

# Agenda

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## East Area Planning Committee

Date: **Wednesday 2 November 2016**

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Time: **6.00 pm**

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

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For any further information please contact the Committee Services Officer:

**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 Democratic Services Officer know how you wish to do this before the start of the meeting.

# East Area Planning Committee

## Membership

<b>Chair</b>	Councillor Van Coulter	Barton and Sandhills;
<b>Vice-Chair</b>	Councillor David Henwood	Cowley;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Michele Paule	Rose Hill and Iffley;
	Councillor Sian Taylor	Northfield Brook;
	Councillor Ruth Wilkinson	Headington;
	Councillor Dick Wolff	St. Mary's;

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

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# AGENDA

	<b>Pages</b>
<b>1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS</b>	
<b>2 DECLARATIONS OF INTEREST</b>	
<b>3 16/02224/VAR: NORTHWAY AND MARSTON FLOOD ALLEVIATION SCHEME: PHASE 1 - VARIATION OF CONDITION 2 (PLANS) OF 16/01320/CT3</b>	13 - 20
<b>Site Address:</b> Northway Sports Ground, Maltfield Road, Oxford	
<b>Proposal:</b> Variation of condition 2 (Approved plans) of planning permission 16/01320/CT3 (Phase 1 of the Northway and Marston Flood Alleviation Scheme including installation of landscape bunds at Northway Community Field to create flood storage area, road re-profiling at Westlands Drive and Saxon Way and flood resilience measures at Oxford Boxing Academy) to enable a revised spillway location at the eastern edge of the playing field at its boundary with Maltfield Road.	
<b>Officer Recommendation:</b> to grant planning permission subject to the conditions listed:	
<ol style="list-style-type: none"><li>1. Development within time limit.</li><li>2. Approved plans.</li><li>3. SuDS drainage.</li><li>4. Details of outlet infrastructure.</li><li>5. Landscape carry out by completion.</li><li>6. Landscape hard surface - tree roots.</li><li>7. Underground services - tree roots.</li><li>8. Tree protection plan.</li><li>9. Arboricultural method statement.</li><li>10. Conservation of habitats and species.</li><li>11. Bird and bat boxes.</li><li>12. Removal of vegetation.</li><li>13. Table ramp details.</li><li>14. Construction Travel Management Plan.</li><li>15. Materials management plan.</li><li>16. Watching brief – contamination.</li><li>17. Archaeology.</li><li>18. Pitch drainage.</li><li>19. Vision splays.</li></ol>	
<b>4 16/02406/FUL: CANTERBURY HOUSE, 393 COWLEY ROAD, OXFORD, OX4 2BS</b>	21 - 36
<b>Site Address:</b> Canterbury House, 393 Cowley Road, Oxford.	
<b>Proposal:</b> Change of use of Canterbury House, Adams House and	

Rivera House from use as offices (falling within Use Class B1(a) of the 1987 Use Classes Order) to use as 48 student study rooms with ancillary facilities together with landscaping, disabled car parking, bin and cycle storage.

**Officer Recommendation:** to approve the application for the reasons below and subject to and including conditions (listed below) and the satisfactory completion of a S106 to secure a contribution to affordable housing and to delegate authority to the Head of Planning and Regulatory Services to issue the permission after the public consultation expiry date of 7 November subject to no new material issues arising before the end of that consultation.

Conditions:

1. Time – 3 years.
2. Plans – in accordance with approved plans.
3. Materials – to match.
4. Construction Traffic Management Plan – details prior to construction.
5. Contamination – validation report prior to occupation.
6. Car parking & turning – in accordance with approved plans.
7. Cycle & bin storage – further details prior to substantial completion.
8. Sustainability – details of PV's/ CHP to be submitted prior to construction.
9. Surface water Strategy & SUDS – details to be submitted.
10. Landscape plan – details of hard and soft landscape planting required; prior occupation.
11. Landscape – planting carry out after completion.
12. Details of boundary treatment prior to occupation.
13. Student Accommodation and Out of Term Use (no conference use).
14. Student Accommodation – General Management Protocol – operated in accordance with.
15. Travel Plan.
16. Travel Info Pack.
17. Students - No cars.
18. Restrict hours of use of outside amenity space; 08:00 and 21:00.
19. Biodiversity – measures for wildlife details of 8 swift boxes; prior commencement.
20. Archaeology – Photographic recording; Canterbury House; prior construction.

**5 16/02230/FUL AND 16/02231/LBC LAND ADJACENT ST GEORGE'S, 31 COWLEY ROAD, LITTLEMORE OX4 4LE**

**Site Address:** Land Adjacent St George's, 31 Cowley Road, Littlemore

**Proposals:**

**16/02230/FUL:** Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking, private amenity space and bin and cycle store.

**16/02231/LBC:** Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking, private amenity space and bin and cycle store. Repairs to boundary wall.

**Officer Recommendations:**

**16/02230/FUL:** to approve the application subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Material samples.
4. Stone boundary walls.
5. Wall junctions.
6. Further details of fenestration and roof.
7. Flue and rainwater goods.
8. Further details gates, bins and cycles.
9. Car Parking.
10. Landscape carry out by completion.
11. Landscape hard surface design - tree roots.
12. Landscape underground services - tree roots.
13. Tree Protection Plan (TPP) 2.
14. Arboricultural Method Statement (AMS) 2.
15. Biodiversity.
16. Archaeology.
17. Remove PD.
18. Phased risk assessment - land quality.
19. Validation report - land quality.
20. Drainage plans.
21. SUDS maintenance plan.

**16/02231/LBC:** to approve the application subject to the following conditions:

1. Commencement of works LB consent.
2. LBC approved plans.
3. Material samples.
4. Stone boundary walls.
5. Wall junctions.
6. Further details - fenestration & roof.
7. Flue & rainwater goods.
8. Further details - gates, storage.

**Proposal:** Erection of car port adjacent to existing dwelling and erection of garage to western boundary. Installation of new driveway gate and installation of pedestrian gate to western boundary. Insertion of 1no. window.

**Officer recommendation:** that the application is approved subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area.
4. Use of garages.
5. Railings.
6. SUDS.
7. Landscape plan required.
8. Landscape carry out by completion.
9. Landscape hard surface design - tree roots.
10. Landscape underground services - tree roots.
11. Tree Protection Plan (TPP) 2.
12. Arboricultural Method Statement (AMS) 2.
13. Trees - foundation details.

**7 16/00069/LBC: GROVE HOUSE, 44 IFFLEY TURN, OXFORD, OX4 4DU**

59 - 64

**Site Address:** Grove House, 44 Iffley Turn, Oxford

**Proposal:** Internal alterations to Grove house to create an en-suite and a bedroom and to install a new window (amended description).

**Officer recommendation:** to grant listed building consent subject to conditions:

1. Commencement of works listed building consent.
2. Listed building consent - works as approved only.
3. Further works - fabric of listed building - fire regulations.
4. Proposed window.
5. Walls/openings to match adjoining.

**8 16/02112/FUL: 16 GLEBELANDS, OXFORD, OX3 7EN**

65 - 72

**Site Address:** 16 Glebelands, Oxford, OX3 7EN

**Proposal:** Change of use of public house (Use Class A4) to 1 x 5-bed dwellinghouse (Use Class C3). Provision of car parking and private amenity space.

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

1. Development begun within time limit.

2. Develop in accordance with approved plans.
3. Details of Refuse and Cycle Storage.
4. Design - no additions to dwelling.

**9 16/00824/FUL 2 MORTIMER DRIVE**

73 - 84

**Site Address:** 2 Mortimer Drive, Oxford, OX3 0RR

**Proposal:** Erection of front and side porches and single storey rear extension. Formation of 1no. rear dormer.

**Officer recommendation:** that the application is approved subject to the following conditions:

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

**10 16/01564/FUL: 232 MARSTON ROAD, OX3 0EJ**

85 - 92

**Site Address:** 232 Marston Road, Oxford, OX3 0EJ

**Proposal:** Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4).

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

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Bin and Cycle Stores.
4. Controlled Parking Zone (CPZ).

**11 16/01522/FUL: 5 ATKINSON CLOSE, OXFORD, OX3 9LW**

93 - 98

**Site Address:** 5 Atkinson Close, Oxford, OX3 9LW

**Proposal:** Erection of outbuilding and formation of decking. (Retrospective)

**Officer recommendation:** that the application is refused for the following reasons:

1. The proposal, because of the overall extent of development that includes a garden building, raised decking and high boundary treatment, along with its elevated position and the physical form of the building, would result in a form of development that appears as a visually jarring and incongruous form of development, to the detriment of the appearance of the site and surrounding area and would be contrary to Policies CP1 and CP8 of the OLP, CS18 of the Core Strategy and HP9 of the sites and Housing Plan.

2. The proposal, because of its elevated position, large window and extensive area of decking, would result in an unacceptable increase in overlooking and perception of overlooking to adjacent properties and the gardens, which would harm the living conditions of neighbour occupiers and would be contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan 2001 - 2016 and Policy HP14 of the Sites and Housing Plan.

## 12 MINUTES

99 - 104

**Recommendation:** That the minutes of the meeting held on 12 October 2016 are approved as a true and accurate record.

## 13 FORTHCOMING APPLICATIONS

Items currently scheduled for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting. This list is not complete and applications may be added or removed.

- William Morris Close, OX4 2JX: 16/00797/OUT
- Site Of Former Shelley Arms 114 Cricket Road: 16/00679/FUL
- 16/01973/FUL: Canterbury House, 393 Cowley Road, OX4 2BS
- 16/02586/FUL: Land Adjacent To Homebase, Horspath Driftway, Oxford
- 16/02017/FUL: 14 Holyoake Road, Oxford, OX3 8AE
- 16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG
- 16/01752/FUL: Land At Swan Motor Centre And To The East Between Towns Road, Oxford
- 16/01934/RES: Jack Russell, 21 Salford Road, OX3 0RX
- 16/02005/FUL: Land Adjacent 35 Courtland Road
- 16/02002/RES: Land West Of Barton North Of A40 And South Of Bayswater Brook, Northern By-Pass Road, Wolvercote, OX3 9SD
- 16 Clive Road: 15/03342/FUL
- 16/02184/FUL: 118-120 Bulan Road
- 16/02151/CT3: 331 Cowley Road, OX4 2AQ
- 16/01945/FUL: Plot 12, Edmund Halley Road, Oxford
- 16/01225/FUL: Temple Cowley Pools, Temple Road, OX4 2EZ
- 16/01049/FUL: 474 Cowley Road, OX4 2DP
- 16/02459/FUL: 174 Old Road, Headington, Oxford, OX3 8SZ



- 16/02588/CT3: 2 To 24 Stowford Road, Oxford, OX3 9PJ
- 16/02596/CT3: 26 To 60 Stowford Road, Oxford, OX3 9PJ
- 16/02597/CT3: 55 To 89 Bayswater Road, Oxford, OX3 9PD

#### **14 DATES OF FUTURE MEETINGS**

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

7 Dec 2016  
11 Jan 2017  
8 Feb 2017  
8 Mar 2017  
5 Apr 2017  
10 May 2017

## **COUNCILLORS 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. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

### **At the meeting**

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 (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may 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.

### **Preparation of Planning Policy documents – Public Meetings**

4. 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.

### **Public requests to speak**

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

### **Written statements from the public**

6. Members of the public and councillors can send the Democratic Services Officer written statements and other material to circulate to committee members, and the

planning officer prior to the meeting. Statements and other material are accepted and circulated by noon, two working days before the start of the meeting.

7. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give 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. Any such material will not be displayed or shown at the meeting.

### **Exhibiting model and displays at the meeting**

8. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

### **Recording meetings**

9. 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 place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
10. The Council asks those recording the meeting:
  - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
  - To avoid recording members of the public present unless they are addressing the meeting.

### **Meeting Etiquette**

11. 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.
12. 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.

***Code updated to reflect changes in the Constitution agreed at Council on 25 July 2016***

East Area Planning Committee

2nd November 2016

**Application Number:** 16/02224/VAR

**Decision Due by:** 22nd November 2016

**Proposal:** Variation of condition 2 (Approved plans) of planning permission 16/01320/CT3 (Phase 1 of the Northway and Marston Flood Alleviation Scheme including installation of landscape bunds at Northway Community Field to create flood storage area, road re-profiling at Westlands Drive and Saxon Way and flood resilience measures at Oxford Boxing Academy) to enable a revised spillway location at the eastern edge of the playing field at its boundary with Maltfield Road.

**Site Address:** Northway Sports Ground Maltfield Road Oxford Oxfordshire

**Ward:** Headington Hill And Northway Ward

**Agent:** Mrs Natalie Durney-Knight

**Applicant:** Oxford City Council

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## Recommendation:

Officers recommend that the East Area Planning Committee grants planning permission subject to the conditions listed.

## Reasons for approval

- 1 The revised plans for Phase 1 of the flood alleviation scheme for which planning permission is sought are considered to achieve the same, significant public benefits as those originally approved under reference 16/01320/CT3, by reducing vulnerability and increasing resilience to known flooding events in the Northway and Marston area. As such, the proposal is considered to comply with the relevant local and national planning policies.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

## Conditions

- 1 Development within time limit
- 2 Approved plans
- 3 SuDS drainage
- 4 Details of outlet infrastructure
- 5 Landscape carry out by completion
- 6 Landscape hard surface - tree roots
- 7 Underground services - tree roots
- 8 Tree protection plan
- 9 Arboricultural method statement
- 10 Conservation of habitats and species
- 11 Bird and bat boxes
- 12 Removal of vegetation
- 13 Table ramp details
- 14 Construction Travel Management Plan
- 15 Materials management plan
- 16 Watching brief - contamination
- 17 Archaeology
- 18 Pitch drainage
- 19 Vision splays

### **Principal Planning Policies:**

#### Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP22** - Contaminated Land
- SR2** - Protection of Open Air Sports Facilities
- SR5** - Protection of Public Open Space
- NE11** - Land Drainage & River Engineering Works
- NE15** - Loss of Trees and Hedgerows
- NE21** - Species Protection
- HE2** - Archaeology

#### Core Strategy

- CS11\_** - Flooding
- CS12\_** - Biodiversity
- CS18\_** - Urban design, town character, historic environment
- CS19\_** - Community safety
- CS21\_** - Green spaces, leisure and sport

### **Public Consultation**

#### Statutory Consultees

- Oxfordshire County Council (Transport)

No objection, conditions recommended

- Oxfordshire County Council (Lead Local Flood Authority)

No objection

- Thames Water Utilities Limited

No comments received

- Sport England:

No objection

### Third Parties

No comments received

### **Officers Assessment:**

### **Background to proposals**

1. Planning permission for Phase 1 of the Northway and Marston Flood Alleviation Scheme (FAS) was granted by the East Area Planning Committee under reference 16/01320/CT3 in July 2016. This proposed a flood storage area within Northway Sports Ground enclosed by bunds.
2. The approved scheme included a spillway in the western corner of the site to manage the risk of the flood storage area overtopping. Such overtopping was assessed as being very low risk.
3. This application seeks permission to alter the approved plans so that the spillway can be relocated from the western corner of the sports ground to the eastern side onto Maltfield Road. A small alteration to the position of the vehicle access from Copse Lane is also included in the revised plans.
4. Officers consider the principal determining issues for the variation of the approved scheme to be:
  - Flooding and drainage
  - Highways and transport

### **Flooding and drainage**

5. A revised flood risk assessment has been submitted, as well as drawings showing the proposed location of the 40-metre-long spillway. In the event of the flood storage area within the sports ground overtopping the embankments, the flows would be directed onto Maltfield Road, which is a flood flow route within the overall FAS. The spillway will be simply be formed by a lowering of the height of

the embankment along this 40-metre stretch.

6. The application is located in flood zone 1 and is in relation to surface water, therefore the Environment Agency is not a statutory consultee and has not provided any comments in response to the consultation. The Lead Local Flood Authority is the statutory consultee and it has raised no concerns over the revised scheme. Thames Water raised no objection to the originally approved scheme, 16/01320/CT3, and was consulted on this variation application, but has made no comment.
7. Officers and the Lead Local Flood Authority are satisfied with the details provided with the application and consider that the revised scheme will achieve its objective of attenuating flood risk in accordance with policy CS11 of the Oxford Core Strategy 2011-2016.

### **Highways and transport**

8. The Highways Authority has not raised concerns about the impact of the new spillway on the public highway. The repositioning of the access from Copse Lane is a minor change and the Highways Authority is satisfied with the pedestrian and vehicular visibility splays. A condition is recommended to ensure the visibility splays are retained.
9. Officers consider that the proposal is acceptable in highway and transport terms and would comply with policy CP1 of the Oxford Local Plan 2001-2016.

### **Conclusion:**

10. The revised plans for Phase 1 of the FAS are considered to achieve the same, significant public benefits as those originally approved, by reducing vulnerability and increasing resilience to known flooding events in the Northway and Marston area.
11. Officers recommend that the East Area Planning Committee grants planning permission subject to the conditions listed.

### **Human Rights Act 1998**

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

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



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

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

**Background Papers:** 16/02224/VAR

**Contact Officer:** Nadia Robinson

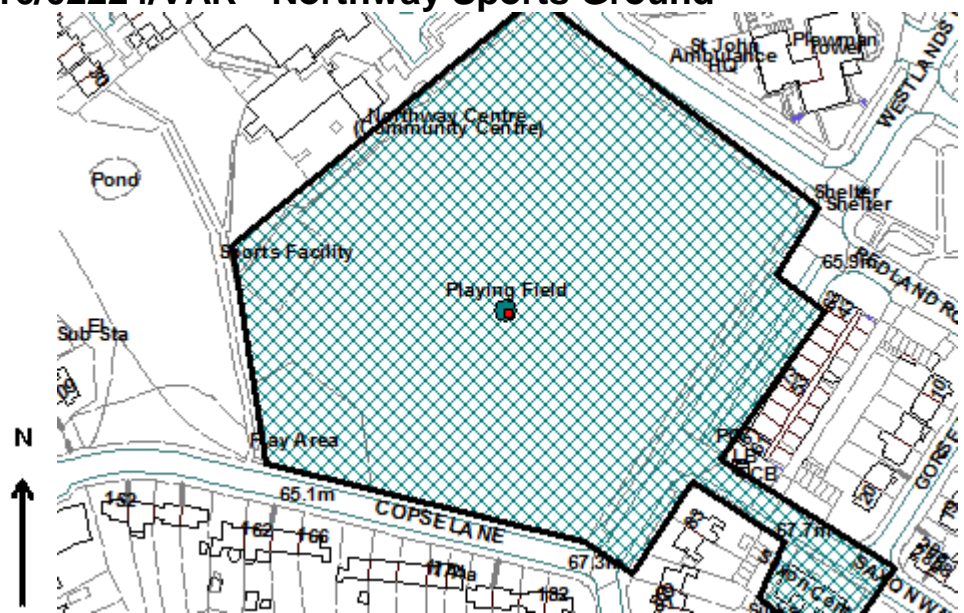
**Extension:** 2697

**Date:** 18th October 2016

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# Appendix 1

## 16/02224/VAR - Northway Sports Ground



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Ordnance Survey 100019348

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East Area Planning Committee

2nd November 2016

**Application Number:** 16/02406/FUL

**Decision Due by:** 28th November 2016

**Proposal:** Change of use of Canterbury House, Adams House and Rivera House from use as offices (falling within Use Class B1(a) of the 1987 Use Classes Order) to use as 48 student study rooms with ancillary facilities together with landscaping, disabled car parking, bin and cycle storage.

**Site Address:** Canterbury House 393 Cowley Road Oxford, Site Plan  
**Appendix 1**

**Ward:** Cowley Marsh Ward

**Agent:** Mr Simon Sharp

**Applicant:** A2 Dominion Homes And  
Cantay Estates Ltd

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## Recommendation:

East Area Planning Committee is recommended to approve the application for the reasons below and subject to and including conditions and the satisfactory completion of a S106 to secure a contribution to affordable housing and to delegate authority to the Head of Planning and Regulatory Services to issue the permission after the public consultation expiry date of 7<sup>th</sup> November subject to no new material issues arising before the end of that consultation.

### Reasons:

- 1 The proposed development provides student accommodation in a sustainable and appropriate location that preserves the special character and appearance of Canterbury House which is a non-designated heritage asset and the street scene. There would be no harm to adjoining neighbours. The proposal accords with the Policies contained within the Local Development Framework and NPPF.
2. Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

### Conditions:

1. Time – 3 years
2. Plans – in accordance with approved plans

3. Materials – to match
4. Construction Traffic Management Plan – details prior to construction
5. Contamination – validation report prior to occupation
6. Car parking & turning – in accordance with approved plans
7. Cycle & bin storage – further details prior to substantial completion
8. Sustainability –details of PV's/ CHP to be submitted prior to construction
9. Surface water Strategy &SUDS – details to be submitted.
- 10.Landscape plan – details of hard and soft landscape planting required; prior occupation
- 11.Landscape – planting carry out after completion
- 12.Details of boundary treatment prior to occupation
- 13.Student Accommodation and Out of Term Use (no conference use)
- 14.Student Accommodation – General Management Protocol – operated in accordance with
- 15.Travel Plan
- 16.Travel Info Pack
- 17.Students - No cars
- 18.Restrict hours of use of outside amenity space; 08:00 and 21:00
- 19.Biodiversity – measures for wildlife details of 8 swift boxes; prior commencement;
- 20.Archaeology – Photographic recording; Canterbury House; prior construction

#### **Legal Agreements:**

S106 to secure affordable housing contribution

Note: The County requested a contribution towards a Controlled Parking Zone however this is covered under CIL.

#### **CIL:**

The development is liable for CIL: £86,265.65

#### **Main Local Plan Policies:**

##### **Oxford Local Plan 2001-2016 (OLP)**

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP9** - Creating Successful New Places

**CP10** - Siting Development to Meet Functional Needs

**CP18** - Natural Resource Impact Analysis

**TR3** - Car Parking Standards

**TR4** - Pedestrian & Cycle Facilities

##### **Core Strategy (CS)**

**CS2\_** - Previously developed and greenfield land

**CS9\_** - Energy and natural resources

**CS10\_** -Waste and Recycling

**CS11\_** Flooding

**CS12\_** - Biodiversity

**CS13\_** - Supporting access to new development

- CS18\_** - Urban design, town character, historic environment
- CS19\_** - Community safety
- CS22\_** - Level of housing growth
- CS24\_** - Affordable housing
- CS25\_** - Student accommodation
- CS28\_** - Employment sites

### **Sites and Housing Plan (SHP)**

- MP1** - Model Policy
- HP5\_** - Location of Student Accommodation
- HP6\_** - Affordable Housing from Student Accommodation
- HP9\_** - Design, Character and Context
- HP11\_** - Low Carbon Homes
- HP12\_** - Indoor Space
- HP13\_** - Outdoor Space
- HP14\_** - Privacy and Daylight
- HP15\_** - Residential cycle parking
- HP16\_** - Residential car parking

### **Other Material Considerations:**

- Affordable Housing and Planning Obligations SPD
- Natural Resource Impact Analysis SPD
- Parking Standards, Transport Assessments and Travel Plans SPD
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

15/02542/OUT - Change of use of Canterbury House, Adams House (Block B) and Rivera House (Block C) from Class B1 Business use to 36 student study rooms with ancillary facilities. Outline application (seeking access, layout and scale) for 3 storey building (Block A) to provide 24 student study rooms with ancillary facilities.(amended plans)(additional info). Approved 12th July 2016

### **Relevant Site History:**

Relevant planning history at the site is set out below:

00/01326/NOY - Demolition of depot building, offices, hostel/social club and ancillary buildings. Outline application for residential development of 227 dwellings (houses and flats) and 287 parking spaces: 2,322m<sup>2</sup>, managed business space (starter units) and associated parking. Provision of 1.52 acres grassland area adjoining Barracks Lane. Closure of 1 vehicular access to Cowley Road and alterations to second vehicular access. Extension of Saunders Road into site, new vehicular accesses between 17 and 18 Saunders Road. Provision of vehicular access to Glanville Road (means of access only). Approved: 6th August 2002.

00/01327/NOY- Demolition of depot building, offices, hostel/social club and ancillary buildings. Outline application for residential development of 227 dwellings (houses and flats) and 287 parking spaces: 2,322m<sup>2</sup>, managed business space (starter units) and associated parking. Provision of 1.52 acres grassland area adjoining Barracks Lane. Closure of 1 vehicular access to Cowley Road and alterations to second vehicular access. Extension of Saunders Road into site, new vehicular accesses

between 17 and 18 Saunders Road. Provision of vehicular access to Glanville Road (means of access only). Withdrawn: 2nd August 2002.

09/01201/OUT - Outline application (seeking access and layout) for the erection of 2,092m<sup>2</sup> of class B1 floorspace for start up businesses plus 106 student study rooms in 5 blocks on 2, 3 and 4 levels (including the retention and incorporation of Canterbury House). Provision of 28 car parking spaces accessed off Reliance Way, and 3 car parking space off Glanville Road, cycle parking and landscaping. Approved: 17th March 2010.

11/01150/RES - Reserved matters of planning permission no. 09/01201/OUT (for 2,092m<sup>2</sup> of class B1 Business floor space and 106 student study rooms), seeking approval of appearance of block B and C and of the student accommodation block. Approved: 12th August 2011.

11/02386/VAR - Variation of condition No. 7 of planning permission 09/01201/OUT for Class B1 business use and student accommodation to allow occupation and student accommodation by full time student attending courses of one Approved: 1st February 2012.

12/00457/VAR - Application to vary condition 2 of planning permission 09/01201/OUT and condition 1 of planning permission 11/01150/RES to allow a revised commercial parking layout. Approved: 1st June 2012.

11/01150/NMA- Application for a non-material minor amendment to planning permission 11/01150/RES involving alterations to Commercial Buildings B and C. Approved: 25th June 2012.

13/01925/B56 - Application for prior approval for change of use from offices (use class B1(a)) to 3 x 1-bed and 13 x 2-bed dwellings (use class C3). Refused: 11th September 2013.

13/02673/B56 - Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 16 dwellings (3 x 1-bed and 13 x 2-bed). Prior approval required and refused 13th November 2013, allowed at appeal and later quashed by the courts. Appeal subsequently withdrawn.

15/00360/B56 - Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 3 x 1-bed and 1 x 2-bed flats. This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts and contamination and flooding risks. Approved on Appeal 8<sup>th</sup> December 2015.

14/03204/OUT - Outline planning permission (all matters reserved) was sought for the demolition of the existing office accommodation at Rivera House and Adams House and the construction of up to 98 student study rooms with provision for disabled car parking. Dismissed on appeal on grounds of, amongst other things, relating to impact and proximity to the non-heritage asset of Canterbury House, impact on street scene and inadequate (quality/ amount of) amenity space in relation



to both student accommodation and flats. However, loss of employment use for the whole of the site accepted by Inspector. Dismissed 8<sup>th</sup> December 2015.

15/00597/OUT - Outline planning permission (access, layout and scale) was sought for the erection of a four-storey building consisting of 4 x 1 bedroom and 4 x 3 bedroom flats including amenity space, car parking and waste storage. Dismissed on appeal on grounds of, amongst other things, relating to impact and proximity to the non-heritage asset of Canterbury House, impact on street scene and inadequate (quality/ amount of) amenity space in relation to both student accommodation and flats. However, loss of employment use for the whole of the site accepted by Inspector. Dismissed 8<sup>th</sup> December 2015.

15/02542/OUT - Change of use of Canterbury House, Adams House (Block B) and Rivera House (Block C) from Class B1 Business use to 36 student study rooms with ancillary facilities. Outline application (seeking access, layout and scale) for 3 storey building (Block A) to provide 24 student study rooms with ancillary facilities.(amended plans)(additional info). Approved 12th July 2016.

16/01226/FUL - Change of Use of Canterbury House, Adams House and Rivera House from Class B1(a) office use to 38 student study rooms and ancillary facilities. Erection of a part two and half, part three storey building to provide 22 further student rooms and ancillary facilities.. Withdrawn 8th June 2016.

16/01973/FUL: Change of use of Canterbury House, Adams House and Rivera House from Class B1(a) office use to 48 student study rooms and ancillary facilities. Full planning permission for the erection of a three storey building to provide 30 further student rooms and ancillary facilities. Pending consideration.

### **Public Consultation:**

**The period for consultation expires on 7<sup>th</sup> November; any further comments will be reported verbally to committee. Delegate to Head of Planning and Regulatory Services to issue the permission after the public consultation expires on 7<sup>th</sup> November on the basis that any new public representations received do not raise new material issues.**

### **Neighbours:**

One objection received from the owner of 391 Cowley Road adjacent regarding location of the bins store and collection points, noise from moving bins for collection etc. and smell in close proximity to the property.

### **Statutory Consultees:**

Thames Water: *Waste Comments*: Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. *Surface Water Drainage*: With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and

combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. *Water Comments:* On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Natural England: Statutory nature conservation sites – no objection: Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Iffley Meadows and Lye Valley SSSI's have been notified. We therefore advise your authority that these SSSI's do not represent a constraint in determining this application.

Highways Authority: No objection subject to conditions relating to Travel Info Pack, Travel Plan, SUDs, Student Accommodation Management Plan, Parking and Turning Space in Accordance with Specified Plan, Students no cars to Oxford, No out of term conference use, Construction Traffic Management Plan.

#### **Officers Assessment:**

#### **Application Site & Background:**

1. The application site comprises part of what was formerly the Oxford Bus depot and lies along the north-eastern side of Cowley Road on the corner of Reliance Way. To the southeast and east lie the modern residential properties of Reliance Way on the rest of the former bus depot. It is approximately midway along Cowley Road between The Plain at one end and Cowley District Centre at the other. Its location is such that it is not located within any of the City's designated transport district areas. However it is well served by public transport and close to supermarket amenities.
2. The site comprises 3 existing buildings: the Victorian Canterbury House which although vacant has permission to change to residential use under the recent appeal decision (15/00360/B56). It was once formerly both the home and studio of renowned Oxford photographer Henry Taunt and is a non-designated heritage asset. To the north of the site are the vacant office buildings of Adams House and Riviera House. To the front of the site is a vacant building plot adjacent to the Cowley Road.
3. Approval was granted earlier this year under a hybrid application for full permission for conversion of these three existing buildings and outline for a new building (on the vacant road frontage plot) for student accommodation comprising a total of 60 student study bedrooms with ancillary facilities, landscaping, bin and bicycle storage, 3 disabled car parking spaces and a new pedestrian access into the site from Cowley Road (15/02452/OUT refers). This is a material consideration in determination of this case.

## Description of Proposed Development:

4. This application is solely for the conversion of the existing buildings Canterbury House, Adams House and Riviera House to provide a total of 48 student study bedrooms with ancillary facilities, landscaping, bin and bicycle storage, 3 disabled car parking spaces access into the site from Reliance Way. This would result in an increase of 12 student rooms over and above that previously approved in respect of those buildings under 15/02452/OUT as flows:

<u>Approved</u>	<u>Proposed</u>
Canterbury house: 10 rooms	12 rooms; an increase of 2 rooms
Adams House: 13 rooms	18 rooms; an increase of 5 rooms
Riviera House: 13 rooms	18 rooms; an increase of 5 rooms
<b>Total: 36 rooms</b>	<b>Total: 48 rooms</b>

5. The proposal also involves minor alterations to the fabric of these buildings including alteration, relocation and bricking up of certain windows, and the provision of PV's on the roofs of Adams House and Riviera House. In other respects the proposal is the same as previously approved e.g. access(es), parking layout, cycle parking location, bins store/ collections points.
6. Officers' consider the principal determining issues in this case are:
  - Principle of Loss of Employment Site;
  - Quantity & Quality of Student Accommodation
  - Appearance
  - Affordable Housing;
  - Access and Parking;
  - Impact on Neighbouring Amenity;
  - Energy efficiency;
  - Flood risk;
  - Ecology;
  - Trees/Landscaping;
  - Land contamination;
  - Archaeology.

## Principle of Loss of Employment Site:

7. The loss of employment use for the whole of the site (i.e. existing office blocks of Adams House & Riviera House, the vacant road frontage site and Canterbury House) was accepted in the determining and approval of the previous hybrid application 15/02542/OUT in July this year following the Appeal decision on the previous appeals (14/03204/OUT, 15/00597/OUT. & 15/00360/B56 refer).
8. The previous permission 15/02542/OUT is therefore a material consideration in this case and represents a fall-back position. Officers therefore advise

Committee that the loss of employment use, for the reasons set out in those earlier decisions, is also considered acceptable in this case. Consequently the change of use of the existing office buildings Adams House, Riviera House & Canterbury House to residential use is considered acceptable under CS28 of the CS.

**Quantity and Quality of student accommodation:**

9. Policy CP6 of the Local Plan seek to ensure efficient use of Land and appropriate density relative to the site and its context. Policy CS25 of the Core Strategy encourages the provision of high quality purpose-built student accommodation buildings that do not significantly harm the amenity enjoyed by local residents. The policy also states that the Council will seek appropriate management controls to restrict students from bringing cars to Oxford through the imposition of appropriate conditions or planning obligations. Policy HP5 of the SHP and its supporting text at paragraph A2.35 requires student accommodation development of the size proposed to provide both communal indoor and outdoor space that ensures occupants have space to gather, socialise and hold events.
10. The development would result in an increase in 12 rooms over that previously approved and has been achieved by re-working the layout; reducing the size of the study bedrooms which were generous in size and showed double beds. Each now provides for a single bed and occupant with enough space for an ensuite and desk etc. Also in Adams and Riviera Houses a kitchen/ common room is provided on each floor. In this case the outdoor space is for 48 rooms and would be a decent amount of space, and in the absence of a building on the vacant plot, would be 10% of the overall site area in accordance with Policy HP5(e) of the SHP.
11. It is considered that the development makes more efficient use of the existing space and would still provide adequate size bedrooms, kitchen/ common rooms and outdoor space. Furthermore, an increase in 12 rooms would have relatively little impact on overall student numbers on this site (excluding the vacant element to the front which is being considered under a separate application). The proposal is therefore considered to accord with policies CP6 of the OLP, HP5 of the SHP and CS25 of the CS.

**Appearance:**

12. Local Plan policies CP1, CP6, CP8, CP9 and CP10 together seek to secure high quality, efficient, contextually appropriate, successful and functional development. Core Strategy policies CS18 and C19 reinforce those objectives and seek to protect the value of heritage assets.
13. The proposal would involve the bricking up of several windows in Adams House and Riviera House and some relocated and new windows in Canterbury House. It is proposed to use matching materials. It is considered that these changes would not be harmful to the character and appearance of

these buildings or the non-designated heritage asset, and as such accord with the above policies. A condition would ensure materials to match.

### **Affordable Housing:**

14. Policy HP6 of the SHP requires student accommodation providing 20 or more bedrooms to make a financial contribution towards off-site provision of affordable housing in the interests of creating mixed and balanced communities. The applicant has indicated that in the event of an approval, they would be willing to enter in to a legal agreement to secure such a contribution in accordance with HP6 of the SHP.

### **Access & Parking:**

15. The new pedestrian access and four car parking spaces is as previously approved and is adequate in this sustainable location with good bus services. Students will be required not to bring cars to Oxford, HP16 of the SHP refers, and the Applicant confirms this would be the case in their submitted General Management Protocol, which can be secured via condition. This protocol also sets out how drop off and pick up at terms times will be managed (also secured via condition). The HA also state that out of terms use as a conference accommodation is not suitable in this location due to the limited parking on site and pressure for parking in the surround streets. This is considered reasonable and can be secured by condition also.
16. 60 secure and covered cycle parking spaces are proposed in two areas towards the back of the development which exceeds the minimum set out in HP15 of the SHP. Further details of their appearance can be secured via condition.
17. The proposal accords with Policies HP14 & HP15 of the SHP and CS25 of the CS.

### **Impact on Neighbouring Amenity:**

18. Policies CP1 and CP10 of the Local Plan require new development to adequately safeguard neighbouring amenity. Policies CP19 and CP21 of the Local Plan resist development where it would result in unacceptable noise and disturbance for neighbouring residents. The supporting text to Policy HP5 of the SHP recognises the problems that large numbers of inappropriately sited student rooms can have, given the increased activity on quieter residential streets. It also recognises that student accommodation can have an adverse impact on the character of residential areas when inappropriately sited. The supporting text to Policy CS25 of the Core Strategy states that there should be no unacceptable impact on amenity for local residents.
19. Policy HP5 seeks to concentrate non-allocated new student accommodation on existing academic sites, in city/district centres or along main thoroughfares which includes Cowley Road. This is to prevent speculative student accommodation developments taking place in residential areas which can

have a significant impact on the character of an area and the quiet enjoyment of surrounding homes.

20. The principle of 60 student bedrooms has been accepted on this site. It should be noted that the floor plans of the previous approval for these buildings show double bedrooms and there would be the potential for double occupation and therefore more students. It is considered therefore that there would be no significant increase in harm to neighbouring residential amenities in terms of noise and disturbance from 12 additional rooms within these buildings, amounting to 48 in total. The site is to be operated by A2 Dominion (joint applicant) who have their Head Office and other student accommodation nearby at Chapel Street. In addition, they have submitted a General Management Protocol which includes, amongst other things, details of how students will be staffed/ managed, arrival/ departures at term time, and restriction on use of the courtyard after 9pm for access purposes only (as previously conditioned under 15/02542/OUT).
21. An objection has been received from the owner of 391 Cowley Road adjacent regarding location of the bins store and collection points and noise (from moving between them) and smell have been taken into account. The locations of refuse bins and collection points are as previously approved within the site in order to satisfy the County requirements for collection (min 30m from the highway). Other locations were considered in previous application and this was the only acceptable. The submitted General Management Protocol states that bins will be carefully managed via a collection contract with the City Council at pre-arranged times and accessed from the Cowley Road via the new pedestrian access. It is considered that the agreed collection times and careful management of the site by A2 Dominion would reduce the potential for noise impact caused by moving bins. Whilst no details are submitted of the appearance of the bins storage or bins, they are required to be covered which would eliminate smell issues and again careful by the operator A2 Dominion would reduce potential for harm to the neighbour's amenities, bearing in mind they have already been approved in this location.
22. It is considered that a condition ensuring the accommodation is occupied and managed in accordance with General Management Protocol would enable effective on-site management of the students in all regards in accordance with policies CP1, CP10, CP19, CP21 of the OLP, HP5 of the SHP and CS25 of the CS.

### **Energy Efficiency:**

23. Policy CS9 of the Core Strategy requires all developments to minimise their carbon emissions and are expected to demonstrate how sustainable design and construction methods would be incorporated. Policy HP11 of the SHP is specified to residential development including student accommodation and requires developments of this size to generate at least 20% of its total energy use through on-site renewable energy generation unless not feasible or financially viable.

24. An energy statement has been submitted and includes the location of PV panels on the roofs of Adams House and Riviera House, and the potential alternative provision of CHP, in order to achieve the 20% renewables in accordance with CS9. Further details of these measures could be secured by way of a planning condition.

#### **Flood Risk:**

25. Policy CS11 of the Core Strategy reflects national policy in the NPPF by resisting development that increases flood risk. A Flood Risk Assessment has been submitted as this is a more vulnerable use (residential) within an area of with in Flood Zone 1 (low risk of flooding). The FRA concludes that there would not be an unacceptable risk from fluvial flooding; the development would not increase risk of flooding elsewhere; and would employ a surface water drainage strategy based on SUDs to ensure the development would meet the minimum reduction in surface water runoff for brownfield sites and store the balance of water for all events up to and including 1 in 100 year event allowing for a 30% increase in rainfall as a result of climate change. The surface water drainage strategy based on SUDs can be secured via condition, as before, in accordance with Policy CS11 of the CS.

#### **Ecology:**

26. It is very unlikely that the proposed development would have an adverse impact on protected species. However, policy CS12 of the Core Strategy reflects the Council's statutory duties to give due regard to the need to enhance biodiversity when carrying out its functions. A development of the size proposed could make a meaningful contribution towards providing an improved habitat for swifts and so, if approved, a condition should be imposed requiring at least 8 swift boxes to be installed on the buildings in locations to be agreed first by the Council.

#### **Trees/Landscaping:**

27. The site is currently barren with no vegetation of note that would be affected by the proposed development. A landscape plan has been submitted showing tree planting & lawn along the Cowley Road frontage and lawn, shrub and tree planting within the site. The plan is acceptable in on the whole however further details are required of proposed tree and shrub species/ size and tree pits/ raised beds etc. These details can be secured by condition in accordance with the requirements of policy CP11 of the Local Plan.

#### **Land Contamination:**

28. A Contaminated Land Assessment has been submitted. This assessment outlines the remedial measures taken during the redevelopment of the site for commercial end use, and provides an updated conceptual site model for the proposed change of use to residential. No risks are identified as significant for a residential end use, and it is proposed to mitigate any risks from soft landscaped areas by the provision of a 300mm clean capping layer underlain

by a geotextile membrane. Verification measures are outlined in the assessment including photographic evidence of the depth of cover system and certification that the imported material is clean.

29. Appendix 2 contains correspondence with the local authority, which states that any excavated materials from the proposed new building will be removed from site and the duty of care documentation will be provided as verification.
30. Officers agree with this updated assessment and to secure the validation requirements a full validation report should be submitted and approved by the Council and secured by condition in accordance with CS22 of the CS.

**Archaeology:**

31. This application is of interest because it involves works to a Victorian town house associated with the prominent local photographer Henry Taunt and is a non-designated heritage asset for that reason. Therefore, bearing in mind the small scale of the proposed works to Canterbury House, an archaeological requiring building recording should be imposed to mitigate any harm on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Victorian building detail, resulting in accordance with HE.2 of the OLP.

**Conclusion:**

- In light of the recent approval for change of use of these building to student accommodation under 15/02542/OUT, and for the reasons set out in the report above Officers' recommend East Area Planning Committee approved the application subject to and including conditions and the satisfactory completion of a S106 to secure a contribution to affordable housing and to delegate authority to the Head of Planning and Regulatory Services to issue the permission after the public consultation expiry date of 7<sup>th</sup> November subject to no new material issues arising before the end of that consultation.

**Human Rights Act 1998**

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

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

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



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

**Background Papers:** 15/02542/OUT & 16/02406/FUL

**Contact Officer:** Felicity Byrne

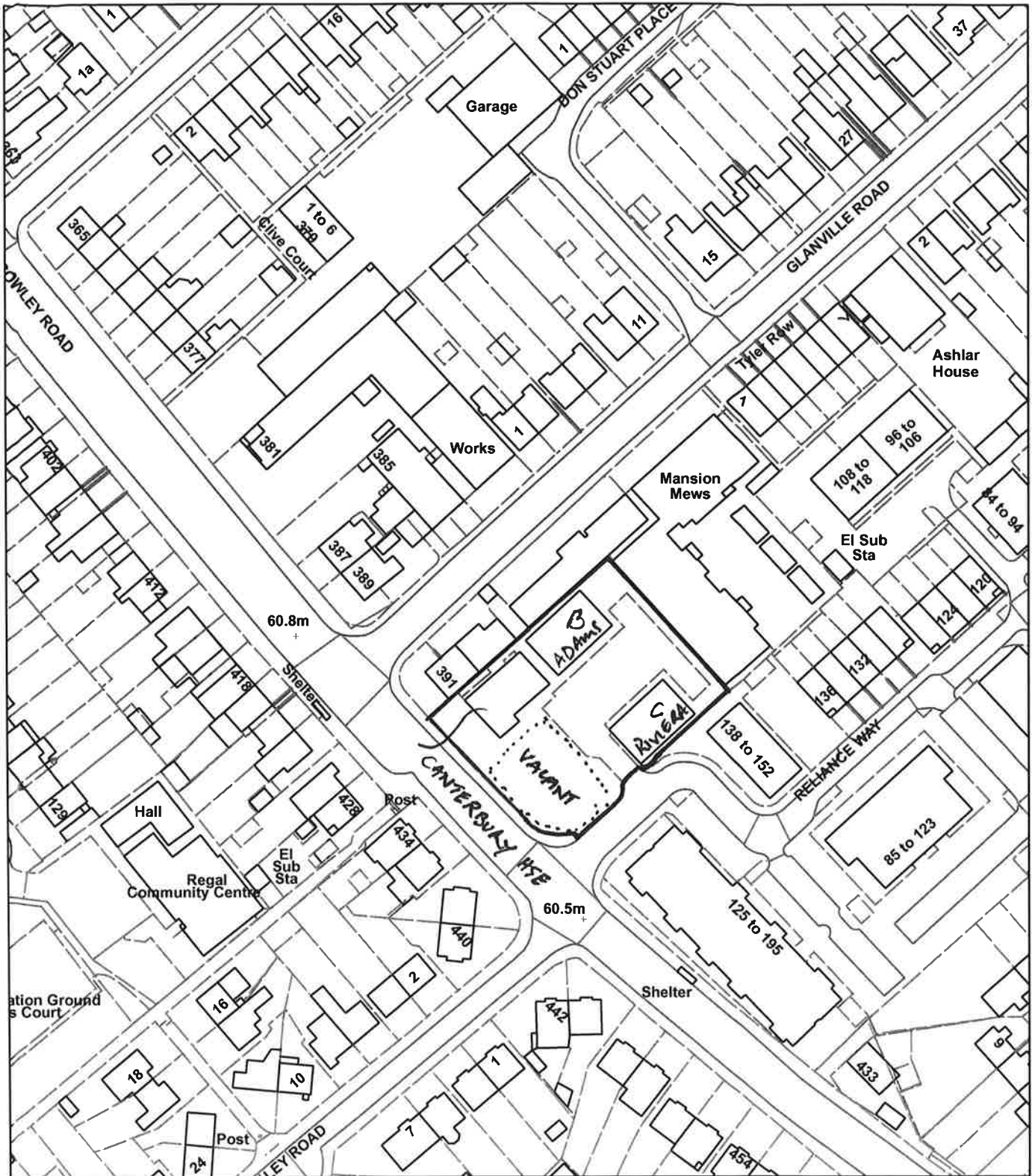
**Extension:** 2159

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

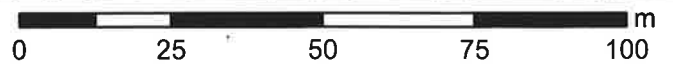
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# Appendix 1

## Canterbury House, Adams House, Riviera House, Cowley Road



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Ordnance Survey 100019348.



Oxford City Council

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**East Area Planning Committee**

**2nd November 2016**

**Application Numbers:** 16/02230/FUL & 16/02231/LBC

**Decisions Due by:** 19th October 2016

**Proposals:** 16/02230/FUL: Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking, private amenity space and bin and cycle store.

16/02231/LBC: Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking, private amenity space and bin and cycle store. Repairs to boundary wall.

**Site Address:** Land Adjacent St George's 31 Cowley Road Littlemore –  
**see Appendix 1**

**Ward:** Littlemore Ward

**Agent:** Mr Robert Di Carlo

**Applicant:** Mr & Mrs Carla Shelenko & Jonathan lee

**Application Called in –** by Councillors – Tanner, Fry, Simm and Clarkson for the following reasons – concern about the detail and local impact on Littlemore Conservation Area.

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## **Recommendations:**

### 16/02230/FUL

Officers recommend that the East Area Planning Committee approves the application for the following reasons:

- 1 The development makes best use of existing brownfield land, contributing towards meeting the City's housing need, whilst responding appropriately the setting of the Grade II Listed Farmhouse and Conservation Area in terms of design, form and materials and would not appear harmful. Whilst the loss of trees would be harmful, their loss in order to secure the future of the listed curtilage wall is considered justified in this instance and can be mitigated in the long term by replanting of trees. In relation to neighbours it is considered that there would be no significant detrimental impact on residential amenities in terms of daylight, sunlight, outlook or overlooking in this case.
- 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.

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 Material samples
- 4 Stone boundary walls
- 5 Wall junctions
- 6 Further details of fenestration and roof
- 7 Flue and rainwater goods
- 8 Further details gates, bins and cycles
- 9 Car Parking
- 10 Landscape carry out by completion
- 11 Landscape hard surface design - tree roots
- 12 Landscape underground services - tree roots
- 13 Tree Protection Plan (TPP) 2
- 14 Arboricultural Method Statement (AMS) 2
- 15 Biodiversity
- 16 Archaeology
- 17 Remove PD
- 18 Phased risk assessment - land quality
- 19 Validation report - land quality
- 20 Drainage plans
- 21 SUDS maintenance plan

16/02231/LBC

For the following reasons:

- 1 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.

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

- 1 Commencement of works LB consent
- 2 LBC approved plans
- 3 Material samples
- 4 Stone boundary walls
- 5 Wall junctions
- 6 Further details - fenestration & roof
- 7 Flue & rainwater goods
- 8 Further details - gates, storage

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- NE14** - Water and Sewerage Infrastructure
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- NE21** - Species Protection

### **Core Strategy**

- CS2\_** - Previously developed and greenfield land
- CS10\_** - Waste and recycling
- CS11\_** - Flooding
- CS12\_** - Biodiversity
- CS18\_** - Urban design, town character, historic environment
- CS23\_** - Mix of housing

### **Sites and Housing Plan**

- 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

### **Other Material Considerations:**

The development is affecting a Grade II Listed Building.  
This application is in or affecting the Littlemore Conservation Area.  
National Planning Policy Framework  
Planning Practice Guidance

### **Relevant Site History:**

14/00464/FUL - Erection of 1 x 2-bed dwellinghouse (Use Class C3). Provision of car parking and private amenity space. Withdrawn 9th June 2014.

15/00689/FUL - Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking and private amenity space. Approved 8th May 2015.

15/00690/LBC - Erection of 1 x 3-bed dwelling (Use Class C3). Provision of car parking and private amenity space. Repairs to boundary wall. Approved 7th May 2015.

16/01369/CAT - Fell 2No. Sycamore Trees in the St. Clement's And Iffley Road Conservation Area. Raise no objection 15th June 2016.

### **Representations Received:**

31 Cowley Road: support. The proposal addresses issues not covered by the extant permission, in particular the levels and dimensions of the site, a roof height that is closer to that of the original historic coach house, more practical parking arrangement, surviving elements of the grade 2 listed property associated with this site are incorporated.

### **Statutory Consultees:**

Highways Authority: no objection, condition recommended

Littlemore Parish Council: no objection

### **Issues:**

Principle of development  
Design, character and heritage  
Residential amenity  
Impact on neighbours  
Parking  
Trees  
Archaeology  
Drainage  
Biodiversity  
Land quality

### **Officers Assessment:**

#### Site description

1. The site lies on the western side of the Cowley Road in Littlemore and forms part of the original curtilage of the St George's, which is a grade II listed farmhouse. In the past this was an orchard and had mill and stable buildings in it, although



nothing remains of them except for the boundary walls. Planning permission was granted for the subdivision of St George's into two residential units. The site is separated from these houses by the joint access and car parking for the houses.

2. Planning permission was granted under reference 15/00689/FUL for the erection of a 3-bedroom house, and this permission is extant. Since that time, the site has been purchased and the new owner is seeking to make alterations to the approved scheme.

### Proposal

3. The principal differences between the proposal and the approved scheme are as follows:
  - Corrections to survey of ground levels and of ridge heights of properties in Swinbourne Road and St George's farmhouse
  - Increase in overall base to ridge height of 300mm
  - Slightly enlarged footprint, moving the north elevation wall forward to accommodate a larger entrance hall
  - Insertion of flue
  - Insertion of conservation-type rooflights to west and north roof slopes
  - Alterations to fenestration on south elevation to include French doors
  - Relocated parking spaces and bike store and reconfiguration of the proposed surrounding wall
  - Installation of new gates
  - The repair and reconstruction of the stone wall along the west boundary
4. A small alteration to the location of the western boundary wall was made during the course of the application. This was to reflect the location of the original wall and moves the wall away slightly from properties in Swinbourne Road.

### Principle of development

5. The principle of development has been established through the approval of application 15/00689/FUL. The application is liable for the Community Infrastructure Levy.

### Design, character and heritage

6. The new house has been designed to read as an ancillary stable/farm building to the former farmhouse of St George's. The external changes proposed to the original scheme are minor and are not considered to alter this reading of the new house in relation to St George's. The larger openings on the south elevation have dimensions that read as barn door openings. The gates proposed are set back from the existing and are in a simple metal farmyard design appropriate for the location. The flue proposed has been located away from the street elevation and will not be visually obtrusive.
7. The proposed materials are broadly similar to those already approved and it is recommended that samples be required by condition, together with further joinery

and design details, to ensure appropriate materials are used and the development is executed to an appropriate high quality, given the sensitive location.

8. Both the car and bike parking and the bin store would be enclosed by a 1600mm high stone wall, no higher than the existing listed wall. This is not considered to have a harmful impact and would be in-keeping with the farmhouse aesthetic. The bike and bin stores are small in scale and details would be required by condition.
9. The proposal to reconstruct the western boundary stone wall is a welcomed improvement to the site, which would enhance the character and appearance of the conservation area and the setting of the listed building. A sample panel of stonework has been constructed on the site demonstrating the construction, materials, and overall finish and appearance for the proposed stone wall repairs and constructions on the site. This sample panel is considered appropriate and as such it is recommended that a condition is applied requiring the works to be carried out in accordance with this sample panel.
10. The applicant has undertaken a detailed survey of the levels within the site and of the surrounding buildings; these measurements differ from those submitted with the originally approved application. The surrounding buildings are in fact higher than was previously understood – the ridge of the terrace on Swinbourne Road is 1700mm higher than previously thought and the ridge of St George's is 330mm higher than previously thought. As a result, the new building's small increase of 300mm in overall height will not result in an obtrusive structure in relation to the surrounding buildings and will therefore sit comfortably as a subservient building in this setting.
11. It is considered therefore that the proposed development is appropriate in architectural design, form, layout and appropriately responds to the setting of the Grade II listed building and the Conservation Area in which it stands. It responds to the existing character and appearance of the street scene in accordance with Policies CP1, CP8, CP10 of the Oxford Local Plan, Policies CS18 and CS19 of the Core Strategy and HP9 of the Sites and Housing Plan 2013 and the NPPF.

#### Residential amenity

12. The changes to the approved scheme will not alter the quality of internal space or external facilities significantly. The repositioning of the bin and bike storage is considered to be a practical and discreet arrangement.

#### Impact on neighbours

13. The changes proposed include relocated parking spaces both for the proposed new dwelling and for the two dwellings at St George's. These changes are understood to have been agreed with St George's.
14. The location of the roof lights and the rooms they will serve will not cause any overlooking onto neighbouring properties.

## Parking

15. The revised proposal locates the two parking spaces for the new dwelling away from the immediate frontage, closer to Cowley Road. The bike storage is located beside the new car parking spaces. The four spaces serving the dwellings at St George's have been reorientated. This is considered an improved arrangement with which the Highways Authority is satisfied.

## Trees

16. This application proposes the removal of the same trees as those of the consented scheme, i.e. 11 of the individual sycamore trees (T2, T3, T4, T6, T7, T9, T10, T15, T16, T17, T18), both hawthorns (T1, T5) the 2 pines (G2) and the hazel hedge (H1). The holly (T8) will be retained and pruned. All of the other existing trees including the higher value horse chestnut (T12) will be retained. New tree planting is proposed to mitigate the removal of existing trees.
17. Trees which stand along the eastern boundary of the application site are prominent in public views along Cowley Road. The proposed removal of sycamore trees T4, T7, and T10 in particular will have a significant visual impact in these views, which will be detrimental to both the character and appearance of this part of the Littlemore Conservation Area. Although the new tree planting proposed in this part of the site is appropriate to mitigate this visual impact and will eventually provide an enhancement for the conservation area when the new trees have matured, this will take many years to accrue.
18. However, the listed stone boundary wall alongside Cowley Road is a retaining wall and these trees grow on raised ground very close to it. Horse chestnut, T12, has already caused significant structural damage to the wall and there is a high risk that sycamores T4, T7 and T10, will also cause similar damage in the future as they grow. Although it will be detrimental to public amenity, the removal and replacement of these existing sycamores is considered to be prudent to avoid damage to the listed boundary wall regardless of whether or not the proposed development takes place. The loss of these trees should not therefore be a reason to refuse planning permission in this case.
19. The revised scheme proposes different tree species and slight change in footprint affecting the tree root protection areas, but the overall arboricultural impact and tree proposals have not altered significantly and so the same conditions regarding landscaping, tree protection and arboricultural method statement are recommended.

## Archaeology

20. This application is of interest because it involves works within the former garden of a 17th century house in Littlemore, within the footprint of an outbuilding (possibly a coach house) recorded on the 1819 enclosure map. A written scheme of investigation has been submitted with which Officers are satisfied and which is recommended to be secured by condition.

### Drainage

21. The proposed development is located within Flood Zone 1 according to the Environment Agency's Flood Maps. Plans have been provided which indicate the proposal will incorporate porous pavement for the hardstanding areas, which is considered acceptable. The applicant has provided a drainage layout and some geotechnical investigation, however, in order to comply with policy CS11 of the Core Strategy, further information is required to ensure that the development will not increase flood risk elsewhere. Officers recommend that this information will be required by condition.

### Biodiversity

22. The size, aspects and location of the development to productive habitat makes it ideally suitable for enhancements. Certain bat and bird species are urban biodiversity priority species almost entirely dependent on exploiting human habitation for roosting. To accord with policy CS12 of the Core Strategy, it is considered appropriate for provisions for wildlife to be built into the development. An appropriate provision for this development would be; 1 bat roosting tube on the East gable aspect, which can be secured by condition.

### Land quality

23. The Council records indicate that there was a ruin on this site and that this site is adjacent to a former smithy, which may have extended on to the site. As these former land uses have potential for land contamination, Officers recommend that relevant conditions are placed on any planning permission at this property to ensure the safety of the development.

### **Conclusion**

24. The development makes best use of existing brownfield land, contributing towards meeting the City's housing need, whilst responding appropriately the setting of the Grade II Listed Farmhouse and Conservation Area in terms of design, form and materials and would not appear harmful. Whilst the loss of trees would be harmful their loss in order to secure the future of the listed curtilage wall is considered justified in this instance and can be mitigated in the long term by replanting of trees. In relation to neighbours it is considered that on balance there would be no significant detrimental impact on residential amenities in terms of daylight, sunlight, outlook or overlooking in this case. Officers recommend that the East Area Planning Committee approves the application, subject to conditions.

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission and listed building consent, subject to conditions. Officers have considered the potential interference with the

rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

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

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

**Contact Officers:** Nadia Robinson and Amy Ridding

**Date:** 19th October 2016

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# Appendix 1

## 16/02230/FUL & 16/02231/LBC - Land Adjacent St George's



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East Area Planning Committee

2nd November 2016

**Application Number:** 16/00068/FUL

**Decision Due by:** 15th March 2016

**Proposal:** Erection of car port adjacent to existing dwelling and erection of garage to western boundary. Installation of new driveway gate and installation of pedestrian gate to western boundary. Insertion of 1no. window.

**Site Address:** Grove House 44 Iffley Turn. **Appendix 1.**

**Ward:** Rose Hill And Iffley Ward

**Agent:** Ms Marion Brereton

**Applicant:** Mrs Rosie Penna

**Application Called in –** by Cllr Turner following call-in from Cllr Benjamin in relation to applications 15/03725/FUL and 15/03726/LBD.

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## Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Use of garages
- 5 Railings
- 6 SUDS
- 7 Landscape plan required
- 8 Landscape carry out by completion
- 9 Landscape hard surface design - tree roots
- 10 Landscape underground services - tree roots
- 11 Tree Protection Plan (TPP) 2
- 12 Arboricultural Method Statement (AMS) 2
- 13 Trees - foundation details

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees

### **Core Strategy**

- CS11\_** - Flooding
- CS12\_** - Biodiversity
- CS18\_** - Urban design, town character, historic environment

### **Sites and Housing Plan**

- HP9\_** - Design, Character and Context
- HP14\_** - Privacy and Daylight
- MP1** - Model Policy

### **Other Material Considerations:**

National Planning Policy Framework

This application is in or affecting the Iffley Village Conservation Area. The development is affecting a Grade II Listed Building.

Planning Practice Guidance

### **Relevant Site History:**

16/00069/LBC - Internal alterations to Grove house to create an en-suite and a bedroom and to install a new window. Pending Consideration.

16/01894/FUL - Demolition of Rotunda building. Erection of two storey 2-bed dwelling (Use Class C3). Pending Consideration.

16/01895/LBD - Demolition of Rotunda building connected to house. Replacement with two bedroom dwelling with basement and associated works to link main dwelling. Pending Consideration.

## **Representations Received:**

9no. objection comments received – comments relate to concern about the overall amount of development being proposed on the site include demolition of the rotunda, obstruction of views of the rotunda, height of the proposed garage, impact on the Conservation Area, lack of dimensions on the plans, loss of greenery/trees, the use of brick is more permanent than timber and noise and light pollution.

## **Statutory and Non-Statutory Consultees:**

Highways – no objection.

Oxfordshire Architectural & Historical Society – no comments received.

Oxford Civic Society – no comments received.

Friends of Iffley Village – application lacks information about impact on neighbours and wildlife, impact of lighting, the first floor is unnecessary, concern the building will be converted in the future to a house, no objection to the additional window in the house, lack of detail of the fences adjacent to the proposed gates and the single car garage is screened by garages on Church Way, however the lights should face SW to minimise impact on neighbours and wildlife.

## **Issues:**

Design/Impact on the Setting of a Grade II Listed Building

Residential Amenity

Impact on the Iffley Village Conservation Area

Arboriculture

Highways/Parking

Flooding

## **Officers Assessment:**

### Site and proposal:

1. Grove House (44 Iffley Turn) is a Grade II Listed Regency villa in the Iffley Village Conservation Area. The property sits in large grounds, has been substantially extended to the rear and contains a self-contained cottage and a rotunda building which has also previously been granted planning permission to be converted to an independent dwelling. This application relates to the erection of a car port adjacent to existing dwelling and erection of garage to western boundary, installation of new driveway gate and a pedestrian gate to western boundary and insertion of 1no. window to the main dwelling.
2. There are currently two applications still under consideration for the demolition and replacement of the rotunda. These applications currently have objections from Historic England and discussions are taking place regarding these.

### Design/Impact on the Listed Building and Conservation Area:

3. Whilst the proposed garage structure is a large building, there have been lengthy negotiations on the design of the structure due to its scale and prominence. It is now considered that the proposed structure reads as a typical Georgian style coach house which you would expect to find within the grounds of the Grade II Regency villa and given the size of the plot, its scale is considered appropriate. Further details are given below on how the woodland setting of Grove House will not be harmed and further tree planting is requested by condition. A condition is also recommended that samples of the materials to be used in the development are submitted to and approved in writing by the local planning authority to ensure that they are of a suitable material and quality to preserve the character and appearance of the conservation area and setting of the listed building. An objection has been received stating that views of the rotunda will be lost and obstructed by the two storey garage, however the dense planting on the site already obscures views of the rotunda which this application will seek to retain.
4. The proposed single garage is located in a discrete location to the rear of the dwelling and is well screened by trees on the southern boundary of the site and garages on the adjoining land accessed from Church Way.
5. The gates across the access driveway to the dwelling are also considered to be a sympathetic design and in keeping with the Regency villa. The location allows for the original gates to the dwelling to be retained and remain unaltered and left open whilst the secondary gates can be kept shut for security and allowed somebody to pull safely off the road whilst they open. A condition is recommended that further details of the gates and railings are submitted to and approved in writing by the Local Planning Authority.
6. The proposed window in the main house will match the existing ones, being double-hung sliding sashes with the same arrangement of glass panes. The proposed window will be located on a discrete elevation and provide improved natural lighting to the currently dark room within and is therefore considered acceptable.
7. The proposal is therefore considered to comply with policies CP1, CP6, CP8, HE3 and HE7 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

### Residential Amenity:

8. The proposed structures and window to the main dwelling are located a reasonable distance from neighbouring properties and are therefore not considered to have a detrimental impact on the amenity of neighbouring properties in terms of overbearing impact, loss of light or loss of privacy. In order for the proposed garage structures to remain as incidental buildings to the main house a condition is recommended that the buildings shall not

be used as primary living accommodation and must remain incidental to the enjoyment of the dwelling house. This will limit the activity taking place in these buildings limiting potential light and noise pollution to neighbouring occupiers. Conversion to a self-contained unit of accommodation would require planning permission in its own right.

9. The proposal is therefore considered to comply with policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.

Arboriculture:

10. Collectively, the trees at Grove House make a valuable contribution to the appearance and character of this part of the Iffley Conservation Area and are also important to the setting of the listed building. Some have added amenity and landscape significance as individuals or as groups of trees because they feature in public views from surrounding streets, or because they perform a screening function in views from neighbouring properties and provide a green enclosure around and between properties.
11. The garage along the western boundary requires removal of several existing trees (1 ash and four plum; T921, T1552, T1550, T1542). However these are relatively small, low quality and value trees, and the impact of their loss can be mitigated by new planting. A landscape plan is recommended by condition to request this planting. This will also support the wildlife on the site.
12. A greater concern is that the garage encroaches within the notional Root Protection Areas (RPAs) of 2 retained oak trees (G2a and G2b) and an ash (T1547). An updated Arboricultural Impact Assessment (AIA) was submitted to take account of the root distribution of each of these trees. The AIA advises that the garage will be constructed using piles and suspended floor beams in order to avoid excessive excavations within the Root Protection Areas of the retained trees. For this technical solution to work in arboricultural terms there will need to be a ventilated, irrigated void beneath the floor of the garage. It is not clear from the submitted drawings that this is the case and therefore a condition recommends that the foundation details are submitted to ensure that this will be the case. The proposals also encroach within the RPA of retained ash tree T1922. However, the degree of encroachment will be very small and the viability of the tree is not likely to be affected.
13. The proposed car port is in close proximity to the trees along the southern boundary of the site, but given the pre-existing site conditions officers are satisfied that these trees should not be harmed if the special precautions which are detailed in the submitted Arboricultural Method Statement are put in place and reasonable care is taken to protect the trees during construction phase.
14. Care will be needed in the design of new hard surfaces, including the new access drive which passes across the RPAs of the London plane trees T1516, and the location of underground drainage and services to ensure that retained

trees are not damaged. Details of these hard surfaces are requested by condition.

15. Care would need to be taken to protect retained trees during the construction phase. The submitted Arboricultural Method Statement contains an appropriate Tree Protection Plan and a condition is recommended that the development is carried out in accordance with this.
16. The proposal is therefore considered to comply with policies CP11, NE15 and NE16 of the Oxford Local Plan.

#### Highways/Parking:

17. The proposal will not result in any changes to the public highway (the existing access to Iffley Turn will remain in the same position). Therefore, the proposals will not have a significant highway / transport impacts. Given this, the county council does not object to the planning application and the proposal is considered to comply with policy CP1 of the Oxford Local Plan in terms of highways safety.

#### Flooding:

18. The developments increase the size of the hard areas on the site. They must therefore be drained using Sustainable Drainage measures, including porous pavements to decrease the run off to public surface water sewers and thus reduce flooding. Soakage test should be carried out to prove the effectiveness of soakaways or filter trenches. Where this is not feasible surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development. It is recommended that this is requested by condition to avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policies CS11 of the Oxford Core Strategy 2011-2026.

#### Other matters:

19. There is not requirement for dimensions to be displayed on planning drawings. The drawings meet validation requirements and are therefore considered sufficient.
20. There is no indication that the proposed restructures will cause excessive light pollution. The garage on the western boundary is close to Augustine Way with street lights and numerous dwellings. It is therefore considered not to significantly contribute to light pollution in this area.

**Conclusion:**

Officers recommend that the application is 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 permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:**

16/00068/FUL

16/00069/LBC

**Contact Officer:** Sarah Orchard

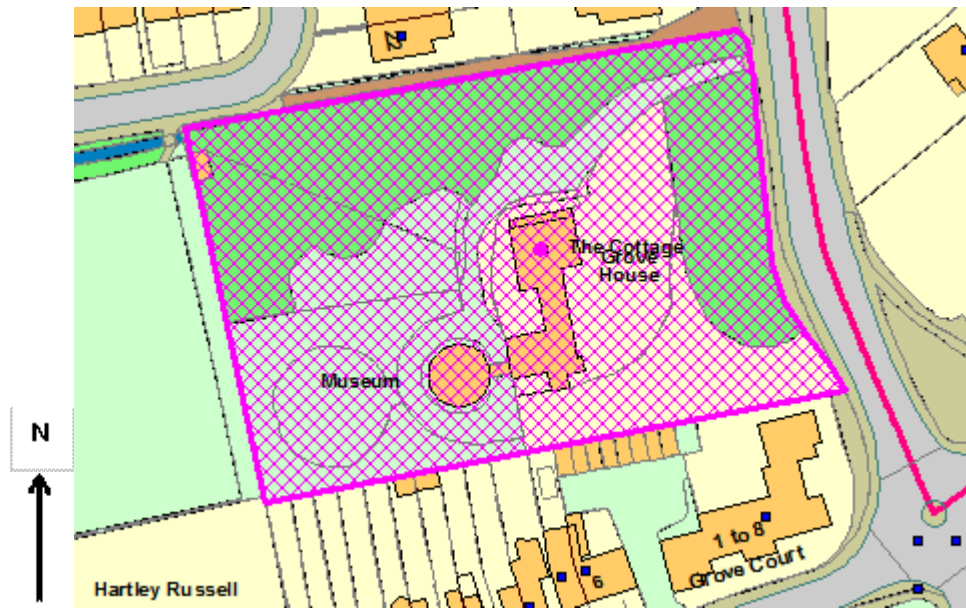
**Date:** 18th October 2016

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# Appendix 1

## 16/00068/FUL - Grove House



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East Area Planning Committee

2nd November 2016

**Application Number:** 16/00069/LBC

**Decision Due by:** 15th March 2016

**Proposal:** Internal alterations to Grove house to create an en-suite and a bedroom and to install a new window (amended description).

**Site Address:** Grove House, 44 Iffley Turn, Oxford, Oxfordshire

**Ward:** Rose Hill and Iffley Ward

**Agent:** Ms Marion Brereton

**Applicant:** Mrs Rosie Penna

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## Recommendation:

The East Area Planning Committee is recommended to resolve to grant listed building consent subject to conditions for the following reasons:

- 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;
- 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;

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

- 1 Commencement of works listed building consent
- 2 Listed building consent - works as approved only
- 3 Further works - fabric of listed building - fire regulations
- 4 Proposed window
- 6 Walls/openings to match adjoining

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

**HE3** - Listed Buildings and Their Setting

**HE5** - Fire Safety in Listed Buildings

**CP1** - Development Proposals

### **Core Strategy**

**CS18\_** - Urban design, town character, historic environment

### **Other Material Considerations:**

National Planning Policy Framework

The development is affecting a Grade II Listed Building.

Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

### **Relevant Site History:**

16/00069/LBC - Internal alterations to Grove house to create an en-suite and a bedroom and to install a new window. Pending Consideration.

16/01894/FUL - Demolition of Rotunda building. Erection of two storey 2-bed dwelling (Use Class C3). Pending Consideration.

16/01895/LBD - Demolition of Rotunda building connected to house. Replacement with two bedroom dwelling with basement and associated works to link main dwelling. Pending Consideration .

### **Representations Received:**

No objections specifically relating to this listed building consent application for the proposed window or internal changes to the house were made.

### **Statutory and Internal Consultees:**

Oxfordshire Architectural & Historical Society, Friends of Iffley Village and Oxford Civic Society Oxfordshire Architectural & Historical Society

### **Issues:**

Impact on the special architectural or historic interest of the listed building.

### **Sustainability:**

Helps continue the listed building in its original use.

### **Officer's Assessment:**

#### Site and proposal:

Grove House (44 Iffley Turn) is a Grade II Listed Regency villa in the Iffley Village Conservation Area. The house is a double fronted symmetrical house of two

storeys built between 1780 and 1823 with various alterations. The villa has a lime rendered timber frame with typical double-hung sliding sash windows. Briefly, the house was built by Alderman Charles James Sadler (1792-1872) to rent out and has been lived in by John Henry Newman's mother and Mrs Vivien Greene, which add to its historic significance.

The property sits in large grounds, has been substantially extended to the rear and contains a self-contained cottage and a rotunda building. This listed building consent application relates to the insertion of one window to the main dwelling and to create an en-suite and a bedroom to the first floor. This would be reversible.

Listed building consent was granted as part of application 05/01299/LBC for an additional ground floor window in the short protruding north elevation on the east side of the house. This current application proposes a second window on the first floor directly above the previously approved window. The proposed windows will match the existing ones, being double-hung sliding sashes with the same arrangement of glass panes. The proposed window will be located on a discrete elevation and provide improved natural lighting to the currently dark room within.

It is proposed that the generous dressing room on the first floor of the house would be split to accommodate an en-suite bathroom. Consent to install an en-suite was granted in 2006 but only the plumbing was ever implemented. As a result of installing the new en-suite, the second large bathroom on the first floor would no longer be required. This space would become a bedroom (nursery).

#### Design/Impact on the Listed Building

The proposed window would be an appropriate intervention to the listed building and would be aligned with the other windows in the elevation. Regarding the proposed internal changes, these relate to dividing walls which were fitted in 2006 and would have no impact on the envelope of the house and do not make up any of the historic fabric of the House

#### **Conclusion:**

The proposals are justified and proportionate. No harm would be caused as a result of the applicant's requirements.

The special architectural and historic interest of the listed building/structure would be conserved. The proposals are considered to comply with national and local policies.

#### Human Rights Act 1998

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

#### **Background Papers:**

16/00068/FUL  
16/00069/LBC  
Iffley Village Conservation Area Appraisal

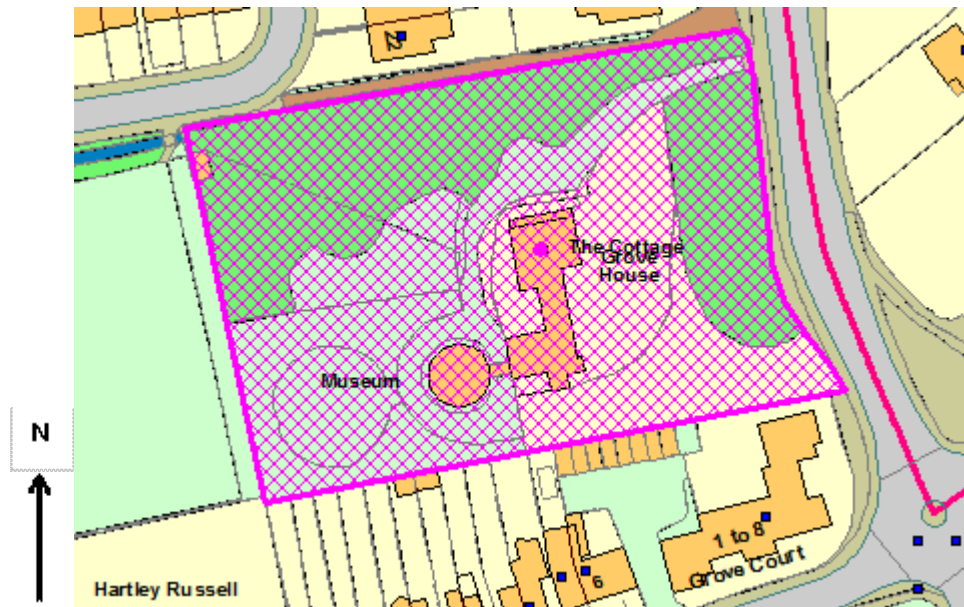
**Contact Officer:** Katharine Owen

**Extension:** 2148

**Date:** 18th October 2016

# Appendix 1

## 16/00068/FUL - Grove House



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**East Area Planning Committee**

**2nd November 2016**

**Application Number:** 16/02112/FUL

**Decision Due by:** 11th October 2016

**Proposal:** Change of use of public house (Use Class A4) to 1 x 5-bed dwellinghouse (Use Class C3). Provision of car parking and private amenity space.

**Site Address:** 16 Glebelands Oxford Oxfordshire OX3 7EN

**Ward:** Lye Valley Ward

**Agent:** Mr Simon Sharp

**Applicant:** Mr & Mrs Turna

## **Application Called in**

The application has been called in by Councillors Kennedy, Anwar, Turner, Brown, Pressel and Rowley for the following reasons; loss of local pub as a community asset.

## **Recommendation:**

The East Area Planning Committee is recommended to approve planning permission for the following reasons:

1 Having regard to the evidence provided with the application, officers consider the general principle of the loss of the public house and its conversion to a single detached dwelling would be acceptable. The proposal would make an efficient and effective use of a previously developed site in order to provide a good quality detached dwelling which has a good standard of internal and external environment that adequately provides for the future occupants of the dwelling. The proposal will provide adequate off-street parking for the dwelling house in a manner that maintains highway safety.

Therefore the proposal would accord with the National Planning Policy Framework and the relevant policies of the adopted Oxford Local Plan 2001-2016, Oxford Core Strategy 2026, and the Sites and Housing Plan.

2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application.

However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.

3 The Council considers that the proposal accords with the policies of the

development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

**Conditions:**

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Details of Refuse and Cycle Storage
- 4 Design - no additions to dwelling

**Main Local Plan Policies:**

Oxford Local Plan 2001-2016  
CP1 - Development Proposals  
TR3 - Car Parking Standards  
TR4 - Pedestrian & Cycle Facilities  
RC18 - Public Houses

Core Strategy

CS18\_ - Urban design, town character, historic environment  
Sites and Housing Plan - Submission  
HP9\_ - Design, Character and Context  
HP12\_ - Indoor Space  
HP13\_ - Outdoor Space  
HP14\_ - Privacy and Daylight  
HP15\_ - Residential cycle parking  
HP16\_ - Residential car parking

**Other Material Considerations:**

National Planning Policy Framework

**Relevant Site History**

58/07213/A\_H - Licensed premises at Fairview Inn Public House. PER 12th August 1958.

59/00719/P\_H - Illuminating signs at Fairview Inn Public House. TEM 24th March 1959.

59/08226/A\_H - Private garage at Fairview Inn Public House. PER 14th July 1959.

65/01379/P\_H - Illuminated trade symbol sign at Fairview Inn Public House. PER 9th March 1965.

70/01939/P\_H - Erection of double-sided internally illuminated projecting sign at Fairview Inn Public House. PER 26th May 1970.

82/00857/NF - Single storey extension to public bar and canopy to new entrance door at Fairview Inn Public House. REF 3rd May 1983.

92/01067/NF - Single storey extension to form toilet at Fairview Inn Public House. PER 15th December 1992.

97/01183/NF - Single storey extension to provide games room ancillary to public house at Fairview Inn Public House. PER 10th October 1997.

05/00250/CT4 - CAR PARK: Erection of community noticeboard. PER 11th April 2005.

16/02112/FUL - Change of use of public house (Use Class A4) to 1 x 5-bed dwellinghouse (Use Class C3). Provision of car parking and private amenity space.. PCO .

### **Representations Received:**

3 letters of comment have been received from the following addresses, whose comments are summarised below:

#### Objection

- The proposal would result in the loss of a public house, that has the potential to be transformed into a viable business and asset to the local community
- The pub plays an important part in defining the areas distinct local character
- Interest shown in purchasing the pub however calls unreturned.

### **Officers Assessment**

#### **Site Location and Description**

1. The site is located at the junction of Glebelands Road and Coverley Road and is within the residential area of Lye Valley (site plan: appendix 1)

2. The site comprises the Fairview Inn Public House, which is a detached two storey building situated on the north-eastern corner of the site. The existing building has the main commercial area of the public house on the ground floor, and residential accommodation at first floor.

3. The public house has a storage area to the rear/ former beer garden (North) and a car park with space for 12 vehicles accessed from Glebelands and Coverley Road.

#### **Proposal**

4. Planning permission is sought for the change of use and conversion of the public house (Class A4) to a single dwellinghouse (Class C3)

5. Officers consider that the principal determining issues with regards to the proposal are as follows:

- Principle of Development
- Loss of Public House
- Residential Use
- Highway Matters

### **Principle of Development**

6. The National Planning Policy Framework [NPPF] encourages the effective use of previously developed land, provided it is not of high environmental value. This is supported by Policy CS2 of the Oxford Core Strategy 2026.

7. The site is within a residential area, and would involve the reuse of an existing building, and therefore the general principle of re-using the existing building would broadly accord with the aims of the above-mentioned policies.

### **Loss of Public House**

8. The Local Plan states that public houses have two distinct roles, firstly as a community facility in residential areas and secondly as part of the historic legacy of Oxford. This is supported by the National Planning Policy Framework which identifies public houses as community facilities which enhance the sustainability of communities and residential houses.

9. In assessing development proposals that involve the change of use of a public house, Policy RC18 of the Local Plan is clear that permission will only be granted where one or more of the following criteria are met:

- that no other potential occupier can be found following a realistic effort to market the premises for its existing use;
- substantial evidence of non-viability is submitted; and
- it is demonstrated that suitable alternative public houses exist to meet the needs of the local community.

10. The application is accompanied by a Viability Assessment which has been prepared by Thomas E. Teague Surveyors in response to this policy. In terms of marketing, the assessment states that the public house was marketed on 31<sup>st</sup> October 2014 to April 2016. The main focus of the marketing being to existing use operators with two offers received both of which considered alternative uses for the building. Having reviewed this information, officers consider that the marketing exercise carried out meets the first criterion of the policy.

11. The second criterion relates to substantial evidence of non-viability. In this regard the expert witness from Thomas E. Teague has set out a detailed case in the viability assessment. The reasons advanced in the statement that the public house is not a viable proposition include; being a wet-led estate community pub has suffered from changing consumer habits, food sales are unlikely to be substantial, the potential return on investment that does not reflect the risk; the substantial cost of a cash requirement of £230,000 required by a potential purchaser.

12. During the consultation process, concerns have been raised by local residents about the contents of the viability assessment, and that there are potential local operators interested in taking on the premises. While officers are sympathetic to the concerns about the loss of a facility such as this from the local area, the assessment has been prepared by an expert witness to address the policy criteria and therefore the application needs to be assessed on the basis of the evidence provided. As a result officers consider that the viability assessment has made a reasonable case to demonstrate non-viability. Therefore on balance, officers consider that the second criterion of the policy has been met.

13. Finally the third criteria of the policy require applicants to demonstrate that there are suitable alternative public houses in the area to meet the needs of the local community. In this regard the assessment has looked at the available premises within a 0.8m radius of the site, which is considered a reasonable approach. The assessment identifies the “Corner House” Public House within the 800m radius. As such officers consider that the third criterion of the policy has also been met.

14. In summary, officers consider that a reasonable case has been made in terms of non-viability and also the availability of suitable alternative premises in the local area. Therefore, officers consider that the proposal has, on balance, satisfied parts (b) and (c) of Policy RC18.

### **Residential Use**

15. The National Planning Policy Framework requires development proposals to deliver a wide choice of quality homes in order to create sustainable, inclusive and mixed communities.

16. The proposal would convert the existing public house into a self-contained 5 bedroom dwelling house with a kitchen, family room, living room, dining room, and study at ground floor level and five bedrooms, and a bathroom at first floor level. Officers consider that the proposed conversion would create a good standard of residential accommodation that would satisfy Policy HP12 of the Sites and Housing Plan.

17. Other than the blocking up of some small windows on the eastern and northern elevations, no external changes are proposed to the existing building. The proposed changes offer no greater potential for the overlooking of neighbouring gardens than exists from first floor windows of the building which have been in residential use.

18. In terms of private amenity space, the property would have use of the pubs rear garden measuring 160 sqm and the forecourt parking area offers additional area which could be converted to amenity space which would be more than adequate for a property of this size in accordance with the aims of Policy HP13 of the Sites and Housing Plan. While there may be elements of this space that can be viewed from the public realm of Glebelands and Coverley Road, this arrangement could also be considered of many corner plots within residential suburbs throughout the city which have return frontages on public roads and does not impact upon the overall quality of the space. Similarly there would be ample space available for suitable refuse and cycle storage at the property, and this could be secured by condition.

### **Highway Matters**

19. The proposal would utilise the existing access to the pub car park from Coverley Road to provide vehicular access to 3 off-street parking spaces at the front of the site. This would satisfy the maximum parking standards for a 5 bed dwelling in accordance with Policy TR3 of the Oxford Local Plan 2001-2016.

**Conclusion:**

The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan and therefore Members of the Planning Committee are recommended to grant planning permission for the proposed development.

**Human Rights Act 1998**

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

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

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

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

**Background Papers:**

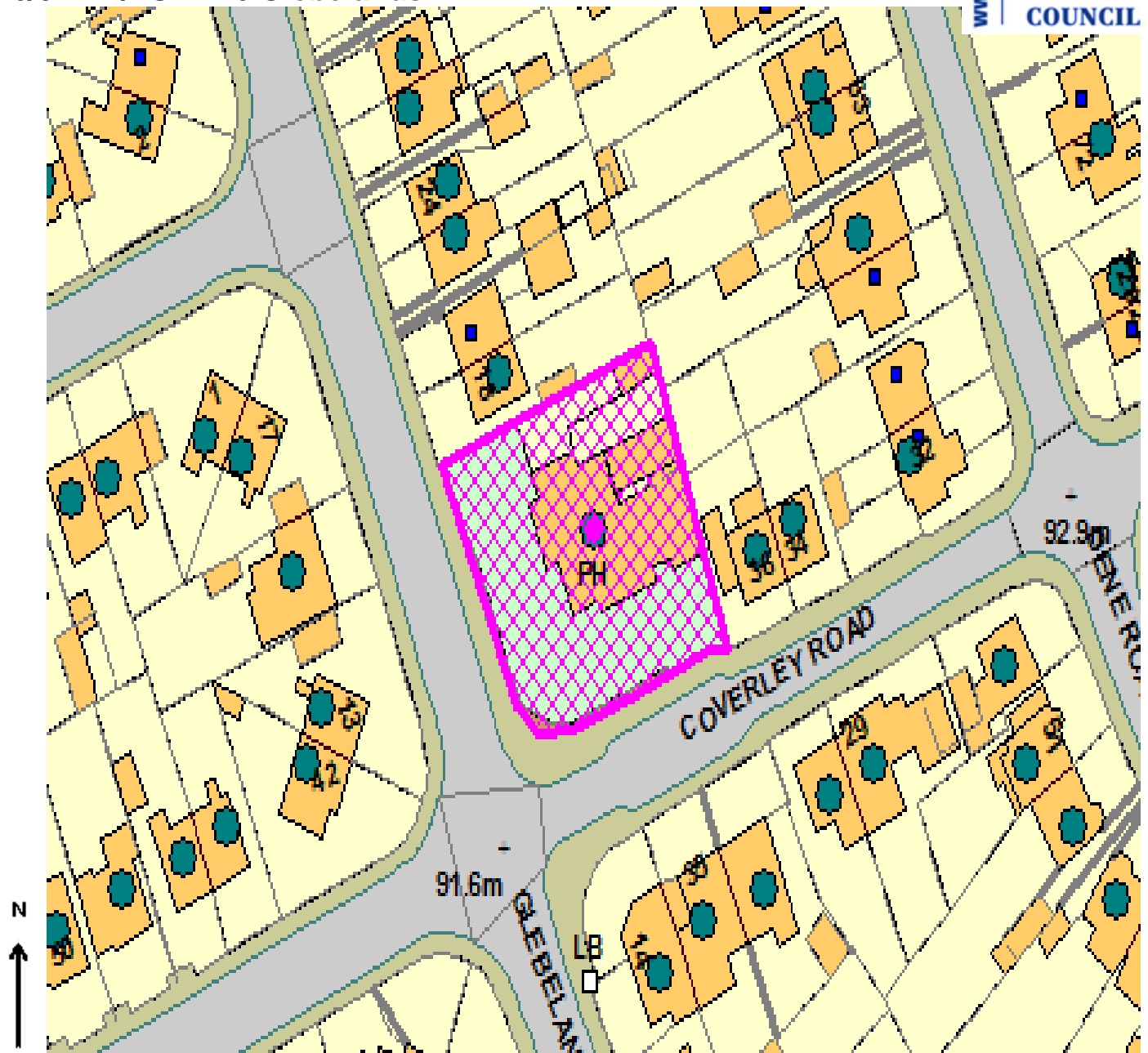
**Contact Officer:** Graeme Felstead

**Extension:** 2160

**Date:** 10th October 2016

# Appendix 1

## 16/02112/FUL - 16 Glebelands



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Ordnance Survey 100019348

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**East Area Planning Committee**

**2nd November 2016**

**Application Number:** 16/00824/FUL

**Decision Due by:** 18th May 2016

**Proposal:** Erection of front and side porches and single storey rear extension. Formation of 1no. rear dormer.

**Site Address:** 2 Mortimer Drive Oxford Oxfordshire OX3 0RR

**Ward:** Marston Ward

**Agent:** Mr Allan Goodchild

**Applicant:** Faisal Hussain

**Application Called in –** by Councillors - Cllr Clarkson supported by Cllrs Fry, Tanner and Price

for the following reasons – Due to objections to the proposal

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

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

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

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

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016 (OLP)**

**CP1** - Development Proposals

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

### **Core Strategy**

**CS18\_** - Urban design, town character, historic environment

### **Sites and Housing Plan (SHP)**

**MP1** - Model Policy

**HP9\_** - Design, Character and Context

**HP14\_** - Privacy and Daylight

**HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

Oxford City Council Planning Design Guide 2 – Side Extension (Design Guide 2)

### **Relevant Site History:**

50/00176/M\_H - Layout of housing estate.. PER 11th April 1950.

68/20374/A\_H - Erection of front porch to replace existing and alterations.. PDV 9th April 1968.

78/00647/SON\_H - Erection of garage.. PER 17th November 1978.

00/01279/NF - Demolition of existing garage & outbuildings. Single storey side & rear extension to provide 1 bedroom semi -independent accommodation for elderly relatives. ( Amended plans ). PER 17th October 2000.

04/01636/FUL - Demolition of existing garage. Erection of 2 bedroomed self-contained residential accommodation at rear.. REF 30th September 2004.

05/00925/FUL - Erection of 1 bedroom self contained accommodation at rear. (Amended plans). PER 21st June 2005.

06/02508/FUL - Erection of garden shed/store.. PER 23rd January 2007.

09/01627/FUL - Retention of porch to annex. Retention of shed conversion for use by annex.. PER 18th December 2009.

10/01974/FUL - Two-storey side extension and part two and single storey rear extension.. REF 8th September 2010.

10/03257/FUL - Two storey side and rear extension. (Amended plans). PER 31st August 2011.

13/02005/FUL - Erection of a part first floor part single storey extension to rear.. REF 4th October 2013.

14/02934/VAR - Variation of conditions 7 (Removal of garage) and 9 (Details excluded submit revised plans) of planning permission 10/03257/FUL (Two storey side and rear extension) to allow retention of the garage building until the works are complete.. PER 18th February 2015.

10/03257/CND - Details submitted in compliance with condition 9 (Details excluded submit revised plans) of planning permission 10/03257/FUL.. PER 17th February 2015.

15/01226/FUL - Erection of front and side porches. Erection of single storey rear extension. Formation of 1No dormer window and hip to gable roof extension.. REF 17th June 2015.

#### **Representations Received:**

3 Letters of objection

- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on privacy
- Effect on traffic
- General dislike or support for proposal

#### **Statutory and Internal Consultees:**

Local Highway Authority: No comments

#### **Issues:**

Visual impact  
Effect on adjacent occupiers

#### **Officers Assessment:**

##### Site description and proposal

1. 2 Mortimer Drive is a modest two storey semi-detached house. It is located in a small group of three pairs of semi-detached properties fronting the northern side of Mortimer Drive between its junctions with Oxford Road and Raymund Road. The application property is the eastern most property in this grouping.

2. Permission is sought for the erection of front and side porches and single storey rear extension plus formation of a rear dormer.

#### Site history:

3. Application 10/03257/FUL for a two storey side and rear extension has been granted and implemented. These proposals are an add-on to this scheme taking into account the Inspectors comments from application 15/01226/FUL for additions and amendments which was dismissed at appeal (Appendix 1). In this scheme the Inspector concluded that “alterations to the roof which included a gable end design would result in an unbalanced, cluttered and awkward appearance harmful to the appearance of the existing property and given the prominent position of the property in the street and the relative balance of surrounding properties this would be harmful to the appearance of the street scene and the general character of the area.”
4. The applicant has therefore reverted to the roof design of the previously approved scheme.
5. The inspector commented that the ground floor extensions would have little effect on the character of the area or appearance of the street scene. The single storey rear extension would not be visible from public locations, the side porch would be screened from most public views given the angle of the property and the boundary and the narrow gap that would remain between the two storey side extension and the side boundary towards the front of the plot. The front porch would be a minor addition with little impact given its size and scale.

#### Visual impact

6. Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.
7. Oxford City Council Planning Design Guide 2 – Side Extension seeks to ensure that pairs of semidetached houses are not unbalanced by side extensions that are not subordinate to the existing houses.
8. The extension and additions would result in a form of development that maintains the original profile of these properties and introduces a sympathetic and subservient addition that would not significantly disrupt the existing roof pattern of the pair. The proposals considered together are not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

#### Effect on adjacent occupiers

9. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim.
10. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.

11. The only aspect of the scheme not already approved under 10/03257/FUL which is considered could impact on neighbours is the siting of the proposed single storey rear extension. However because of its position, set off the boundary of number 4 Mortimer Drive it complies comfortably with 45-degree guidance.
12. The proposed dormer has been designed to be subservient to the roof line and will not result in loss of privacy to adjoining occupiers through overlooking. Overall the proposal will not have an unacceptable effect on adjacent occupiers, and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

**Conclusion:**

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

**Background Papers:**

**Contact Officer:** Graeme Felstead

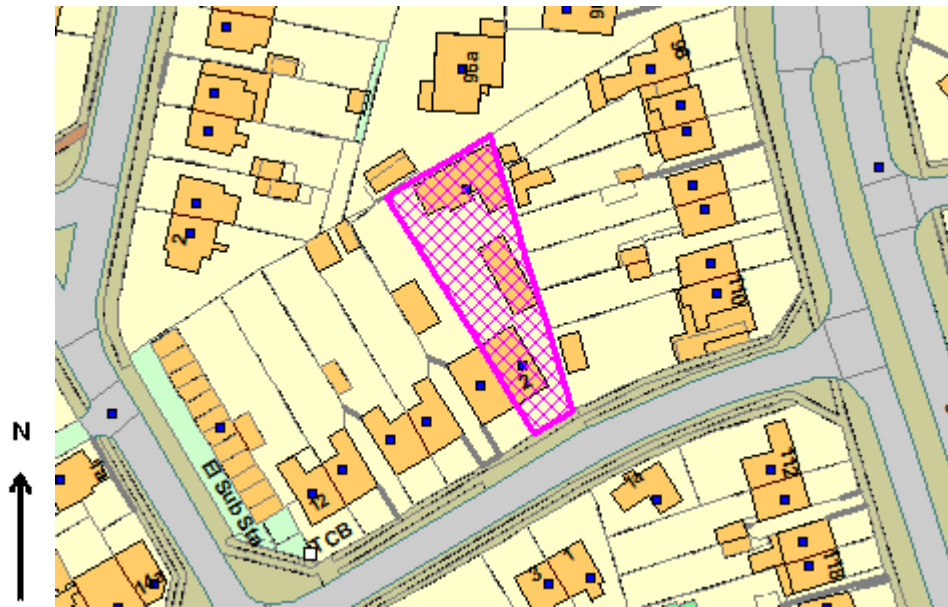
**Extension:** 2160

**Date:** 13th October 2016

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# Appendix 1

## 16/00824/FUL - 2 Mortimer Drive



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Ordnance Survey 100019348

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## Appeal Decision

Site visit made on 3 November 2015

**by Kenneth Stone Bsc(Hons) DipTP MRTPI**

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

Decision date: 16/11/2015

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**Appeal Ref: APP/G3110/D/15/3132709**  
**2 Mortimer Drive, Marston, Oxford OX3 0RR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Faisal Hussain against the decision of Oxford City Council.
  - The application Ref 15/01226/FUL, dated 14 April 2015, was refused by notice dated 17 June 2015.
  - The development proposed is described as 'single storey rear extension to form garden room, realign roofs at second floor level dormer to rear elevation (existing loft conversion). Porch to side elevation. Porch to Front elevation'.
- 

### Decision

1. The appeal is dismissed.

### Procedural matter

2. The description of development highlights differences between an existing consent for a two storey extension to the property and the proposed development. The plans submitted to the Council and on which the decision was taken clearly illustrate all of the extensions to the property and clearly include the two storey extension as amended. In the appellants statement of case at paragraph 6 it states: "*The proposal is to extend the existing house to provide additional accommodation on the ground and first floors and in the roof space. A two storey side extension and rear extension, an additional ground floor rear extension, front and side porches and a rear dormer window are proposed.*"
3. I have considered the appeal on this basis.

### Background and Main Issues

4. The appellant at paragraph 7 of their statement of case note that "*...a two storey extension of exactly the same floorspace dimensions and window arrangements as the appeal scheme was permitted under application 10/03257/FUL. Work on that extension has commenced so the permission remains live.*" The statement goes on at paragraph 8 to state: "*The issues to consider in this appeal, therefore, revolve around the differences between the appeal scheme and the approved scheme.*" The differences are then summarised and these are in effect those identified in the description of development.

5. I agree that these are the basis of my consideration of the main issue which is the effect of the proposed development on the character and appearance of the property and the surrounding area.

### **Reasons**

6. 2 Mortimer Drive (No 2) is a modest two storey semi detached house on a 1950's suburban housing estate. It is located in a small group of three pairs of semi-detached properties fronting the northern side of Mortimer Drive between its junctions with Oxford Road and Raymund Road. The appeal property is the eastern most property in this grouping and its flank wall is readily visibly in the street across the rear garden of the adjacent property that fronts Oxford Road.
7. The general area is characterised by properties of a similar age, bulk and mass but with variations in design including their roof forms. Along Oxford Road the houses are predominantly hipped roofs while on Mortimer Drive, beyond Raymund Road, properties are grouped in closely spaced semi-detached pairs or short terraces with gable roofs. The central pair of the group of three pairs of houses within which the appeal property is located have also both been altered to provide gable roofs and include box dormers of differing sizes on their rear roof slopes.
8. The proposed extensions and alterations to No 2 would result in a main roof with a gable end, over what was the original property, with a set back extension incorporating a gable ended roof with a lowered ridge, from the main property. Given that the other half of the pair has not been extended this would appear awkward and unbalanced, a point that would be exaggerated by the additional scale and bulk associated with the two storey extension. Given the position of the house in the street at the end of the road and with its flank elevation visible within the street the view of this gable arrangement would be particularly visible and dominant in the street.
9. I acknowledge that there is an extant consent that has been commenced on site for a two storey extension and which is a legitimate fall back position for the appellant. Unlike the proposed extension however, this includes hipped ends to the original property, and the extension, and would result in a form of development that maintained the original profile of these properties and introduced a sympathetic and subservient addition that did not significantly disrupt the existing roof pattern of the pair.
10. I also note that the adjoining pair have had their roofs changed to gable ends. However, these are a pair between two other pairs in the street and therefore do not hold as prominent a position as the property the subject of this appeal. Moreover, the properties now both accommodate gables and therefore balance has been restored; a point which could not be accommodated on the pair including the appeal property, as the other half could not be extended to the side in a similar manner, as there is not the space; balance could therefore never be restored.
11. In terms of the rear dormer this would be visible from the public domain from locations in Raymund Road where the two dormers on the adjoining pair can also be seen. In this context dormers are therefore visible in the street scene, however, they sit on a relatively otherwise uncluttered and flat roof plane. Those dormers also appear to be set down from the ridge line of the roofs on which they are located. The proposed dormer on No 2 would be set close to

the ridge and close to the rear extension and roof form proposed for that of the extension. This would give the rear dormer and rear roof a more cramped and cluttered appearance and giving it an unduly unbalanced appearance, related to the other half of the pair.

12. Overall in the context of the alterations to the roof form I conclude that they would result in an unbalanced, cluttered and awkward appearance harmful to the appearance of the existing property. Given the prominent position of the appeal property in the street and the relative balance of surrounding properties this would be harmful to the appearance of the street scene and the general character of the area. This would not be mitigated by the proposed alterations to the fenestration on the flank elevation, but which of themselves do not contribute to the harm I have identified.
13. Turning to the ground floor extensions these would have little effect on the character of the area or appearance of the street scene. The single storey rear extension would not be visible from public locations, the side porch would be screened from most public views given the angle of the property and the boundary and the narrow gap that would remain between the two storey side extension and the side boundary towards the front of the plot. The front porch would be a minor addition with little impact given its size and scale. Given the appellant's description of the works and the comments above however it is evident that this would be built as one scheme and these elements are therefore not severable from the development as a whole; I will therefore not issue a split decision.
14. For the reasons given above I conclude that the proposals would result in material harm to the character and appearance of the property and the area. Consequently it would conflict with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Oxford Core Strategy 2026 and Policy HP9 of the Oxford Sites and Housing Plan 2011-2026. Collectively these require development to show a high standard of design that responds to the character of surrounding areas creating appropriate visual relationships including form and detail. These policies are consistent with the National Planning Policy Framework. The core planning principles at paragraph 17 require development to secure high quality design and the advice at paragraphs 56 and 64 attach great importance to design and advise that permission should be refused for poor design that fails to improve the character and quality of an area.
15. I agree with the Council's conclusions that the extensions would not result in any material harm to the living conditions of occupants of surrounding properties given the form and location of the extensions and the relationship with those surrounding properties.
16. For the reasons given above I conclude that the appeal should be dismissed.

*Kenneth Stone*

INSPECTOR

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**East Area Planning Committee**

**2nd November 2016**

**Application Number:** 16/01564/FUL

**Decision Due by:** 15th August 2016

**Proposal:** Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4).

**Site Address:** 232 Marston Road Oxford Oxfordshire OX3 0EJ

**Ward:** Marston Ward

**Agent:** N/A

**Applicant:** Mr Matt Audinwood

**Application Called in –** by Councillors - Cllr Clarkson, supported by Cllrs Fry, Price and Anwar  
for the following reasons – Scheme objections

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**Recommendation:** that the application is approved.

For the following reasons:

- 1 The application is not in an area subject to an overconcentration of Houses in Multiple Occupation and subject to the conditions proposed would provide an acceptable level and standard of amenities and facilities, capable of accommodating the likely number of occupants within the house. The application therefore complies with Policies CP1 and CP10 of the adopted Oxford Local Plan 2001 - 2016, CS11 of the Core Strategy and Policies HP7, HP12, HP13, HP15 and HP16 of the Sites and Housing Plan.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

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 plns
- 3 Bin and Cycle Stores
- 4 CPZ

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP10** - Siting Development to Meet Functional Needs

### **Core Strategy**

**CS23\_** - Mix of housing

### **Sites and Housing Plan**

**MP1** - Model Policy

**HP7\_** - Houses in Multiple Occupation

**HP12\_** - Indoor Space

**HP13\_** - Outdoor Space

**HP15\_** - Residential cycle parking

**HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

### **Relevant Site History:**

00/00605/P - Enlarge window. PNR 24th June 2000.

94/01536/P - Single storey rear extensions. PNR 6th January 1995.

99/00744/NF - Rear dormer extension (Amended plans).. PER 8th July 1999.

07/01852/FUL - Erection of 2 x single storey rear extensions.. PER 2nd October 2007.

### **Representations Received:**

3 letters of objection received

- Access
- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on privacy
- Effect on traffic
- General dislike for proposal
- Noise and disturbance
- On-street parking

Oxford Civic Society – Would like to see details of refuse and cycle storage prior to approval.

## **Statutory Consultees:**

Highways – No objection subject to conditions.

## **Issues:**

Principle

Density of HMOs

Facilities and amenities

Bin and bike storage

Parking

## **Officers Assessment:**

### Application site

1. 232 Marston Road is an end of terrace property located on east side of Marston Road, near to the junction of William Street.

### Proposal

2. Planning permission is sought for the change of use from a dwellinghouse (use class C3) to a house in multiple occupation (HMO) (use class C4)

### Principle of development

3. Ordinarily, changes of use between use classes (C3 dwelling houses and C4 HMO's) benefit from permitted development rights and do not require a planning application to be submitted. However, the Government has given individual Councils the power, through the use of an Article 4 Direction, to introduce controls locally.
4. Oxford suffers from an acute shortage of housing and in order to ensure that an appropriate mix and quality of accommodation is provided across the City, Oxford City Council has made an Article 4 Direction allowing it to introduce local planning controls in terms of the change of use of a C3 dwelling to an HMO and as of 24 February 2012 planning permission is required to change the use of a C3 dwelling house to a shared rented house (C4 HMO).

### Density of HMOs

5. Policy CS23 of the Core Strategy states that Planning permission will only be granted for residential development that delivers a balanced mix of housing both within each site and across Oxford as a whole. Oxford has a large number of HMOs and in some areas of the city, high concentrations of HMOs are resulting in changes to the character of the local area. The Sites and Housing Plan states that the Council will use its planning responsibilities to prevent any further over-concentration of HMOs in areas where there are already significant numbers. Policy HP7 of the Sites and Housing Plan states

that permission for a change of use to an HMO will only be granted where the proportion of buildings used as an HMO within 100m of street length of the application site does not exceed 20%.

6. The records indicate 25 buildings within a 100m street length of 232 Marston Road. And there appears to be no HMO licencing records for any of these buildings. The actual number of HMOs in the area may be higher, due to some HMOs not being licenced, but the records indicate that 0% of buildings in the relevant area are HMOs, below the 20% concentration defined in Policy HP7.
7. The proposal is not therefore likely to result in a further over-concentration of HMOs in the immediate area and complies with Policy CS23 of the Core Strategy and Policy HP7 of the Sites and Housing Plan in this regard.

#### Facilities and amenities

8. Policy HP7 of the Sites and Housing Plan also states that permission for a change of use to an HMO will only be granted where the application complies with the City Council's good practice guide "Amenities and Facilities for Houses in Multiple Occupation" and that the development would not therefore have a detrimental impact upon the living conditions for the future occupants.
9. The proposed plans show six bedrooms. All the bedrooms are of an appropriate size for occupancy and the shared living space is also up to standard.
10. Whilst the actual arrangement of rooms may be the subject of conditions of any HMO licence that might be granted, the building has the potential to provide a good level of internal facilities for six occupants.

#### Bin and cycle storage

11. The accompanying text to Policy HP7 makes it clear that adequate provision should be made for refuse storage and collection, cycle and car parking. Policy HP13 of the SHP states that permission will not be granted for dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling. Policy HP15 requires an appropriate provision of covered cycle parking.
12. It is considered that as there is adequate, accessible space within the plot for appropriate bin and bicycle storage, the additional details can be secured by a condition of planning permission to ensure the development complies with Policies HP7, HP13 and HP15.

#### Parking

13. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. The Sites and Housing Plan makes it clear that C4 HMOs should be



subject to the same parking standards as for C3 dwelling houses and provide a maximum of two parking spaces.

14. No off street parking is proposed as part of this application. Concern regarding the impact upon parking has been raised in representations from neighbours.
15. This site is located in the Marston Road South Controlled Parking Zone that restricts residents to parking permits. Oxfordshire County Council, as the Local Highway Authority, has not objected to the development on the basis that no permits are issued.
16. Having the taken above into account it is considered that the proposal is in accordance with Policy CP1 of the oxford Local Plan and HP16 of the Sites and Housing Plan.

### **Conclusion:**

Officers recommend that Committee approves the application.

### **Human Rights Act 1998**

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

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

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

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

### **Background Papers:**

**Contact Officer:** Graeme Felstead

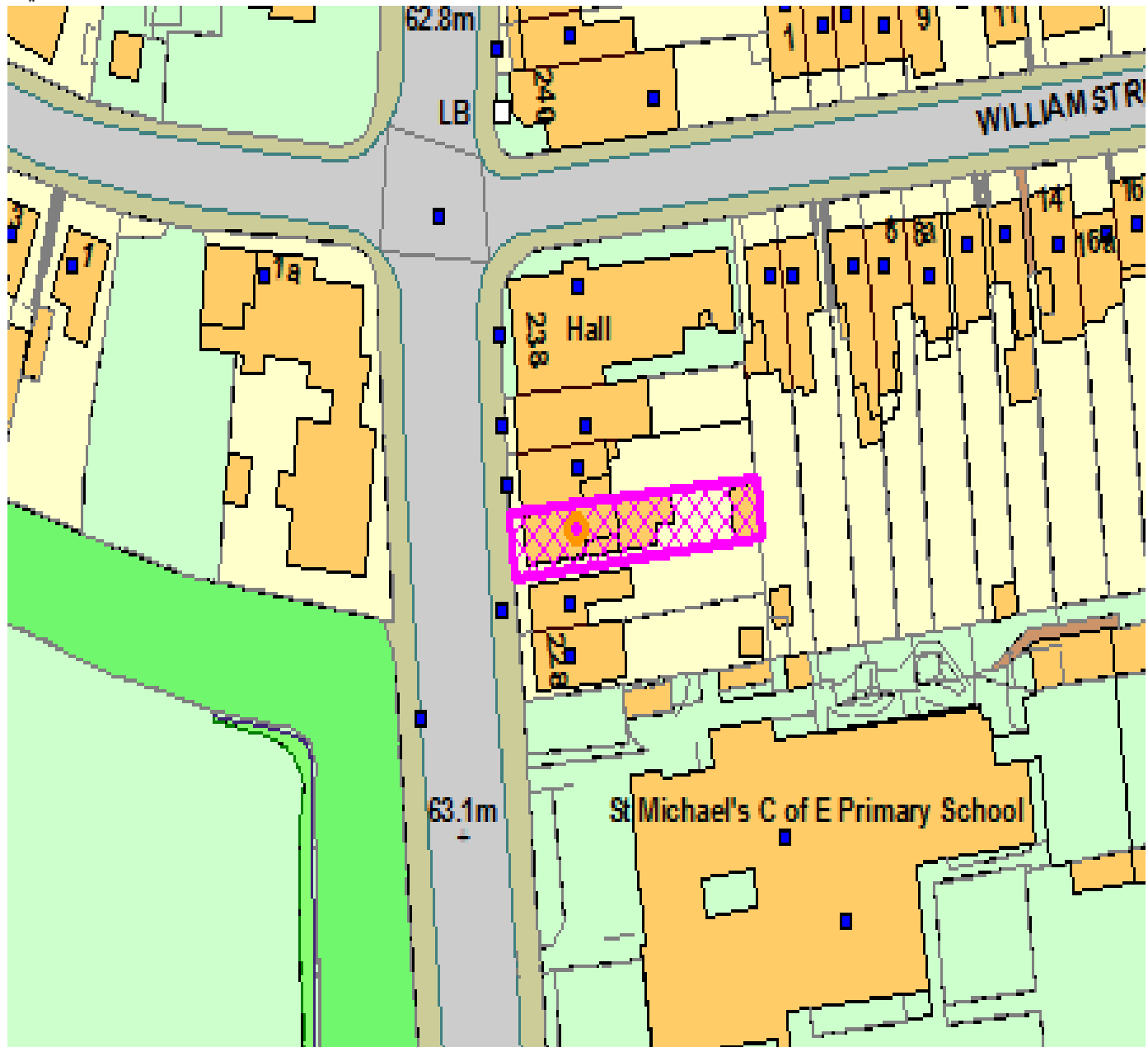
**Extension:** 2160

**Date:** 12th October 2016

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# Appendix 1

16/01564/FUL - 232 Marston Road



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**East Area Planning Committee**

**2nd November 2016**

**Application Number:** 16/01522/FUL

**Decision Due by:** 8th September 2016

**Proposal:** Erection of outbuilding and formation of decking.  
(Retrospective)

**Site Address:** 5 Atkinson Close Oxford Oxfordshire OX3 9LW

**Ward:** Barton And Sandhills Ward

**Agent:** N/A

**Applicant:** Mr Daniel Murphy

NB: The applicant is an employee of Oxford City Council and therefore a decision by elected members at Committee is requested

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## **Recommendation:**

APPLICATION BE REFUSED

For the Following Reasons:-

- 1 The proposal, because of the overall extent of development that includes a garden building, raised decking and high boundary treatment, along with its elevated position and the physical form of the building, would result in a form of development that appears as a visually jarring and incongruous form of development, to the detriment of the appearance of the site and surrounding area and would be contrary to Policies CP1 and CP8 of the OLP, CS18 of the Core Strategy and HP9 of the sites and Housing Plan.
- 2 The proposal, because of its elevated position, large window and extensive area of decking, would result in an unacceptable increase in overlooking and perception of overlooking to adjacent properties and the gardens, which would harm the living conditions of neighbour occupiers and would be contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan 2001 - 2016 and Policy HP14 of the Sites and Housing Plan.

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016 (OLP)**

**CP1** - Development Proposals

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

## **Core Strategy**

**CS11\_** - Flooding

**CS18\_** - Urban design, town character, historic environment

## **Sites and Housing Plan (SHP)**

**MP1** - Model Policy

**HP9\_** - Design, Character and Context

**HP14\_** - Privacy and Daylight

## **Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

## **Relevant Site History:**

15/00156/PDC - PERMITTED DEVELOPMENT CHECK - Driveway. PNR 26th January 2015.

16/01309/FUL - Erection of a part single, part two storey side extension and front porch extension.. PER 12th July 2016.

## **Representations Received:**

No comments received

## **Statutory and Internal Consultees:**

Local Highway Authority: No Comments

## **Issues:**

Visual impact

Effect on adjacent occupiers

## **Officers Assessment:**

### Site description and proposal

5 Atkinson Close is a semi-detached house with a back garden of an irregular shape that rises steeply to the rear.

Permission is sought to retain an outbuilding and elevated decking area part way up the rear garden. The drawings also show a boundary fence that is in excess of 2m in height that would require planning permission. At the time of a visit by Oxford City Council Planning enforcement, the building was provided with

sanitary facilities and power.

### Visual impact

Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.

The proposed development is easily visible from some vantage points in the public domain and forms a prominent feature when viewed from surrounding gardens.

Whilst garden buildings are a common feature of rear gardens in the area, the height of the building is shown in the drawings as in excess of 2m when measured from the highest point of adjacent land. The building is therefore taller than what would be permissible under Permitted Development rules. The steep slope of the site adds to the apparent height of the structure, with the front wall being in excess of 3m above the immediately adjacent ground level. The surrounding decking and elevated fence also add to the apparent bulk and serve to visually separate this part of the garden from the area immediately to the rear of the main house.

Overall, the extent of development, its elevated position and physical form result in form of development that has few of the visual characteristics of a building incidental to the main house and would appear as a visually jarring and incongruous form of development, to the detriment of visual amenity and contrary to Policies CP1 and CP8 of the OLP, CS18 of the Core Strategy and HP9 of the sites and Housing Plan.

### Effect on adjacent occupiers

Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim.

The elevated nature of the building and decking means that overlooking of adjacent properties by users of the development would be very difficult if not impossible to avoid. The prominent nature of the structures would also add to the perception of overlooking from adjacent gardens and this would be exacerbated by the large window to the front of the building.

Overall, the increase in overlooking and perception of overlooking would be unacceptably detrimental to residential amenity and contrary to Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP

### **Conclusion:**

## Refuse

### Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

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

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

### **Background Papers: 16/01522/FUL**

**Contact Officer:** Tim Hunter

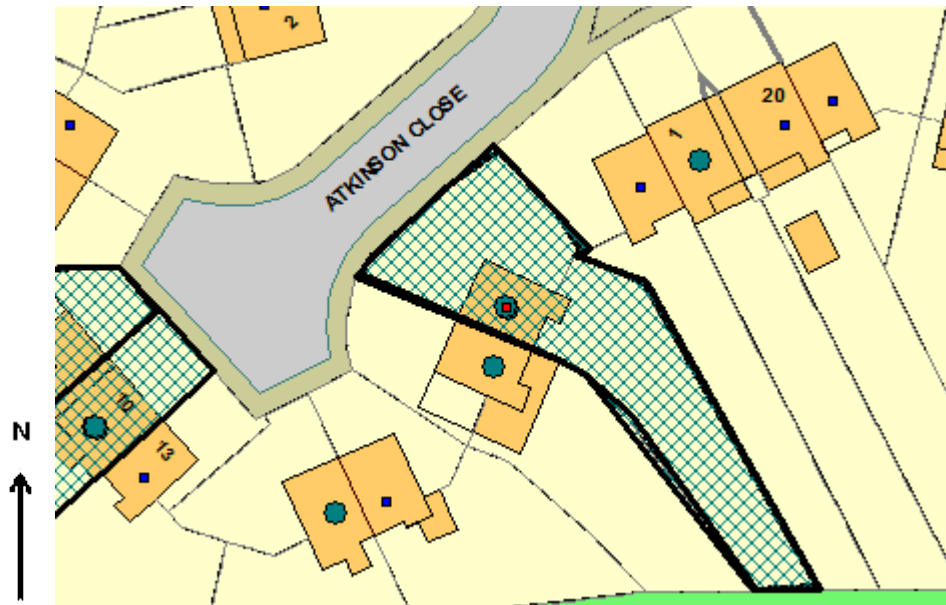
**Extension:** 2154

**Date:** 19th October 2016



# Appendix 1

## 16/01522/FUL - 5 Atkinson Close



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## MINUTES OF THE EAST AREA PLANNING COMMITTEE

Wednesday 12 October 2016

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**COUNCILLORS PRESENT:** Councillors Coulter (Chair), Henwood (Vice-Chair), Chapman, Clarkson, Lloyd-Shogbesan, Paule, Taylor, Wilkinson and Wolff.

**OFFICERS PRESENT:** Michael Morgan (Lawyer), Sarah Stevens (Planning Service Transformation Consultant), Nadia Robinson (Planning) and Jennifer Thompson (Committee and Members Services Officer)

### 41. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None

### 42. DECLARATIONS OF INTEREST

Minute 46: Councillor Wilkinson declared that she had made no representations on this application and had no predetermined view on this.

Minute 47: Councillor Henwood declared that he was the applicant on behalf of the parish council and could therefore not take part in the decision. He would leave the room for this item.

### 43. 16/01578/RES: PLOT 3130, JOHN SMITH DRIVE

The Committee considered an application for planning permission for the erection of a detached office building for business use (Class B1) (with associated access, landscaping and services infrastructure) and approval of reserved matters approved under planning permission 12/01424/EXT (for access, appearance, landscaping, layout and scale) at Plot 3130 John Smith Drive, Oxford Business Park.

Robin Moxon and Dan Williams, representing the applicant, came to the table to answer questions from the committee.

**The Committee resolved** to grant planning permission for application 16/01578/RES with the following conditions:

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

3. Material Samples.
4. Landscape plan required.
5. Landscape carry out by completion.
6. Landscape survey before site works.
7. Tree Protection Plan (TPP) 1.
8. Arboricultural Method Statement (AMS) 1.
9. Construction Traffic Management Plan.
10. Parking Strategy.
11. Full Travel Plan.
12. Restriction on use of car parking area.
13. Parking and Access Layout Plan.
14. Drainage Strategy.
15. Recommendations of Ecological Assessment.
16. Bat and Bird Boxes.
17. Energy Strategy Recommendations.
18. Details of Photovoltaic Array.
19. Contaminated Land Risk Assessment.
20. Unexpected Contamination Watching Brief.
21. Details of cycle storage.

**44. 15/03466/FUL: CLINICAL BIOMANUFACTURING FACILITY, CHURCHILL HOSPITAL, OLD ROAD**

The Committee considered an application for planning permission for the erection of a two storey extension with basement to the Clinical Bio-Manufacturing Facility and provision of new substation (including additional information) at the Clinical Biomanufacturing Facility, Churchill Hospital, Old Road Headington.

Dawn Brodie, representing the applicant, came to the table to answer questions from the committee.

**The Committee resolved** to grant planning permission for application 15/03466/FUL with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials – matching.
4. Archaeology - Implementation of programme of investigation.
5. Staff travel to work and parking.
6. Construction Travel Plan.
7. Drainage scheme.

**45. 16/01726/FUL: UNIT 5, ASHVILLE WAY**

The Committee considered an application for planning permission for the change of use from 'Storage and Distribution' (Use Class B8) to 'Assemble and Leisure' (Use Class D2) on ground floor and 'Offices' (Use Class B1a) on first floor, with

provision of additional car parking, bin and cycle store at Unit 5, Ashville Way, Oxford.

Damien Roscoe, local business owner, spoke against the application, saying that the unit could be retained for its allocated business use and rented by his business.

Councillor Smith, portfolio holder, Michael Crofton-Briggs, the agent, and Hazel Walsh, the club chairman, spoke in support of the application.

Notwithstanding the officer's recommendation for refusal, the Committee considered that the planning permission should be granted. Permanent premises for the gymnastics club would meet the Council's wider policy aims of increasing leisure activities and encouraging young people to be active, and would provide employment although not at skill levels commensurate with B8 uses. While the unit was suited to B8 uses the proposed uses were satisfactory and could be accommodated on the site. The Committee were of the view that, in meeting the wider policy aims of the Council and the Local Plan, the benefits of permitting the change of use specified in the application outweighed the loss of the B8 use of unit.

In this specific case given the benefits the club provided to the community, the weight given to policy CS21 should be greater than that for policy CS28 and permission should be granted. Concerns over accessibility and transport could be addressed by condition.

They considered that in view of the specific circumstances of the application the permission should be limited to the gymnastics club.

**The Committee resolved to grant** planning permission for application 16/01726/FUL subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Personal permission to Cherwell gymnastics club.
4. Cycle parking and car parking details to be submitted and agreed.

#### **46. 16/01213/FUL: 8 JERSEY ROAD, OX4 4RT**

The Committee considered an application for the retention of one 1-bedroom flat, and provision of two 2-bedroom flats extending into the existing vacant extension, and provision of amenity space, vehicular and cycle parking, landscaping, and other associated works. (Amended Plans, Amended Description) at 8 Jersey Road, Oxford.

The Planning Officer recommended and the Committee accepted an additional condition to require details of cycle parking and storage to be agreed.

Jaques Lauruol, local resident, spoke objecting to the application.

Ian Summerfield, the agent for the applicant, spoke in support of the application.

The Committee considered the impact of the proposals on the immediate neighbourhood and were of the view that conditions, provided these were properly implemented and compliance enforced, could appropriately control the impact of the development.

**The Committee resolved** to grant planning permission for application 16/01213/FUL with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Submission of elevations to stores.
4. Car parking and vision splays.
5. Cycle parking details.
6. Bin storage - hard surface access.
7. Sustainable drainage.

**47. 16/01472/FUL: INSTALLATION OF PUBLIC ARTWORK AND SEATING, LAND AT COWLEY ROAD AND NEWMAN ROAD, OX4 3TP**

Councillor Henwood left the room for the duration of this item and took no part in the debate or decision.

The Committee considered an application for planning permission for the installation of public artwork and seating on land at the junction of Cowley Road and Newman Road.

**The Committee resolved** to approve application 16/01472/FUL, subject to the following conditions:

5. Development begun within time limit.
6. Develop in accordance with approved plans.
7. Materials as proposed.
8. Maintenance plan.

**48. 16/01739/CT3: FLORENCE PARK, RYMERS LANE**

The Committee considered an application for planning permission for the installation of floodlighting to tennis courts at Florence Park, Rymers Lane.

The Planning Officer recommended and the Committee agreed an additional condition to control the hours of operation of the floodlights.

The Committee were concerned that if these were motion sensitive lights they may prove distracting to motorists. They delegated the grant of permission to officers, subject to them being satisfied and the Highways Authority confirming that the detailed design of the lights would not cause a distraction to drivers on the adjacent road.

**The Committee resolved** to delegate the granting of planning permission for application 16/01739/CT3 to officers, subject to the design of the lights being confirmed as not causing a distraction to motorists, and subject to the following conditions:

1. Development begun within time limit.
2. Materials as specified - LED Floodlighting, 29.06.2016 (D A S).
3. Develop in accordance with approved plans.

#### **49. MINUTES**

The Committee resolved to approve the minutes of the meeting held on 7 September 2016 as a true and accurate record.

#### **50. FORTHCOMING APPLICATIONS**

The Committee noted the list of forthcoming applications.

#### **51. DATES OF FUTURE MEETINGS**

The Committee noted the dates.

**The meeting started at 6.00 pm and ended at 8.20 pm**

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