

Agenda

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East Area Planning Committee

Date: **Wednesday 8 June 2016**

Time: **6.00 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.

East Area Planning Committee

Membership

Chair

Vice-Chair

Councillor Nigel Chapman	Headington Hill and Northway;
Councillor Van Coulter	Barton and Sandhills;
Councillor Farida Anwar	Headington Hill and Northway;
Councillor Ruthi Brandt	Carfax;
Councillor Mary Clarkson	Marston;
Councillor Ben Lloyd-Shogbesan	Lye Valley;
Councillor David Henwood	Cowley;
Councillor Michele Paule	Rose Hill and Iffley;
Councillor Sian Taylor	Northfield Brook;
Councillor Ruth Wilkinson	Headington;
Councillor Dick Wolff	St. Mary's;

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

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AGENDA

Pages

1	ELECTION OF CHAIR FOR THE 2016/17 MUNICIPAL YEAR	
2	ELECTION OF VICE CHAIR FOR THE 2016/17 MUNICIPAL YEAR	
3	APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
4	DECLARATIONS OF INTEREST	
5	70 GLEBELANDS: 15/03432/FUL	9 - 22
	Site Address: 70 Glebelands Oxford	
	Proposal: Demolition of existing house. Erection of 1 x 3-bed dwelling and 1 x 1-bed dwelling (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage. (Amended plans).	
	Officer recommendation: to grant planning permission subject to the following conditions:	
	<ol style="list-style-type: none">1. Development begun within time limit.2. Develop in accordance with approved plans.3. Samples of materials.4. Bike and bin stores .5. Design - no additions to dwelling.6. Part M(4)2.7. Sustainability design/construction.	
6	PLANNING APPEALS	23 - 34
	Summary information on planning appeals received and determined during and up to March 2016.	
	Summary information on planning appeals received and determined during and up to April 2016.	
	The Committee is asked to note this information.	
7	MINUTES	35 - 40
	Minutes from the meeting of 11 May 2016.	
	Recommendation: That the minutes of the meeting held on 11 May 2016 are approved as a true and accurate record.	
8	FORTHCOMING APPLICATIONS	
	Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting. This list is not complete and applications may be added or removed.	
	<ul style="list-style-type: none">• Headington energy pipe application - 16/00101/FUL – application now	

withdrawn

- 16/00824/FUL 2 Mortimer Drive
- 16/00757/FUL Land Rear of 76, 78 and 80 Crescent Road
- 16/00679/FUL Site of Former Shelley Arms 114 Cricket Road
- 16 Clive Road: 15/03342/FUL
- 19 Arlington Drive, Old Marston: 15/03410/FUL
- Clinical Biomanufacturing Facility, Churchill Hospital, Old Road: 15/03466/FUL
- 16/00824/FUL 2 Mortimer Drive (Marston)
- 16/01008/FUL 139 Oxford Road, Old Marston (Marston)
- 16/00968/FUL Land West of 75 Town Furze, Oxford, OX3 7EW (Lye Valley)
- 16/00976/FUL Land Rear of 3 Staunton Road, Oxford, OX3 7TJ (Headington)

9 DATES OF FUTURE MEETINGS

The Committee will meet at 6.00pm on the following dates:

6 Jul 2016
3 Aug 2016
7 Sep 2016
5 Oct 2016
2 Nov 2016
7 Dec 2016
11 Jan 2017
8 Feb 2017
8 Mar 2017
5 Apr 2017
10 May 2017

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 Committee and Member 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 Committee and Member 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 Committee and Member 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 Committee and Member 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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East Area Planning Committee

8th June 2016

Application Number: 15/03432/FUL

Decision Due by: 15th January 2016

Proposal: Demolition of existing house. Erection of 1 x 3-bed dwelling and 1 x 1-bed dwelling (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage.(Amended plans)

Site Address: 70 Glebelands Oxford (site plan at **appendix 1**)

Ward: Lye Valley Ward

Agent: Mr Huw Mellor

Applicant: Mr Kieran Lynch

Application Called in by Councillors Kennedy, Lygo, Fry and Rowley on grounds of overdevelopment of the site

Recommendation:

The East Area Planning Committee are recommended to grant planning permission for the following reasons:

- 1 The proposal makes effective and efficient use of an existing brownfield site and will provide two new dwellings of different sizes to help with the house need within Oxford. The proposal is considered to be in keeping with the site and surrounding area and will not have a detrimental impact on neighbouring properties.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Bike and bin stores
- 5 Design - no additions to dwelling
- 6 Part M(4)2
- 7 Sustainability design/construction

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

Core Strategy (OCS)

CS2_ - Previously developed and greenfield land

CS9_ - Energy and natural resources

CS10_ - Waste and recycling

CS12_ - Biodiversity

CS18_ - Urban design, town character, historic environment

CS22_ - Level of housing growth

CS23_ - Mix of housing

Sites and Housing Plan (SHP)

MP1 - Model Policy

HP2_ - Accessible and Adaptable Homes

HP9_ - Design, Character and Context

HP11_ - Low Carbon Homes

HP12_ - Indoor Space

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP15_ - Residential cycle parking

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework (NPPF)

Planning Practice Guidance

Balance of Dwellings Supplementary Planning Document

Parking Standards Supplementary Planning Document

Relevant Site History:

15/01349/FUL - Demolition of existing house. Erection of a detached house (1x3 bed) and erection of detached 2 storey building to provide 2 flats (1x2 bed and 1x1

bed) (use class C3) with car parking Withdrawn

Representations Received:

43 Glebelands, 53 Bulan Road, No address provided, 68 Glebelands and 72 Glebelands

Summary of comments:

- Unacceptably high density development
- The bungalow is sited on the corner of the road and buses also use the road with no room for any cars parked outside the bungalow
- Demolishing a bungalow with a perfect diversity mix is wrong
- Building a two storey house to replace it would overlook my garden more
- An extreme fire risk for the fire engines alone
- Apparent increase in impermeable area over the existing situation
- The proposed development lies within the calculated rainwater catchment of the Lye Valley SSSI and Local Wildlife Site fens and their vital springs
- For this catchment protection to happen, all currently green, fully permeable, vegetated areas within the catchment need to remain as green and completely freely permeable, as they are today.
- Extremely worried by the prospect of alteration of the alkaline fen habitat
- It seems that SuDS cannot be considered an adequate measure to protect the springs for ever
- Already the ratio of garden space to the space occupied by housing in Glebelands is very low compared to elsewhere in Oxford. To reduce this still further will only exacerbate this problem.

Statutory Consultees:

Natural England: object, further information required. This application is in close proximity to Lye Valley Site of Special Scientific Interest (SSSI). Natural England objects to this development on the grounds that the application, as submitted, may damage or destroy the interest features for which Lye Valley has been notified.

Friends of Lye Valley: concerned by the apparent increase in impermeable area over the existing situation bearing in mind the proposed development lies within the calculated rainwater catchment of the Lye Valley SSSI and Local Wildlife Site fens and their vital springs

Oxfordshire County Council (Transport): no objection (see below)

Issues:

Contributions
Principle of Development
Design
Residential Amenity
Accessible Homes
Sustainability

Highways and parking
Cycle Parking
Impact on Lye Valley

Officers Assessment:

Site Description

1. The application site lies on the northern side of Glebelands, where Glebelands turns into Lye Valley. The application site is unusual in that it is the only bungalow within the area. The site slopes to the rear and side with No. 72 (to the west of the site) having its ridgeline at approximately the same height as the application property despite No. 72 being a two storey property.

Proposal

2. The proposed development comprises the demolition of an existing bungalow and replacement with two dwellings on the same plot, as well as the provision of amenity space, car parking and bin and cycle storage. The new dwellings comprise a three bed and a one bed.

Officers Assessment

Community Infrastructure Levy

3. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development. CIL applies to developments of 100 square metres or more, or to new houses of any size. The reason that CIL has been introduced is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities. CIL is being brought in by councils across the country, although each local council has the ability to set the actual charges according to local circumstances. This proposal is liable to CIL contributions accordingly.

Principle of Development

4. The NPPF encourages the effective use of land by reusing land that has been previously developed. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. It goes on to state that Local Planning Authorities should resist inappropriate development of residential gardens. This is reiterated in policy CS2 of the OCS which seeks to focus development of previously developed land.
5. This site is currently occupied by a bungalow which is to be demolished. The land is therefore considered to be previously developed land as it land which is or was occupied by a permanent structure. Therefore the principle of development is considered acceptable.

6. Policy CS23 of the OCS seeks to ensure that residential development delivers a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
7. The Balance of Dwellings Supplementary Planning Document (BoDs) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The document states that there should be no net loss of family units from residential schemes of 1-3 units within this Neighbourhood Area. Although the bungalow would be demolished it would be replaced with a 3 bedroom dwelling which would ensure that there is no net loss of family accommodation. As such no objection would be raised to the mix of units proposed within the scheme.

Design

8. The majority of Glebelands (and Lye Valley) is characterised by semi-detached two storey residential dwellings with the occasion detached dwelling for example there is a detached property opposite the application site.
9. The proposed three bed dwelling is two storey with a hipped roof profile and a double height bay at the front. These features are very common within Glebelands and Lye valley. The proposed one bed dwelling is single storey, again with a hipped roof profile, and it is set to the side/rear of the proposed three bed dwelling. When read within the street scene it will appear as an extension to the three bed dwelling rather than a new dwelling. The scale and proportions of the new dwellings are considered to be in keeping with Glebelands and Lye Valley
10. Clearly the proposal will have an impact within the street scene when compared to the existing bungalow on the site. However the bungalow is an anomaly within the street and two storey “detached” properties are a little more common (one opposite the site) and therefore the proposal will not look out of character or context.
11. The proposal is therefore considered acceptable in terms of policy CS18 of the Core Strategy 2026, CP1, CP6 and CP10 of the Oxford Local Plan 2001-2016 and HP9 of the Sites and Housing Plan 2011-2026 in that it respects the character and appearance of the area and creates an appropriate visual relationship with the form, grain, scale, and details of the site and the surrounding area.

Residential Amenity

12. Policy HP12 of the SHP requires good quality internal living accommodation, with the policy stipulating that planning permission will not be granted for new dwellings if any single dwelling provides less than 39m² of floorspace (measured internally), or any single family dwelling provides less than 75m² floorspace (measured internally) where a family dwelling is a self-contained

house (or bungalow) of 2 or more bedrooms, or a self-contained flat either with 3 or more bedrooms or otherwise deemed likely to encourage occupation by a family including children.

13. However in March 2015 the Government introduced a 'Nationally Described Space Standard' (or National Standard for short). This sets out more detailed minimum standards than the Sites and Housing Plan policy for Oxford.
14. In light of the this, the City Council will apply the National Space Standard to new residential (Use Class C3) development, in preference to the more basic standard set out in Policy HP12 of the SHP.
15. In addition to setting minimum overall internal space standards, the National Standard also sets out minimum space requirements for single and double/twin bedrooms, minimum headroom for all rooms, and technical requirements for internal storage space. This relates directly to the supporting text for Policy HP12, which states:

"Within each new home, rooms and corridors should be comfortable, able to accommodate furniture and household equipment that would be expected in that part of the home, and allow for convenient circulation and access. Ceilings should allow sufficient headroom for people to live and move around; any spaces with insufficient headroom will not generally be counted as habitable space."
16. The proposed new dwellings comply with the new national space standards in that the three bed is 102sqm and the one bed is 41sqm both of which are at or over the required standards. They also meet the internal space standards requirements in relation to single and double/twin bedrooms, minimum headroom for all rooms. The three bed is a good size family dwelling and the one bed is of good proportions. Both have sufficient ceiling heights, natural light and ventilation and there is no restriction to their outlook. Both will have rear views out onto the SSSI.
17. Policy HP13 of the SHP states planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space of adequate size and proportions for the size of house proposed. Houses of 2 or more bedrooms must provide a private garden, of adequate size and proportions for the size of house proposed, for exclusive use by occupants of that house. A private garden is proposed for each new unit which is more than adequate in size and proportions to the units proposed and the intended occupiers.
18. Policy HP13 also states planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. A bin store is proposed for each new dwelling however there are no deign details therefore a condition is proposed to seek such details.
19. Policy HP14 of the SHP states planning permission will only be granted for

new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes and planning permission will not be granted for any development that has an overbearing effect on existing homes.

20. There are no issues of overlooking or loss of privacy to the adjoining properties. All the main windows in the proposed dwellings face either to the rear or onto the street with the exception of two smaller windows in the west elevation which face onto the boundary with No. 72, currently the side of their garage and some small windows in the east elevation which serve non-habitable rooms e.g. halls, landings, utility rooms and so on. The proposal also does not give rise to any loss of sunlight/daylight to the neighbouring properties as all their side windows are either secondary windows or do not serve habitable rooms.
21. The proposal is not considered to be overbearing on the neighbouring properties. With regards to No. 68 the two storey element is set significant away from the boundary and the single store runs along the boundary however the is currently a shed and a garage along this boundary and No. 68 is set higher due to the slope of the land. With regards to No. 70 the bulk of the two storey dwelling is set 1m from the boundary and a minimum of 2m expanding to 3m from the side elevation due to the angle of No. 70 on its plot. The relationship between the proposal and No. 72 will be very similar to that that can be seen between No. 68 and 72.

Accessible Homes

22. Achieving mixed and balanced communities requires the City Council to plan for people’s different physical needs. The City Council wishes to see new homes built that are accessible to all who may wish to live in them, and visit them, including those with disabilities. The Lifetime Homes Standard is a widely used national standard, which goes further than statutory building regulations. Lifetime Homes specifications ensure that the spaces and features in new homes can readily meet the needs of most people, including those with reduced mobility.
23. However as of 1st October 2015 a new set of national standards for Accessible Homes has replaced Lifetime Homes and all locally-set standards
24. The new standards are contained in Approved Document M: Access to and Use of Buildings, Volume 1: Dwellings. The new Part M includes new ‘optional’ standards which provide local authorities with sets of minimum requirements:

Category M4(1)	‘Visitable dwellings’ standard, the basic minimum requirement that all newly built dwellings must meet
Category M4(2)	Accessible and adaptable dwellings standard, broadly equivalent to Lifetime Homes
Category M4(3)	Wheelchair user dwellings standard (which can be applied either to make a dwelling fully wheelchair

	accessible, or alternatively to make it easily adaptable for wheelchair use)
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25. The new national standards are to be implemented as a requirement under Part M of the Building Regulations (as updated in 2015).
26. In light of the above, the Local Plan policy should now be interpreted with reference to the nearest equivalent new national technical standard as set out in building regulations and Approved Document M Volume 1. The City Council will therefore expect developers to apply the new optional standards, Categories M4(2) and M4(3), for accessible homes as appropriate.
27. There is an important difference between how Approved Document Part M should be applied compared with the previous Policy HP2 requirement for Lifetime Homes. Part M specifies that Category 2 and Category 3 requirements may apply only in relation to a dwelling that is “erected” (i.e. new-build). Category 1 can also only be applied where dwellings have been newly built, rather than where they have been created by a material change of use.
28. A condition is suggested in order to seek details in order to comply with Part M4(2).

Sustainability

29. Policy CS9 of the OCS sets out a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve Zero Carbon developments. A key strategic objective in the Core Strategy seeks to maximise Oxford’s contribution to tackling the causes of climate change and minimise the use of non-renewable resources.
30. Energy use in new development can be further reduced by appropriate siting, design, landscaping and energy efficiencies within the building. New developments, including conversions and refurbishments, will be expected to achieve high environmental standards. Policy HP11 of the SHP states that all development proposals must submit an energy statement to show how energy efficiencies have been incorporated into the development.
31. Some information has been submitted with regards to sustainability however officers do not consider this goes far enough therefore a condition is suggested to seek additional information and in particular with regards to how sustainable design and construction methods will be incorporated and how energy efficiency has been optimised.

Highways and parking

32. Infill development is defined (in the SHP) as proposals for houses and flats that do not include a new access road or parking court, so that all vehicular access to private properties is directly from an existing street or close. Such development will be considered on its merits. The amount and design of

parking should respond to the character of the area, by reflecting the way in which residential parking is provided for existing neighbouring homes.

33. The plot benefits from an existing driveway which provides access to two parking spaces. The plans demonstrate that the access is able to achieve pedestrian visibility to meet required standards. The proposal will see three parking spaces accessed from the driveway. The parking spaces meet the standard dimensions and reflect the proposed level of parking in the area.

Cycle Parking

34. Policy CS13 of the OCS states that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. A fundamental part of encouraging cycling is the provision of secure cycle storage within people's homes. This is reiterated in the Parking Standards Supplementary Planning Document which says secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments and again in policy HP15 of the SHP which states all residential cycle storage must be secure, undercover, preferably enclosed, and provide level, unobstructed external access to the street. Policy HP15 also requires houses and flats of up to two beds to have a minimum of 2 cycle parking spaces and houses and flats of 3 or more bedrooms to have at least 3 spaces per dwelling.
35. As with the bin storage a bike store is proposed for each new dwelling however there are no design details therefore a condition is proposed to seek such details.

Impact on Lye Valley

36. The application site is in close proximity to the Lye Valley which includes the Lye Valley Site of Special Scientific Interest (SSSI) noted for its rare valley fen habitats that are dependent on special local hydrological conditions. The application site lies within the hydrological catchment area of the Lye Valley. Local hydrology is a key component for the preservation of the notified features of the site and it is important that new developments do not compromise hydrological function.
37. The proposed development will increase the amount of impermeable surface on the site and therefore has the potential to affect surface and groundwater entering the SSSI, and the water dependant features for which the SSSI is notified.
38. Officers assessed the submitted drainage strategy and considered whilst the drainage strategy goes some way to explain the proposed drainage, there is insufficient detail for officers to be able to recommend that this development will not increase surface water flooding flood risk and have a detrimental impact to the Lye Valley SSSI. This advice was in line with comments received from Natural England. This lack of information could not be dealt with via a condition therefore additional information was requested. This

included:

- Details of the existing drainage including the existing soakaways and their condition
 - Details of the proposed drainage scheme showing the drainage on a layout plan, showing the location of any proposed SuDS and associated drainage infrastructure
 - Infiltration tests to demonstrate that the soakaways are feasible and that there are no contaminants that could be mobilised.
 - Demonstration of three surface water treatment stages prior to discharge into the underlying groundwater- permeable paving alone does not comply with current best practice when discharging to a sensitive receptor (in this case groundwater which supports a SSSI), this could create a pathway for pollutants into the groundwater if the water is not sufficiently treated. Permeable will treat the water to some degree and for roof drainage this may be acceptable, but for areas that are used by vehicles will receive greater concentration of pollutants such as hydrocarbons.
 - Drainage calculations for pre and post development situations to demonstrate the increase in surface water run-off rates and volumes and how this will be managed within the site without increasing flood risk to the site and the surrounding area.
39. The additional information has been submitted and reviewed by officers. The infiltration tests have provided officers the reassurance that the method of infiltration is feasible and therefore in principle have no issues with the use of soakaways and other infiltration measures on flood risk grounds. Officers are satisfied that the use of permeable paving for the driveways is sufficient level of treatment to ensure any hydrocarbons will be degraded on the surface of the pavement and any other fines will be caught by the underlying granular sub base prior to discharge to ground.
40. Based on the latest drainage strategy and revised drawing officers can confirm that they are now satisfied with the proposed drainage scheme.
41. Given the sensitive nature of the site officers recommend permitted development rights are removed, via a condition, in order to prevent any additional structures including additions to the dwellings without the prior written consent of the Local Planning Authority.

Conclusion:

42. The proposal makes effective and efficient use of an existing brownfield site and will provide two new dwellings of different sizes to help with the house need within Oxford. The proposal is considered to be in keeping with the site and surrounding area and will not have a detrimental impact on neighbouring properties.
43. Members are therefore recommended to approve the application subject to the conditions listed.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Lisa Green

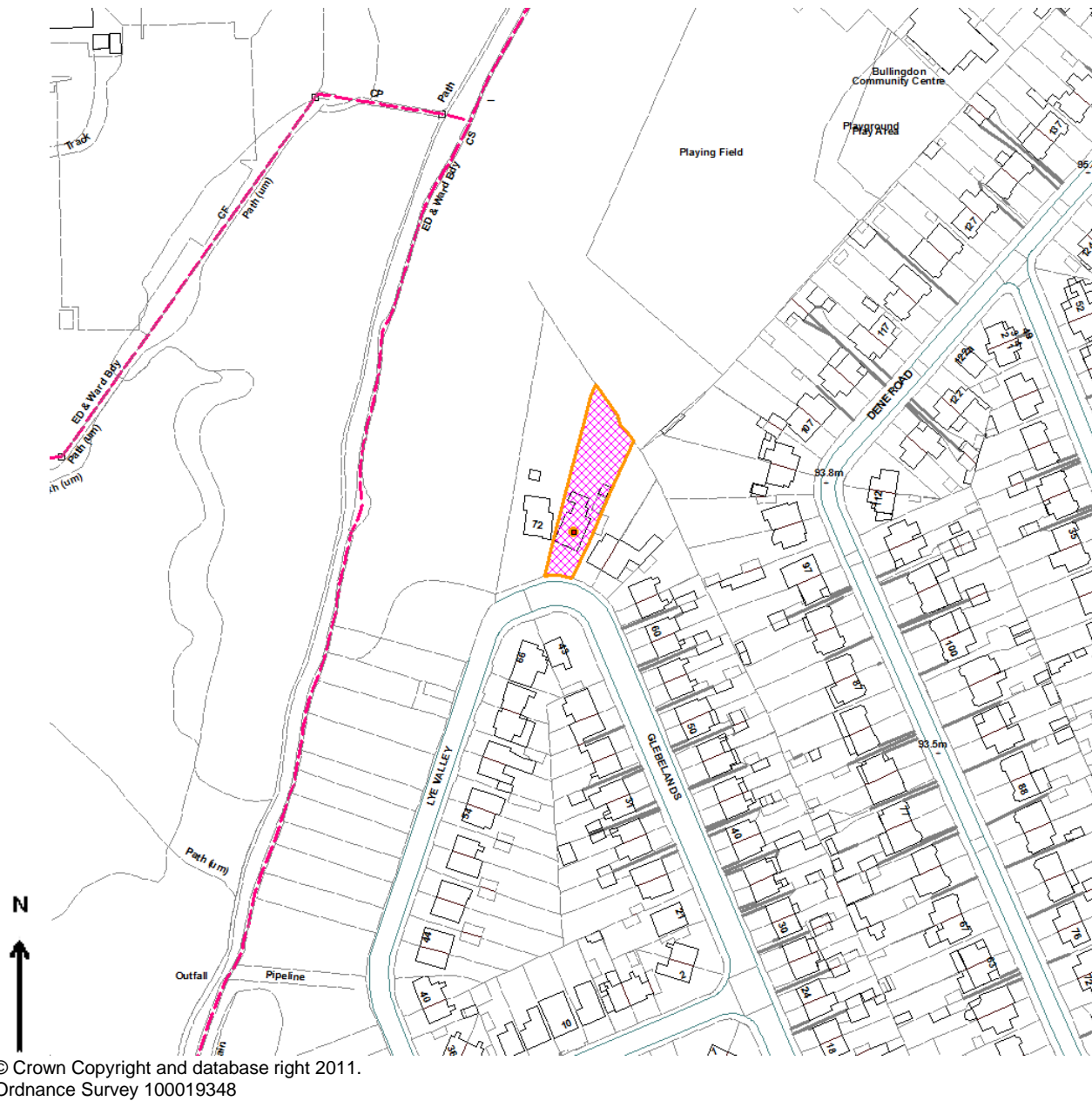
Extension: 2614

Date: 20th May 2016

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Appendix 1

15/03432/FUL - 70 Glebelands



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Monthly Planning Appeals Performance Update – **March 2016**

Contact: Head of Service City Development: Patsy Dell

Tel 01865 252356

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 March 2016**, while Table B does the same for the current business plan year, ie. **1 April 2015 to 31 March 2016**.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	15	39.47%	4	11
Dismissed	23	60.53%	6	17
Total BV204 appeals	38	100%	10	28

**Table A. BV204 Rolling annual performance
(1 April 2015 to 31 March 2016)**

Table B	Council performance		Appeals arising from Committee against officer recommendation	Appeals arising from Committee with officer recommendation	Appeals arising from delegated refusal
	No	%	No.		No.
Allowed	15	39.47%	3 (75.0%)	1 (16.67%)	11 (39.29%)
Dismissed	23	60.53%	1 (25.0%)	5 (83.33%)	17 (60.71%)
Total BV204 appeals	38	100%	4	6	28

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 March 2016)**

All Appeal Types

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C	Appeals	Performance
Allowed	27	43.55%
Dismissed	35	56.45%
All appeals decided	62	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 April 2015 to 31 March 2016**

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 March 2016.
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 March 2016. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

Table D

Appeals Decided Between 01/03/2016 And 31/03/2016

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
15/01857/FUL	15/00059/REFUSE	DEL	REF	DIS	21/03/2016	LYEVAL	70 Wilkins Road Oxford Oxfordshire OX4 2JB	Erection of part single, part two storey side and rear extension.
15/02256/FUL	15/00062/REFUSE	DEL	REF	ALW	21/03/2016	STMARY	23 Stockmore Street Oxford OX4 1JT	Erection of first floor infill extension
15/02668/FUL	15/00063/REFUSE	DEL	REF	ASP	22/03/2016	JEROSN	13 East Street Oxford Oxfordshire OX2 0AU	Demolition of existing rear extension. Erection of part single, part two storey rear extension and roof extension in association with loft conversion. Erection of outbuilding.
15/01449/FUL	15/00065/REFUSE	DEL	REF	DIS	24/03/2016	LYEVAL	Land To The Rear Of 8 Cranmer Road Oxford Oxfordshire	Erection of 1 x 1 bed two storey dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle stores and additional access and carparking off Cranmer Road.
15/01655/VAR	15/00041/REFUSE	DEL	REF	ALC	29/03/2016	STMARG	24 Lathbury Road Oxford Oxfordshire OX2 7AU	Variation of condition 2 (Approved plans) and 3 (Samples) to vary the wording of these conditions. Removal of condition 5 (curtailment of permitted development rights) of planning permission 15/00875/FUL.

Total Decided: 5

Table E Enforcement Appeals Decided Between 01/03/2016 And 31/03/2016

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS – Dismissed

EN CASE	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
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Total Decided: 0



Table F

Appeals Received Between 01/03/2016 And 31/03/2016

**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
15/02855/FUL	16/00016/REFUSE	DEL	REF	H	84 Fairacres Road Oxford Oxfordshire OX4 1TG	IFFLDS	Erection of single storey rear extension.
15/03027/VAR	16/00017/REFUSE	COMM	PER	H	15 Rosamund Road Oxford Oxfordshire OX2 8NU	WOLVE	Variation of conditions 2 (approved plans) and 3 (materials) of planning permission 14/03042/FUL to allow an increase in overall height for rainwater run off and change in materials of flat roof.
15/03031/FUL	16/00018/REFUSE	DEL	REF	H	82 Donnington Bridge Road Oxford Oxfordshire OX4 4AY	IFFLDS	Provision of dropped kerb. Formation of paved area in front garden and alterations to boundary wall.(Amended

Total Received: 3

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Monthly Planning Appeals Performance Update – April 2016

Contact: Head of Service City Development: Patsy Dell

Tel 01865 252356

1. The purpose of this report is two-fold:
 - i. To provide an update on the Council's planning appeal performance; and
 - ii. To list those appeal cases that were decided and also those received during the specified month.

Best Value Performance Indicator BV204

2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 April 2016, while Table B does the same for the current business plan year, ie. 1 April 2016 to 30 April 2016.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	17	37.78%	4	13
Dismissed	28	62.22%	6	22
Total BV204 appeals	45	100%	10	35

**Table A. BV204 Rolling annual performance
(1 May 2015 to 30 April 2016)**

Table B	Council performance		Appeals arising from Committee against officer recommendation	Appeals arising from Committee with officer recommendation	Appeals arising from delegated refusal
	No	%	No.		No.
Allowed	2	28.57	0	0	2 (28.57%)
Dismissed	5	71.43	0	0	5 (71.43%)
Total BV204 appeals	7	100	0	0	7

**Table B. BV204: Current business plan year performance
(1 April 2016 to 30 April 2016)**

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	30	41.67%
Dismissed	42	58.33%
All appeals decided	72	100%
Withdrawn	3	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 May 2015 to 30 April 2016**

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to the committee chairs and ward councillors. If the case is significant, the case officer also subsequently circulates committee members with a commentary on the appeal decision. Table D, appended below, shows a breakdown of appeal decisions received during April 2016.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. The relevant ward members also receive a copy of this notification letter. Table E, appended below, is a breakdown of all appeals started during April 2016. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

Table D

Appeals Decided Between 01/04/2016 And 30/04/2016

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
15/00759/FUL	15/00060/REFUSE	DEL	SPL	ALC	06/04/2016	NORTH	11 Winchester Road Oxford Oxfordshire OX2 6NA	Change of use from large House in Multiple Occupation to Student Accommodation. Replacement and alterations to windows and doors, construction of side door porch and formation of ramped access. (Amended description)(Amended plans).
15/02343/FUL	15/00066/REFUSE	DEL	REF	ALC	08/04/2016	BBLEYS	23 Blackbird Leys Road Oxford Oxfordshire OX4 6HH	Erection of two storey side extension.
15/01896/FUL	16/00010/REFUSE	DEL	REF	DIS	11/04/2016	LITTM	12 Kelburne Road Oxford Oxfordshire OX4 3SJ	Conversion of garage into 1 x 2-bed dwelling (Use Class C3).
15/02381/FUL	16/00009/REFUSE	DEL	REF	DIS	11/04/2016	LYEVAL	87 Oliver Road Oxford Oxfordshire OX4 2JH	Erection of outbuilding. (Retrospective)
15/02579/FUL	16/00011/REFUSE	DEL	REF	DIS	19/04/2016	RHIFF	57 Church Hill Road Oxford Oxfordshire OX4 3SG	Demolition of existing conservatory and garage. Erection of two storey side extension to create 1 x 3 bed dwellinghouse (Use Class C3). Erection of part single, part two storey rear extension. Formation of new vehicular access off Wykeham Crescent with provision of parking, bin and cycle store.
15/02485/FUL	16/00012/REFUSE	DEL	REF	DIS	26/04/2016	NORBRK	32 Kestrel Crescent Oxford OX4 6DY	Erection of 1 x 1-bed dwelling (Use Class C3). Provision of car parking and bin/cycle storage.
15/03201/FUL	16/00014/REFUSE	DEL	REF	DIS	28/04/2016	COWLEY	52A Rymers Lane Oxford Oxfordshire OX4 3LB	Erection of first floor rear extension and alterations to create mono pitched roof at existing ground floor.

Total Decided: 7

Table E

Enforcement Appeals Decided Between 01/04/2016 And 30/04/2016

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//0050/7/ENF	15/00042/ENFORC	ALLOW	12/04/2016	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Appeal against alleged unauthorised outbuilding
15//0041/4/ENF	16/00001/ENFORC	DISMIS	25/04/2016	6 Radcliffe Road Oxford Oxfordshire OX4 4BX	IFFLDS	Appeal against enforcement notice against development of a boundary fence over two meters high adjacent to highway
15//0008/1/ENF	15/00028/ENFORC	DISMIS	28/04/2016	18 Gaisford Road Oxford Oxfordshire OX4 3LQ	COWLEY	Appeal against unauthorised residential outbuilding

Total Decided: 3

Table F

Appeals Received Between 01/04/2016 And 30/04/2016

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
15/02903/FUL	16/00015/REFUSE	DEL	REF	W	67 Sandfield Road Oxford Oxfordshire OX3 7RW	HEAD	Erection of wooden wall in rear garden. (Retrospective)

Total Received: 1

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MINUTES OF THE EAST AREA PLANNING COMMITTEE

Wednesday 11 May 2016



COUNCILLORS PRESENT: Councillors Coulter (Vice-Chair, in the Chair), Brandt, Henwood, Taylor and Wade.

OFFICERS PRESENT: Robert Fowler (Senior Planner), Lisa Green (Principal Planner), Michael Morgan (Lawyer), Andrew Murdoch (Development Control Team Leader), Sarah Stevens (Planning Service Transformation Consultant) and Jennifer Thompson (Committee and Members Services Officer)

130. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Altaf Khan submitted apologies and Councillor Wade substituted for him. Councillor Clarkson submitted apologies.

Councillor Wilkinson submitted apologies as she was unable to attend the meeting having not yet signed her declaration of acceptance of office following her re-election.

131. DECLARATIONS OF INTEREST

None.

132. BARTON PARK: ALLOTMENTS: 16/00442/RES

The Committee considered an application for reserved matters approval for improvements to the existing allotments and outbuilding, associated fencing, services and associated car parking together with a community garden including pedestrian and cycling links and new tree planting and associated landscaping at land west of Barton, North of A40 and South of Bayswater Brook Northern By-Pass Road Wolvercote Oxford.

The Committee noted updates to the report circulated before the meeting correcting the status of decisions by the allotment association.

Matt Mitchell and Gemma Pengelly, representing the applicant, spoke in support of the application and answered questions from committee members.

In discussion the Committee agreed to add an informative recommending 'smart bins' such as those in use in Bury Knowle Park.

The Committee resolved to grant reserved matters application 16/00442/RES with the following conditions:

1. Watching Brief - contaminated land.
2. Verification Report - contaminated land.
3. Finalised Tree Protection Plan.

Informative: recommend using 'smart bins' such as those in Bury Knowle Park.

133. 72 BULAN ROAD: 15/03595/FUL

The Committee considered an application for the change of use from dwelling house (Use Class C3) to a House in Multiple Occupation (Use Class C4) at 72 Bulan Road.

The Committee noted that this had been called in by four councillors. Subsequently the issues raised were resolved to the satisfaction of the instigating councillor and the call-in withdrawn as the agenda was published.

The Committee resolved to delegate to officers the issuing of permission for application 15/03595/FUL subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Details excluded - submit revised plans - ground floor toilet, Floorplan.
4. Submission of further matters - cycle and bin stores.

134. 44 FRANKLIN ROAD: 16/00131/FUL

The Committee considered an application for planning permission for the erection of a two storey front extension incorporating roof extension and single storey rear extension; and formation of 2No rear dormer windows and insertion of rooflights in association with loft conversion (amended plans) at 44 Franklin Road.

The Committee noted written submissions from the residents at 46 Franklin Road and 42 Franklin Road. The planning officer explained the fall-back position granted by permitted development rights and explained the factors to be considered in relation to the concerns raised by the school relating to safeguarding.

Tim Farrant, local resident, spoke objecting to the application.

Roy Wilkinson, the architect, and Pippa Radcliffe, the applicant, spoke in support of the application.

The Committee resolved to grant planning permission for application 16/00131/FUL with the following conditions:

1. Development begun within time limit.
2. Development in accordance with approved plans.
3. Materials as proposed.

**135. PAVILION, RECREATION GROUND, MARGARET ROAD OX3 8AY:
16/00002/CT3**

The Committee considered an application for the demolition of the existing sports pavilion and erection of a new sports pavilion (amended plans) at the Pavilion, Recreation Ground, Margaret Road.

The planning officer reported receipt of comments asking for the reinstatement of public toilets and that the collapsible bollards be made of wood matching those elsewhere on the site.

He explained that it was neither possible nor desirable to amend the application at committee to require changes to the toilets.

He recommended accepting the change to the bollards and amending Condition 4 to that effect.

He clarified that the large lime tree was to be retained, not removed as shown on the plans, and recommended amending Conditions 2 and 7 to that effect.

Councillor Dee Sinclair, local ward councillor, spoke about the application and re-iterated the comments reported by the planning officer.

The Committee noted that while public toilets would be welcomed, they could only consider the application before them. They suggested that the disabled toilet could be made accessible to holders of RADAR keys. They accepted the officer's recommended changes to the conditions.

The Committee resolved to approve application 16/00002/CT3 subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans (amended to show lime tree retained).
3. Materials as specified.
4. Access improvements (collapsible bollards to be wood not metal)
5. Car parking improvements.
6. Drainage.
7. Arboricultural Report (amended to show lime tree retained).
8. Cycle parking.
9. Contaminated Land – Risk Assessment.

10. No Occupation until Remediation.
11. Unexpected Contaminated.
12. Watching brief.
13. Outdoor lighting.
14. Biodiversity enhancements.
15. Nesting birds.

136. ROSE HILL SPORTS GROUND, ASHHURST WAY: 16/00394/CT3

The Committee considered an application for the variation of condition 6 (Hours of operation) of planning permission 13/01940/CT3 to allow for the extension of opening hours at Rose Hill Sports Ground, Ashhurst Way

Terrance Kirkby, Chair of the Rosehill Tenants and Residents Association, spoke about the application.

The Committee resolved to approve application 16/00394/CT3 subject to the following conditions:

1. Time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Management plan.
5. Hours of use.
6. Floodlighting.
7. Bin storage.
8. Cycle storage.
9. Landscaping.
10. Landscaping implementation.
11. Access road and parking area.
12. Mechanical plant and ventilation.
13. Cooking odours.
14. SUDS.
15. NRIA.
16. Biodiversity.
17. Noise insulation.

137. 56 KILN LANE: 16/00842/FUL

The Committee considered an application for the erection of a garden building at 56 Kiln Lane, Oxford.

The Committee resolved to approve application 16/00842/FUL with the following conditions:

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

138. MINUTES

The Committee resolved to approve the minutes of the meeting held on 6 April 2016 as a true and accurate record.

139. DATES OF FUTURE MEETINGS

The Committee noted the dates.

The meeting started at 6.00 pm and ended at 7.40 pm

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