

Agenda

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West Area Planning Committee

Date: **Tuesday 9 September 2014**

Time: **6.30 pm**

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

For any further information please contact:

Jennifer Thompson, Committee and Member Services Officer

Telephone: 01865 252275

Email: jthompson@oxford.gov.uk

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

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor Michael Gotch	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	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 meeting is five members. Substitutes are permitted

HOW TO OBTAIN AGENDA

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AGENDA

	Pages
1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2 DECLARATIONS OF INTEREST	
3 96 WOODSTOCK ROAD - 14/01725/FUL	1 - 12
<p>The Head of City Development has submitted a report which details a planning application for the change of use from Doctor's Surgery (Use Class D1) to 9-bedroom student accommodation (Use Class C2) and associated Porter Lodge on ground floor; and the creation of an additional entrance to provide access into entrance hall. (Amended plans and amended description)</p> <p><u>Officer recommendation:</u> That the Committee APPROVE the planning application subject to the following conditions:</p> <ol style="list-style-type: none">1 Development begun within time limit.2 Develop in accordance with approved plans.3 Materials as specified.4 Students - No cars.5 Cycle parking details required.6 Management controls.7 Out of term use.8 No link to student accommodation to rear.	
4 135 BANBURY ROAD - 14/01777/FUL	13 - 20
<p>The Head of City Development has submitted a report which details a planning application for the erection of marquees from 14 June to 20 August for a temporary period of three years (part retrospective)</p> <p><u>Officer recommendation:</u> That the Committee APPROVE the planning application subject to the following conditions</p> <ol style="list-style-type: none">1. Limited time period.2. Hours of use.3. Garden restored.	
5 21 REGENT STREET - 14/01601/FUL	21 - 28
<p>The Head of City Development has submitted a report which details a planning application for the erection of a single storey rear extension (retrospective)</p> <p><u>Officer recommendation:</u> That the Committee APPROVE the planning application subject to the following conditions:</p> <ol style="list-style-type: none">1. Protection of private amenity space.2. Sustainable drainage.	

6 PLANNING APPEALS

29 - 34

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

The Committee is asked to note this information.

7 MINUTES

35 - 38

Minutes from Tuesday 12th August 2014

Recommendation: That the minutes of the meeting held on Tuesday 12th August 2014 be APPROVED as a true and accurate record.

8 FORTHCOMING APPLICATIONS

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

- 117 Fairacres Road: 14/01012/FUL: Extension
- Aristotle Lane: 14/01348/FUL: Replacement footbridge
- Former Wolvercote Paper Mill: 13/01861/OUT: Residential
- Former Builders Yard, Collins Street: 14/01273/OUT: Residential
- Jericho Boatyard: 14/01441/FUL: Residential, community centre, boatyard
- 4 - 5 Queen Street / 114 - 119 St Aldates: Retail and student accommodation
- St John's College: 14/02399/FUL & 14/02396/LBD: Extension to library
- Chiltern Line: Report on planning conditions.

9 DATE OF NEXT MEETING

The Committee will meet on the following dates:

2014

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.

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

4. Public requests to speak

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

5. Written statements from the public

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

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

6. Exhibiting model and displays at the meeting

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

7. Recording meetings

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

The Council asks those recording the meeting:

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

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

8. Meeting Etiquette

All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.

9. Members should not:

- (a) rely on considerations which are not material planning considerations in law;
- (b) question the personal integrity or professionalism of officers in public;
- (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
- (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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West Area Planning Committee

9th September 2014

Application Number: 14/01725/FUL

Decision Due by: 19th August 2014

Proposal: Change of use from Doctor's Surgery (Use Class D1) to 9 bedroom student accommodation (Use Class C2) and associated Porter Lodge on ground floor. . Creation of additional entrance to provide access into entrance hall. (Amended plans) (Amended description)

Site Address: North Oxford Medical Centre 96 Woodstock Road (Site plan at **Appendix 1**)

Ward: St Margarets Ward

Agent: Mr Alastair Bird

Applicant: University College

Application Called in – by Councillors – Wade, Wilkinson, Fooks and Gant for the following reasons – Effects on conservation area of continuing College expansion

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 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Students - No cars
- 5 Cycle parking details required
- 6 Management controls
- 7 Out of term use
- 8 No link to student accommodation to rear

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs
- CP21** - Noise
- HE7** - Conservation Areas

Core Strategy (OCS)

- CS18_** - Urban design, town character, historic environment
- CS25_** - Student accommodation
- MP1** - Model Policy

Sites and Housing Plan (SHP)

- HP5** - Location of Student Accommodation
- HP9** - Design, Character and Context
- HP15** - Residential cycle parking
- HP16** - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- This application site lies within the North Oxford Victorian Suburb Conservation Area.
- Planning Practice Guidance
- Parking Standards, Transport Assessments and travel Plans Supplementary Planning Document Feb 2007

Relevant Site History:

89/00899/NFH - Change of use of ground and 1st floors from Residential to Doctors' Surgery. Minor alterations to doors and windows. Alterations to vehicular access and provision of 19 parking spaces (Scheme A). REF 20th October 1989.

89/00900/NFH - Change of use of ground and 1st floor from Residential to Doctors' Surgery. Minor alterations. PER 20th October 1989.

89/01089/LH - Conservation Area consent for demolition of garage. PER 10th January 1990.

01/00488/AH - Erection of two non-illuminated pole mounted signs (North Oxford Medical Centre). PER 19th May 2001.

13/02601/FUL - Change of use of ground and first floors from a Doctor's Surgery (use class D1) to residential (use class C3) in order to form 1 x 7-bedroom dwellinghouse (Additional information). PER 29th November 2013.

Representations Received:

Flats 1 & 2 100 Woodstock Road, 9 Staverton Road, Flats 2 & 3 100 Woodstock Road, Staverton Road, 28 Staverton Road, 2B Staverton Road, 151 Woodstock Road, 4 Rawlinson Road, 6 Rawlinson Road, 12 Rawlinson Road, 122 Woodstock Road, City Councillor for St Margaret's Ward, 14 Rawlinson Road, 93 Kingston Road, 10 Rawlinson Road, 11 Staverton Road, Flat 1 98 Woodstock Road, 24 Staverton Road, Councillor Ruth Williams, 1 Newlands Court, 1A Staverton Road, 14 Staverton Road, Flat 3, 1A Staverton Road, 167B Woodstock Road, Flat 3, Quinton House 98 Woodstock Road, Flat 4, 165 Woodstock Road, 167 Woodstock Road, 8 Rawlinson Road, 165 Woodstock Road, garden House, 98 Woodstock Road, Flat 2 98 Woodstock Road, 100 Woodstock Road,

Summary of comments

Original Plans

- the presence of a porter's lodge suggests something more imposing about the ultimate design for the building and site
- the site's relationship to 'the University College Campus' occurs without reference to UCC's long-range plan for the entire property
- objection is even stronger to the "bigger scheme" which University College is developing in this area—a scheme which is emerging through isolated planning applications and property deals in a somewhat underhand way
- it is clear that University College sees the Staverton Road / Woodstock Road / Banbury Road space as becoming large connected campus.
- object to the loss of character which will result from this change of use
- such a gate will need a pathway which necessitates lighting. Light and noise pollution would not be appropriate in this quiet family neighbourhood.
- one of many under-the-radar moves being made by University College, in furtherance of their property growth aims in North Oxford.
- The expansion of Univ's "campus" is destructive to the nature of residential North Oxford
- concerned to preserve the integrity of this neighbourhood as one predominantly for private residential use and to prevent the further expansion of colleges into what is already a threatened residential environment
- would do nothing to conserve or enhance the special nature of this area

- object to the proposal to include a Porters Lodge at the property as this is commercial development. This is completely inappropriate for a residential property, and in addition one of this limited size
- no possible justification for this (opening at rear) other than there being an anticipated significant increase in movement of people, as well as the introduction of delivery vehicles and vehicular traffic which would inevitably cause noise and disturbance to local residents, and danger to pedestrians and other road users on Woodstock Road.
- require University College to lay out its master plan for consideration
- the impact of increased traffic
- this proposal should not be seen in isolation from other developments that University College have already put in place for the immediate area
- prohibiting removal or significant lowering of existing trees
- not opposed student accommodation but the size and nature of this application
- impose strict controls on the number of parking spaces in front of the house
- it seems to me that an emended version of the application, in which no part is played by the formation of a gateway or path, might be acceptable
- provision would have to be introduced for a private garden for the use of resident's and their guests
- would result in the net loss of a "dwelling" or independent unit of accommodation

Amended Plans

- the college appears to believe their amended plans have quelled any opposition; this is clearly not the case
- all concerns raised previously still remain
- questions many have raised about University Colleges intention to establish a campus in North Oxford conspicuously absent and ignored by agent/applicant
- offer assurance that the Porters Lodge has been intentionally designed to be subservient to the main use as student accommodation
- the revised proposals, one might conclude, fall short of the clarity the author of the letter hopes for. Rather they offer pallid, conciliatory gestures and fail to engage with the concerns local residents have expressed about the unique features which characterize this part of North Oxford
- overlooks the fundamental concern expressed by local residents about the impact on this area of North Oxford of the piecemeal development of University Colleges campus

Statutory and Other Consultees:

Highways Authority: This application should be granted but the suitable conditions applied (see below)

The Victorian Group of the Oxfordshire Architectural and Historical Society: no objection to the planned alterations to this building, but we are seriously concerned about its implications; fear that it plans further building on what it likes to call its 'campus', and urge you to encourage it to come clean about its intentions; we are

worried about the prospect of this residential area becoming swamped by these two academic institutions (St Clare's and University College).

St Margaret's Area Society: better categorised as a HMO; The applicants' claim that their application is consistent with policy HP5 is nonsense. They are separated from the University College annexe by two large houses and the garden of 96 Woodstock Road is a long one, Apart from the provision of cycle racks, a condition should be inserted in any permission preventing the lighting of the path across the back garden at night, surely light pollution must be prevented altogether, and urbanisation should be resisted

Determining Issues:

- Change of Use/Loss of Health Care Facilities/Student Accommodation
- Appearance
- Car Parking
- Cycle Parking

Officers Assessment:

Site Description

1. The application site lies on the eastern side of Woodstock Road to the north of Rawlinson Road. The site comprises a detached three storey building part brick, part rendered under a tiled roof. The ground and first floors were given over to a doctor's surgery which has been established since 1989. The second floor was a flat which was accessed via the medical centre. The building is currently empty. The building is set back from the road and has parking to the front and a large area of lawn to the rear.

Proposal

2. The application is seeking permission for a change of use from a doctor's surgery to a nine bed student accommodation along with a porter's lodge on the ground floor. Some external works are proposed which include the introduction of a doorway at ground floor level to provide access into the entrance hall.
3. The original application as submitted also showed the introduction of a gateway in the rear boundary wall and a new access path to it to provide access to the University College campus at the rear. This element of the scheme has been removed.
4. There was a previous application to convert the doctor's surgery into a residential property (13/02601/FUL) which was submitted by Dr Robert Mather And Partners, not University College, and was approved.

Change of Use/Loss of Health Care Facilities/Student Accommodation

5. The loss of the doctor's surgery has already been established by the granting of planning permission 13/02601/FUL which was for a change of use to a 7 bedroom dwellinghouse.
6. Many of Oxford's existing GP practices occupy buildings that are not appropriate for modern healthcare. Problems include lack of space, poor access for people with disabilities, and poor quality or inflexible accommodation that limits the ability to develop or improve services. The Oxfordshire PCT and local authorities share a vision to redesign many health and social care facilities provided by the NHS and social services in Oxford, which will address these problems. This may include co-locating GPs, community social services, and some non-acute specialist health services, to provide more comprehensive facilities at neighbourhood level, and developing more integrated home and community-based services.
7. Current evidence suggests that existing GP practices and health centres have some additional capacity (preliminary spatial analysis of GP practice capacity (provided by Oxfordshire PCT) within the Oxford Core Strategy)
8. Planning permission was granted in May 2011 for accommodation to relocate the Jericho Health Centre to the former Radcliffe Infirmary site. This comprises three different surgeries in one building which are up and running.
9. The Woodstock Road surgery is no longer economically viable. The two ongoing partners are moving, one to the new Jericho Health Centre and the other to Summertown Health Centre. All of the practices serving north Oxford have capacity to take on new patients and are willing to do so. Patients are registering at a number of surgeries in the City, mainly based on where they live.
10. Given the type of building the surgery currently occupies and the other practices within the area the loss of the Woodstock Road surgery is considered acceptable.
11. Furthermore policy HP5 of the SHP sets out criteria for determining which locations are suitable for student accommodation, accessibility by public transport being an important consideration.
12. The policy states student accommodation will be granted planning permission in the following locations on or adjacent to an existing university or college academic site OR in the City Centre or a District Centre OR located adjacent to a main thoroughfare OR on a site which is allocated in the development plan to potentially include student accommodation. Appendix 3 of the SHP listed main thoroughfares of which Woodstock Road is one. Therefore the location is considered acceptable for student accommodation.
13. Policy HP5 goes on to state planning permission will only be granted for student accommodation if a management regime has been agreed with the

City Council that will be implemented on first occupation of the development. This is partially in place by the inclusion of a Porters Lodge. This is for the administration of the incoming residents of 96 Banbury Road where a member of staff will undertake the day to day running of the property as well as other college business. In the event of permission being granted a condition will be added to seek details of a management regime.

14. In addition policy CS25 of the OCS states student accommodation will be restricted in occupation to students in full-time education on courses of an academic year or more. This is the case with this application and a condition would be added to ensure this remains the case.
15. The existing University College siteto the rear of the application site this academic year has 296enrolled students accommodated, (a large building there being refurbished at the moment). With a large population present concern has been expressed that 96 Woodstock Road could be used as a second access to that development. However in the amended submission no link is proposed, meaning that students to the existing blocks of accommodation would be required to enter from the existing access from Staverton Road.A condition to the planning permission is suggested that no future link should be created without the consent of the local planning authority.
16. With this safeguard in place the proposal is considered acceptable in terms of the loss of the doctors surgery and as a location for student accommodation i.e. located on a main thoroughfare.

Appearance

17. Policy CS18 of the OCS states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1of the OLP. Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings.
18. The site lies within the North Oxford Victorian Suburb Conservation Areawhere policy HE7 of the OLP applies. This states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation areas or their settings.
19. There are minimal external changes to the building, the majority being internal. Externally the only alteration is the opening up of a previous doorway. The door is in the north elevation and will create the main entrance into the property. The proposed door is of a style that is in keeping with the building and is more logical point of entry than the current entrance to the south side of the building..
20. The proposed changes, although minimal are considered acceptable in terms of policy CS18 of the Core Strategy 2026 and CP1 and HE7 of the Oxford

Local Plan 2001-2016 in that they respect the character and appearance of the property and wider area. Materials of a quality appropriate to the site and its surroundings assist in creating an appropriate visual relationship with the wider conservation area. Moreover in terms of uses Woodstock Road along most of its length is residential in character with a sprinkling of other activities. In this case the replacement of a predominantly day time activity by a form of specialist residential accommodation would in the officers view be more sympathetic to the overall character of the conservation area and can be supported in those terms. As such it is concluded that the development would not compromise the special character and appearance of the conservation area in which it is located.

Car Parking

21. Policy CS25 of the OCS states appropriate management controls will be secured, including an undertaking that students do not bring cars to Oxford. Policy HP16 of the SHP states that only operational and disabled parking should be provided for new student accommodation. Operational parking should be available for students and their families, for a limited period, arriving and departing at the start and end of semesters or terms. A condition will be added to secure this. As a result of this application the number of cars on the site and visiting the site is likely to be significantly reduced when compared to the use as a doctors surgery.

Cycle Parking

22. Policy CS13 of the OCS states that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. A fundamental part of encouraging cycling is the provision of secure cycle storage. High-quality cycle parking is especially important for student accommodation, as it is essentially car-free. The minimum standards for student accommodation reflect that more students are likely to cycle in Oxford if they live away from their place of study (whereas those within close proximity are likely to walk).
23. Policy HP15 of the SHP states planning permission will only be granted for residential development that complies with the following minimum cycle parking provision for student accommodation at least 3 spaces for every 4 study bedrooms. No cycle parking provision has been shown therefore a condition will be added to ensure it meets the requirements of the development plan.

Conclusion:

24. Committee is recommended to approve the application accordingly, subject to the conditions listed.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Lisa Green

Extension: 2614

Date: 27th August 2014

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Appendix 1

14/01725/FUL - North Oxford Medical Centre 96 Woodstock Road



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Ordnance Survey 100019348

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West Area Planning Committee

9th September 2014

Application Number: 14/01777/FUL

Decision Due by: 29th August 2014

Proposal: Erection of marquees from 14 June to 20 August for a temporary period of three years (part retrospective)

Site Address: 135 Banbury Road, **Appendix 1**

Ward: St Margaret's Ward

Agent: N/A

Applicant: Mr Nicholas Paladina

Application Called in – by Councillors – Wade, Goddard, Wilkinson and Fooks for the following reasons - on the basis of current and potential disturbance to neighbours in adjoining back gardens.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is considered to be appropriate in form for the purpose and temporary period proposed. The seasonal need for the structures for the period applied for has been demonstrated and it is not considered that any significant harmful impact will arise as a result of the proposal on the character of the conservation area or neighbouring amenities. The proposal is therefore considered to comply with policies CP1, CP8, CP10, CP 21, CP25 and HE7 of the Oxford Local Plan 2001-20016.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Limited Time Period
- 2 Hours of use
3. Garden restored

Main Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- HE7 - Conservation Areas
- CP21- Noise
- CP25 - Temporary Buildings

Core Strategy

CS18 - Urban design, town character, historic environment

Sites and Housing Plan

HP14 - Privacy and Daylight

Other Material Considerations:

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

Relevant Site History:

88/00274/NFH- Alterations and erection of a conservatory at the rear of each house- Permitted 17.08.1988

Public Consultation

Statutory and Other Consultees:

Moreton Road Neighbourhood Association, Cunliffe Close Residents' Association, North Oxford Association, Environmental Health

Third Party Comments Received:

5 letters of objection in total from the following addresses:
3, 5, 19 and the Lathbury Road Residents Association

The following comments were raised:

- Effect on adjoining properties
- Noise and disturbance
- Effect on residential amenity
- Effect on character of the area
- School should limit numbers of student intake

Determining Issues:

- Design
- Impact upon the Conservation Area
- Impact on neighbouring amenity

Officers Assessment:

Site Description

1 The application site comprises of a pair of semi detached properties, 133-135 Banbury Road which were formally dwellings but have since been converted to classrooms and associated use for the use of St Clare's College. The college is situated to the west side of Banbury Road, north of Oxford City centre, but just south of the Summertown shopping area.

Proposals.

2 The application is seeking planning permission for the erection of two marquees for a temporary, specified period with restricted hours of use at a site within the rear garden of the 133-135 Banbury Road site. The marquees are required from 14th June to 20th August each year for a temporary period of three years. The marquees are currently in situ and therefore the application is retrospective.

Design.

3 The marquees are sited together forming a footprint of 8m by 8m with each individual marquee having a foot print of 8m x 4m with a height of 3.05m. They have standard rigid aluminium uprights held with ropes and secured into the ground. They have open sides with a canvas that can be let down in wet weather and the roof supports a white canvas.

4 Policy CP.1 of the Oxford Local Plan (OLP) states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. The layout and density of the scheme must also respect the site context.

5 The marquees are simple in form and appropriate to their proposed use for covering the garden are on a temporary period. They would not form an appropriate visual relationship to the main dwelling were they to be sited on a permanent basis but it is considered that for three months of the year and for a temporary period of 3 years the siting is considered to be acceptable.

6 The Local Plan also has a policy that specifically relates to the provision of temporary buildings where there is a need. Policy CP. 25 states that for the purposes of the policy short term is defines at up to 5 years and the applicant must demonstrate the need and clearly state how long they want it for.

7 The applicant has submitted a supporting statement which demonstrates there is an additional influx of students over the summer period for summer English Language and revision courses. Due to this the meal time services is kept short to ensure timetables are met but there is not enough seating inside the building for all those students to take meals at the same time which is why the outside seating is used for queuing, and on occasions for dining itself. Of course,

regardless of the marquees, the seating could be used in the garden at any time.

8 Taking this into account it is clear that there is a current seasonal demand which the college has attempted to cater for by providing the temporary structures to keep the mealtimes as orderly and short as possible, and with a minimum of disturbance. The 9 week period for 3 years, is considered short term for the purposes of the policy but beyond that period the expectation should be that the college provides more suitable permanent dining accommodation for its students. In discussions with officers there it is a clear aspiration on behalf of the college to do so and to enter into a dialogue accordingly. An informative attached to the permission could usefully remind the college of the desirability of doing so.

Impact on Conservation Area.

9 Policy HE.7 of OLP states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation areas or its setting.

10 The permanent siting of marquees at this site by their very nature cannot be considered as development that either preserves or enhances the character and appearance of the conservation area. However, this application is for a temporary period of approximately 9 weeks only for each of 3 years. The marquees can be removed without leaving any lasting physical damage to the detriment of the garden or the wider conversation area and a condition can be imposed to ensure this is the case.

12 In terms of the use of the marquee and any impact this might have on the character of the conservation area, the garden area is of course available for the use of students of the college irrespective of whether a marquee is present or not. Indeed it is important that students have access to outdoor amenity space and that they are not confined to indoor teaching spaces alone.

11 Taking this into account it is considered the proposals would not conflict with conservation aims given the very temporary nature of the proposal.

Impact on Neighbouring Amenities.

12 Policy CP 21 of the OLP states that planning permission would not be granted for any development that would cause unacceptable noise and particular attention should be given to noise levels close to noise sensitive developments and in public and private amenity space both indoor and outdoor.

13 The marquees are proposed to be used for breakfast, lunchtime and dinner service 08:00 am to 09:00 am, 12:00 noon to 13:45 pm and 18:00 pm to 19:30 pm every day. The applicant states the marquees would be cleared by 21:00 pm each evening.

14 For their part the Council's Environmental Development colleagues have commented on the proposal confirming that the noise levels likely to be generated by the use of the marquees would be adequately restricted by the

imposition of conditions to limit the hours of use.

15 Comments have been received from neighbouring householders however regarding their residential amenities and that the seating outside would have a detrimental impact in terms of noise and disturbance. Officers are mindful of this, however weight must also be given to the fact that a certain level of seating may be provided within the school gardens, regardless of whether a marquee is present or not.

16 Given the limited hours of use put forward, the relatively short period of requirement and the commitment to seek permanent solutions, it is not considered that the provision of the marquees would result in any additional adverse impact to the amenities currently enjoyed by neighbouring properties such as to warrant refusal of planning permission.

17 Nevertheless it is suggested that a time limit should be imposed by condition in line with the hours of use the applicant proposes to ensure the use of the marquee is not used later than 9.00 pm each evening.

18 If a noise issue does occur, there is other legislation to address such matters should it be found it does result in a statutory nuisance. Environmental Development Officers have not found this to be the case on previous investigations however.

Conclusion.

19 Due to the temporary nature of the marquee it is not considered that the impact of its use would have a detrimental impact on the conservation area such as to warrant the refusal of planning permission. Whilst the comments of neighbours are fully acknowledged, the suggested conditions would limit the impact on neighbouring amenities in the expectation that more permanent solutions are brought forward in due course. Officers have concluded that withholding planning permission would not be justified and that temporary planning permission should be granted.

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.

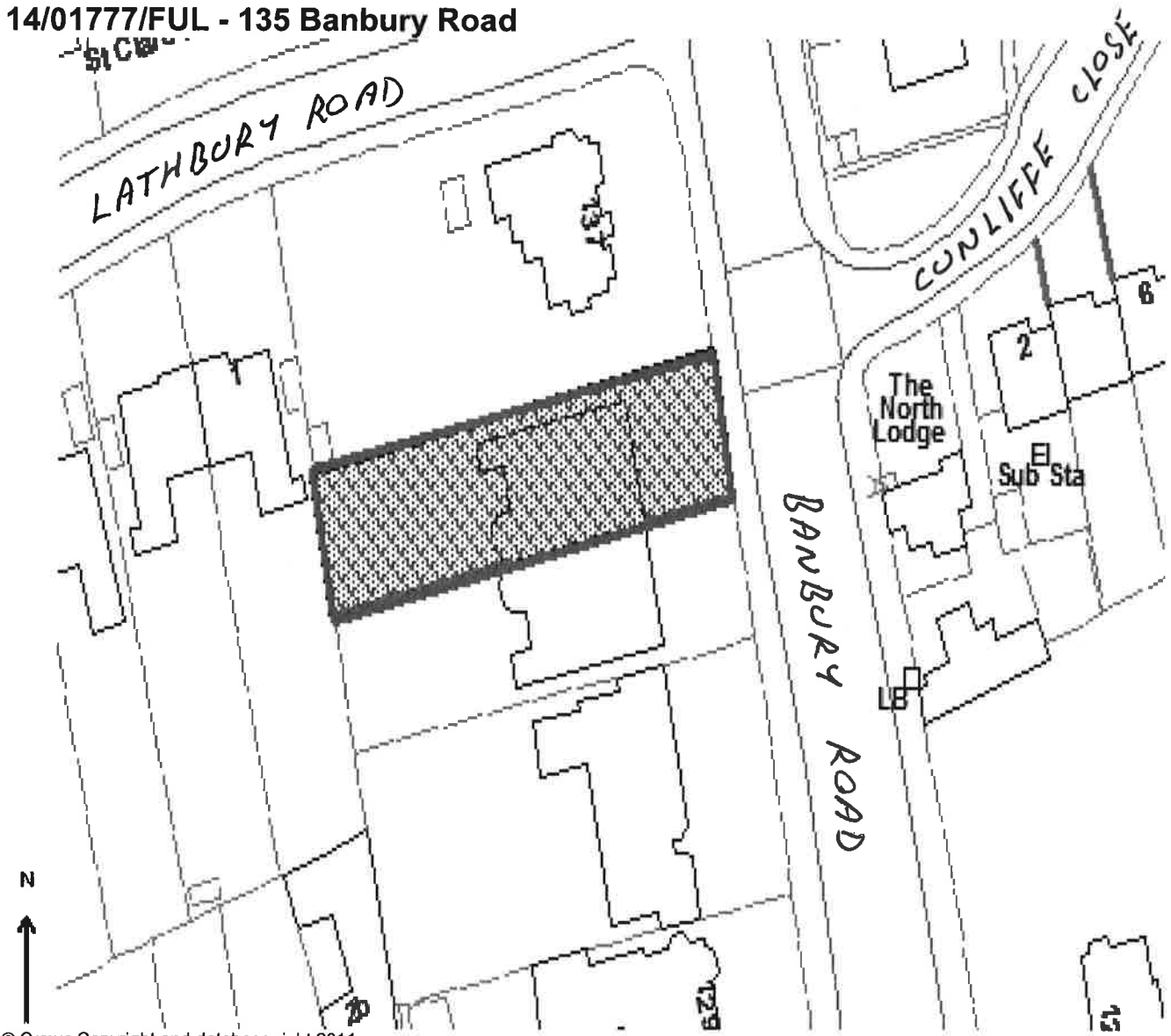
Background Papers:

Contact Officer: Will Holloway

Date: 29th August 2014

Appendix 1

14/01777/FUL - 135 Banbury Road



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West Area Planning Committee

9th September 2014

Application Number: 14/01601/FUL

Decision Due by: 21st August 2014

Proposal: Erection of single storey rear extension (retrospective)

Site Address: 21 Regent Street Oxford

Ward: St Marys Ward

Agent: Mr Steve Wright

Applicant: Mrs Carolina Hamid

Application Called in – by Councillors - van Nooijen, Fry, Upton and Clarkson

for the following reasons - design, context, parking, cycle parking and refuse arrangements, and because of local concern about differences between the executed work and the retrospective application.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

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

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

- 1 Protection of private amenity space
- 2 Sustainable drainage

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

Core Strategy

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

CS19_ - Community safety

Sites and Housing Plan (SHP)

MP1 - Model Policy

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

The Town and Country Planning (General Permitted Development) Order 1995. As amended. (GPDO).

Relevant Site History:

02/02034/FUL - Change of use from house in multiple occupation to 2 x 1 bedroom flat and 1 x 2 bedroom flat (Retrospective).. PER 19th December 2002.

05/00481/PDC - PERMITTED DEVELOPMENT CHECK - Demolition of garage. Creation of new hardstanding for cars. PRQ 2nd June 2005.

05/00552/FUL - Demolition of garage Formation of parking area for 3 cars and alterations to access to Denmark Street. REF 6th May 2005.

Representations Received:

A considerable number of comments and objections have been received. Other than the use of painted render, these relate mainly to matters other than the extension itself and focus on the removal of the boundary wall and resultant visual amenity and

security issues, the lack of bin and cycle storage and the loss of the lawned rear garden to gravel and potential car parking.

Statutory Consultees:

Local Highways Authority: No comments received

Local Drainage Authority: Drainage should be SUDs compliant

Issues:

Visual impact

Effect on adjacent occupiers

Officers Assessment:

Site Description and Background

1. 21 Regent Street is a brick built end of terrace house that has been divided into three flats under permission granted in 2002. That permission was conditional on the satisfactory provision of cycle parking and bin stores, but no records have been found indicating that these conditions have been complied with.
2. Permission was sought in 2005 for the demolition of a garage to the rear of the site, the formation of parking area for 3 cars and alterations to access to Denmark Street. This was refused for the following reason:
3. *The proposal to widen/alter the existing access will mean the loss of two on-street parking bays and create a cross-over vehicular access point of approximately 10m in width. The use of the proposed access would be likely to cause undue interference with the safety of pedestrians using this section of the public highway (footway) and cause an inconvenience to other road users of the adjoining highway.*
4. The Planning, Design and Access Statement included with the application makes it clear that the 2002 permission has been implemented and that the development will provide improved bathroom facilities for the lower of the flats.

Proposal

5. The current application seeks permission for the retrospective replacement of part of a single storey rear outrigger with a slightly larger single storey outrigger finished in painted render. The application also makes clear that an area of the rear garden has been dug out around the outrigger and retaining walls provided to the remaining garden.
6. The plans show the retention of the boundary wall to Denmark Street, with a new opening through the wall at the rear of the outrigger. Officers note that this wall has been removed in its entirety.

7. It is further noted that the former garage has been removed from the site and the remaining rear garden has been surfaced with gravel.
8. An enforcement enquiry early in 2014 established that a rear extension had been constructed that did not have the benefit of Permitted Development rights under Part 1 of Schedule 2 of the GPDO because the building is in use of flats. It was also established that the boundary wall had been removed following advice from a Building Control surveyor that it was unsafe, and that this would be replaced with a 1 metre high fence, which would be Permitted Development under Part 2 (Minor Operations) of the GPDO.
9. In dialogue with officers, the applicant's agent has indicated that a condition requiring details of a more permanent boundary treatment would be acceptable.

Principle

10. The removal of the boundary wall would have been Permitted Development under Class B, Part 31, Schedule 2 of the GPDO, whilst the erection of the 1 metre high fence would be Permitted Development under Class A, Part 2, Schedule 2 of the GPDO. There is no change to the access from the highway to the site of the former garage and therefore no need for consent.
11. The removal of the garage could potentially have been Permitted Development under Class A, Part 31 if the relevant conditions were complied with, whilst the covering of the garden with gravel would not generally need consent, but cannot be taken as the creation of hardstanding under Class F, Part 1, as this class relates only to dwelling houses and not to flats.
12. The apparent failure to comply with the conditions of the 2002 permission cannot be a material matter as it is now impossible to enforce compliance with these conditions due to the passage of time.
13. The main issues for consideration are therefore the effect of the single storey extension on visual and residential amenity and the potential use of the rear garden as hardstanding.

Visual Impact

14. Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.
15. The extension is easily visible from the public domain. The proposed painted render finish reflects the existing finish to the lower part of the original side wall and is similar to other extensions in the area. Overall, the extension is not materially detrimental to visual amenity and complies with Policies CP1 and

CP8 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

- 16.NB: Whilst the removal of the garage could potentially have been Permitted Development under Class A, Part 31 if the relevant conditions were complied with, officers consider that the previous garage structure was of a form and materials detrimental to visual amenity and taking these issues in isolation, its loss is therefore welcome.

Effect on Adjacent Occupiers

17. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim.
18. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
19. The proposal complies with the 45-degree guidance, is considered unlikely to have a material effect on adjacent properties, and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

Private amenity space

20. Policy CP10 of the OLP states that permission will only be granted where developments are sited to ensure that outdoor needs are properly accommodated, including private amenity space. Policy HP13 of the SHP also addresses garden space, but this policy relates only to new dwellings.
21. The demolition of the garage, along with the provision of a gravel surface to the rear garden may create the temptation to use the area beyond the former garage for car parking. This would remove the provision of an area for the drying of clothes or sitting out and it is considered reasonable for any grant of planning permission to be conditional on the approval and provision of a means to physically prevent car parking on this area of garden as well as reinstatement of the boundary wall to protect the privacy and availability of the remaining garden space and ensure the development complies with Policy CP10 of the OLP.

Flooding

22. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off.
23. The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the provision of drainage to the rear yard compatible with Sustainable Urban Drainage

Systems, the development will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

Conclusion:

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

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 14/01601/FUL

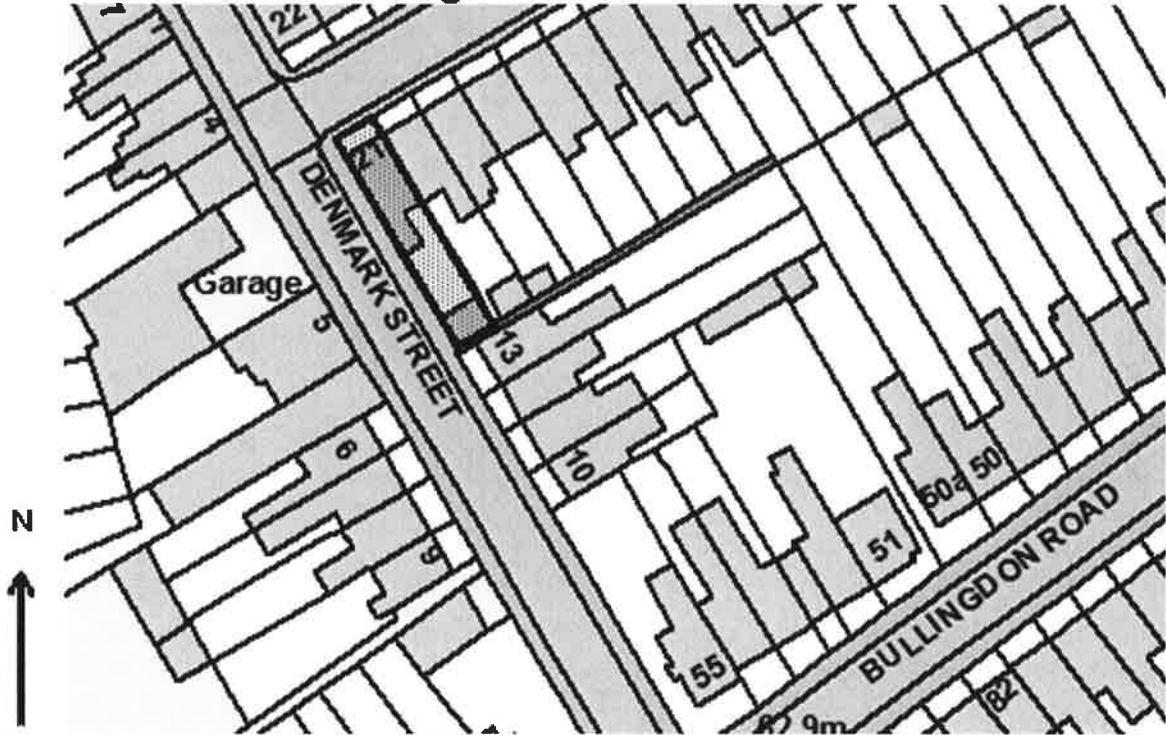
Contact Officer: Tim Hunter

Extension: 2154

Date: 29th August 2014

Appendix 1

14/01601/FUL - 21 Regent Street



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Monthly Planning Appeals Performance Update – July 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 31 July 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 31 July 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	23	37.1	9	14
Dismissed	39	62.9	8	31
Total BV204 appeals	62	100.0	17	45

**Table A. BV204 Rolling annual performance
(1 August 2013 to 31 July 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	12	57.1	7	5
Dismissed	9	42.9	5	4
Total BV204 appeals	21	100.0	12	9

**Table B. BV204: Current business plan year performance
(1 April 2014 to 31 July 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	27	36.0%
Dismissed	48	64.0%
All appeals decided	75	100.0%
Withdrawn	2	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 August 2013 to 31 July 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 April 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 April 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 1/07/14 And 31/07/14

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee;
RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

31

DC CASE	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
13/03090/TPO	14/00009/REFUSE	DEL	REF	ALC	01/07/2014	SUMMTN	Grove House Club Grove Street Oxford Oxfordshire	2No. yew trees located at the extreme western end of the site, adjacent to a brick wall, excavate roots using "tree friendly" methods including air spade and hand digging under professional arboricultural supervision a trench to a maximum of 0.5 metre depth across the site. The work will also explore the extent of rooting between the trench and the trees themselves as explained in the attached method statement. Identified as T1 and T2 on the OCC - Grove Street (No. 1) Tree Preservation Order 2010.
14/00850/FUL	14/00032/REFUSE	DEL	REF	ALWCST	15/07/2014	WOLVER	22 Linkside Avenue Oxford Oxfordshire OX2 8HY	Erection of two storey rear extension including extension to roof.
14/00147/FUL	14/00022/REFUSE	DEL	REF	DIS	16/07/2014	WOLVER	35 Sunderland Avenue Oxford Oxfordshire OX2 8DT	Demolition of existing detached dwelling and garage. Erection of 1 x 3 bedroom house (Use Class C3) and 2 x 2-bedroom flats (Use Class C3). Provision of private amenity space, bin and cycle stores.
13/03320/PA11	14/00014/REFUSE	DELCOM	PER	ALW	16/07/2014	HINKPK	Footbridge Within South Oxford Adventure Playground White House Road Oxford Oxfordshire	Application seeking prior approval for development comprising demolition of existing and erection of replacement footbridge under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)
13/03355/FUL	14/00028/REFUSE	COMM	PER	DIS	16/07/2014	NORTH	5 Farndon Road And 19	Erection of single storey side extension,

13/02673/B56	14/00018/PRIOR	DEL	7PA	ALW	17/07/2014	COWLYM	Warnborough Road Oxford Oxfordshire OX2 6RS	extensions at basement level. (Additional Information)
							Site Of Canterbury House 393 Cowley Road Rivera House 156 Reliance Way And Adams House 158 Reliance Way Oxford Oxfordshire OX4 2FQ	Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 16 dwellings (3 x 1-bed and 13 x 2-bed). This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts and contamination and flooding risks.
13/03212/FUL	14/00020/REFUSE	DEL	REF	DIS	21/07/2014	HEAD	Store Adjacent 79 St Leonard's Road Oxford Oxfordshire	Demolition of garage/store building. Erection of 1 x 3-bed dwellinghouse (Use Class C3).
13/01800/FUL	14/00016/REFUSE	COMM	PER	ALC	28/07/2014	CARFAX	St Cross College St Giles' Oxford Oxfordshire OX1 3LZ	Demolition and rebuilding of existing boundary walls. Erection of 53 study bedrooms, lecture theatre, library, seminar rooms and ancillary accommodation on 4 floor plus basement.
13/01801/LBD	14/00017/REFUSE	DELCOM	PER	ALC	28/07/2014	CARFAX	St Cross College St Giles' Oxford Oxfordshire OX1 3LZ	Demolition and rebuilding of existing boundary walls.

Total Decided: 9

Enforcement Appeals Decided Between 1/07/2014 And 31/07/2014

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
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Total Decided: 0

Table E

Appeals Received Between 1/07/14 And 31/7/14

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

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
13/02510/FUL	14/00037/REFUSE	DEL	REF	W	13 Circus Street Oxford Oxfordshire OX4 1JR	STMARY	Two storey extension to provide larger living accommodation to flat 13B, creation of an additional 1 x 2 bed flat on ground floor (Flat E) and alterations and extensions to Flats A, C and D to form 2 x 2-bed flats. Provision of private amenity space, street level screened cycle stores and bin stores. Relocation of raised flower bed and Alhambra Lane sign to first floor level (amendments to planning permission 12/03252/FUL). (Amended plans, description and Additional Information)
13/03005/FUL	14/00035/REFUSE	DEL	REF	W	227 Iffley Road Oxford Oxfordshire OX4 1SQ	STMARY	Replacement of all timber windows with white uPVC windows of a similar style.
14/00431/FUL	14/00036/REFUSE	DEL	REF	W	13 Circus Street Oxford Oxfordshire OX4 1JR	STMARY	Extension to existing Flat D comprising 2 x dormer windows to front and rear roof slopes and formation of a balcony, to create a 1 x-2 bed flat.
14/00450/FUL	14/00033/NONDET	DELCOM	PER	W	32 Little Clarendon Street And 126 And 127 Walton Street Oxford Oxfordshire OX1 2HU	NORTH	Change of use from Use Class A1 (Shops) to Use Class A3 (Restaurants and cafes).
14/00725/FUL	14/00039/REFUSE	DEL	REF	W	Temple Lounge 21 Temple Street Oxford Oxfordshire OX4 1JS	STMARY	Raising the height of the roof and insertion of 4No rooflight to rear roof slope and 2No rooflight to front roof slope in association with loft conversion.
14/01120/FUL	14/00038/REFUSE	DEL	REF	H	190 Headley Way Oxford Oxfordshire OX3 7TA	HEAD	Erection first floor extension to rear and side elevations

Total Received: 6

WEST AREA PLANNING COMMITTEE

Tuesday 12 August 2014

COUNCILLORS PRESENT: Councillors Gotch (Vice-Chair), Benjamin, Clack, Cook, Gant, Tanner, Coulter and Upton.

OFFICERS PRESENT: Michael Morgan (Law and Governance), Mathew Metcalfe (Democratic and Electoral Services), Clare Golden (City Development) and Andrew Murdoch (City Development)

33. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Oscar Van Nooijen (substitute Councillor Van Coulter) and Councillor Bob Price (substitute Councillor Louise Upton).

34. DECLARATIONS OF INTEREST

There were no declarations of interest made.

35. BULLINGDON ARMS, 162 COWLEY ROAD: 14/01296/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to convert the existing first floor flat into a bar area including roof terrace. Alterations to existing shopfront.

In accordance with the criteria for public speaking, the Committee noted that Rosa Parsons and Councillor Craig Simmons spoke against the application and Paul Williams spoke in favour of it.

The Committee resolved to:

- (a) Approve planning permission for the alterations to the existing shopfront subject to the following conditions:
 - (1) Development begun within time limit
 - (2) Develop in accordance with approved plans
 - (3) Materials as specified
- (b) Refuse planning permission for the conversion of existing first floor flat into a bar area including roof terrace for the following reason:
 - (1) In the absence of an acoustic assessment by an appropriately qualified consultant, the Council cannot conclude that the proposed outdoor roof terrace would not have a significant adverse impact on residential amenity contrary to Policy CP1, CP10, CP19 and CP21 of the Oxford Local Plan.

36. 244 ABINGDON ROAD: 14/01890/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect a single storey rear extension at first floor level.

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 resolved to grant planning permission subject to the following conditions:

- (1) Development begun within the three year period
- (2) Develop in accordance with approved plans
- (3) Materials used in the exterior to match those of the existing

37. WALTON CAFE, 67 WALTON STREET: 14/01642/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect a single storey rear extension incorporating new ventilation. Formation of bin storage area to rear. Erection of railings to front boundary.

In accordance with the criteria for public speaking, the Committee noted that Richard Boxhall and Michael Cork spoke against the application and Simon Sharp spoke in favour of it.

The Committee resolved 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 in approved plans
- (4) Extraction system to be installed as approved prior to development being brought into use and retained as approved thereafter
- (5) Operating hours: 08.30am – 10.00pm Monday – Saturday, 09.00am – 10.00pm Sundays
- (6) All windows/doors/rooflights in approved extension to be closed by 10.00pm
- (7) Details of final design of railings to be submitted and approved prior to commencement
- (8) To restrict public access to the rear garden [except for emergency escape] as per the licensing approval
- (9) Exclusion of bi-folding doors from permission, details of emergency exit to be submitted

38. 12 - 15 BATH STREET: 14/01272/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish the existing rear extensions and erection of a part single-storey, part two-storey rear extensions.

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 resolved to grant planning permission subject to the following conditions:

- (1) Development begun within time limit
- (2) Develop in accordance with approved plans
- (3) Materials – matching
- (4) Landscape plan required
- (5) Landscape hard surface design – tree roots
- (6) Tree Protection Plan (TPP) 1
- (7) Arboricultural Method Statement (AMS) 1
- (8) Biodiveristy
- (9) Flooding

39. PLANNING APPEALS

The Head of City Development submitted a report (previously circulated, now appended) which detailed the planning appeals received and determined during June 2014.

The Committee resolved to note the report on planning appeals received and determined during June 2014.

40. MINUTES

The Committee resolved to approve the minutes of the meeting held on 22 July 2014 as a true and accurate record, subject to the following amendment:

Minute 27 – Elsfield Hall, 15-17 Elsfield Way, Oxford – 13/03454/CT3 – To include the following names as speakers for and against the application:

Antony Harding – In support

Kate Richenberg, Eileen Pirie and Francesca Penny - Against

41. FORTHCOMING APPLICATIONS

The Committee resolved to note the list of forthcoming applications.

- (1) Aristotle Lane: 14/01348/FUL: Replacement footbridge
- (2) 96 Woodstock Road: 14/01725/FUL: Student accommodation
- (3) Former Builders Yard, Collins Street: 14/01273/FUL: residential and employment
- (4) Former Filling Station, Abingdon Road: 13/02638/FUL; Residential
- (5) Former Paper Mill, Mill Street, Wolvercote: 13/01861/OUT
- (6) 117 Fairacres Road: 14/01012/FUL: Extensions
- (7) 9 Whitehouse Road: 14/01515/FUL
- (8) 21 Regent Street: 14/01601/FUL

42. DATE OF NEXT MEETING

The Committee noted that the next meeting would be held on Tuesday 9 September 2014.

The meeting started at 6.30 pm and ended at 7.55 pm