact of the proposal affecting the light to the neighbouring properties, the side extension would be erected 900m from the side elevation of no.15's garage. The side extension would not cause any loss to light to the garage or the second floor windows in the side elevation of no.15. The proposed side facing window would face the blank side wall of no.15's garage and therefore there would be no loss of privacy.

12. The proposed two-storey rear extension does not breach the 45 degree lines taken from no.15 and no.17's nearest habitable ground floor and first floor windows. This would comply with policy HP14 and would not cause any loss of light to these properties.
13. The rear extension would create some additional overlooking into the private rear garden of no.15 Crick Road from the first floor windows. However, the level of overlooking is considered not to be above the mutual overlooking that already exists in built up suburban areas.
14. It is considered that the proposal would not adversely affect the outlook from either no.15 or no.17 Crick Road due to the distance between the extension and the neighbouring habitable windows.

Archaeology

15. The National Planning Policy Framework states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
16. Archaeological findings in Crick Road show that the site is located on a well-settled part of the Oxford gravel terrace, close to evidence for Bronze Age, Iron Age and Saxon activity. In the 19th century, a number of finds were made in Park Town Crescent including a possible Bronze Age food vessel with associated human remains and Roman inhumation burials and pottery. Furthermore, an Iron Age pit and possible Saxon inhumation have been recorded in Crick Road.
17. In this case, bearing in mind the site constraints and the scale of the proposed works, officers consider that, in line with the advice in the National Planning Policy Framework, the application should be subject to a condition requesting an archaeological investigation to be undertaken by a professionally qualified archaeologist.

Biodiversity

18. In line with recognised good practice and governmental policy on biodiversity and sustainability (National Planning Policy Framework 2012 & NERC 2006), all practical opportunities should be taken to harmonise the built development with the needs of wildlife. The NPPF seeks to provide a net enhancement to biodiversity through sustainable development and policy CS12 of the Oxford Core Strategy 2026 states: Opportunities will be taken (including through planning conditions or obligations to): ensure the inclusion of features beneficial to biodiversity within new developments throughout Oxford.
19. In this instance, it is appropriate for provisions for wildlife to be built into

the development. The height and proximity of the development to productive habitat makes it ideally suitable for enhancements. Certain bat and bird species are urban biodiversity priority species almost entirely dependent on exploiting human habitation for roosting. An appropriate provision for this development would be 1 integrated bat roosting tube on the southern aspect of the new extension. Integrated boxes can be matched with the brickwork of the extension rendering them virtually invisible. The box should be as high as possible in the brickwork, under the eaves, but not above the new window. A condition requesting the location and model of the tube is required prior to commencement.

Trees

20. The garden boundary wall is likely to have shallow footings and it is possible that roots growing from trees in the neighbouring garden will be growing into the application site and these may be disturbed during works required to excavate steps to the new basement etc. An Arboricultural Report was submitted stating that no trees were to be removed.
21. Although it would appear to be necessary to prune or remove existing trees and other vegetation along the front boundary to allow the proposed new wall and railing to be erected. Therefore a condition shall be required with further details of how the construction works will be undertaken to minimise damage to the trees, in order for the Local Authority to ensure that there is no damage to existing tree roots.

Conclusion:

The extensions have been carefully designed and in officers' view would not lead to any unreasonable impacts on the adjacent properties or on the character and appearance of the Conservation Area. The proposal conforms to the Council's standards and the presumption should be in favour of the grant of permission. Whilst the comments from neighbours have been carefully considered, they do not raise issues which would justify the application being refused planning permission.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

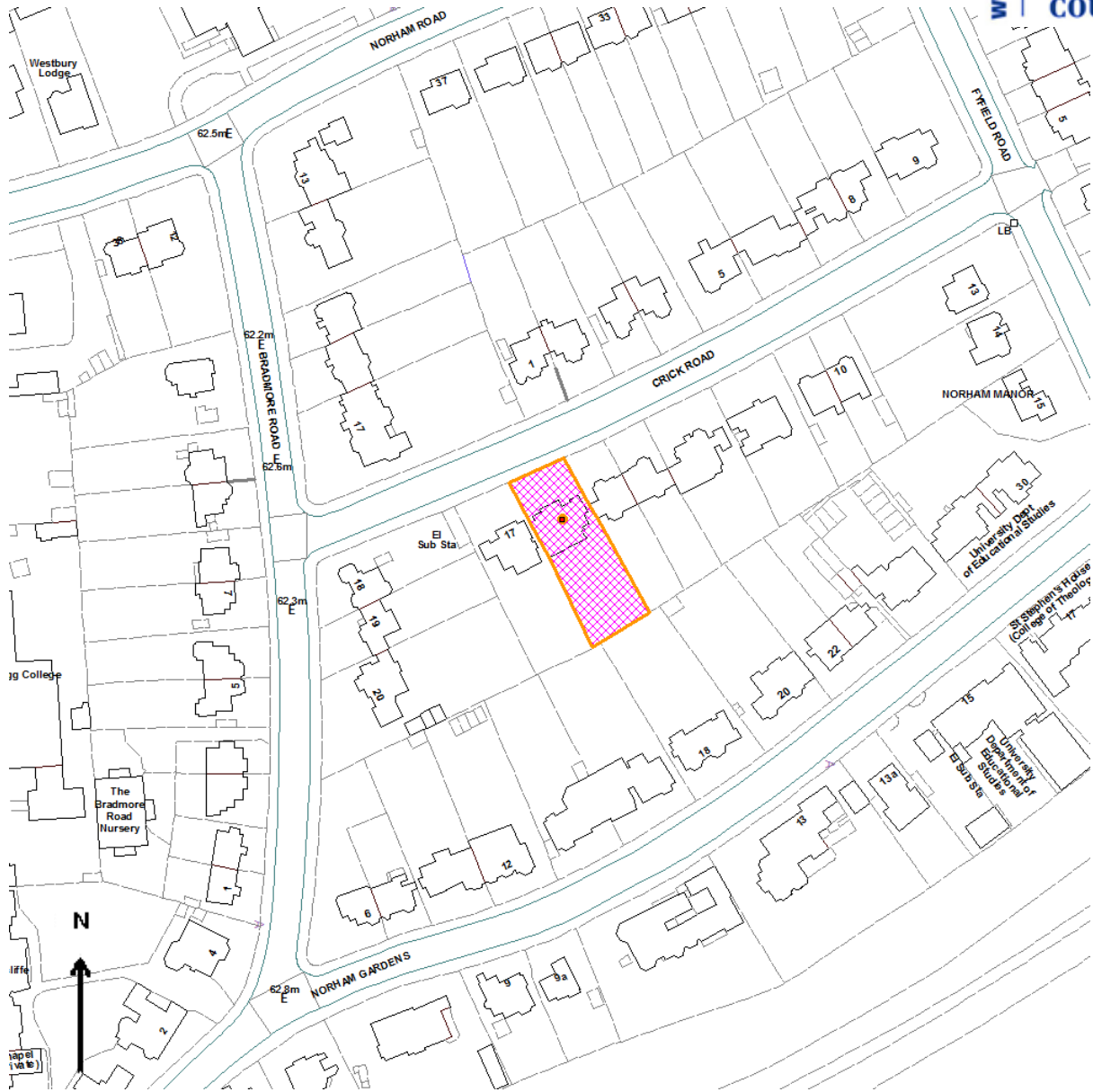
Background Papers: 14/00962/FUL

Contact Officer: Davina Sarac

Date: 9th July 2014

Appendix 1

14/00962/FUL - 16 Crick Road



© Crown Copyright and database right 2011.
Ordnance Survey 100019348

This page is intentionally left blank

West Area Planning Committee

22nd July 2014

Application Number: 14/01255/CEU

Decision Due by: 10th July 2014

Proposal: Application to certify that the existing subdivision of dwelling into 1 x 1-bed flat and 1 x 2-bed maisonette is lawful development

Site Address: 125 Harefields , **Appendix 1.**

Ward: Wolvercote Ward

Agent: N/A

Applicant: Mr Michael Gotch

This application is presented to the West Area Planning Committee as the applicant is an elected member of the Council.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 That, on the balance of probabilities, the evidence submitted by the applicant and that available to the Council from its own records, it indicates that the use has been continuous for at least a period of four years prior to the date upon which the application was registered.
- 2 The use does not constitute a contravention of any of the requirements of any enforcement notice in force at the date of the application.
- 3 No enforcement action may be taken in respect of the use because the time for enforcement action has expired.

Relevant Site History:

- 69/21759/A_H - Erection of 6 no maisonettes and 92 no. town houses (1-159 (odd) and 4-38 (even) Harefields).. PER 22nd July 1967.
- 13/00219/INV-Enforcement Enquiry; Alleged sub division of property into two flats- Closed as immune to due passage of time 30.9.13 suggested an application for Certificate of Lawful Use be applied for.

- 14/00594/DALBN- Alterations to improve the existing means of escape to two unauthorised flats (this application does not constitute the legalization of this unauthorised conversion or demonstrate that they meet Building Regulations). Closed 6.5.14
- Records of service requests from other council departments dated back to 2012.

Officers Assessment:

Site:

1. The application site is a three storey terraced town house situated in a cul de sac off of Harefields, in north Oxford. The property was originally a three/four bedroomed property split over three floors, but has been split into two separate dwellings now known as 125a Harefields and 125b Harefields. See site plan attached at **Appendix 1**.

Consideration:

2. This application is submitted to ascertain whether the use of the property known as 125 Harefields as 1 x 1-bed flat and 1 x 2-bed maisonette is lawful. The property has been subdivided some years ago, without planning permission and this application is to ascertain whether it has been used in that same way for 4 continuous years prior to the application date, which would, due to the passage of time now deem it 'lawful development'.
3. The application is premised on the basis that the use applied for, in this case the use of the property as two separate dwellings, has been consistent and in an un- interrupted use for a period of at least four years prior to the application date.
4. Applications of this type for a Certificate of Lawfulness for an Existing Use have to be determined on the basis of fact and are not tested against planning policies or any planning 'merits' of the case. With regard to section 191 of the Town & Country Planning Act 1990 (as amended), a use of land will be lawful when:
 - no enforcement action may then be taken (because there has been no development or development didn't require permission or because the time for taking enforcement action has expired or for any other reason)
 - it doesn't constitute contravention of the requirements of any enforcement action.
5. As indicated above, the planning merits are not relevant or applicable in this case and therefore the planning policies against which a planning application would normally be assessed are not set out in this report.

Information/evidence provided with the application

6. The evidence supplied by the applicant comes in the form of copies of floor plans indicating the layout of the two flats, a signed statement from a previous tenant and a copy of a dated Council Tax bill for the period March 2007-January 2008. The Council also have records of the planning history for the site and Council officer's own observations.
7. Officers have inspected the premises in question and noted that whilst there is only one door to the property at ground floor at the front of the property, there is a doorbell for the maisonette '125a Harefields' and two electricity meters outside the property. Building Control officers also have visited the premises and noted the separation of the ground floor flat from the maisonette above.
8. The Council's records of planning history for the site show that there has not been any intervening applications or uses between the granting of the permission for the Harefields development in 1967 and the current application date. There are records of specific service requests from the tenant/s in 2012 indicating the property was in use as specified in this application, at this time.
9. The floor plans show that the ground floor flat has a living/dining room, kitchen, shower room and bedroom with the mainsonette flat above having a kitchen and dining living room on the middle floor of the property with two bedrooms and a bathroom on the top (second) floor.
10. The application is supported by a signed statement from a previous tenant who states they moved in to the property in June 1994, a period well in excess of the four years required for the purposes of this application to demonstrate the use as two separate flats.
11. The applicant has also provided a copy of a council tax bill dated March 2007 for the property named 125B Harefields, with the landlord named as the applicant. This indicates that the property has been subdivided in this way since 2007, again in excess of the four year period from the date of the application.
12. No public comments have been received either in support of, or to refute the applicants claims and evidence provided in this application.

Conclusion

13. It is considered that the onus of proof has been discharged and based on the evidence submitted with, and evidence gained in support of the application it does suggest that the property known as 125 Harefields has been subdivided to create 1x1 bed flat and 1x2 bed maisonette for a period in excess of 4 years prior to the application date.
14. On the balance of probabilities therefore it does appear that 125 Harefields has been subdivided into two flats for a period of four years prior to the

application date, with no differing use in the intervening period. The use does not contravene any requirements of any valid enforcement notice and the time for which the local authority could take enforcement action has now expired.

15. Having regard to the requirements of section 191 of the Town & Country Planning Act 1990 (as amended), officers consider the application for the certificate of lawful use; to certify that the existing subdivision of dwelling into 1x1 bed flat and 1x2 bed maisonette is lawful development should be approved.

Background Papers: 14/01255/CEU.

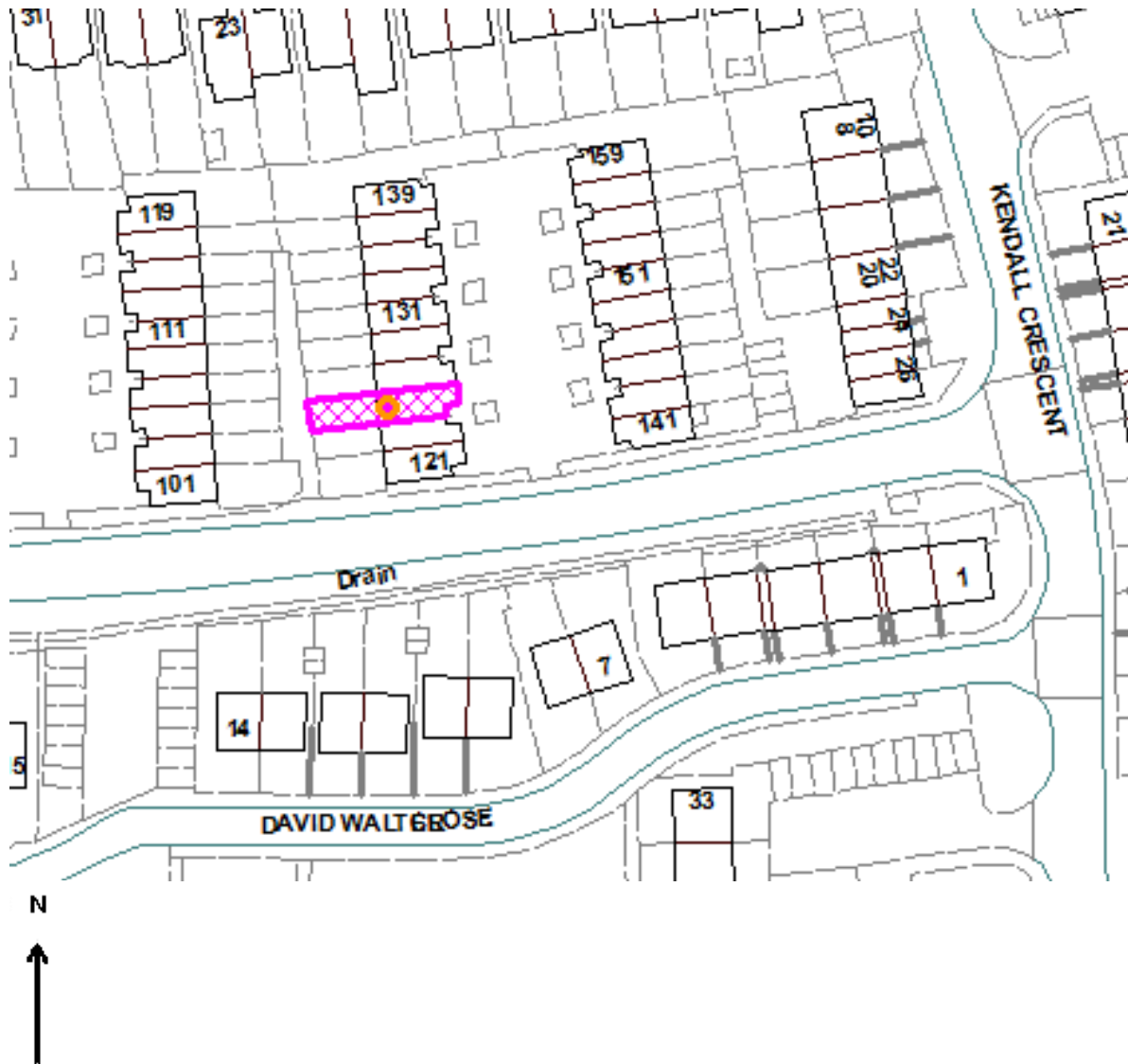
Contact Officer: Hannah Wiseman

Extension: 2241

Date: 4th July 2014

Appendix 1

14/01255/CEU - 125 Harefields



© Crown Copyright and database right 2011.
Ordnance Survey 100019348

This page is intentionally left blank

West Area Planning Committee

22nd July 2014

Application Number: 14/01160/FUL

Decision Due by: 3rd July 2014

Proposal: Temporary change of use from land to public car park for a period of 2 years (amended description)

Site Address: Land Off Osney Lane (site plan at **Appendix 1**)

Ward: Carfax Ward

Agent: Mr Eric Telford

Applicant: Mr Frank Banner

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Car park only to operate while Westgate is closed
- 4 Drainage layout
- 5 Construction management plan
- 6 Car park management plan

7 Design and operation of the access junct

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP10 - Siting Development to Meet Functional Needs

CP25 - Temporary Buildings

TR11 - City Centre Car Parking

Core Strategy

CS5_ - West End

CS13_ - Supporting access to new development

CS14_ - Supporting city-wide movement

West End Area Action Plan

Barton AAP – Submission Document

Sites and Housing Plan

Other Material Considerations:

National Planning Policy Framework

Oxpens Oxford West End Master Plan Supplementary Planning Document Nov 2013

West End Area Action Plan 2007 - 2016

Relevant Site History:

86/00620/NF - Erection of permanent warehouse building approximately 73.24 sq m plus temporary office building of approximately 44.59 sq m. Erection of bunkers and receptacles in connection with coal stacking ground. ALW 15th September 1986.

99/01525/NF - Land at Osney Lane - Change of use to contractors site for temporary period of 18 months, including installation of portacabin & storage. PER 8th December 1999.

01/00807/DF - Change of use to contractors site for temporary period of 12 months while improvements to Cornmarket Street. RNCPER 28th June 2001.

02/00908/CC3 - Renewal of temporary planning permission for continued use of site for contractors yard for 12 months. ROCPER 16th July 2002.

03/00720/CC3 - Renewal of temporary planning permission number 02/00908/CC3 for continued use of site for contractors yard for 12 months. RNCPER 30th May 2003.

84/00590/NF - Change of use from British Rail Operational Land to Coal Yard and erection of two buildings for warehouse/storage and office use in connection with coal stacking yard. REF 12th October 1984.

Related Planning Applications:

13/02557/OUT - Demolition of southern part of Westgate Centre, 1-14 Abbey Place and multi-storey car park, retention of library, refurbishment of remainder of the existing Westgate Centre and construction of a retail-led mixed use development together providing A1 (retail), A2 (finance and professional services) and/or A3 (restaurants and cafes) and/or A4 (public house, etc.) and/or A5 (hot food takeaways) uses, C3 (residential) use and D2 (amenity and leisure) uses, public toilets, associated car and cycle parking, shopmobility facility, servicing and access arrangements together with alterations to the public highway (Amended plans and further information). PDE .

13/02558/FUL - Demolition of existing buildings, reconfiguration and expansion of existing car/coach park to provide additional surface level car parking, and construction of a single deck car park, new temporary buildings to accommodate replacement public toilets, office and workshop associated with car/coach park management, and relocated shopmobility facility, associated servicing and access arrangements together with alterations to the public highway, lighting and landscaping for a temporary period (4 years from completion of development) (further information). PDE.

13/02563/FUL - 13/02563/FUL - Reconfiguring part of existing Redbridge Park and Ride Site to accommodate for a temporary period (4 years from completion of development) coach and HGV parking, and associated fencing) (further information). PDE.

Representations Received:

6 Abbey Walk: objects due to road safety and pedestrian safety issues at the Osney Lane/Becket Street junction; replacing 1200 spaces with 150 therefore will be oversubscribed causing cars turning in the street;

Statutory and Internal Consultees:

Highway Authority: The county council supports this proposal ONLY as a means of maintaining car parking provision in the city centre during the period in which the Westgate car park is proposed to be closed subject to conditions.

Issues:

Principle/Use
Highways
Other

Officers Assessment:

Site Description

1. The application site lies off Osney Lane and was formally part of the operational goods yard occupied by the railway siding and more recently it has been used as a contractors depot. The site is currently vacant. Vehicular access to the site is from Osney Lane. To the east of the site is the Royal Mail sorting office, to the west Oxford Business Centre and to the north residential properties.
2. The site lies within the West End area of the city and forms part of a larger site - The Oxpens site. The Oxpens site provides an opportunity to deliver much-needed housing, offices, research and development (R&D) space, a hotel, local amenities and public open space. The redevelopment of Oxpens is part of a wider vision for the West End of the city centre that includes the expansion of Oxford Station, the transformation of Frideswide Square and the redevelopment of the Westgate Centre.

Proposal

3. The application is seeking temporary planning permission to use the site as a car park for a period of two years, with 150 spaces and opening hours of 07.00 – 19.00 hours.

Assessment

Principle/Use

4. Policy CS14 of the Oxford Core Strategy 2026 (OCS) states the City Council will work with its partners to improve the ease and quality of access to and between the city and district centres, and other key destinations, by: not permitting any increase in the overall number of public and private parking spaces in the Transport Central Area; This is reiterated through policy TR11 of the Oxford Local Plan 2001-2016 (OLP) which makes it clear that the council will not allow any significant increase in the overall number of parking spaces within the Transport Central Area.
5. The application site lies within the Transport Central Area and provides additional car public parking which is contrary to policy CS14 and TR11.
6. However, the existing Westgate car parking facilities (approx. 1200 spaces) is soon to be lost due to the redevelopment of the site. The Westgate development is currently programmed to commence on site in spring 2015, for completion in autumn 2017. During construction of the Westgate development some temporary car parking would be available at the Oxpens Coach Park, with coach facilities relocated to Redbridge Park and Ride as approved under 13/02558/FUL and 13/02563/FUL respectively. The Oxpens Coach Park will provide up to a total of 420 spaces (Option 1) or 363 spaces (Option 2). Both options are supplemented by a temporary single level 128 space deck which is a removable structure that can be erected in 5 days.

7. There will clearly be a shortfall in the number of car parking spaces once the Westgate development starts which is not totally replaced by the Oxpens Coach Park temporary arrangement. Therefore, in this instance the proposal, whilst contrary to policy, is considered acceptable as it will help to make up the shortfall in the number of car parking spaces available within the Transport Central Area. The proposal is not increasing the overall number of spaces there will still remain a shortfall whilst the Westgate development takes place. To ensure there is no overall increase in the number car parking spaces a condition is suggested to link the proposal to the closure of the Westgate car park and the subsequent opening of the new one.

Highways

8. The car parking proposed is welcomed in principle by the Highway Authority to help address the significant shortfall in public car parking during the construction of the Westgate redevelopment between January 2015 and autumn 2017.
9. The Highway Authority would have welcomed further technical information about the operation of the car park's junction on Osney Lane when Becket Street becomes a fully two way traffic route as a result of the county council committed Frideswide Square scheme. The works are scheduled to take place from January 2015. The speed limit on this road is 20mph and there could be with traffic turning right into the car park, delays occurring and blocking other traffic travelling south on Becket Street and east on Osney Lane. As the permission is only temporary and for a period no longer than 2 years, the Highway Authority accept that no objection can be substantiated provided that the car park entrance can be periodically monitored over this time. The county council naturally wants to avoid the car park entrance causing congestion on such an important part of the city centre's transport network.
10. The car parking that is proposed for this site is welcomed for a period of two years as it will help mitigate against the loss of public parking at the Westgate Centre during its proposed redevelopment between January 2015 and Autumn 2017. The additional parking provided by this proposal is to be welcomed for the economic health of the city centre. The level of traffic that will be generated by the Osney Lane site in the city centre will be acceptable.
11. Given the county council's commitment in its capital program to deliver improvements to Frideswide Square which will involve two way traffic in Becket Street from January 2015, it is questionable about how suitable it is for a car park access to be in such close proximity to the corner of the Osney Lane/Becket Street. This would almost certainly be acceptable in the short term whilst Becket Street is no entry at its junction with Botley Road. This is because virtually all of the people driving to the car park will be arriving from Oxpens/Hollybush Row, turning left in to the car park.
12. However, there is a risk that when traffic in Becket Street is flowing two way,

cars accessing the car park on Osney Lane may struggle to turn right in and therefore block the flow of traffic behind. Without further investigations into the junction under this scenario it is difficult to tell whether or not this could have knock on effects into Frideswide Square at busy times. At certain times during construction of the main Frideswide Square scheme during 2015, all westbound traffic from Botley Road may need to be directed to use Becket Street and Osney Lane.

13. The access width must be a minimum of 4.8m at the entrance with Osney Lane. Improvements to the pedestrian experience on the immediate approaches to the car park entrance on Osney Lane would make the car park more attractive and likely to be more used and therefore a segregated pedestrian entrance must be provided.

Other

14. Whilst not a planning matter it is worth bringing to Members attention the possible pricing regime for the proposed car park. No hard and fast decision has yet been made but it is likely that a fixed daily charge of £6 or £8 will be made in line with their other car parks. The car park is next to the station and will be more geared to long term users thereby releasing spaces within the other town centre car parks that are better suited for short stay use.

Conclusion:

15. Members are recommended to approve the application subject to the conditions listed and suggested in the officers' report.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

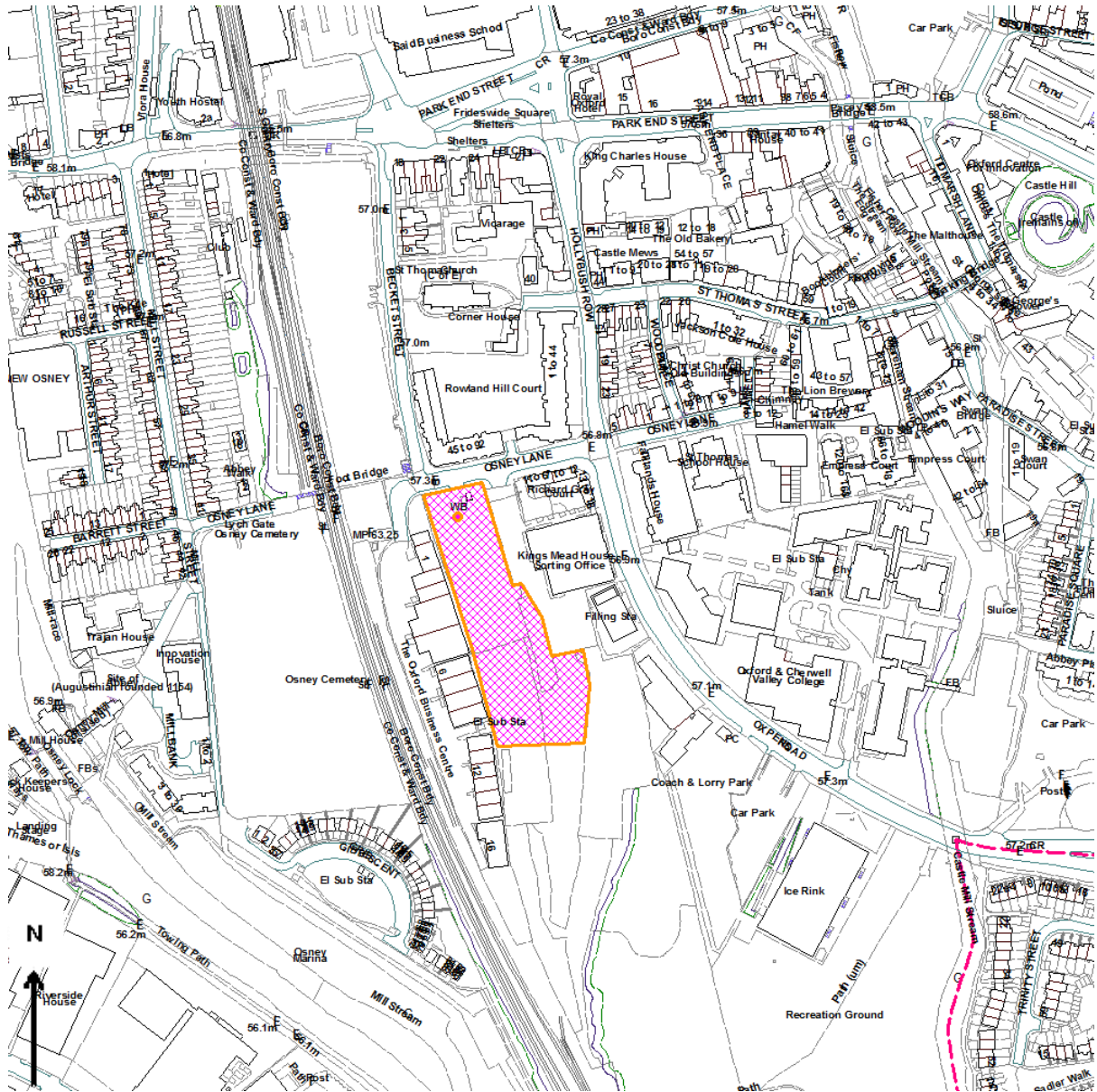
Contact Officer: Lisa Green

Extension: 2614

Date: 9th July 2014

Appendix 1

14/01160/5FUL - Land off Osney Lane



© Crown Copyright and database right 2011.
Ordnance Survey 100019348

West Area Planning Committee

22nd July 2014

Application Number: 14/01296/FUL

Decision Due by: 14th July 2014

Proposal: Conversion of existing first floor flat into bar area including roof terrace. Alterations to existing shopfront

Site Address: Bullingdon Arms 162 Cowley Road (Site plan at **Appendix 1**)

Ward: St Marys Ward

Agent: Mr David Grundy

Applicant: Mr Olgan Gunduz

Application Called in – by Councillors – van Nooijen, Kennedy, Rowley and Clack for the following reasons – loss of managers flat

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

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

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

- 4 Acoustic fence/barrier
- 5 Hours of use
- 6 Additional door top of stairs

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP20** - Lighting
- CP21** - Noise
- RC13** - Shop Fronts

Core Strategy

CS18_ - Urb design, town character, historic env

West End Area Action Plan

Barton AAP – Submission Document

Sites and Housing Plan

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

70/23061/A_H - Extension to form new lavatories at Bullingdon Arms Public House. PER 14th July 1970.

95/00723/NF - Erection of single storey rear extension and change of use from public house (Class A3) to public house and night-club (Classes A3 and D2) at Bullingdon Arms Public House (Amended plans). PER 8th November 1995.

96/00671/NF - Variation of condition 6 on 95/723/NF to allow new bar and night-club to open until 02.00 hours at Bullingdon Arms Public House. REF 31st July 1996.

97/01663/A - Externally illuminated fascia sign. High level hanging sign at Bullingdon Arms Public House. PER 23rd March 1998.

97/01922/NF - Retention of new frontage to public houses at Bullingdon Arms Public House. PER 23rd March 1998.

98/01094/VF - Variation of Condition 6 of permission 95/723/NF to extend opening hours to 02.00am at Bullington Arms Public House. PER 27th April 1999.

00/00184/NF - Deletion of condition 6 of planning permission 95/723/nf to permit existing use without restriction on opening hours. REF 15th April 2000.

00/00551/VF - Variation of condition 6 of permission 95/723/NF to extend opening hours until 02.00am. PER 28th July 2000.

00/00731/NF - Alterations and extension including new 'shop front' and stores at rear.. WDN 30th August 2001.

00/00732/A - Illuminated fascia and hanging sign. WDN 30th August 2001.

06/00862/VAR - Variation of condition 6 of permission 95/00723/NF to permit opening until 4.00 on the morning after Friday and Saturday evenings. PER 29th June 2006.

07/01114/VAR - Relaxation of condition 1 attached to planning permission 06/00862/VAR to allow extended opening hours until 04:00 on the morning after Friday and Saturday evenings on a permanent basis.. PER 17th July 2007.

Representations Received:

17 Oxford Road: first floor terrace will cause noise and disturbance to the domestic properties to the rear therefore, the application should be refused or conditioned as to the hours of use.

38 Rectory Road: additional noise; increase in people on the Cowley Road and side streets in the evenings; late night disturbance from people leaving drinking establishments; increase in traffic and create need for more car parking spaces; this is still a residential area and the more we create larger drinking places, the more people will travel to this area to drink.

21 Crown Street: object to the use of the roof; overlooking garden and house; unacceptable noise levels; internal soundproofing of the pub has been good especially since the management have listened to our complaints; they now take active steps to remind people to close doors (especially in the summer) and to speak and move quietly when loading or unloading equipment in the car park at night or in the early morning; the pub has been good about not bottling up after 11pm or before 7am; openable windows would allow noise to escape the building; vents for air conditioning would be a problem if they are motor powered;

Cllr Simmons on behalf of local residents: as well as the additional noise and nuisance this extension would create it also falls foul of the Saturation Policy.

2 Crown Street: increased noise at night; yet another drinking space, along a stretch of road where arguably there are already too many venues focused around alcohol, or supplying alcohol alongside other activities;

60 James Street: outside noise, whether music or voices, carries a long way in our area and we are already constantly woken at night and disturbed in the evenings.

Statutory and Internal Consultees:
Head Of Environmental Development,

Issues:

New shop front
Loss of flat
Roof terrace

Officers Assessment:

Site Description

1. The application site lies on the southern side of Cowley Road between Crown Street and Bullingdon Road. It comprises the Art Bar formally the Bullingdon Arms public house.

Proposal

2. The application is seeking permission for the insertion of a revised shop front, conversion of first floor manager's flat and use of the rear roof area as an outdoor area/roof terrace.

Assessment

New shop front

3. Policy RC13 of the Oxford Local Plan 2001-2016 states planning permission will only be granted for new shop fronts whose design and materials respect the style, proportions and character of the existing building and enhance the streetscene.
4. Shop fronts should be proportionate to the building as a whole and the fascia should be proportionate to the shop front. The shop front should always be seen as an integral part of the whole facade of the building. New shop fronts offer an important opportunity to enhance the visual appearance of the streetscene and therefore a high standard of design is required.
5. The existing framing to the left hand side of the entrance door is to be removed and replaced with new folding sliding three panel glass timber framed doors with solid lower panels. The existing front door is to be refurbished. To the right hand side of the entrance door the main vertical mullions are retained with three new panel windows above the cill.
6. The new shop front is considered an improvement on the existing which is becoming outdated. It rationalises the entrance into one and allows for

one half to be opened up entirely. The existing fascia is retained however due to the design of the new windows the front appears to have more verticality.

Loss of flat

7. The use of the flat within the building for a manager in connection with the bar would be part of the bar in planning terms and would not require further planning permission to convert it to part of the bar. However, if it were a separate unit of accommodation with no links to the bar then a change of use would be required.
8. The manager's flat is an ancillary use to the primary use as a bar and therefore consent is not required for its change of use.

Roof terrace

9. It is proposed to use roughly a third of the roof area to create a roof terrace to allow patrons to sit out and essentially smoke but to also allow patrons to sit outside as currently there is no external space associated with the bar. The area to be used is closest to the rear of the building. The existing openings and windows are to be altered to create patio doors off an internal seating area and an external counter/service area is to be created.
10. Currently on the roof there is a lot of large ducting/pipe work which will severely restrict the use of the whole roof. There is a step up beyond which is the majority of the ducting. Some ducting is on the lower section and this will be boxed and used as seating/tables.
11. There are concerns regarding the likely noise from patrons using the terrace which could adversely impact on the residents of Crown Street. Given the limited space available; its location close to the rear of the building and some distance from the edge; on the understanding that there are no noise generating activities on the open terrace area; the sound integrity of the existing ground floor music venue is not compromised; a further door is installed with self-closing devices at the top of the stairs to form a "sound lobby" and an acoustic fence is erected across the open end of the proposed development encapsulating the existing plant/vents on the roof and the open areas at each side then the impact on the residents of Crown Street will be minimal.
12. The use, hours of use (no later than eleven o'clock is recommended), additional door and acoustic fence can all be dealt with via conditions should Members be minded to approve the scheme.
13. The limited space available will also limit the numbers allowed out in the area, and this is controlled via other means i.e. the fire service.

Conclusion:

14. Members are recommended to approve the application subject to the conditions listed and suggested in the officers' report.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Lisa Green

Extension: 2614

Date: 9th July 2014

Appendix 1

14/01296/FUL - Bullingdon Arms



© Crown Copyright and database right 2011.
Ordnance Survey 100019348

This page is intentionally left blank

West Area Planning Committee

22nd July 2014

Application Number: 14/00992/FUL

Decision Due by: 7th July 2014

Proposal: Change of use of part of site to carwash (Sui Generis)

Site Address: Travis Perkins Chapel Street (site plan at **Appendix 1**)

Ward: St Clement's Ward

Agent: N/A

Applicant: Mr Johannes Joubert

Application Called in – by Councillors – van Nooijen, Hayes, Lygo and Clarkson

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

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

- 1 Temporary use
- 2 Hours of operation
- 3 Drainage

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP10 - Siting Development to Meet Functional Needs
CP19 - Nuisance
CP21 - Noise
EC7 - Small Businesses

Core Strategy

CS11_ - Flooding
CS28_ - Employment sites

West End Area Action Plan

Barton AAP – Submission Document

Sites and Housing Plan

SP56_ - Travis Perkins, Chapel Street

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

61/10974/A_H - Rebuilding of loading bays and stores. PER 15th August 1961.

65/16131/A_H - Outline application for offices and stores. WDN 12th April 1965.

66/18146/A_H - Outline application for the erection of a single storey workshop. PER 22nd November 1966.

67/19339/A_H - Extension to existing stores and provision of additional lavatory accommodation. PER 10th October 1967.

67/19398/A_H - Provision of display area and formation of new entrance. PER 24th October 1967.

68/20960/A_H - Installation of 3,100 gallon diesel storage tank (Site of Ablett Close). PER 10th December 1968.

70/19398/A_H - Provision of display area and formation of new entrance (revised). PER 27th October 1970.

70/23500/A_H - Erection of transport office and rest room. PER 10th November 1970.

71/24414/A_H - Erection of office building. TEM 13th July 1971.

73/00022/A_H - Renewal of temporary consent for provision of a display area and formation of a new entrance (revised). TEM 9th February 1973.

73/00135/A_H - Temporary storage of new motor vehicles and/or light vans.. REF 27th February 1973.

73/00713/A_H - Extensions to provide entrance to offices and sales area. PER 12th June 1973.

73/00734/A_H - Renewal of temporary consent for erection of office building. TEM 25th June 1973.

75/00406/A_H - Repair of motor vehicles. Temporary consent for 5 years granted by Secretary of State (Site of Ablett Close). REF 16th May 1973.

75/00723/A_H - Extension to sales area. PER 3rd September 1975.

75/00724/A_H - Extension to vehicle repair shop (Site of Ablett Close). TEM 19th September 1975.

77/00209/A_H - Renewal of temporary consent for provision of display and formation of new entrance (revised). TEM 21st April 1977.

78/01017/A_H - Renewal of temporary consent for office building. TEM 13th December 1978.

79/00740/A_H - Demolition of existing warehouse and yard, offices and erection of replacement warehouse incorporating backing platform, reception, ordering and accounts office. PER 19th September 1979.

80/00459/NF - Use of land for repair of motor vehicles (Site of Ablett Close). REF 28th August 1980.

80/01018/NO - Outline application for extension of retail area for commercial sale of goods.. WDN 30th December 1980.

81/00704/NO - Demolition of prefabricated office block and outline application for extension to existing showroom sales area. (Amended Plans). PER 9th November 1982.

83/00512/NF - Retention of use of building as motor repair workshop. PER 20th September 1983.

84/00869/NR - Demolition of prefabricated office block and erection of single and two storey extension to existing Builders Merchants showroom/sales area (Reserved Matters of A704/81).. PER 20th February 1985.

90/00898/NF - Rearrangements of vehicular access to yard and erection of kiosk, electrically operated barriers and 2m high gates. PER 6th December 1990.

92/01084/NF - Demolition of showroom, lean-to store and fittings store. Filling in openings in heavy goods store, modification to existing fence on front boundary, erection of 2.4 m brick wall on northern boundary, 1.5 m plinths for storage racking, storage cage, relocation of security officer's shed & rearranged parking layout.. PER 5th March 1993.

04/02259/OUT - Demolition of existing buildings on site. Outline application for 2044 sq.m of Class B1(a) office use and residential development, notionally of 57 x 1 and 2 bedroom flats (All matters reserved). (Travis Perkins, Chapel Street). PER 14th March 2006.

09/02518/OUT - Demolition of existing buildings on site. Outline application (with all matters reserved) for up to 2100sq m of class B1(a) offices and up to 200 student study rooms. Provision of cycle and car parking, landscaping and ancillary facilities.. PER 22nd September 2010.

11/01712/RES - Demolition of existing buildings on site. Erection of 166 student study rooms and 4 fellows flats in two blocks on 3 and 4 levels, together with sunken gym, single storey pavilion amphitheatre, 5 car parking spaces, 90 cycle parking spaces, landscaping and ancillary works. (Reserved Matters as part of Outline planning permission 09/02518/OUT seeking approval of details of layout, scale, appearance, access and landscaping) (Amended description and plans). PER 19th October 2011.

12/01388/RES - Demolition of existing buildings on site. Erection of 190 student study rooms in two blocks on 3 and 4 levels together with 2 bedrooms in gatehouse buildings, 5 car parking spaces, 100 cycle parking spaces, landscaping and ancillary works. (Reserved Matters of outline planning permission 09/02518/OUT seeking approval of details of layout, scale, appearance, access and landscaping) (Amended plans). PER 23rd August 2012.

12/02560/VAR - Variation of condition 7 (occupation by full time students) of planning permission 09/02518/OUT to allow occupation of the development by students in full time education on courses of an academic year or more. PER 11th October 2013.

13/01215/FUL - Erection of three storey block of student accommodation consisting of 9 cluster flats and 14 bedsit/studios (59 units) plus ancillary accommodation, cycle parking and bin storage (amended document). WDN 14th October 2013.

14/00163/VAR - Variation of condition 8 (Student accommodation) of planning permission 12/02560/VAR (Variation of condition 7 (occupation by full time students) of planning permission 09/02518/OUT to allow occupation of the development by students in full time education on courses of an academic year or more) to allow occupation of the development including vacation periods.. PER 17th April 2014.

14/01273/OUT - Demolition of existing building. Outline application (seeking approval of access, appearance, layout and scale) for the erection of new building on 4 levels consisting of Class B1 offices on ground floor and 17 x 1-bed and 14 x 2-bed flats at upper levels. Provision of cycle and bin stores plus communal garden area. PCO .

Representations Received:

63 East Avenue: water a concern as it pools outside the main gate to the Primary school and Children's Centre; increase in traffic and pollution.

55 East Avenue: effect on character of the area; highway safety issues; increase in traffic; flooding; objection already raised to the 4 storey development on the site; there is a need for a green space in front of the Wavy Gate development; there should be no further development

Statutory and Internal Consultees:

Highways Authority: no objection subject to conditions; there is no proposed change in the number of parking spaces on the site and the site uses the existing access and egress previously used by Travis Perkins. The site lies within a Controlled Parking Zone and therefore the proposal should have no impact on the highway.

Oxfordshire County Council Environmental Services: All run off from this development must drain to the public foul sewer and not onto the public highway

Issues:

Temporary use
Highways/Flooding

Officers Assessment:

Site Description

1. The application site lies off Chapel Street/Collins Street within the side streets of East Oxford off Cowley Road. The site is currently vacant i.e. the former use as a builders merchants no longer exists on the site.

Proposal

2. The application is seeking retrospective planning permission for a temporary use of the site as a car wash.

Assessment

Temporary Use

3. The site was formally a builder's merchant, Travis Perkins, and is allocated in the Sites and Housing Plan 2011-2026 (SHP) by way of policy SP56 for a mix of residential and employment. It is also allocated in the Oxford Core Strategy 2026 (OCS) as a protected employment site by virtue of policy CS28. An outline application has been submitted, reference 14/01273/OUT, for office use and residential on the site and this is currently under consideration. Previous permissions have been granted on the site for employment and student accommodation which have now expired. Therefore, it is reasonable to assume that at some point the site will be redeveloped. Given the site's

allocation it will not be given over to green space as suggested in one letter of comment.

4. The proposed temporary car wash use will employ 1 full time and 3 part time people and will operate 0900-1700 Monday to Friday, 0800-1300 Saturdays and 0900-1700 Sundays and Bank Holidays. The hours of operation can be controlled by a condition should Members approve the application. Whilst the employee numbers are low, it will provide some employment albeit on a temporary basis.
5. The applicant is requesting a temporary permission on a monthly basis. However, this is considered to be too ambiguous and therefore, it is suggested that the permission be for a temporary period of one year or the use shall cease once works start on site should any permissions be granted for the allocated use, whichever is the sooner. This would also give officers some control.

Highways/Flooding

6. With regards to highway safety and the impact of cars coming to and from the site, the Highway Authority have raised no objections (see above). They also do not object to the proposal providing no surface water from the development is discharged onto the adjacent highway. The same applies with comments from Oxfordshire County Council Environmental Services drainage team which also do not want to see run-off from the site onto the public highway and that the proposal must drain into the public foul sewer. It is recommended that this is dealt with via a condition.

Conclusion:

7. Members are recommended to approve the application subject to the conditions listed and suggested in the officers report.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

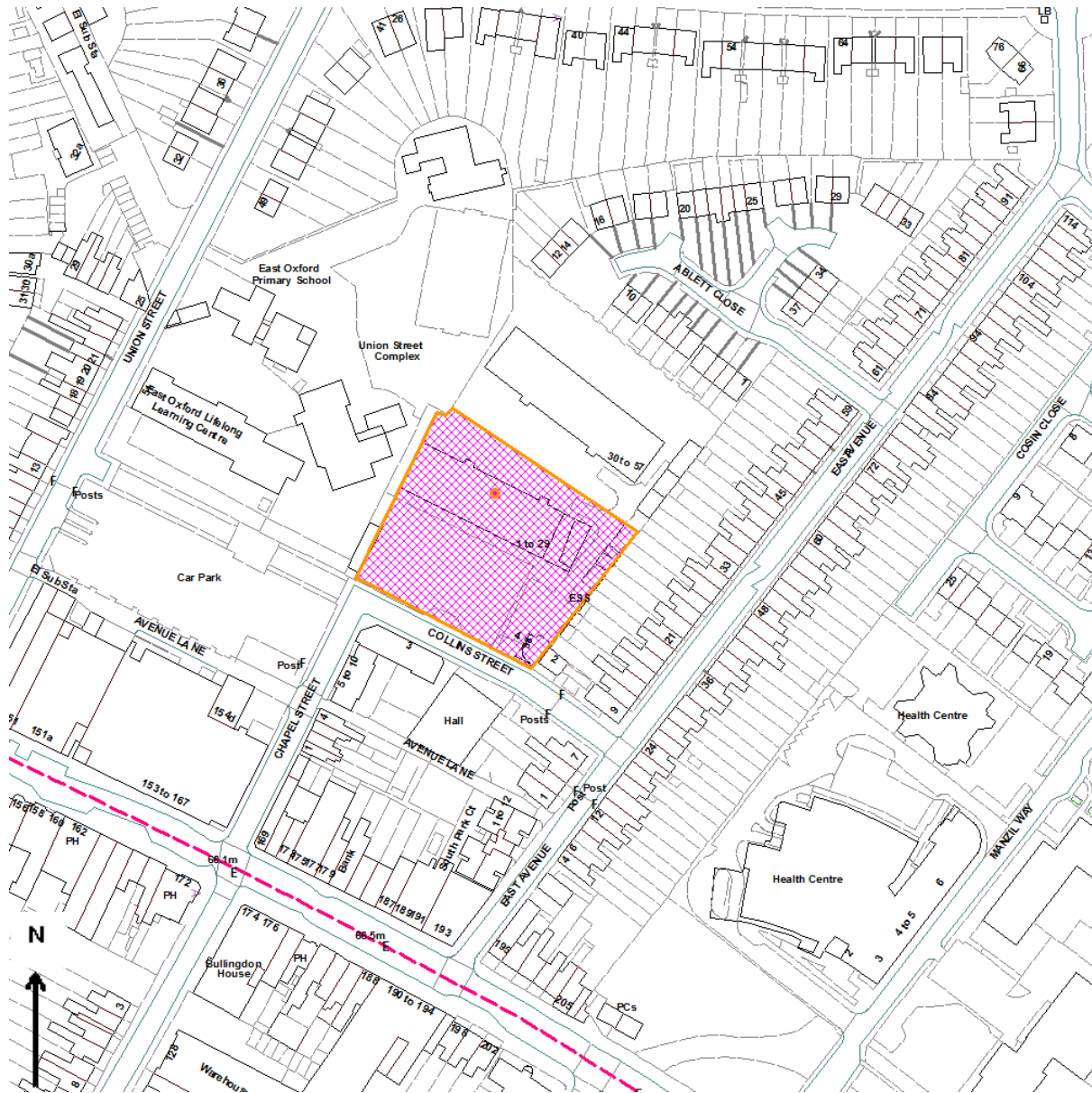
Contact Officer: Lisa Green

Extension: 2614

Date: 7th July 2014

Appendix 1

14/00992/FUL - Travis Perkins



© Crown Copyright and database right 2011.
Ordnance Survey 100019348

West Area Planning Committee

22nd July 2014

Application Number: 13/03454/CT3

Decision Due by: 3rd April 2014

Proposal: Demolition of existing Cadets building. Erection of 17 residential units (6 x 3-bed houses, 1 x-3 bed flat, 10 x 2-bed flats), together with revised access, 35 car parking spaces, cycle parking, bin stores, community garden/play area and landscaping. Change of use of existing office building to Cadets use. (Additional information) (Amended Description)

Site Address: Elsfield Hall 15-17 Elsfield Way (site plan at **Appendix 1**)

Ward: Wolvercote Ward

Agent: Turley Associates

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

Reasons for Approval

- 1 The proposed development is considered to make an efficient use of land and deliver much needed affordable housing within an existing residential area. The proposed development will create an appropriate visual relationship with the built form and grain of the residential area while also safeguarding the residential amenities of the adjoining properties. The proposed units would provide good quality housing for the future occupants, and be acceptable in highway terms and energy efficiency. The development would not create any adverse arboricultural, biodiversity, or flooding impacts. As such it would accord with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the Sites and Housing Plan 2011-2026.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report,

that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Biodiversity enhancement
- 5 Tree protection plan
- 6 Arboricultural method statement
- 7 No Felling, Lopping, Cutting
- 8 Service Plan
- 9 Site Arrangements
- 10 Exclude from CPZ
- 11 Landscape carry out after completion
- 12 SUDS/Surface water drainage
- 13 Contaminated Land
- 14 Secure by Design
- 15 Road Safety Audits
- 16 Landscape plan required
- 17 Sustainability measures to meet 20%
- 18 Noise reduction measures carried out in accordance with submitted details
- 19 Air quality measures

Legal Agreement:

The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development. CIL applies to developments of 100 square meters or more, or to new dwellings of any size. The reason that CIL has been introduced is to

help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities. CIL is being brought in by councils across the country, although each local council has the ability to set the actual charges according to local circumstances.

Whilst CIL is chargeable this proposal would benefit from relief as it is 100% social housing subject to an application for relief which can be made any time up to commencement.

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- NE15** - Loss of Trees and Hedgerows

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS12_** - Biodiversity
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS22_** - Level of housing growth
- CS23_** - Mix of housing

Sites and Housing Plan

- SP16_** - Elsfield Hall, Elsfield Way
- HP2_** - Accessible and Adaptable Homes
- HP3_** - Affordable Homes from Large Housing Sites
- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Planning Documents

National Planning Policy Framework
Supplementary Planning Document: Parking Standards, TAs and TPs Adopted Feb 2007.

Public Consultation

As part of the public consultation process a pilot scheme was carried out. This involved the erection of poles to demonstrate the position and scale of the buildings on the site. This is known as the Swiss Pole demonstration. Details can be found at **Appendix 2**.

Statutory Consultees Etc.

- Thames Valley Police Chief Constable (Operations): condition requested to ensure that the opportunity to design our crime is not missed
- Drainage Team Manager: The development is to be drained using SuDs methods including green roofs and porous surfaces for parking areas and not discharge directly to a main sewer.
- Environment Agency Thames Region: This application is deemed to either have a low environmental risk or relate to conditions that were not recommended by the Environment Agency.
- Thames Water Utilities Limited: no objection
- Highway Authority: recommends approval subject to the conditions.
- Oxford Civic Society: inaccuracies with the plans; apartment building substantially higher than surrounding buildings, more dominating; Juliet balconies will not provide any functional amenity for the occupiers; does not “make a positive connection” and does not constitute meaningful encouragement of residents to use alternatives to the car; suggested that the Code for Sustainable Homes Level 4 is achievable there appears no specific commitment to this; the installation of PV panels appears to be based on Oxford City Council’s requirements relating to on-site generation, rather than maximising the opportunity presented, which, given the Council’s commitment to sustainability, is short-sighted; the apartments should be provided with high standards of air tightness, and heat-recovery mechanical systems for both supply and extract ventilation, to obviate the need for opening windows and to ensure good internal air quality, with minimal energy costs; no mention is made of rainwater harvesting for any domestic purposes, other than garden irrigation from simple water butts; transport Statement contains a number of errors and significant omissions;
- Wolvercote Neighbourhood Forum: Neither objects to nor support this planning application; the proposed access and egress points for the Elsfeld Hall site (including the commercial property) will, in effect, create a five- way junction situation is exacerbated by the junction being at the point where Harefields curves and navigation is frequently impaired by parked vehicles

therefore likely increase in highway safety issues; new dwellings should be excluded from the CPZ; the scale, mass and orientation of the proposed buildings adversely affect the right to sunlight and privacy at the rear of south-facing Harefields properties; effect on area character; loss of trees will remove essential screening of the rear of Elsfeld Hall and make Harefields an unattractive and featureless road; there is inadequate pedestrian provision; there is no cycle path except in the road where on-coming vehicles swerve to avoid parked cars and cyclists; the development site is in the vicinity of the Cutteslowe Roundabout which exceeds current accepted pollution targets; possible contamination of site; a condition of planning approval should be a binding protocol to minimise disruption during construction.

Individual Comments:

69 North Road, 6 Harefields, 32 Harefields, 30-38 Harefields, 34 Harefields, Mr and Mrs MacLennan

The main points raised were:

- Access is unacceptable at the junction of Meriot Way & access drive to 6 garages (not shown) & 70 car entrance to existing office.
- The new access will affect local off street parking
- Unacceptable increase in vehicular traffic
- On street parking is hap- hazard & cannot be regulated to just one side of Harefields as entrances must be kept clear
- Parking widths for 70 vehicles to serve the existing office look small so they will prefer to park in the approach streets
- There is an urgent need for effective traffic calming/speed restriction measures on the whole of Harefields if this development goes ahead with its (inevitable) attendant increased vehicular activity
- There will also be large construction traffic during the build adding to the problem.
- This development will only make parking matters worse, with likely over spill of on street parking from the development.

- Site density Provision is for 75 persons mainly in shared bedrooms, may be acceptable for council estates but not generally private housing

- Removal of hedge & trees t8, t9 to form entrance reveals massive office block fronting Harefield.
- The beech hedge that divides the properties is a haven for wildlife but is quite thin and will be bare in winter.

- Completely out of character as Harefields to immediate north is 3 storey town houses & to west detached houses along A40 not flats nor 2 storey 3 bed houses
- Poor design of overcrowded flats as north facing balconies have little value except for storage

- The flank of the proposed new houses and, it seems, the access to the rear gardens, is directly at the bottom of my garden and seems to be very close indeed to it.
- Loss of privacy, loss of light
- The proposed apartment block is unlikely to have a detrimental effect on either our properties or other local residents. However the proposed 2.5 storey houses in their current position most certainly will have.
- The scheme seems to be a poor utilisation of the space available.
- The positioning of the childrens play area and community garden in what is effectively an island surrounded by traffic (70 car parking spaces for Elsfeld Hall and a further 35 for the proposed development) does not make sense.
- The proximity of the proposed houses to 30-38 Harefields is totally unacceptable and would appear to be completely unnecessary
- Sustainable claims are dubious as houses will generate little electricity from roof photo voltaic as the roofs face due east & west
- Not opposed to the development in principle

Comments as a result of the Swiss Pole demonstration

Wolvercote Neighbourhood Forum, 32 Harefields; 13 Warnborough Road (30 Harefields),

- poles revealed the large scale and potentially oppressive nature of the proposed block of flats which will clearly dominate the site; poles highlighted the close proximity of the west side of the proposed building to the adjacent detached house on Elsfeld Way; will result in gardens in Elsfeld Way being substantially overlooked by residents of the block of flats, with a major reduction of sunlight to these gardens in the mornings; due to the weather i.e. wind the poles had to be lowered therefore the demonstration was likely to have suggested a lower building height;
- Gable end of houses very tall and blank close to boundary, loss of light to rear garden, impact on pond, loss of privacy, houses too close to boundary, loss of view,

Comments as a result of amended plans

34 Harefields, 30 Harefields, 32 Harefields, F Kenny, Wolvercote Neighbourhood Forum

- Do not consider those proposed amendments even close to satisfactory resolution of our disagreement with positioning new development in relation to our and our neighbour's houses;
- amendments do not go far enough to satisfy even modestly our fundamental need to fully and freely enjoy our place of living,
- to have natural light in our houses and above all privacy in our freehold properties; propose that new development is to be built at least 6-8 metres

from our fence with lowered roof ridge for another 80 cm from amended proposed roof; loss of sun;

- creating an overpowering sense of enclosure; not satisfactory for a high, oppressive, blank wall to be built immediately behind my small garden, and that it will still impoverish my environment, reducing light, sun and the pleasant outlook; the wall is still too near;
- do not see why the additional parking needs to be sited on our boundary, as next to the by-pass would seem more sensible, and the siting of the "amenity area" does not seem ideal;
- the north boundary hedging is an integral part of the Harefields gardens and there is strong opinion that this needs to be well maintained
- A condition of planning approval should be the implementation of a planting scheme using climbing plants to soften the oppressive impact of the brick wall of the end house in the development, which will confront residents of the south side of Harefields.
- Highway safety still remains an issue, oppose inclusion in CPZ because of possible overspill into Harefields, where parking spaces are already under great pressure due to several HMOs and houses that have been divided into flats.

Relevant Site History:

62/12297/A_H - Change of use from T.A. centre and drill hall to joint examinations board and other university purposes. TEM 23rd October 1962.

63/12395/A_H - Prefabricated temporary timber building for T.A. Centre. TEM 8th January 1963.

63/13022/AA_H - Alterations to drill hall provide offices for the Oxford and Cambridge joint Examination Board (revised). PER 5th June 1963.

63/13022/A_H - Change of use from T.A. centre and drill hall to offices for the Oxford and Cambridge joint examination board with alterations. PER 8th January 1963.

63/13637/A_H - Outline application to construct a building to be used as workshop for the University Theatre on the former parade ground and drill hall. PER 23rd July 1963.

68/20702/A_H - Change of use from garage to form printing workshop. PER 8th October 1968.

70/23027/A_H - Construction of access road to Lovelace Grove Estate. PER 22nd September 1970.

71/24296/A_H - Erection of a prefabricated building to provide office accommodation. REF 25th May 1971.

73/01189/A_H - Alterations to existing offices, garages and rifle range to provide additional office accommodation in the drill hall. PER 27th November 1973.

78/01135/A_H - Conversion of garage to form workshop and store (The Annexe Elsfield Hall, 15-17 Elsfield Way). PER 7th February 1979.

86/01230/NF - Provision of first floor bathroom to caretakers house. PER 28th January 1987.

89/00117/NF - Erection of temporary 'portakabin' for office accommodation for 8-11 weeks each year. PER 12th April 1989.

89/01210/NF - Erection of temporary portakabin for office accommodation. PER 5th February 1990.

92/00040/NT - Retention of temporary portable building for office accommodation. (Renewal of NF/1210/89). TEM 10th March 1992.

92/00666/NF - 1) Fire escape door and external staircase in northern elevation. 2) Fire escape door in eastern elevation 3) Fire escape door at first floor, leading to external walkway and spiral staircase in western elevation. PER 28th August 1992.

96/01917/NF - Demolition of existing buildings on site. Construction of new 3 storey building plus basement, together with 85 parking spaces, cycle parking and upgraded access to Elsfield Way. (Amended plans). REF 14th April 1997.

97/01405/NF - 3 storey building for replacement offices for The University of Cambridge Local Examinations Syndicate. 85 car spaces & 75 cycle spaces. Barrier to service access from Harefields. Landscaping. (Amended plans). WDN 8th March 2001.

00/00055/NF - Replacement roof. PER 1st April 2000.

00/00382/NF - Change of use from caretakers flat to B1 business use including external alterations. New roof and roof mounted air handling plant. PER 10th June 2000.

02/00328/FUL - Demolition of existing hall. Construction of 24 x 2 bedroom flats for the elderly on 3 floors, together with 20 parking spaces and shared gardens accessed off Harefields. Reorganisation of parking to serve Oxford Psychologists Press Ltd, to provide 76 spaces. (Amended plans). PER 4th April 2003.

04/00982/FUL - Installation of 3 air conditioning units on the east elevation. PER 23rd July 2004.

04/00983/ADV - (i) Two high level non-illuminated banner signs to front elevation
(ii) Two sets of high level non-illuminated lettering on front and west elevation
(iii) Four high level non-illuminated logo signs to front elevation. PER 23rd July 2004.

06/01301/FUL - Installation of 2 no. roof mounted fan cooled condenser units. PER 7th August 2006.

06/01436/FUL - Alterations and extension to the existing car parking areas (no additional car parking spaces formed). Provision of 32 cycle parking spaces and low level lighting bollards. PER 7th September 2006.

10/01917/FUL - Change of use of part of building from offices (use class B1) to fitness centre (use class D2). PER 6th September 2010.

11/00671/T56 - Application for prior approval for 15m telecommunication column and antennae, plus equipment cabinet. 2PA 27th April 2011.

Officers Assessment:

Site Description

1. The application site is located off Harefields and is adjacent to Elsfield Way/A40. The site is currently a car park for the adjoining office building and there is a small building in the south east corner which is currently used by the Cadets. The area is predominantly residential with the office building being somewhat of an anomaly in the area.
2. To the west of the site, fronting Elsfield Way are four detached two storey residential dwellings; to the east the office building which is two/three storey by virtue of its roof design and to the north is a row of three storey residential properties which front onto Harefields and back onto the application site.

Proposal

3. The application is seeking permission for the demolition of existing Cadets building. Erection of 17 residential units (6 x 3-bed houses, 1 x-3 bed flat, 10 x 2-bed flats), together with revised access, 35 car parking spaces, cycle parking, bin stores, community garden/play area and landscaping. Change of use of existing office building to Cadets use. The scheme will provide 100% on-site affordable housing which is to be owned and operated by Oxford City Council.

Assessment

4. Officers consider the principal determining issues to be:
 - Principle of Development
 - Affordable Housing
 - Balance of Dwellings
 - Impact upon adjoining properties
 - Residential Uses
 - Highways
 - Cycle Parking
 - Sustainability
 - Biodiversity
 - Trees
 - Cadet Building

- Other Matters

Principle of Development

5. The NPPF states planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land). This is supported by Policy CS2 of the Oxford Core Strategy 2026.
6. Previously developed land is defined as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land in built-up areas such as private residential gardens.
7. The application site is considered to be previously developed by virtue of its previous use as a car park and cadet building therefore the principle of redeveloping the site for residential use would still accord with the NPPF and Policy CS2 of the Oxford Core Strategy 2026.
8. The site is also allocated in the Sites and Housing Plan (SP16 - Elsfield Hall, Elsfield Way) where any redevelopment would be expected to retain the existing level of employment on the site with the remainder of the site would be suitable for residential. As a Protected Key Employment site, the existing level of employment on the site is to be retained.

Affordable Housing

9. Policy CS24 of the Oxford Core Strategy states that generally a minimum of 50% of residential developments must be provided as affordable housing. Policies HP3 and HP4 of the Sites and Housing Plan set out the detail of how residential developments should contribute to affordable housing. In this case Policy HP3 applies and it states planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings, or which have an area of 0.25 hectares or greater, if generally a minimum 50% of dwellings on the site are provided as affordable homes.
10. This application is for 17 units, all of which (100%) are affordable homes. A minimum of only 9 of the units (50+%) are required for the proposal to be policy compliant of which 80% (7 units) must be provided for social rent, with remaining 20% (2 units) provided as intermediate housing¹. However the proposal is to provide 15 units for social rent and the remaining 2 proposed as affordable rented. The application is therefore satisfactory.. ¹

Balance of Dwellings

¹ Housing at prices and rents above those of social rent, but below market prices or rents. These can include shared ownership, affordable rented housing and intermediate rent. The Council will consider the suitability of other forms of intermediate housing, such as low-cost market housing, in light of its genuine affordability to those in housing need. (Key worker housing is defined separately from intermediate affordable housing.)

11. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
12. The Balance of Dwellings Supplementary Planning Document (BoDs) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Wolvercote Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. For the purposes of BoDs a family dwelling is a house or flat of three or more bedrooms. In terms of BoDs the scheme meets the requirements in terms of 3 bed units however there is a small over provision of 2 bed units.
13. The Housing Register is showing more demand for 2 bed family units than 3 beds, particularly in the priority bands at the top of the list where most people are housed from, therefore given there is a need for 2 bed affordable housing the slight over provision in terms of BoDs is considered acceptable.

Design

14. Policy HP9 of the Sites and Housing Plan 2011-2026 states that planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features; the form, layout and density of the scheme make an efficient use of land, whilst respecting the site context; the development exploits opportunities to sustain and enhance the significance of heritage assets and makes a positive contribution to local character and distinctiveness; landscaping, and boundary treatments are provided that integrate the development, in a way that defines public and private space and maintains natural surveillance of the public realm. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1 and CP6 of the Oxford Local Plan 2011-2016.
15. The proposal consists of two elements in separate blocks; 3 pairs of semi-detached houses and a 3 storey apartment block.
16. The houses are simple in form and are to be faced in buff colour brick with tiled pitched gable end roofs. The proposed materials are not considered to be out of keeping with the surrounding area, where there is a variety of materials in the immediate vicinity.
17. The apartment building is has been articulated with the use of bays and Juliet balconies. It is the rear elevation of the apartment block has faces Elsfeld Way/A40. The treatment of this elevation is important given its prominence within the street scene when travelling along the A40. The façade is broken up with a series of bays, the use of materials and detailing. This adds interest in the street scene and helps to avoid a monolithic appearance. The roof is shallow pitched behind a parapet wall reflecting in some ways the office building next door.

Impact upon adjoining properties

18. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes. It goes no to state planning permission will not be granted for any development that has an overbearing effect on existing homes.
19. As a result of the Swiss Pole demonstration it became apparent that the houses as originally proposed would have a detrimental impact on the properties fronting Harefields in terms of mass and bulk, overshadowing and loss of light. As a result the ridge height of the houses has been reduced from 8.64m to 7.5m. Also the position of the houses has been shifted away from the the boundary with the Harefields properties by 1.9m, thus increasing the distance to those houses and improving their prospect and outlook.
20. It is acknowledged there will be some impact on the Harefields properties in terms of outlook given that currently there are no structures within the nearest part of the site. However it is considered that this impact is acceptable given the reduction in height and the gap between the boundary and the gable end. There are no windows on the gable ends of the houses and therefore there are no issues of adverse overlooking or loss of privacy.
21. In respect of access to sunlight and daylight, the 45° guidelines will be used, as outlined in appendix 7 of the Sites and Housing Plan. The proposed houses will not breach either the 45 or the 25 degree rule . Although the effect will be noticeable to the Harefields residents in view of the fact that the site is currently an open car park, this effect of the proposal is acceptable and will ensure the neighbouring properties enjoy acceptable levels of daylight, sunlight and outlook.
22. With regards to the property immediately to the west of the site, (6 Elsfield Way) it has no habitable room windows in its side elevation therefore there are no issues of loss of sunlight/daylight or outlook. Wall to wall the gap is around 4m and the depth of the apartment block is about the same as the house thus the apartment block is not considered to be overbearing on the dwelling.
23. The rear gardens of the proposed dwellings will back on to the side boundary of 6 Elsfield Way. The proposed gardens have a depth of 10m and it is proposed to retain as much as possible of the mature planting along this boundary. The garden of 6 Elsfield Way is approximately 50m long with the area immediately at the rear of the building not being affected. Therefore the proposed location of the new dwellings are not considered to have a detrimental impact on 6 Elsfield Way in terms of overlooking, loss of privacy, or be of an overbearing nature.

Amenity of New Residential Units

- 24 The proposed dwellings would have a good standard of internal environment

that would accord with Policy HP12 (indoor space) of the Sites and Housing Plan 2011-2026. Furthermore the Planning Statement indicates that the dwelling house would be designed to meet lifetime Homes Standards in accordance with Sites and Housing Plan 2011-2026 Policy HP2.

25. Policy HP13 of the Sites and Housing Plan states that new dwellings should have direct and convenient access to an area of private open space. It recognises that family homes will require additional space, and this means that they should be provided with a private garden of adequate size and proportions for the size of house proposed, for exclusive use by occupants of that house.
26. The proposed 3 bed houses will each have a small front garden and a private garden at the rear of the property which is proportionate to the property size. Each apartment will have a private balcony on the north elevation, with all ground floor units having immediate access to a terraced area in front of the building. There is also a communal garden proposed. The proposal will therefore provide a satisfactory level of amenity space.
27. Provision of a communal refuse store/collection point is provided which provides a dedicated safe, discrete and conveniently accessible storage of refuse for each unit. This collection point is located to the north of the apartment block.

Highways

28. The Transport Statement provides the results of two surveys of the existing commercial development. These surveys were carried out on 27th June 2013 and 9th July 2013 and show a peak parking demand of 67 vehicles. The statement acknowledges that there may be occasions when this parking demand would be exceeded but that the proposed number of spaces (70) would be adequate.
29. These midsummer surveys are likely to produce workplace parking demand levels that would be lower than (say) a cold and rainy midwinter. On that basis the likelihood is that there is insufficient car parking being proposed and that overspill parking would take place on the surrounding neighbouring residential streets.
30. The recently approved Five Mile Drive and Cutteslowe CPZ will protect existing residents from the impact of any overspill parking and that CPZ will require to be extended to include the new housing development
31. 35 car parking spaces are proposed for the 17 residential dwellings. The six houses (located to the northeast of the site) each have two allocated spaces, the 11 apartments share 23 unallocated parking spaces.
32. These unallocated spaces would be particularly vulnerable to overspill car parking from the existing commercial development. The Transport Statement has anticipated this problem and indicates that the residential parking could be

enforced by parking management or parking permits.

33. The 12 spaces allocated to the six houses leaves the ten unallocated spaces (to the north of the site) remote from the apartments (to the south of the site) that they would be serving. Making the whole site subject to a parking permit scheme would allow vehicles to park in the most convenient available space.
34. It is therefore essential that all of the residential parking is included as unallocated parking in the Five Mile Drive and Cutteslowe Controlled Parking zone.
35. Concerns have been raised with regard to the safety of the proposed access arrangements. A condition is therefore required to ensure that the appropriate independent safety audits are carried out and that any issues raised by these audits are addressed.
36. The car parking for the office building will be rationalised and formalised to create 70 spaces. The number of spaces proposed is above the car parking standards however it is below the current numbers.

Cycle Parking

37. Policy CS13 of the Oxford Core Strategy states that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. A fundamental part of encouraging cycling is the provision of secure cycle storage within people's homes.
38. The cycle parking standards set out in Policy HP15 are minimum standards with houses and flats up to 2 bedrooms to have at least 2 spaces per dwelling and houses and flats of 3 or more bedrooms to have at least 3 spaces per dwelling.
39. Cycle parking for the dwellings is located at the rear and for the flats there is a communal cycle store within the building accessed at ground floor level. Three spaces are proposed for each dwelling and there is a total of 24 spaces for the flats all of which meets and exceeds the Site and Housing Plan requirements.
40. It is the intention of the applicant to close the two existing vehicular access points to Elsfeld Way. Whilst the retention of these accesses for cyclist and pedestrian traffic would have been desirable in terms of permeability, it is recognised that the layout of the commercial element car parking would prohibit their use. These accesses should be stopped up and the highway reinstated.

Sustainability

41. Policy CS9 of the Oxford Core Strategy sets out a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve Zero Carbon developments. A key strategic

objective in the Core Strategy seeks to maximise Oxford's contribution to tackling the causes of climate change and minimise the use of non-renewable resources.

42. In accordance with policy HP11 of the Sites and Housing Plan developments of 10 or more homes are expected to achieve at least 20% of their energy consumption from renewable or low-carbon technologies.
43. The application proposes that the development meets the energy generation requirement by achieving 12% onsite generation through the installation of Solar PV. With the remaining supplemented by suitable, additional on-site renewable energy systems. The remaining requirement will be met through one of or combination of the following options;
 - i. The installation of Air Source Heat Pumps (ASHP) to supplement the installation of Solar PV, and/or
 - ii. The installation of Ground Source Heat Pumps (GSHP) to supplement the installation of Solar PV.
44. The exact specification of low carbon and renewable energy will be determined at the detailed design stage. This can be conditioned to ensure one or more of the above are utilised or other low carbon technologies should they become available to meet the 20% requirement as detailed in policy HP11 or other suitable renewable.
45. The proposals are also designed to achieve Code for Sustainable Homes level 4.

Biodiversity

46. In line with recognised good practice and governmental policy on biodiversity and sustainability (National Planning Policy Framework 2012 & NERC 2006), all practical opportunities should be taken to harmonise the built development with the needs of wildlife. The NPPF seeks to provide a net enhancement to biodiversity through sustainable development and policy CS12 of the Oxford Core Strategy 2026 states: Opportunities will be taken (including through planning conditions or obligations to): ensure the inclusion of features beneficial to biodiversity within new developments throughout Oxford.
47. In this instance it is appropriate for provisions for wildlife to be built into the development. Swifts and bats are urban biodiversity priority species almost entirely dependent on exploiting human habitation for roosting and nesting. An appropriate provision for this development would be 1 swift box on the east and west aspects of each of the 3 northern buildings: totalling 6 boxes. These should be integrated boxes installed within the brickwork as close to the roof line as possible. Boxes should not be installed above windows. On the southern building 2 bat roosting tubes are required on the southern aspect. 2 swift boxes are required on the eastern and western aspects of this building: 4 boxes in total. A condition can be imposed to ensure the appropriate for provisions for wildlife to be built into the development.

Trees

48. The site has an important aspect onto Elsfield Way, but the quality and wider significance of the existing landscape features on the site is generally relatively low. The most significant site feature is the boundary hedge running along the external side of the southern boundary with Elsfield Way. The proposals indicate that this feature is to remain and this will act to screen from the south the proposed brick wall, intended to provide noise reduction from road traffic.
49. The proposed new access from Harefields involves the loss of an ash and an oak from a group of trees on the highway verge; individually these are high quality trees and as a group it provides a positive feature in the street scene, and a partial screen to the existing commercial building. Replacement planting of a specimen tree at the entrance to the site could over time provide mitigation for this loss; although no such design is indicated in existing proposals, this measure can be secured through conditioning the details of landscape design.
50. The proposed new car park to the south of the existing commercial building will require the loss of 5 mature crab apple trees, and one early-mature Turkey oak along the southern boundary; indicative tree replacements are shown in plans that will provide an adequate level of mitigation for his impact over time.
51. Additional new tree planting is shown for the proposed open amenity area between Elsfield Way and the southern block of units; and in a loose configuration, in a proposed verge area between the existing commercial building and the proposed housing scheme. This is considered to be an appropriate landscape strategy that will enable use of a small number of large growing tree species located to provide features to create an attractive residential landscape setting, whilst minimising issues of shading and dominance. No new landscape-scale tree planting is therefore proposed for the boundaries to the north or west, which will avoid such problems affecting neighbouring properties or new residential private gardens.
52. The proposal is therefore considered to be acceptable in arboricultural and landscape terms in reference to adopted Oxford Local Plan Policies CP1, CP11, NE15 and NE16 subject to conditions.

Cadet Building

53. The current Cadet building on the site is to be removed in order to facilitate the proposal. The building is a 1970's prefabricated building of no architectural merit therefore its loss is considered acceptable.
54. The proposal is to relocate the Cadets into a building in the north east corner of the site which is currently an office. This will provide better accommodation for the Cadets and the loss of the small office is not considered to be an issue given the level of office accommodation on the site.

Other Matters

Contaminated Land

55. The Ground Condition Assessment report identifies that there are two potential sources of contamination on the site consisting of a potential underground bulk fuel storage tank and an electrical substation. The report concludes that the risk from these sources is low and states that a phase 2 intrusive ground investigation is not necessary.
56. Whilst the site history and surrounding land use history do not indicate that there are likely to be significant contamination issues with the site in general, officers do not think that sufficient information has been submitted in relation to the potential underground fuel storage tank. The report contains no factual information as to whether it is still in use or if it has been decommissioned properly.
57. Therefore, officers recommend that a condition be added to secure a phase 2 intrusive site investigation prior to commencement, to ensure that the site is either suitable and safe for the works and the proposed residential use, or can be made to be so through appropriate mitigation measures to be carried out prior to commencement.

Archaeology

58. Officers can confirm that we have received a satisfactory archaeological evaluation report for this site from Thames Valley Archaeological Services. The evaluation did not identify any significant archaeological remains and officers would therefore not request any further work in relation to this site.

Noise

59. A 2.5m high acoustic barrier built in brick behind the existing hedge row which will help to maintain the verdant edge to the A40.
60. Officers confirm that they have examined the documents supplied by Christy Ho of Peter Brett Associates in her Technical Note dated 19th December 2013. Officers confirm that the consultation references within are correct and that they consider the statements made to be appropriate. The design measures proposed appear to be the best arrangement for noise protection of proposed dwellings and communal outdoor space. Officers therefore have no objection to make provided that the development is carried out as specified in these documents

Air Quality

61. An air quality assessment has been carried out and has concluded that air quality for future residents within the development will be acceptable and no mitigation measures are proposed. Concentrations have been modelled for

eight receptors, representing locations within the new development. In the case of nitrogen dioxide, the modelling has been carried out assuming both a) vehicle emissions decrease (using 'official' emission factors) and b) do not decrease in future years. This is to allow for current uncertainty over emission factors for nitrogen oxides that has been identified by Defra. It was concluded that concentrations of nitrogen dioxide PM₁₀ and PM_{2.5} will be below the relevant objectives in 2015. The overall operational air quality impacts of the development were judged to be insignificant. However if Members are minded they can request a condition requiring appropriate ventilation measure to ensure residents do not need to open their windows in terms of air quality with windows facing the A40.

Conclusion:

62. The proposal is considered to be acceptable in terms of the relevant policies of the Development Plan, and therefore officer's recommendation to Members is to approve the development.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

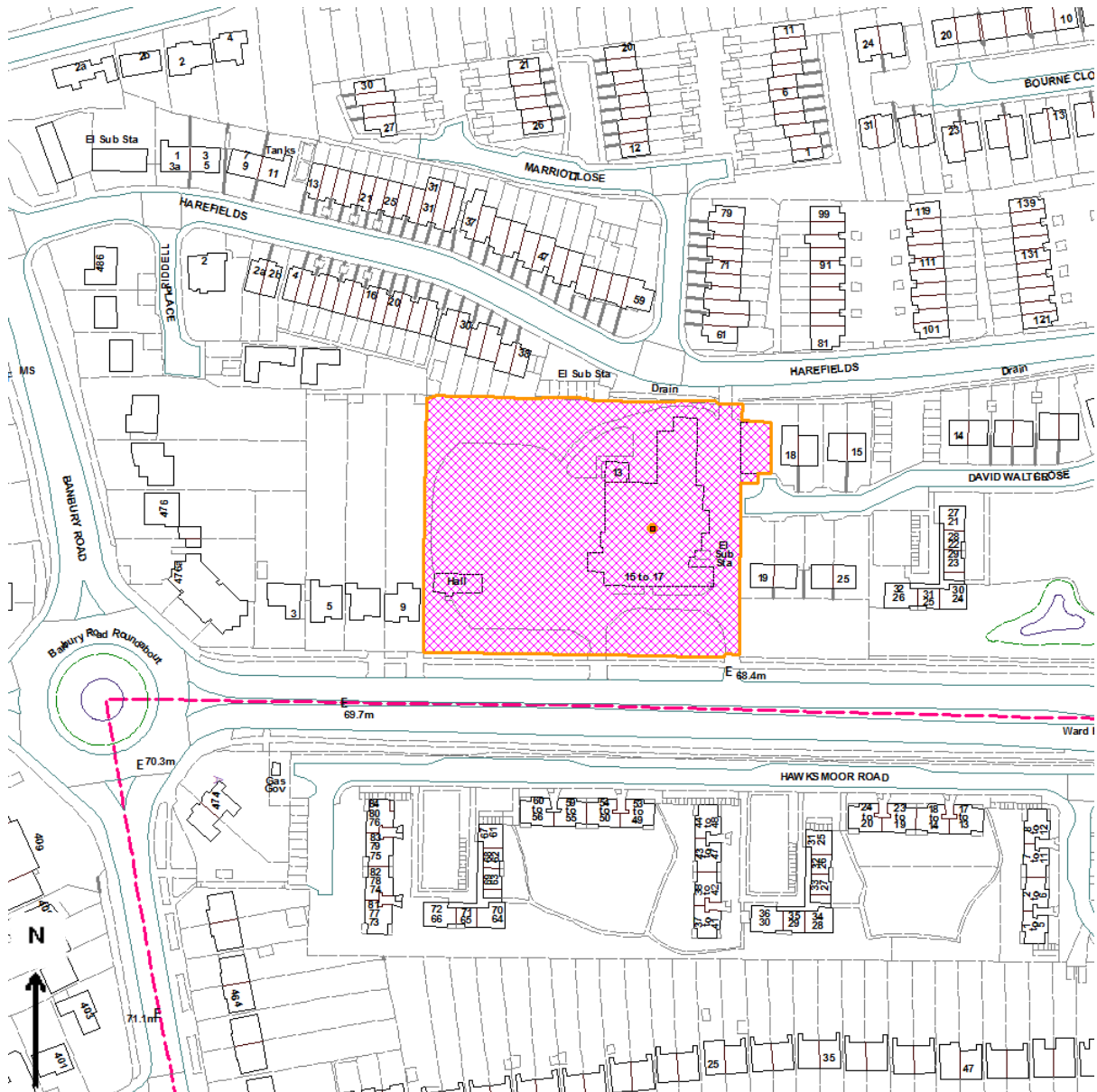
Contact Officer: Lisa Green

Extension: 2614

Date: 11th July 2014

Appendix 1

13/03454/CT3 - Elsfield Hall



© Crown Copyright and database right 2011.
Ordnance Survey 100019348

Appendix 2 – Swiss Pole Pilot

The applicants kindly agreed to partake in this pilot. They explored alternative options for the “Swiss poles” demonstration, such as a scaffolding framework, or free-standing metal poles cemented into the ground, both of which proved too expensive and not possible in view of the active use of the site as a car park.

In the end they opted for a practical solution. They sourced surface-mounted light-weight carbon-fibre poles, that were fixed into heavy-duty commercial parasol bases. This was a relatively low cost option (c. £600 for 8 pole plus bases). These poles plus the base can reach a 10.3m maximum height, which just fitted with the height of the proposed block of flats.

In view of their mobile lightweight nature they required supervision throughout the demonstration and therefore the period on site was limited. At the same time they were susceptible to high winds and two of them were bent damaged beyond repair.

The first demonstration on the 5 February 2014, involved the erection of the poles at key points of the proposed block of flats at the Elsfield Hall application site. This innovative approach demonstrated where the gable locations for the building would be sited, along with the height of proposals up to eaves and ridge height, to give residents a feel for the scale and location of the building.

The demonstration proved a valuable exercise in confirming the acceptability of the block of flats. Furthermore, some Harefields residents requested the same for the row of the three pairs a semi-detached houses. This was carried out on 12 March and identified that the northern end gable would, by reason of its height and proximity, would appear overbearing to the residents of the Harefields properties abutting the site.

Following the exercise the applicant (the Council) and its design team reflected on the findings which resulted in the roof pitch being reduced and the ridge height being reduced by 1.14m and the gable end being moved 1.9m further away from the existing buildings.

The Swiss pole Test was re-run on the 20 May for the area previously identified by residents as being of most concern (the area adjacent to the rear gardens on Harefields). This exercise resulted in both the original location and height of the proposed end gable as proposed originally and as amended. This approach allowed residents to see the reduction in height and movement away from the site boundary that had been achieved by clearly depicting the difference between the two sets of poles.

From the attendees that viewed the revised proposals, it was encouraging to receive feedback that they were more positive towards the revised proposals; it was agreed that some sketches would be produced depicting the revised proposals for residents to comment on, prior to final submission of the revised drawings. This also allowed for residents unable to attend the demonstration the opportunity to see revisions and make any comments.

Through positive dialogue and the two on-site demonstrations, the applicant has been able to identify an area of residents' concern and to address this effectively. The resulting work has achieved an improved spatial relationship and design appearance to the existing properties at Harefields. It is considered that this has been an effective and good example of real community consultation in shaping the final design for the allocated residential site at Elsfield Hall.

Officers' Commentary on the pilot and lessons learnt

The pilot in this case was successful as this was a cleared and level car park site. There were constraints in terms of the maximum height of the poles, their susceptibility to windy conditions, which can result in them bending out of position and therefore not being very useful, as well as being damaged. Being lightweight mobile features meant that they required supervision which in turn allowed only a limited period of display in situ.

However the poles were able on this occasion to provide a basic and approximate representation of the location and extent (height and massing) of the proposed buildings on site, which however enabled the residents to better visualise the proposal and to submit their comments. It also enabled the applicants to engage with the neighbours, identify their concern and try to address them.

The "Swiss poles" in this case have proved useful. Their use would depend on the circumstances of the site and the proposal. Most of all however it would depend on the willingness of applicants to oblige and use such a tool. In many cases architects take care to ensure that the external appearance and treatment of buildings are designed so as to minimise their visual impact and to fit into their environs. The "Swiss poles" are a crude tool and cannot convey such a vision. Applicants therefore may feel that they will not do justice to their proposal. Applicants are not currently required to use "Swiss poles".

Nevertheless, it is proposed that where officers have pre-application discussions on proposals and sites that would appear to lend themselves to this practice, then they will suggest their use to the applicant. Officers will be asked to keep a record of their requests. The Council's Asset Management team will also be encouraged to rent their poles out to interested applicants.

Finally, officers in holding pre-application proposals have been and will continue to explore with and encourage applicants where appropriate to use different methods to represent and explain their proposals, such as photomontages, artists' impressions, models, electronic fly-throughs and also other on-site devices, such as floating balloons.

This page is intentionally left blank

West Area Planning Committee
East Area Planning Committee

22nd July 2014
6th August 2014

Planning Services Improvement Action Plan

Recommendation: Committee is asked to note the Action Plan attached.

1. At the WAPC and EAPC meetings in March and April 2014 officers submitted an Action Plan flowing from Roger Dudman Way Review Independent report from Vincent Goodstadt. This has been titled the "Planning Services Improvement Action Plan". The two committees asked to be kept informed of progress with the Action Plan on a quarterly basis.
2. Following the first meeting of the Steering Group established to oversee the implementation of the Action Plan the progress schedule is attached to this report.
3. Members will recall that the Action Plan lists each of the 6 principal recommendations from the Independent Report. Each recommendation is expanded in the Action/Programme column to identify the specific actions necessary to implement the main recommendation. Information is also provided in the Plan on the action owner and timescale for implementation. The Action Plan also includes a number of extra actions not listed in the Independent Report but which are considered to be important to include as they enable the principal recommendations to be fully implemented and so are also included within the Plan.

Appendices

- Planning Services Improvements Action Plan.

Background Papers: none

Contact Officer: Michael Crofton Briggs

Extension: 2360

Date: 10th July 2014

This page is intentionally left blank

	<p><i>A3. Review of current internal procedure guidance, to confirm documentation of pre-app process. PPA – to be picked up in the protocol.</i></p> <p><i>A4. Include in internal guidance the process to secure Design Review by the Oxford Design Review Panel.</i></p> <p><i>A5. Consider a triage stage: with each pre-app request allocate a category or type which determines level or amount of resource, audit, clarity, processes</i></p>	C Golden	<p>A3. Complete June Testing by Sept</p> <p>A4. Complete June Testing by Sept</p> <p>A5. Complete June Testing by Sept</p>	<p><i>A3. Pre-app validation and allocation process has been reviewed and updated. Reflected in new SOP for pre-apps.</i></p> <p><i>A4. Internal guidance note produced for Officers about how to get applications to the Oxford Design Review Panel..</i></p> <p><i>A5. A pre-application Triage form has been drafted to be used for all Major and Minor pre-application enquiries.</i></p>
<p>Providing a clearer auditing regime of the submitted documents against the requirements in the published guidance in the registration process on major applications;</p> <p>Para 58. Clear audit at validation of documents submitted for major applications against requirements.</p>	<p><i>B1. New Internal procedure guidance on validation processes</i></p> <p><i>Take what we do already and document this, so it can be in idox to be seen. If a discretionary document explain this.</i></p> <p><i>B2. Training and implementation</i></p>	MHancock & CGolden	<p>B1. Complete. June Testing by Sept</p> <p>B2. Complete. July</p>	<p><i>B1. Reviewed and updated. New validation form to be completed and added to the file & to be available to view online. This will then be kept on the public file. SOP prepared.</i></p> <p>B2. Local List Checklist rolledout</p>

	<p><i>B3. Also process to go back and keep audit up to date as other information is submitted.</i></p> <p><i>B4. Carry out a review as to whether any further minor change is required to procedure.</i></p>		<p>B3. Complete July Testing by Sept</p> <p>B4. In hand Target by Sept</p>	<p>to Officers at officer training forum</p> <p><i>B3. See above re. SOP.</i></p> <p><i>B4. Review the SOP and then decide if any minor changes required after implementation.</i></p>
--	--	--	--	--

<p>A review of the EIA-related procedures</p> <p>Para 66. Review EIA procedure i. advice in pre-application, ii. Quality of forms and documentation used, iii. Training and briefing of officers in respect of Screening process.</p>	<p>C1. Review EIA procedure i. advice in pre-application, ii. Quality of forms and documentation used,</p> <p>C2. Training and briefing of officers in respect of Screening process</p> <p>C3 Plain English version. (The FOE 2005 campaigners' guide is helpful in this respect)</p> <p>C4. Legal Advice on screening and scoping</p>	<p>MMorgan</p>	<p>C1. Complete June Testing by Sept</p> <p>C2. Commenced July Target Sept</p> <p>C3. Not started Target Sept</p> <p>C4. Not started Target Sept</p>	<p>C1. Initial improvements made autumn 13.Full review produced. Just needs some editing.</p> <p>C2. Further training to be completed in July/Aug.</p> <p>C3. To do</p> <p><i>C4. Legal advice required on Screening and Scoping Opinions, to inform basis of determination.</i></p>
<p>EXTRA: external validation or accreditation of improvements and procedures</p>	<p><i>D1 Investigate which planning authorities have done this and what advice is available from national organisations such as PAS or POS..</i></p> <p><i>D2Scope out project, what help needed. Agree Action with Steering Group</i></p>	<p>N Grigoropoulos/L Godin</p>	<p>D1. Complete July</p> <p>D2. CompleteJuly</p>	<p>D1 MCrofton Briggsreceived proposal from Planning Officer Society Enterprisesfor a formal Review.</p> <p>D2. Agreed to ask V Goodstadt to review this</p>

				Improvement Plan actions when complete and evidence of 'testing' can be provided. D3. In hand for Oct/Nov D3. To do
	<i>D3. Implement agreed action</i>			
EXTRA: Review of how we organise the electronic application file. Data management	<i>E1. Devise guidance on data management, initially for application files. To aid audit, retrieval and clarity. Proposal could be to put data in sub-sections that relate to the stages in the process in IDOX (pre-app; submission, consultation, negotiation, changes, committee report, decision, compliance with conditions.). And label each piece of data better. To include all sections including Heritage, photos,</i>	L Godin/C Golden Support from L Godin and ICT	E1. In hand Target Sept	E1. Meet up with ICT to understand capability of uniform and idox. Future upgrades will help too Still to prepare guidance for officer and training. Also discuss with NW to ensure consistency with Heritage decisions.
II. Consultation Processes.				
A Further development of pre-application guidelines: Para 91. Best practice – resource intensive, so most appropriate for majors. Para 98. 1.Allow more time between project inception and the proposed commencement date 2.Engage other appropriate parties (including members) in pre-application discussions, and not just officers;	<i>A1. Workshop or brainstorm to explore options and best approach. Scoping of pre-application guidance on consultation A2. Prepare internal procedure guidance -</i>	M Hancock C Golden	A1. Complete April A2.complete June Test by Sept	A1. Discussed at Officer forum and team meetings A2. Internal procedure guidance note produced for pre-application consultation best practice. <i>A2. Early internal case conferencing of all</i>

<p>3. Provide opportunities for presentations and briefings to members;</p> <p>4. Encourage a two-stage consultation on major applications ; and</p> <p>5. Set down clearer guidelines on the desired documentation.</p>	<p><i>A3. External applicant protocol. Consider how best to persuade prospective applicant the value of initial consultation while scheme is still at option or conceptual stage and capable of change in response to consultation. Linked to</i></p> <p>A protocol/guidance note for developers on the consultation they need to do for different sized developments.</p> <p><i>A4. Work with Members on greater participation at this stage</i></p>		<p>A3. Complete June Test by Sept</p> <p>A4. In hand. Sept</p>	<p><i>potentially sensitive cases.</i></p> <p><i>A3. Advise applicants via pre application protocol to undertake 2 rounds of public consultation, and Ox Design Review presentation in significant cases.</i></p> <p>Options considered and a guidance note produced for applicants to be attached to email and letter correspondence and a section for the website written.</p> <p><i>A4. Pre application briefing for members.</i></p>
<p>B EXTRA: Review of Statement of Community Involvement Current SCI was adopted in 2006 and does not reflect the most up to date regulations in relation to policy documents so there was a case for review in any event but RDW adds to this.</p> <p><i>EXTRA.</i> A question to Council on 3rd Feb asks that Council review the methods it</p>	<p><i>B1. SCI review would, covers pre-application consultation. Starts with PID, scope and public engagement/involvement</i></p> <p><i>B2. Review of SCI through statutory process</i></p>	M Jaggard	<p>B1. Started July Target by Sept</p>	<p>B1 Lindsay Beveridge Start with PID and scope of review.</p> <p>B2. Part of B1 above</p>

uses to consult the public on planning applications				
<p>C. Post-application guidance on planning processes.</p> <p>Para 99</p> <ol style="list-style-type: none"> 1. A more structured approach to the weekly lists to enable the ready identification of major developments; 2. A more effective provision of Site Notices; 3. Additional means for communicating the scale and massing of major developments; 4. Consultation on revised drawings; 5. The provision of feedback to respondents on planning decisions; and 6. The planning processes to be more integrated with other regulatory processes. 	<p><i>C1. Ensure all actions documented in internal procedure guidance –weekly list, Site notices, consultation on revised drawings,</i></p> <p><i>C2. Provision of post-application guidance notes for applicants/page on our website. Major developments, feedback on planning decisions</i></p> <p><i>C3. Clarification about what is/isn't an NMA/MMA.</i></p> <p><i>C4. Integrate planning process with other regulatory processes by; Use pre-commencement conditions less, where important sort out before decision made. Already there with contamination</i></p>	C Golden	<p>C1. In hand some complete. July Target by Sept</p> <p>C2 Target Aug Test by Sept</p> <p>C3. Target Aug Test by Sept</p> <p>C4. Not started Target Sept</p>	<p>C1. Weekly list template being changed to make it easier to spot Major planning applications. Protocols written for all. Means of documenting each action explained in the protocol.</p> <p>C2. Post-application guidance notes for applications as a page on our website – drafted – not on our website yet.</p> <p>C3. Guidance notes and information on our website – drafted – not on our website yet.</p> <p>C4. Guidance note to prepare</p>

D. EXTRA: Application of project management procedures to applications.	D1. Consider merit of treating a major application as a 'project' with associated, but proportionate, project management? e.g. (as a minimum) set up a project plan with key stages and milestones that covers pre-and post-app stages.	N Grigoropoulos	D1. In hand Target Sept	D1. Agreed with F Byrne to pilot project management procedure as part a major application (PPA)
E. EXTRA: Produce a full list of all Standard Operating Procedures (SOPS)	E. Bring together all existing procedure notes SOPS , plus a list of those in preparation. Undertake a gap analysis. Review all to ensure fit for purpose. Consider how to make available for easy use by all officers.	L Godin	E1. In hand Target Sept	E1. Confirmation reached on what processes documented following BPI of application processes.
III. Visual Impacts & Quality of Design It is recommended that existing initiatives to improve the design capacity of the Council should be complemented by action to enhance the use of in-house expertise and to provide members with greater support in their considerations of design issues and visual impacts by:	Para 145 – expanded below			
Developing greater technical capacity (IT and skills) to take advantage of the rapidly evolving potential for interpreting design and integration with established GIS systems;	A1. Prepare guidance or a requirement spec. for applicants based on current technology to improve visualisation of proposed development. Verified views, digital imagery, computer generated 'fly through'. Importance of Verified views. Encourage applicants to produce models Have hard copies of the plans on boards from applicants for Members to view before the committee meeting.	C Golden	A1. In hand Target Sept	A1. Prepare guidance, publish and use

	<p>Confirm that 'wire line' drawing no longer acceptable.</p> <p>Exploring more immediate and site specific options, such as the use of Google Sketch Up to help understanding of scale and massing.</p> <p><i>A2. Feasibility study to understand what is possible.</i></p> <p><i>Scope out project, what help needed</i> <i>Business case</i> <i>Project plan</i> <i>Action Plan</i></p>	<p>L Godin</p> <p>Support from MCB</p>	<p>A2. In hand But Target 2015</p>	<p>A2. Westgate BLD have a BIM model that has been seen at their London offices <i>Contact made with Mr Gaskin at Brookes, discussed a proposal for a 3D virtual model of the City.</i></p>
<p>Improving the advice on the design evidence used to support application, in particular in the preparation of Design and Access Statements</p>	<p><i>B1. Review of our current advice and assessment of DAS, to include understanding of latest Gov guidance.</i></p> <p><i>B2. Internal procedure guidance</i></p> <p><i>B3. To check latest Government Guidance and our Validation Checklist.</i></p> <p><i>B4. Potential to have a Design section on the planning</i></p>	<p>C Golden</p>	<p>B1. Complete June Test by Sept</p> <p>B2. Complete June Test by Sept</p> <p>B3. Complete June</p> <p>B4. Complete June Test by Sept</p>	<p>B1. Completed.</p> <p>B2. Written. To be tested, reviewed and given to Officers.</p> <p>B3. Done.</p> <p>B4. Section for the website</p>

	<i>pages of our website. This could include guidance on how to complete a good Design and Access statement as well as information on latest schemes and the Oxford Design Review Panel.</i>			written. A guidance note for applicants also written. Design section for the website written.
Enhancing member 'training' on design and planning;	<p>C1. Explore with Members how they would like to achieve this.</p> <p>C2. <i>Potential role of Oxford Design Review Panel or its members</i></p> <p>C3. <i>Set up post development site visits to help Members review decisions – good examples and also where improvements could have been made.</i></p>	N Grigoropoulos	<p>C1. In hand. June Complete Sept/Oct</p> <p>C2. In hand June Complete</p> <p>C3. Not started Target Sept</p>	<p>C1. Post elections training been provided on probity and the planning system and SHLAA and SHMA and housing provision. Meeting arranged for July with lead Cllrs to discuss Member training for the year.</p> <p>C2. Date set</p> <p>C3. Set a date</p>
Investigating and adopting the best new field-based approaches to assessing the visual impact of new development <i>This is reference to poles, balloons or scaffolding.</i>	<p>D1. Run a pilot on a Council own scheme. Evaluate pilot Options paper for future scope and operation, with opportunities and risks.</p>	N Grigoropoulos	D1. In hand Target Sept	D1. "Swiss poles" pilot carried out and an evaluation to be included with Elsfield Hall report. Following 2 nd phase of pilot amendments being considered to Elsfield Hall scheme and further

	D2. Importance of plans showing the context of a proposal, i.e. neighbouring properties, for smaller applications.		D2. In hand July Target Sept	consultation and use of poles. Amendments received. Application awaiting determination D2. Dialogue with Cllrs. Guidance to be written and included as part of validation process.
EXTRA: Design Review	E1. In partnership with Cabe establish the Oxford Design Review Panel. E2. Work with case officers to introduce the appropriate proposals to Design Review and how to make best use of the Panel's report. Templates for use with each project E3. Leaflet to explain to developers and to inform the public	M Crofton Briggs	E1. Complete April E2. Complete May E3. Complete June	E1. Completed E2. Cabe met case officers to review initial reviews. Quarterly meeting with Chair of ODRP and David E on 20 May E3. Leaflet and Document about the Service drafted and published on Website.
EXTRA: Improve internal design expertise	F1. Skills audit and schedule, L&D opportunities <i>(could include a parallel design panel then compare and contrast with the panel's conclusions)</i> <i>Options paper to 'fill' gaps to include possibility of employing a permanent urban designer.</i>	C Golden & AMurdoch	F1. In hand June Target Sept	F1. Discuss what level of design skills DC Planners should have so that can write up the Skills Audit.

	<i>F2. Internal design charettes - design workshops for the DC teams to focus on more daily design issues.</i>		F2. Not started Target Sept	
IV. Committee Reporting It recommended that the presentation of the planning issues of major applications to committee should be strengthened by				
A systematic documentation of the policy evaluation including clarification of the extent and nature of any departure from policy Para 167 systematic record of evaluation against all policies that seen as material	A1. Internal meeting to explore and scope out <i>Internal procedure guidance to explain how officers should record evaluation against all policies</i> A2. Understand issue of Departure and greater level of explanation necessary. A3. <i>Advice note prepared.</i>	M Armstrong Policy Team Policy Team. A Roche/ L Goddard	A1. In hand Target Sept A2. Not started Target Sept A3. Not started Target Sept	Agreement to hold policy surgeries weekly. To clarify and explain policy context. Need to draft standard text in reports. Discussed with LH and AR to scope -to be drafted. A2. A3.
A more evidenced-based approach to the presentation of the choices before committee, and the impact of mitigation through conditions in reports	B1. Review of report writing guidelines, to provide extra guidance to authors on such matters as evaluation, analysis of choices and weight.	N Grigoropoulos	B1. Not started Target Sept	B1.

<p>Para 187 report could have been clearer in evaluation and analysis of the choices that were put before committee.</p> <p>Eg report asserted need for student accommodation but could have gone further to explain why and give current achievement against 3,000 policy,</p>	<p>To include a dialogue with key members.</p> <p><i>B2. Workshop or brainstorm to explore options and best approach.</i></p> <p><i>B3. Internal procedure guidance based on review of existing report template. Augment to include advisory notes to report writers.</i></p> <p><i>B4. Lead policy officer assigned to majors in an advisory capacity; to flag up other sources of information; to be sounding board for discussions about choices and weight to be attached to different policy objectives</i></p>		<p>B2. Not started Target Sept</p> <p>B3. Not started Target Sept</p> <p>B4. Not started</p>	<p>B2.</p> <p>B3.</p> <p>B4.</p>
<p>The use of alternative means of addressing design considerations (e.g. in terms of visualisations and where necessary site visits).</p> <p>Relates to section 3 above, and how illustrate and communicate design considerations to Members.</p>	<p>C1. Better visualisation for Members: Augment power point with other means such as models and exhibition boards (favoured method of the Design Panel) See III. Visual Impacts & Quality of Design above</p> <p><i>C2. Internal procedure guidance. Publish external guidance and standard to be followed such as verified views.</i></p>	<p>C Golden/ N Worlledge</p>	<p>C1. In hand Target Sept</p> <p>C2. Not started Target Sept</p>	<p>C1.</p> <p>C2.</p>
<p>V. Planning Conditions It is recommended that enforcement procedures and coordination (on conditions) should be strengthened through:</p>				

<p>An auditable process for determining the appropriate enforcement action Para 205 Review with legal of current process. Eg. Is there the discretion to take no action absolute? Eg. need clear decision process to decide to take no action.</p>	<p><i>A1. Necessity to document decision especially when no action, and formally to secure sign off by a senior reviewer.</i></p> <p><i>Internal report template and procedure guidance</i></p>	M Morgan	A1. complete Test by Sept	<p>A1.. Re- introduction made of proforma to provide audit trail.</p> <p>Proforma also to write off enforcement cases</p>
<p>A review of the use of standard planning conditions, and updating of them where necessary</p>	<p><i>B1. New schedule of standard conditions,</i></p> <p><i>B2. Structure decision notices to set out conditions in four categories (no additional submission, pre-commencement, pre-occupation, post completion)</i></p>	M Armstrong /M Hancock	<p>B1. In hand Target Sept</p> <p>B2. Not Started Target Sept</p>	<p><i>B1. Updated standard conditions to be finalised.</i></p> <p><i>B2. Need to amend recommendation and decision screens in Uniform accordingly</i></p>
<p>Inter-agency co-ordination to address the issues set out in the main report</p> <p>Review how much is left to pre-commencement conditions and what is agreed before decision made.</p> <p>Eg. Assess importance of issue and when needs to be agreed before consent given</p>	<p><i>C1. Internal discussion to understand issue, explore options and agree guidance to officers.</i></p> <p><i>C2. Confirm approach with agency partners</i></p>	N Grigoropoulos	<p>C1. In hand Target Sept</p> <p>C2. Not started Target Sept</p>	<p>C1.</p> <p>C2.</p>
<p>The use of a range of media should be considered to provide accurate and</p>	<p><i>D1. Open a running list of 'complex' issues that might</i></p>	L Godin with help from	D1. In hand	D1. Prepare a draft a

<p>accessible information that addresses these concerns (to the general public) Planning involves complex issues. Consider how we explain and communicate these. Consider briefing notes or similar for the general public, eg distinction between contaminated land and land containing contaminates.</p>	<p><i>benefit from lay explanation.</i></p> <p><i>Use of section on Web for general planning guidance</i></p> <p><i>D2. Check whether explanation is available somewhere else, if we can link to all the better.</i></p>	C Golden	<p>Target Sept.</p> <p>D2. In hand. Target Sept</p>	<p>'Planning Terminology Explained' list. This list has been started and is being updated.</p> <p>D2 Link to the Planning Portal's A-Z Glossary to be put on the website.</p>
<p>EXTRA: Monitoring of pre-commencement conditions</p>	<p><i>E1. Assess role for AIs and BC to report on impending commencement.</i></p> <p><i>Correlation with needs for CIL monitoring?</i></p> <p><i>See conditions above : Structure decision notices to set out conditions in four categories (no additional submission, pre-commencement, pre-occupation, post completion)</i></p> <p><i>E2. Review means of communication to applicants their responsibility?</i></p>	M Armstrong	<p>E1. In hand Target Sept</p> <p>E2. Not started Target Sept</p>	<p>E1. Use CIL re commencement</p> <p>Extra code on conditions relating to threat to health and safety issues eg land contamination</p> <p>Use of informatives</p> <p>Proactive Enforcement</p> <p>E2</p>

VI. Wider Planning Issues				
<p>Enhancing the planning service in terms of planning process, policy and strategy</p> <p>Para 214, 215, 216</p>	<p>A1. Improve clarity on 'departure' from the plan.</p> <p>A2. Is the City full? Lack of space leads to pressure to build higher with impact on urban form and views.</p> <p>Consider when appropriate to review the capacity of the City to absorb growth. –associated to issue below.</p> <p><i>Would tie into 3D virtual model of the City in 3 above.</i></p> <p>A3. <i>Need to have answer to question 'when will Core Strategy be reviewed?'</i> (agree not an option NOT to do a review)</p> <p><i>Consideration relates to SHMA output Universities dialogue, SEP, Growth Fund and wider Oxford Growth Strategy matters.</i></p> <p>The imminent publication of the SHMA and the work that flows from that under the duty to cooperate (including discussions that we are instigating with the Planning Inspectorate) will help to inform decisions on the timing of any review of our own Core Strategy</p>	M Jaggard	<p>A1. In hand Target Sept</p> <p>A2. In hand Target in part Sept</p> <p>A3. In hand Target decision on ? post national election 2015</p>	<p>A1. Draft note for DC officers</p> <p>A2. City own SHLAA, assistance from consultants As below</p> <p>A3. The Strategic Housing Land Availability Assessment review (March) provides clarify on the capacity to absorb growth and the pressures on building higher. Now agreed this to be independently assessed to reassure other Oxford LAs. Consultant appointed</p>

<p>Progressing and formalising a more strategic approach to the future development needs and engagement with the Universities and Colleges</p> <p>Para 219 Work with the Universities and colleges towards a 15 yr business plan. The future of the Universities depends on the City it is in as much as on global competitiveness.</p> <p>Help the Universities and Colleges take community engagement seriously.</p>	<p><i>B1. Hold a College and University workshop and Prepare a brief to go out with invitation to same Proposition:</i></p> <p><i>B2. Joint commissioning of consultants - Where next for Oxford, the University and Colleges over a 5 to 15 yr horizon? / Oxford Growth Strategy?</i></p> <p>B3 Evaluate strategy produced and use to feed into consideration of the Core Strategy and Oxford Growth Project.</p> <p>B4. Guidelines for University and College community engagement</p>	<p>M Crofton Briggs</p>	<p>B1. Complete March</p> <p>B2, In hand Target Dec</p> <p>B3 not started</p> <p>B4 Not started Target Dec</p>	<p>B1. Initial meeting with colleges and University 17 Mar</p> <p>B2 Agreed to form a task group, to: * Commission consultants for the Framework * Compile the Handbook.</p> <p><i>B3. Can only start when B2 complete</i></p> <p><i>B4. Work with the Task Group</i></p>
<p>c. EXTRA: 1990 Act: impact of development on a Conservation Area</p> <p>Argument to the review that even development in the foreground of a long distance view of a conservation area has an impact on that conservation area even though that development itself is not in close proximity to the CA.</p>	<p>C1. Assessment of this challenge and what this means for Planning Policies.</p> <p>Bring this into the preparation of the Design and Heritage SPD?</p>	<p>M Jaggard and N Worlledge</p>	<p>C1. In hand Target Spring 15</p>	<p>C1.</p>

Overview consideration by the Steering Group, once Actions stated as complete and tested

1. Has there been an Integrated Approach?

The Action Plan above deconstructs the report into components but there is also an exercise to put the parts back together.

Key Matters overlap such as:

- i. pre-application process, developer consultation/ involving elected councillors
 - ii. embedding of the design process/visualisation/techniques/policy/independent review by ODRP and internal expertise
 - iii. all procedures are documented; transparent and audited
2. Has the Improvement Action Plan do the job – has it optimised on the opportunity ?
 3. Is there a clear Vision or Strategy for Growth of the City emerging from the work with the University and major partners in the sub-region? – a vision for the City region feeding into the review of Local Plan (Core Strategy)

92

Name and contact details:-

Name:	M Crofton Briggs
Job title:	Head of City Development
Service Area / Department:	City Development
Tel:	01865 252360
e-mail:	mcrofton-briggs@oxford.gov.uk
Version:	7 10 th July 2014

M/Planning/PIn_shared/Planning Services Improvement

Monthly Planning Appeals Performance Update – June 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 30 June 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 30 June 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	19	33.0	7 (54%)	12 (27 %)
Dismissed	38	67.0	6 (46%)	32 (73%)
Total BV204 appeals	57	100.0	13 (100%)	44 (100%)

**Table A. BV204 Rolling annual performance
(1 July 2013 to 30 June 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	6	55	4 (57%)	2 (50%)
Dismissed	5	45	3 (43%)	2 (50.0%)
Total BV204 appeals	11	100	7 (100%)	4 (100%)

**Table B. BV204: Current business plan year performance
(1 April 2014 to 30 June 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	23	32%
Dismissed	48	68%
All appeals decided	71	100%
Withdrawn	3	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 July 2014 to 30 June 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 June 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 June 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 01/06/2014 And 30/06/2014

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
13/01376/FUL	14/00012/REFUSE	COMM	REF	DIS	05/06/2014	JEROSN	Avis Rent A Car Ltd 1 Abbey Road Oxford Oxfordshire OX2 0AD	Demolition of existing buildings. Erection of 9 x 3 storey, 4 bed dwelling houses (Use class C3)
13/02630/FUL	14/00015/REFUSE		REF	DIS	10/06/2014	HHLNOR	Land Rear Of 2-14 Jack Straws Lane Headington Oxford OX3 0DL	Erection of 2 x detached, two-storey, 5-bed dwellinghouses (Use Class C3). Provision of car parking, access and private amenity space.
13/02350/FUL	14/00013/REFUSE	DELCOM	PER	DIS	10/06/2014	JEROSN	Land Adjacent Thames Wharf 3 Roger Dudman Way Oxford Oxfordshire OX1 1AG	Erection of 9 student study rooms on 3 floors adjacent to Thames Wharf, East of Fiddler's Island stream, together with pedestrian footbridge to the Thames Towpath, 1 disabled car parking space, bin and cycle stores.
06/01796/CND3	13/00075/REFUSE	DELCOM	REF	DIS	18/06/2014	NORTH	Lady Margaret Hall Norham Gardens Oxford Oxfordshire OX2 6QA	Details submitted in accordance with condition 10 (landscaping) of planning permission 06/01796/FUL.
13/03211/FUL	14/00019/REFUSE	DEL	REF	ALW	24/06/2014	COWLEY	1 Dodgson Road Oxford Oxfordshire OX4 3QS	Erection of a single storey side extension.

Total Decided: 5

Enforcement Appeals Decided Between 1/06/2014 And 30/06/2014

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 01/06/2014 And 30/06/2014

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

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
13/02762/FUL	14/00034/REFUSE	DEL	SPL	W	The Chequers 17A Beaumont Road Oxford Oxfordshire OX3 8JN	QUARIS	Demolition of existing flat roofed porch and erection of new pitched roof porch. Erection of raised decking area over beer garden at rear of public house with provision of new access to restaurant.
13/03355/FUL	14/00028/REFUSE	COMM	PER	H	5 Farndon Road And 19 Warnborough Road Oxford Oxfordshire OX2 6RS	NORTH	Erection of single storey side extension, extensions at basement level. (Additional Information)
14/00184/FUL	14/00030/NONDET	DEL	REF	W	St Dominic Hall Hollow Way Oxford Oxfordshire	COWLYM	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.
14/00246/FUL	14/00029/REFUSE	DEL	REF	H	47 Lonsdale Road Oxford OX2 7ES	SUMMT	Side two storey and rear single storey extension. (Amended plan)
14/00730/FUL	14/00031/REFUSE	DEL	REF	W	42 Downside Road Oxford Oxfordshire OX3 8HR	QUARIS	Erection of 1 x 1-bed dwelling (Use Class C3) at rear of 42 Downside Road.
14/00850/FUL	14/00032/REFUSE	DEL	REF	H	22 Linkside Avenue Oxford Oxfordshire OX2 8HY	WOLVE	Erection of two storey rear extension including extension to roof.

Total Received: 6

This page is intentionally left blank

WEST AREA PLANNING COMMITTEE

Tuesday 24 June 2014

COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Gotch (Vice-Chair), Benjamin, Clack, Cook, Price, Tanner and Lloyd-Shogbesan.

OFFICERS PRESENT: Murray Hancock (City Development), Michael Morgan (Law and Governance), Mathew Metcalfe (Democratic and Electoral Services), Felicity Byrne (City Development) and Matthew Parry (City Development)

1. ELECTION OF CHAIR FOR THE COUNCIL YEAR 2014/15

The Committee agreed to elect Councillor Oscar Van Nooijen as Chair for the Council Year 2014/15.

2. ELECTION OF VICE-CHAIR FOR THE COUNCIL YEAR 2014/15

The Committee agreed to elect Councillor Michael Gotch as the Vice-Chair for the Council Year 2014/15.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Anne-Marie Canning (substitute Councillor Ben Lloyd-Shogbesan) and Councillor Andrew Gant.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. 32 LITTLE CLARENDON STREET AND 126 AND 127 WALTON STREET - 14/00450/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for a change of use from Use Class A1 (Shops) to Use Class A3 (Restaurants and cafes).

In accordance with the criteria for public speaking, the Committee noted that *Christopher Coombe spoke against the application and no members of the public spoke in favour of it.

The Committee agreed that it would not have granted planning permission if it were able to do so, for the following reason:

The proposal would result in a reduction in the number of retail units within the Little Clarendon Street and Walton Street areas which would prejudice their viability and vitality as designated local shopping areas contrary to the requirements of policy RC6 of the Oxford Local Plan 2001-2016.

6. 3-9 ELSFIELD WAY AND LAND AT REAR OF 478 AND 480 BANBURY ROAD- 14/00429/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the demolition of existing houses at 3 to 9 Elsfield Way. Erection of 4x1 bed and 18x2 bed flats to frontage with 6x4 bed houses to rear. Provision of 40 car parking spaces, amenity space together with bin and cycle stores. New vehicular access and slips road from Elsfield Way (A40). (Amended plans) (Amended description).

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

The Committee agreed not to grant planning permission for the following reasons:

- (1) The development proposed would result in a significant intensification of a substandard vehicular access onto a high speed dual carriageway that would result in a substantial increase in difficult and dangerous manoeuvres into and out of the site to the detriment of the safety of users of the highway and the free flow of the highway network, contrary to the requirements of policy CP1 of the Oxford Local Plan 2001-2016 as well as guidance set out in the National Planning Policy Framework.
- (2) The proposals would involve alterations to the public highway to include vehicular entry and exit slipways to the site. These alterations would adversely affect the future operation and deliverability of a fully committed and funded scheme by the Local Highway Authority to carry out major alterations to the Cutteslowe Roundabout to improve traffic flows and congestion on the A40. Consequently the proposals would have unacceptable impacts on wider traffic generation and vehicular movements through the city contrary to the requirements of policy CP1 of the Oxford Local Plan 2001-2016 as well as guidance set out in the National Planning Policy Framework.
- (3) The development fails to provide on-site provision of affordable housing without robust justification for a number of assumptions, costs and land values included within the submitted viability appraisal justifying this approach, and as such the proposals fail to make the necessary contribution towards affordable housing in the City to the detriment of the mix and balance of the local community contrary to the requirements of policy HP3 of the Sites and Housing Plan 2011-2026 as well as policy CS24 of the Oxford Core Strategy 2026 and guidance contained within the National Planning Policy Framework.
- (4) The development fails to provide an adequate mix of dwellings on the site to meet the identified future housing needs of the community of Oxford contrary to the requirements of policy CS23 of the Oxford Core Strategy 2026 and guidance set out in the National Planning Policy Framework.
- (5) The proposed development represents a significant and unacceptable overdevelopment of the site which fails to respect the layout, density,

greenery and open space provision that characterises its suburban residential context. As a result the proposals fail to accord with the requirements of policies CP1, CP6, CP8, CP9, CP10 and CP11 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9 and HP10 of the Sites and Housing Plan 2011-2026.

- (6) The outdoor amenity spaces proposed to serve the proposed dwellings are considered to be unacceptable in quality and quantity to the detriment of the quality of living of future occupiers of the dwellings contrary to the requirements of policy CP10 of the Oxford Local Plan 2001-2016 as well as policies HP13 and HP14 of the Sites and Housing Plan 2011-2026.
- (7) Having regard to its close proximity to the road in combination with its significant overall mass, height and bulk, the building proposed at the front of the site would be obtrusively large and prominent within the streetscene and therefore out of character with its more spacious suburban setting evident in the relationship between the majority of existing surrounding buildings and the road frontage. As a consequence the development would fail to successfully integrate within its context which would be exacerbated by its highly prominent location, contrary to the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policy HP9 of the Sites and Housing Plan 2011-2026.
- (8) The development involves the creation of a new access road outside a controlled parking zone. As a result of the lack of unallocated parking spaces to serve future residents and their visitors, the site would be likely to be subject to significant internal parking congestion adversely affecting vehicle manoeuvring within the site as well as the amenity enjoyed by future occupiers of the dwellings. Parking congestion within the site would also be likely to give rise to pressure for overspill parking. As a consequence the proposals fail to accord with the requirements of policy CP1 of the Oxford Local Plan 2001-2016 as well as policy HP16 of the Sites and Housing Plan 2011-2026.
- (9) The development proposes the loss of a substantial number of existing trees on the site. The excessively close proximity of the proposed front building to the site frontage prevents meaningful compensatory soft landscaping and precludes the planting of trees without creating a poor spatial relationship with the south elevation of the building. As a result the development fails to adequately mitigate lost trees and soft landscape features on the site and does not provide an appropriate balance between the natural and built environment to the detriment of the character and appearance of the area and the streetscene, contrary to the requirements of policies CP1, CP11, NE15 and NE16 of the Oxford Local Plan 2001-2016.
- (10) The development proposes dwellings within close proximity of the A40 with the result that future occupiers of the development would experience significant noise disturbance and, in the absence of any form of noise assessment, the local planning authority cannot conclude that the living conditions of future occupiers would be of an acceptable standard. Consequently the proposals fail to accord with the requirements of

policies CP1 and CP21 of the Oxford Local Plan 2001-2016 in this respect.

7. COVERED MARKET, HIGH STREET, OXFORD - 14/01212/CT3 AND 14/011213/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning applications as follows:

Application 14/01212/CT3 – Removal of flat roofs and erection of roofs with roof lights. Replacement of plastic cladding with grilles, new pentice roof at Avenue 2 and other works.

Application 14/01213/CT3 – Listed Building Consent for removal of flat roofs and erection of roofs with roof lights. Replacement of plastic cladding with grilles, new pentice roof at Avenue 2 and other works.

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

The Committee agreed:

(a) With regard to application 14/01212/CT3 to grant planning permission subject to the following conditions:

- (1) Development begun within time limit
- (2) Develop in accordance with approve plans
- (3) Samples in Conservation Area
- (4) Archaeology: Implementation of programme

(b) With regard to application 14/01213/CT3 to raise no objection to the granting of listed building consent by the Government Office subject to the following conditions:

- (1) Commencement of works LB/CAC consent
- (2) LB consent – works as approved only
- (3) 7 days' notice LPA
- (4) LB notice of completion
- (5) Further works – fabric of LB – fir regulations
- (6) Repair of damage after works
- (7) Materials - samples

8. PUBLIC CONVENIENCES - SPEEDWELL STREET, OXFORD - 14/00763/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the erection of a single storey front extension and insertion of timber doors to side elevation.

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

The Committee agreed to raise no objection to the granting of planning permission subject to the following conditions:

- (1) Development begun within time limit
- (2) Develop in accordance with approved plans
- (3) Materials as approved, brickwork to match the existing, metal sheet faced timber doors painted Oxford Blue, BDC3965/07

9. ST. ANDREW'S CHURCH, LINTON ROAD, OXFORD - 14/00953/VAR

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the variation of condition 2 (Develop in accordance with approved plans) of planning permission 13/02966/VAR (Variation of condition 2 (Develop in accordance with approved plans) of existing permission 12/00565/FUL (Proposed single and two storey side extension) to allow an increase in the size of a kitchen and insertion of two louvres to form basement. (Retrospective).

In accordance with the criteria for public speaking, the Committee noted that Simon Beaumont, Charles Darby and Alistair Booth spoke in favour of the application.

The Committee agreed to grant planning application subject to the following conditions

- 1 Development begun within time limit
- 2 In accordance with approved plans
- 3 Materials
- 4 Landscape plan required
- 5 Landscape carry out after completion
- 6 Landscape underground services - tree roots
- 7 Tree Protection Plan (TPP) 1
- 8 Construction Travel Plan
- 9 SUDS
- 10 Glazing on southern elevation
- 11 Cycle Parking facilities
- 12 Details of buggy store
- 13 Sustainability design/construction
- 14 Boundary details before commencement
- 15 Details photovoltaics
- 16 Architectural recording
- 17 Mortar
- 18 Stability of heritage fabric
- 19 Details of bin store
- 20 Details of cooking scheme etc.
- 21 Noise restriction

10. 46 HYTHE BRIDGE STREET - 14/00651/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the conversion of existing building to form 6x1 bedroom flats (Use Class C3).

The Committee noted that this application had been withdrawn and was not considered at the meeting.

11. 40 MARSTON STREET, OXFORD - 14/01054/FUL

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

In accordance with the criteria for public speaking, the Committee noted that Marc Chenery spoke in favour of the application.

The Committee agreed grant planning application subject to the following conditions:

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

12. 5 CANNING CRESCENT - 14/00209/FUL AND 14/00215/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed two planning applications as follows:

Application – 14/00209/FUL - Erection of a two storey extension to the rear elevations Ref: PD2

Application – 14/00215/FUL – Two storey extension to rear and side elevations Ref: PD3

In accordance with the criteria for public speaking, the Committee noted that Toby Smith and Manuel Berdoy spoke in favour of the application.

The Committee agreed:

To support planning applications 14/00209/FUL and 14/00215/FUL subject to and including the following conditions and informatives for both applications, and to delegate to officer the issuing of the notices of planning permission on receipt of no further comments being received from Members of the Committee:

Conditions

- (1) Development begun within time limit
- (2) Develop in accordance with approved plans
- (3) Materials to match
- (4) Removal of PD rights
- (5) No additional windows in side elevations
- (6) Flood Risk Assessment

Informatives

- (1) Sewerage and drainage

13. 9 FYFIELD ROAD - 14/00910/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the erection of single storey extension to rear elevation, with basement below and 2 no. lightwells. Erection of four storey extension to side elevation including insertion of new dormer window to side roof slope and 1 no. velux window. Provision of new cast iron railing to site frontage.

In accordance with the criteria for public speaking, the Committee noted that Richard Martin and Jac Cross spoke against the application and Chris West and Kieron Roberts spoke in favour of it.

The Committee agreed to grant planning permission subject to the following conditions:

- (1) Development begun within time limit
- (2) Develop in accordance with approved plans
- (3) Sample Panel
- (4) Obscure glass
- (5) Railings – Further details
- (6) Tree Protection Plan (TPP)²
- (7) Landscaping
- (8) Arch – Implementation of programme prehistoric remains

14. 66 CARDIGAN STREET, OXFORD - 14/00961/FUL

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

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

The Committee agreed to grant planning permission subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Ground resurfacing - SUDS compliant
- 5 Flooding: floor levels

15. 48 PLANTATION ROAD, OXFORD - 14/01235/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the demolition of existing garage. Erection of part-single, part-two storey extension to side elevation and two storey extension to rear elevation. Extension to existing basement.

In accordance with the criteria for public speaking, the Committee noted that Mary Pegler and Philippa Scoones spoke against the application and Andrew Hudson and Pippa Hoyler-Millar spoke in favour of it.

The Committee agreed not to grant planning permission for the following reasons:

- (1) The form, scale and appearance of the proposed development would neither preserve nor enhance the character nor appearance of the Walton Manor Conservations Area in which it is located contrary to policies CP1, CP8, CP9, CP10 and HE7 of the Oxford Local Plan, policy CS18 of the Oxford Core Strategy and policies HP9 and HP14 of the Oxford Sites and Housing Plan.

16. PLANNING APPEALS

The Head of City Development submitted two reports detailing the planning appeals received and determined during April and May 2014.

The Committee agreed to note the reports on planning appeals received and determined during April and May 2014.

17. MINUTES

The Committee agreed to approve the minutes of the meeting held on 7th May 2014.

18. FORTHCOMING APPLICATIONS

The Committee agreed to note the list of forthcoming applications.

- 16 Crick Road, Oxford – 14/00962/FUL – Extensions
- Elsfeld Way, Oxford – 13/03454/CT3 – Residential
- Former Builders Yard, Collins Street, Oxford – 14/01273/OUT – Employment and residential
- Former Filling Station, Abingdon Road, Oxford – 13/02638/FUL – Residential
- Former Paper Mill, Mill Street, Wolvercote, Oxford – 13/01861/OUT – Residential
- Becket Street – 14/01160/FUL – Temporary car park
- 125 Harefields – 14/01255/CEU – Lawful Development Certificate
- 12-15 Bath Street – 14/01272/FUL - Extensions

19. DATE OF NEXT MEETING

The Committee noted its meetings for the 2014/15 Council Year.

2014

Tuesday 22nd July (Wednesday 23rd July if necessary)
Tuesday 12th August (Thursday 14th August if necessary)
Tuesday 9th September (Thursday 11th September if necessary)
Wednesday 8th October (Thursday 9th October if necessary)
Wednesday 12th November (Thursday 13th November if necessary)
Wednesday 10th December (Thursday 11th December if necessary)

2015

Tuesday 13th January (Thursday 15th January if necessary)
Tuesday 10th February (Thursday 12th February if necessary)
Tuesday 10th March (Thursday 19th March if necessary)
Tuesday 14th April (Thursday 16th April if necessary)
Tuesday 12th May (Thursday 14th May if necessary)

The meeting started at 6.30 pm and ended at 8.51 pm

This page is intentionally left blank