

Agenda

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West Area Planning Committee

Date: **Wednesday 8 October 2014**

Time: **6.30 pm**

Place: **Long Room - Town Hall**

For any further information please contact:

Jennifer Thompson, Committee and Member Services Officer

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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

Vice Chair

Councillor Michael Gotch
Councillor Elise Benjamin
Councillor Bev Clack
Councillor Colin Cook
Councillor Andrew Gant
Councillor Alex Hollingsworth
Councillor Bob Price
Councillor John Tanner

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AGENDA

	Pages	
1	APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2	DECLARATIONS OF INTEREST	
3	SPANISH CIVIL WAR MEMORIAL, BONN SQUARE -14/01888/FUL	1 - 10

The Head of City Development has submitted a report which details a planning application for the installation of a memorial stone at Bonn Square Oxford.

The proposal is to erect a memorial in Bonn Square to the volunteers from Oxfordshire who died in the International Brigades in the Spanish Civil War

Officer recommendation:

The Committee is recommended to refuse the application for the following reasons:

1. The proposed memorial stone, by reason of its height, width, depth, design, material and location, is considered inappropriate in size and would appear visually intrusive and over-dominant in Bonn Square. In addition it would detract from the setting of the adjacent listed buildings and in particular the Tirah Memorial. The development as proposed would be harmful to the setting of the listed building No.1 New Inn Hall Street, the Grade II listed Tirah Memorial and the Central (city and University) Conservation Area. This harm would be less than substantial, and without an overriding public benefit the proposal is considered contrary to Policies CP1, CP8, CP10, HE3 and HE7 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy and the NPPF.

2. The proposed memorial stone would result in the cluttering of the public open space, which is contrary to the aims of the West Area Action Plan in relation to Bonn Square. Due to its location close to the end wall of No.1 New Inn Hall Street would increase the feeling of insecurity and reduce natural surveillance, leading to an area conducive to littering and potential for crime, contrary to the principles of 'Secured by Design' and Policies CP9, CP10 and CP12 of the Oxford Local Plan 2001-2016 and Policy CS19 of the Core Strategy and WE5 of the West End Area Action Plan.

4 117 FAIRACRES RD - 14/01012/FUL 11 - 18

The Head of City Development has submitted a report which details a planning application for a two storey rear extension, two velux style roof lights to side roof slope and porch to front door.

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

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials – matching.
4. Amenity - no windows to side.
5. Sustainable drainage.
6. Details excluded submit revised plans.
7. Flood proofing.
8. Floor levels.

5 41 PORTLAND RD - 14/02327/FUL 19 - 26

The Head of City Development has submitted a report which details a planning application for the erection of a part single, part two storey rear extension.

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

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials – matching.
4. Amenity no additional windows – side.
5. SUDS.

6 PLANNING APPEALS 27 - 38

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

The Committee is asked to note this information.

7 MINUTES 39 - 44

Minutes from the meetings of 9th September and 24th September 2014

Recommendation: That the minutes of the meetings held on 9th September and 24th September 2014 be APPROVED as a true and accurate record.

8 FORTHCOMING APPLICATIONS

The following applications for consideration by the committee are listed for information. They are not for discussion at this meeting.

- 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.

The chief principal planner will report any additional applications at the meeting.

9 DATE OF NEXT MEETING

The Committee will meet on the following dates:

2014

Thursday 9th October if necessary (overflow meeting)

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; licences 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 of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

West Area Planning Committee

8th October 2014

Application Number: 14/01888/FUL

Decision Due by: 12th September 2014

Proposal: Installation of memorial stone.

Site Address: Land At Bonn Square Oxford Oxfordshire

Ward: Carfax Ward

Agent: Mr Colin Carritt

Applicant: Mr Jim Jump

Introduction:

This application was due to be considered under Delegated Powers and the period for enabling a call-in to Committee by Councillors has now expired. However, given Officers recommendation below and the potentially sensitive subject matter, Officers considered it appropriate that Committee should determine the application in this case.

Recommendation: West Area Planning Committee is recommended to refuse the application for the following reasons:

1. The proposed memorial stone, by reason of its height, width, depth, design, material and location, is considered inappropriate in size and would appear visually intrusive and over-dominant in Bonn Square. In addition it would detract from the setting of the adjacent listed buildings and in particular the Tirah Memorial. The development as proposed would be harmful to the setting of the listed building No.1 New Inn Hall Street, the Grade II listed Tirah Memorial and the Central (city and University) Conservation Area. This harm would be less than substantial, and without an overriding public benefit the proposal is considered contrary to Policies CP1, CP8, CP10, HE3 and HE7 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy and the NPPF.
2. The proposed memorial stone would result in the cluttering of the public open space, which is contrary to the aims of the West Area Action Plan in relation to Bonn Square. Due to its location close to the end wall of No.1 New Inn Hall Street would increase the feeling of insecurity and reduce natural surveillance, leading to an area conducive to littering and potential for crime, contrary to the principles of 'Secured by Design' and Policies CP9, CP10 and CP12 of the Oxford Local Plan 2001-2016 and Policy CS19 of the Core Strategy and WE5 of the West End Area Action Plan.

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

HE2 - Archaeology

HE3 - Listed Buildings and Their Setting

HE7 - Conservation Areas

Core Strategy

CS18_ - Urb design, town character, historic env

CS19_ - Community safety

West End Area Action Plan

WE1 -

WE5 – Public Spaces

WE10- Historic Environment

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

This application is in the Central Conservation Area and affects the setting of a listed building and memorial.

Relevant Site History:

06/00487/FUL - Planning permission for engineering works involving removal of existing boundary walls, gates and railings and remodelling of public square and highway, by creation of ramped surface over former graveyard with stepped access to sides, 4 lighting columns, arts totem, seating, church noticeboards and landscaping. Retention of Tirah Memorial and Bonn stone. PER 6th July 2006.

06/00486/ADV - Erection of freestanding arts totem sign with illuminated information display panel and two freestanding non-illuminated church notice boards. PER 5th July 2006.

06/00488/CAC - Demolition of unlisted graveyard boundary wall to New Inn Hall Street. Approved by GOSE 11th July 2006.

06/00489/LBC - Listed Building Consent for alterations to provide additional step to each side of Tirah Memorial. Approved by GOSE 1th July 2006.

Representations Received:

Oxford Civic Society

- Supportive of the proposal to erect a memorial in Bonn Square to the volunteers from Oxfordshire who died in the International Brigades in the Spanish Civil War.

- However, currently-proposed design is very unimaginative and its proposed positioning within Bonn Square is unfortunate.
- Placing a monument 2m high and 1m wide 600mm in front of the north wall of the square will create an area between the memorial and the wall which will collect litter, be difficult to clean and potentially become a focus at night for urination.
- Such a large monument would also detract from the open design and use of the square, which is already in danger of becoming cluttered with obstructive intrusions.
- When the trees in the square are in leaf this area is heavily shaded and despite its size, the memorial will not be very visible.
- We feel that, apart from the size and suggested positioning of the proposed memorial, and its absence of sculptural interest, the proposed text is so long as to detract from the identification of the names of the volunteers who died.
- Strongly agree with the comments in the Design and Access Statement that care needs to be given to the font to be used; planning consent should not be granted before the exact details of the wording and font on the memorial are known and agreed.
- Suggest that placing the memorial on the west wall of the square would create an opportunity to design a much more imaginative memorial, which would be much more prominent, could be better appreciated and would enhance the setting.

Statutory Consultees:

Highways Authority: The Highway Authority has no comments to make on this application.

Officers Assessment:

Background:

1. The original re-development brief for Bonn Square and winning international competition scheme that was granted approval in 2006 (06/00487/FUL, 06/00488/CAC and 06/00489/LBC refer), was to open the area up to create an uncluttered and spacious environment, where people could sit and relax, move freely through and also feel safe. This was all done in the context of enhancing the Conservation Area and setting of the listed buildings, Tirah Memorial and Baptist Church adjacent. This is reiterated in the supporting text of the West End Area Action Plan (WEAAP) for Bonn Square which states

'that Bonn Square will be redesigned becoming an uncluttered area that can be used flexibly for day-to-day and programmed activities, while respecting the history of the site'.

The delivery of a new Bonn Square in line with the principle outlined above is embedded in Policy WE5 of the WEAAP.

Proposal:

2. It is proposed to erect a memorial stone to commemorate those who died in the Spanish Civil War. The stone will measure 2m high, 1m wide, 30cm deep

and made from granite. It would be located 60cm away from the end wall of No.1 New Inn Hall Street, at the top of the square.

Issues:

3. The main determining issues are:
 - Impact on the character and appearance of Bonn Square and Heritage Assets
 - Design and crime
 - Archaeology

Impact on the character and appearance of Bonn Square and Heritage Assets:

4. Policies CS18 of the Core Strategy (CS) and Policies CP8 and CP9 of the Oxford Local Plan (OLP) collectively seek to inform the decision making process and building upon the requirement in the NPPF for good design. Without being overly prescriptive the policies emphasise the importance of new development fitting well within its context with high quality architecture and appropriate building height, design, massing and materials creating a sense of place and identity.
5. In respect specifically to the historic environment, CS18 of the CS states that development must respond positively to the historic environment but not result in the loss or damage to important historic features or their settings. Policy HE7 of the OLP further adds that the special character and appearance of the conservation area should be preserved with Policy HE3 stating that planning permission will only be granted for development that respects the character of the surrounding of listed building and have due regard for their setting.
6. The NPPF published in March 2012 reiterates the Government's commitment to the historic environment and its heritage assets which should be conserved and enjoyed for the quality of life they bring to this and future generations. It emphasises that the historic environment is a finite and irreplaceable resource and the conservation of heritage assets should take a high priority. Local Planning Authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets in considering a proposal and also desirability of new development making a positive contribution to local character and distinctiveness.
7. At the heart of the NPPF is a presumption in favour of sustainable development which is stated to mean, unless material considerations indicate otherwise, approving development proposals that accord with the development plan without delay. However, development that causes harm to a heritage asset or its setting should be avoided unless there is a public benefit to outweigh that harm.
8. The significance of the heritage asset can be harmed or lost through development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. If harm is identified

then it should be assessed as to whether the harm is substantial or less than substantial. The NPPF goes on to state that substantial harm to a grade II listed building, park or garden (and in this case monument also) should be exceptional and Local Planning Authorities should refuse planning permission unless it can be suitably demonstrated that that such harm or loss is necessary to achieve and outweighed by substantial public benefits.

9. If a proposal is considered to cause less than substantial harm, then this would also need to be weighed against the public benefits of the proposal. Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the NPPF.

Furthermore recent case law (Barnwell v East Northants District Council and Secretary of State, Feb 2014) has shown that in making a balancing judgement between any harm and the public benefits of a proposal that decision makers must give considerable weight and importance to their duty to protect listed buildings and their settings.

10. It is considered that the proposed stone memorial is inappropriate in size. At 2m high, 1m wide and 30cm deep it would appear large and the combination of the proposed granite material would mean that the stone would be visually intrusive and dominate that end of Bonn Square undermining the visual role that the Tirah Memorial is designed to perform as the centre piece of the space. In addition the proposed granite material is considered inappropriate and does not relate appropriately to the existing materials of the area, particularly the rubble stone all of No.1 New Inn Hall Street, but also the stone of the Tirah Memorial. The Applicant has stated that they consider granite would be more durable and appropriate for a monument of this size, although they acknowledge that other stones would be more in keeping. It is also considered that the design of the monument lacks visual interest, which the Oxford Civic Society also refers to as 'sculptural interest', and the type face indicated would not enliven the monument either. The examples of similar monuments elsewhere submitted with the application do not give officers any greater confidence that this memorial is of the right design or quality for Bonn Square.
11. Officers consider that the proposed monument, due to its size, material and location, would not enhance the character and appearance of Bonn Square visually and would be harmful to the setting of the listed building and existing memorial and Conservation Area. In considering the harm, in line with the advice set out in the NPPF, Officers consider that the harm would be less than substantial. Given that there is existing street furniture in that location and an existing commemorative plaque on the wall of No.1 New Inn Hall Street, officer further concern is that there is already the beginning of a cumulative effect, cluttering what should be an open space. Agreeing to a development of the scale proposed would set an unfortunate precedent and lead to further clutter contrary to the original aspirations and intentions of the redevelopment and the WEAAP.

12. It is acknowledged that the memorial has been sited to allow cleaning behind however it is considered that due to its width and height and proximity to the wall of No.1 New Inn Hall Street that it would become an unsafe area and a refuge for antisocial behaviour and crime, particularly at night, which is contrary to the principles of Design against Crime. This was something that was a particular issue with Bonn Square before and has successfully been resolved in the opening up and de-cluttering of the Square. This is a view supported by the Oxford Civic Society.
13. Currently the tree canopy is low and the top of the memorial would reach the canopy. Whilst the Tree Officer has no concerns regarding potential direct impact on trees there is a risk to the tree from people climbing up the memorial.
14. The Square is now well used and the limited seating there is at a premium, therefore to have a memorial of this size in this location that does not have any other function, for example seating, is disappointing. It would also limit the opportunity for any further seating to be made available, should the Council wish to do so.
15. In summary therefore, the stone would appear large and out of keeping, it would be harmful to the designated heritage assets and would begin to clutter up the public open space, which is clearly contrary to the purpose of Bonn Square. It is therefore contrary to Policies CP1, CP8, CP10, HE3 and HE7 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy and the NPPF.

Archaeology:

16. This site is of interest because it involves minor ground works within the former cemetery of St Peter-le-Bailey Church at Bonn Square. The church was established by the 12th century and demolished in 1873. A great deal of archaeology was found during the re-development in 2006. It should also be noted the cemetery remains consecrated and permission from the Diocese will be required for any ground works.
17. The National Planning Policy Framework states the effect of an application on the significance of a non-designated heritage asset, for example archaeology, should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate 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.
18. In this case, the Archaeology Officer advises that due to the small scale of the proposed works the development would have less than substantial harm on

any archaeological assets and therefore raises no objection. However, should Committee be minded to approve the development a condition should be attached requiring a watching brief.

Conclusion:

19. It is reiterated that comments are made purely on planning grounds and not against the principle of honouring our servicemen and women. However, the proposed development would be harmful to the character and appearance of Bonn Square and designated heritage assets and its purpose as an uncluttered, free-flowing space and the detrimental impact and harm caused is not outweighed by any significant material considerations. Officers therefore recommend the West Area Planning Committee refuse planning permission in this case.

20. However, should members conclude that the proposal has merit and are minded to approve the application, then the Committee is advised to consider the desirability of attaching conditions that will secure the:

- Use of a more appropriate stone type;
- Changes to the detailed design and finish;
- Adjustment to its siting.

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 refuse, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 14/0001888/FUL

Contact Officer: Felicity Byrne

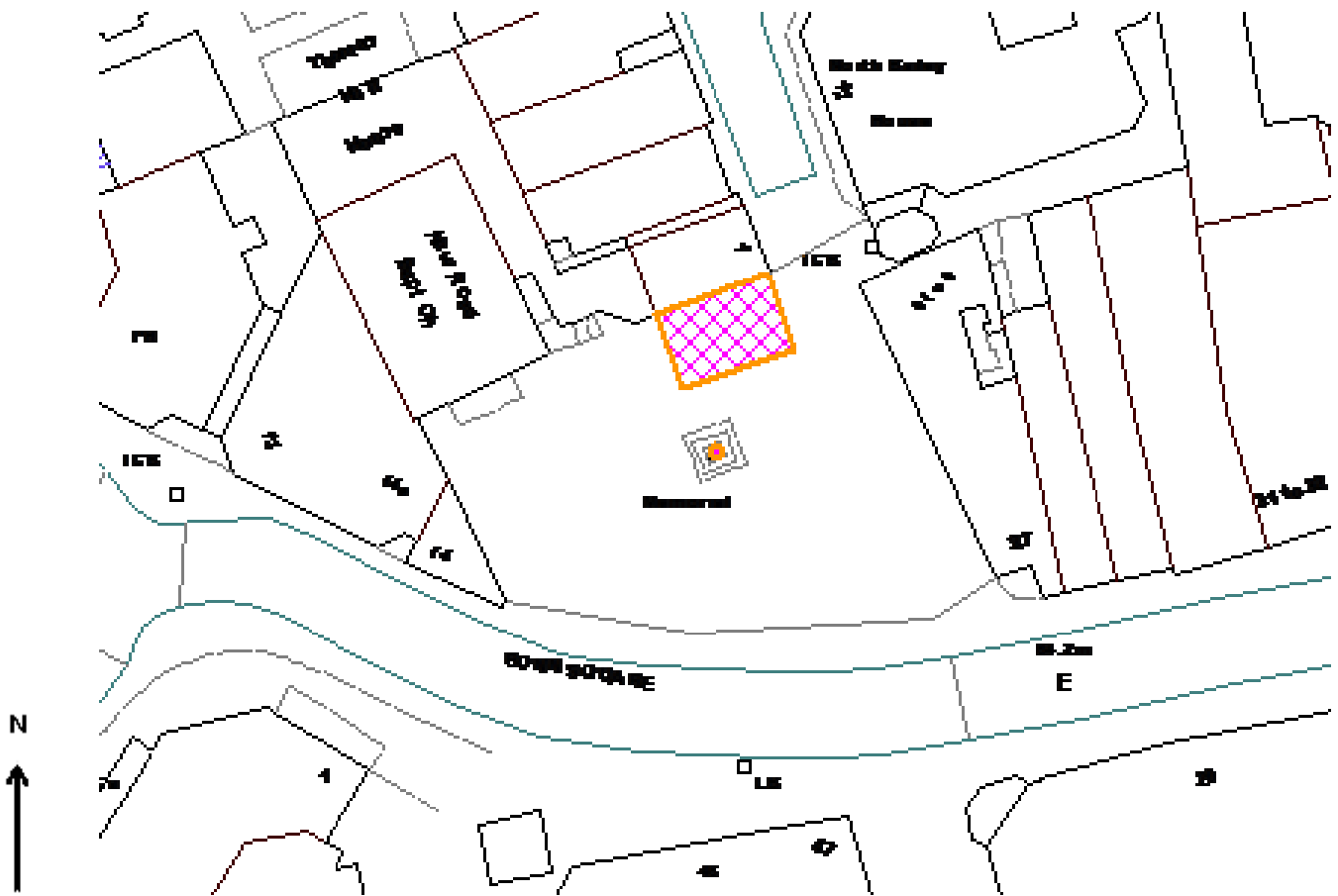
Extension: 2159

Date: 22nd September 2014

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Appendix 1

14/01888/FUL - Land at Bonn Square



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Ordnance Survey 100019348

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West Area Planning Committee

8th October 2014

Application Number: 14/01012/FUL

Decision Due by: 5th June 2014

Proposal: Two storey rear extension, two velux style roof lights to side roof slope and porch to front door (Amended description)

Site Address: 117 Fairacres Road Oxford Oxfordshire; **Appendix 1**

Ward: Iffley Fields Ward

Agent: Mr Steve Palmer

Applicant: Lumar Developments Ltd

Application Called in – by Councillors – Benjamin, Williams, Hollick and Simmons

for the following reasons - so that it can be decided in public.

Recommendation: West Area planning Committee is recommended to approve the application for the following reasons and subject to and including conditions listed below.

Reasons:

- 1 The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding, parking and overlooking 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Amenity - no windows to side
- 5 Sustainable drainage
- 6 Details excluded submit revised plans
- 7 Flood proofing
- 8 Floor levels

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 (CS)

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan (SHP)

MP1 - Model Policy

HP9_ - Design, Character and Context

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Oxford City Council Planning Design Guide 1 – Corner Site Extensions
(Design Guide1)

Relevant Site History:

74/00788/A_H - Erection of garage and two storey extension to existing dwelling house. PER 6th September 1974.

13/01122/FUL - Erection of a two storey rear extension. Demolition of existing single storey rear garage and erection of 2 storey garage with accommodation ancillary to the dwelling house.. WDN 19th August 2013.

Representations Received:

A considerable number of comments and objections have been received. Many of these relate to the proposed subdivision of the plot and parking to the front corner of the site (elements that have now been removed from the current plans), as well as design considerations, problems of access and parking, flooding, neighbour amenity, boundary treatment and possible future use.

Statutory and Internal Consultees:

Local Highways Authority: Holding objection pending submission of parking plan.

Environment Agency: Refer to Standing Advice – should not have been consulted.

Issues:

The main issues are considered to be:

- Visual impact
- Effect on adjacent occupiers
- Flooding
- Parking

Officers Assessment:

Site description and Proposal

1. 117 Fairacres Road is a detached property on a corner plot, siding onto Meadow Lane, a pedestrian and cycle route with limited vehicular access. A former garage to the rear of the plot has been demolished and the vehicular access to Meadow Lane is currently blocked and unpractical, although it would appear that this could be brought back into use without the need for consent from the Local Planning Authority.
2. The application as originally submitted showed extensions to the house, along with a subdivision of the plot and replacement parking to the front corner of the plot.
3. The subdivision of the plot and replacement parking have now been removed from the proposed plans, as has a double garage shown at the rear of the plot that was shown on one of the amended plans. The form of the extension has also been revised, with a marginally smaller footprint (now set back some 200mm further from Meadow Lane) and fully pitched roof instead of the pitched/flat roof in the original plans.

Visual impact

4. 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 existing building and local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.
5. Oxford City Council Planning Design Guide 1 – Corner Site Extensions seeks to ensure that houses on corner sites are not unbalanced by excessively wide side extensions that dominate the existing houses.
6. The proposed extensions would be easily visible from the public domain. The porch is relatively small in scale and the pitched roof element reflects the roof of the main house. The two storey rear extension (side extension when viewed from Meadow Lane) is set in from both flank walls and whilst somewhat bulky is considered to preserve an acceptable visual relationship with the existing house and area and to adequately reflect the aims of Design Guide 1.
7. Officers consider that the pitched roof design, whilst higher, is preferable to the semi flat roof approach originally submitted. Overall, and subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and is therefore in accordance with Policies CP1 and CP8 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

Effect on adjacent occupiers

8. 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.
9. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
10. The proposal complies with the 45-degree guidance and subject to a condition to prevent an unacceptable increase in overlooking of 115 Fairacres Road by the formation of any new side facing windows, will not have an unacceptable effect on adjacent properties and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

Flooding

11. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk, floodwater flows and flood water storage, and require a flood risk assessment to be prepared for applications in areas of low lying land.
12. The application site is within an area of low-lying land and no flood risk assessment (FRA) has been supplied. However, bearing in mind that this would have taken the form contained within the Environment Agencies

Standing Advice and related only to floor levels and consideration of flood proofing measures, it is considered that this issue can be adequately dealt with by conditions of any grant of planning permission.

13. The development will also 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 development is carried out in accordance with the principles of Sustainable urban Drainage Systems, it is considered that the proposals will not result in an unacceptable risk of flooding in accordance with Policy CS11 of the Core Strategy.

Parking

14. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. The Sites and Housing Plan makes it clear that different levels of parking will be suited to different areas, the design of car parking spaces is vitally important to the success of development, and that developers should have regard to current best practice. Oxfordshire County Council has published "Car parking standards for new residential developments" (parking standards) which includes detailed technical guidance on parking space dimensions and visibility, along with a guide to maximum parking provision in Appendix A.
15. Appendix A of the above parking standards suggests that a maximum of two parking should be provided for a house of more than one bedroom. Most of the houses on Fairacres Road provide no parking on site and the pressure for on street parking is therefore considerable. 117 has the opportunity to provide parking adjacent to Meadow Lane in the area of the previous garage and bearing in mind the proposed increase to the level of accommodation to the existing house, it is considered reasonable for any grant of planning permission to be conditional on this parking area being brought back into use.
16. The current proposal shows an amended access to the rear of the plot. This change was consulted on for an additional period of 14 days. However, it does not show the exact layout of the parking and for this reason, it is considered reasonable to require the submission of further details relating to parking provision to ensure these details comply with Policy CP1 of the OLP and HP 16 of the Sites and Housing Plan.

Conclusion:

It is considered that the development would form an acceptable visual relationship with the existing building and local area and would not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding, parking and overlooking can be dealt with by condition West Area Planning Committee is therefore recommended to approve the application.

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: 14/01012/FUL

Contact Officer: Tim Hunter

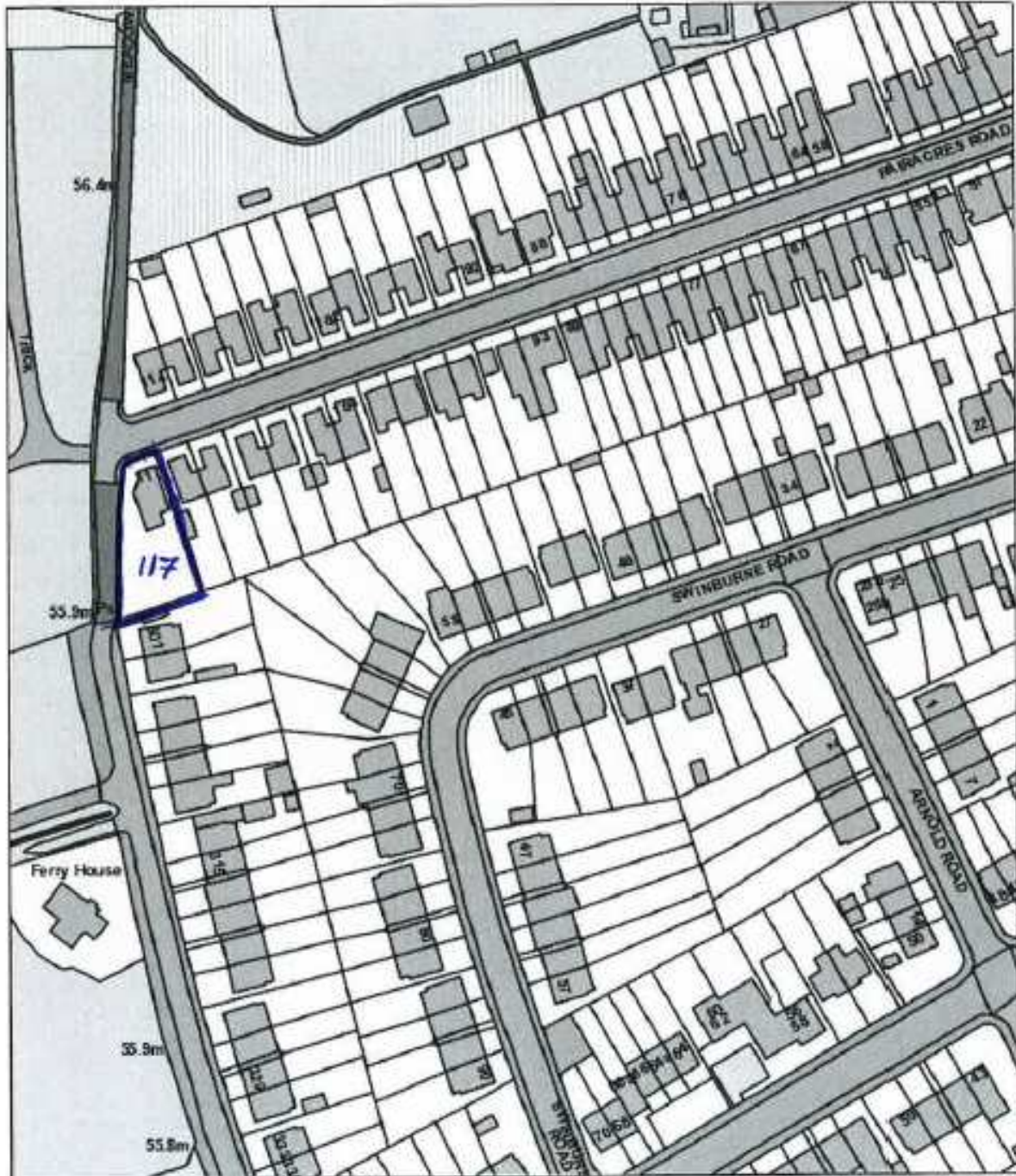
Extension: 2154

Date: 29th August 2014

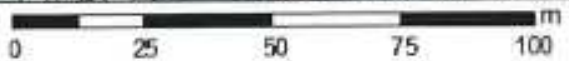
Appendix 1

117 Fairacres Road

14/01012/FUL



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Ordnance Survey 100019348.



Not Set

Oxford City Council

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City Development

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West Area Planning Committee

8th October 2014

Application Number: 14/02327/FUL

Decision Due by: 9th October 2014

Proposal: Erection of part single, part two storey rear extension

Site Address: 41 Portland Road Oxford. Site plan at **Appendix 1**

Ward: Summertown Ward

Agent: Mr Ian Brown

Applicant: Mrs Behnaz Shahedian

Application Called in – by Councillors – Fooks, Wade, Wilkinson and Goddard for the following reasons – may have an unacceptable impact on the neighbours at No. 39

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 - matching
- 4 Amenity no additional windows - side

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

Core Strategy

CS18 - Urban design, town character, historic environment

West End Area Action Plan

Barton AAP – Submission Document

Sites and Housing Plan

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

41 Portland Road

94/00682/NF - Insertion of bedroom window on front elevation. PER 27th July 1994.

14/00682/FUL - Erection of part single, part two storey rear extension. REF 11th August 2014. Appeal in progress.

39 Portland Road

07/02531/FUL - Erection of single and two storey rear extension. PER 24th December 2007.

43 Portland Road

11/00878/FUL - Two storey rear extension (Amended Plans). PER 8th June 2011.

Representations Received:

39 Portland Road: raise an objection; appeal almost entirely based on a factually

incorrect statement in respect of my Clients first floor bedroom window; impact on windows in east elevation which currently enjoy the benefit of views of the sky and both daylight and sunlight which will be either removed completely or substantially reduced by the bulk and extent of the proposed structure; overbearing; loss of sunlight/daylight.

Statutory and Internal Consultees:

Oxfordshire County Council Environmental Services: All extensions / developments which increase the size of the hard areas must be drained using SUDs methods, including porous pavements to decrease the run off to public surface water sewers and thus reduce flooding. You should carry out soakage tests to prove the effectiveness of soakaways or filter trenches.

Issues:

Design

Residential Amenity

Officers Assessment:

Site Description

1. The application site comprises a semi-detached Edwardian residential property on the northern side of Portland Road. Portland Road is located within Summertown and is accessed off the Banbury Road. To the rear is a two storey gable ended outrigger with a single storey lean-to style extension on the end.

Proposal

2. The application is seeking permission for the erection of a two storey and single storey rear extension in materials to match the existing property.
3. This application follows a recent application that was refused (ref.: 14/00682/FUL) and is currently at appeal (appeal ref.: APP/G3110/D/14/2223940). It was refused for the following reason:

The proposed extension by virtue of its depth would result in an un-neighbourly and overbearing form of development that would lead to a sense of enclosure and a loss of outlook to 39 Portland Road. This would be detrimental to the residential amenities and living conditions of the current and future occupants of this property and be contrary to policies CP10 of the Oxford Local Plan 2001-2016 and HP14 of the Sites and Housing Plan 2011-2026.

4. This current application seeks to address this reason for refusal by reducing the depth of the first floor element by 1 metre.

Assessment

Design

5. Policy CS18 of the Oxford Core Strategy (OCC) states that planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1, CP6, CP8 and CP10 of the Oxford Local Plan (OLP) and HP9 of the SHP. 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. CP8 states all new and extended buildings should relate to their setting to strengthen, enhance and protect local character and CP10 states planning permission will only be granted where proposed developments are sited to ensure that street frontage and streetscape are maintained or enhanced or created. HP9 states planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features.
6. The two storey element continues the existing ridgeline and maintains a gable end and extends beyond the existing two storey element by 2.3m. There are two sections to the ground floor extension; 1.8m rearward projection off the proposed two storey extension and 1m to the side facing 43 Portland Road. The ground floor rearward extension had a hipped roof with double doors opening on to the rear amenity space with glazing above a dwarf wall on the side elevation facing No. 43 Portland Road. The single storey side extension matches the rearward projection in that it has a hipped roof with glazing sitting on a dwarf wall.
7. The proposed extensions are considered to be in keeping with the existing property; are of a sympathetic design and use materials of a suitable nature. The proposal is therefore considered acceptable in terms of policy CS18 of the Core Strategy 2026, CP1 and CP8 of the Oxford Local Plan 2001-2016 and HP9 of the Sites and Housing Plan 2011-2026 in that it respects the character and appearance of the area, uses materials of a quality appropriate to the nature of the development, the site and its surroundings and creates an appropriate visual relationship with the form, grain, scale, materials and details of the site and the surrounding area.

Residential Amenity

8. Policy HP14 of the SHP require the siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. It also sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings and whether a proposal will create a sense of enclosure or being of an overbearing nature. In respect of access to sunlight and daylight, the 45° guidelines will be used, as illustrated in Appendix 7, alongside other material factors.
9. The proposal does not give rise to any issues of overlooking or loss of privacy

as the new window on the first floor side elevation facing No. 43 Portland Road is obscure glazed as it serves a bathroom. There are no side windows facing No. 39 Portland Road.

10. The 45/25 degree code of practice was applied to the neighbouring properties. With regards to No. 43, there is a side window at first floor facing No. 41, however the 45 degree uplift is not breached; it has two high level windows at ground floor which marginally clip the 45 degree uplift however these are secondary windows with the main windows (full height, full width French doors) facing on to the garden; it also has a ground and first floor window on the original rear wall which the existing outrigger at the application site breaches therefore there is no significant impact on these windows above and beyond what already exists.
11. With regards to No. 39 it has two windows at first floor in the side elevation facing No. 41. One serves a bathroom therefore the 45/25 degree code of practice does not apply and the other serves a bedroom. The 45 degree uplift is not breached. There are several windows in the side elevation at ground floor which the existing outrigger at the application site breaches therefore there is no significant impact on these windows above and beyond what already exists.
12. The single storey extension at No.39 has a significant amount of glazing in the form of bi-folding doors on the rear elevation and the chamfered elevation along with six rooflights and various glazed doors and windows in the side elevation all serving an open plan area. Therefore, it is officers opinion that the proposal will not have an adverse impact on No.39 in terms of loss of sunlight/daylight
13. With regards to the proposal creating a sense of enclosure or being of an overbearing nature to the neighbouring properties, it is not considered to be so in relation to No. 43 as the proposal is set far enough away from the boundary so as not to cause any concerns. In respect of No. 39, the first floor side window (serving the bedroom) and the rooflights in the ground floor extension are potentially affected. The first floor element of the proposal has been reduced by 1m when compared to the refused scheme. It is officers opinion that this is enough to reduce the impact on No. 39 in order to retain some outlook from the bedroom window and allow at least one of the three rooflights to remain un-obscured. Given the rooflight are more for light rather than views this is considered acceptable.

Conclusion:

14. Members are recommended to approve the scheme.

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 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: 26th September 2014

Appendix 1

14/02327/FUL - 41 Portland Road



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Ordnance Survey 100019348

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

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	24	36.4	9	15
Dismissed	42	63.6	10	32
Total BV204 appeals	66	100.0	19	47

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

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	13	52.0	7	6
Dismissed	12	48.0	7	5
Total BV204 appeals	25	100.0	14	11

**Table B. BV204: Current business plan year performance
(1 April 2014 to 31 August 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	28	35.9%
Dismissed	50	64.1%
All appeals decided	78	100.0%
Withdrawn	2	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 September 2013 to 31 August 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 August 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 August 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 1/08/14 And 31/08/14

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

DC CASE	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
13/02745/FUL	14/00023/REFUSE	DELCOM	PER	DIS	04/08/2014	SUMMTN	7 Middle Way Oxford Oxfordshire OX2 7LH	Demolition of lock up garage and erection of 2 storeys, 2-bed dwellinghouse (Use Class C3). Erection of garden office to rear and provision of private amenity space and bins store. (amended plans)
13/02419/FUL	14/00027/REFUSE	DELCOM	REF	DIS	05/08/2014	RHIFF	28 Abberbury Road Oxford Oxfordshire OX4 4ES	Erection of 1 x 3-bedroom detached dwellinghouse (Use Class C3) to rear of existing house.
13/02792/CPU	14/00002/REFUSE	DEL	REF	DIS	15/08/2014	LYEVAL	73 Dene Road Oxford Oxfordshire OX3 7EQ	Application to certify that proposed erection of gym and study room is lawful. (Amended Plans)
14/00246/FUL	14/00029/REFUSE	DEL	REF	ALC	20/08/2014	SUMMTN	47 Lonsdale Road Oxford OX2 7ES	Side two storey and rear single storey extension. (Amended plan)

Total Decided: 4

Enforcement Appeals Decided Between 1/08/2014 And 31/08/2014

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 1/08/14 And 31/08/14

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

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
14/00682/FUL	14/00045/REFUSE	DEL	REF	H	41 Portland Road Oxford OX2 7EZ	SUMMT	Erection of part single, part two storey rear extension.
14/00777/FUL	14/00044/REFUSE	DEL	REF	H	71 Jack Straws Lane Headington Oxford OX3 0DW	HHLNO	Erection of a two storey front extension to existing workshop to form garage and storage area (Retrospective).(Amended description)
14/00873/TPO	14/00042/REFUSE	DEL	SPL	I	Land To The South Of 5 Folly Bridge Oxford Oxfordshire	HINKPK	Fell 1No Willow Tree as identified in Oxford City Council Oxford City Council - Folly Bridge (No.1) Tree Preservation Order, 2013.
14/01235/FUL	14/00043/REFUSE	DELCOM	PER	H	48 Plantation Road Oxford OX2 6JE	NORTH	Demolition of existing garage. Erection of part-single, part-two storey extension to side elevation and two storey extension to rear elevation. Extension of existing basement. (amended description)
14/01650/H42	14/00046/PRIOR	DEL	7PA	H	26 Pauling Road Oxford Oxfordshire OX3 8PT	CHURCH	Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.00m, for which the maximum height would be 2.80m, and for which the height of the eaves would be 2.45m.

Total Received: 5

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Monthly Planning Appeals Performance Update – September 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 19 September 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 19 September 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	23	35.9	8	15
Dismissed	41	64.1	10	31
Total BV204 appeals	64	100	18	46

**Table A. BV204 Rolling annual performance
(1 October 2013 to 19 September 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	52	7	7
Dismissed	13	48	7	6
Total BV204 appeals	27	100	14	13

**Table B. BV204: Current business plan year performance
(1 April 2014 to 19 September 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 October 2013 to 19 September 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 September 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 September 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 1/09/14 And 19/09/14

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

DC CASE	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
13/02762/FUL	14/00034/REFUSE	DEL	SPL	DIS	09/09/2014	QUARIS	The Chequers 17A Beaumont Road Oxford Oxfordshire OX3 8JN	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.
14/01120/FUL	14/00038/REFUSE	DEL	REF	ALC	12/09/2014	HEAD	190 Headley Way Oxford Oxfordshire OX3 7TA	Erection first floor extension to rear and side elevations

Total Decided: 2

Enforcement Appeals Decided Between 1/09/2014 And 19/09/2014

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
13//0025/0/ENF	14/00026/ENFORC	QUASH	15/09/2014	5 Windsor Crescent, Oxford	MARST	Appeal against enforcement notice for unauthorised outbuilding

Total Decided: 1

Table E

Appeals Received Between 1/09/14 And 19/09/14

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

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
14/01322/FUL	14/00052/REFUSE	DEL	REF	W	35 Courtland Road Oxford OX4 4HZ	RHIFF	Demolition of existing garage. Erection of 2 x 1-bed dwellings (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage.
14/01942/FUL	14/00051/NONDET			W	13 Circus Street Oxford OX4 1JR	STMARY	Erection of single storey rear extension to Flat D to form 1 x 2 bed flat (Use Class C3) incorporating balcony. Formation of cycle and bin store.

Total Received: 2

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WEST AREA PLANNING COMMITTEE

Tuesday 9 September 2014

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

OFFICERS PRESENT: Murray Hancock (City Development), Michael Morgan (Law and Governance), Jennifer Thompson (Law and Governance).

OTHER COUNCILLORS PRESENT: Councillors Simmons and Wade.

43. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies.

44. DECLARATIONS OF INTEREST

There were no declarations of interest made.

45. 96 WOODSTOCK ROAD - 14/01725/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing an application for planning permission 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. (As altered by amended plans and amended description).

Natasha Beloff, on behalf of residents, spoke objecting to the application and Nick Paterson Nield, the agent, spoke in support of the application.

The Committee discussed the application and agreed that the full wording of the conditions should specify no car parking at all for students in residence and the provision of sufficient cycle hoops, and to add informatives regarding reinstating the front railing and greywater technology.

The Committee resolved to grant planning permission for application 14/01725/FUL subject to the following conditions and informatives:

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.
9. Details of parking for disabled use and servicing only.

Informatives:

- Consider reinstating railings to frontage of property.
- Use of greywater technology recommended.

46. 135 BANBURY ROAD - 14/01777/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed an application for planning permission for the erection of marquees from 14 June to 20 August for a temporary period of three years (part retrospective). The planning officer confirmed that the proposed structures required planning consent.

Laurie Kennedy, local resident, spoke objecting to the application and Nick Paladina, the agent, spoke in support of the application.

In order to control disturbance to neighbours caused by the use of the marquees, the Committee agreed to add a condition requiring a management control plan to be submitted and agreed. They requested that the applicant enter into early dialogue with planning officers about providing permanent, extended dining facilities.

The Committee resolved to grant planning permission for application 14/01777/FUL subject to the following conditions:

1. Limited time period.
2. Hours of use.
3. Garden restored.
4. Management controls.

47. 21 REGENT STREET - 14/01601/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed an application for planning permission for the erection of a single storey rear extension (retrospective). The planning officer recommended further conditions: that a boundary fence of suitable height and detail be agreed; and that one parking space only be retained.

Tom Hamilton, Sian Taylor, and Councillor Craig Simons spoke objecting to the application.

The Committee agreed to add conditions to secure bin and cycle storage and to ensure that the boundary was secured by a wall of appropriate design and materials to secure the garden, flats, and neighbouring gardens and to be in keeping with the character of the area.

The Committee resolved to grant planning permission for application 14/01601/FUL subject to the following conditions:

1. Protection of private amenity space.
2. Sustainable drainage.
3. Bin store agreed and implemented before first occupation.
4. Cycle store agreed and implemented before first occupation.
5. Boundary wall and gates fronting Denmark Street of appropriate materials agreed and implemented before first occupation Provision of single parking space before first occupation.
6. Details of measures to prevent access to flat roof of extension agreed and

implemented before first occupation.

7. Flank wall of extension to be painted to match before occupation.

48. PLANNING APPEALS

The Committee noted the report on planning appeals received and determined during July 2014.

49. MINUTES

The Committee resolved to approve the minutes of the meeting held on 12th August 2014 as a true and accurate record.

50. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

51. DATE OF NEXT MEETING

The Committee noted that an additional meeting would be held on 24th September at 6.30pm and the next ordinary meeting would be held on 8th October 2014.

The meeting started at 6.30 pm and ended at 8.00 pm

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WEST AREA PLANNING COMMITTEE

Wednesday 24 September 2014

COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Gotch (Vice-Chair), Benjamin, Cook, Fry, Gant, Kennedy and Tanner.

OFFICERS PRESENT: Niko Grigoropoulos (City Development), Michael Morgan (Law and Governance), Jennifer Thompson (Law and Governance).

52. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Clack and Price (substitutes Councillors Kennedy and Fry respectively).

53. DECLARATIONS OF INTEREST

There were no declarations of interest made.

54. 9 WHITE HOUSE ROAD - 14/01515/FUL

The Head of City Development submitted a report and appendix (previously circulated, now appended) which detailed a retrospective planning application for the erection of a garden outbuilding at 9 Whitehouse Road, Oxford.

Gerald Dorey, on behalf of neighbouring residents, spoke against the application.

Robert Pope, the agent for the applicant, spoke in support of the application.

The Development Performance Manager presented the report and in answer to questions said that the remaining rear amenity space was about 45% of the total rear area of the property, sufficient for a guest house; and reminded the committee of the wording of policy TA4.

The Committee considered the planning merits of the application and relevant local plan policies. The committee considered policy TA4 and concluded that the policy did not support this development in this location; Whitehouse Road not being one of the locations identified in the policy. The Committee was of the view that as the use of the development freed up at least some space and consequently increased the accommodation within the guest house TA4 the development was contrary to TA4.

The Committee concluded that the building was not of a high standard of design; and created an overbearing and overcrowded impact in its plot and on its surroundings.

Contrary to the officer's recommendation of approval, a motion to refuse the application was seconded and agreed on the vote.

The Committee resolved:

that had the Committee previously determined the planning application, planning permission for application P14/01515/FUL, 9 Whitehouse Road, would have been refused for the following reasons:

1. The design, mass and scale of the development created an overbearing and overcrowded form and an inappropriate visual relationship with neighbouring properties contrary to policies CP8 of the Oxford Local Plan 2001-2016, CS18 of the Oxford Core Strategy 2026 and HP9 of the Sites and Housing Plan 2011-2026 and
2. The development is likely to lead to an intensification of use of the guest house and as such is contrary to policy TA4 of the Oxford Local Plan 2001-2016.

The meeting started at 6.30 pm and ended at 7.05 pm