

Agenda

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West Area Planning Committee

Date: **Wednesday 26 August 2015**

Time: **6.30 pm**

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

For any further information please contact:

Jennifer Thompson, Committee and Member Services Officer

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

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
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 Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;
	Councillor Louise Upton	North;

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

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AGENDA

	Pages
1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2 DECLARATIONS OF INTEREST	
3 68 ABINGDON RD:15/02142/SF56	9 - 24
Site Address: 68 Abingdon Road	
Proposal: Application for prior approval for the Change of Use from Financial/Professional Services (Use Class A2) to Restaurant/Café (Use Class A3).	
Officer Recommendation:	
that "Prior Approval" is required and should be granted subject to conditions:	
<ol style="list-style-type: none">1. Development begun within time limit.2. Develop in accordance with approved plans.3. Exclusion of other uses.4. No hot food takeaway items.5. Restricted hours/delivery times.6. Use of yard for deliveries.7. No structural alterations or additions.8. Details of cycle parking.	
4 46 HYTHE BRIDGE STREET: 15/00656/VAR	25 - 34
Site Address: 46 Hythe Bridge Street	
Proposal: Variation of conditions 2 (approved plans) and 9 (cycle parking details) of planning permission 10/01783/FUL (Conversion of building to provide flats) to amend the design layout to insert two new windows and a door on the north elevation and to alter the location of cycle parking.	
Officer recommendation: to approve the application subject to conditions	
<ol style="list-style-type: none">1. Development to be commenced within 3 years of date of consent.2. Development in accordance with the approved plans.3. Samples of proposed materials.4. Sample panels on site.5. No additional windows in south west elevation.6. Landscape Plan.7. Landscaping to be carried out upon substantial completion of the development.8. Plan showing means of enclosure.9. Details of cycle parking areas.10. Variation of Road Traffic Order.11. Construction Travel Plan.12. No windows to open out onto a public highway.13. Bin storage facilities.14. Scheme of archaeological work-written scheme of investigation.15. Contamination survey.	

16. Ground floor room in flat 7 shall not be used as a bedroom.
17. Structural details of the existing building fabric to be retained.

5 MINUTES OF PREVIOUS MEETING

35 - 40

Minutes of the meeting of 11 August 2015.

Recommendation: that the minutes of the meeting held on 11 August 2015 are approved as a true and correct record.

6 DATES OF FUTURE MEETINGS

The Committee will meet on the following dates:

- 8 September 2015
- 13 October 2015
- 10 November 2015
- 1 December 2015
- 5 January 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

26 August 2015

Application Number: 15/02142/SF56

Decision Due by: 7 September 2015

Proposal: Application for prior approval for the Change of Use from Financial/Professional Services (Use Class A2) to Restaurant/Café (Use Class A3).

Site Address: 68 Abingdon Road, **Appendix 1**

Ward: Hinksey Park

Agent: Mr Mohammed Nayheem-Al-Din

Applicant: Mrs Ali Khan

Application Called in – by Councillors – Price, Lygo, Pressel and Fry for the following reasons - This site has been the subject of a number of failed applications and this proposed use in a heavily residential area would have a major negative effect on the amenity of the neighbouring properties.

Recommendation:

That “Prior Approval” is required and should be granted subject to conditions.

Reasons for Approval.

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

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans

- 3 Exclusion of other uses
- 4 No hot food takeaway items
- 4 Restricted hours/delivery times
- 5 Use of yard for deliveries.
- 6 No structural alterations or additions
- 7 Details of cycle parking.

Main Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- CP19 - Nuisance
- CP21 - Noise
- TR3 - Car Parking Standards
- RC12 - Food & Drinks Outlets

Core Strategy

- CS10 - Waste and recycling

Other Material Considerations:

- National Planning Policy Framework
- The Town and Country Planning (General Permitted Development) (England) Order 2015

Recent Planning History:

- 01/01152/NE - Change of use of ground floor from retail shop to hot food takeaway. REF 6th September 2001. DIS at appeal 15th August 2002.
- 02/01657/FUL - Change of use from retail (Class A1) to office (Class A2) (Amended Description). PER 20th December 2002.
- 05/01632/FUL - Demolition of garage and car port. Erection of two storey rear extension, with accommodation in roof space and alterations to existing two storey rear extension to provide 1x1 bedroom flat and 1x3 bedroom maisonette. REF 30th September 2005.
- 05/01637/FUL - Change of use from shop (use Class A1) to hot food outlet (use class A5) for delivery only. REF 4th October 2005.
- 06/00244/FUL - Change of use of ground floor office and garage (Class A2) to hot food outlet (for delivery only) (Class A5). REF 21st March 2006. DIS at appeal 8th January 2007.
- 06/00242/FUL - Demolition of existing garage and car port. Erection of 2/3 storey extension to form 2 flats (1x1 bedroom and 1x2 bedrooms). REF 30th March 2006.
- 09/02587/FUL - Demolition of existing garage. Erection of two storey extension to provide enlarged shop on ground floor and enlarged flat with new entrance on first floor. Provision of amenity space, bin stores and cycle parking. (Amended plans). PER 16th February 2010.

- 11/00027/FUL - Creation of dormer on rear roof slope in connection with loft conversion (retrospective). REF 25th February 2011.
- 11/00923/FUL - Loft conversion and alterations to existing roof involving flat roofed rear dormer windows. REF 27th May 2011.
- 12/01268/FUL - Modifications to rear extension approved under 09/02587/FUL comprising the repositioning of 2 external doors and addition of first floor window and retrospective change of slate roof to match modern smooth grey tiles on existing roof. REF 29th June 2012.
- 12/01798/FUL - Modifications to rear extension approved under 09/02587/FUL comprising the introduction of 3 windows and 1 door on ground floor. PER 20th September 2012.

Representations Received:

86 Abingdon Road: major worry that there could be unaddressed ecological concerns regarding the food handling and preparation, which could lead to a major issues for our small community such as increased traffic congestion, parking issues and the presence of vermin. There are already very strict regulations regarding parking in our area. Small residential community is already served by 2 cafes and 2 shops within a 100 metre radius and feel that we do not require another cafe/restaurant in this area.

1 Kineton Road: current development not built in accordance with the approved plans. There is no need for an additional food outlet on this stretch of Abingdon Road. Creation of a large new café at 68 Abingdon Road would substantially change the character of the area to its detriment. Any new food outlet would add to the existing extreme pressure on parking at the east end of Kineton Road. Any delivery vans or lorries would have to park at the rear of the property (the yard immediately abutting our own house, with all the attendant noise and disruption at unsociable times of day) or in the spaces at the top of Kineton Road, which are almost always fully occupied as it is. Concerned that our property would be seriously affected by the food waste and odours. The external flue which would be required for the oven (included in the present proposal) is situated immediately opposite (and relatively close to) our front door and first-floor window. We are very worried about the impact of this on the environment of our own property, particularly in hot weather. Proposed opening hours are completely inappropriate for a shop in a residential area.

11 Kineton Road: concerned that any approval for change of use to a food outlet will result in further misinterpretation of the council's intent and of what is now permissible on this site. Concerned that approval for any café will further encourage the series of applications for A5 usage (e.g. as a chicken shop) and / or make it easier for this status to be achieved in future. New café would substantially change the area from a quiet residential one. New food outlet would add to the existing extreme pressure on parking in Kineton Road. No faith that food waste would be properly handled and feel that vermin would be encouraged by the waste. Proposed opening hours are completely inappropriate for a shop in a residential area.

Statutory Consultees:

Highways Authority: (i): Holding objection; details of deliveries etc requested; details of cycle parking to be provided. (ii): No objection; note double yellow lines in vicinity

of property; if deliveries can utilise existing gates, the that alleviates concerns; cycle parking to be provided to required standard.

Site Description

1. The application sitelies at the southern corner of the junction of Abingdon Road withKineton Road to the south of the city centre and comprises a former ground floor office. To the northern side of the junction at 66 Abingdon Road is a laundrette. Abingdon Road is a principal radial road into the city centre, and the area generally residential in character, interspersed with commercial properties.
2. To the north of the application site at the junction of Abingdon Road with Whitehouse Road is a newsagents/general store, plus a shop and hairdressers. To the north side of that junction is the White House pub. In a southerly direction at the corner of Abingdon Road with Newton Road is a shop/general store.
3. A site plan is attached as **Appendix 1**.

Proposals.

4. The intention is for the property to sell tea, coffee, breads, pastries, cakes and sandwiches. The majority of the food would be delivered to site already prepared. Some hot food would be prepared and cooked in the kitchen, but on a domestic type electric range cooker
5. The opening hours proposed are as follows:
 - Mon – Fri 07:00 – 20:00
 - Sat 08:00 – 20:00
 - Sun 09:00 – 17:00

Prior Approval Procedures.

6. The application is seeking prior approval for a change of use from a Class A2 office (financial/professional services) to use Class A3 (café / restaurant). The application is made under the provisions of Schedule 2 Part 3 Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 which came into effect on 15th April 2015.
7. Under these provisions, (amongst others within the Order), a change of use from an office for financial and professional services to a café / restaurant as in this case is permitted development providing certain criteria are met. The premises to which they relate must not exceed 150 sq m however. A further provision allows a building to be used for the provision of facilities for ventilation and extraction and for the storage of rubbish if in association with a café or restaurant. Moreover the “Prior Approval” arrangements differ from the planning application procedure in that if no decision is made within 56 days then the prior approval is automatically granted. In this case the expiry date when this would occur is 7th September 2015.

8. In submitting an application for a change of use such as now sought, an applicant must apply to establish if prior approval is required for the following matters. Only these matters can be considered in determining the case:
- (a) noise impacts of the development,*
 - (b) odour impacts of the development,*
 - (c) impacts of storage and handling of waste in relation to the development,*
 - (d) impacts of the hours of opening of the development,*
 - (e) transport and highways impacts of the development,*
 - (f) whether it is undesirable for the building to change to a use falling within Class A3 (restaurants and cafes) of the Schedule to the Use Classes Order because of the impact of the change of use—*
 - (i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or, as the case may be, Class A2 (financial and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or*
 - (ii) where the building is located in a key shopping area, on the sustainability of that shopping area, and*
 - (g) the siting, design or external appearance of the facilities to be provided under Class C(b), and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.*
9. For the local planning authority consideration of the case is therefore a 2 stage process. Firstly it has to determine if prior approval is required, and secondly whether it should be granted bearing in mind the above criteria only.

Background to Case

10. A large number of planning applications have been submitted at the application site in recent years. These are listed at the head of this report. Of particular relevance to this latest submission are two cases which were refused planning permission and dismissed at appeal. Reference will be made to these cases later in this report
11. The first was an application refused planning permission on 10th September 2001 for a change of use from a then chemist shop to a hot food takeaway. In dismissing the subsequent appeal the Inspector concluded that the proposals would unacceptably reduce the level of neighbourhood shopping and would be harmful to road safety. However he also concluded that the appeal proposal would not cause material harm to the living conditions of local residents. The full text of the appeal decision is reproduced as **Appendix 2**. (Change of use to an office was subsequently granted in December 2002).
12. The second case was a change of use of ground floor office to hot food outlet, for the delivery only of take away meals. This was refused planning permission on 2st March 2006. Again the appeal was dismissed and again the Inspector did not consider there would be harmful effects on the living conditions of neighbouring occupiers. Rather he found that the development would be likely to have an adverse effect on parking and highway safety. **Appendix 3** refers.

Officers' Assessment.

13. In the text which follows the prior approval case is assessed against each of the criteria listed at paragraph 8, (a) to (g) above as the only criteria the local planning authority can take into account under these arrangements.

- (a) noise impacts of the development; and
(b) odour impacts of the development

14. Given the limited nature of cooking and the cooking facilities available then officers raise no objection to the proposal providing that it is limited to what is indicated in the application. In coming to this view officers are mindful of the Inspector's conclusions in the 2002 case where the relationship to neighbouring properties were much as now and where what was proposed at that time was potentially more damaging. Conditions are suggested however requiring details of the means of treating cooking odours to be submitted and agreed, and that there be no ancillary hot food takeaway items, other than tea, coffee, soup and minor microwaved foods.

- (c) impacts of storage and handling of waste in relation to the development

15. The storage and handling of waste would be accommodated in the current facilities available. It would be stored at the rear of the premises in segregated bins which is considered acceptable.

- (d) impacts of the hours of opening of the development.

16. The opening hours proposed in the prior approval application are as follows:

Mon – Fri	07:00 – 20:00
Sat	08:00 – 20:00
Sun	09:00 – 17:00

17. As an essentially day time use, Officers are satisfied these opening hours are reasonable in a residential area. They can be secured by condition.

- (e) transport and highways impacts of the development.

18. The Highway Authority was consulted on the application and has no objection to the proposed development. It notes the double yellow lines in the vicinity of the property, but if the deliveries are able to utilise the existing yard at the rear of the property, this alleviates the concerns. A condition can be added to restrict delivery times and require use of the yard. Cycle parking should be to the required standards. Conditions are suggested to secure.

- (f) whether it is undesirable for the building to change to a use falling within Class A3 (restaurants and cafes) of the Schedule to the Use Classes Order because of the impact of the change of use:

19. The property has remained vacant for some time, and no objection is raised to the loss of the previous use as a small office, providing an acceptable alternative use

for the building can be secured. Subject to the conditions suggested to be imposed by the prior approval consent, then the use of the premises as a local café can be accepted.

(g) the siting, design or external appearance of the facilities to be provided under Class C(b), and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

20. Class C(b) relates to building or other operations for the provision of facilities for ventilation and extraction, including the provision of an external flue, and the storage of rubbish, reasonably necessary to use the building for a use falling within Class A3 (restaurants and cafes) of that Schedule. However in this case there is no building or other operations proposed therefore clause (g) does not apply.

Conclusion:

21. In reaching a recommendation that prior approval is required in this case and that it should be granted subject to conditions, Officers are mindful of the lengthy planning history to the site and the concerns raised to this and previous proposals. Concerns raised about the neighbourliness of a hot food takeaway and hot food delivery service have been tested at appeal however and the Inspectors in each case found that those potentially more damaging activities would not necessarily be unneighbourly subject to the provision of appropriate filtration equipment. These are important material considerations in this case where the scale of cooking is very limited anyway. Similarly the local highway authority raises no objection subject to suitable conditions being imposed.

22. Moreover the application is made under the recently initiated "Prior Approval" provisions for these types of change of use. These arrangements seek relaxation of the planning regime; bring greater flexibility, simplicity and certainty to cases of this sort; and to encourage local enterprise, aiding economic recovery. As such the proposals can only be opposed and refused on very specific grounds as set out above, and granted in any event if no decision is reached within 56 days. It is concluded that these grounds can be addressed by appropriate conditions, or in some cases are not relevant to the application.

23. Bearing in mind these important considerations, then on balance officers have come to the view that the proposals can be accepted subject to the conditions listed and that prior approval should be granted.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant prior approval, 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 prior approval, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: Applications 15/02142/SF56, 01/01152/NF, 06/00244/FUL

Contact Officer: Lisa Green

Extension: 2614

Date: 13 August 2015

Appendix 1

15/02142/SF56 - 68 Abingdon Road



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Ordnance Survey 100019348

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Appendix 2



Appeal Decision

Site visit made on 1 July 2002

by **Michael J. Muston BA(Hons) M.Phil. MRTPI**

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date

15 AUG 2002

Appeal Ref: APP/G3110/A/02/1082869
68A Abingdon Road, Oxford

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Shama A. Khan against the decision of Oxford City Council.
- The application (Ref: 01/01152/NF), dated 18 June 2001, was refused by notice dated 10 September 2001.
- The development proposed is the change of use from chemist shop to hot food takeaway.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The site visit was intended to be an accompanied one, with representatives of both the Council and the appellant present, but the latter failed to attend or be represented. As I was satisfied that I could deal with the appeal on the basis of what I could see from public vantage points, I carried out an unaccompanied visit.

Main Issues

2. I consider the main issues in this appeal to be:-
 - whether the change of use would result in an unacceptable reduction in available neighbourhood shopping.
 - the effect of traffic generated by the proposal on highway safety.
 - the effect on the living conditions of occupants of nearby dwellings, by reason of increased noise, disturbance or smell.

Planning Policy

3. The development plan for the area includes the Oxford Local Plan (1997). The relevant policies are COM4 and COM17. Policy COM4 seeks to secure the retention of individual small shops. Policy COM17 states that applications for food and drink establishments will not normally be approved where they result in nuisance to neighbours from noise, smell or visual disturbance.

Reasons

Reduction in available neighbourhood shopping

4. The appeal premises are located on one of the main roads into Oxford, approximately 1.5

kilometres south of the city centre. The predominant land use in the area is residential, both in Abingdon Road, and in the roads leading from Abingdon Road to the west. Corner shops exist on most of the junctions of those roads with Abingdon Road, and the appeal site is one of those. There is a launderette opposite the appeal site at 66 Abingdon Road, and other retail uses are in operation at the junctions of Abingdon Road with Whitehouse Road to the north, and Newton Road to the south. These premises undoubtedly perform a function as neighbourhood shops within the surrounding residential area, and the loss of this unit would be contrary to Policy COM4 of the Local Plan. The appeal premises are currently vacant, and appear to have been vacant for some time. I acknowledge that the appeal proposal could make constructive use of the premises, but I have no evidence that the property is not viable in retail use, and in my opinion the benefit of bringing the building back into use would be outweighed by the loss of retail premises and the highway safety considerations. I therefore conclude that the proposed change of use would result in an unacceptable reduction in available neighbourhood shopping.

Effect on highway safety

5. Parking is prohibited on both sides of Abingdon Road by means of restrictions forbidding waiting at any time. As a result, most customers arriving to visit the proposed takeaway by car would seek to park in Kinton Road. Parking exists for approximately 6 cars outside and opposite the appeal premises in Kinton Road, limited to one hour between 08.00 and 18.00 Monday to Saturday. If vacant, it would provide suitable parking for customers to the proposed takeaway. Beyond these spaces, the parking on both sides of Kinton Road is restricted to residents by means of a permit system. Given the Council's evidence in respect of the lower number of spaces available compared to permits issued, I would expect these residents' spaces to be rarely available for takeaway customers in the evening. This factor is also likely to reduce the availability of the time limited spaces at the eastern end of Kinton Road. It is therefore likely that takeaway customers would find difficulty in parking in the residential part of Kinton Road in the evenings, and would probably be limited to the time limited spaces, if any of these were available.
6. From the evidence submitted, it appears that the level of parking in Kinton Road is considerably higher in the evening than is the case during the day. The proposed takeaway would be likely to result in much greater demand for evening parking than a retail use. Given the limited availability of spaces in Kinton Road, drivers seeking to find spaces in that road would be likely to pose a safety risk, particularly to children, whilst they seek to find spaces and manoeuvre into and out of spaces.
7. If no parking is available in Kinton Road, customers picking up takeaways would then be tempted to park illegally on Abingdon Road. This would reduce the capacity of the road, restrict visibility, and lead to manoeuvring around the parked cars. This in turn would endanger pedestrians and other road users. The appellant argues that the takeaway would attract people from the local area who would not use cars. However, in my opinion, most customers would want to collect their food quickly and ensure that it was still hot, and would therefore be more likely to use cars than walk. I conclude that the proposed change of use would be harmful to highway safety.

Effect on the living conditions of occupants of nearby dwellings

8. Considerable traffic noise already exists in Kinton Road, as a result of the traffic noise along Abingdon Road. I do not consider that such limited parking as might be possible in Kinton Road would be likely to add materially to any noise and disturbance already suffered by residents in the vicinity of the appeal site.
9. Many representations from residents have raised the potential problem of smell from the takeaway. However, I consider that this could adequately be dealt with by the installation of appropriate filtration equipment. If I had been proposing to allow the appeal, this could have been covered by the imposition of conditions. I conclude that the proposed change of use would not have a material effect on the living conditions of occupants of nearby dwellings.

Conclusions

10. The appellant draws attention to the petition submitted in support of the proposal. I have taken this into account, but it cannot outweigh serious planning objections to the proposal. I have concluded that the appeal proposal would not cause material harm to the living conditions of local residents. However, I have also concluded that it would unacceptably reduce the level of neighbourhood shopping and be harmful to road safety. I consider that this outweighs the lack of harm caused to residents, and, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

11. In exercise of the powers transferred to me, I dismiss the appeal.

Information

12. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.



INSPECTOR

Appendix 3



Appeal Decision

Site visit made on 4 December 2006

by **Martyn Single DipTP MRTPI**

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail:
enquiries@planning-
inspectorate.gsi.gov.uk
Date 08 January 2007

Appeal Ref: APP/G3110/A/06/2024606

68 Abingdon Road, Oxford, OX1 4PL.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms Khan against the decision of Oxford City Council.
- The application ref: 06/00244/FUL, dated 1 February 2006, was refused by notice dated 21 March 2006.
- The development proposed was described as change of use of ground floor office to hot food outlet (for delivery only) (shown on drawing no.4295/E^A).

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. The Council's decision includes a reason relating to the discharge of cooking odours having an adverse impact on the amenities of nearby residential occupiers. However, this matter has already been considered by a colleague Inspector in respect of an earlier appeal relating to the change of use of the property to a hot food takeaway. In his decision (ref: APP/G3110/A/02/1082869) he considered the issue of potential smell and concluded that the change of use would not have a material impact on the living conditions of occupants of nearby dwellings. I have no reason to come to a different conclusion in respect of this matter. The success of equipment to control odour emission is dependant on its operation and maintenance in accordance with the supplier's specification. In my experience, modern equipment is capable of effectively controlling odour emission and a planning condition could be imposed to require its maintenance in accordance with an agreed regime.
2. A revised drawing no. 4295/E^B was submitted during the appeal process and I have taken it into account in my decision

Inspector's Reasons

3. In light of the above I consider there to be one main issue in this appeal, namely the effect of the development on parking and highway safety.
4. The appeal property comprises a former ground floor office on the corner of Abingdon Road and Kinton Road. Other than a launderette on the opposite corner and a small number of nearby local shops the immediate area is predominantly residential in character. Kinton Road, where the appellant proposes to accommodate the parking of twice weekly deliveries of incoming goods and delivery cycles/mopeds, is a wholly residential street of two storey terraced dwellings.
5. Abingdon Road is a busy arterial route from the City Centre where parking associated with the appeal premises would be undesirable in terms of highway safety and the free flow of traffic. Kinton Road provides on-street parking for residents only, other than two short lengths of limited waiting for five or six vehicles on each side outside the appeal premises. At the time of my visit a van wholly occupied the parking bay on the

nearside with one other space available opposite. Having regard to the evidently limited space available within the locality for parking, with very few dwellings having space off-street, I understand the Council's caution with regard to a use that would potentially impose more pressure for the available spaces.

6. To the rear of no. 68 a garage and car port are excluded from the appeal site, as they provide off street parking for the upper floor flat. However, the appeal proposal does include a garage beyond these which, whilst owned by the appellant, is otherwise within the curtilage of no. 70 Abingdon Road. In my view, in an area where there is clearly pressure for parking space, leading to the introduction of restricted parking for residents only, it would be undesirable to reduce the amount of available off street residential curtilage parking to essentially subsidise a commercial use that would otherwise be devoid of parking space.
7. Although the Council considers the parking bays outside the premises were not intended for delivery vehicles I see no reason why they should not park there, but there is uncertainty regarding availability and I perceive difficulties if all spaces are occupied. Whilst the appellant proposes that the vehicle bringing incoming deliveries would park in front of the garage, I believe that its physical separation from the appeal site would be such an inconvenience to the driver that it would not happen in practice, no matter the level of encouragement that might be given by the appellant.
8. Likewise, I consider it unlikely that vehicles used for the deliveries of hot food would utilise this area. If small cars or vans were to be used the space available would be insufficient, but I acknowledge that it could accommodate the parking of cycles or mopeds. However, whichever type of transport is used this area is immediately adjacent to the main entrance to the adjoining dwelling, no. 1 Kineton Road with potential to be a nuisance to its occupiers.
9. The Council is concerned that it would be difficult to prevent a 'delivery only' service becoming a takeaway shop by default, potentially attracting even more customer vehicles and adding to parking problems around this corner, but the issue is even more fundamental in my opinion. Even with a 'delivery only' service I believe that the parking facilities available for incoming and outgoing deliveries would be inadequate and would be likely to impose even more pressure for parking in a residential street.
10. Nevertheless, I consider that once operational as a delivery service it is possible that customers would call, in expectation of being able to make a purchase, no matter what measures the appellant may take to discourage this. I do not believe that obscuring the windows, as suggested, would overcome this possibility.
11. Having regard to the position of the site and limited parking available for potential customers and delivery vehicles I conclude that the development would be likely to have an adverse effect on parking and highway safety. Oxford Local Plan Policy RC.12 provides that food and drink outlets will be permitted where the Council is satisfied that there would not be an unacceptable environmental problem. I consider that the absence of adequate parking would come within such a category and the development would be unacceptable.
12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Martyn Single

INSPECTOR

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West Area Planning Committee

26th August 2015

Application Number: 15/00656/VAR

Decision Due by: 24th April 2015

Proposal: Variation of conditions 2 (approved plans) and 9 (cycle parking details) of planning permission 10/01783/FUL (Conversion of building to provide flats) to amend the design layout to insert two new windows and a door on the north elevation and to alter the location of cycle parking.

Site Address: 46 Hythe Bridge Street, **Appendix 1.**

Ward: Jericho and Osney Ward

Agent: JPPC

Applicant: RHHS Repository Ltd

Recommendation: Approve with conditions.

Reasons for Approval.

1. The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
2. The proposal forms an appropriate visual relationship with the existing building and the surrounding development and would preserve the character and appearance of the Central Conservation Area. No objections have been received from statutory consultees. The proposal therefore complies with policies CP1, CP6, CP7, CP8, CP9, CP10 and HE7 of the adopted Oxford Local Plan 2001-2016 and HP15 and HP16 of the Sites and Housing plan

Conditions

1. Development to be commenced within 3 years of date of consent
2. Development in accordance with the approved plans.
3. Samples of proposed materials
4. Sample panels on site
5. No additional windows in south west elevation
6. Landscape Plan
7. Landscaping to be carried out upon substantial completion of the development

8. Plan showing means of enclosure
9. Details of cycle parking areas
10. Variation of Road Traffic Order
11. Construction Travel Plan
12. No windows to open out onto a public highway
13. Bin storage facilities
14. Scheme of archaeological work-written scheme of investigation
15. Contamination survey.
16. Ground floor room in flat 7 shall not be used as a bedroom
17. Structural details of the existing building fabric to be retained.

Main Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP22 - Contaminated Land
- NE6 - Oxford's Watercourses
- HE2 - Archaeology
- HE7 - Conservation Areas

Core Strategy

- CS2 - Previously developed and greenfield land
- CS10 - Waste and recycling
- CS11 - Flooding
- CS12 - Biodiversity
- CS19 - Community safety
- CS24 - Affordable housing

West End Area Action Plan

- WE1 - Public realm
- WE10 - Historic Environment
- WE11 - Design Code
- WE12 - Design & construction
- WE14 - Flooding
- WE15 - Housing mix

Sites and Housing Plan

- HP15 - Cycle parking
- HP16 - Car parking
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Other Material Considerations:

- National Planning Policy Framework

- Application site falls within the Central Conservation Area.
- Planning Practice Guidance

Site History:

- 00/00125/NFH - Retention of multiple-occupation: 11 study bedrooms with shared facilities (Amended plans). PER 3rd November 2003.
- 54/03519/A_H - Change of use from disused public house to civil defence headquarters and youth centre and alterations.. PER 13th April 1954.
- 74/00130/A_H - Conversion of garage to office. PER 12th March 1974.
- 77/00047/A_H - Renewal of temporary consent for conversion of garage to office. TEM 23rd February 1977.
- 96/00032/LH - Conservation Area consent for demolition of outbuildings.. WDN 19th November 1999.
- 96/00033/NFH - Change of use from business to multi-occupation (9 study bedrooms) with facilities and one 1 bed dwelling with communal cycle parking (10 spaces) and refuse store in courtyard.. WDN 19th November 1999.
- 08/02638/CAC - Conservation Area Consent for demolition of existing buildings.. WDN 9th February 2009.
- 08/02639/FUL - Erection of four storey building to provide 9x1 bedroom flats.. WDN 9th February 2009.
- 09/01931/FUL - Erection of 4 storey building to form 9 x 1 bedroom flats.. REF 22nd October 2009.
- 09/01932/CAC - Application for conservation area consent for demolition of the existing buildings.. REF 22nd October 2009.
- 10/01783/FUL - Conversion and extension of existing building (involving demolition of extension and outbuilding) to provide 7 x 1-bedroom flats, cycle parking, bin store and amenity space to serve 2-bedroom flat (amended plan).. PER 17th November 2010.
- 12/01551/CEU - Continued use of building as a hostel incorporating 11 bedrooms in the principal building.. WDN 18th February 2013.
- 12/03214/FUL - Change of use from HMO (Sui Generis) to use for purposes falling within Use Class C1 or as a hostel (Sui Generis). PER 12th February 2013.
- 13/01835/CPU - Application to certify whether planning permission 10/01783/FUL has been lawfully implemented. PER 6th September 2013.
- 14/00651/FUL - Conversion of existing building to form 6 x 1 bedroom flats (Use Class C3).. WDN 23rd June 2014.
- 14/02535/VAR - Variation of condition 2 (approved plans) of planning permission 10/01783/FUL to amend the design of the west elevation of the proposed extension to allow natural lighting and ventilation to communal stairwell. PER 5th November 2014.

Representations Received: No public comments received.

Statutory Consultees:

Environment Agency Thames Region. Have assessed this variation of condition application as having a low risk and we have no objection to the above proposal. The proposed changes should not impact on flood risk based on the submitted plans

which highlight where changes to points of access and bike stores are proposed.

Officers Assessment:

Site Description:

1. The application site is located at the junction of Hythe Bridge Street and Upper Fisher Row on the north-west side of the road bridge west of the Castle Mill Stream and the Oxford Canal. The principal building currently occupying the application site is a three storey, red brick building which has stone detailing and a slate roof and marks the end of a terrace of four, very similar town houses fronting Hythe Bridge Street. The building was most recently used as an HMO providing 11 bed sitting rooms. There is also a coach house building that is considerably smaller and fronts onto Upper Fisher Row which forms part of the application site.
2. The site lies within the Central City and University Conservation Area.

Proposed Development:

3. Planning permission was granted in 17th November 2010 for the conversion and extension of the existing building at 46 Hythe Bridge Street (involving the demolition of an extension and outbuilding) to provide 7 x 1 bedroom flats, cycle parking and bin storage under reference 10/01783/FUL. Six flats are located within the main building, and the seventh within the former coach house. Since the grant of planning permission details submitted in compliance with conditions have been approved and work has been undertaken on site, though the properties are yet to be occupied. The same conditions as previously imposed would carry through to this latest variation application if permitted. A short supporting letter from the applicant appears as **Appendix 2** to this report.
4. It is now proposed to undertake some minor amendments to the design of the development and internal layout of the building to require less demolitions of the existing fabric and allow the use of the existing access points to the building. This involves the insertion of new windows and relocation of the cycle parking within the site.
5. It is considered that the principle determining issues in this case are the impacts:
 - of the proposed amendments to external and internal arrangements; and
 - on the character and appearance of the conservation area

External and Internal Arrangements.

6. The amendments to the extant permission as now proposed consist of introducing a larger window at ground floor level facing Hythe Bridge Street, plus 2 further matching windows at first and second floor above, together with a new external door to the Upper Fisher Row elevation giving access to 5 of the flats as well as to the basement to the building. To the courtyard between

the main building and the former coach house, a second external door is introduced, also giving access to the basement where a cycle store is now created. Previously an external cycle store was proposed in the courtyard.

7. These changes mean that 5 of the 6 flats in the main house are now accessed from the Upper Fisher Row side of the property via an existing staircase. The sixth flat has its own individual entrance from the splayed corner of Hythe Bridge Street and Upper Fisher Row. There are consequential changes to the internal arrangements of the building accordingly. Overall however the amendments result in a more logical layout to the building, whilst the additional external windows introduce a better symmetry to the Hythe Bridge Street frontage. As previously, matching red brick and stone detailing is proposed. In addition utilising the existing basement space means the cycle parking can be provided in covered, secure conditions whilst releasing space in the courtyard between the main building and former coach house.
8. Officers view these changes positively. They have no adverse impact on neighbouring properties, but are logical and make good use of the limited space available.

Character and Appearance of the Conservation Area.

9. As previously described in the officers' report recommending application 10/01783/FUL for approval, the existing buildings date from the later part of the C19th but before 1878 and were originally used as a public house. The building sits at the end of a terrace on the corner with Upper Fisher Row and reads as a part of that group. The building occupies a prominent position in the street and adjacent to one of Oxford's waterways and bridge 'gateways' into the city. There are a number of important views from here along the waterway and toward the Castle Mound and middle to long views are possible from the Mound.
10. The building, individually and as part of a unified group, provides a physical reminder of the development of this part of Oxford and its appearance and use of materials provide a domestic character to the street. The group is a familiar element that is a competent, architectural composition with high townscape quality. C20th changes have eroded the quality and character of parts of the West End and this gives these buildings greater importance as survivals of a later period.
11. Whilst the site lies outside the West End Area Action Plan area, the historic analysis that was conducted to inform the policies of the plan does identify these buildings as making a positive contribution. In addition the building gazetteer that forms part of the analysis identifies this part of Hythe Bridge Street as 'attractive'. The nearby road bridge is also identified as a key focal point.
12. The National Planning Policy Framework, (NPPF), indicates that local planning authorities "*should identify and assess the particular significance of any heritage asset that may be affected by a proposal*" and take this

into account when determining planning applications. Where a development may lead to harm to a heritage asset that harm has to be weighed against the public benefit arising from the proposal. In this case officers have taken the view that the existing buildings make a positive contribution to the character and appearance of the Central Conservation Area, a designated heritage asset, but that the works are not harmful. The development would secure the re use of this prominent building which has been unoccupied and down at heel, retaining the significant elements of the building. It is accepted that some change and loss of fabric is necessary but that these are justified within the terms of national and local planning policy and advice.

13. It is concluded that the changes to the elevations resulting from the new windows and door would not have an adverse impact upon the character or appearance of the Conservation Area, and that the changes proposed are therefore consistent with the NPPF advice and Local Plan policies CP1, CP7, CP9 and HE7.

Other Matters.

14. In recommending the 2010 application for approval officers had advised that issues relating to the impact on neighbours, private amenity space, residential amenity, highways and parking, flooding, archaeology, sustainability, ground contamination and balance of dwellings were all addressed. Those matters do not form part of these latest variation proposals and are not therefore before committee. As a variation application the requirements of conditions relating to these matters remain in place however.

Conclusion.

15. The planning application seeks to vary a permission already granted by proposing amendments to windows fronting Hythe Bridge Street and a door to upper Fisher Row. There are consequential internal re arrangements. Overall the development is not considered to be harmful to the Central Conservation Area in which it would be located, makes good use of the site, and brings back into active use a prominent building which has been unoccupied for several years.
16. Committee is recommended to support the proposal 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 approve subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 15/00656/VAR, 10/01783/FUL

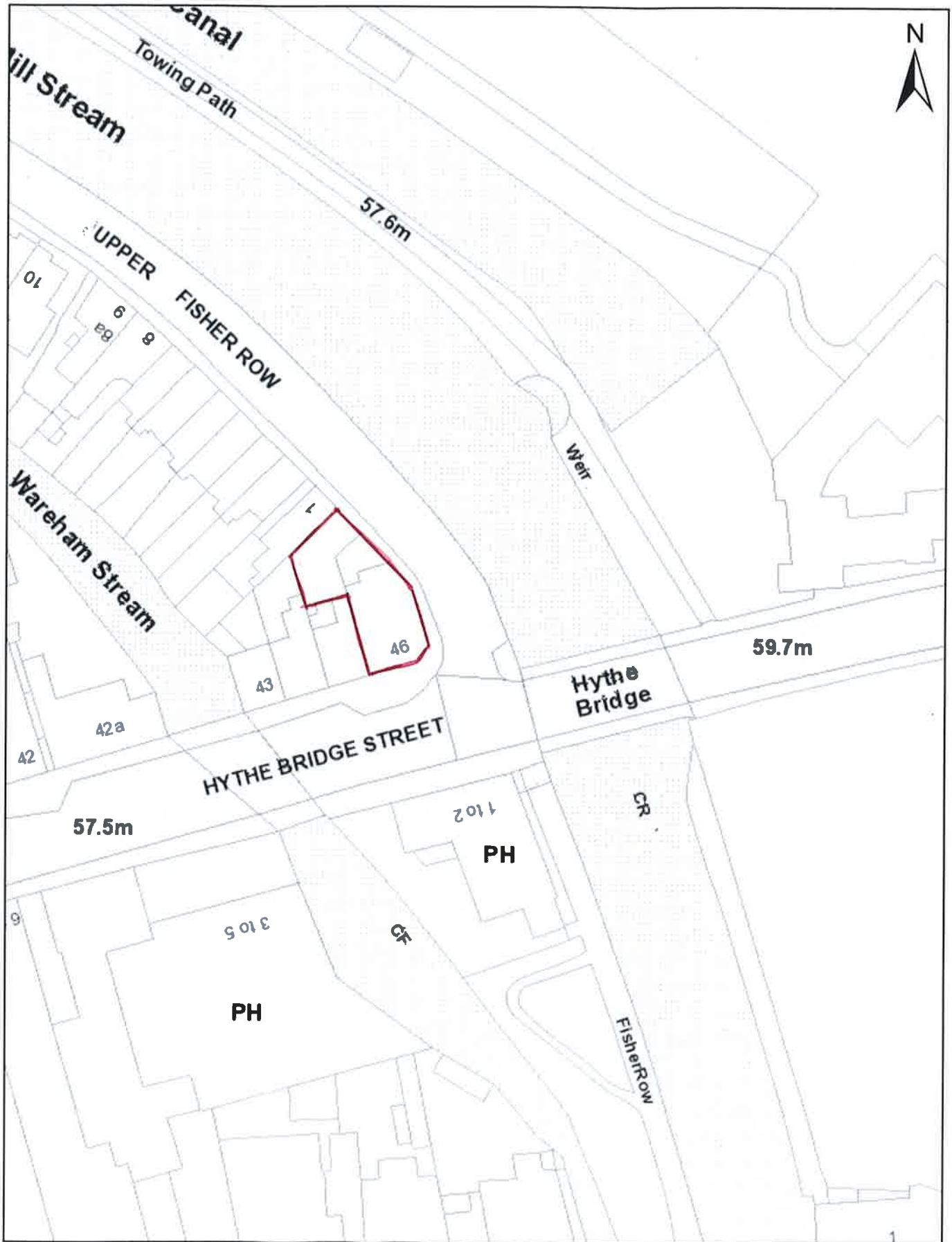
Contact Officer: Amanda Rendell

Extension: 2477

Date: August 2015

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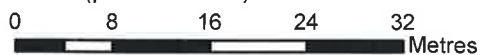
Appendix 1 (15/00656/VAR)



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46 Hythe Bridge Street

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MINUTES OF THE WEST AREA PLANNING COMMITTEE

Tuesday 11 August 2015

www.oxford.gov.uk



COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Cook, Fooks, Goddard, Henwood, Hollick, Price, Tanner and Upton.

OFFICERS PRESENT: Fiona Bartholomew (Planning and Regulatory), Murray Hancock (Planning and Regulatory), Michael Morgan (Law and Governance) and Jennifer Thompson (Law and Governance)

29. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Benjamin, Gant, Gotch and Hollingsworth (substitutes Councillors Hollick, Fooks, Goddard and Henwood respectively).

30. DECLARATIONS OF INTEREST

There were no declarations of interest made.

31. LAND NORTH OF ST JOHN'S COLLEGE SPORTSGROUND, WOODSTOCK ROAD:15/00893/FUL

The Committee considered a report detailing an application for planning permission for the erection of single storey building to provide a children's day nursery (Use Class D1) and provision of car parking spaces, play area and landscaping on land to the north of St John's College Sports Ground, Woodstock Road.

Local residents John Briggs, Nir Vulkan and Ewen Cameron-Watt spoke against the application.

Andrew Parker and Alex Hales, representing the applicant and the agent, spoke in support of the application.

The Committee agreed to add conditions requiring:

- a travel plan to be submitted before first occupation
- a construction management plan to be agreed before commencement, to include no peak hour movements of large vehicles
- signs to include warnings of children, vehicles and cyclists on entrance, exit and approach

to reduce the possibility that traffic and pedestrian movements created by the development may create higher levels of risk to those using Bainton Road.

The Committee noted concerns that use of the spaces opposite the entrance would create hazards for road users, but that this was not within the Council's control.

The Committee resolved to approve application 15/00893/FUL at St John's College Sports Ground, Woodstock Road, with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Sample Materials.
4. Revised plans for Rooflights.
5. Opening Times as specified in application.
6. Detailed design of outdoor play area.
7. Landscape plan required.
8. Landscape carry out by completion.
9. Landscape top soil retention.
10. Landscape management plan.
11. Landscape hard surface design - tree roots.
12. Tree Protection Plan (TPP) 2.
13. Arboricultural Method Statement (AMS) 2.
14. Parking Area and Access provided before use.
15. Details of access signage (including comments above)
16. Refuse and Cycle Storage.
17. Sustainable Urban Drainage Scheme.
18. Ecology Report Recommendations.
19. Energy Efficiency Measures.
20. Travel plan to be submitted before first occupation.
21. Construction management plan to be agreed before commencement, to include no peak hour movements of large vehicles.

32. MAGDALEN COLLEGE SCHOOL: 15/01152/FUL

The Committee considered a report detailing an application for planning permission for the part demolition of the "1928 Building" and various outbuildings; erection of a four-storey extension to Colin Sanders Building to provide a Sixth Form Centre; and alterations to entrance quad incorporating revised car and cycle parking layout for 34 cars and 80 cycles at Magdalen College School, Cowley Place.

The Committee resolved to approve application 15/01152/FUL at Magdalen College School, Cowley Place with the following conditions:

1. Development within time limit.
2. Develop in accordance with the approved plans.
3. Samples of materials.
4. Landscape Plan required.
5. Landscape carry out after completion.
6. Car/cycle parking provision before use.
7. Further cycle parking provision
8. Cycle parking details required.

9. Construction Traffic Management Plan (further details including Tree Protection Measures where appropriate).
10. Construction Environmental Management Plan.
11. Drainage Strategy (including SUDS) and detailed drainage design.
12. Travel Plan.
13. Details of biodiversity enhancement (bats).
14. Recording of the section of the 1928 Building which is to be demolished.
15. Details of further design details (openings (windows and doors) and eaves details).

33. OXFORD RAILWAY STATION: 15/00096/PA11

The Committee considered a report detailing an application for prior approval for development comprising extension to the length of existing north bay platforms; replacement platform canopies; new re-locatable rail staff accommodation building; and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 at Oxford Railway Station, Park End Street.

Following an options assessment, amended plans were submitted with the building relocated 2.5m to the south and reduced in size at first floor level by 186 sq.m and a revised parking layout compared to the application plans considered by the Committee on 12 May 2015.

Sushilla Dhall, a local resident, outlined her concerns about the application.

Lisa Bullock, representing the applicant, spoke in support of the application.

The Committee resolved to grant prior approval for application 15/00096/PA11 at Oxford Railway Station, Park End Street as siting and design are acceptable subject to the following conditions:

1. Materials samples.
2. Windows in east and north facing elevations.
3. Contamination risk study.
4. Remediation Strategy.
5. Unexpected contamination.
6. Surface water disposal.
7. Time limit of 3 years.

34. OSNEY LANE: 15/01654/FUL: TEMPORARY COMPOUND

The Committee considered a report detailing an application for planning permission for use of land as a construction compound incorporating storage area, site offices, welfare facility, access and utilities required in association with Westgate development permitted under references 13/02557/OUT and 14/02402/RES for a temporary period until 31 December 2017 at land on the south side of Osney Lane, Oxford.

The Committee noted paragraph 19 of the report was superseded by paragraph 20.

The Committee resolved to approve application 15/01654/FUL for land at the south side of Osney Lane with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Temporary period to the 31.12.2017.
4. Phasing of reinstatement works.
5. Details of cycle parking.
6. Reinstatement of public highway.
7. Details of signage strategy.
8. Surface Water Drainage Scheme constructed as proposed.
9. Tree Protection Plan.
10. Recommendations of Flood Risk Assessment carried out.
11. Contaminated Land Risk Assessment.
12. Unsuspected contamination.

35. 46 ST JOHN STREET OX1 2LH : 15/01652/FUL AND 15/01653/LBC

The Committee considered a report detailing application 15/01652/FUL for planning permission for the demolition and erection of a rear garage and boundary wall, erection of part single and part two storey rear extensions, alterations to windows and doors, and provision of landscaping and application 15/01653/LBC for listed building consent for the demolition and erection of a rear garage and boundary wall and external and internal extensions and alterations to existing dwellings at 46 St John Street.

Margaret Booth and Ruth Abu-Deeb, local residents, spoke about their and other residents' concerns about the application.

The Committee agreed to:

- add to permissions for 15/01652/FUL and 15/01653/LBC a condition requiring obscure glazing to the second floor window facing north towards no 45 St John Street to protect the neighbour's privacy;
- and on permission 15/01653/LBC split condition 16 as published into:
16. Tree survey required and 17. No demolition of the chimney breast in the ground floor reception room
to correct typographical errors.

The Committee resolved to approve application 15/01652/FUL at 46 St John Street with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as specified.
4. SUDs.
5. Tree protection plan/ arboricultural method statement.
6. Landscape plan required.

7. Garage doors details.
8. Obscure glazing to second floor window in north elevation.

The Committee resolved to approve application 15/01653/LBC at 46 St John Street with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Window repair schedule.
4. Schedule of repair and retention of existing doors (consent not extending to removal of existing historic doors).
5. Section drawings for new windows and doors.
6. Sample panel of brickwork, including brick, bond, and mortar finish for extensions and garden walls.
7. Sample of slate and ridge tiles.
8. Details of garage door.
9. Details of new fire places.
10. Details/ sample of proposed stone cleaning.
11. Details of flue/vent/SVP locations.
12. Details of heating system- boiler and related flues, plus radiator locations/ pipe runs.
13. Details of rooflights (flush fitting).
14. Details of rainwater goods.
15. Making good of internal surfaces in materials to match.
16. Tree survey.
17. No demolition of the chimney breast in the ground floor reception room.
18. Obscure glazing to second floor window in north elevation.

36. 46 HYTHE BRIDGE STREET: 15/00656/VAR: VARIATION TO PERMITTED FLATS

This application was deferred to a future meeting as an amended report was required.

37. PLANNING APPEALS

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

38. MINUTES

The Committee resolved to approve the minutes of the meeting on 7 July 2015 as a true and accurate record.

39. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

40. DATES OF FUTURE MEETINGS

The Committee noted that the next meeting would be on 26 August 2015.

The meeting started at 6.30 pm and ended at 8.00 pm