

# Agenda

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## West Area Planning Committee

Date: **Wednesday 25 May 2016**

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Time: **6.00 pm**

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Place: **Council Chamber, Town Hall**

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For any further information please contact:

**Jennifer Thompson, Committee and Member Services Officer**

Telephone: 01865 252275

Email: [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)

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

# West Area Planning Committee

## Membership

### Chair

### Vice-Chair

Councillor Colin Cook	Jericho and Osney;
Councillor Jean Fooks	Summertown;
Councillor Alex Hollingsworth	Carfax;
Councillor Tom Landell Mills	St. Margaret's;
Councillor Jennifer Pegg	Northfield Brook;
Councillor Bob Price	Hinksey Park;
Councillor John Tanner	Littlemore;
Councillor Marie Tidball	Hinksey Park;
Councillor Louise Upton	North;

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 **31 CHARLBURY ROAD 15/03586/FUL**

13 - 26

**Site Address:** 31 Charlbury Road, Oxford, OX2 6UU

**Proposal:** Demolition of existing dwellinghouse. Erection of 1 x 5 bedroom dwellinghouse (Use Class C3). Provision of private amenity space, car parking and bin and cycle store. (Amended plans);

**Officer recommendation:** to grant planning permission subject to conditions

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Development in accordance with specified materials.
4. Detailing to match existing.
5. Landscape plan required.
6. Landscape hard surface design - tree roots .
7. Landscape underground services - tree roots.
8. Tree Protection Plan (TPP) 1.
9. Arboricultural Method Statement (AMS).
10. Cycle and bin storage.

6 **54 ST JOHN STREET OX1 2LQ: 15/01676/FUL AND 15/01677/LBC**

27 - 38

**Site Address:** 54 St John Street, Oxford, OX1 2LQ

**Application Numbers:** 15/01676/FUL and 15/01677/LBC

**Application No:** 15/01676/FUL

**Proposal:** Erection of single storey rear extension and replacement of rear first floor roof. Extension and alterations to existing rear outbuilding to form garage/studio. Formation of dormer window and insertion of 2No. rooflights to rear roofslope and alterations to existing front dormer. Alterations to windows. Formation of patio with associated landscaping. (amended plans)

**Officer recommendation:** to grant planning permission subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Arch - Implementation of programme.
4. External material samples (dwelling).
5. Sample panels (dwelling).
6. Reuse bricks + samples (boundary wall).

7. Sample panel (boundary wall).
8. External material samples (outbuilding).
9. Sample panels (outbuilding).

**Application No: 15/01677/LBC**

**Proposal:** Erection of single storey rear extension and addition of pitched roof on existing rear two storey extension. Formation of dormer window and insertion of 2No. rooflights on rear roofslope and alterations to existing front dormer. Window alterations. Various internal alterations including creation of openings, removal and addition of walls. Extension and alterations to existing rear outbuilding to form garage/studio.(amended plans)

**Officer recommendation:** to grant Listed Building Consent subject to conditions for the following reasons:

1. Commencement of works LB/CAC consent.
2. LBC approved plans.
3. Works in accordance with letter.
4. Making good damage.
5. Internal features.
6. Reuse of features.
7. Preservation of unknown features .
8. External material samples (dwelling).
9. Sample panels (dwelling).
10. Further details (dwelling).
11. Reuse bricks + samples (boundary wall) .
12. Sample panel (boundary wall).
13. External material samples (outbuilding).
14. Sample panels (outbuilding).
15. Further details (outbuilding).

**7 58 ST JOHN STREET, OXFORD, OX1 2LQ: 15/01674/FUL AND 15/01675/LBC**

39 - 50

**Site Address:** 58 St John Street, Oxford, OX1 2LQ

**Application Numbers:** 15/01674/FUL and 15/01675/LBC

**Application Number: 15/01674/FUL**

**Proposal:** Erection of single storey rear extension and two-storey first floor extension. Alterations to front and rear dormer windows and insertion of 1.No. rear rooflight. Formation of patio with associated landscaping (amended plans);

**Officer recommendation:** to grant planning permission subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area.
4. Arch - Implementation of programme.

**Application Number: 15/01675/LBC**

**Proposal:** Replacement of rear extensions with single storey ground floor extension and two-storey first floor extension. Alterations and enlargement of front and rear dormers and addition of 1.No. rear rooflight. Various internal alterations including removal of walls and creation of openings.(amended plans);

**Officer recommendation:** to grant Listed Building Consent subject to conditions

1. Commencement of works LB/CAC consent.
2. LBC approved plans.
3. Works in accordance with letter.
4. Rooflight omitted.
5. Making good damage.
6. Internal features.
7. Reuse of features.
8. Preservation of unknown features.
9. External material samples.
10. Further details.
11. Cornice in F02.

## **8 LAND ADJACENT TO 30A UNION ST: 15/03633/FUL**

51 - 62

**Site Address:** Land Adjacent 30A Union Street, Oxford

**Proposal:** Erection of 2 storey side extension to No. 30A Union Street to create 1 x 3-bed semi-detached dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle store;

**Officer recommendation:** to grant planning permission subject to conditions and CIL contribution

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Development in accordance with specified materials.
4. Further details on bin storage.
5. Further details on cycle parking.
6. Boundary details before commencement.
7. Ground resurfacing - SUDS compliant.
8. Variation of road traffic order.
9. Bollards.
10. Construction Travel Plan.
11. Street lighting.
12. No additional windows.

## **9 REDBRIDGE PARK AND RIDE, ABINGDON ROAD: 16/00142/CT3**

63 - 70

**Site Address:** Redbridge Park and Ride, Abingdon Road, Oxford

**Proposal:** Provision of new pavement surface and hard standing at Redbridge Temporary Coach Park;

**Officer recommendation:** to grant planning permission subject to conditions for the following reasons:

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

3. Maintenance and Monitoring Plan;
4. Sustainable Urban Drainage Systems;

**10 6-8 SHIP STREET OXFORD OX1 3DA: 16/00563/CT3 AND 15/02791/LBC**

71 - 80

**Site Address:** 6-8 Ship Street, Oxford, OX1 3DA

**Application Numbers:** 16/00563/CT3 and 15/02791/LBC

**Application No: 16/00563/CT3;**

**Proposal:** Removal of existing external rear staircase and construction of external rear steel staircase. (Amended description);

**Officer recommendation:** to grant planning permission subject to conditions

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Development in accordance with specified materials.
4. Staircase detail.
5. Surfacing details.

**Application No: 15/02791/LBC**

**Proposal:** Removal of existing external rear staircase, making good and constructing of new external rear steel staircase. Alterations to rear door. Re glazing of 2no. rear windows. Replacement of temporary basement post with permanent support post.

**Officer recommendation:** to grant Listed Building Consent subject to conditions for the following reasons:

1. Commencement of works LB/CAC consent.
2. LBC approved plans.
3. Staircase details.
4. Window details.
5. Details of surfacing.
6. Making good damage and samples.
7. Internal and external features.

**11 ODD 39 TO 65, PREACHERS LANE: 15/03760/CT3**

81 - 88

**Site Address:** Odd 39 To 65 Preachers Lane, Oxford

**Proposal:** Installation of new entrance at ground floor level and insertion of 1no. gate at second floor level;

**Officer recommendation:** to grant planning permission subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Illumination.

## 12 PLANNING APPEALS

Summary information on planning appeals received and determined during and up to April 2016 (to be circulated separately)

The Committee is asked to note this information.

## 13 MINUTES

Minutes from the meetings of 12 April and 3 May 2016

**Recommendation:** That the minutes of the meetings held on 12 April and 3 May 2016 are approved as a true and accurate record.

## 14 FORTHCOMING APPLICATIONS

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

26 Norham Gardens: 15/01601/FUL

18 Hawkswell Gardens: 15/02352/FUL

Cooper Callas Building (15 Paradise Street And 5 St Thomas' Street):

Spanish civil war memorial, Bonn Square: 15/02859/FUL ( App

14/01888/FUL withdrawn 2/10/15)

Oxford Spires Four Pillars Hotel, Abingdon Road: 15/03524/FUL

24 Rosamund Road 16/00391/FUL

1 Richmond Road 16/00791/FUL

16 Chester Street 16/00704/FUL

1A Cranham Street

31 Glebelands 16/00194/FUL

Grove House, Iffley Turn 16/00068/FUL 16/00069/LBC

43 Observatory Street 15/003543/FUL

## 15 DATES OF FUTURE MEETINGS

The Committee is asked to agree a start time for its meetings (the default is 6.00pm) and to note that it will meet on the following dates:

14 Jun 2016

12 Jul 2016

2 Aug 2016

13 Sep 2016

11 Oct 2016

8 Nov 2016

13 Dec 2016

24 Jan 2017

21 Feb 2017

14 Mar 2017

11 Apr 2017

9 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.

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- 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

25<sup>th</sup> May 2016

- Application No:** 15/03586/FUL;
- Decision Due by:** 08.02.2016; Agreed Extension till 01.06.2016;
- Proposal:** Demolition of existing dwellinghouse. Erection of 1 x 5 bedroom dwellinghouse (Use Class C3). Provision of private amenity space, car parking and bin and cycle store.(Amended plans);
- Site Address:** 31 Charlbury Road, Oxford, OX2 6UU (site plan: Appendix 1);
- Ward:** St Margarets Ward;
- Agent:** Mr. Mark Wright (Shared Vision Ltd)                      **Applicant:** Mr. Anthony. Crean
- Application Call in:** By Councillor Wade, supported by Councillors Goddard, Fooks and Gant for the following reasons - previous planning history, the sheer bulk of the proposed new building on a sensitive corner, impact on the conservation area.

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### Recommendation:

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

#### 1. Reasons for Approval:

- 1.1. The proposed extension is considered acceptable in design terms, and would not cause unacceptable levels of harm to the amenities of the neighbouring properties. The proposal would continue to preserve the character and appearance of the North Oxford Victorian Suburb Conservation Area. The proposed development would therefore accord with the relevant policies 'CP1, CP6, CP8, CP10 and HE7' of the 'Oxford Local Plan' 2001-2016, and policies 'HP9 and HP14' of the 'Sites and Housing Plan' 2026, and 'Policy CS18' of the 'Oxford Core Strategy' 2026.
- 1.2. 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.

1.3. 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.

## **2. Conditions:**

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Development in accordance with specified materials;
4. Detailing to match existing;
- 5 Landscape plan required
- 6 Landscape hard surface design - tree roots;
- 7 Landscape underground services - tree roots;
- 8 Tree Protection Plan (TPP) 1;
- 9 Arboricultural Method Statement (AMS) 1;
- 10 Cycle and bin storage;

## **3. Principle Policies;**

3.1. This application has been assessed against the following policies:

### National

National Planning Policy framework 2012 (paragraphs 57, 61, 69, 109, 131-132, 186-187, 196-197, and 203-206);  
National Planning Policy Guidance

### Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;  
CP.6 - Efficient use of land and density;  
CP.8 - Design development to relate to its context;  
CP.10 - Siting development to meet functional needs;  
CP.11 - Landscape design;  
CP.22 - Contaminated Land;  
NE15 - Loss of Trees and Hedgerows;  
NE16 - Protected Trees;  
HE7 - Conservation Areas;

### Oxford City Council's 'Core Strategy' 2011

CS18 - Urban design, townscape character and the historic environment;

### Oxford City Council's 'Sites and Housing Plan' 2013

MP1 - Model policy;  
HP2 - Accessible and adaptable homes;  
HP9 - Design, character and context;  
HP10 - Developing on residential gardens;

HP12 - Indoor space;  
HP13 - Outdoor space;  
HP14 - Privacy and daylight;  
HP15 - Residential cycle parking;  
HP16 - Residential car parking;

Oxford City Council's Supplementary Planning Documents  
High Quality Design 2015;

Oxford City Council's Technical Advice Notes  
Accessible Homes 2013;

Other Material Considerations  
North Oxford Victorian Suburb Conservation Area;  
Planning Practice Guidance;

- 3.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise.

#### **4. Relevant Site History:**

- 4.1. A planning history search exercise has been carried out, applications that are considered of material relevance with this submission have been summarised below:

- 10/03324/FUL - Demolition of house and outbuildings. Erection of two storey house (with accommodation in roof space) and garden studio building. REF 31st January 2011.
- 10/03324/CND - Details submitted in compliance with conditions 3 (samples), 4 (landscaping), 5 (landscaping) and 6 (car and cycle parking) of planning permission 10/03324/FUL granted on appeal. PER 31st July 2014.
- 10/03330/CAC - Demolition of house and outbuildings. REF 31st January 2011.
- 11/00358/FUL - Formation of new vehicular access off North boundary and erection of double gates. PER 25th March 2011.
- 12/01019/FUL - Erection of two storey side extension following demolition of existing outbuildings. PER 16th July 2012.
- 12/02851/FUL - Erection of a three storey extension following removal of existing extension. PER 18th December 2012.

- 14/02491/CPU - Application to certify that proposed development is lawful.  
PER 29th October 2014.

## **5. Comment;**

5.1. Five letters of objection were received during the public consultation period, with three observations, comments from a material planning perspective are summarised as follows:

- Amount of development onsite;
- Impact on Conservation Area;
- Design (excessive glazing);
- Loss of the original dwelling;

5.2. Three letters of observation were received during the public consultation period, comments from a material planning perspective are summarised as follows:

- Impact on Conservation Area;
- Design (preferred);

5.3. One letter of support received during the public consultation period, comments from a material planning perspective are summarised as follows:

- Amount of development onsite (appropriate);
- Design (better suited);
- Prior approval already granted;

5.4. Moreton Road Neighbourhood Association, no comments received during the drafting of this report.

5.5. Linton Road Neighbourhood Association, objection, Conservation Area consent has expired, proposal extends too far towards the northern and southern boundaries, the rear elevation is out of keeping with the front of the house and the previous design was allowed as it reflected the bend in the road.

5.6. North Oxford Association, no comments received during the drafting of this report.

5.7. Cunliffe Close Residents' Association, no comments received during the drafting of this report.

## **6. Consultation:**

6.1. Oxford County Council Highway Department, no objection subject to the imposition of condition providing cycle storage.



- 6.2. Victorian Group of the Oxfordshire Architectural and Historical Society, objecting to the proposal. Conservation Area Consent is likely to have expired; house is too big and clumsy, does not enhance the Conservation Area and does not correspond with what an Inspector previously approved.

## **7. Site Description and Surrounding Area:**

- 7.1. In terms of its local context, the application site falls within the North Oxford Victorian Suburb Conservation Area.
- 7.2. In terms of its immediate context, 31 Charlbury Road is a two storey pink rendered dwelling with accommodation in the roofspace which sits on a corner plot on Charlbury Road. The site has previously been given planning permission and conservation area consent for the demolition of the existing dwelling and erection of a replacement dwelling. There is no longer a requirement for separate conservation area consent and demolition in a conservation area is covered by the planning application. This application seeks a replacement dwelling which rebuilds the existing dwelling with extensions to the sides and rear.

## **8. Proposed Development:**

- 8.1. Permission is sought for the demolition of an existing dwellinghouse and the erection of a 5.No. bedroom dwellinghouse (Use Class C3) to include provision of private amenity space, car parking and bin and cycle store.

## **9. Main Issues:**

- 9.1. Officers consider that the determining issues with regards to the proposal are as follows;
- Design;
  - Impact on the North Oxford Victorian Suburb Conservation Area;
  - Residential Amenity (Indoor Space/Outdoor Space);
  - Arboriculture;
  - Highways/Parking and Cycle Storage;
  - Lifetime Homes;
  - Contaminated Land;

## **10. Principle of Development;**

- 10.1. In terms of national policy, extracts from paragraph 17 and 111 from the '*National Planning Policy Framework*' 2012, makes reference to development on previously developed land, extracts from the document part state that development should:

*“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”.*

10.2. Additionally, ‘Policy CP.6’ from the Oxford City Council’s ‘Local Plan’ 2005 (as amended 2013) makes reference to efficient use of land, extracts from the policy in part state:

*“Planning permission will only be granted where development proposals make maximum and appropriate use of land. Development proposals must make best use of sites capacity, in a manner compatible with both the site itself and the surrounding area...”*

10.3. The resultant development would maximise the use of the existing site and officers regard that ‘Policy CP6’ of the ‘Oxford Local Plan’ 2001-2016 would support in principle the proposed development on this basis. Officers therefore consider that the general principle of development in the area proposed would accord with the aims of both national and local planning policies by maximising the potential of the site.

10.4. It has been established in recent planning history at appeal that whilst the existing dwelling is a pleasant building it is not noteworthy and therefore can be demolished providing a replacement dwelling is proposed. A Certificate of Lawfulness was granted on 29<sup>th</sup> October 2014 to confirm that there had been a lawful commencement of application 10/03324/FUL for a replacement dwelling which was allowed on appeal. This permission is therefore extant. There is no longer a requirement for Conservation Area Consent as this has been abolished.

## **11. Design/Impact on the Conservation Area:**

11.1. In terms of national policy, extracts from para 9 of the ‘National Planning Policy Framework’ 2012, emphasises the pursuit of sustainable development through seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

*“replacing poor design with better design; and*

*improving the conditions in which people live, work, travel and take leisure; and widening the choice of high quality homes.”*

11.2. Paragraphs 132, 134 and 135 from the document then goes onto state:

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be”*

*“Where a development proposal will lead to less than substantial harm to the*

*Significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*

*.....In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

- 11.3. Whilst this proposal results in the loss of the original dwelling, it proposes to rebuild it with added extensions which respect the character and appearance of the original dwellinghouse. The dwelling sits on a large plot and as concluded in the previous appeal decision, this with the set back from the plot frontage and the mature planting on the site these factors offset the scale of the dwelling.
- 11.4. In comparison to the previous approval on the site, this development does not extend as far to the rear, retains the existing building line and therefore retains a large set back from the streetscene. Whilst it is wider than the approved dwelling, this increase in width is marginal. Side extensions to the existing dwelling have also been previously approved on this site.
- 11.5. Comments have been raised that the previous dwelling was only approved as a larger dwelling as it respected the curve in the streetscene. It is recognised that the Inspector did comment on this but did not suggest that this was the only instance that a larger dwelling could be accommodated on this site. It is felt that if the enlargements were proposed as extensions to the existing dwelling house, they would not be resisted. The area is characterised by large dwellings on substantial plots and the proposal would therefore retain the grain of development in the surrounding area.
- 11.6. There were concerns over the complexity of the design of the rear elevation which was addressed through the receipt of amended plans. The rear of the original elevation is more complex in terms of scale and number of windows; however it was felt that the proposed rear elevation was overly complex and needed to be addressed given the visibility of the rear of the property due to the corner plot. It was felt that the rear wing would appear more subservient to the principle building if the ridge height were to be set lower. The proposed oriel window appeared an overly dominant and ornate feature which would conflict with the architectural character of the building, appearing an incongruous addition and this was thus reduced in scale. The proposed flat roofed rear roof extension in between the two gables also appeared an incongruous addition and out of keeping with the architectural character of the building. Also the glazed doors and balcony at roof level were of an overly large proportion which conflicted with the traditional window hierarchy of the building. A subservient gable therefore replaced this feature with a more traditional window.
- 11.7. The proposal is therefore now considered to comply with policies CP1, CP6, CP8 and HE7 of the Oxford Local Plan, CS18 of the ‘Core Strategy’ and HP9 of the ‘Sites and Housing Plan’.

## **12. Residential Amenity (Indoor/Outdoor Space):**

- 12.1. The proposed rear facing fenestration is sited 20 metres from the boundary with 31a Charlbury Road to the rear which is considered a reasonable distance and does not directly face into any windows of this property. Since the only side facing windows face over Charlbury Road or are in the form of high level rooflights the proposal is not considered to result in increased detrimental overlooking of neighbouring properties.
- 12.2. Although the property is increased in width due to the distance to neighbouring properties the proposal retains adequate gaps between dwellings due to the generous size of plots in the area and is not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light, overbearing impact or loss of outlook.
- 12.3. The proposal is therefore considered to comply with policies CP10 of the Oxford Local Plan and HP14 of the '*Sites and Housing Plan*'.
- 12.4. The new dwelling has its own entrance, kitchen and bathroom and is considered to provide more than adequate internal space for a five bedroom dwelling. The new dwelling also benefits from adequate light and outlook over the proposed garden space.
- 12.5. The development provides an adequately sized private garden space which is greater than the footprint of the host dwellinghouse. The garden also accommodates bin storage for the property. The proposal therefore complies with policies HP12 and HP13 of the '*Sites and Housing Plan*'.

## **13. Arboriculture:**

- 13.1. The impact on neighbouring trees to the site was largely resolved under the previous planning approval. However, compared with the previously approved proposals, the building now proposed encroaches significantly more closely towards the trees that stand along the boundary of the neighbouring property to the south. Concern was therefore raised that the development under consideration could therefore result in a greater harmful impact on these trees, which are important to the appearance and character of the NOVS conservation area and public amenity. A BS5837:2012 Tree Report and Arboricultural Impact Assessment was therefore requested and receiving justifying the encroachment within the RPAs of retained trees on neighbouring land and where the proposed building encroaches within the Root Protection Area of retained trees it was demonstrated that the tree can remain viable and that the area lost to encroachment can be compensated for elsewhere, contiguous with its RPA and proposed a series of mitigation measures to improve the soil environment that is used by the trees for growth.
- 13.2. The proposal is therefore now considered acceptable subject to conditions to protect tree roots during construction. The proposal is therefore considered to comply with policies CP11, NE15 and NE16 of the '*Oxford Local Plan*'.

#### **14. Highways/Parking and Cycle Storage:**

- 14.1. The proposal has been reviewed by the Local Highway Authority. They note that the on-site parking provision for the development is adequate and no change is proposed to the existing access arrangements. Therefore the County Council do not object to the application subject to three bicycle storage spaces being provided. Bicycle storage is provided to the rear of the garage, a condition is recommended to ensure that this space is retained for the storage of bicycles in the future.
- 14.2. The proposal is therefore considered to comply with policy CP1 of the Local Plan, CS13 of the Core Strategy and policies HP15 and HP16 of the *Sites and Housing Plan*'.

#### **15. Lifetime Homes:**

- 15.1. The proposal is considered to comply with the Lifetime Homes standards. The proposed dwelling has adequate access to the property, adequate doorways and circulation space, a bathroom at ground floor and the home could be adapted in the future.
- 15.2. The proposed dwelling therefore complies with policy HP2 of the *Sites and Housing Plan*'.

#### **16. Contaminated Land:**

- 16.1. The proposal has been considered with respect to contaminated land and has the sensitive development contamination questionnaire submitted with the application has been reviewed. The development involves the creation of residential dwellings. Residential dwellings are considered to be sensitive uses. The risk of any significant contamination being present on the site is low. However, it is the developer's responsibility to ensure that the site is suitable for the proposed use. Therefore, an informative is recommended regarding unexpected contamination.
- 16.2. The proposal is therefore considered to comply with policy CP22 of the *'Oxford Local Plan*'.

#### **17. Conclusion:**

- 17.1. Having regard to the material considerations and all other matters raised, the Local Planning Authority considers the proposal is consistent with the provisions of the development plan, and that the balance of considerations therefore weighs in favour for granting of planning permission. Officers therefore recommend that members approve planning permission subject to condition.

**18. Recommendation**

Application be approved subject to conditions;

**Human Rights Act 1998**

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

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

**Section 17 of the Crime and Disorder Act 1998**

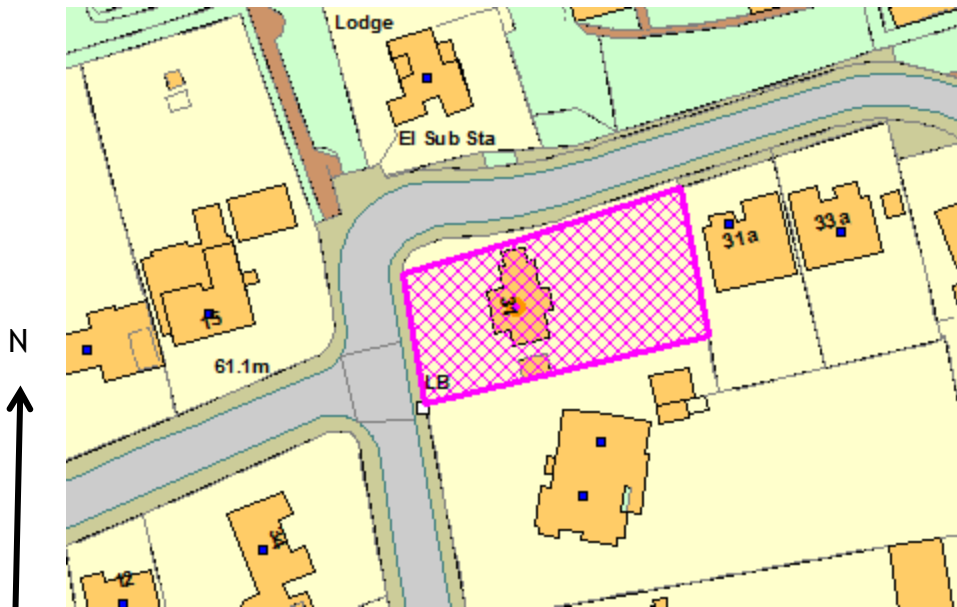
Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers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

**Background Papers:** 15/03586/FUL

**Contact Officer:** Sarah Orchard

**Date:** 9<sup>th</sup> May 2016

**Appendix 1: Site Plan: 15/03586/FUL - 31 Charlbury Road**

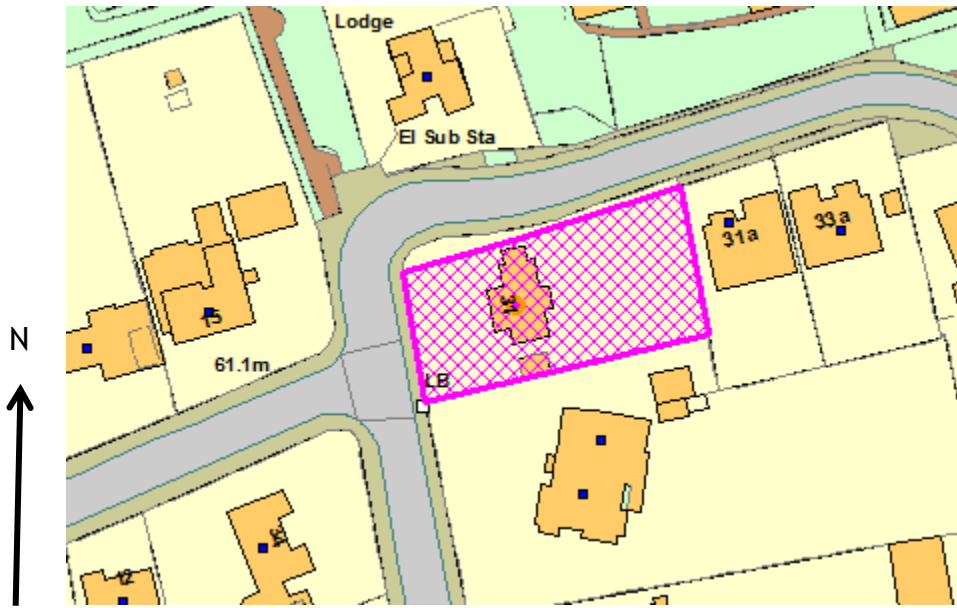


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**Appendix 1: Site Plan: 15/03586/FUL - 31 Charlbury Road**



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## West Area Planning Committee

25<sup>th</sup> May 2016

### Application Numbers: 15/01676/FUL and 15/01677/LBC

**Application No:** 15/01676/FUL;

**Decision Due by:** 28.07.2015;

**Proposal:** Erection of single storey rear extension and replacement of rear first floor roof. Extension and alterations to existing rear outbuilding to form garage/studio. Formation of dormer window and insertion of 2No. rooflights to rear roofslope and alterations to existing front dormer. Alterations to windows. Formation of patio with associated landscaping.(amended plans);

**Site Address:** 54 St John Street, Oxford, OX1 2LQ (site plan: Appendix 1);

**Ward:** Carfax Ward;

**Agent:** Mr. Simon Beattie

**Applicant:** Mr. Mark Blackwell

**Application Call in:** By Councillor Hollingsworth, supported by Councillors van Nooijen, Brown and Lygo for the following reasons – potential overdevelopment and impact on neighbouring properties, in a conservation area.

---

### Recommendation:

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

#### 1. Reasons for Approval:

- 1.1. The proposed development is acceptable in design terms and would not cause unacceptable levels of harm to the Listed Building, Central Conservation Area or amenities of the neighbouring properties. The proposal therefore accords with policies 'CP1, CP6, CP8, CP10, HE3 and HE7' of Oxford City Councils '*Local Plan*' 2001-2016, and policy CS18 of the '*Oxford Core Strategy*' 2026 and policies 'HP9 and HP14' of the '*Sites and Housing Plan*' 2026.
- 1.2. 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.

- 1.3. 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.

## 2. Conditions:

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

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Arch - Implementation of programme;
4. External material samples (dwelling);
5. Sample panels (dwelling);
6. Reuse bricks + samples (boundary wall);
7. Sample panel (boundary wall);
8. External material samples (outbuilding);
9. Sample panels (outbuilding);

---

**Application No:** 15/01677/LBC;

**Decision Due by:** 28.07.2015;

**Proposal:** Erection of single storey rear extension and addition of pitched roof on exiting rear two storey extension. Formation of dormer window and insertion of 2No. rooflights on rear roofslope and alterations to existing front dormer. Window alterations. Various internal alterations including creation of openings, removal and addition of walls. Extension and alterations to existing rear outbuilding to form garage/studio.(amended plans);

**Site Address:** 54 St John Street, Oxford, OX1 2LQ (site plan: Appendix 1);

**Ward:** Carfax Ward;

**Agent:** Mr. Simon Beattie

**Applicant:** Mr. Mark Blackwell

**Application Call in:** By Councillor Hollingsworth, supported by Councillors van Nooijen, Brown and Lygo for the following reasons - potential overdevelopment and impact on neighbouring properties, in a conservation area.

---

**Recommendation:**

The West Area Planning Committee is recommended to resolve to grant Listed Building Consent subject to conditions for the following reasons:

**3. Reasons for Approval:**

- 1.4. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, and features of special architectural or historic interest of the Listed Building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. The proposal therefore accords with policies CP1, HE3 and HE7 of the Oxford Local Plan 2001-2016, and policy CS18 of the *Oxford Core Strategy* 2026 and policies HP9 of the *'Sites and Housing Plan'* 2026.

**4. Conditions:**

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

1. Commencement of works LB/CAC consent;
2. LBC approved plans;
3. Works in accordance with letter;
4. Making good damage;
5. Internal features;
6. Reuse of features;
7. Preservation of unknown features;
8. External material samples (dwelling);
9. Sample panels (dwelling);
10. Further details (dwelling);
11. Reuse bricks + samples (boundary wall);
12. Sample panel (boundary wall);
13. External material samples (outbuilding);
14. Sample panels (outbuilding);
15. Further details (outbuilding);

## **5. Principle Policies:**

5.1. This application has been assessed against the following policies:

### National

National Planning Policy framework 2012 (paragraphs 63, 129, 132 and 134, 186-187, 196-197, and 203-206);  
National Planning Policy Guidance

### Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;  
CP.6 - Efficient use of land and density;  
CP.8 - Design development to relate to its context;  
CP.10 - Siting development to meet functional needs;  
HE2 - Archaeology;  
HE3 - Listed Buildings and their Settings;  
HE4 - Archaeological Remains Within Listed Buildings  
HE7 - Conservation Areas;

### Oxford City Council's 'Core Strategy' 2011

CS18 - Urban design, townscape character and the historic environment;

### Oxford City Council's 'Sites and Housing Plan' 2013

MP1 - Model policy;  
HP9 - Design, character and context;  
HP13 - Outdoor space;  
HP14 - Privacy and Daylight;

### Oxford City Council's Supplementary Planning Documents

High Quality Design 2015;

### Other Planning Documents

Historic Environment Good Practice Advice in Planning: 2;

5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise.

## **6. Relevant Site History:**

6.1. A planning history search exercise has been carried out, applications that are considered of material relevance with this submission have been summarised below:

- 57/06162/A\_H - Extension to form bathroom. PDV 28th June 1957.
- 97/01558/CAT - Remove ash tree in the Central Conservation Area at 54 St. John Street, Oxford. RNO 20th September 1997.

- 15/00036/CAT - Fell 1no Pear Tree in the Central Conservation Area. RNO 4th February 2015.

## **7. Comment;**

7.1. Five letters of objection were received during the public consultation period, comments from a material planning perspective are summarised as follows:

- Amount of development onsite (overshadowing);
- Impact on Grade II Listed Building and Conservation Area;
- Design (material use);
- Outbuilding (privacy);
- Loss of the original dwelling;

7.2. One letter of support received during the public consultation period, comments from a material planning perspective are summarised as follows:

- Endorses views;

7.3. St John Street Area Residents' Association, objects to the proposals for the following reasons:

- Overdevelopment;
- Design (material use);
- Usability (access);
- Outbuilding;
- Garden (inadequate amenity);

7.4. Thames Water Utilities Limited, no comments received during the

7.5. Oxford Civic Society, no comments received during the

## **8. Consultation:**

8.1. None.

## **9. Site Description and Surrounding Area:**

9.1. In terms of its local context, the application site falls within the Central Conservation Area.

9.2. 54 St John Street is a Grade II Listed Building, the building is part of a unified terrace-type scheme dating from 1837 which comprises the terraces along St John Street (grade II listed) and was laid out in conjunction with those along

Beaumont Street (grade II\* listed). The St John Street terraces are three storeyed buildings with accommodation in the roof spaces and basements, fronted in Bath stone with small parapets and moulded cornices, and slate roofs. The buildings feature traditional timber sash windows with glazing bars. Although the appearance and detailing of the buildings appear homogeneous upon first glance, there are subtle differences in the detailing of certain features such as fan lights, internal joinery works, and the layout of floor plans.

- 9.3. The rears of the properties are characterised by traditional sequences of extensions, in the form of two-storey wings and single-storey extensions. The extensions vary in age and design but the majority are relatively sympathetic in their form and massing, being subservient to the principle dwelling and extending only several metres into the rear garden.
- 9.4. No.54 is owned by St Johns College (the applicants) and is intended to be used as a residence for a college fellow. The building is currently vacant and features a rear flat roofed two-storey wing. To the rear of the plot is a two-storey outbuilding, the ground floor of which is currently used as bicycle storage for nearby residents.

## **10. Proposed Development:**

- 10.1. Listed building consent is sought for a number of external and internal alterations to the principle building in association with necessary restoration and repair works to the building, together with works to the curtilage listed outbuilding.
- 10.2. The external proposals for which planning permission is also sought include the addition of a lean-to slate pitch roof to the existing flat roofed rear wing, the construction of a single-storey rear extension comprising a lean-to element projecting from the rear elevation of the principle building and a dual pitch roof element with a glazed gable projecting from the rear wing. The existing dormer on the front roof slope is proposed to be remodelled and a new dormer constructed on the rear roof slope, together with the addition of a single roof light. The replacement of the existing rough cast render on the rear with a lime render is also proposed.
- 10.3. The internal proposals include alterations to the basement, the removal of part of the dividing wall on the ground floor, the addition of internal wall insulation on the front and rear walls of the building, and the introduction of secondary glazing to the windows.
- 10.4. The works to the outbuilding include the addition of a single-storey lean-to extension, ground floor door and first floor windows to the rear east elevation, the replacement of the ground floor doors and the blocking up of the first floor windows in the west front elevation, together with the provision of rooflights in the west roof slope. The proposed works are in association with the conversion of the building to a garage on the ground floor and a studio on the



first floor. These works are not considered to be a material change of use which would require planning permission.

10.5. During the course of this application, various negotiations have taken place with the agents, resulting in amendments to the proposed scheme comprising a reduction in the overall size and mass of the extension, changes to its design, a reduction in the size and massing of the dormers, and the omission of and changes to various elements of the proposed internal alterations.

## **11. Main Issues:**

11.1. Officers consider that the determining issues with regards to the proposal are as follows;

- Impact on a Grade II Listed Building and its Setting;
- Impact on the Central Conservation Area;
- Impact on Neighbour/Occupant Amenity;
- Impact on Archaeological Setting;

## **12. External Proposals:**

12.1. The proposed extension would project out an additional 2.35m from the rear elevation of the rear wing into the rear garden. By reason of the traditional design form with dual pitched and mono-pitched roofs, and the subservience of the proposed extension, it is considered that the additional projection and the overall scale and mass of the proposed extension could be accommodated on the site without detracting from the architectural significance of the listed building, the setting of the surrounding listed buildings or the character and appearance of the conservation area.

12.2. The use of zinc for the roof slopes and the glazing in the projecting gable element of the extension, would give it a contemporary appearance. The principle of taking a contemporary design approach in terms of the proposed materials and elevational treatment in combination with a more traditional form and scale is considered acceptable. It is not felt that the use of the proposed materials in a contemporary manner would detract from the significance of the building, but rather appear an appropriate contrast to the appearance and character of the existing building, distinguishing between the old and the new elements.

12.3. A large proportion of the other buildings within the terrace feature front and rear dormers of varying designs and sizes. Those on the front roofslopes of the buildings in the southern end of the terrace are not readily visible within the streetscene, set back from the front elevation behind the parapet. The principle of altering the existing front dormer and introducing a dormer onto the rear roofslope would not harm the architectural or historic special interest of the building. The proposed dormers are considered to be of an appropriate

design, size and massing, which would not detract from the character and appearance of the building.

- 12.4. The proposed replacement of the existing flat roof of the rear wing with a mono-pitched slate roof can be achieved without detriment to the significance of the building, and it is considered to be a design solution appropriate to the character and appearance of the listed building.

### **13. Internal Proposals:**

- 13.1. The proposed changes to the existing partitions, namely the creation of an opening in the ground floor dividing wall and the moving of a partition in the basement, would ensure that the original floor plan and layout remain readable. The structural alterations to the roof are considered justified and in the interest of retaining as much historic fabric as possible. The proposed introduction of secondary glazing and internal wall insulation are considered to be sympathetic alterations that would enable the energy efficiency of the building to be improved without harming its special interest.

### **14. Outbuilding Proposals:**

- 14.1. The proposed changes to the outbuilding to enable it to be used as a garage for vehicles and to enable the first floor to become a usable space by the introduction of a staircase are considered justified, and sympathetic to its character and appearance. The proposed works would not harm the contribution the outbuilding makes to the special interest of the listed building, the setting of surrounding listed buildings or the character and appearance of the listed building.
- 14.2. Whilst it has been commented that the outbuilding is currently used as a communal bike store for the area, this is at the discretion of St John's College and they have no requirement to do so. It would therefore be unreasonable to request that they provide alternative bike storage in the area if they no longer wish to continue this arrangement.

### **15. Residential Amenity:**

- 15.1. The proposed extension, roof alteration and dormer are not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light or outlook, overbearing impact or loss of privacy. The proposed ground floor extension projects only an additional 2.35m from the original outrigger, 1.7m from 53 St John Street and has been set low level in order to comply with 25 degree guidelines. The proposed dormer and alterations provide a degree of mutual overlooking which is already experienced in the street.

- 15.2. Due to the significant reduction in scale of the scheme negotiated through revised plans and the low pitch of the proposed outrigger roof; the proposed alterations are not considered to have a detrimental impact on the outlook from neighbouring properties as demonstrated by the compliance with 45 and 25 degree guidelines under policy HP14 of the '*Sites and Housing Plan*' 2013.
- 15.3. Revised plans were requested to reduce the scale of the rear extension, partially because it was considered that it would significantly compromise the size of the private amenity space available to the host dwelling. The revised plans address this concern and it is now considered the private amenity space is adequate to serve the dwelling in this context as the increase in footprint is not considered to be a significant increase to what is currently on the site and is comparable to the footprint of the original dwellinghouse. The proposal therefore complies with policies HP13 of the '*Sites and Housing Plan*' 2026.

## **16. Neighbour Concerns:**

- 16.1. In response to local residents concerns regarding the usability of the some of the spaces, it is not considered that the proposed changes would result in particular rooms, namely the rear ground floor room (G03) and rear basement room (B04), becoming unusable spaces that would affect or compromise the condition of the listed building or its architectural or historic significance.
- 16.2. In response to local residents concerns regarding the impact of the proposed works on the condition of their property, this is a civil matter which would be subject to Party Wall legislation.
- 16.3. There have a been a number of requests for a Construction Management Plan by condition however due to the scale of the scheme this would not be considered appropriate or necessary for a householder application and would need to be dealt with as a civil matter.
- 16.4. The proposed alterations to the outbuilding are not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light or outlook, overbearing impact or loss of privacy. Whilst objections have been received in relation to loss of privacy by the insertion of new windows, it is recognised that in a terrace there is a degree of mutual overlooking between their gardens which is already experienced. Although the proposed windows face back towards the windows of neighbour properties, they directly face the host property and are sited over 15 metres away from those of neighbours.
- 16.5. The conversion of the outbuilding itself to accommodate would not require planning permission. Further conversion to a unit of self-contained accommodate would need to be subject to a further change of use application.

## **17. Sustainability:**

17.1. The proposal continues to make use of historic buildings stock.

## **18. Conclusion:**

18.1. Having regard to the material considerations and all other matters raised, the Local Planning Authority considers the proposed external and internal changes to the Listed Building and curtilage listed outbuilding would not harm the architectural or historic significance of the listed building, the setting of the surrounding listed buildings, and the character and appearance of the Central Conservation Area. Subject to conditions, the applications would comply with the government legislation of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national and local planning policy contained in the NPPF, the Oxford Local Plan and the Oxford Core Strategy.

## **19. Recommendation**

Applications are approved subject to conditions;

### **Human Rights Act 1998**

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

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

### **Section 17 of the Crime and Disorder Act 1998**

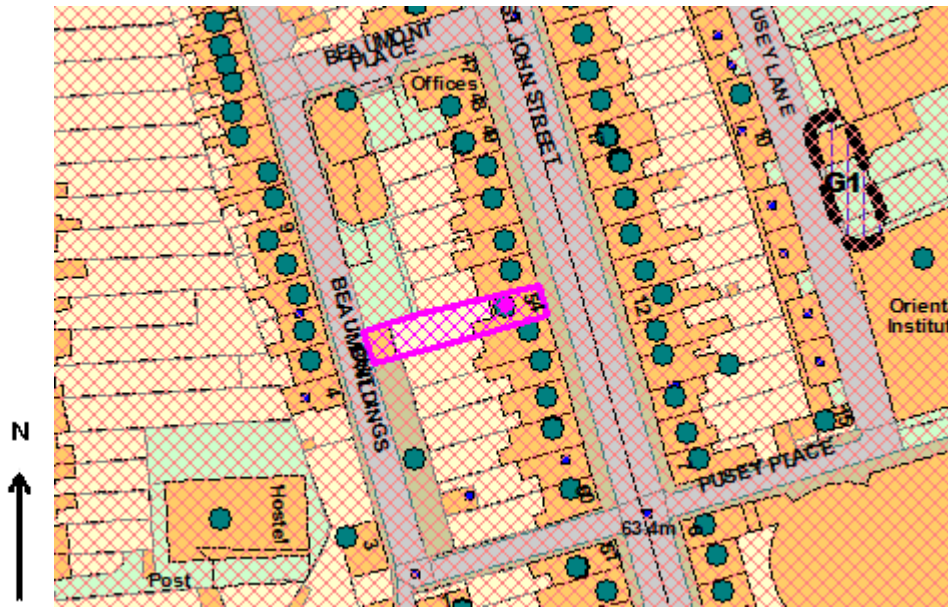
Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers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

**Background Papers:** 15/01676/FUL and 15/01677/LBC

**Contact Officers:** Amy Ridding/Sarah Orchard

**Date:** 9<sup>th</sup> May 2016

**Appendix 1: Site Plan: 15/01676/FUL and 15/01677/LBC - 54 St John Street, Oxford, OX1 2LQ**



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## West Area Planning Committee

25<sup>th</sup> May 2016

**Application Numbers: 15/01674/FUL and 15/01675/LBC**

**Application Number:** 15/01674/FUL;

**Decision Due by:** 28.07.2015;

**Proposal:** Erection of single storey rear extension and two-storey first floor extension. Alterations to front and rear dormer windows and insertion of 1.No. rear rooflight. Formation of patio with associated landscaping (amended plans);

**Site Address:** 58 St John Street, Oxford, OX1 2LQ (site plan: Appendix 1);

**Ward:** Carfax Ward;

**Agent:** Mr. Simon Beattie

**Applicant:** Mr. Mark Blackwell

**Application Called in –** By Councillor Hollingsworth, supported by Councillors van Nooijen, Brown and Lygo for the following reasons – potential overdevelopment and impact on neighbouring properties, in a conservation area.

---

### Recommendation:

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

#### 1. Reasons for Approval:

- 1.1. The proposed development is acceptable in design terms and would not cause unacceptable levels of harm to the listed building, Central Conservation Area or amenities of the neighbouring properties. The proposal therefore accords with policies CP1, CP6, CP8, CP10, HE3 and HE7 of Oxford City Councils '*Local Plan*' 2001-2016, and policy CS18 of the '*Core Strategy*' and policies HP9 and HP14 of the '*Sites and Housing Plan*' 2026.
- 1.2. 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.
- 1.3. 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.

## 2. Conditions:

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Samples in Conservation Area;
4. Arch - Implementation of programme;

---

**Application Number:** 15/01675/LBC;

**Decision Due by:** 28.07.2015;

**Proposal:** Replacement of rear extensions with single storey ground floor extension and two-storey first floor extension. Alterations and enlargement of front and rear dormers and addition of 1.No. rear rooflight. Various internal alterations including removal of walls and creation of openings.(amended plans);

**Site Address:** 58 St John Street, Oxford, OX1 2LQ (site plan: Appendix 1);

**Ward:** Carfax Ward;

**Agent:** Mr Simon Beattie

**Applicant:** Mr Mark Blackwell

**Application Called in –** By Councillor Hollingsworth, supported by Councillors van Nooijen, Brown and Lygo for the following reasons – potential overdevelopment and impact on neighbouring properties, in a conservation area.

---

## Recommendation:

The West Area Planning Committee is recommended to resolve to grant Listed Building Consent subject to conditions for the following reasons:

### 1. Reasons for Approval:

- 1.1. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, and features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in



response to consultation and publicity.

## 2. Conditions:

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

1. Commencement of works LB/CAC consent;
2. LBC approved plans;
3. Works in accordance with letter;
4. Rooflight omitted;
5. Making good damage;
6. Internal features;
7. Reuse of features;
8. Preservation of unknown features;
9. External material samples;
10. Further details;
11. Cornice in F02;

## 3. Principle Policies:

3.1. This application has been assessed against the following policies:

### National

National Planning Policy framework 2012 (paragraphs 57, 61, 69, 109, 131-132, 186-187, 196-197, 203-206);

National Planning Policy Guidance;

### Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;

CP.6 - Efficient use of land and density;

CP.8 - Design development to relate to its context;

CP.10 - Siting development to meet functional needs;

CP.11 - Landscape design;

CP.22 - Contaminated Land;

NE15 - Loss of Trees and Hedgerows;

NE16 - Protected Trees;

HE7 - Conservation Areas;

### Oxford City Council's 'Core Strategy' 2011

CS18 - Urban design, townscape character and the historic environment;

### Oxford City Council's 'Sites and Housing Plan' 2013

MP1 - Model policy;

HP2 - Accessible and adaptable homes;

HP9 - Design, character and context;

HP14 - Privacy and daylight;

Oxford City Council's Supplementary Planning Documents  
High Quality Design 2015;

Oxford City Council's Technical Advice Notes  
Accessible Homes 2013;

Other Material Considerations  
North Oxford Victorian Suburb Conservation Area;

3.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise.

#### **4. Relevant Site History:**

4.1. None.

#### **5. Comment:**

5.1. Five letter of objection were received during the public consultation period. Comments from a material planning perspective are summarised as follows:

- Overdevelopment;
- Use of materials;
- Loss of trees;

5.2. St John Street Area Residents Association object on the grounds of overdevelopment, use of the property as a B&B, use of materials, lack of access due to steps, disruption from construction and lack of sustainable drainage. These comments are re-echoed following the receipt of amended plans.

5.3. Oxford Civic Society objects to the use of materials and overdevelopment of the site.

#### **6. Site Description and Surrounding Area:**

6.1. 58 St John Street is a grade II listed building sited in the Central Conservation Area. The building is part of a unified terrace-type scheme dating from 1837 which comprises the terraces along St John Street (grade II listed) and was laid out in conjunction with those along Beaumont Street (grade II\* listed). The St John Street terraces are three storeyed buildings with accommodation in the roof spaces and basements, fronted in Bath stone with small parapets and moulded cornices, and slate roofs. The buildings feature tradition timber sash

windows with glazing bars. Although the appearance and detailing of the buildings appear homogeneous upon first glance, there are subtle differences in the detailing of certain features such as fan lights, internal joinery works, and the layout of floor plans.

- 6.2. The rears of the properties are characterised by traditional sequences of extensions, in the form of two-storey wings and single-storey extensions. The extensions vary in age and design but the majority are relatively sympathetic in their form and massing, being subservient to the principle dwelling and extending only several metres into the rear garden.
- 6.3. No.58 is owned by St Johns College (the applicants) and is intended to be used as a residence for a college fellow. The building is currently vacant and features a flat roofed three-storey rear wing with a mono-pitched single-storey projection, and a single-storey lean-to extending from the original rear elevation.

## **7. Proposed Development:**

- 7.1. Listed building consent is sought for a number of external and internal alterations to the principle building in association with necessary restoration and repair works to the building, together with works to the curtilage listed outbuilding.
- 7.2. The external proposals for which planning permission is also sought include rebuilding of the first and second floors of the existing rear, the re-roofing of the rear wing, the construction of a single-storey rear extension comprising a lean-to element projecting from the rear elevation of the principle building and a dual pitch roof element with a glazed gable projecting from the rear wing. The existing dormers on the front and rear roof slopes are proposed to be remodelled, and a single roof light installed into the rear roof slope. The replacement of the existing rough cast render on the rear with a lime render is also proposed.
- 7.3. The internal proposals include alterations to the basement, the removal of part of the dividing walls on the ground and first floors, the addition of internal wall insulation on the front and rear walls of the building, and the introduction of secondary glazing to the windows.
- 7.4. During the course of this application, various negotiations have taken place with the agents, resulting in amendments to the proposed scheme comprising a reduction in the overall size and mass of the extension, changes to its design, a reduction in the size and massing of the dormers, and the omission of and changes to various elements of the proposed internal alterations.

## **8. Main Issues:**

- 8.1. Officers consider that the determining issues with regards to the proposal are as follows;
- Impact on A Grade II Listed Building and its Setting;
  - Impact on character and appearance of the Central Conservation Area;

## **9. External proposals:**

- 9.1. The proposed extension would project out an additional 0.6m from the rear elevation of the rear wing into the rear garden. By reason of the traditional design form with dual pitched and mono-pitched roofs, and the subservience of the proposed extension, it is considered that the additional projection and the overall scale and mass of the proposed extension could be accommodated on the site without detracting from the architectural significance of the listed building, the setting of the surrounding listed buildings or the character and appearance of the conservation area.
- 9.2. The use of zinc for the roof slopes and the glazing in the projecting gable element of the extension, would give it a contemporary appearance. The principle of taking a contemporary design approach in terms of the proposed materials and elevational treatment in combination with a more traditional form and scale is considered acceptable. It is not felt that the use of the proposed materials in a contemporary manner would detract from the significance of the building, but rather appear an appropriate contrast to the appearance and character of the existing building, distinguishing between the old and the new elements.
- 9.3. The proposed rebuilding of the existing rear wing would result in a slight increase in its width and an increase in its depth by approximately 1m. The existing felted flat roof would also be replaced by a leaded roof. It is not considered that the proposed changes to the rear wing would harm the special interest of the listed building, given that the existing structure is a later addition which makes a limited contribution to the significance of the building. The proposed changes to the design, size and materials of the rear wing are considered appropriate and would not harm the setting of surrounding listed building or the character and appearance of the conservation area.
- 9.4. A large proportion of the other buildings within the terrace feature front and rear dormers of varying designs and sizes. Those on the front roof slopes of the buildings in the southern end of the terrace are not readily visible within the streetscene, set back from the front elevation behind the parapet. The principle of altering the existing front and rear dormers, which are later additions to the building, would not harm the architectural or historic special interest of the building. The proposed dormers are considered to be of an appropriate design, size and massing, which would not detract from the character and appearance of the building.

## **10. Internal proposals:**

10.1. The proposed changes to the existing partitions, namely the creation of openings in the ground and first floor dividing wall and the removal and addition of partitions in the basement, would ensure that the original floor plan and layout remain readable. The structural alterations to the roof are considered justified and in the interest of retaining as much historic fabric as possible. The proposed introduction of secondary glazing and internal wall insulation are considered to be sympathetic alterations that would enable the energy efficiency of the building to be improved without harming its special interest.

## **11. Residential Amenity:**

- 11.1. The proposed extension is not considered to have a detrimental impact on the amenity of neighbours in terms of loss of light or overbearing impact. The proposed ground floor extension complies with 45 degree guidelines from the bay window of 57 St John Street. 45 degree guidelines from 59 St John Street are already compromised at ground floor level from the kitchen window and the proposed extension is only 50cm deeper along this boundary. Despite this the proposal is set low down and easily complies with 25 degree guidelines.
- 11.2. The proposed rebuilding of the existing outrigger results in an increased depth along the boundary with 59 St John Street. Since the outrigger will only extend a depth of 80cm beyond that of the outrigger of the neighbouring property the proposal is not considered to have an overbearing impact or cause a detrimental loss of light.
- 11.3. The enlargement and alteration of the existing front and rear dormers are not significant enough to be considered to have detrimental impact on overlooking of neighbouring properties. There is already a degree of mutual overlooking across the street to which the alterations will not significantly contribute.
- 11.4. Following the receipt of amended plans the scale of the development was significantly reduced. The revised scheme has resulted in alterations which are not considerably larger than the existing extensions to the property. It is therefore considered that the proposal result in an acceptably sized amenity space in this case to serve the house dwelling and does not result in overdevelopment of the site.

## **12. Archaeology:**

12.1. This application is of archaeological interest as it involves ground works within the precinct of the 12<sup>th</sup> century 'King's Houses' or Royal Beaumont Palace and later Carmelite Friary. To the west at, Nos 6-7 Beaumont Buildings, a stone wall built of field stone (and thus perhaps predating the opening up of the Wheatley and Headington quarries in the later 13<sup>th</sup>

century) was observed. Further carved stone fragments recovered from the garden at Beaumont Buildings of likely 13th and 14th century date. The site is also located approximately 60m from a Bronze Age ring ditch in an area of general prehistoric potential.

- 12.2. The National Planning Policy Framework states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
- 12.3. In this case, bearing in mind the small scale of the proposed works, in line with the advice in the National Planning Policy Framework, any consent granted for this development should be subject to conditions requesting an archaeological investigation should consisting of a watching brief. The work should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves.
- 12.4. The proposal can therefore be considered to comply with policy HE2 of the Local Plan.

### **13. Other comments:**

- 13.1. Concerns have been raised in relation to stability of balcony at No. 57 which could be compromised during construction works. This would be a civil matter to resolve between neighbours.
- 13.2. The use of a building adjacent to 59 as a site office for properties in St John Street whilst they are being renovated by St John's College is not a proposal being put forward as part of this application.
- 13.3. Whilst loss of trees is a material planning consideration, consent has already been established that the trees can be removed from the garden and were done so prior to the submission of this application.
- 13.4. There is no planning record of the property having being used as a B&B and it is therefore considered it would not be necessary to request a change of use to C3.
- 13.5. There are no significant changes to the access to the property in terms of levels. There is also no requirement under a householder application for a new level access to be provided to the property.

13.6. Concerns have been raised over drainage and the lack of SUDs. The proposal does not result in a significant loss of permeable surface due to the existing extensions and paving. No request has been received for SUDs from the drainage officer.

#### **14. Conditions:**

14.1. To ensure the proposed development has an acceptable impact on the building and is of a high design quality and finish suitable to its architectural special interest and the character of the surrounding area, it is considered necessary to apply conditions requiring the approval of material samples, further details of new windows and doors, external flues and ventilation fixtures, rainwater goods, rooflights and various internal works.

#### **15. Conclusion:**

15.1. The proposed external and internal changes to the listed building would not harm the architectural or historic significance of the listed building, the setting of the surrounding listed buildings, and the character and appearance of the Central Conservation Area. Subject to conditions, the applications would comply with the government legislation of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national and local planning policy contained in the NPPF, the Oxford Local Plan and the Oxford Core Strategy.

#### **Human Rights Act 1998**

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

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

#### **Section 17 of the Crime and Disorder Act 1998**

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

**Background Papers:** 15/01674/FUL and 15/01675/LBC

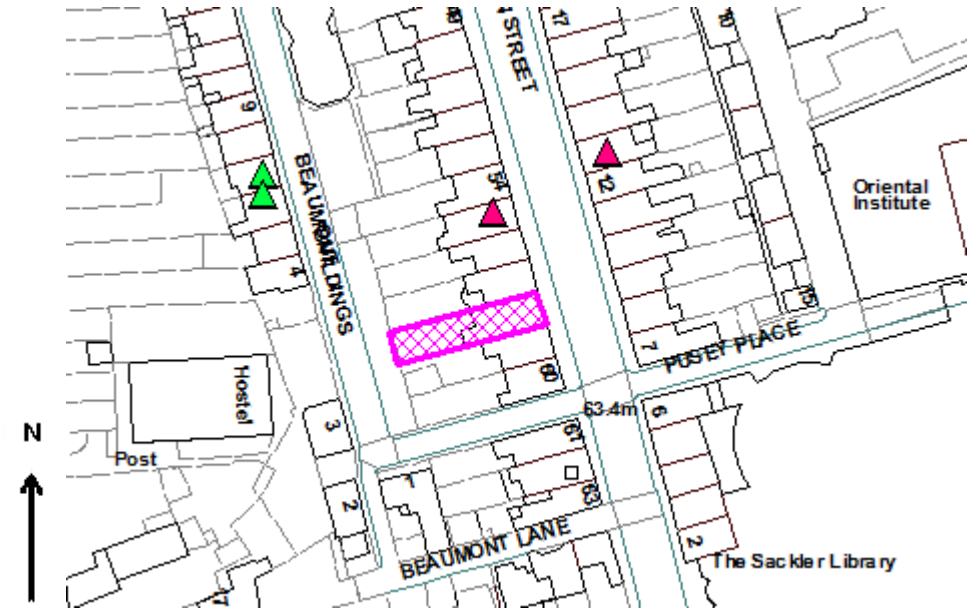
**Contact Officers:** Sarah Orchard/Amy Ridding

**Date:** 9<sup>th</sup> May 2016

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**Appendix 1: Site Plan: 15/01674/FUL and 15/01675/LBC - 58 St John Street, Oxford, OX1 2LQ**



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Ordnance Survey 100019348

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## West Area Planning Committee

25<sup>th</sup> May 2016

**Application No:** 15/03633/FUL;

**Decision Due by:** 12.02.2016; Agreed Extension till 01.06.2016;

**Proposal:** Erection of 2 storey side extension to No. 30A Union Street to create 1 x 3-bed semi-detached dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle store;

**Site Address:** Land Adjacent 30A Union Street, Oxford (site plan: Appendix 1);

**Ward:** St Clement's Ward;

**Agent:** Mrs. Jayne Norris

**Applicant:** Mr. Robin Popham

**Application Call in:** By Councillor Clack, supported by Councillors Fry, Hayes and Rowley for the following reasons - previous planning history.

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### Recommendation:

The West Area Planning Committee is recommended to resolve to grant planning permission subject to conditions and CIL contribution for the following reasons:

#### 1. Reasons for Approval:

- 1.1. 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.
- 1.2. 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.
- 1.3. The principle of a dwelling in this location has been accepted. The only outstanding issue relates to the enforceability of parking in the access road. This has now been resolved to Oxfordshire County Highways satisfaction. For these reasons it is considered that the proposal complies with the relevant

policies of the Oxford Local Plan 2016, Core Strategy 2026 and Sites and Housing Plan 2026. As such it is recommended that the application is approved.

## **2. Conditions:**

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

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Development in accordance with specified materials;
4. Further details on bin storage;
5. Further details on cycle parking;
6. Boundary details before commencement;
7. Ground resurfacing - SUDS compliant;
8. Variation of road traffic order;
9. Bollards;
10. Construction Travel Plan;
11. Street lighting;
12. No additional windows;

## **3. Principle Policies:**

3.1. This application has been assessed against the following policies:

### National

National Planning Policy framework 2012 (paragraphs 57, 61, 69, 186-187, 196-197, 203-206);

National Planning Policy Guidance

### Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;

CP.6 - Efficient use of land and density;

CP.8 - Design development to relate to its context;

CP.10 - Siting development to meet functional needs;

### Oxford City Council's 'Core Strategy' 2011

CS9 - Energy and natural resources;

CS18 - Urban design, townscape character and the historic environment;

CS23 - Mix of housing;

### Oxford City Council's 'Sites and Housing Plan' 2013

MP1 - Model policy;

HP2 - Accessible and adaptable homes;

HP9 - Design, character and context;

HP10 - Developing on residential gardens;

HP11 - Low Carbon Homes;

HP12 - Indoor space;  
HP13 - Outdoor space;  
HP14 - Privacy and daylight;  
HP15 - Residential cycle parking;  
HP16 - Residential car parking;

Oxford City Council's Supplementary Planning Documents

High Quality Design 2015;  
Affordable Housing and Planning Obligations 2013;  
Balance of Dwellings 2008;

Oxford City Council's Technical Advice Notes

Accessible Homes 2013;  
Energy Statements 2013;  
Waste Bins 2014;

- 3.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise.

**4. Relevant Site History:**

- 4.1. A planning history search exercise has been carried out, one submission is considered of material relevance with this application, and this summarised below:
- 112/03195/FUL - Erection of a two storey extension to 30A Union Street to create a semi-detached dwelling (class C3) – Refused. Dismissed at appeal.

**5. Comment:**

- 5.1. Eight letters of objection were received during the public consultation period, comments from a material planning perspective are summarised as follows:
- Inadequate access;
  - Too many vehicles using the access road;
  - Neighbours will be negatively impacted during the construction period;
  - Impact on drainage/flooding;
  - The site is cramped;
  - Impact of short term lets;
  - Overshadowing of the gardens of numbers 20 and 21 Princes Street;
  - Overbearing impact and loss of privacy for number 21 Princes Street;;
  - Inadequate garden area

- 5.2. East Oxford Community Association, no comment.
- 5.3. Jeune Street Residents' Association, no comment.
- 5.4. Oxford Civic Society, objection, comments in part state:

*'This proposal constitutes over-development, with inadequate provision for access. Although it is proposed that the development would be 'car free', this does not of course eliminate vehicular traffic generated by the construction, visitors to and the servicing of the property. The property would potentially accommodate 6 persons, generating significant traffic, and the configuration of the cul-de-sac access road would necessitate two trips for each visit. This level of traffic along the narrow access road, together with the parking for deliveries, loading and unloading etc. would have an unacceptable effect on the amenity of the existing properties lining the narrow access road. We would urge refusal of this application.'*

## **6. Consultation:**

- 6.1. Oxford County Council Highway Department, no objection subject to the imposition of condition.
- 6.2. Environmental Development, no comment.
- 6.3. Natural England, no comment.

## **7. Site Description and Surrounding Area:**

- 7.1. In terms of its immediate context, the application site is on the western side of Union Street and relates to the side garden of one of three houses. These houses, along with the proposed site, are accessed from Union Street. The surrounding area is predominantly residential consisting mainly of terraced dwellings although opposite the access to the site is East Oxford Primary School.

## **8. Proposed Development:**

- 8.1. Permission is sought for the erection of a two storey side extension to number 30a Union Street to create a new, three bedroom dwelling. It is proposed to be a car free development.

## **9. Main Issues:**

9.1. Officers consider that the determining issues with regards to the proposal are as follows;

- Principle;
- Highways;

## **10. Principle of Development:**

10.1. Planning permission for an identical scheme was refused in February 2013. There was one reason for refusal and this related to an unacceptable and dangerous intensification of the access road that could not be controlled by parking controls. This decision was then dismissed at appeal on the same basis.

10.2. Issues relating to design, residential amenity and impact on neighbouring dwellings was assessed at the time of the previous application and considered to be acceptable. When considering the appeal in November 2013 the Inspector considered that the site would be acceptable for car free housing. It is considered that the principle of development in this location is acceptable providing issues relating to highways and parking can be addressed.

## **11. Highways:**

11.1. The only issue to be considered as a result of the previous refusal and dismissal at appeal relates to highways. In his conclusion the Inspector stated:

*'In conclusion, whilst the site would be suitable for car free housing, having regard to the criteria contained in policy HP16 of the adopted Sites and Housing Plan 2011-2026, the appellants have failed to provide a suitable and enforceable mechanism for preventing additional vehicular use of the private access road. Such additional use would inevitably follow if the development went ahead and this would be detrimental to highway safety, contrary to policy CP1 of the adopted Local Plan 2001-2016.'*

11.2. The main issue therefore is that although the proposed development is to be car free, it is also required that parking restrictions can be enforced.

11.3. Oxfordshire County Highways have made the following comments regarding the highways issues and enforceability.

- It is noted that a restricted parking zone sign has been erected and that the majority of the private access road is subject to parking enforcement.

- There are no objections to car-free development for this proposed dwelling.
- The proposed dwelling is located within the East Oxford Controlled Parking Zone (CPZ) where on-street parking is currently over-subscribed. The applicant is advised that the LHA requests a condition to exclude a dwelling in the location from eligibility for resident and visitor parking permits in order to minimise the impact of this proposal on on-street parking and to encourage car-free development.
- The LHA seeks a condition requiring an improved scheme of bollards or other measures which could include planting to be submitted for review and approval by the Local Highway Authority (LHA), prior to any occupation of the dwelling.
- A Construction Traffic Management Plan is required in light of the proposed developments location;
  - Within close proximity to East Oxford Primary School,
  - Semi-permanent vehicle access restriction on Union Street (adjacent to public car park)
  - The narrow constrained nature of the private access road from which the proposed development would be accessed.

## **12. Observations:**

- 12.1. The development site is located in the corner of Union Street, a narrow unmade private road, where vehicular access is bounded by terrace residential properties.
- 12.2. The proposed dwelling is in a sustainable location to the east of Oxford City Centre, where it is situated in a Transport District Area (TDA) with access to a wide range of shops and facilities and regular bus services to Oxford City Centre. The location of the proposed dwelling provides good opportunities for walking and cycling.'
- 12.3. The access road serving 25 to 31 Union Street (including the application site at 30a) is un-adopted. The East Oxford Residents Parking Zone Traffic Order was introduced in the early 1970s and includes both the adopted and un-adopted sections of Union Street.
- 12.4. The private access road has a gravelled surface which means that it was not possible to place double yellow lines in the normal manner. A recent technical and legal review of the order revealed this anomaly and a suitable sign plate has been provided as recommended by the Dept for Transport and with the agreement of County Highways to allow the restrictions to be enforced without the need for yellow lines. This was erected under contract with the City Council on 19 November 2015. This option was not available at the time the original order was introduced. The sign which reads 'Restricted Parking Zone' replaces the need for double yellow lines.



- 12.5. Prior to the erection of the sign and to ensure the restrictions were still relevant to local need a further consultation was carried out by the applicants earlier in 2015 of those properties likely to be affected. No objections were received in response to the proposal for the introduction of restrictions to prevent parking in the access road.
- 12.6. The imposition of traffic regulation orders on roads which are not adopted public highways is permitted within the provisions of the Road Traffic Regulation Act 1984, which allows their use generally on roads to which the public have (unrestricted) access. The enforcement of made orders under civil enforcement powers applies equally to all such qualifying roads and in Oxford this is vested in the County Council to undertake. This meets the concern of the Inspector at the previous appeal for the highway authority to be able to control any unwanted parking arising from the proposed car free use of the proposed new dwelling.
- 12.7. Oxfordshire County Highways have confirmed that they, or the police, are able to enforce parking on this private access road. Any requests for changes to the current East Oxford Residents Parking Zone Traffic Order, including possible changes to the access road, would be subject to a formal amendment or revocation procedure as prescribed in the Local Authorities' Traffic Order (Procedure) (England) Regulations 2012. This could not take action by someone in isolation with an interest in the ownership of the road. The traffic order amendment process remains entirely within the control of the County Council as the principal Traffic Authority.
- 12.8. The un-adopted section of Union Street has the status of a private carriage road providing access to frontage properties. Despite several public advertisements and searches of Land Registry and other sources during the past ten years by the applicant no title to the ownership of the road has been identified.
- 12.9. Oxfordshire County Highways are satisfied that any parking that takes place in the access road can be enforced against. There is an area of private parking to the front of 30a Union Street. Details of bollards will be required by condition to ensure that parking does not take place to the front of 30a or the new dwelling. The site is within the East Oxford CPZ and permits will be withheld from the new dwelling. A construction management plan will also be required in order to minimise disruption.
- 12.10. There are no objections from Oxfordshire County Highways and the proposal is therefore considered to comply with policy HP16 of the '*Sites and Housing Plan*'.

### **13. CIL Contribution:**

- 5.1 The applicant has agreed to a financial contribution in the form of a Section 106 legal agreement, meeting the requirements for the affordable housing

policy HP4 of the Sites and Housing. A CIL contribution of £9,705.19 shall also be required.

#### **14. Other Matters:**

14.1. It is recognised that there have been a number of objections to the scheme from local residents. A number of concerns are not planning matters (for example the use of the property for lets). Apart from the highways issues and impact on the access which has been addressed earlier in this report, it has been previously considered that the dwelling is acceptable and that there will not be any undue harm caused to neighbouring dwellings. There has been no change in planning policy since the Inspector's decision in November 2013. Where appropriate, conditions have been applied in order to protect the privacy of neighbours.

#### **15. Conclusion:**

15.1. The principle of a dwelling in this location has been accepted. The only outstanding issue relates to the enforceability of parking in the access road. This has now been resolved to Oxfordshire County Highways satisfaction.

15.2. For these reasons it is considered that the proposal complies with the relevant policies of the Oxford Local Plan 2016, Core Strategy 2026 and Sites and Housing Plan 2026. As such it is recommended that the application is approved.

#### **16. Recommendation:**

16.1. Application be approved subject to condition and CIL payment;

#### **Human Rights Act 1998**

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

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

**Section 17 of the Crime and Disorder Act 1998**

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

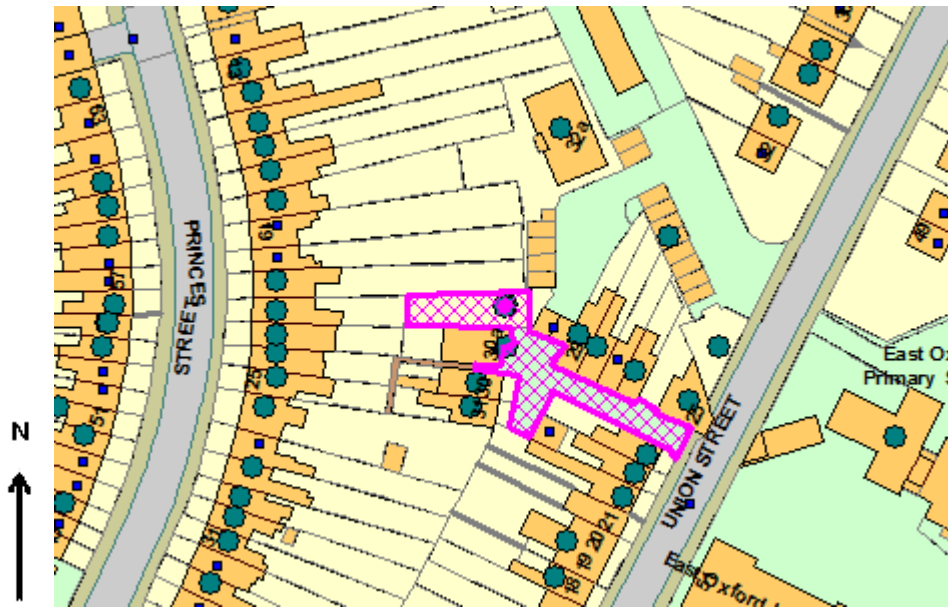
**Background Papers:** 15/03633/FUL

**Contact Officer:** Ms. Caroline Longman

**Date:** 21<sup>st</sup> March 2016

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**Appendix 1: Site Plan: 15/03633/FUL - Land Adjacent 30A Union Street, Oxford.**



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## West Area Planning Committee

25<sup>th</sup> May 2016

**Application No:** 16/00142/CT3;

**Decision Due by:** 15.03.2016; Agreed Extension till 01.06.2016;

**Proposal:** Provision of new pavement surface and hard standing at Redbridge Temporary Coach Park;

**Site Address:** Redbridge Park And Ride, Abingdon Road, Oxford (site plan: Appendix 1);

**Ward:** Hinksey Park Ward;

**Agent:** Mr. Steve Smith **Applicant:** Oxford City Council

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### Recommendation:

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

#### 1. Reasons for Approval:

- 1.1. The proposal is acceptable in terms of highways impacts and will not cause a loss of existing parking within the Park and Ride. The proposal will not cause flooding or contaminated land issues, with any impacts mitigated through condition. The proposal conforms to policies CP1, CP6, CP10, CP22 and TR.9 of the 'Oxford Local Plan' 2001-2016, and policy CS11 of the 'Oxford Core Strategy' 2026.
- 1.2. 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.

#### 2. Conditions:

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Maintenance and Monitoring Plan;
4. Sustainable Urban Drainage Systems;

### **3. Principle Policies;**

3.1. This application has been assessed against the following policies:

National

National Planning Policy framework 2012 (paragraphs 39, 109, 186-187, 196-197, 203-206);

National Planning Policy Guidance

Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;

CP.6 - Efficient use of land and density;

CP.10 - Siting development to meet functional needs;

CP.22 - Contaminated Land;

TR.9 - Park & Ride

Oxford City Council's 'Core Strategy' 2011

CS11 - Flooding

3.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise.

### **4. Relevant Site History**

4.1. A planning history search exercise has been carried out, there are applications that are considered of material relevance with this submission.

### **5. Comment;**

5.1. No comments received from members of the public.

### **6. Consultation**

6.1. Oxford County Council Highways, no objections as the proposal will not result in the long term loss of coach parking spaces or result in coaches being displaced during the surfacing works.

6.2. Oxford City Council Flood Mitigation Officer, no objection, subject to a suitable condition being added to ensure that the final detailed design of the drainage is feasible over the lifetime of the surfacing.

6.3. Oxford City Council Environmental Development, no objection in terms of land quality but recommends a suitable condition and informative are added in respect of maintenance of permeable paving and measures if landfill waste is discovered respectively.



## **7. Site Description and Surrounding Area**

- 7.1. Redbridge Park and Ride is located on the west side of Abingdon Road. A bus stop serves the Park and Ride with the part single, part two storey Park and Ride building located adjacent to the bus stop, which contains a waiting room and toilets. This is the only building on site. To the west of the Park and Ride building is an extensive car, HGV and coach park. To the south of the Park and Ride is the Southern Bypass.
- 7.2. The site was agricultural fields until the early 1960s. With the construction of the A423 Southern By-Pass Road and the associated side road links to the old Abingdon Road, areas of the site were excavated probably to provide material for the construction of the bypass. The borrow pit was subsequently filled with domestic waste between 1967 and 1971.
- 7.3. After the tip closure in the 1970s, the northern section of the site was developed as a park and ride. It was subsequently extended southwards during the 1980s and 1990s in several phases until the entire area up to the southern bypass had been turned over to car parking.

## **8. Proposed Development**

- 8.1. The application proposes the re-surfacing of five existing unbound, stone surface areas with porous bitumen bound surfacing. Four of these areas are located at the south-west corner of the car park and one area of asphaltting is located at the north end of the site. The resurfacing of a small grassed area with porous asphalt is also proposed at the north-east corner of the site.
- 8.2. No changes proposed to the number of coach and HGV spaces or parking layout or the operation and management of the temporary coach park which is connected with the Westgate development currently under construction.
- 8.3. It is proposed to retain the new surfacing upon closure of the coach park and reinstatement of the site as a park and ride car park. The surfacing works will be incorporated into the reinstated car park layout.

## **9. Main Issues:**

- 9.1. Officers consider that the determining issues with regards to the proposal are as follows;
  - Highways;
  - Flooding;
  - Contaminated Land;

## **10. Highways:**

- 10.1. Policy TR9 of the Oxford Local Plan states 'Parking provision at the Peartree, Redbridge and Seacourt park and ride car parks will be protected for park and ride purposes, including additional capacity.'
- 10.2. Oxfordshire County Council Highways have been consulted on the proposal and have raised no objections and have stated that the proposal will not result in the long term loss of coach parking spaces or displace coaches during works.
- 10.3. Overall, officers consider the proposal is acceptable in respect of highways impacts and comply with Policy TR9 of the Oxford Local Plan.

## **11. Flooding:**

- 11.1. Policy CS11 states '*...all developments will be expected to incorporate sustainable drainage systems or techniques to limit runoff from new development, and preferably reduce the existing rate of run-off. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.*'
- 11.2. The Council's Flood Mitigation Officer has been consulted on the proposal and has raised no objections to the proposal subject to a condition being imposed for sustainable urban drainage systems.
- 11.3. Due to the site being underlain by a landfill further details are required to be provided to ensure final detailed design of drainage is feasible and can manage the surface water run-off for the lifetime of the works.
- 11.4. In comparison to the previous approval on the site, this development does not extend as far to the rear, retains the existing building line and therefore retains a large set back from the streetscene Whilst it is wider than the approved dwelling, this increase in width is marginal. Side extensions to the existing dwelling have also been previously approved on this site.
- 11.5. The condition imposed requires drainage details to show how surface water will be dealt with on-site through sustainable urban drainage systems to be submitted to and approved in writing by the Council prior to the commencement of development on site.
- 11.6. Overall, officers consider the proposal is acceptable in respect of flooding impacts and complies with Policy CS11 of the Core Strategy.

## **12. Contaminated Land:**

- 12.1. Policy CP22 states '*Planning permission will only be granted for development on, or near to, former landfill sites or on land which is suspected to be*

*contaminated, where the City Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land and that there will be no adverse impact on the quality of local groundwater or surface water quality.'*

- 12.2. Environmental Development (Land Quality Officer) has been consulted on the application and has raised no objection to the proposal on grounds of contaminated land but have recommended the imposition of a condition and an informative.
- 12.3. Permeable paving requires maintenance to remain permeable and, as such, a condition requiring a maintenance and monitoring plan to be submitted prior to the operation of the development. This condition is to ensure that the development does not have a negative impact on surrounding environmental quality.
- 12.4. The Site Feasibility Study reports on ground conditions at the site. The thinnest material covering landfill waste was found outside of the site to the north-west at 400mm. The deepest proposed excavation proposed is 310mm. As a result, an informative has been added to ensure that precautionary measures are taken in the event that landfill waste materials are exposed during construction.
- 12.5. Overall, officers consider the proposal is acceptable in respect of contaminated land issues and complies with Policy CP22 of the Oxford Local Plan.

### **13. Conclusion**

- 13.1. The proposed works to form the area of hard-standing would not affect the character and amenity of the area or the convenience and safety of other highway users, or flooding. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Local Plan 2001-2016 and Oxford Core Strategy 2026.

### **14. Recommendation**

Officer's recommendation to the Members of the West Area Planning Committee is to grant planning permission for the development, subject to conditions.

#### **Human Rights Act 1998**

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

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

**Section 17 of the Crime and Disorder Act 1998**

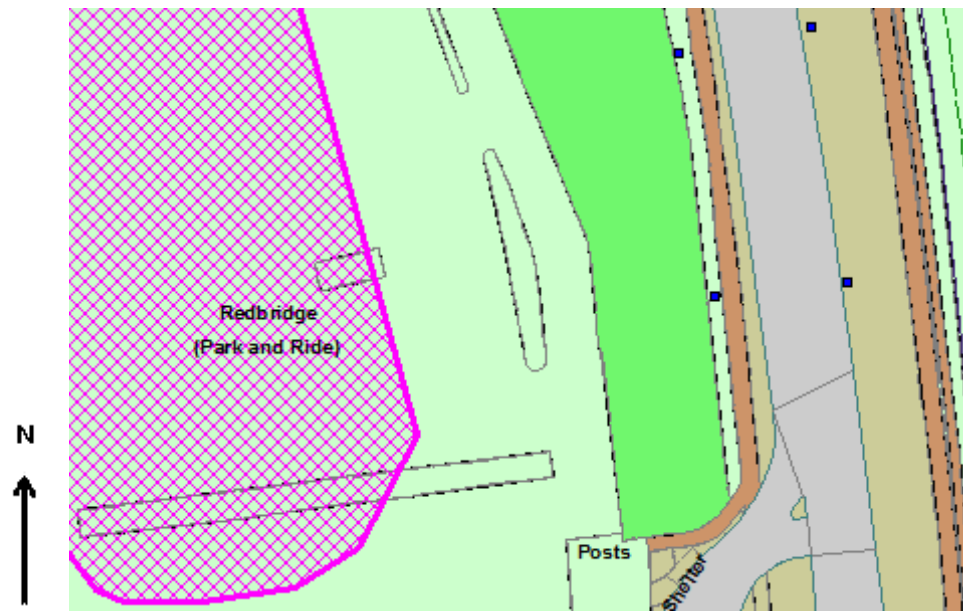
Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers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

**Background Papers:** 16/00142/CT3

**Contact Officer:** Matthew Watson

**Date:** 12<sup>th</sup> May 2016

**Appendix 1 – Site Plan: 16/00142/CT3 - Redbridge Park & Ride;**



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## West Area Planning Committee

25<sup>th</sup> May 2016

### Application Numbers: 16/00563/CT3 and 15/02791/LBC

**Application No:** 16/00563/CT3;

**Decision Due by:** 25.04.2016; Agreed Extension till 01.06.2016;

**Proposal:** Removal of existing external rear staircase and construction of external rear steel staircase. (Amended description);

**Site Address:** 6-8 Ship Street, Oxford, OX1 3DA (site plan: Appendix 1);

**Ward:** Carfax Ward;

**Agent:** Ms. Katharine Gould

**Applicant:** Oxford City Council

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### Recommendation:

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

#### 1. Reasons for Approval:

- 1.1. The proposal would preserve and enhance the character of the Conservation Area and respect the setting of the Listed Building in accordance with policies 'CP1, CP8, HE3, HE7' of Oxford City Council's '*Local Plan*' 2005; and 'Policy C18' of Oxford City Council's '*Core Strategy*' 2011;
- 1.2. 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.

#### 2. Conditions:

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

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Development in accordance with specified materials;

4. Staircase detail;
5. Surfacing details;

**Application No:** 15/02791/LBC;

**Decision Due by:** 02.12.2015; Agreed Extension till 01.06.2016;

**Proposal:** Removal of existing external rear staircase, making good and constructing of new external rear steel staircase. Alterations to rear door. Re glazing of 2no. rear windows. Replacement of temporary basement post with permanent support post.

**Site Address:** 6-8 Ship Street, Oxford, OX1 3DA (site plan: Appendix 1);

**Ward:** Carfax Ward;

**Agent:** Ms. Katharine Gould                      **Applicant:** Oxford City Council

**Recommendation:**

The West Area Planning Committee is recommended to resolve grant Listed Building Consent subject to conditions for the following reasons:

**3. Reasons for Approval:**

- 3.1. The proposal would preserve and enhance the character of the Conservation Area and respect the setting of the Listed Building in accordance with policies 'CP1, CP8, HE3, HE7' of Oxford City Council's '*Local Plan*' 2005; and 'Policy C18' of Oxford City Council's '*Core Strategy*' 2011;
- 3.2. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.



#### 4. **Conditions:**

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

1. Commencement of works LB/CAC consent;
2. LBC approved plans;
3. Staircase details;
4. Window details;
5. Details of surfacing;
6. Making good damage and samples;
7. Internal and external features;

#### 5. **Principle Policies;**

5.1. This application has been assessed against the following policies:

##### National

National Planning Policy framework 2012 (paragraphs 63, 129, 132 and 134, 186-187, 196-197, 203-206);

National Planning Policy Guidance (paragraphs 013, 015, 019 and 020);

##### Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;

CP.8 - Design development to relate to its context;

CP10 - Siting Development to Meet Functional Needs;

CP.13 - Accessibility;

HE3 - Listed Buildings and their Settings;

HE4 - Archaeological Remains Within Listed Buildings

HE7 - Conservation Areas;

##### Oxford City Council's 'Core Strategy' 2011

CS18 - Urban design, townscape character and the historic environment;

##### Oxford City Council's 'Sites and Housing Plan' 2013

MP1 - Model policy;

HP9 - Design, character and context;

##### Oxford City Council's Supplementary Planning Documents

High Quality Design 2015;

##### Other Planning Documents

Historic Environment Good Practice Advice in Planning: 2;

5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise.

## **6. Relevant Site History**

6.1. A planning history search exercise has been carried out, applications that are considered of material relevance with this submission have been summarised below:

- 93/00974/L - 6-8 Ship Street - Listed Building consent for alterations and refurbishment. PER 27th October 1993.
- 13/01069/LBC - Internal alterations associated with refurbishment of kitchen and sanitation facilities involving, new partitions, ventilation and removal of existing door and insertion of new doors. PER 26th June 2013.
- 13/01069/CND - Details submitted in compliance with condition 3 of Listed Building Consent 13/01069/LBC. PDE.

## **7. Comment;**

7.1. None;

## **8. Consultation**

8.1. Oxford County Council Highway Department, no comment.

## **9. Site Description and Surrounding Area**

9.1. In terms of its local context, the application site falls within the Central Conservation Area.

9.2. In terms of its immediate context, No's 6 and 8 Ship Street are both 17th century buildings which were remodelled in the 18th century. The buildings are grade II listed situated on one of the oldest streets in the Central Conservation Area. The buildings are in the ownership of Oxford City Council with the ground floor and basement occupied by Hero's Café.

9.3. The city wall runs along the backs of the properties, built into the rear north elevations. At present, there is an existing external stair on the rear elevation constructed from a mixture of timber, brickwork and concrete, which is adjacent to a small outbuilding housing toilet facilities for the café. The rear areas of the buildings can be accessed from a narrow passageway off of Broad Street and through an area known as Boxall Yard.

## **10. Proposed Development**

10.1. Planning permission and listed building consent is sought for the removal of the existing rear external stair and its replacement with a metal stair,

orientated so that it would be positioned on the eastern side of the rear elevation of No.6 rather than the west.

10.2. Listed building consent is also sought for changes to the external door and rear windows comprising alterations to the door so that it opens outwards and the re-glazing of the two ground floor windows to meet fire regulations. Internally, the addition of a structural support post is proposed within the basement area, to replace the current temporary arrangement.

## **11. Main Issues**

11.1. Officers consider that the determining issues with regards to the proposal are as follows;

- Impact on a Grade II Listed Building;
- Impact on the Central Conservation Area;
- Access arrangements;

## **12. Principle of Development;**

12.1. In terms of national policy, paragraph 63 from the '*National Planning Policy Framework*' 2012, in part states:

*"In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area".*

Paragraph 132 from the document then goes onto state:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".*

In local policy terms, 'Policy CP1' on from '*Oxford City Council's Local Plan*' 2005 in part states that Planning permission will only be granted for development which:

- a) *shows a high standard of design, including landscape treatment, that respects the character and appearance of the area; and*
- b) *uses materials of a quality appropriate to the nature of the development, the site and its surroundings;*

### **13. External Stair:**

- 13.1. The removal of the existing rear external stair would be welcomed as it appears a fairly ad hoc addition which detracts from the character and appearance of the listed buildings and conservation area. The proposal to replace it with a metal stair, albeit in a slightly different position, is considered acceptable in principle subject to the approval of large scale drawings showing its detailed design and appearance to ensure that it is of a high quality and elegant design sympathetic to the character and appearance of the listed building.
- 13.2. The Council's Archaeologist has been consulted due to the fact that the city wall runs along the rear of the buildings on the north side of Ship Street. The scheme is considered to unlikely to have any significant archaeological implications and as such no concerns have been raised. As the removal of the existing stair would require repair works to the rear elevation and the proposed replacement of the external stair would require fixings to the rear elevation of the building into what was formerly the city wall, it is considered necessary to condition that any necessary making good works are carried out using appropriate materials and methods (i.e. lime mortar and stone to match existing) to ensure that the significance of the building remains unharmed.
- 13.3. As well as a landing / raised platform area at the top of the proposed external stair, an additional landing would be situated half way up the stair. Due to the small size of the landing areas and their situation on a staircase, these would not be spaces where people would sit or spend prolonged amounts of time. Therefore, there would be no adverse impact to the amenity of neighbouring properties. The proposed staircase would provide a safe and secure escape route and means of access to the toilet facilities for the café business.

### **14. Windows:**

- 14.1. The window to the east in the rear elevation is of no importance to the special interest of the building and, therefore, to replace the glazing with glass that conforms to fire regulations would be acceptable. The sash window to the west is of traditional construction and appearance, but does not contain crown/historic glass and, therefore, the principle of replacing the glazing is considered acceptable subject to any replacement glass being of a suitable appearance and thickness enabling it to be installed without impacting the frame and so as not to harm the character and appearance of the window and the building. Conditions should be applied to this effect.

### **15. Basement Support:**

- 15.1. The proposed installation of a structural support in the basement is considered a necessary intervention that would not harm the significance of the building.

## **16. Sustainability:**

16.1. The proposal continues to make use of historic buildings stock.

## **17. Conclusion**

17.1. The proposed staircase is considered an appropriate development, which subject to conditions, would comply with the NPPF and local planning policies CP1, CP8, CP13, HE3 and HE7 of the Local Plan and CS18 of the Oxford Core Strategy. The proposed works are considered justified interventions which, subject to conditions, would not harm the character, appearance or significance of the listed building. The application would comply with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 132 and 134 of the NPPF and planning policies CP1, HE3 and HE4 of the Oxford City Council's '*Local Plan*' and CS18 of the Oxford City Council's '*Core Strategy*'.

## **18. Recommendation**

Application be approved subject to conditions;

### **Human Rights Act 1998**

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

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

### **Section 17 of the Crime and Disorder Act 1998**

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

**Background Papers:** 15/02791/LBC and 16/00563/CT3

**Contact Officer:** Miss. Amy Ridding

**Date:** 9<sup>th</sup> May 2016

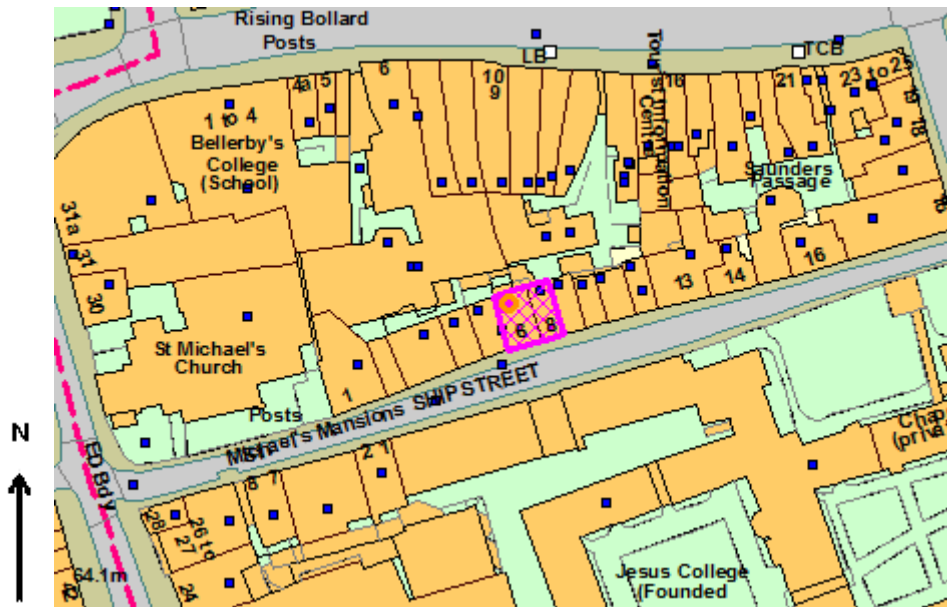
**Appendix 1 – Site Plan: 16/00563/CT3 - 6-8 Ship Street, Oxford, OX1 3DA;**

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Appendix 1 – Site Plan: 16/00563/CT3 - 6-8 Ship Street, Oxford, OX1 3DA;



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## West Area Planning Committee

25<sup>th</sup> May 2016

**Application Number:** 16/00735/CT3;

**Decision Due by:** 11.05.2016;

**Proposal:** Installation of new entrance at ground floor level and insertion of 1no. gate at second floor level;

**Site Address:** Odd 39 To 65 Preachers Lane, Oxford (site plan: Appendix 1);

**Ward:** Hinksey Park;

**Agent:** N/A

**Applicant:** Oxford City Council

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### Recommendation:

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

#### 1. Reasons for Approval:

- 1.1. The proposed alterations and additions form an appropriate visual relationship with the host building, would improve the safety of the site and would not harm neighbouring amenity. The proposal would therefore comply with policies CP1, CP8 and CP10 of the Oxford '*Local Plan*' 2001-2016 and policies CS18 and CS19 of the Oxford '*Core Strategy*' 2026.
- 1.2. 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.

#### 2. Conditions:

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Materials;
4. Illumination;

### **3. Principle Policies:**

3.1. This application has been assessed against the following policies:

National

National Planning Policy framework 2012 (paragraphs 57, 61, 69, 109, 131-132, 186-187, 196-197, 203-206);  
National Planning Policy Guidance;

Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;  
CP.8 - Design development to relate to its context;  
CP.10 - Siting development to meet functional needs;

Oxford City Council's 'Core Strategy' 2011

CS18 - Urban design, townscape character and the historic environment;  
CS19 - Community safety;

Oxford City Council's Supplementary Planning Documents

High Quality Design 2015;

### **4. Relevant Site History:**

4.1. A planning history search exercise has been carried out, one submission is considered of material relevance with this application, and this summarised below:

- 15/03760/CT3 - Installation of new entrance and insertion of 1no. door to east elevation. PER 30th March 2016.

### **5. Comment:**

5.1. None received.

### **6. Consultation:**

6.1. Oxford County Council Highway Department, no comment.

### **7. Site Description and Surrounding Area:**

7.1. The application site is a block of Council-owned housing in the area south of Thames Street known as the St Ebbe's New Development. The upper units are accessed through various open stairways.

## **8. Proposed Development:**

- 8.1. Permission was recently granted on this site for a new ground floor entrance, but a design solution was being sought for a new entrance to the upper walkway; a new application has now been made.
- 8.2. Planning permission is sought to add:
  - a new door to the ground floor entrance of the northern stairway on the east elevation;
  - a gate to the top of the spiral staircase at the southern end of the building which would open onto the external walkway at second floor level.
- 8.3. Both new entrances are to be fitted with call entry systems that will allow residents to use a fob to enter, and visitors will gain access using the call entry system.

## **9. Main Issues:**

- 9.1. Officers consider that the determining issues with regards to the proposal are as follows;
  - Design and appearance;
  - Community safety;
  - Residential amenity;

## **10. Design and Appearance:**

- 10.1. The additions proposed have been considered in the context of the design of the existing buildings, with the new door following the rhythm of the doors of the existing units, and the gate following the detailing of the existing railings on the external walkway. Powder-coated steel is considered appropriate as a material for the entrance door. Black metal for the gate would integrate visually with the existing railings. The original design concept of the open staircases is not compromised by the addition of the new entrances as the additions are only a small intervention.

## **11. Community Safety:**

- 11.1. Policy CS19 of the Core Strategy expects new developments to promote safe and attractive environments, which reduce the opportunity for crime and the fear of crime. It also requires appropriate lighting of public spaces and access routes.
- 11.2. The demand for the new entrances comes from a large number of

complaints relating to anti-social behaviour taking place in the stairwells. The new entrances will control access to these areas and it is reasonable to conclude that this will result in much reduced anti-social behaviour, safer and more attractive environments for people accessing their properties through the stairwells. Lighting will be installed externally in a location that will illuminate the door entry panel.

## **12. Residential Amenity:**

- 12.1. Some of the new doors with their call entry systems are located close to existing dwellings. Officers consider that visitors calling up to other properties through the new systems will cause negligible disturbance to these properties and the community safety benefits outweigh the predicted low levels of disturbance. The lighting is proposed to be of low wattage of up to 10 watts and in operation from dusk till dawn only, thereby not harming the amenity of nearby properties. Officers recommend the wattage levels be controlled by condition.

## **13. Conclusion:**

- 1.1. The proposed alterations and additions form an appropriate visual relationship with the host building, would improve the safety of the site and would not harm neighbouring amenity. The proposal would therefore comply with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016 and policies CS18 and CS19 of the Oxford Core Strategy 2026.

### **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.

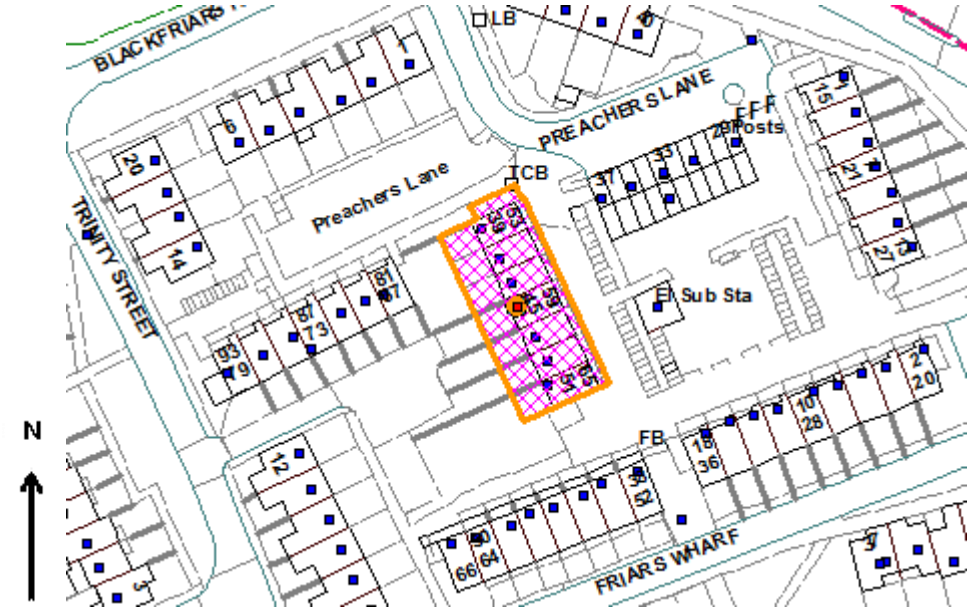
**Background Papers:** 16/00735/CT3;

**Contact Officers:** Nadia Robinson

**Date:** 9<sup>th</sup> May 2016

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Appendix 1: Site Plan: 16/00735/CT3 - Odd 39 To 65 Preachers Lane, Oxford



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## MINUTES OF THE WEST AREA PLANNING COMMITTEE

Tuesday 12 April 2016



**COUNCILLORS PRESENT:** Councillors Upton (Chair), Benjamin, Cook, Gant, Gotch (Vice-Chair), Hollingsworth, Paule, Price and Tanner.

**OFFICERS PRESENT:** Gill Butter (Conservation and Urban Design Officer), Murray Hancock (Principal Planning Officer), Michael Morgan (Lawyer), Andrew Murdoch (Development Control Team Leader), Katharine Owen (Principal Conservation Officer) and Jennifer Thompson (Committee and Members Services Officer)

### 123. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None.

### 124. DECLARATIONS OF INTEREST

Minute 126: Florey Building

Councillor Cook declared that he was associated with Queens College so to avoid any perception of bias he would not take part in the debate or decision on these applications. He would remain at the table as he had neither a disclosable interest nor any other reason to withdraw.

### 125. LAND SOUTH OF MANOR PLACE: 15/01747/FUL

The Committee considered an application for planning permission for the erection of 4 buildings on one, three and four levels to provide 286 student study rooms together with ancillary facilities including dining room, reception, lounge areas, car and cycle parking, bin storage and landscaped gardens (amended application) on Land South of Manor Place, near Manor Road, Oxford.

Harold Carter, local resident, and Mark Blandford-Baker, Bursar of Magdalen College, spoke objecting to the application.

Bill Soper, representing the applicant, spoke in support of the application.

The Committee asked questions of the planning officers, applicant, and objectors to clarify the key issues in this proposal.

**The Committee resolved** to refuse planning permission for application 15/01747/FUL for the following reasons as set out in the officers' report:

1. The evolution of the design has resulted in a development proposal whose buildings (their size, height, massing, footprints, architecture and siting) and landscape would fail to respond appropriately to the particular character, constraints and opportunities of the site. The proposal is an unacceptable and inappropriate form of development that would result in the overdevelopment of the site and would not make a place of sufficiently high quality. The proposal would therefore be contrary to Policy CS18 of the Council's Core Strategy, Local Plan Policies CP6, CP9 and CP11 and would fail to meet many of the objectives and policies set out in the Government's National Planning Policy Framework in particular the core planning principles set out in paragraph 17 and policies set out in sections 7 and 12 of the document.
2. The proposed design by virtue of the architecture, size, height, massing, footprint and siting of the buildings and the landscape proposal would result in an unacceptable development, out of place with the character and appearance of its surroundings, neither preserving nor enhancing the special character or appearance of the Central (University and City) Conservation Area. Approval of the proposal would contravene the duty set out in section 72(2) of the Planning (Listed Buildings and Conservation Areas Act 1990). The proposed development would fail to comply with the policies set out in of the Government's National Planning Policy Framework including those set out in paragraphs 9 and 17 and sections 7 and 12 of the document. The development proposal, by virtue of the reasons set out above would be contrary to Policy CS18 of the Oxford City Council's Core Strategy, Policies CP.8, HE.3 and HE.7 of the LPA's adopted Oxford Local Plan and Policy SP27 of the OCC Sites and Housing Plan.
3. The proposal is unacceptable by virtue of the siting, height and massing of Building A which would relate poorly to and have an overbearing impact on the garden of No.13 Manor Place and consequently would be detrimental to the amenities of the occupiers. The proposal would therefore be contrary to Policy HP14 of the Sites and Housing Plan.

**126. FLOREY BUILDING, 23-24 ST CLEMENT'S STREET:15/03643/FUL & 15/03644/LBC**

Councillor Cook, having declared he would not take part in the debate or decision on these applications, remained at the table but took no part in the proceedings.

The Committee considered applications for planning permission and listed building consent for the refurbishment and extension of existing student accommodation building to provide 25 additional study bedrooms, conference and support facilities at Florey Building, 23-24 St Clement's Street, Oxford.

The planning officer reported receipt of a late representation from East Oxford Residents' Association which did not raise new relevant matters.

Peter Collins, representing York Place Residents' Association, spoke objecting to the application.

Andrew Timms, Bursar of Queen's College, spoke in support of the application. Representatives of the architects came to the table and answered questions from the committee.

The Committee decided to include a condition for a scheme to reduce noise breakout from the new building to mitigate any impact on residents. They also agreed to include in condition 13 restrictions on delivery times to prevent disturbance to York Place from deliveries at anti-social hours.

## **Decision**

**(1) The Committee resolved to** grant planning permission for application 15/03643/FUL subject to the following conditions including those agreed at the meeting:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Material Samples in Conservation Area.
4. Landscape Plan.
5. Landscape Implementation.
6. Hard Surface Design – Tree Roots.
7. Underground Services – Tree Roots.
8. Tree Protection Plan Implementation.
9. Arboricultural Method Statement Implementation.
10. Student Accommodation – Full Time Courses.
11. Student Accommodation - No cars.
12. Student Accommodation - Out of Term Use.
13. Management Plan – including Service Management and Traffic Management Strategy and for the York Place entrance a restriction on delivery hours
14. Archaeology – WSI.
15. Travel Plan.
16. Student Travel Information Packs.
17. Cycle and Refuse Areas Provided.
18. Construction Traffic Management Plan.
19. Noise Levels as stated in Noise Assessment Report.
20. Air conditioning plant.
21. Scheme of extraction / treating cooking odours from kitchen.
22. Sustainability Statement Implementation
23. Flood Risk Assessment Recommendation Implementation.
24. Drainage Strategy.
25. Biodiversity Measures / Enhancements.
26. Development of a Servicing Plan for all uses.

27. Contaminated Land Risk Assessment.
28. Scheme to provide noise insulation to reduce noise breakout.

**(2) The Committee resolved to** grant listed building consent for application 15/03644/LBC subject to the following conditions:

1. Commencement of works LB consent.
2. LB consent - works as approved only.
3. 7 days' notice to LPA.
4. LB notice of completion.
5. Repair of damage after works.
6. Further works - fabric of LB - fire regs
7. Details stacks, plant and colours
8. Removal of historic features.
9. Internal features retained and protected.
10. Features to match.
11. Preservation of unknown features.
12. Fire doors – character.
13. Lighting.
14. Recording Written Scheme Investigation.
15. Audit of original internal features and fittings.
16. Method statement protection.
17. Further details.
18. Further works - buildings bounding site.
19. Materials samples.
20. Materials to match existing.
21. Conservation management plan.

#### **127. LAND ADJACENT TO 30A UNION ST: 15/03633/FUL**

The planning officer withdrew this application to allow for a more detailed treatment of the issues.

#### **128. 33-35 GEORGE STREET OXFORD OX1 2AY: 16/00232/CT3**

The Committee considered an application for planning permission for replacement windows and doors to the 1st, 2nd and 3rd floor rear elevation and 1st and 2nd floor side elevation at 33-35 George Street Oxford OX1 2AY.

**The Committee resolved** to approve application 16/00232/CT3 subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as proposed.
4. Details of doors and windows.

## **129. PLANNING APPEALS**

The Committee noted the report on planning appeals received and determined during February 2016.

## **130. MINUTES**

The Committee resolved to approve the minutes of the meeting held on 8 March 2016 as a true and accurate record.

Councillor Gotch was standing down at the elections in May. The Chair thanked for his help and support as Vice-Chair and wished him well.

## **131. FORTHCOMING APPLICATIONS**

The Committee noted the list of forthcoming applications including those called in but not including all major applications tabled at the meeting:

24 Rosamund Road 16/00391/FUL  
31 Charlbury Road 15/03586/FUL  
1 Richmond Road 16/00791/FUL  
16 Chester Street 16/00704/FUL  
1A Cranham Street  
31 Glebelands 16/00194/FUL  
Grove House, Iffley Turn (several applications)  
43 Observatory Street 15/003543/FUL  
26 Norham Gardens 15/01601/FUL  
54 St John Street 15/001676/FUL and 15/01677/LBC  
18 Hawkswell Gardens 15/02352/FUL  
8 Hollybush Row 15/02694/FUL  
Cooper Callas Building (15 Paradise Square) 15/02971/FUL  
29 Cranham Street 15/03641/VAR  
Oxford Spires Four Pillars Hotel, Abingdon Road 15/03524/FUL

## **132. DATES OF FUTURE MEETINGS**

The Committee noted the dates and the possibility of a meeting on 3 May to deal with a called-in application 15/03703/FUL (Hinksey culvert).

**The meeting started at 6.30 pm and ended at 8.30 pm**

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# MINUTES OF THE WEST AREA PLANNING COMMITTEE

Tuesday 3 May 2016

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

**OFFICERS PRESENT:** Fiona Bartholomew (Principal Planner), David Edwards (Executive Director City Regeneration and Housing), Michael Morgan (Lawyer), Tim Sadler (Executive Director Community Services), Jennifer Thompson (Committee and Members Services Officer) and Sophie Williamson (Environmental Policy)

## 133. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Paule submitted apologies and Councillor Coulter substituted for her.

## 134. DECLARATIONS OF INTEREST

There were no declarations.

## 135. HINKSEY CULVERT - NETWORK RAIL PROPOSED WORKS: 15/03703/FUL

The Committee considered an application for the construction of a culvert under the railway between Hinskey Drain and Hinskey Stream. (Amended Information) at the Railway, Didcot to Chester Line (Dcl) 61M 55Ch off Abingdon Road, Oxford.

The Planning Officer reported that in paragraph 33 (i) she had received confirmation that the available temporary barriers were not sufficient to protect against a 1 in 100 flood event.

Brian Durham, representing South Oxford Flood Action Group, and Judy Chipchase, local resident, spoke against the proposal.

Representing Network Rail, Joanna Grew (Senior Sponsor) and Simon Maple (Route Programme & Project Sponsor, Network Operations) spoke in support of the application. David Bedlington, from the Environment Agency, outlined the Agency's role, assessment, and the reason for their position.

Representatives from Network Rail (Paul Armitage, Shaun Merrifield, Design Engineer, Scott Pillinger, and Lisa Bullock) came to the table to answer questions from the Committee.

The Committee asked questions of the officers and speakers including: clarifying the fall-back position under permitted development rights; the impact of this and the current scheme; the general location of affected properties; safety measures to prevent drowning or accidents; on and off-site watercourse maintenance to ensure the culvert operated effectively; and whether there were any practicable additional mitigation measures. The Planning Officer advised that Network Rail could only be asked to mitigate against the additional impact of their work.

As a result the Committee agreed to add one further condition and two informatives to the permission, as set out below.

**The Committee resolved to approve** application 15/03703/FUL subject to the following conditions and with the following informatives:

1. Development begun within time limit.
2. Development in accordance with plans and documents
3. Landscape plan required.
4. Tree Protection Plan (TPP) 1.
5. Arboricultural Method Statement (AMS) 1.
6. Verification report.
7. Watching brief.
8. Archaeological WSI and MS.
9. CTMP.
10. Culvert maintenance plan.
11. Ecology Management Plan.
12. Vole survey.
13. Otter survey.
14. Invasive species.
15. Fish.
16. Warning signs - scheme to be agreed and implemented and thereafter maintained.

Informatives:

1. Network Rail be requested to all within their power to keep surrounding waterways clear of obstructions preventing the free flow of water.
2. The City Council and Network Rail to have arrangements in place to ensure there is quick access in the event of flooding risk to a suitable pump on the Abingdon Road to pump flood water away from New Hinksey.

**The meeting started at 2.00 pm and ended at 3.30 pm**