

Agenda

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West Area Planning Committee

Date: **Tuesday 10 November 2015**

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: democraticservices@oxford.gov.uk

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

West Area Planning Committee

Membership

Chair	Councillor Louise Upton	North;
Vice-Chair	Councillor Michael Gotch	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Andrew Gant	Summertown;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Michele Paule	Rose Hill and Iffley;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;

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

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- Viewed on our website – mycouncil.oxford.gov.uk
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AGENDA

Pages

1 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

2 **DECLARATIONS OF INTEREST**

3 **333 BANBURY RD: 15/01548/VAR**

11 - 18

Site Address: 333 Banbury Road, Oxford

Proposal: Removal of condition 22 (to vacate premises at St. Giles and Ewert Places) of planning permission 14/03255/FUL for construction of new independent sixth form school buildings.

Officer recommendation: to approve the application with the following conditions:

1. Development begun within 5 years.
2. Approved plans.
3. Materials.
4. Lighting.
5. Obscure glazing to northern elevation.
6. Landscape plan.
7. Landscape carry out by completion.
8. Landscape management plan.
9. Landscape hard surface design-tree roots.
10. Landscape underground services-tree root.
11. Tree protection plan.
12. Arboricultural method statement.
13. Trees: Construction method statement.
14. On site traffic management plan.
15. Parking provision.
16. Alternative cycle parking facilities.
17. Deliveries - manoeuvring space.
18. Travel plan.
19. Archaeology - evaluation.
20. Biodiversity - bird and bat boxes.
21. Contamination - risk assessment.
22. Community use of facilities.
23. Public art.
24. Construction management plan.
25. Sustainable drainage.
26. Piling methods.
27. Extraction equipment – kitchen.
28. Mechanical plant.
29. Noise attenuation.
30. Interpretative scheme.
31. Natural Resource Impact Assessment.

4 105 GODSTOW ROAD: 15/02603/FUL

19 - 32

Site Address: 105 Godstow Road, Oxford.

Proposal: Erection of a two storey side extension to create 2 x 1-bed flats (Use Class C3) with provision of private amenity space, bin and cycle store and alterations to existing vehicle access. Erection of a two storey rear extension and replacement and alterations to porch to existing dwelling.

Officer recommendation: to approve the application with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Demolition of Extension.
5. Boundary Treatments.
6. Parking areas.
7. Cycle parking.
8. Surface water drainage and SUDs.
9. Landscaping.

5 23 FRENCHAY ROAD: 15/02474/FUL

33 - 42

Site Address: 23 Frenchay Road, Oxford

Proposal: Demolition of existing WC, store and garage. Erection of single storey rear extension and formation of 2no. rear dormers. Insertion of 1no. sash window to side elevation and 2no. rooflights to front roofslope. Erection of detached single storey home office/garage. Relocation of garden gate and demolition of section of garden wall. (Amended plans)

Officer recommendation: to approve the application subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area.
4. Use of outbuilding.
5. Ground resurfacing - SUDS compliant.

**6 ST ALDATE'S CHAMBERS, 109 - 113 ST ALDATE'S:
15/02846/SP56**

43 - 54

Site Address: St Aldate's Chambers, 109 - 113 St Aldate's.

Proposal: Application for prior approval for the installation of Solar Photovoltaics (PV) equipment on the roof of non-domestic building.

Officer recommendation: to approve the application with the following conditions:

1. Materials.

2. Screening.
3. Construction Traffic Management Plan.

7 CHATHAM ROAD AND FOX CRESCENT: 15/02223/CT4

55 - 62

Site Address: Site of Verges at 21 to 27 Chatham Road and 10 to 40 Fox Crescent.

Proposal: Provision of 18no residents' parking spaces on existing grass verges (Amended plan).

Officer recommendation: to approve the application subject to the following conditions:

1. Development begun within time limit.
2. Development in accordance with approved plans.
3. Parking in accordance with plans.
4. TRO Amendment.
5. Tree Protection Plan (TPP) 1.
6. Landscape Plan.
7. Sustainable Urban Drainage Systems.

8 PLANNING APPEALS

63 - 68

Summary information on planning appeals received and determined during October 2015.

The Committee is asked to note this information.

9 MINUTES OF PREVIOUS MEETING

69 - 74

Minutes from the meetings of 13 October 2015

Recommendation: That the minutes of the meeting held on 13 October 2015 are approved as a true and accurate record.

10 FORTHCOMING APPLICATIONS

Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting.

- Former Wolvercote Paper Mill: 13/01562/OUT: residential
- Jericho Canalside: 14/01441/FUL: residential etc
- Westgate: 14/02402/FUL: various conditions
- Christ Church: 15/00760/FUL: café - report back on S.106
- Dragon School, Bardwell Road: 15/01561/FUL: new music building
- 26 Norham Gardens: 15/01601/FUL: student accommodation
- 54 St John Street OX1 2LQ: 15/01676/FUL and 15/01677/LBC
- Land south of Manor Place: 15/01747/FUL: student accommodation
- Former Skoda garage, 298 Abingdon Road: 15/01983/FUL: Change of use from car dealership to veterinary centre

- 18 Hawkswell Gardens: 15/2352/FUL: 3 houses
- 1 Abbey Road Oxford OX2 0AD: 15/02512/FUL: 6 houses, 6 flats
- 8 Hollybush Row: 15/02694/FUL: 7 flats
- Cooper Callas Building (15 Paradise Street and 5 St Thomas' Street): 15/02971/FUL
- Installation of Spanish Civil War Memorial, St Giles, Woodstock Road:15/02859/FUL

11 DATES OF FUTURE MEETINGS

The Committee will meet on the following dates:

10 November 2015

1 December 2015

5 January 2016

9 February 2016

8 March 2016

DECLARING INTERESTS

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

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

Members' Code of Conduct and public perception

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

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

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

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

The following minimum standards of practice will be followed.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful.
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;
 - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
 - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.
4. Preparation of Planning Policy documents – Public Meetings

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

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

Members of the public and councillors can send the Democratic Services Officer written statements to circulate to committee members, and the planning officer prior to the meeting. Statements are accepted and circulated by noon, two working days before the start of the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising.
7. Exhibiting model and displays at the meeting

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

8. Recording meetings

Members of the public 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](#)

9. Meeting Etiquette

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

10. Members should not:

- (a) rely on considerations which are not material planning considerations in law;
- (b) question the personal integrity or professionalism of officers in public;
- (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; or
- (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

10 November 2015

Application Number: 15/01548/VAR

Decision Due by: 17 August 2015

Proposal: Removal of condition 22 (to vacate premises at St. Giles and Ewert Places) of planning permission 14/03255/FUL for construction of new independent sixth form school buildings.

Site Address: 333 Banbury Road, **Appendix 1.**

Ward: Summertown Ward

Agent: N/A

Applicant: Carnegie Capital Estates

Recommendation: Approve subject to conditions.

Reasons for Approval

- 1 The planning application site has been unoccupied since the Masonic Lodge vacated the buildings in 2012, since when planning applications for residential and educational use have been made on the site. Permission 14/03255/FUL for a sixth form building for D'Overbroeck's College, (of which this latest submission forms a variation), provided the opportunity to bring forward beneficial development on an unallocated brownfield site which would retain its distinctive wooded character, whilst enhancing the setting of the retained 1820s villa. This variation now seeks to lift a requirement imposed by condition which fell upon D'Overbroeck's as joint applicant to the previous permission to vacate other premises they occupied at St. Giles and Ewert Place. In recommending that this latest application be approved that requirement is lifted. All other requirements of that permission would remain in place however resulting still in a development of contemporary architecture with appropriate levels of car and cycle parking, and conditions relating to a Travel Plan, on - site traffic management, materials, landscaping etc. The proposal is considered to accord with the requirements of the relevant policies of the Oxford Local Plan and Core Strategy accordingly.
- 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.

Conditions

- 1 Development begun within 5 years
- 2 Approved plans
- 3 Materials
- 4 Lighting
- 5 Obscure glazing to northern elevation
- 6 Landscape plan
- 7 Landscape carry out by completion.
- 8 Landscape management plan
- 9 Landscape hard surface design-tree roots
- 10 Landscape underground services-tree root
- 11 Tree protection plan
- 12 Arboricultural method statement
- 13 Trees: Construction method statement
- 14 On site traffic management plan
- 15 Parking provision
- 16 Alternative cycle parking facilities
- 17 Deliveries - manoeuvring space.
- 18 Travel plan
- 19 Archaeology - evaluation.
- 20 Biodiversity - bird and bat boxes.
- 21 Contamination - risk assessment
- 22 Community use of facilities
- 23 Public art
- 24 Construction management plan
- 25 Sustainable drainage
- 26 Piling methods
- 27 Extraction equipment - kitchen
- 28 Mechanical plant
- 29 Noise attenuation
- 30 Interpretative scheme
- 31 Natural Resource Impact Assessment

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- CP13 - Accessibility
- CP14 - Public Art
- CP17 - Recycled Materials
- CP18 - Natural Resource Impact Analysis
- CP19 - Nuisance
- CP21 - Noise
- TR1 - Transport Assessment

TR2 - Travel Plans
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR6 - Powered Two-Wheelers
TR12 - Private Non-Residential Parking
TR14 - Servicing Arrangements
NE14 - Water and Sewerage Infrastructure
NE15 - Loss of Trees and Hedgerows
NE16 - Protected Trees
NE23 - Habitat Creation in New Developments
HE2 - Archaeology
HE6 - Buildings of Local Interest

Core Strategy

CS10 - Waste and recycling
CS9 - Energy and natural resources
CS12 - Biodiversity
CS13 - Supporting access to new development
CS17 - Infrastructure and developer contributions
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS24 - Affordable housing

Other Planning Documents

- National Planning Policy Framework (NPPF).
- Planning Policy Guidance.
- Affordable Housing and Planning Obligations SPD.
- Parking Standards, transport Assessment and Travel Plans SPD.
- Natural Resource Impact Analysis SPD.

Public Consultation

Statutory Consultees Etc.

- Thames Water Utilities Limited: Does not affect Thames Water; no comments.
- Environment Agency Thames Region: Low environmental risk; due to workload prioritisation unable to make individual response to application.

Individual Comments:

- D'Overbroeck's: Following grant of previous permission working with Carnegie Capital Estates who own the site to conclude financial deal; will vacate Ewert Place and St Giles if successful; no need to vary condition; removal of condition would allow occupation by others not known to local community.

Officers Assessment:

1. At its meeting of 10th March 2015 committee granted planning permission for the demolition of modern extensions to the 1820s villa at the former Masonic Lodge at 333 Banbury Road and the construction in its place of buildings to provide sixth form teaching accommodation for D'Overbroeck's College, together with car parking, landscaping and ancillary works. At the same

meeting a separate but accompanying application for a school boarding house was granted planning permission at 376 Banbury Road. A site plan is attached as **Appendix 1** to this report and a copy of the officers' report on the application at 333 Banbury Road as **Appendix 2**.

2. The permission at 333 Banbury Road was designed as a sixth form centre specifically to meet D'Overbroeck's requirements, with the intention that the college relocate its 257 sixth form students to this site for teaching purposes, 58 of whom would occupy the new sixth form boarding house proposed at 376 Banbury Road. In doing so the college would vacate its existing teaching premises at Ewert Place and at 31A St. Giles. Condition 22 of the permission stated:

"No occupation of the development hereby permitted shall take place unless and until documentary evidence has been provided to the Local Planning Authority to confirm the vacation of existing teaching premises occupied by the applicant at St. Giles and Ewert Place".

3. In effect this made the permission personal to D'Overbroeck's College as no other organisation or institution would be able to comply with the condition. The reason for its imposition was that an affordable housing contribution might otherwise be required under the terms of Core Strategy policy CS24 which requires a financial contribution to meet the additional housing demand created by new commercial development.
4. In the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) further information is provided on the circumstances under which such a contribution would be sought. The relevant text at paragraph 2.37 of the SPD reads:

"Policy CS24 contains no size limit at which a contribution will be sought; however an indicative threshold of 2,000 sq m net additional floorspace, including changes of use, will be expected, as this size of development would be considered to generate a significant further need for affordable housing. While this indicative threshold exists, smaller commercial developments can generate a significant need for affordable housing. These will be considered on a case - by - case basis".

5. In this case the floorspace created was some 3,220 sq m, but with a net increase of approximately 1,600 sq m, or below the indicative threshold normally applied. However as D'Overbroeck's College as joint applicant were prepared to accept the condition; the development was designed with its specific needs in mind; and it intended to release the properties at Ewert Place and St. Giles in any event, then the condition was imposed accordingly. It is accepted however that its imposition did not meet the usually applied floorspace threshold as set out in the SPD and was not therefore an essential requirement of the permission. Officers are therefore prepared to recommend that the condition can now be removed accordingly. Whilst potentially this would allow other institutions to occupy the accommodation, it would not preclude D'Overbroeck's College from doing so as originally intended.
6. On other matters the development otherwise remains as previously permitted

with all other imposed conditions carrying through to a revised Notice of Permission. These are listed at the head of this report. They include the submission of on-site traffic management arrangements referred to at paragraphs 32 to 35 of **Appendix 2**, which must include that:

- all staff and students arriving by cycle enter via the Capel Close entrance only;
 - any drop off or pick up of students should only take place from the limited waiting spaces available in Squitchey Lane and Summerhill Road;
 - all persons arriving on foot to enter the site from Banbury Road; and
 - all servicing to be to take place only from the dedicated on-site parking spaces accessed from Banbury Road.
7. Similarly other imposed conditions require details of materials, landscaping arrangements, cycle parking, archaeology, biodiversity enhancement, travel plan, community use of the buildings, public art, construction arrangements and noise and mechanical plant attenuation to be submitted for subsequent approval.

Conclusion.

8. This variation application if permitted would have the effect of allowing academic institutions other than D’Overbroeck’s College to occupy the development permitted under reference 14/03255/FUL but would not result in any other changes to its physical form nor to any other requirements imposed by planning condition.
9. For the reasons indicated committee is recommended to support the application accordingly.

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.

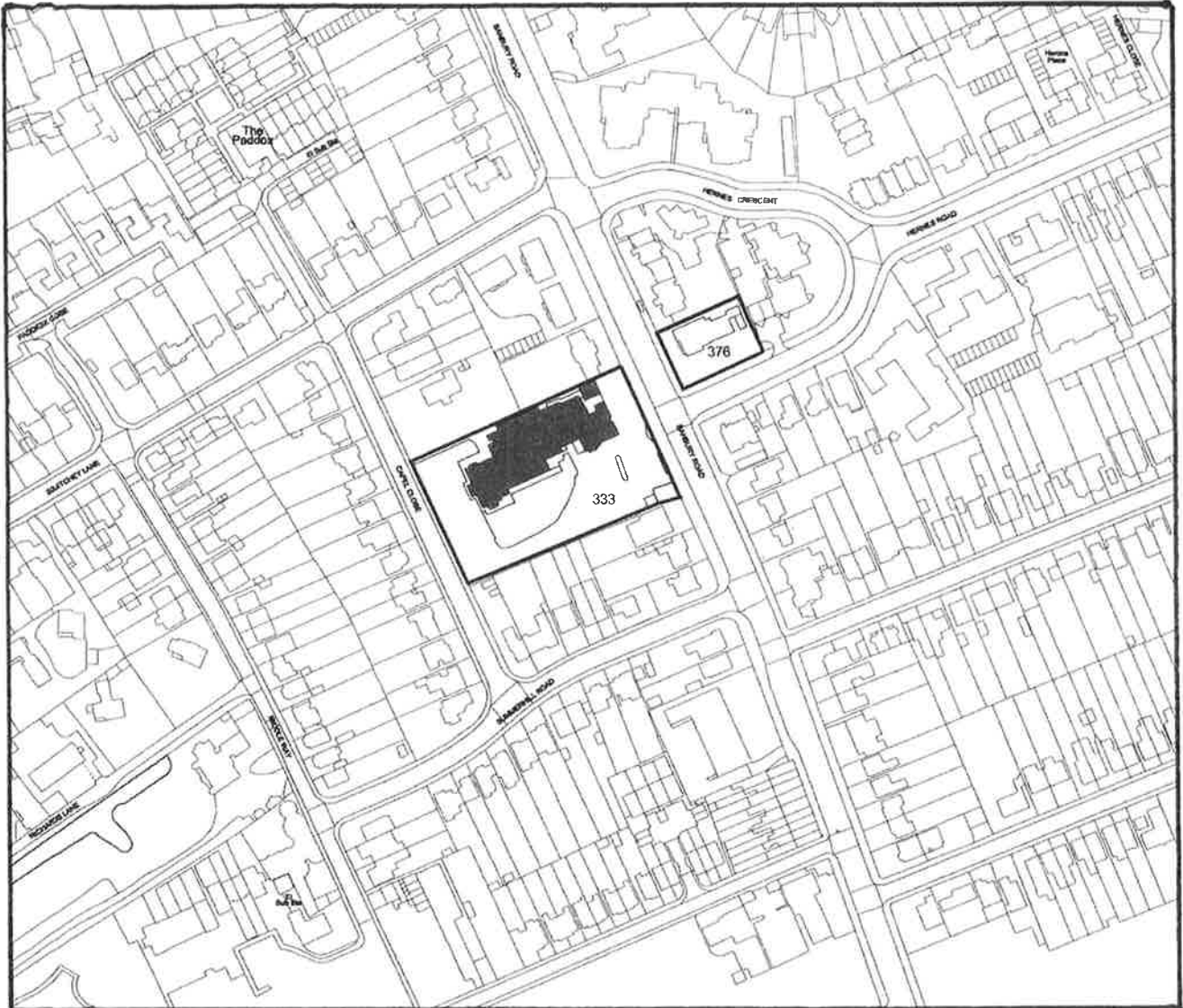
Background Papers: 13/01319/FUL, 14/03255/FUL, 15/01548/VAR.

Contact Officer: Murray Hancock

Extension: 2153

Date: 27th October 2015

APPENDIX 1



Location Plan
Existing 1:1250



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West Area Planning Committee:

10th November 2015

Application Number: 15/02603/FUL

Decision Due by: 28th October 2015

Proposal: Erection of a two storey side extension to create 2 x 1-bed flats (Use Class C3) with provision of private amenity space, bin and cycle store and alterations to existing vehicle access. Erection of a two storey rear extension and replacement and alterations to porch to existing dwelling.

Site Address: 105 Godstow Road, **Appendix 1.**

Ward: Wolvercote Ward

Agent: Mr David Williams

Applicant: Mr Ken Howard

The application was called into committee by Councillors Goddard, Fooks, Royce and Wilkinson for the following reasons: overdevelopment, car parking, impact on neighbours and design.

Recommendation:

APPLICATION BE APPROVED

The West Area Planning Committee is recommended to grant planning permission for the following reasons:

Reasons for Approval

For the following reasons:

- 1 The proposed demolition of the existing extension and erection of a new extension to provide increased accommodation for the existing dwelling house at 105 Godstow Road plus two one bedroom flats would be acceptable in terms of its design and impact on the streetscene. The proposed development would not have a detrimental impact on the amenity of neighbouring residential occupiers, having had specific regard to the impact of the development on privacy and light. The proposed arrangements for parking and access are acceptable and would not have an adverse impact on highway safety. The proposed accommodation to be provided in the flats would be acceptable in terms of the quality of living accommodation and availability of outdoor space. The proposed development would not have a detrimental impact on the character, appearance and special significance of the Conservation Area. In reaching a decision to approve the application there has been a thorough consideration of all the relevant matters including the objections and comments

raised in relation to proposals. It is concluded that the development is acceptable in the context of the Council's adopted planning policies and specifically Policy CP1, CP6, CP8, CP10 and HE7 of the Oxford Local Plan 2001-2016, Policy CS11, CS12 and CS18 of the Core Strategy (2011) and Policy HP9, HP10, HP14, HP15 and HP16 of the Sites and Housing Plan (2013).

- 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.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Demolition of Extension
- 5 Boundary Treatments
- 6 Parking areas
- 7 Cycle parking
- 8 Surface water drainage and SUDs
- 9 Landscaping

Principal Planning Policies

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HE7 - Conservation Areas

Core Strategy

CS2_ - Previously developed and greenfield land

CS10_ - Waste and recycling

CS11_ - Flooding

CS12_ - Biodiversity

CS18_ - Urban design, town character, historic environment

CS23_ - Mix of housing

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes

HP9_ - Design, Character and Context

HP10_ - Developing on residential gardens

HP12_ - Indoor Space

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP15_ - Residential cycle parking

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

This application lies within the Wolvercote with Godstow Conservation Area.

Planning Practice Guidance

Balance of dwellings Supplementary Planning Document (SPD)

Relevant Site History:

None

Third Party Representations Received:

39 Meadow Prospect, 111 Godstow Road, 108 Godstow Road, 34 Meadow Prospect, 13 Meadow Prospect, 6 Meadow Prospect, 8 Meadow Prospect, 1 Meadow Prospect, 1 Home Close, 9 Meadow Prospect, 36 Meadow Prospect, 35 Meadow Prospect, 11 Meadow Prospect, 39 Meadow Prospect, 103 Godstow Road, 3 Meadow Prospect, 102 Godstow Road, 27 Meadow Prospect, objections:

- Access
- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on traffic
- Flooding risk
- Impact on light
- Parking provision
- Impact on highway safety
- Poor design
- Lack of landscaping
- Development would project beyond building line
- Impact on green space
- Impact on conservation area
- Information missing from plans
- Height of proposal
- Development would reduce the openness in village and streetscene
- Effect on community facilities
- Public transport provision/accessibility
- Poor choice of materials (timber cladding)

Statutory and Other Consultees:

Oxford Civic Society, objections:

- The development would have an adverse impact on the Conservation Area, in particular the character of the Conservation Area.
- Concerns that the development would fail to preserve or enhance the Conservation Area.
- Proposed scheme is a poor design, particularly the use of timber cladding.

Highway Authority: No objections, subject to conditions relating to the provision of car parking, cycle and bin storage, the use of porous materials for paving and the provision of vision splays.

Issues:

- Principle of Development
- Design
- Conservation Area
- Impact on residents
- Access
- Parking
- Flooding and Drainage
- Biodiversity
- Noise and Lighting

Site Description

1. 105 Godstow Road is a three bedroom 1930s semi-detached house occupying a corner plot on the junctions of Godstow Road and Meadow Prospect in the village of Wolvercote.
2. The application site encompasses the entire residential curtilage of 105 Godstow Road which benefits from a rear garden of approximately 11m in length as well as substantial side and front gardens. Access is provided from the highway (Meadow Prospect) into the front garden which is used for parking. There is also an existing garage at the rear and a separate road access provided to that garage from Meadow Prospect.
3. 105 Godstow Road has previously been extended with the additions of a lean-to side extension and flat roof rear extension.
4. The application site is enclosed by a low boundary wall on the Godstow Road and Meadow Prospect elevations; a 1.8m high close boarded timber fence separates the property from No. 1 Meadow Prospect and No. 103 Meadow Prospect.
5. The adjoining property, 103 Godstow Road (that forms the other half of the pair of semi-detached properties) has been extended with a substantial two-storey side extension and a single storey rear extension.
6. In front of the application site is a substantial area of verge that separates the front garden of 105 Godstow Road from the highway. This land contains a telephone pole and BT cabinets. As a result of this the front elevation of 105 Godstow Road is in fact set back approximately 15m from the footway and highway of Godstow Road.
7. The character of the area is that of an established residential area with predominately large family homes, mostly benefiting from front gardens. To the west of the application site lies the centre of Wolvercote village with a greater variety of property types that reflect the development of the village over a long period of time. Mature vegetation and wide verges contribute positively to the character and appearance of the application site's locality and add to the semi-rural qualities of the area.

8. The entire application site lies within the Wolvercote and Godstow Conversation Area.

Proposals

9. It is proposed to demolish the existing single storey rear and side extensions to 105 Godstow Road and erect a two storey side and rear extension. The two storey side extension is proposed to contain two self-contained one bedroom flats. The two storey rear extension is proposed to contain additional accommodation for the retained family dwellinghouse at 105 Godstow Road.
10. The proposed development would involve the creation of a 6m wide side extension that would project beyond the original rear wall of 105 Godstow Road by 3.7m. The proposed rear extension would extend across approximately one third of the rear wall of the dwellinghouse; accommodated along the part of the rear wall that is furthest from the adjoining neighbour at No. 103 Godstow Road. The rear extension would project into the garden by 3.2m from the original rear wall of the house.
11. The height to the eaves of the development is proposed to match the existing dwellinghouse, with a maximum height to the ridge of 7m (which is approximately half a metre lower than the existing dwellinghouse). The proposed extensions would be set slightly further back than the front of the original house.
12. In addition to the rear and side extensions it is also proposed to erect a small porch on the front of 105 Godstow Road. It is considered that regardless of the submitted application it is likely that this development would be considered permitted development not requiring planning permission.
13. The proposed development is specified to be constructed with an external finish of render on the front, rear and side elevations with a limited amount of timber cladding on the side elevation. The proposed roof would be constructed with plain clay tiles to match the existing dwelling.
14. A portion of the rear garden would provide space for the parking of two cars by the occupiers of 105 Godstow Road on the site of the existing garage and making use of the existing access in this location (onto Meadow Prospect). The proposed development would therefore give rise to a retained garden area for the existing dwellinghouse at 105 Godstow Road of between 11m and 5m. 105 Godstow Road is proposed to retain a front garden with a path to the front door.
15. The proposed flats would benefit from a shared rear garden amenity space of approximately 5m. The entrances to these properties would be on the side of the proposed development (facing onto Meadow Prospect). Parking for two cars (one for each of the flats) would be provided in the front garden in the existing car parking area; the existing access is

proposed to be widened to provide an enlarged opening onto Meadow Prospect.

16. All of the proposed parking areas are shown on the submitted plans to be constructed from permeable block paving.
17. The majority of boundary treatments are proposed to be retained on the site apart from the removal of some of the low stone boundary wall to provide the space for the enlarged access into the front parking area. It is proposed to erect a 1.8m high close boarded timber fence to enclose the shared rear garden amenity space for the proposed flats.
18. The proposed development would incorporate some landscaping; this would involve planting around the ground floor windows to provide privacy for the proposed flat.

Assessment

Principle of Development

19. Policy CP2 of the Core Strategy requires that the majority of development should take place on previously developed sites where appropriate. The proposed development would take place on land that is currently occupied in part by existing extensions but would mostly be situated on land that is residential garden land. Residential garden land is not defined as previously developed land as set out in the National Planning Policy Framework (NPPF). However, in the scope of the Council's adopted planning policies, specifically Policy CP6 of the Oxford Local Plan 2001-2016 and Policies HP9 and HP10 of the Sites and Housing Plan (2013) there is scope to accept the principle of development on garden land where there is sufficient residual garden land provided and subject to all other constraints. In this case, Officers consider that 105 Godstow Road has a significant area of garden land that provides ample outdoor amenity space and that there is scope to consider that more efficient use of this land could be made. The resulting development would not create a harmful deficit in amenity space on the site and Officers therefore consider the development is acceptable.

Balance of Dwellings

20. Policy CS23 of the Oxford Core Strategy requires that new developments provide a mix of sizes of dwellings to maintain the provision of different types of homes within the City. The proposed development falls below the threshold of four dwellings where a specified mixture of sizes of dwellings from new developments is required. Despite this; Officers have been mindful of the requirement of the policy that seeks to ensure that family dwellings are not lost. In this case, Officers consider that the development of the proposed extension to the existing house would enable the retention of a family home on the site and thereby meet the requirements of Policy CS23 and the Balance of Dwellings Supplementary Planning Document

(SPD).

Community Infrastructure Levy

21. The proposed development requires the payment of a CIL contribution.

Design and Impact on Conservation Area

Visual Appearance and Siting

22. Officers consider that the design of the proposed development would be acceptable in terms of its impact on the streetscene. Having had regard to the already substantial extensions to the adjoining property (103 Godstow Road) it is considered that the proposed development would effectively form a mirror reflection of that development and would not appear unbalanced when viewed from Godstow Road. Despite the overall bulk and scale of development proposed the fact that the property is set back from Godstow Road would mean it would not be overbearing or obtrusive in the streetscene. Officers consider that the use of the 'set back' of the front elevation and the reduced overall height to the ridge would ensure that the development would be visually subservient to original dwellinghouse on the site and thereby ensure that the proposals would not create a monolithic or overly prominent built form.

23. Officers have had regard to the impact on the appearance of Meadow Prospect and the views of the development from that elevation. It is noted that the proposed development would protrude beyond the building line of properties in Meadow Prospect by approximately 5m. Despite this, Officers have been mindful of the context of the site and the impact on the streetscene of Meadow Prospect that would result from the proposed development being further forward than neighbouring properties. Meadow Prospect itself does have a strong rhythm of development, with pairs of 1930s houses being a uniform distance from the highway. Despite this, No. 107 Godstow Road which is situated on the opposite side of the road from No. 105 Godstow Road also projects beyond the building line by approximately 5m. Officers do not regard this to set a precedent in terms of allowing the development of a corner plot on the application site but it does serve as a useful comparison in terms of considering the visual impact of the proposed development. 107 Godstow Road does not appear to be visually incongruous or awkward in the context of the streetscene of Meadow Prospect; the use of matching materials and a similar architectural style enables it to harmonise effectively with the rest of the streetscene. Officers consider that for similar reasons the proposed development at 105 Godstow Road could be accommodated on the site despite its siting beyond the building line of Meadow Prospect.

24. Following on from the above, Officers have noted that despite the fairly uniform appearance of Meadow Prospect, the wider context of the site does not have a uniform pattern of development; the varying siting and appearance of buildings reflects the historic development of the village.

25. There are features of the proposed development that contribute positively to its overall proposed appearance. Officers consider that the use of similar materials, roof pitch, the bay window and carefully considered fenestration mean that the development would be acceptable visually.

Materials

26. Officers have carefully considered the proposed materials for the development. The majority of materials proposed to be used would match the existing dwelling on the site and would be sympathetic to neighbouring properties in both Godstow Road and Meadow Prospect. Despite this, there are proposals to include some timber cladding on the side elevation of the proposed development as well as the porch. Officers have recommended that a condition be included to specifically omit this detail as it be a visually jarring feature that would be at odds with the character and appearance of the area; the areas shown to be clad in timber would instead be specified to have render to match the existing house.

27. The proposed porch would be a fairly small scale feature that would not detract from the appearance of the property as a whole. As previously stated, Officers also consider that the development is permitted development and would not therefore require planning permission.

Conservation Area

28. The proposed development lies within the Wolvercote and Godstow Conservation Area. Officers have had regard to the Conservation Area appraisal and carefully considered the proposals in terms of the character appearance and special significance of the area. The proposed use of materials (subject to the points raised above and the suggested condition) would be suitable in the Conservation Area. Also, the retention of open space around parts of the site mean that the rural appearance of the area as well as views into and out of the village centre would not be materially harmed by the development.

Living Conditions

29. The proposed flats would all have a good quantity of indoor space; each having an internal floor area of 50m² which would meet the Council's planning policy for indoor space provision (HP12 of the Sites and Housing Plan). Further to this, Officers have assessed the quality of indoor environment that is proposed and this would meet the other requirements of the Council's policies for indoor space quality. There are windows on the side elevation as well as the front and rear elevations which would provide natural light within the flats as well as ventilation.

30. Officers have had regard to Policy HP2 of the Sites and Housing Plan that seeks to ensure that new developments meet the requirements of being accessible and adaptable homes; making use of some of the criteria set out in

Lifetime Homes Standards. All of the flats have a simple internal layout that would give them the opportunity to provide adaptable accommodation. Officers have had regard to the circulation within the lobby and flats that is proposed in the submitted floor plans and consider this is acceptable in the context of Policy HP2 of the Sites and Housing Plan (2013).

31. In terms of outdoor space provision the flats would have a small shared garden to the rear of the plot that would provide an acceptable area of outdoor amenity space. Officers therefore consider that the outdoor space provision is acceptable in the context of the Council's policies, specifically Policy HP13 of the Sites and Housing Plan (2013).
32. Officers have included a condition as part of the recommendation that would require the provision of the proposed boundary treatments prior to the first occupation of the development to ensure the privacy of occupiers.

Refuse and Recycling Store

33. Refuse bins are proposed to be located adjacent to the entrance to the flats. The proposals do not involve a screened store but because of the close proximity of the bin store area to the retained boundary wall there would be ample screening whilst also providing a practical location for storing bins. Officers therefore consider that the proposed layout for refuse and recycling bins is acceptable.

Impact on Residents

34. Officers have carefully considered the comments and objections raised in relation to the proposed development.
35. The proposed development would not have an adverse impact on light for neighbouring residential occupiers. The proposed development would be sited furthest from the adjoining neighbour at No. 103 Godstow Road so would not therefore impinge upon the light into the rear windows of that property. The proposed development would also not detrimentally alter light conditions for No. 1 Meadow Prospect (having had regard specifically to the overall height of the development that would also project into the rear garden of the application site). In making this assessment Officers have considered the proposals in the context of the 25/45 degree code as set out in Policy HP14 of the Sites and Housing Plan (2013).
36. Officers consider that the proposed development would not have a detrimental impact on privacy for neighbouring residential occupiers. The proposed side windows facing towards No. 107 Godstow Road would not provide overlooking into the garden of that property as a result of the separation distance provided between the properties (approximately 11m to the boundary). To the rear of the application site lies No. 1 Meadow Prospect; the windows on the rear elevation of the proposed development would be approximately 7.5m from the boundary with No. 1 Meadow Prospect which would protect the privacy of occupiers of that property. No

side windows are proposed that would face into the garden of No. 103 Godstow Road.

37. Concerns have been raised by local residents relating to the visual impact of the proposed development. Officers consider that the design of the development and its impact on the Conservation Area are acceptable for the reasons previously outlined.

Access and Parking

38. The proposed access arrangements for the development would be acceptable and the Highway Authority have not raised any objections. The proposals involve the use of existing accesses at the front and rear of No. 105 Godstow Road; with modest increases in the width of the access at the front of the property. Officers have included a condition in the recommendation that would ensure that the proposed access enhancements and parking area were provided prior to the first occupation of the development.

39. Officers consider that the proposed parking provision on the site would be acceptable. Two spaces would be provided for the existing dwellinghouse at 105 Godstow Road and one space each would be provided for the new flats; this would meet the Council's requirements in terms of Policy HP16 of the Sites and Housing Plan.

40. Officers have had regard to the provision of cycle parking for the proposed development. Officers have included a condition in the recommendation that requires the cycle parking to be provided prior to occupation.

Flooding and Drainage

41. The application site lies within the defined area of low flood risk where there would be a risk of flooding of between 1 in 1000 and 1 in 100. However, the site lies within in an area where there is an increased risk of surface water flooding. As a result, Officers have included in the recommendation that a condition should be included that requires details of surface water drainage management to be submitted to and approved in writing by the Council prior to the commencement of work.

Biodiversity

42. The application site is not considered to be a site that would likely be a habitat for protected species.

Conclusion:

43. The proposal is considered to accord with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2016. Therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development subject to the

conditions as set out above.

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:

15/02603/FUL

Contact Officer: Robert Fowler

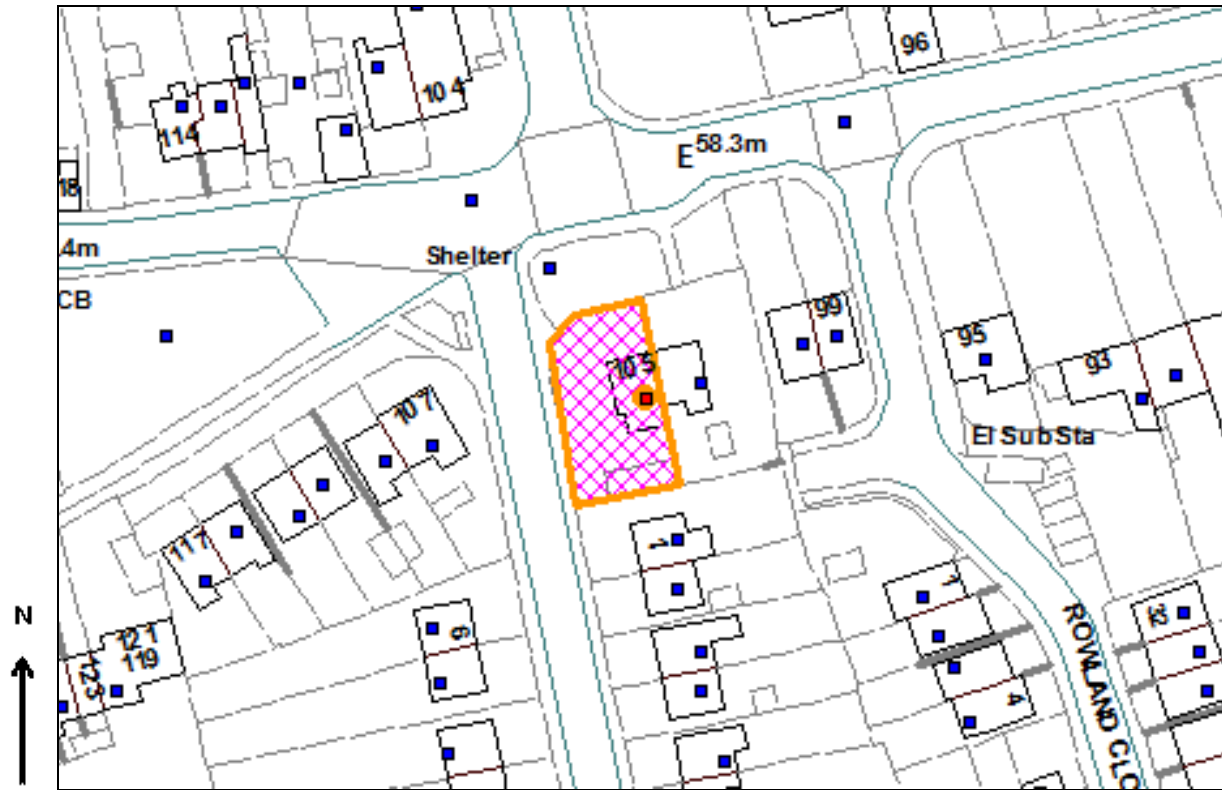
Extension: 2104

Date: 28th October 2015

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Appendix 1

15/02603/FUL - 105 Godstow Road



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Ordnance Survey 100019348

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West Area Planning Committee – 10 November 2015

Application Number: 15/02474/FUL

Decision Due by: 12 October 2015

Proposal: Demolition of existing WC, store and garage. Erection of single storey rear extension and formation of 2no. rear dormers. Insertion of 1no. sash window to side elevation and 2no. rooflights to front roofslope. Erection of detached single storey home office/garage. Relocation of garden gate and demolition of section of garden wall. (Amended plans)

Site Address: 23 Frenchay Road, **Appendix 1**

Ward: St Margarets Ward

Agent: Mr Nicholas Holloway

Applicant: Mr C Kirby

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension and alterations are acceptable in design terms, would not cause unacceptable levels of harm to the amenities of the neighbouring properties, will not have a detrimental impact on highway safety and will not have an adverse effect on trees in the Conservation Area. The proposal therefore accords with policies CP1, CP6, CP8, CP9, CP10, HE7 and NE16 of the Oxford Local Plan, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

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 Samples in Conservation Area
- 4 Use of outbuilding
- 5 Ground resurfacing - SUDS compliant

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

HE7 - Conservation Areas

NE16 - Protected Trees

Core Strategy

CS11 - Flooding

CS18 - Urban design, town character, historic environment

Sites and Housing Plan

HP9 - Design, Character and Context

HP14 - Privacy and Daylight

MP1 - Model Policy

Other Material Considerations:

- National Planning Policy Framework
- This application is in or affecting the North Oxford Victorian Suburb Conservation Area.
- Planning Practice Guidance

Relevant Site History:

59/08165/A_H - Alteration to form bathroom. PDV 23rd June 1959.

60/09810/A_H - Private garage. PDV 13th September 1960.

66/17974/A_H - Conservatory. PDV 13th September 1966.

14/02304/CAT - Fell 1No Holly Tree and prune 1No Walnut Tree in the North Oxford Victorian Suburb Conservation Area.. RNO 14th August 2014.

14/03051/FUL - Erection of a single storey rear extension. Insertion of 2 no. windows to west elevation. Formation of 2 x dormer window to rear elevation and insertion of 1 no. rooflight to front elevation in association with loft conversion. Replacement of

garage with home office. Repositioning of garden gate. (Amended plan)(Amended description). PER 28th January 2015.

15/01976/VAR - Variation of condition 2 (approved plans) of planning permission 14/03051/FUL (single storey rear extension and 2no. rear dormers) to allow lowering of ground floor and lowering roof height of extension and insertion of additional rooflight to front roofslope. WDN 5th August 2015.

Representations Received:

6no. third party objection comments – comments relate to overlooking and loss of privacy, the previous extension was more in keeping with the property, the garage should be inset from the pavement, the glazing should be broken up and the boundary wall should encompass half round bricks.

1no. support comment (Cllr Wade) – The proposal is an improvement on the previously approved application. The overlooking from the proposed first floor window will be quite minimal on No.25 and is outweighed by the benefits to No.23. The clerestory window would benefit from glazing bars to break it up. The curve in the boundary wall and coping stones should be retained.

Statutory and Internal Consultees:

Moreton Road Neighbourhood Association – no comments received.

Cunliffe Close Residents' Association – no comments received.

St Margarets Area Society – a pitched roof was preferable but support the lowering of the extension, the clerestory window should be removed or broken up, half rounded bricks should top the new wall, the garage should be set back from the pavement and the new side windows should be obscurely glazed.

North Oxford Association – no comments received.

Hayfield Road Residents Association – no comments received.

Highways Authority – no objection.

Issues:

- Design
- Impact on the Conservation Area
- Residential Amenity
- Highways
- Arboriculture
- Flooding

Officers Assessment:

Site:

1. 23 Frenchay Road sits on the crossroads between Frenchay Road and Hayfield Road in the North Oxford Victoria Suburb Conservation Area. The two storey end of terrace property is constructed of red brick and benefits from a rear garden with a detached garage, WC and store. This

application relates to the erection of a single storey rear extension following demolition of the WC and store, erection of a detached home office/garage following demolition of the existing garage, installation of 2no. rear dormers, sash window in the side elevation and 2no. front rooflights. This application is an amendment to the approved scheme 14/03051/FUL.

2. The application is to be considered by West Area Planning Committee as the proposal contains clearly glazed windows which were previously conditioned to be obscurely glazed by Planning Committee under application 14/03051/FUL.

Design/Impact on the Conservation Area:

3. The proposed extension sits comfortably on the rear elevation of the host dwelling below the level of the first floor windows. The revised scheme has lowered the extension to pavement rather than garden level and also incorporates a reduction in depth. This is a similar scale to the approved scheme and to other extensions in the terrace, the proposal is therefore considered to form an appropriate visual relationship in terms of scale and massing. Although the revised design is more contemporary and incorporates more glazing and the property is in a prominent location, this is considered acceptable given the lowering of the extension which ensures it appears less dominant in the streetscene and is screened by a brick boundary wall. Further details were requested and submitted to show the glazing and fascia details, garage door and pedestrian gate and finishing details to fully assess the impact on the North Oxford Victorian Suburb Conservation Area. These details are considered acceptable. Whilst further glazing bars were considered, it was considered they would not significantly enhance or improve the appearance of the clerestory glazing. A condition is recommended to request a sample panel of the boundary wall prior to commencement of development to approve the use of bricks, mortar and brick bond. Half round coping stones are to be used in the main boundary wall, however due to the depth of the wall adjacent to the extension they cannot be used above the new gate.
4. The proposed rear dormers are slightly taller than those originally approved, however this brings the scale in line with those at the neighbouring property, 21 Frenchay Road. An additional rooflight has also been added to the front roofslope in line with other properties in the streetscene. The works associated with the loft conversion are therefore considered acceptable and form an appropriate visual relationship with the surrounding area.
5. The proposed workshop/garage replaces an existing disused garage which has been defaced with graffiti. The proposed timber structure is considered to be an improvement and enhance the character and appearance of the area. Due to increased size of the garage, the curved wall cannot be retained.

6. The proposal is therefore considered to comply with Policies CP1, CP6, CP8 and HE7 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

Residential Amenity:

7. The extension has been pulled back in line with the neighbouring extension at 21 Frenchay Road adjacent to the boundary and is not considered to have an overbearing impact, significant effect on outlook or cause a detrimental loss of light to the neighbouring occupier. When a 45° angle is taken on a horizontal plane from midpoint of the cill of the window and patio doors of the extension at 21 Frenchay Road, neither conflict with the line of the extension.
8. The proposed garden room/home office lies adjacent to the boundary with 90 Hayfield Road and is set down at pavement level. Since this property does not benefit from side facing windows it is not considered to impact on this property in terms of overbearing impact, loss of light or loss of outlook. It will also only exceed the height of the former garage by 50cm and given the screening from the existing boundary walls and the fact that windows will face into the host garden only the proposal is not considered to have a significant impact on the adjoining properties. A condition is recommended that the building shall remain for incidental purposes to the main dwellinghouse only and shall not be used as primary living accommodation in order to protect the amenity of neighbouring occupiers.
9. The proposed dormer windows have been kept to an acceptable size and given the existing landscaping in the area the proposed windows will not significantly increase overlooking of neighbouring properties. The proposed windows in the side elevation of the main house additional windows to the rear bedroom. The windows directly overlook Hayfield Road and the side elevation of 25 Frenchay Road. They are not considered to give rise to loss of privacy as they do not directly overlook the rear conservatory of 25 Frenchay Road and the first floor side facing window to the main house serves a hallway.
10. The proposal is therefore considered to comply with policies CP10 of the Local Plan and HP14 of the Sites and Housing Plan.

Highways:

11. The property lies within the North Oxford Controlled Parking Zone. The application proposes demolition of the existing garage, which is recognised as not adequate to accommodate a modern car. The proposed garage/workshop (as in the drawings) or 'home office' also does not meet Oxfordshire County Council parking standards for a garage. However, there is no net loss of vehicle parking and therefore no objection is raised in relation to the proposal on the grounds of highway safety.
12. Consideration has also been given to the design of the garage door to ensure

it does not open over the highway.

Arboriculture:

13. It is considered that the proposals will not have a significant adverse impact on the walnut tree on the site adjacent to the proposed garden room. As such there would be no associated harm to public visual amenity or the character and appearance of the conservation area in terms of tree impacts.

14. The proposed garden room is close to a walnut tree. The structure is shown in drawings to stand on a slab associated with the existing garage building in the same location. This will ensure that no tree roots will be impacted by excavations associated with a standard footing. The structure is of a similar height and volume to the garage and therefore there should be no spatial conflict with the tree's trunk or crown.

Flooding:

15. To avoid increasing surface water run-off and thereby attenuating flood risk in accordance with policies CS11 of the Oxford Core Strategy a condition is recommended that the developments which increases 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 in order to reduce flooding. Soakage tests should be carried out to prove the effectiveness of soakaways or filter trenches.

Conclusion:

APPROVE subject to conditions

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:

15/02474/FUL

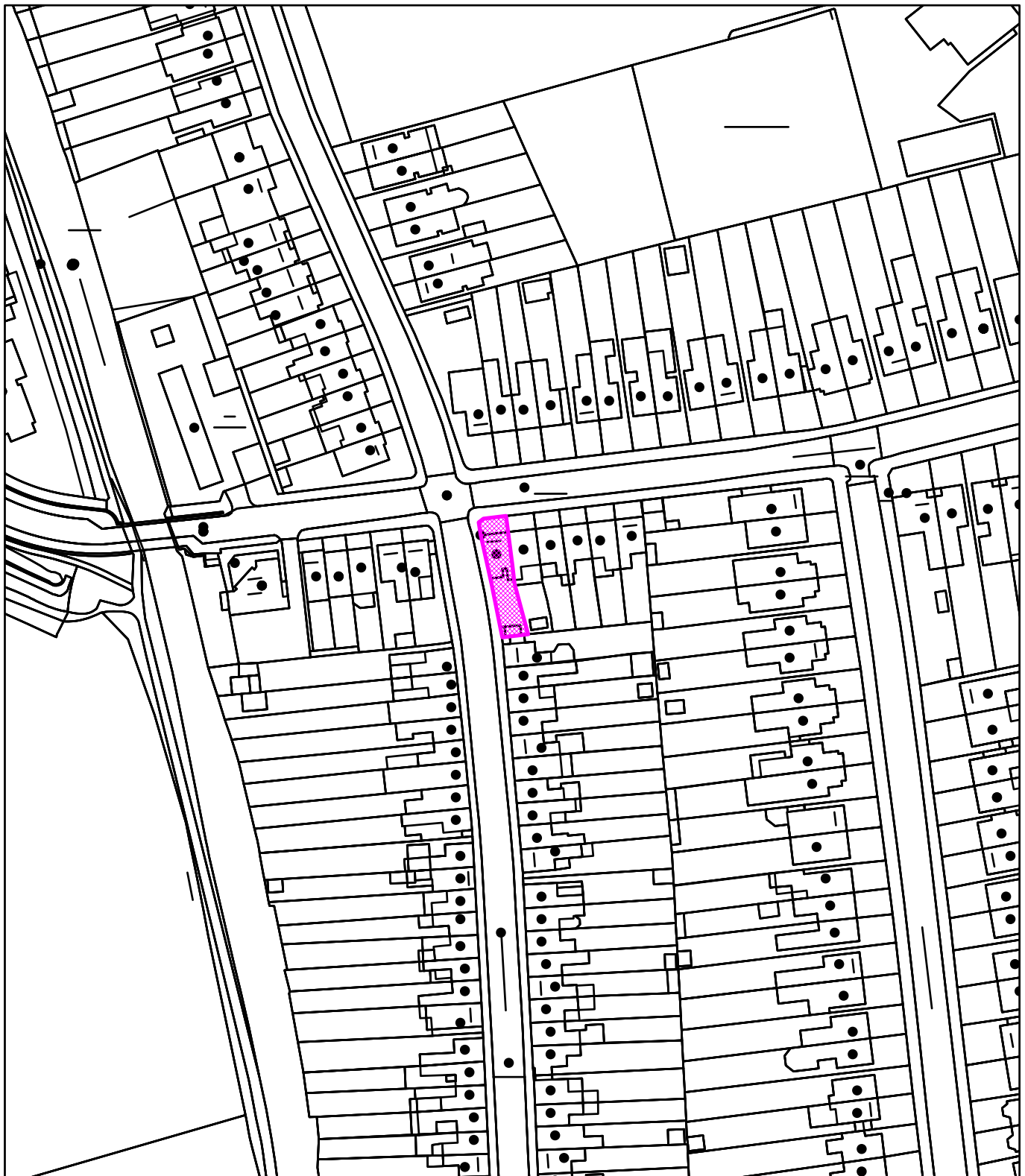
Contact Officer: Sarah Orchard

Date: 26th October 2015

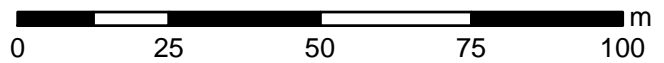
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Appendix 1

23 Frenchay Road



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Ordnance Survey 100019348.



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West Area Planning Committee

10 November 2015

Application Number: 15/02846/SP56

Decision Due by: 27 November 2015

Proposal: Application for prior approval for the installation of Solar Photovoltaics (PV) equipment on the roof of non-domestic building.

Site Address: St Aldate's Chambers 109 - 113 St Aldate's, **Appendix 1.**

Ward: Carfax Ward

Agent: JoJu Solar

Applicant: Oxford City Council

Recommendation:

The West Area Planning Committee is recommended to grant prior approval for the following reasons:

- 1 Due to the sensitive location of the panels in a conservation area and their potential impact on views of Oxford, it is considered that the prior approval of the Local Planning Authority is required. The design and external appearance of the development is considered to minimise the impact on the amenity of the area and is considered acceptable subject to concerns about the impact on long views and views from Carfax Tower being addressed by the imposition of conditions relating to the materials to be used in the development and the installation of screening. The impact of glare on occupiers of neighbouring land is considered to be negligible. The proposal is therefore considered to comply with the restrictions and conditions of the relevant permitted development class and with the relevant policies in the Oxford Local Plan and Core Strategy.
- 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 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 Materials
- 2 Screening
- 3 Construction Traffic Management Plan

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

HE7 - Conservation Areas

HE9 - High Building Areas

HE10 - View Cones of Oxford

Core Strategy

CS9 - Energy and natural resources

CS18 - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

This application site falls within the Central Conservation Area.

Relevant Site History:

63/13469/A_H - 95ft high radio mast. PER 28th May 1963.

88/00329/GFH - Removal of existing mast. Replacement with 18.5 metre high 50 millimetre diameter guyed radio mast.. DMD 31st August 1989.

88/00330/LH - Conservation Area consent for removal of existing mast.. PER 31st August 1989.

93/00729/GFH - Erection of microwave antennae at roof level. PER 10th September 1993.

98/00054/GFH - Replacement of existing radio antenna, attached to the tank room on roof.. PER 20th March 1998.

10/02599/CT3 - External alterations to building to include new windows, doors and boiler flue. External ductwork and covered cycle store to courtyard. Provision of heat recovery plant air conditioning units and safety railings to roof.(amended plans). PER 21st December 2010.

Representations Received:

None

Statutory Consultees:

Highways Authority: No objection. A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify: the routing of construction vehicles, access arrangements for construction vehicles, details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network).

Determining Issues:

- Permitted development restrictions
- Design and visual amenity
- Glare
- Other matters

Officers Assessment:

Site Description

1. Oxford City Council's office building at St Aldate's Chambers has four storeys plus a basement. It has a flat roof surrounded by a parapet and guard rails, and a lift shaft whose housing protrudes above the level of the flat roof. There is some plant materials sited on the flat roof currently. See **Appendix 1** for site plan.

Proposal

2. The installation of 66 solar panels arranged in 8 arrays on the flat roof of St Aldate's Chambers is proposed. The panels will be orientated south.
3. This is proposed to be carried out as permitted development under Schedule 2, Part 14, Class J(c) of The Town and Country Planning (General Permitted Development) (England) Order 2015. The full wording of Class J is found in **Appendix 2**.
4. The Local Planning Authority is required to establish whether the proposal complies with the restrictions and conditions of Class J.
5. Condition J.4(1)(a) states that the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area.
6. The reason for this application is that condition J.4(2) states that, for Class J(c) development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land.

7. Due to the sensitive location of the panels in a conservation area and their potential impact on views of Oxford, it is considered that the prior approval of the Local Planning Authority is required.
8. Therefore, the only issues that can be considered as part of this prior approval application are:
 - whether the application complies with the **permitted development restrictions** specified in Class J
 - an assessment of the design and external appearance of the development and the impact on the amenity of the area – **design and visual amenity**
 - an assessment of the **glare** on occupiers of neighbouring land.

Permitted Development Restrictions

9. The development proposed would comply with the restrictions of Class J as set out in paragraphs J.1, J.2 and J.3. See **Appendix 2** for the full wording and notes relating to this development.

Design and Visual Amenity

10. Measures have been taken to minimise the effect on the external appearance of the building. The panels proposed are frameless and would be set on black plastic housings. They would therefore be less visually intrusive than framed panels set on metal support struts. The proposal does not include the siting of any solar panels in the east area of the flat roof closest to St Aldate's that is closest to the public realm and could impact views from various points on St Aldate's and from the Town Hall building opposite. The panels will not be visible from street level.
11. However, the proposed panels will add to the existing roofscape which may affect views from high points in the city and long views. Screening is proposed to be attached to the guard rails to screen views, both of the panels and the existing plant equipment. Louvred metal or timber screening in a recessive colour in matt finish is likely to be suitable. The screening would be secured by condition. A document assessing the impact of the development on key views of Oxford was submitted as part of the application. The applicant took photographs from the affected view points as specified in the Oxford View Cones Study 2015. The images are not fully verified views but allow a detailed assessment of the development to be undertaken.
12. The rear of the panels will be visible from Carfax Tower, although the arrays closest to Carfax will be concealed by the screening screen. At most, the two more southerly arrays, which form two continuous lines and are therefore less visually jarring, would be visible. The plastic housing as proposed has wind protectors that form a 90-degree angle with the panels. It is felt these would result in quite a cluttered appearance and so officers have looked at alternative housings with the agent and identified a less prominent housing. The use of this housing would be secured by condition and this would minimise the impact of the development on views from Carfax Tower. It is considered that the impact on

views from Carfax would be neutral because the screening would hide the existing plant equipment while some of the solar panels would be visible. It is also noted that should planning permission on a site between the two buildings, reference 14/02256/FUL be implemented, then views from Carfax of the roof of St Aldate's Chambers would be entirely obscured.

13. The panels will just be visible above the parapet in views from Boars Hill and Hinksey Hill viewpoints. However, with screening in place the panels will be completely obscured from these views.
14. Officers consider that appropriate measures have been taken to minimise the visual impact of the development, and that the design and appearance will result in a development that will preserve the appearance of the conservation area.
15. The proposal is therefore considered to comply with condition J.4(1)(a) and J.4(2) in relation to design and external appearance. The proposal would also comply in this respect with policies CP1, CP6, CP8, CP10, HE7, HE9 and HE10 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

Glare

16. The panels proposed are to be coated with anti-reflective coating to minimise glare.
17. Glare will not be noticeable from Carfax Tower due to panels facing south. The screening proposed would eliminate glare when the development is seen from long views.
18. Due to the building's height in relation to surrounding properties, and the shallow pitch of the proposed panels, there is not considered to be any impact of glare on occupiers of neighbouring land.
19. The proposal is therefore considered to comply with condition J.4(2) in relation to glare. The proposal would also comply in this respect with policies CP1, CP6, CP8, CP10 and HE7 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

Other matters

20. Class J.4(11) states that the Local Planning Authority may grant prior approval subject to conditions reasonably related to the subject matter of the prior approval.
21. The Highways Authority commented on the application and requested a Construction Traffic Management Plan to identify: the routing of construction vehicles, access arrangements for construction vehicles, details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network). This is considered a reasonable condition given the busy location of the

site within the road network.

Conclusion:

For the reasons discussed above, the West Area Planning Committee is recommended to grant prior approval.

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

Background Papers: 15/02846/SP56, 14/02256/FUL

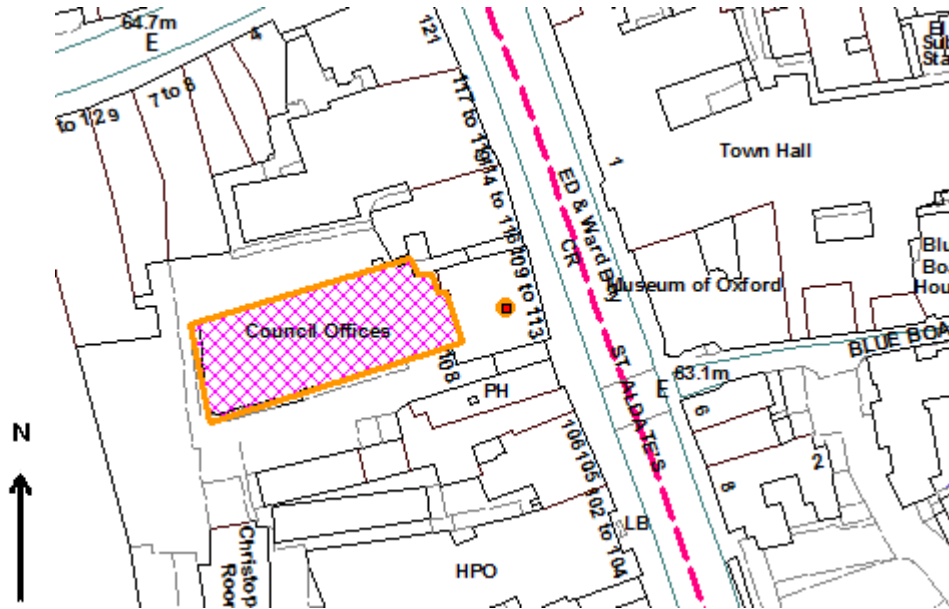
Contact Officer: Nadia Robinson

Extension: 2697

Date: 30th October 2015

Appendix 1

15/02846/SP56 - St Aldate's Chambers



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Ordnance Survey 100019348

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Appendix 2:

Schedule 2, Part 14 (Renewable Energy), Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015

With officer comments in italic

Permitted development

J. The installation, alteration or replacement of—

- (a) microgeneration solar thermal equipment on a building;
- (b) microgeneration solar PV equipment on a building; or
- (c) other solar PV equipment on the roof of a building,

other than a dwellinghouse or a block of flats.

Development not permitted

J.1 Development is not permitted by Class J if—

- (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;

The panels are not proposed to be installed on a pitched roof.

- (b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);

The panels are proposed to be installed on a flat roof. The highest part of the solar PV equipment would be 360mm the surface of the flat roof, which is well within the 1 metre restriction. (See drawings 'Mounting View Elevation North' and 'Mounting View Elevation West')

- (c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;

The panels are proposed to be installed at least 1.5m from the external edge of the roof.

- (d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a

highway;

The building is in the Central Conservation Area, and therefore on article 2(3) land. However, the panels will not be installed on a roof slope.

(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

The site is not designated as a scheduled monument.

(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

The building is not listed. The proposed location of the panels is not within the curtilage of a listed building.

J.2 Development is not permitted by Class J(a) or (b) if—

(a) the solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;

(b) the solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or

(c) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway.

Paragraph J.2 refers to development by Class J(a) or (b) and as such is not relevant for this application.

J.3 Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt.

The proposed panels will have the capacity to generate approximately 21.44kW (maximum potential), which equates to 0.02144 of a megawatt.

Conditions

J.4 (1) Class J development is permitted subject to the following conditions—

(a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and

(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

(2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land, and the following sub-paragraphs apply in relation to that application.

(3) The application must be accompanied by—

(a) a written description of the proposed development;

(b) a plan indicating the site and showing the proposed development;

(c) the developer's contact address; and

(d) the developer's email address if the developer is content to receive communications electronically;

together with any fee required to be paid.

(4) The local planning authority may refuse an application where, in the opinion of the authority—

(a) the proposed development does not comply with, or

(b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in Class J applicable to the development in question.

(5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(6) The local planning authority must give notice of the proposed development—

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—

(i) describes the proposed development;

(ii) provides the address of the proposed development;

(iii) specifies the date by which representations are to be received by the local planning authority; or

- (b) by serving a notice in that form on any adjoining owner or occupier.
- (7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.
- (8) The local planning authority must, when determining an application—
- (a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and
 - (b) have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012(a), so far as relevant to the subject matter of the prior approval, as if the application were a planning application.
- (9) The development must not begin before the occurrence of one of the following—
- (a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
 - (b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or
 - (c) the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.
- (10) The development must be carried out—
- (a) where prior approval is required, in accordance with the details approved by the local planning authority;
 - (b) where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3), unless the local planning authority and the developer agree otherwise in writing.
- (11) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

West Area Planning Committee:

10 November 2015

Application Number: 15/02223/CT4

Decision Due by: 15 October 2015

Proposal: Provision of 18No. residents' parking spaces on existing grass verges (Amended plan).

Site Address: Site Of Verges At 21 To 27 Chatham Road And 10 To 40 Fox Crescent, Site Plan **Appendix 1**

Ward: Hinksey Park

Agent: **Applicant:** Oxford City Council

Recommendation: West Area Planning Committee is recommended to approve the application for the reasons set out below and subject to conditions listed below.

Reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. Replacement trees will be incorporated into the scheme to mitigate the loss of trees. The proposal is acceptable in design terms and would not cause any unacceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local development plan. There are no material considerations which outweigh this conclusion.
- 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.

Conditions:

- 1 Development begun within time limit
- 2 Development in accordance with approved plans
- 3 Parking in accordance with plans
- 4 TRO Amendment
- 5 Tree Protection Plan (TPP) 1
- 6 Landscape Plan
- 7 Sustainable Urban Drainage Systems

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

Core Strategy

CS18 - Urban design, town character, historic environment

Sites and Housing Plan

HP16 - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

None

Representations Received:

Three representations received and are summarised below.

5 Fox Crescent, 40 Fox Crescent, 21 Chatham Road

General Comments

- Parking should be allocated to residents as parking congestion in the area is caused by commuters parking within the street
- Delighted to see that the council is looking to invest in the Fox Crescent/Chatham Road area.
- Very pleased to see that initial plans to fell a number of trees have been revised and that the leafy feel of the area will be maintained.
- Spaces should be located on the west side of the Fox Crescent green as cars parked on the north east side, where spaces are proposed, are routinely dirtied by birds in trees

Objections

- The green areas are a special feature of the area and make the two streets unique in the area and I hope we can avoid any changes.

Statutory and Internal Consultees:

Highways

The proposed parking proposal is acceptable to Oxfordshire County Council subject to appropriate conditions regarding parking being developed according to the specified plan and a £2500 sum in the form of a unilateral undertaking for the amendment of the Traffic Regulation Order to remove the double yellow lines from Fox Crescent.

Issues:

Visual impact and trees

Highways

Residential amenity

Officers Assessment:

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when car ownership levels were lower than today. In the 1980s, additional parking bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.
3. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
4. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
5. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas. However, more recently, the City Council has accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.

6. The proposed scheme would provide formal parking areas on existing grassed areas. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. This is a continuation of car parking schemes recently approved in locations across the City (Blackbird Leys Road, Normandy Crescent, Chillingworth Crescent, Redmoor Close and four schemes at various points along Pegasus Road).
7. The new spaces would be unallocated.

Site Location and Description:

8. Chatham Road is a short street located off the east side of Abingdon Road. Houses are terraced in fours on either side of the street and there are two small, rectangular greens either side of the street at around its mid-point. The green on the north side of the street contains a small tree.
9. Fox Crescent is located perpendicular to Chatham Road with houses located on plot around the crescent. A green is located on the opposite of these houses and is split into two by a narrow road. The north side of the green contains three mature trees and the south side of the green contains two mature trees. Vehicular traffic is restricted within the crescent by a planter and by bollards adjoining the west of the green to prevent a rat run between Abingdon Road and Weirs Lane and Donnington Bridge Road.

Proposal

10. It is proposed to provide 18 no. off road parking spaces for residents' vehicles. Six bay spaces are located on the green on the north side of Chatham Road, one of which is a disabled space, five parallel spaces are proposed on the north east side of the green of Fox Crescent and seven bay spaces are proposed to be located on the west side of the green of Fox Crescent.
11. The proposal was revised to remove the gate proposed in the original plans due to impact on the streetscene. The planter located within Fox Crescent is proposed to be retained but reduced in height, with the addition of a tree or shrub planting.

Visual Impact and Trees

12. This site has a number of trees that are important to the visual amenity of the area, particularly at the Fox Crescent greens. It is proposed to remove the large cherry tree within the green at Fox Crescent and a young cherry tree will be removed from the north green of Chatham Road. The Tree Officer has raised no objections and has stated that the removal of trees is justified due to the condition of the large cherry tree in that it is close to the end of its natural life and the young cherry tree being a small tree that can be easily replaced. To mitigate the loss of trees a condition has been attached to cover re-planting with two new trees. The exact positioning of these trees will be covered by this condition in the form of a landscape.

13. The reduction in height of the planter on the east side of Fox Crescent will not adversely affect the streetscene. Either a tree or shrub planting will be planted within the planter and the type of planting will be covered by condition in the form of a landscape plan. Either of these options will help to enhance the streetscene at this location.
14. The parallel bays proposed on the north east side of Fox Crescent cover a small amount of the green at this point. The seven bay spaces proposed on the west side of the southern green at Fox Crescent cover a sufficient amount of the green and will be broken up by an area of shrubs into chunks of four and three bays.
15. The bays proposed on the north side of Chatham Road cover an appropriate amount of the green and the extent of hardsurfacing will not have an adverse impact on the streetscene at this location by making the area feeling too car dominated.
16. It is considered that the new parking and the potential loss of trees would not harm the visual amenity of the area. The proposal would reduce visual intrusion caused by indiscriminate parking by formalising it within a landscaped setting thereby enhancing the existing street scene.
17. The proposal will not have an unacceptable visual impact on the area and accords with Policies CP1, CP6, CP 8, CP9, CP10 and NE15 of the Oxford Local Plan, policy CS18 of the Core Strategy and policy HP16 of the Sites and Housing Plan.

Highways

18. Highways have been consulted on the proposal and have raised no objections to the amended plans and state that they are acceptable and will not cause highway safety concerns.
19. There have been comments raised in representations regarding whether spaces can be allocated to specific properties. Due to the spaces being provided within the public highway they cannot be allocated to specific properties.

Residential Amenity

20. The cars parking on the north side of Chatham Road and three of the bays proposed on the west side of Fox Crescent will be facing the windows of the housing opposite these parking spaces. There would therefore be potential for glare from headlights into these windows. However, this will satisfactorily be reduced or eliminated by the proposed shrub planting. The proposed bays will be overlooked by the surrounding properties which will create natural surveillance. Officers consider the proposal would not significantly harm residential amenities in this instance. The proposal therefore accords with Policy CP10 of the Oxford Local Plan.

Conclusion:

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

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 15/02223/CT4

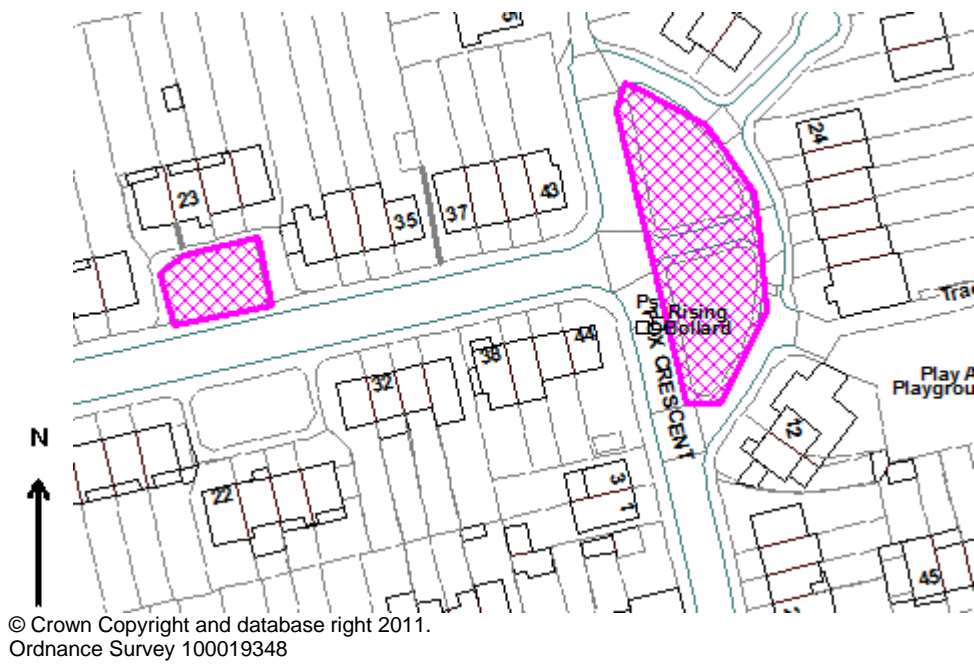
Contact Officer: Matthew Watson

Extension: 2160

Date: 27th October 2015

Appendix 1

15/02223/CT4 - Site Of Verges At 21 To 27 Chatham Road And 10 To 40 Fox Crescent



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Monthly Planning Appeals Performance Update – October 2015

Contact: Head of Service City Development: Cathy Gallagher

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 October 2015, while Table B does the same for the current business plan year, ie. 1 April 2015 to 31 October 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	10	38.5%	3	7
Dismissed	16	61.5%	2	14
Total BV204 appeals	26	100%	5	21

**Table A. BV204 Rolling annual performance
(1 November 2014 to 31 October 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	7	58.3%	3	4
Dismissed	5	41.7%	1	4
Total BV204 appeals	12	100%	4	8

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 October 2015)**

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	21	44.7%
Dismissed	26	55.3%
All appeals decided	47	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 November 2014 to 31 October 2015**

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 **October 2015**.
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 **October 2015**. 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 1/10/15 And 31/10/15

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
13/02434/FUL	15/00031/REFUSE	DEL	REF	DIS	16/10/2015	JEROSN	101 Botley Road Oxford Oxfordshire OX2 0HB	Demolition of existing garage and erection of detached 3-storey building to provide student accommodation (Sui Generis) consisting of 5 bedrooms. Provision of bin and cycle stores.
14/03532/FUL	15/00029/REFUSE	DEL	REF	DIS	19/10/2015	SUMMTN	Grove House 3 St James Row Grove Street Oxford Oxfordshire OX2 7JT	Erection of 1 x 4 bed dwelling house (Use Class C3). Erection of boundary wall and provision of associated vehicle parking and landscaping.
14/03512/VAR	15/00030/REFUSE	DEL	REF	ALW	27/10/2015	STMARG	16 Bardwell Road Oxford Oxfordshire OX2 6SW	Variation of condition 2 (Approved plans) of planning permission 14/00818/FUL to enable the insertion of a timber framed sash window to the rear elevation.

Total Decided: 3

Enforcement Appeals Decided Between **1/10/2015 And 31/10/2015**

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
14//0024/8/ENF	15/00024/ENFORC	ALLOW	06/10/2015	18 Cavendish Drive Oxford MARST Oxfordshire OX3 0SB		Appeal against without planning permission, change of use of the land from use as single dwellinghouse to use as two dwellings.
14//0018/2/ENF	15/00015/ENFORC	ALWCST	27/10/2015	9 White House Road Oxford Oxfordshire OX1 4PA	HINKPK	Appeal against enforcement notice on alleged unauthorised construction of garden building.
14//0029/5/ENF	15/00027/ENFORC	DISMIS	27/10/2015	228 London Road Headington Oxford Oxfordshire OX3 9EG	QUARIS	Appeal against unauthorised residential building

Total Decided: 3

Table E

Appeals Received Between 1/10/15 And 31/10/15

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
14/02663/FUL	15/00047/REFUSE	COMM	REF	W	96-97 Gloucester Green Oxford Oxfordshire OX1 2DF	CARFAX	Change of use from Use Class A1 (Retail) to Use Class A3 (Restaurant)
14/03246/FUL	15/00051/REFUSE	DEL	REF	W	45 Magdalen Road Oxford Oxfordshire OX4 1RB	STMARY	Alterations to existing front elevation, erection of single storey rear extension and front and rear dormer window to existing dwelling. Erection of two storey side extension to create 1 x 3 bed dwellinghouse (Use Class C3) with associated parking and amenity space provision.
15/00179/FUL	15/00045/REFUSE	DEL	REF	W	23 Nowell Road Oxford Oxfordshire OX4 4TA	RHIFF	Erection of single storey side extension to form 1 x 1-bed dwelling (Use Class C3). Provision of private amenity space and car parking.
15/01008/FUL	15/00050/REFUSE	DEL	REF	W	15 Hollow Way Oxford Oxfordshire OX4 2NA	COWLYM	Erection of 1 x 1- bed single storey dwellinghouse (Use Class C3). Provision of private amenity space, car parking and refuse store.
15/01565/FUL	15/00046/REFUSE	DEL	REF	H	2 Garford Road Oxford Oxfordshire OX2 6UY	STMARG	Demolition of existing shed/store. Erection of a garage.
15/02263/FUL	15/00048/REFUSE	DEL	REF	H	7 Barton Road Oxford Oxfordshire OX3 9JB	BARTSD	Formation of roof extension to side roofslope at first floor and insertion of 1No. side rooflight.
15/02273/TPO	15/00049/REFUSE	DEL	REF	H	69 Sandfield Road Oxford Oxfordshire OX3 7RW	HEAD	Fell 1No Lawsons Cypress Tree as identified in the Oxford City Council - Sandfield Road (No. 1) Tree Preservation Order 2007.

Total Received: 7

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MINUTES OF THE WEST AREA PLANNING COMMITTEE

Tuesday 13 October 2015

www.oxford.gov.uk



COUNCILLORS PRESENT: Councillors Upton (Chair), Gotch (Vice-Chair), Brown, Coulter, Benjamin, Gant, Hollingsworth, Paule and Tanner.

OFFICERS PRESENT: Fiona Bartholomew (Planning and Regulatory), Felicity Byrne (Planning and Regulatory), Michael Morgan (Law and Governance), David Stevens (Planning and Regulatory) and Jennifer Thompson (Law and Governance)

52. ELECTION OF CHAIR FOR THE REMAINDER OF THE 2015/16 MUNICIPAL YEAR

Councillor Upton was elected Chair of the Committee for the remainder of the municipal year. The Committee thanked Councillor van Nooijen for his chairmanship.

53. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Cook (substitute Councillor Brown) and Councillor Price (substitute Councillor Coulter) submitted apologies.

54. DECLARATIONS OF INTEREST

None

55. EAST / WEST RAIL - SPLITTING SECTION I INTO I1 AND I2: 15/01978/CND

Councillor Brown arrived during this item and took no part in the debate or decision.

The Committee considered a report and a late submission from Network Rail setting out details submitted in compliance with condition 3 (Individual scheme Sections) of TWA ref: TWA/10/APP/01 (The Chiltern Railways (Bicester to Oxford Improvements) Order - deemed planning permission granted under section 90(2A) of the Town and Country Planning Act 1990) relating to Chiltern Railway from Oxford to Bicester Section I and the acceptability of splitting at Aristotle Lane the approved section I into two parts: I1 and I2 as shown.

Andy Milne, representing Network Rail, spoke in support of the application and answered questions.

The Committee noted that although works have started in section I2 under assumed permitted development rights, Network Rail has given an undertaking to provide a noise assessment for the proposed Section I2 and to implement any mitigation indicated. The Committee agreed to add a condition as set out below to secure noise and vibration assessment and any mitigation indicated.

The Committee resolved to approve application 15/01978/CND with the following conditions:

1. That within three months of the issuing of permission, noise and vibration schemes of assessment, together with identification of mitigation measures, are compiled in compliance with Condition 19 of TWA/10/APP/01 and submitted and approved. All railway related works and activities in section "I2" including any mitigation measures identified, shall be carried out in accordance with the approved schemes and this condition prior to the passage of trains in section "I2".

56. FAIRFIELD RESIDENTIAL HOME, REAR OF 115 BANBURY ROAD:15/01104/FUL

The Committee considered an application for planning permission for the demolition of the existing bungalow, part of existing Fairfield Residential Home and various outbuildings; the erection of replacement residential care home consisting of 38 bedrooms, communal and ancillary facilities on 1, 2 and 3 storeys; together with extension and alteration to existing garage to rear of 25 Staverton Road to form manager's accommodation; new vehicular access from Banbury Road; 18 car parking spaces; and landscaped garden on part of 115 Banbury Road, University College Annexe, 19A and 25 Staverton Road, Oxford.

This application was deferred from the meeting on 8 September

John Mordue, representing local residents, spoke against the application.

Keith Minns, representing the applicant, spoke in support of the application.

The Committee agreed to amend and add conditions:

- on the officer's advice, a drainage strategy to be submitted and agreed, as requested by Thames Water;
- details and hours of operation of kitchen extraction equipment to be submitted and agreed to reduce nuisance;
- amend condition 7 to include details in the report;
- amend condition 8 to include details of visitor cycle parking to ensure provision.

The Committee resolved to approve application 15/01104/FUL subject to and including conditions:

1. Time – outline / reserved matters.
2. Plans – in accordance with approved plans.

3. Exclude details and resubmit; roof plant room.
4. Materials – samples agree prior to construction.
5. Works to historic walls; re-use materials and make good etc.
6. Biodiversity – measures for wildlife.
7. Construction Traffic Management Plan – details prior to construction and as in officer's report
8. Cycle and bin storage – further details prior to substantial completion – to include cycle parking for visitors.
9. Sustainability – in accordance with details submitted.
10. SUDS – build in accordance with.
11. Landscape plan in accordance with submitted documents and plans.
12. Landscape – planting carry out after completion.
13. Trees - Hard Surfaces – tree roots).
14. Trees - (Underground Services – tree roots).
15. Trees - (Tree Protection Plan).
16. Trees - (Arboricultural Method Statement).
17. Details of boundary treatment prior to occupation.
18. Archaeology – WSI.
19. Obscure glazing.
20. Drainage strategy to be submitted and agreed.
21. Details and hours of operation of kitchen extraction equipment to be submitted and agreed.

57. MODERN ART OXFORD, 30 PEMBROKE STREET: 15/02347/FUL

The Committee considered an application for planning permission for the refurbishment of the entrances and approaches from Pembroke Street and St. Ebbes; demolition of existing stairs and partitions; erection of a new staircase and enclosure with glazed rooflights; erection of new lift shaft and enclosure; and introduction of new window openings together with new flat roofed area with parapet and glazed door to the lobby at Modern Art Oxford 30 Pembroke Street.

The planning officer reported a late representation from the Oxford Archaeological and History Society.

Terry Gashe, representing the applicant, spoke in support of the application.

The Committee resolved to approve application 15/02347/FUL subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area.
4. Archaeology - Implementation of programme – historic, late Saxon, medieval and 19th century remains.
5. Details of paint removal/repairs.
6. Construction Travel Plan.

58. 60 WALTON STREET: 15/02206/FUL

The Committee considered an application for planning permission for the erection of a two storey garden annexe at 60 Walton Street, Oxford.

The Committee noted receipt of a late emailed submission from the applicant setting out his arguments for approval.

The Committee resolved to refuse planning permission for application 15/02206/FUL for the following reasons:

1. The proposed annexe is of an unacceptable scale and form at a visually prominent location which will result in an inappropriate addition to the streetscene at this location, which could be further exacerbated by the impact on a tree in the rear garden of the neighbouring property to the south east that adds significant amenity value to the streetscene. As a result, the proposal will have detrimental impact on the character and appearance of the conservation area at this location. In this respect, the proposal does not comply with policies CP1, CP8 and HE7 of the Oxford Local Plan, policy CS18 of the Core Strategy and policy HP9 of the Sites and Housing Plan.
2. The proposed annexe is of a large footprint which represents over-development of the rear garden area, and will leave insufficient private amenity space for future occupiers of the property. Consequently, the proposal does not comply with the relevant provision of policy CP10 of the Oxford Local Plan.
3. The window at first floor level of the proposed annexe will create a feel of being overlooking for occupiers of the neighbouring property to the south east. The proposal is therefore contrary to policy HP14 of the Sites and Housing Plan and policy CP10 of the Oxford Local Plan.

59. 23 STRATFIELD ROAD: 15/01414/FUL

The Committee considered an application for planning permission for the conversion of a House in Multiple Occupation (Use Class C4) into 2 x 2-bed maisonette flats (Use Class C3); erection of a part single, part two storey rear extension with first floor internal access stair and associated landscaping, erection of side infill extension; and replacement of front and rear dormer windows (Amended plans and description) at 23 Stratfield Road, Oxford.

Susanna Atkinson, a local resident, spoke against the application.

David Warden, the agent for the applicant, spoke in support of the application.

The Committee noted that some of the residents' worries were covered in the conditions and agreed to add further conditions to address remaining concerns:

1. details of the front door to be agreed to complement the streetscene;

2. landscape plan to comply with the council's biodiversity plan to ensure that the amenity space was of acceptable quality;
3. if officers considered it practicable to do so, the total number of parking permits allocated to the new dwellings not to exceed the total number allocated to the current dwelling to prevent pressure on on-street parking.

The Committee resolved to approve the application subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples, to include colour of render.
4. No additional windows.
5. Amenity - windows obscure glazed.
6. Amenity - no balcony.
7. Sustainable drainage.
8. Cycle and bin stores.
9. Landscape plan – to comply with biodiversity plan.
10. Details excluded submit revised plans.
11. Submission of further matters - Method of preventing access to the flat roof(s).
12. Landscape plan required.
13. Landscape - carry out by completion.
14. Boundary treatment.
15. Details of the front door to be agreed to complement the streetscene.
16. Landscape plan to comply with the council's biodiversity plan to ensure that the amenity space was of acceptable quality.
17. If practicable to do so, total number of parking permits allocated to the new dwellings not to exceed total number allocated to the current dwelling.

60. PLANNING APPEALS

The Committee noted the report on planning appeals received and determined during September 2015.

61. MINUTES OF PREVIOUS MEETING

The Committee resolved to approve the minutes of the meeting held on 8 September 2015 as a true and accurate record.

62. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

63. DATES OF FUTURE MEETINGS

The Committee noted these.

The meeting started at 6.30 pm and ended at 8.50 pm