

# Agenda

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## East Area Planning Committee

Date: **Wednesday 11 January 2017**

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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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If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer 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.

### Copies of this agenda

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- subscribed to electronically by registering online at [mycouncil.oxford.gov.uk](http://mycouncil.oxford.gov.uk)

# AGENDA

## Pages

1 **Apologies for absence and substitutions**

2 **Declarations of interest**

3 **16/01726/FUL: Unit 5, Ashville Way, Oxford, OX4 6TU**

15 - 28

**Site Address:** Unit 5 Ashville Way

**Proposal:** 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. Provision of additional car parking, bin and cycle store.

The application was considered at East Area Planning Committee on 12 October 2016. It is before the Committee for a fresh determination following advertisement of the development as a departure from the development plan and a new consultation period.

**Officer recommendation:** to **refuse** planning permission for the following reason:

The proposed development would result in the loss of a key protected employment site, which would be harmful to the range of job opportunities in the city and contrary to Policy CS28 of the Oxford Core Strategy 2026.

4 **16/02695/FUL: Nuffield Orthopaedic Centre, Windmill Road, OX3 7HE**

29 - 40

**Site Address:** Nuffield Orthopaedic Centre, Windmill Road, OX3 7HE

**Proposal:** Demolition of temporary office building. Erection of freestanding two storey research building (Botnar 3) with glazed footbridge link to existing Botnar Research Centre building. Provision of 4 disabled car parking spaces and covered cycle store for 200 bicycles.

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

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

4. Replacement Tree.
5. Landscaping implementation.
6. Landscape Management Plan.
7. CTMP.
8. Travel plan.
9. Noise controls.
10. Contaminated Land.
11. Remedial Work.
12. Watching Brief.
13. Cycle storage.
14. Protection of Tree.
15. Drainage Details.
16. Drainage Infrastructure.
17. Air Quality.
18. Biodiversity Enhancement.
19. Energy Efficiency and On-Site Generation.

**5 16/01150/VAR: 36, 38 and 40 London Road, and 2 Latimer Road, Oxford (Variation of Condition 12 of 15/00858/FUL)**

41 - 48

**Site Address:** 36, 38 and 40 London Road, and 2 Latimer Road, Oxford

**Proposal:** Variation of condition 12 (Student accommodation) of planning permission 15/00858/FUL to enable the student accommodation to be occupied by cultural and academic visitors and by conference and summer school delegates outside of term time.

(15/00858/FUL - Demolition of residential houses at 36, 38 and 40 London Road and 2 Latimer Road. Erection of 167 student study rooms and ancillary facilities on 4 and 5 levels plus basement, together with 2 x 2-bed and 2 x 3-bed maisonettes. Provision of 4 car parking spaces and 1 car parking space for disabled drivers, 88 cycle parking spaces, landscaped areas and ancillary works)

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

1. Development in time limit.
2. Development in accordance with plans.
3. Samples.
4. Tree protection.
5. Arboricultural Watching Brief.
6. Underground Services.
7. Hard standing – trees.
8. Landscaping.
9. Landscape completion.

10. Landscape Management.
11. Travel plans.
12. Student accommodation - no cars and management.
13. Construction Travel Management Plan.
14. Strategy for arrivals and departures.
15. Bin and cycle stores.
16. Car/cycle parking provision before use.
17. Variation of Road Traffic Order            Headington West.
18. Biodiversity enhancements.
19. Surface Water Drainage.
20. Safeguarding scheme.

**6        16/02614/FUL: 21 Kestrel Crescent, OX4 6DY**

49 - 56

**Site Address:** 21 Kestrel Crescent, Oxford, OX4 6DY

**Proposal:** Erection of a two storey side extension to form 1 x 2-bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking and bin and cycle store. Erection of a part single, part two storey rear extension to existing dwellinghouse.

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

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials – matching.
4. Parking provision.
5. Visibility Splays.

**7        16/02625/FUL: 19 Kestrel Crescent, OX4 6DY**

57 - 64

**Site Address:** 19 Kestrel Crescent, OX4 6DY

**Proposal:** Erection of a two storey side extension to form 1 x 2-bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking and bin and cycle store. Erection of a two storey rear extension to existing dwellinghouse.

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

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials – matching.
4. Car Parking Provision.
5. Visibility Splays.

8	<b>16/02822/FUL: Land to the Rear of 79 and 81 Wilkins Road, Oxford, OX4 2JB</b>	65 - 72
	<b>Site Address:</b> Land to the Rear of 79 and 81 Wilkins Road, OX4 2JB	
	<b>Proposal:</b> Erection of 1 x 1-bed bungalow (Use Class C3).	
	<b>Officer recommendation:</b> to grant planning permission with the following conditions:	
	<ol style="list-style-type: none"> <li>1. Development begun within time limit.</li> <li>2. Develop in accordance with approved plans.</li> <li>3. Materials as specified.</li> <li>4. Landscaping plan.</li> <li>5. Cycle parking details required.</li> <li>6. Bin storage details required.</li> </ol>	
9	<b>16/02727/FUL: 18 Gorse Leas, Oxford, OX3 9DJ</b>	73 - 80
	<b>Site Address:</b> 18 Gorse Leas, Oxford, OX3 9DJ	
	<b>Proposal:</b> Erection of a two storey side and rear extension and a single storey front extension.	
	<b>Officer recommendation:</b> to grant planning permission with the following conditions:	
	<ol style="list-style-type: none"> <li>1. Development begun within time limit.</li> <li>2. Develop in accordance with approved plans.</li> <li>3. Materials – matching.</li> <li>4. No windows to side.</li> <li>5. Sustainable drainage.</li> </ol>	
10	<b>16/02151/CT3: 331 Cowley Road, OX4 2AQ</b>	81 - 86
	<b>Site Address:</b> 331 Cowley Road, Oxford, OX4 2AQ	
	<b>Proposal:</b> Replacement of windows.	
	<b>Officer recommendation:</b> to grant planning permission with the following conditions:	
	<ol style="list-style-type: none"> <li>1. Development begun within time limit.</li> <li>2. Develop in accordance with approved plans.</li> <li>3. Materials – samples.</li> </ol>	

<b>11</b>	<b>16/02804/CT3: 114 - 136 Barton Road</b>	87 - 92
	<b>Site Address:</b> 114 - 136 Barton Road, Oxford	
	<b>Proposal:</b> Demolition of existing storage sheds and entrance canopy. Erection of refuse store and 12No. storage sheds to north of site. Formation of canopy to entrance.	
	<b>Officer recommendation:</b> to grant planning permission with the following conditions:	
	<ol style="list-style-type: none"> <li>1. Development begun within time limit.</li> <li>2. Develop in accordance with approved plans.</li> </ol>	
<b>12</b>	<b>16/02803/CT3: 102 - 112 Barton Road</b>	93 - 98
	<b>Site Address:</b> 102 - 112 Barton Road, Oxford	
	<b>Proposal:</b> Demolition of existing storage sheds and entrance canopy. Erection of refuse store and 6No. storage sheds to north of site. Formation of canopy to entrance.	
	<b>Officer recommendation:</b> to grant planning permission with the following conditions:	
	<ol style="list-style-type: none"> <li>1. Development begun within time limit.</li> <li>2. Develop in accordance with approved plans.</li> </ol>	
<b>13</b>	<b>16/02802/CT3: 78 - 100 Barton Road, Oxford</b>	99 - 104
	<b>Site Address:</b> 78 - 100 Barton Road, Oxford	
	<b>Proposal:</b> Conversion of storage sheds and refuse store to create larger enclosed refuse stores and erection of additional storage to the east of existing storage sheds.	
	<b>Officer recommendation:</b> to grant planning permission with the following conditions:	
	<ol style="list-style-type: none"> <li>1. Development begun within time limit.</li> <li>2. Develop in accordance with approved plans.</li> </ol>	
<b>14</b>	<b>Minutes</b>	105 - 110
	<b>Recommendation:</b> That the minutes of the meeting held on 7	

December 2016 are approved as a true and accurate record.

## 15 Forthcoming applications

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

16/02885/FUL: Royal Mail Sorting Office And Vehicle Maintenance Depot , 7000 Alec Issigonis Way, Oxford, OX4 2ZY	Major application
Site Of Former Shelley Arms 114 Cricket Road: 16/00679/FUL	Major application also called in
16/02618/FUL: Stansfeld Outdoor Education Centre, Quarry Road, Oxford, OX3 8SB	Major application
16/02651/OUT: William Morris Close Sports Field, Oxford, OX4 2SF	Major application
16/03006/FUL: Templars Square, Between Towns Road, Oxford	Major application
16/02586/FUL: Land Adjacent To Homebase, Horspath Driftway, Oxford	Major application also called in
16/03157/FUL: 53 Collinwood Road, Oxford, OX3 8HH	Major application
16/02017/FUL: 14 Holyoake Road, Oxford, OX3 8AE	Called in
16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG	Major application
16/02998/FUL: 7 And 9 Leys Place, Oxford, OX4 3DE	Major application
16/01752/FUL: Land At Swan Motor Centre And To The East Between Towns Road, Oxford	Major application
16/02997/OUT: Land Adjacent , 2 Rymers Lane, Oxford, OX4 3LA	Major application
15/03342/FUL: 16 Clive Road	Called in
16/03034/FUL 44 Town Furze	Called in
16/01049/FUL: 474 Cowley Road, OX4 2DP	Major application
16/01225/FUL: Temple Cowley Pools, Temple Road, OX4 2EZ	Major application
16/03078/FUL: Land South Of Oxford Road,	Major application



Oxford (Horspath Sports Ground)	
16/01894/FUL and 16/01895/LBD: Grove House, 44 Iffley Turn, Oxford, OX4 4DU	Called in
16/03008/CT3: Sports Hall Recreation Ground, Court Place Farm, Marsh Lane, OX3 0NQ	Council application
16/03007/FUL: The Manor Hospital, Beech Road, Oxford, OX3 7RP	Major application
16/02895/FUL: 51/53 Nowell Road	Called in
16/03065/CT3: Brasenose Farm Allotments, Eastern By-Pass Road, Oxford	Council application
16/03108/RES: Jack Russell, 21 Salford Road, OX3 0RX	Major application

## **16 Dates of future meetings**

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

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.***



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## Addendum report to original report (at Appendix 2)

East Area Planning Committee

11 January 2017

**Application Number:** 16/01726/FUL

**Proposal:** 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. Provision of additional car parking, bin and cycle store.

**Site Address:** Unit 5 Ashville Way Oxford Oxfordshire  
**(Site Plan – Appendix 1)**

**Ward:** Blackbird Leys Ward

**Agent:** Mr Michael Crofton-Briggs

**Applicant:** Mrs Hazel Walsh

Application Called in by Councillors Hollingsworth, Price, Clarkson and Smith for the following reason: To allow full consideration of the relevant planning issues by Councillors.

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### **Recommendation:**

The East Area Planning Committee is recommended to REFUSE planning permission for the following reason:

- 1 The proposed development would result in the loss of a key protected employment site, which would be harmful to the range of job opportunities in the city and contrary to Policy CS28 of the Oxford Core Strategy 2026.

### Background

1. The application site is an industrial warehouse last used for storage and distribution (use Class B8). The unit forms part of a key protected employment site, as described in the Core Strategy. These sites ensure a sustainable distribution of business premises to maintain a range of job opportunities and contribute to Oxford's economy. Permission is sought for a change of use to class D2 on the ground floor and B1a on the first floor to allow the building to be used by Cherwell Gymnastics Club as a gymnastics club, with the upper floor being sub-let for use as offices. A full assessment of the proposal is contained in the original Officer's Report, which is attached.
2. The application was considered at East Area Planning Committee on the 12th October 2016. Mr Cameron Thompson of Mayfield Press spoke against the proposal, indicating that Mayfield Press wished to acquire the unit for use as part of their existing printing operation, a use consistent with the Local Development Plan.

3. Members voted to approve the application, but before the formal decision notice was issued, officers were made aware that a Judicial Review may be sought by a third party (Mayfield Press) to quash any decision to grant planning permission. The formal letter before action is attached in Appendix 4. The letter before action sets out 5 grounds for the claim that such a decision would be unlawful. These can be summarised as follows:

**Grounds 1 – 3:** The proposal amounts to a departure from the Development Plan which could not be justified by Policy CS21, as that policy does not apply in this case.

**Ground 4.** The condition personally limited to the gymnastics club was unjustified and contrary to the guidance of the National Planning Policy Framework (NPPF).

**Ground 5:** The proposal amounted to a departure from the Development Plan and this was not advertised in accordance with the Development Management Procedure Order (DMPO).

4. Officers have considered these grounds and make the following points in relation to them:

**Grounds 1 - 3** Officers consider that the arguments in Grounds 1 - 3 have merit so far as they relate to not properly understanding the development plan policies and taking account of an immaterial policy. As the application is for neither replacement sports and leisure facilities lost to development elsewhere, nor facilities being provided under Policy CS17 (infrastructure and development contributions) CS21 is not a relevant policy in this case. The interpretation of planning policy is not a matter of planning judgment. The wording of policy is to be interpreted objectively and in context. Officers' advice remains that this proposal is contrary to the development plan as explained in the original report to committee (Appendix 2).

Members are reminded that they are not bound to determine applications in accordance with the development plan. The development control process is however plan led and members must however properly understand the development plan departing from it only if other material considerations outweigh the plan.

The earlier committee meeting did explain why they had reached the decision by reference to the officers' reasoning then provided.

**Ground 4** This ground is not considered to have substance. Members were aware of the relevant guidance. Officers do not however consider that there is a proper basis for imposition of such a condition.

**Ground 5** As the application had not been advertised in the local press prior to it being considered at EAPC, this would be a basis for quashing any decision as such publicity is required by the DMPO where the proposed development does not accord with the provisions of the local development plan, which is the case in



this instance. The required notice was placed in the Oxford Times on the 17th November 2016, giving a period of 21 days (to the 8th December) for interested parties to make representations. New site notices, identifying the development as a departure from the development plan were also erected, again giving a period of 21 days to the 8th December for interested parties to make representations.

### **Representations received**

5. The following representations have been received since this matter was last placed before EAPC:

#### Comments objecting:

**Mr Andrew Smith MP:** The local MP has indicated that he is sympathetic to the case made by Mr Thompson of Mayfield Press and requests that the committee give careful consideration to a number of concerns raised by Mr Thompson and summarised in Mr Smith's letter. This letter has been provided to members, but does express the MP's concerns relating to the impact on the business at Mayfield Press and prospective loss of jobs as well as the suitability of the proposed use for the site and the impact on traffic and parking.

**Mr Cameron Thomson (Mayfield Press)** Mr Thomson states that his company wish to acquire Unit 5 to provide accommodation for their printing operation and that such a use would accord with the local development plan. It is suggested that the extra accommodation is required because of a forthcoming merger of Mayfield Press with another print firm and that 30 Class B jobs would be provided as a result. It is further stated that Unit 5 may be the only opportunity for the company to expand in this way within the Oxford area and that if Unit 5 is not available, they may have to leave the city altogether,

Mr Thomson also raises a number of other issues relating to traffic and parking. He points out that the single yellow lines along part of Ashville Way are often occupied by workers at the BMW plant nearby and that there is considerable congestion of the road in the evenings. He suggests that the level of trips generated by the proposed use could not be accommodated within the road and that it would be disruptive to surrounding businesses. A number of photographs are provided in an attempt to support these comments.

13 Meadow Walk.  
3 Hillview Road, Abingdon  
22 Coltsfoot Square  
8 Marjoram Close  
Oxford Road Marston

The above comments can be summarised as objections to the disregard for adopted planning policy, concern over the future of Mayfield Press and its employees, and issues relating to parking pressure and highway safety.

#### Comments in support:

British Gymnastics Facility Development Manager: The building meets the needs

of this developing club and is similar to buildings being used by hundreds of gymnastics clubs around the country.

Ward Councillor Linda Smith: In support – the building is perfect for the club, which provides first class sporting opportunities, and the accommodation is needed to expand and meet the needs of local young people. There may well be no net loss of employment and this well run club will manage transport and parking appropriately.

59 Ferry Road  
3 Mark Road  
65 Old Road, Marston  
190 Pegasus Road  
19 Sorrel Road  
76 Hailey Road  
Address not supplied (x2)

The above comments can be summarised as support for the gymnastics club itself, which has spent several years searching for a suitable venue within the city, and concern over the limited provision of this type of facility within the city.

### **Officers Assessment**

6. Most of the issues raised in the representations received and since the application was presented to committee have been previously in the original officers' report (Appendix 2). However the following issues are further considered below:

#### Parking

7. Ashville Way is a Cul-de-sac with yellow lines controlling parking during the day. Evidence has been supplied that indicates that in the evening and overnight, much of the road is occupied by the cars of workers at the nearby BMW plant. This would restrict the parking available to users of the gym and also constricts access to the units along the road. This may be exacerbated by the vehicles serving Mayfield Press next door and those of users of the gym.
8. Officers accept that outside the hours of control, there may be issues of parking and access to the units along Ashville Way. However, many of these issues already exist, any occupant of the unit is likely to add to traffic along the road and officers consider that the parking and highway safety issues are not of a magnitude that would justify a refusal of planning permission. If the application were recommended for approval, a condition relating to a travel plan could be imposed to minimise the impact of the proposed use..

#### Employment

9. Limited evidence has been supplied to support the contentions of Mayfield Press that granting permission for the change of use would have a highly detrimental effect on its business and its ability to continue operating within the city of Oxford, and any commercial negotiations are beyond the scope of the planning system.

10. With regard to the relative number of jobs that would be provided by the different uses of the site, officers estimate that a typical Class B use might generate in the region of 7 employees, whilst the proposed split use may provide double this – 7 to the gym and (once occupied) 7 to the offices. It is noted that Mayfield Press have stated that the space is required due to a merger with another print firm and that such a use of Unit 5 would provide 30 jobs. Officers are not able to advise whether or not this is a realistic figure.
11. Whilst a refusal of planning permission would give no guarantee that the adjoining occupier would occupy it; that any merger would be successful; or that 30 additional employees would occupy the unit, neither is there any guarantee that the use as a gym would provide 7 jobs on a long term basis or that an occupier for the office space would be found.
12. What is clear is that Policy CS28 seeks to protect the type of jobs provided by Use Class B uses should be recognised as a material consideration to which substantial weight should be given.
13. As previously stated, officers accept that the change of use may not result in a net loss in the number of jobs provided on the site, but as the Core Strategy makes clear, smaller employment sites such as this one may offer low skilled jobs and skilled manual work which are important to particular sectors of the population. The net number of total jobs should not therefore be the prime consideration in this case, but rather the loss of key protected employment.

### **Conclusion:**

The proposal is considered to be unacceptable in terms of the relevant policies of the Oxford Core Strategy 2026 (in particular CS28) and contrary to the development plan. There are not other material considerations applicable that, in officers' view, outweigh that non compliance. Therefore officer's recommendation to the committee is to refuse the proposed development for the reason stated.

### **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: 16/01726/FUL**

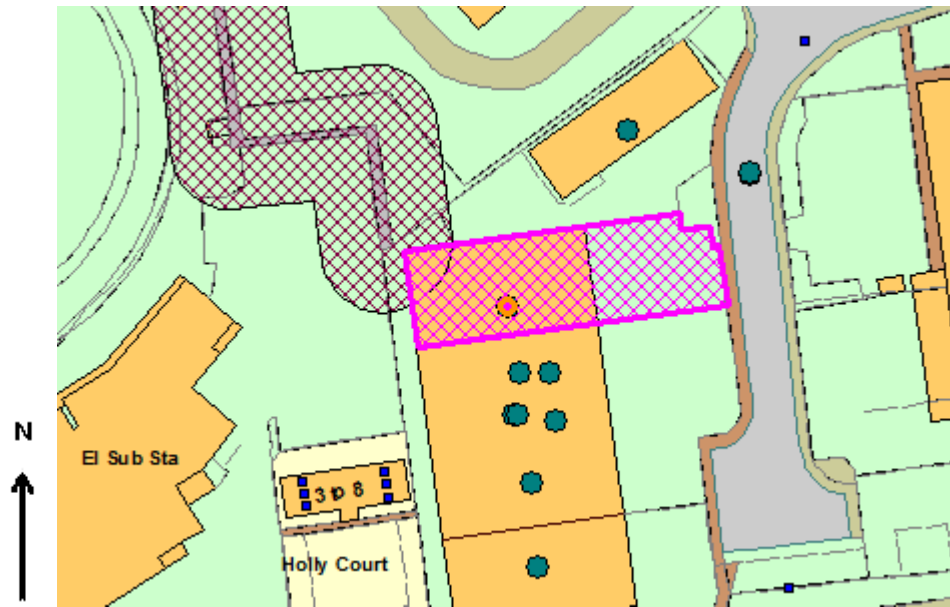
**Contact Officer:** Tim Hunter

**Extension:** 2154

**Date:** 15<sup>th</sup> December 2016

# Appendix 1

16/01726/FUL - Unit 5



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Ordnance Survey 100019348

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## Appendix 2 Original Committee Report

East Area Planning Committee

12<sup>th</sup>October 2016

**Application Number:** 16/01726/FUL

**Decision Due by:** 2nd September 2016

**Proposal:** 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. Provision of additional car parking, bin and cycle store.

**Site Address:** Unit 5 Ashville Way Oxford Oxfordshire  
**(Site Plan – Appendix 1)**

**Ward:** Blackbird Leys Ward

**Agent:** Mr Michael Crofton-Briggs

**Applicant:** Mrs Hazel Walsh

**Application Called in** by Councillors Hollingsworth, Price, Clarkson and Smith. for the following reason: To allow full consideration of the relevant planning issues by Councillors.

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### **Recommendation:**

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

- 1 The proposed development would result in the loss of a key protected employment site, which would be harmful to the range of job opportunities in the city and contrary to Policy CS28 of the Oxford Core Strategy 2026.

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

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

**CP1** - Development Proposals

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

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

#### **Core Strategy**

**CS21**\_ - Green spaces, leisure and sport

**CS27**\_ - Sustainable economy

**CS28**\_ - Employment sites

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

**CS14\_** - Supporting city-wide movement

**Sites and Housing Plan (SHP)**

**MP1** - Model Policy

**Other Material Considerations:**

National Planning Policy Framework  
Planning Practice Guidance

**Relevant Site History:**

None relevant

**Representations Received:**

Letters of support have been received from the following:

British Gymnastics  
British Gymnastics (South Region)  
Oxfordshire Sport and Physical activity  
Oxfordshire Sports Partnership  
No address given  
Councillor L Smith

These comments can be summarised as follows:

Cherwell Gymnastics Club is the only provider of gymnastics in the city and has no proper permanent home. The proposed use would widen access to sporting opportunities. No net loss of jobs.

**Statutory Consultees:**

Local Highway Authority: No objection

**Officers Assessment:**

Site description

1. The building is an industrial warehouse last used for storage and distribution (use Class B8) with an open yard to the front, situated on a small estate of similar properties (**appendix 1**).
2. The unit forms part of a key protected employment site, as described in the Core Strategy. These sites ensure a sustainable distribution of business premises to maintain a range of job opportunities and contribute to Oxford's economy. Smaller employment sites, such as this one may support the functioning of the local economy and the efficient operation of larger employment sites, as well as being suitable for start-up light



industrial units.

### Proposal

3. Permission is sought for a change of use to class D2 on the ground floor and B1a on the first floor to allow the building to be used as a by Cherwell Gymnastics Club as a gymnastics club, with the upper floor being sub-let for use as offices.
4. The Planning Statement and business plan included with the application contains substantial information relating to the merits of the proposed use, the lack of existing gymnastics provision in Oxford and the suitability of the building to Cherwell Gymnastic Club. These matters are accepted by officers, who consider that the proposed use as a gymnasium would make a valuable contribution to the provision of leisure and sports facilities in the city.
5. Cherwell gymnastics club is the only gymnastics club within the city with over 200 gymnasts across all age groups and over 1000 currently on a waiting list due to lack of space and availability of facilities.
6. Officers are aware that the gymnastics club has spent several years searching for a suitable venue within the city to help sustain and grow participation within the club and the sport as a whole but have been unable to find any suitable venues within the city to fulfil the ever growing demand.

### Loss of a key protected employment site

7. Policy CS28 of the Core Strategy states that permission will not be granted for development that results in the loss of key protected employment sites and the accompanying text makes it clear that for the purposes of this policy, the term "employment sites" refers only to Class B or closely related Sui Generis uses.
8. The proposal would involve the change of use of the building from a B8 use class to a D2 and B1a use. This would result in the loss of a key protected employment site which would be contrary to Policy CS8.
9. Officers accept that the change of use may not result in a net loss in the number of jobs provided on the site, but as the Core Strategy makes clear, smaller employment sites such as this one may offer low skilled jobs and skilled manual work which are important to particular sectors of the population.
10. Officers would make Members aware that Policy CS28 does allow for the loss of some employment sites which are not key protected sites where substantial evidence is produced to demonstrate significant nuisance or environmental problems or to show that despite marketing, no employment generating (use class B) occupier can be found for the site. However this part of CS28 does not apply to this site because it is a key protected employment site and whilst the accompanying documents indicate that the unit has been advertised to

rent since January 2016 with no other viable interest, officers do not consider that substantial evidence has been provided to demonstrate either of the situations described above if this did apply.

### Transport

11. The Local Highway Authority has indicated that it has no objection to the proposals with regard to parking provision and layout, cycle parking or impact on highways and transport, but would recommend that the cycle parking be provided closer to the building's access point.
12. Officers note that the block plan appears to show a disabled parking space and cycle stands, in addition to 8 car parking spaces. However the plan is lacking in detail and certainty and if members were minded to approve the application, officers would suggest that any permission should be conditional on a more detailed plan being agreed before the start of work on site.

### **Conclusion:**

13. The proposal is considered to be unacceptable in terms of the relevant policies of the Oxford Core Strategy 2026 and therefore officer's recommendation to the committee is to refuse the development.

### **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: 16/01726/FUL**

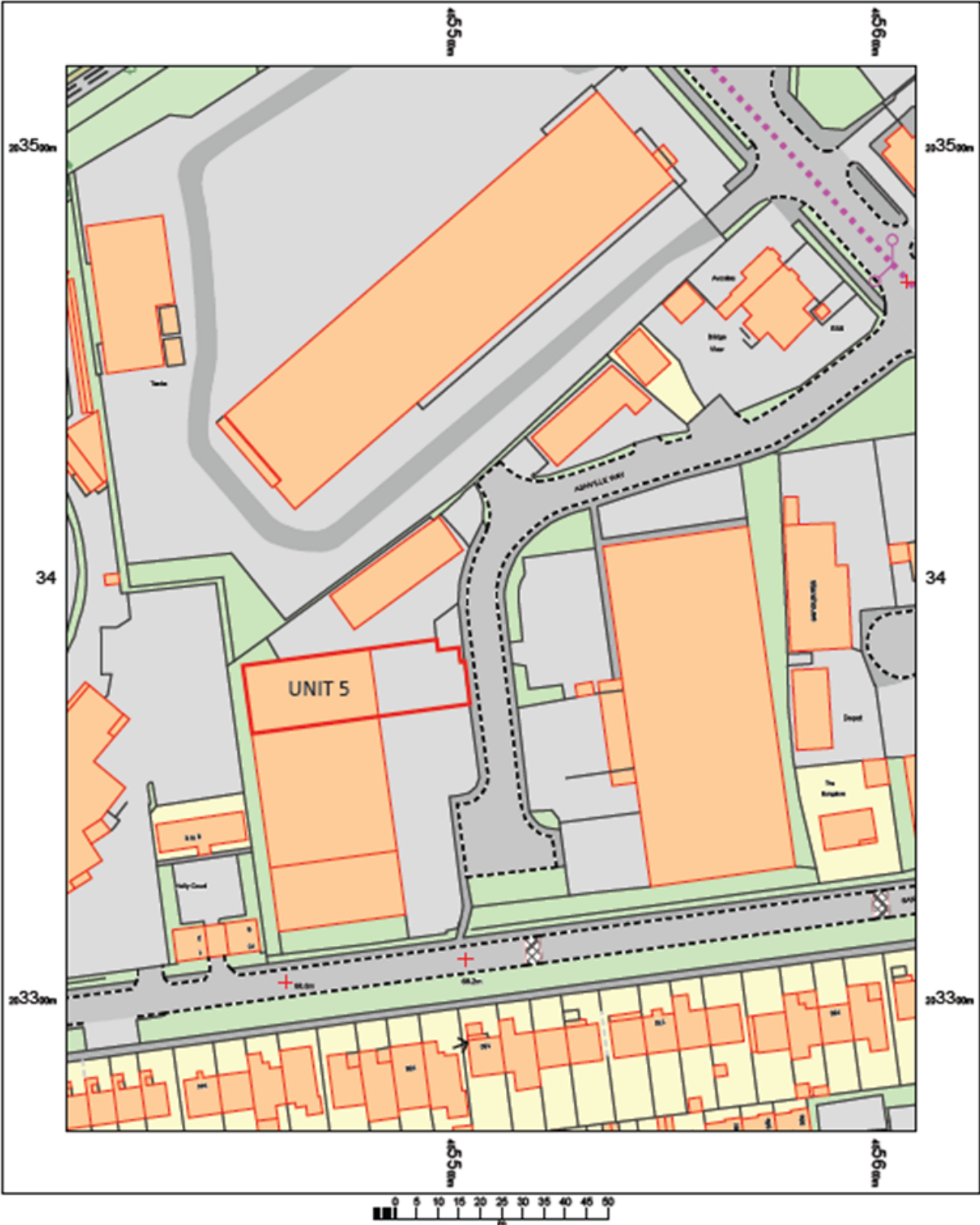
**Contact Officer:** Tim Hunter

**Extension:** 2154

**Date:** 28th September 2016

**Appendix 1**

Unit 5, Ashville Way



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## East Area Planning Committee

11th January 2017

**Application Number:** 16/02695/FUL

**Decision Due by:** 22nd February 2017

**Proposal:** Demolition of temporary office building. Erection of freestanding two storey research building (Botnar 3) with glazed footbridge link to existing Botnar Research Centre building. Provision of 4 disabled car parking spaces and covered cycle store for 200 bicycles.

**Site Address:** Nuffield Orthopaedic Centre Windmill Road Oxford  
Oxfordshire

**Ward:** Headington Ward

**Agent:** Paul Semple

**Applicant:** Appeal Director

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### Recommendation:

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

#### Reason for Approval

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

#### Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Replacement Tree
- 5 Landscaping implementation
- 6 Landscape Management Plan
- 7 CTMP
- 8 Travel plan
- 9 Noise controls
- 10 Contaminated Land
- 11 Remedial Work
- 12 Watching Brief

- 13 Cycle storage
- 14 Protection of Tree
- 15 Drainage Details
- 16 Drainage Infrastructure
- 17 Air Quality
- 18 Biodiversity Enhancement
- 19 Energy Efficiency and On-Site Generation

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

**HH2** - Primary Healthcare Facilities - Non Residential buildings & New Healthcare Facilities

**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

**CP13** - Accessibility

**CP19** - Nuisance

**CP20** - Lighting

**CP21** - Noise

**CP22** - Contaminated Land

**TR2** - Travel Plans

**TR3** - Car Parking Standards

**TR4** - Pedestrian & Cycle Facilities

**Core Strategy**

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

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

**CS9\_** - Energy and Natural Resources

**CS10\_** - Waste and recycling

**CS11\_** - Flooding

**CS12\_** - Biodiversity

**CS17\_** - Infrastructure and developer contributions

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

**CS30\_** - Hospitals and medical research

**Sites and Housing Plan**

**SP38\_** - Nuffield Orthopaedic Centre, Windmill Rd

**MP1** - Model Policy

**HP14\_** - Privacy and Daylight

**Other Material Planning Considerations**

National Planning Policy Framework

National Planning Practice Guidance

### **Relevant Site History**

00/01445/NF - Demolition of single storey building. Erection of 2 storey research laboratory (2004 sq.m), with plant room in raised roof. Provision of 16 space car park (4 disabled) bicycle park and new internal access road. (Amended Plans) – PER

07/01934/FUL - Botnar Research Centre: Erection of single storey extension to southern elevation to provide staff rest room and meeting and seminar space.

10/01709/FUL - Erection of two storey research building (Botnar phase 2). Provision of 4 disabled parking spaces, 22 cycle hoops and new barrier controlled access road. (Amended Plans)

16/02686/FUL - Erection of new electrical sub station. – PER

16/02688/FUL - Formation of replacement car park for 8No. vehicles for a temporary period. – PER

### **Statutory and Internal Consultees**

Thames Water: No objections, recommend including an informative relating to water pressure.

Natural England: No comments

Oxfordshire County Council Highways: No objections subject to conditions relating to the submission of a travel plan and construction traffic management plan.

### **Representations Received**

None received

### **Site Description**

1. The application is to the south of the existing Botnar Research Centre (BRC), which is situated in the north-west corner of the Nuffield Orthopaedic Centre site in Headington. The BRC is the main Oxford University research centre for musculoskeletal sciences. The existing main BRC buildings on the site were erected in two main phases that are referred to above in the application site history. The application site itself was previously occupied by a Nuffield Orthopaedic Centre building that was demolished; the site now contains a temporary office building and an electricity substation.
2. The site benefits from sixteen car parking spaces and eight disabled parking spaces; access to these spaces is controlled by existing electronic barriers and an intercom to the reception for BRC. The site is open to service vehicles that can access the site from Windmill Road and Old Road but there are specific controls including a barrier and height restriction to ensure that there is no rat running through the Nuffield Orthopaedic Centre site.
3. Despite the application site being on an established research and hospital site

there are dwellings in the nearby vicinity; notably properties to the west of the application site in Nursery Close and Cecil Sharp Place.

## **Proposed Development**

4. It is proposed to demolish the existing temporary building on the site and the electricity substation. A new two storey building is proposed that would have a similar appearance and style to the adjacent existing BRC building. The proposed building would be slightly higher than the existing building due to the higher ground level. A service area is proposed within the roofspace that would incorporate mechanical plant and equipment; limited access to this space is proposed to provide for maintenance and servicing. The proposed new building would contain offices and laboratories; it is anticipated that the building would accommodate 120 employees.
5. It is proposed to link the proposed building to the existing BRC building with a first floor link bridge. The link bridge would have a contemporary appearance, incorporating extensive glazing. As a result of the change in ground levels between the existing and proposed building and the need to provide sufficient clearance underneath the bridge for the access road the bridge would incorporate a ramp within its span.
6. There are separate planning applications that deal with the replacement of the substation (16/02686/FUL) and a temporary car park (16/02688/FUL); these applications have recently been approved. The temporary car park (for eight spaces) is required to replace car parking spaces that would be occupied during the construction phase of the development proposed in this application.
7. It is also proposed to erect a 200 space cycle store which would be secure and covered. The proposed cycle store would provide an enhanced area for cycle parking for the entire BRC site.

## **Officers Assessment:**

### Principle of Development

8. The application site is considered to be previously developed land. Policy CS2 together with the NPPF require that the majority of new development should take place on previously developed land. The proposed development would also replace a low-rise temporary building on the site and would create a modern facility with a greater capacity for employees; on this basis this would represent an improvement in terms of the efficient use of land that is supported in principle by Policy CP6 of the Oxford Local Plan 2001-2016.
9. The application is covered by a site-specific policy, Policy SP38 of the Sites and Housing Plan (2013). The policy supports the development of further medical research facilities. As a result, Officers recommend that the development would be acceptable in principle.



10. Officers recommend that the principal issues to consider in the determination of the application are:

Design  
Impact on Amenity  
Access and Parking  
Flooding and Surface Water Drainage  
Impact on SSSI (Lye Valley)

### Design

#### Appearance, Scale and Materials

11. The proposed two storey building would have a similar appearance and scale to the adjacent existing BRC buildings. The development would also be sympathetic in terms of its style and appearance on what is already an established research and healthcare site. Officers recommend that the siting of the building within the site means that it would not be visible in the streetscene. The overall scale and height of the development proposed has been considered; the proposed development would be on an area of slightly higher ground but would not be overly prominent or obtrusive having had regard to the distance to the boundary and the presence of surrounding buildings and boundaries. The overall size of the development proposed, which would be two storey would also be appropriate in the wider context of a largely residential area.
12. The proposed link bridge would be a contemporary addition to the site. Officers consider that the discrete siting of the link bridge in the centre of the BRC complex would mean that it would not be visually prominent and would form an acceptable addition to the site.
13. The proposed development would be constructed using materials that are already in use on the existing BRC site; this would ensure that the proposed development would harmonise with the appearance of existing buildings. A condition is recommended that would ensure that only the specified materials are used.
14. On the basis of the above, Officers consider that the design and appearance of the proposed development would be acceptable.

#### Landscaping

15. The proposed development would involve the loss of a mature beech tree; this tree has no significant landscape value beyond the BRC site and as a result its loss would be acceptable. However, it is recommended that a replacement specimen is required by condition. A detailed landscaping scheme is provided with the application and this is also recommended to be required by condition. Officers have considered the impact of the proposed development on nearby protected trees, including a hybrid black poplar (subject to a Tree Preservation Order) which would be adjacent to the

proposed construction compound; Officers recommend that tree protection measures be provided by condition to ensure that this tree is not damaged during the construction phase of the development.

#### Energy Efficiency and On-site Generation

16. The proposed development would incorporate reduced heating demand, energy efficient lighting and reduced cooling demand. It is proposed to provide solar panels on the roof of the proposed development. Officers consider that the proposals would be acceptable in the context of Policy CS9 of the Core Strategy (2011); the measures recommended in the application are recommended to be required by condition.

#### Impact on Neighbours

##### Impact on Privacy

17. The proposed development would be sited approximately 24m from the ends of the rear gardens of the nearest dwellings in Nursery Close. As a result, Officers consider that there is adequate distance between the proposed buildings and private amenity spaces and dwellings that would ensure the privacy of neighbouring residential amenity. There would not be unacceptable overlooking from the proposed link bridge into nearby gardens or dwellings.

##### Impact on Light

18. The proposed development would be separated from nearby properties (see above) and as a result would not give rise to an adverse impact on light. In reaching this view Officers have considered the submitted sunlight/daylight assessment and the requirements of Policy HP14 of the Sites and Housing Plan (2013).

#### Noise and Disturbance

19. The application contains information stating that the noise from mechanical plant and ventilation equipment would be below the background noise level. Plant is proposed to be located in the roof area which would allow for noise to be attenuated and minimise impact on neighbouring dwellings. Officers have included a condition that would restrict noise levels from the development.

#### Access and Parking

20. The proposed development would not alter the access arrangements on the site and there are no objections from Oxfordshire County Council Highways. The site is acceptable in principle in the context of Policies SP38 as it does not provide additional car parking (though there is some disabled parking within the site; with six disabled spaces adjacent to the entrance to the existing BRC building). The site is currently served by public transport with buses running frequently through the site (including park and ride services); other frequent bus services are available from nearby stops on Windmill Road

and Old Road (including services to the railway station, City Centre, JR, Headington and Cowley). As a result, this is a highly accessible site where it is appropriate to provide limited car parking.

21. The proposals include the provision of a new 200 space cycle enclosure. The proposed cycle enclosure would be covered and secure which would represent an improvement of existing facilities. It has been suggested that the proposed facilities would replace existing cycle parking which is open and at a side of the site with limited passive surveillance. Officers recommend that the proposals represent an improvement and comply with the requirements of Policy TR4 of the Oxford Local Plan 2001-2016. The site is highly accessible for cyclists (there is a separate access for pedestrians and cyclists from Gardiner Street which was sought in previous phases of the development of BRC).
22. A condition has been recommended that would require the submission of a travel plan prior to the first use of the development to ensure that there are measures in place to encourage people working at the site to walk, cycle or use public transport to access the site. Officers have also recommended a condition relating to the requirement for a Construction Traffic Management Plan.

#### Flooding, Drainage and Impact on Lye Valley SSSI

23. The application site does not lie in an area of high flood risk. The proposed development includes details relating to surface water drainage. Officers recommend that conditions are included requiring adherence to the submitted details for drainage and the installation of drainage infrastructure.
24. Thames Water has commented on the application and has not raised objections to the impact of the development on their infrastructure. They have requested an informative relating to water pressure which Officers have included as part of the recommendation.
25. The application site lies within an area where water draining from the site would feed the aquifer underlying the Lye Valley Site of Special Scientific Interest (SSSI). It is essential for anywhere within the catchment of the SSSI to ensure that would infiltrate the ground and feed the springs (the supply of water and its chemistry and essential for maintain the environment of the SSSI). Details provided with the application state that a new cellular soakaway would be installed under the proposed cycle store which would comply with the requirements of SUDs and maintain infiltration of surface water. This would ensure that the proposed development would not have an adverse impact on the SSSI. The drainage solution proposed would incorporate features that would minimise pollutants entering the watercourses in the SSSI; water draining into the aquifer would naturally percolate through limestone in the area (and contribute to the water supply of the alkaline springs in the calcareous fen).

### Archaeology

26. The application site is of archaeological interest. However, the information provided with the application suggests that no additional archaeological work is required for the proposed development.

### Biodiversity

27. The application site contains no buildings that would be suitable habitats for roosting bats. Officers have recommended a condition that would require the submission of biodiversity enhancement measure in order that the development would comply with the requirements of Policy CS12 of the Core Strategy (2011).

### Contaminated Land and Air Quality

28. Additional details are recommended to be required by condition in relation to land quality. Officers are satisfied that these matters can be dealt with adequately by condition.

29. The proposed development would incorporate the use of gas boilers and appropriate details have been provided that relate to the impact of the development on air quality (with a particular emphasis on nitrous oxide emissions). Officers are satisfied that the proposed development would not have an adverse impact on air quality in the vicinity of the applications site and a condition has been included in the recommendation that would ensure that the proposed development complies with the specifications for air quality (as set out in the submitted report).

### **Conclusion**

Officers recommend that the East Area Planning Committee grant planning permission subject to the conditions included above.

### **Human Rights Act 1998**

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

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

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

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

### **Background Papers:**

16/02695/FUL

**Contact Officer:** Robert Fowler

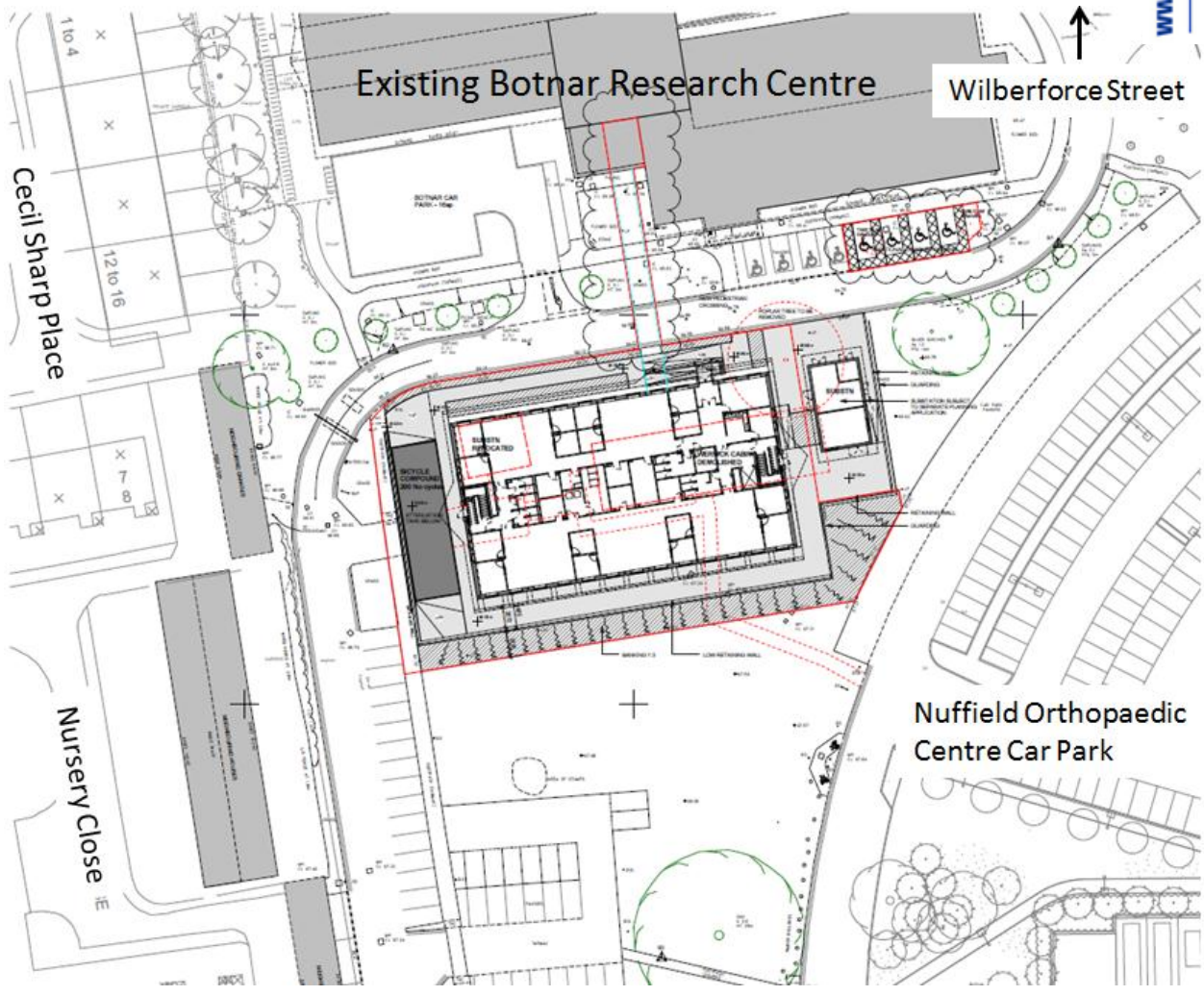
**Extension:** 2104

**Date:** 23<sup>rd</sup> December 2016

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# Appendix 1

## Nuffield Orthopaedic Centre – 16/02695/FUL



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**East Area Planning Committee**

**11 January 2017**

**Application Number:** 16/01150/VAR

**Decision Due by:** (original) 27 July 2016 (now) 31 December 2016

**Proposal:** Variation of condition 12 (Student accommodation) of planning permission 15/00858/FUL (Demolition of residential houses at 36, 38 and 40 London Road and 2 Latimer Road. Erection of 167 student study rooms and ancillary facilities on 4 and 5 levels plus basement, together with 2 x 2-bed and 2 x 3-bed maisonettes. Provision of 4 car parking spaces and 1 car parking space for disabled drivers, 88 cycle parking spaces, landscaped areas and ancillary works) to enable the student accommodation to be occupied by cultural and academic visitors and by conference and summer school delegates outside of term time.

**Site Address:** 36, 38 and 40 London Road, and 2 Latimer Road, Oxford

**Ward:** Headington Ward

**Agent:** Miss Lillian Duffield

**Applicant:** Frontier Estates (Oxon) Ltd

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### **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

### Reasons for Approval

- 1 The proposed variation of condition is regarded as sustainable in that it allows for the efficient use of an approved development. A condition requiring the submission and approval of a Management Plan will mitigate any adverse impacts. The proposal is therefore considered to accord with the requirements of the relevant policies of the Oxford Local Plan, Sites and Housing Plan and Core Strategy.
- 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.
- 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 in time limit
- 2 Development in accordance with plans
- 3 Samples
- 4 Tree protection
- 5 Arboricultural Watching Brief
- 6 Underground Services
- 7 Hard standing - trees
- 8 Landscaping
- 9 Landscape completion
- 10 Landscape Management
- 11 Travel plans
- 12 Student accommodation - no cars and management
- 13 CTMP
- 14 Strategy for arrivals and departures
- 15 Bin and cycle stores
- 16 Car/cycle parking provision before use
- 17 Variation of Road Traffic Order Headington West,
- 18 Biodiversity enhancements
- 19 Surface Water Drainage
- 20 Safeguarding scheme

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

Oxford Local Plan 2001-2016

**CP1** - Development Proposals

**TR12** - Private Non-Residential Parking

## Core Strategy

**CS18** - Urban design, townscape character and the historic environment  
**CS25** - Student accommodation

## Sites and Housing Plan

**HP5** - Location of Student Accommodation

## Other Planning Documents

- National Planning Policy Framework
- Planning Practice Guidance

## **Consultees**

Oxfordshire County Council, Highways – no objection, the proposed dual use of the site outside of term time is unlikely to have any significant or detrimental impacts upon the safe and convenient operation of the highway.

## **Public Consultation**

14 letters of objection have been received from addresses in St Annes Road, Gypsy Lane, McMaster House, Stapleton Road, Old Road, Latimer Road, and Latimer Grange; together with objections from Oxford Civic Society, Headington School and the Highfield Residents Association.

The comments may be summarized as follows:

- the condition was imposed to ensure that the building was used for long term student use thus minimising disruption to local residents and other members of the public - the condition is appropriate because it balances the public interest with the interests of residents and others;
- the developer gave assurances that University students arrival and departure would be carefully managed - this proposal would reduce the ability to manage arrivals and departures - in this application there is no balance between the financial interests of the applicant and the impact on residents;
- additional traffic and parking in an area already suffering intolerable problems;
- additional illegal parking in Latimer Grange which is private;
- loss of safety for pedestrians and cyclists;
- there will be additional pressure on local buses;
- additional noise, litter, anti-social behaviour and other disturbance (at times when residents might expect the building to be quieter - outside of term time amounts to 24 weeks) from the greater frequency of arrivals and departures of people staying at Beech House; and from the activities of students and others staying there. If Slade Park is anything to go by there is likely to be a stream of taxis, fast food deliveries and coaches arriving and departing at any time of the day and night all such traffic using the Latimer Road access;

- lack of clarity in the definition of ‘cultural visitor’ ‘academic’ and ‘summer school delegate’- this could mean any person who wishes to hire accommodation – it will not be possible to manage occupancy and the activities of such guests. Much closer definition of cultural visitors and summer school delegates should be provided including age ranges, duration of stay, and behavioural patterns;
- the applicant wishes to run the building as a hotel/hostel out of term time to support tourism - this is unacceptable because of increased traffic, parking, noise and disruption; limited ability to control guests activities; impact on local businesses such as guesthouses;
- material provided in fulfillment of travel plan and tenancy agreements conditions should be reviewed in the light of the proposed widening of the nature and characteristics of the building occupiers;
- the applicant failed to disclose its plans on the original application. If accepted the application would undermine confidence in the planning process. As the application was only recently approved the request gives the appearance of planning by stealth;
- vulnerable elderly people feel intimidated by large groupings of young people such as for language students who often fail to observe basic courtesy towards them;
- overlooking the adjacent school and the associated safeguarding issues become even more serious - short-term occupants are accountable to any authority;
- the presence of short stay visitors with no ongoing commitment would create the feeling of an alien community in a residential area;
- if this application is approved Dorset House may follow suit;
- the building does not have sufficient social space for uses such as summer schools which need considerable outside space for student activities.

### **Officers Assessment:**

#### **Background to Proposals.**

1. Planning permission was granted by the Planning Review Committee on 27th January 2016 for the demolition of 4 properties at the corner of London Road and Latimer Road, Headington, and the erection of student accommodation (167 study bedrooms and ancillary facilities) and 4 dwellings. This was subject to a condition limiting occupation of the student accommodation to students on full-time courses of a year or more.
2. The proposal is to vary that condition to allow occupation of the student accommodation outside of term time by cultural and academic visitors and by conference and summer school delegates.
3. Officers consider the principal determining issues to be:
  - planning policy;
  - highway impact;
  - impact on residential amenity;
  - letting and occupancy management.

## **Planning Policy**

4. Core Strategy Policy CS25 limits occupation to full-time students enrolled on courses of one academic year (including vacation periods).

Paragraph A2.37 of the Sites and Housing Plan states that:

*“this restriction does not apply outside the semester or term-time, provided that during term-time the development is occupied only by university students. This ensures opportunity for efficient use of the buildings for short-stay visitors, such as conference delegates or summer language school students, whilst providing permanent university student accommodation when needed”.*

There is therefore no policy objection to the proposed change.

## **Highway impact**

5. Initially the highway authority objected to this application on the grounds that the highway impact could not be properly assessed from the information submitted. Subsequently, a Travel Plan Addendum was submitted to be read in conjunction with the approved Travel Plan. It sets out the expected use of the site (out of term time) if the application is approved; the expected patterns of arrivals and departures; the availability and expected use of public transport; the expected trip generation of the user groups; the impact on the local Controlled Parking Zones; and the marketing and promotion of the facility.
6. On the basis of the TP Addendum the highway authority has concluded that the proposed use of the site outside of term time is unlikely to have any significant or detrimental impacts upon the safe and convenient operation of the highway. The Highway Authority does not object to the application.

## **Impact on residential amenity**

7. Policy CS18 of the adopted Core Strategy requires new development to respond appropriately to the amenity of sites and their surroundings.
8. Local residents are concerned about the effects on their lives, out of term time, of traffic and parking generation, and the activities of ‘guests’, including possible antisocial behaviour if the variation is allowed.
9. Such issues were taken into account in adopting the Sites and Housing Plan which not only directs student accommodation to this type of site fronting a main thoroughfare, but also states that the use of student accommodation out of term time by short-stay visitors such as conference delegates or summer language school students is acceptable.
10. In this case, the disturbance to local residents is likely to be no greater than as under the approved scheme although it will take place out of term time. In the

absence of any objections from the highway authority to traffic and parking generation there is no evidence or policy restriction upon which to refuse this development on grounds of unacceptable impact on residential amenity.

### **Management Plan**

11. The condition as varied would still include the requirement for the submission and approval by the Council prior to occupation of the development, of a management plan for the scheme. The purpose of the management plan would be to maintain the availability of appropriate student accommodation and controls on its management in the interests of amenity, and to ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality. It is considered that the nomenclature of the intended out-of-term occupiers will not present difficulties in drafting the required management Plan.

### **Conclusion:**

The East Area Planning Committee is recommended to grant planning permission for the reasons set out in the report and subject to the suggested conditions.

### **Human Rights Act 1998**

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

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

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

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

### **Background Papers:**

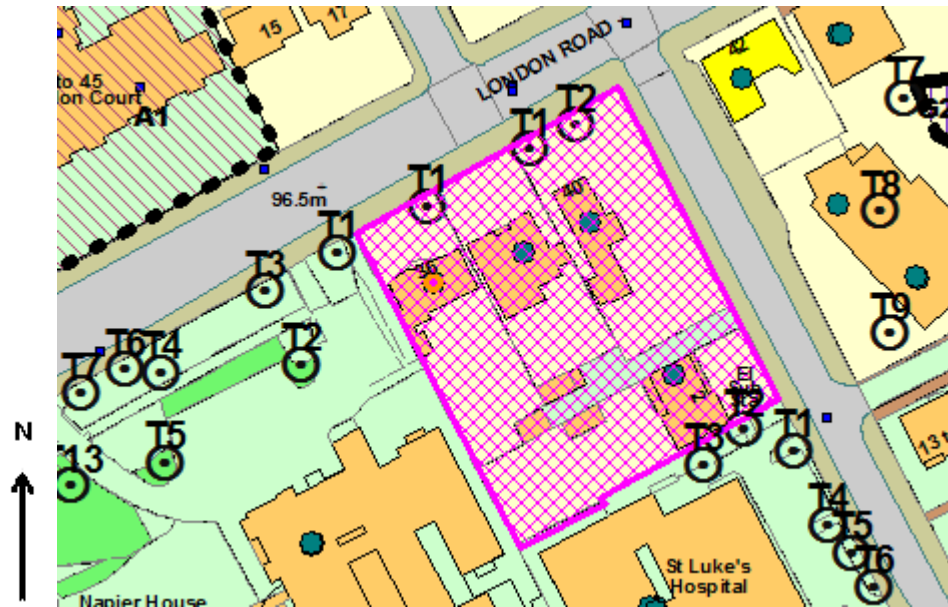
**Contact Officer:** Fiona Bartholomew

**Extension:** 2774

**Date:** 15th December 2016

# Appendix 1

## 16/01150/VAR - 36 38 And 40 London Road



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Ordnance Survey 100019348

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**East Area Planning Committee**

**11 January 2017**

**Application Number:** 16/02614/FUL

**Decision Due by:** 5 December 2016

**Proposal:** Erection of a two storey side extension to form 1 x 2-bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking and bin and cycle store. Erection of a part single, part two storey rear extension to existing dwellinghouse.

**Site Address:** 21 Kestrel Crescent Oxford Oxfordshire OX4 6DY

**Ward:** Northfield Brook Ward

**Agent:** N/A

**Applicant:** Mr Ulfat Kiani

---

## **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reason for approval:

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

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Parking provision
- 5 Visibility Splays

## **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

### **Core Strategy**

- CS2\_** - Previously developed and greenfield land
- CS18\_** - Urban design, town character, historic environment
- CS23\_** - Mix of housing

### **Sites and Housing Plan**

- HP2\_** - Accessible and Adaptable Homes
- HP9\_** - Design, Character and Context
- HP10\_** - Developing on residential gardens
- HP12\_** - Indoor Space
- HP13\_** - Outdoor Space
- HP14\_** - Privacy and Daylight
- HP15\_** - Residential cycle parking
- HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework  
Planning Practice Guidance

### **Relevant Site History:**

04/01941/FUL - Demolish outhouse. Erection of single storey rear extension with pitched roof over garage.. PER 26th November 2004.

### **Representations Received:**

1 Letter of objection from 23 Kestrel Crescent concerning overdevelopment of the site and harm to the streetscene.

### **Statutory Consultees:**

Highways – No objection.

### **Officers Assessment:**

#### Site Location and Description:

1. The site is located on the southern side of Kestrel Crescent and comprises a two-storey semi-detached dwellinghouse which is separated from the street by a front garden and has a private garden to the rear. There is a single-storey garage to the side with off-street parking space in front accessed from Kestrel Crescent.

#### Proposal

2. Planning permission is sought for the demolition of the existing garage and the erection of a two-storey side extension to create a 1x2 bedroom dwellinghouse (use class C3), and provision of car parking, cycle and refuse storage.

### Principle of Development

3. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. This is supported by Policy CS2 of the Oxford Core Strategy 2026. The proposed building would be sited in the area to the side of the existing dwellinghouse, which has a small garage that would be considered previously developed land rather than the private garden. Therefore there would be no objection to the principle under Policy CS2 of the adopted Oxford Core Strategy 2026.

### Balance of Dwellings

4. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDSPD) identifies the site as being located within the Blackbird Leys Neighbourhood Area. In these areas there is no specific target mix for residential dwelling types, and as such the proposal to create an additional 2 bedroom dwelling would accord with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

### Form and Appearance

5. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy HP9 of the Sites and Housing Plan states that the form, layout, and density of the scheme should make an efficient use of land whilst respecting site context; and the development exploits opportunities to makes a positive contribution to local character and distinctiveness, and maintains natural surveillance of the public realm. This is supported by Policy CP8 of the Oxford Local Plan 2001-2016.
6. The built form and grain of Kestrel Crescent is characterised by a mixture of semi-detached and terraced properties of uniform size, set within similar sized plots with front gardens and reasonable sized private gardens that help establish a balanced appearance and rhythm to the street scene.
7. An appeal for a 2 bed attached unit at 15 Kestrel Crescent was allowed on appeal and the Inspector considered that the proposal would not result in harm to the street scene. The application is considered to be similar to the allowed appeal scheme.
8. Given this it is therefore considered that the proposed dwelling would strike an appropriate balance with the existing and other properties in the street. The scheme when considered with the neighbouring proposal at no 19 would generate a terrace of dwellings but this it is considered would not lead to visual harm to the

street scene and is also demonstrated by the allowance of the planning appeal at no 15.

9. The overall size, scale, and design of the new dwelling would create an appropriate visual relationship with the built form of the existing semi-detached property and would relate satisfactorily to the existing dwelling and neighbouring properties within the street. The proposal is therefore considered to comply Policy CS18 of the Oxford Core Strategy and Policies CP1, CP6, CP7, CP8, CP9 and CP10 of the Oxford Local Plan 2001-2016 and Sites and Housing Plan Policy HP9.

#### Impact upon Adjoining Properties

10. The Council seeks to safeguard the amenities of properties surrounding any proposed development. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of existing and new homes. In making any assessment the following factors will be considered; whether the degree of overlooking to and from neighbouring properties or gardens resulting from development will compromise privacy of existing or new homes; the orientation of windows in existing and new dwelling in respect of access to daylight, sunlight and solar gain, and that existing and proposed walls hedges, trees and fences help protect privacy and also do not create an overbearing impact. This is also supported through Policy CP10.
11. The proposed two-storey side extension built on its own or in conjunction with no 19 would be unlikely to create any privacy or amenity issues in terms of restricting light, overlooking and overbearing impact upon any of the adjoining properties. The rear gardens are south east facing and so the extension would not have a material impact upon light received to this space.
12. The proposal would therefore it is considered accord with the aims and objectives of Policy CP10 Oxford Local Plan and HP14 of the sites and Housing Plan

#### Residential Uses

13. In terms of the overall quality of the residential accommodation, it would be necessary for the proposal to have regards to the policies of the Sites and Housing Plan 2011-2026.
14. Policy HP12 and TAN1a makes clear that dwellings of 2 bedrooms should have an internal floor area of 70m<sup>2</sup> and above, provide adequate storage and circulation space for family accommodation of this size and comply with lifetime homes standards. The proposal complies with the limit and is acceptable.
15. There would also be a requirement to provide suitable outdoor space for the accommodation it serves. This should be proportionate to the size of dwelling and surrounding area, and also of a good useable quality. There would be sufficient space to provide amenity space for both the proposed and existing dwelling in accordance with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan.

## Highway Matters

16. The proposed development is within a sustainable location with nearby shops and services and public transport links in close proximity. The proposed level of off-street parking is considered to be acceptable and the submitted plans indicate that off-street parking will be practical and usable. As such no objection would be raised to the proposal in highway terms, subject to conditions requiring suitable visibility splays to be provided for the parking areas, and a sustainable urban drainage system for the hard surfacing.

## **Conclusion**

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

## **Human Rights Act 1998**

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

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

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

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

## **Background Papers:**

**Contact Officer:** Graeme Felstead

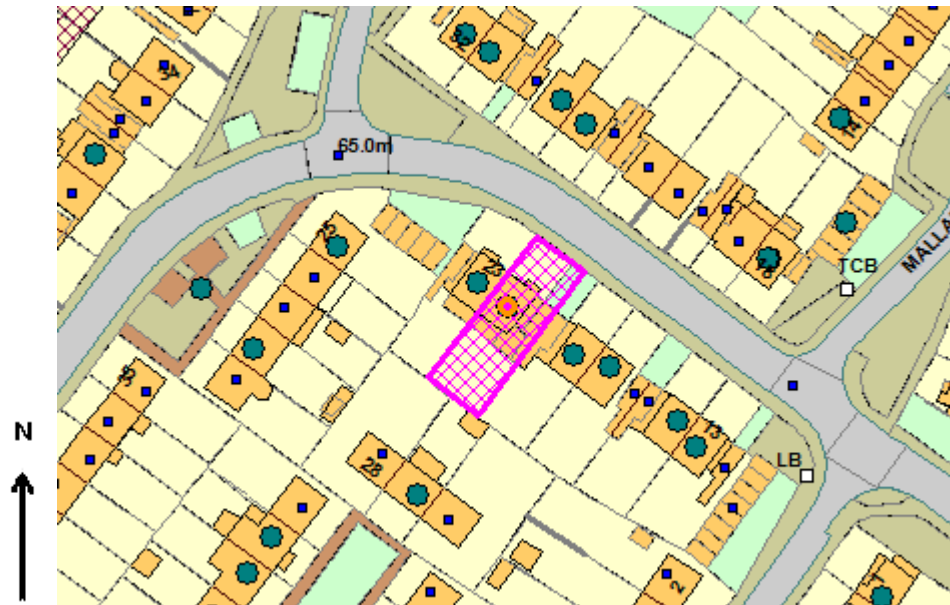
**Extension:** 2160

**Date:** 16th December 2016

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# Appendix 1

## 16/02614/FUL - 21 Kestrel Crescent



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East Area Planning Committee

11 January 2017

**Application Number:** 16/02625/FUL

**Decision Due by:** 6 December 2016

**Proposal:** Erection of a two storey side extension to form 1 x 2-bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking and bin and cycle store. Erection of a two storey rear extension to existing dwellinghouse.

**Site Address:** 19 Kestrel Crescent Oxford Oxfordshire OX4 6DY

**Ward:** Northfield Brook Ward

**Agent:** N/A

**Applicant:** Mrs Shahida Kiani

---

## Recommendation:

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reason for approval:

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

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Car Parking Provision
- 5 Visibility Splays

## 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

### **Core Strategy**

- CS2\_** - Previously developed and greenfield land
- CS18\_** - Urban design, town character, historic environment
- CS23\_** - Mix of housing

### **Sites and Housing Plan**

- HP2\_** - Accessible and Adaptable Homes
- HP9\_** - Design, Character and Context
- HP10\_** - Developing on residential gardens
- HP12\_** - Indoor Space
- HP13\_** - Outdoor Space
- HP14\_** - Privacy and Daylight
- HP15\_** - Residential cycle parking
- HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework  
Planning Practice Guidance

### **Relevant Site History:**

04/01040/FUL - Single storey side and rear extension.. PER 15th July 2004.

### **Representations Received:**

None

### **Statutory Consultees:**

Highways – No objection

### **Officers Assessment:**

#### Site Location and Description

1. The site is located on the southern side of Kestrel Crescent and comprises a two-storey semi-detached dwellinghouse which is separated from the street by a front garden and has a private garden to the rear. There is a single-storey garage to the side with off-street parking space in front accessed from Kestrel Crescent.

#### Proposal

2. Planning permission is sought for the demolition of the existing garage and the erection of a two-storey side extension to create a 1x2 bedroom dwellinghouse (use class C3), and provision of car parking, cycle and refuse storage.

#### Principle of Development

3. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. This is supported by Policy CS2 of the Oxford Core Strategy 2026. The proposed building would be sited in the area to the side of the existing dwellinghouse, which has a small garage that would be considered previously developed land rather than the private garden. Therefore there would be no objection to the principle under Policy CS2 of the adopted Oxford Core Strategy 2026.

#### Balance of Dwellings

4. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDSPD) identifies the site as being located within the Blackbird Leys Neighbourhood Area. In these areas there is no specific target mix for residential dwelling types, and as such the proposal to create an additional 2 bedroom dwelling would accord with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

#### Form and Appearance

5. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy HP9 of the Sites and Housing Plan states that the form, layout, and density of the scheme should make an efficient use of land whilst respecting site context; and the development exploits opportunities to makes a positive contribution to local character and distinctiveness, and maintains natural surveillance of the public realm. This is supported by Policy CP8 of the Oxford Local Plan 2001-2016.
6. The built form and grain of Kestrel Crescent is characterised by a mixture of semi-detached and terraced properties of uniform size, set within similar sized plots with front gardens and reasonable sized private gardens that help establish a balanced appearance and rhythm to the street scene.
7. An appeal for a 2 bed attached unit at 15 Kestrel Crescent was allowed on appeal and the Inspector considered that the proposal would not result in harm to the street scene. The application is considered to be similar to the allowed appeal scheme.
8. Given this it is therefore considered that the proposed dwelling would strike an appropriate balance with the existing and other properties in the street. The scheme when considered with the neighbouring proposal at no 21 would generate a terrace of dwellings but this it is considered would not lead to visual harm to the street scene and is also demonstrated by the allowance of the planning appeal at no 15.

9. The overall size, scale, and design of the new dwelling would create an appropriate visual relationship with the built form of the existing semi-detached property and would relate satisfactorily to the existing dwelling and neighbouring properties within the street. The proposal is therefore considered to comply Policy CS18 of the Oxford Core Strategy and Policies CP1, CP6, CP7, CP8, CP9 and CP10 of the Oxford Local Plan 2001-2016 and Sites and Housing Plan Policy HP9.

#### Impact upon Adjoining Properties

10. The Council seeks to safeguard the amenities of properties surrounding any proposed development. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of existing and new homes. In making any assessment the following factors will be considered; whether the degree of overlooking to and from neighbouring properties or gardens resulting from development will compromise privacy of existing or new homes; the orientation of windows in existing and new dwelling in respect of access to daylight, sunlight and solar gain, and that existing and proposed walls hedges, trees and fences help protect privacy and also do not create an overbearing impact. This is also supported through Policy CP10.
11. The proposed two-storey side extension built on its own or in conjunction with no 21 would be unlikely to create any privacy or amenity issues in terms of restricting light, overlooking and overbearing impact upon any of the adjoining properties. The rear gardens are south east facing and so the extension would not have a material impact upon light received to this space.
12. The proposal would therefore it is considered accord with the aims and objectives of Policy CP10 Oxford Local Plan and HP14 of the sites and Housing Plan

#### Residential Quality

13. In terms of the overall quality of the residential accommodation, it would be necessary for the proposal to have regards to the policies of the Sites and Housing Plan 2011-2026.
14. Policy HP12 and TAN1a makes clear that family dwellings of 2 or more bedrooms should have an internal floor area of 70m<sup>2</sup> and above, provide adequate storage and circulation space for family accommodation of this size and comply with lifetime homes standards. The proposal complies with the limit and is acceptable.
15. There would also be a requirement to provide suitable outdoor space for the accommodation it serves. This should be proportionate to the size of dwelling and surrounding area, and also of a good useable quality. In my view there would be sufficient space to provide amenity space for both the proposed and existing dwelling in accordance with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan. .

## Highway Matters

16. The proposed development is within a sustainable location with nearby shops and services and public transport links in close proximity. The proposed level of off-street parking is considered to be acceptable and the submitted plans indicate that off-street parking will be practical and usable. As such no objection would be raised to the proposal in highway terms, subject to conditions requiring suitable visibility splays to be provided for the parking areas, and a sustainable urban drainage system for the hard surfacing.

## **Conclusion**

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

## **Human Rights Act 1998**

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

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

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

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

## **Background Papers:**

**Contact Officer:** Graeme Felstead

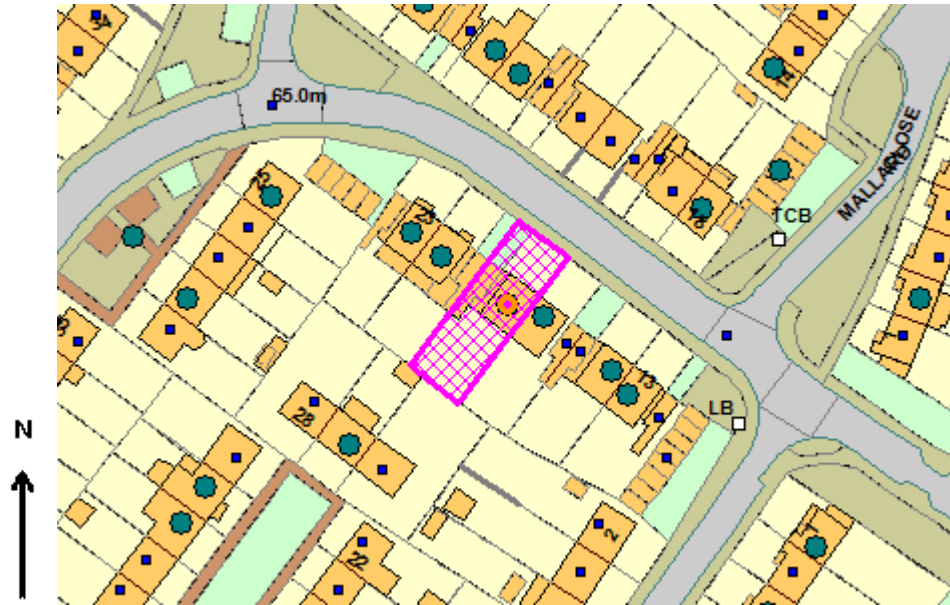
**Extension:** 2160

**Date:** 16th December 2016

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# Appendix 1

## 16/02625/FUL - 19 Kestrel Crescent



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**East Area Planning Committee**

**11 January 2017**

**Application Number:** 16/02822/FUL

**Decision Due by:** 29 December 2016

**Proposal:** Erection of 1 x 1-bed bungalow (Use Class C3).

**Site Address:** Land To The Rear Of 79 And 81 Wilkins Road Oxford  
Oxfordshire

**Ward:** Lye Valley Ward

**Agent:** Mr Rod Navarrete

**Applicant:** Mr K Karwal

---

## **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reasons for approval:

- 1 The proposed dwelling would be an acceptable living environment and would not result in a harmful impact on the character of the locality or the amenities of neighbouring residents. Where the submitted details do not provide sufficient information to ensure compliance with all development plan policies, conditions have been imposed to secure further details. As such the application is recommended for approval.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Landscaping plan
- 5 Cycle parking details required

6 Bin storage details required

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Developmt to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Developmnt to Meet Functionl Needs
- CP11 - Landscape Design

**Core Strategy**

- CS10\_ - Waste and recycling
- CS11\_ - Flooding
- CS18\_ - Urb design, town character, historic env
- CS23\_ - Mix of housing

**Sites and Housing Plan**

- HP11\_ - Low Carbon Homes
- HP12\_ - Indoor Space
- HP13\_ - Outdoor Space
- HP14\_ - Privacy and Daylight
- HP15\_ - Residential cycle parking
- HP16\_ - Residential car parking
- MP1 - Model Policy

**Other Material Considerations:**

National Planning Policy Framework  
Planning Practice Guidance

**Relevant Site History:**

None.

**Representations Received:**

None.

**Statutory and Internal Consultees:**

Highways: The provision of one parking space for a one-bed dwelling in this location is considered appropriate. Parking off the highway near to the proposed access (in front of the shops) currently occurs. This would need to be managed in order to ensure that access to the dwelling is available. Policy HP15 requires at least 2 secure and covered cycle parking spaces to be provided for a dwelling of this size. Therefore the County Council does not object to the application subject to a condition securing details of cycle parking.

## **Issues:**

Principle  
Design  
Residential Environment  
Outdoor space and bin storage  
Car and cycle parking  
Neighbouring Amenity  
Land contamination

## **Officers Assessment:**

### Site and proposals

1. The application site is land to the rear of a semi-detached pair of two storey buildings with shops at the front at ground floor and residential flats at first floor. The site is currently used for storage and features a range of outbuildings. There is a vehicular access which leads to the public highway and there is an existing small bungalow adjacent to the site which was approved under application ref: 08/00629/FUL.
2. The application proposes a single bedroom bungalow with a footprint of 7.8m x 12m and a dual pitched roof with a ridge height of 4.1m and an eaves height of 2.1m. The roof is proposed to be tiled and the elevations would be rendered block.

### Principle

3. Policy CP6 of the Local Plan as well as policy CS2 of the Core Strategy encourages more efficient use of land in sustainable locations on previously developed sites. The application site features existing buildings and it is proposed to make use of some land that has previously been developed. The proposed development is therefore acceptable in principle.

### Design

4. The proposed bungalow would have a simple and fairly typical design with a dual pitched tiled roof and rendered walls. It would not be readily visible from the public realm but due to its size it would dominate the area to the rear of the shopping frontage, having a profound impact on the character of the area. The proposed design would reflect the design of the smaller existing bungalow to the rear of no.83. It would not be detrimental to the character of the area and is currently occupied by a discordant range of outbuildings.
5. For these reasons the design of the proposed dwelling would be appropriate for the character of the area in accordance with CP1, CS18 and HP9 and would form an appropriate visual relationship with the locality in accordance with CP8.

## Residential Environment

6. Policy HP12 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. New dwellings are expected to adhere to adopted national space standards. The proposed bungalow would have a gross internal floor space of 81.36 square meters which is above that required by the national space standards.
7. HP12 also states that planning permission will not be granted if the dwelling would have an inadequate ceiling height, lack of natural lighting or natural ventilation, or a restricted outlook which prevents proper use and enjoyment of the dwelling. The need for access to natural light is reiterated by policy HP14. Each habitable room within the proposed dwelling would be served by a window which would afford a suitable amount of natural light and outlook to allow for proper enjoyment of the home.
8. The ceiling height of the dwelling would be 2.4m throughout the bungalow. This exceeds the required ceiling height of 2.3m stated in the national space standards.
9. For these reasons the proposals would comply with policy HP12.
10. Policy HP14 states that planning permission will only be granted for new dwelling which provide adequate privacy to the occupants of the new dwellings. The proposed dwelling would not be easily overlooked from the other properties. Similarly there are no windows on the rear of no.79 and 81 Wilkins Road which would allow direct overlooking of any habitable room windows.

## Outdoor space and bin storage

11. Policy HP13 states that planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space. The submitted block plan shows a 5m x 15m area of open space to the rear of the proposed dwelling which could function as suitable amenity space. It is noted that there is similar amenity space serving the existing bungalow to the rear of no.83 which suggests that this type of amenity space can be functional in the area.
12. The applicant has not submitted any plans which would suggest how this area could be landscaped. As such a landscaping plan will be sought by condition in order to completely satisfy the requirements of policy HP13 in terms of amenity space.
13. HP13 also requires that planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. The application has not provided details of any bin storage, however having visited the site the officer recognises that suitable bin storage

could be provided within the curtilage of the site without having a detrimental impact on the area or the proposed dwelling. As such further details of bin storage will be sought by condition in order to completely satisfy the requirements of policy HP13 in terms of bin storage.

#### Car and cycle parking

14. Policy HP16 requires that new dwellings provide suitable car parking spaces in accordance with the council's maximum car parking standards. The application proposes a single car parking space to the front of the bungalow which would be accessed by the existing access road between no.81 and no.83 Wilkins Road. The provision of one parking space for a one-bed dwelling in this location is acceptable in terms of the requirements of policy HP16.
15. Policy HP15 requires that the proposed one bedroom dwelling provides two secure and covered cycle parking spaces. The application does not propose any cycle parking, however having visited the site it is the officer's opinion that there is sufficient space and potential for creating suitable cycle storage on site. As such it is considered acceptable that the requirements of HP15 are fulfilled by a condition securing addition details of cycle storage for two bikes.

#### Neighbouring amenity

16. Policy HP14 states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of existing homes. The proposed bungalow would have a limited impact on light due to its single storey nature. It would not have an overbearing impact on any neighbouring properties. It would not impact upon any windows on no.79 or no.81 Wilkins Road which would be to the front of the proposed dwelling.
17. There is a smaller dwelling to the rear of the frontage, no.77b which sits to the north of the proposed dwelling. It features windows which would face towards the proposed bungalow. Appendix 7 of the Sites and Housing Plan demonstrates the appropriate 45 degree vertical line assessment to be used in this instance. The proposed bungalow would not breach the 45 degree line of outlook from these windows and as such there would not be a harmful loss of daylight to this property.
18. The existing bungalow to the rear of no.83 does not feature any windows on the north elevation which would face the proposed bungalow. There would therefore be no impact on this property.
19. The bungalow would feature windows to the front and rear elevations but not on the sides. These windows would overlook the parking area and amenity space associated with the proposed dwelling and would not overlook any habitable room windows or any private amenity space on neighbouring dwellings. The proposals would therefore not result in any harmful loss of privacy.
20. For these reasons the proposals would be compliant with policy HP14.

## Land contamination

21. The development involves the creation of residential dwellings. Residential dwellings are considered to be sensitive uses. The risk of any significant contamination being present on the site is low. However, it is the developer's responsibility to ensure that the site is suitable for the proposed use. Therefore an informative is recommended to ensure the applicant is aware of their responsibilities.

## **Conclusion**

For the reasons set out above, officers recommend that the application be approved subject to the suggested conditions.

## **Human Rights Act 1998**

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

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

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

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

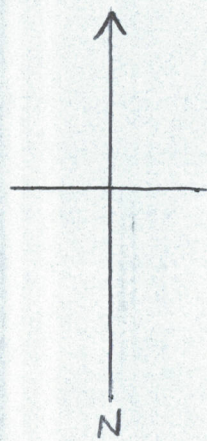
## **Background Papers:**

**Contact Officer:** Kieran Amery

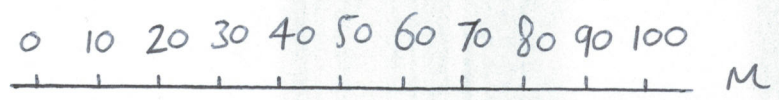
**Extension:** 2186

**Date:** 22nd December 2016





Location Plan 1:1250 A4



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**East Area Planning Committee**

**11 January 2017**

**Application Number:** 16/02727/FUL

**Decision Due by:** 14 December 2016

**Proposal:** Erection of a a two storey side and rear extension and a single storey front extension.

**Site Address:** 18 Gorse Leas Oxford OX3 9DJ

**Ward:** Headington Hill And Northway Ward

**Agent:** Jim Driscoll

**Applicant:** Mr Eduart Elezi

**Application Called in –** by Councillors - Chapman, Rowley, Fry, and Tanner.  
for the following reasons – Size and appearance: Would set precedent for area.

---

## **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reason for approval:

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

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 No windows to side elevation
- 5 Sustainable drainage

**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

**Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

**Relevant Site History:**

16/01498/FUL - Erection of single storey front and two storey side and rear extensions.. REF 29th July 2016.

**Representations Received:**

16 Gorse Leas: Object – Loss of light, overbearing, out of character with area, amount of development on site, likely detrimental effect on sewers, danger of asbestos roof removal. Loss of hedges. “Right to Light”

**Statutory and Internal Consultees:**

Local Highway Authority: No objection, but suggests informative.

Drainage: No objection subject to SUDS condition.

**Issues:**

Visual impact

Effect on adjacent occupiers

Flooding

Parking

## Officers Assessment

### Site description and proposal

1. 18 Gorse Leas is a semi-detached house that is set down from the level of the road. The location is sustainable, with local shops and bus services within easy walking distance. The front garden has been elevated in height to provide off street parking and a range of outbuildings, probably original to the house, are provided along the side wall.
2. Permission is sought to replace the outbuildings with a two storey side extension that would project beyond and behind the rear wall of the house and to provide a single storey extension to the front of the house.
3. The current proposal is an amended version of a scheme submitted under application 16/01498/FUL, that was refused in July 2016 for the following reasons:
  1. *Because of its height, projection to the rear and proximity to the boundary of the site, coupled with the orientation of the properties, the proposed side and rear extensions would result in a form of development that would overshadow the garden of 16 Gorse Leys and be experienced as oppressive and overbearing by the occupants of that house, to the detriment of residential amenity for current and future adjacent occupants, contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan and Policy HP14 of the Sites and Housing Plan.*
  2. *Because of their height, width and forward projection, the proposed extensions would not appear as a subordinate addition to the house, contrary to the Council's Design Guide 2 and would constitute an inappropriately dominant form of development that would visually unbalance the pair of semis and appear awkward and incongruous when viewed from the street, to the detriment of visual amenity and would therefore fail to comply with Policies CP1 and CP8 of the adopted Oxford Local Plan, Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing Plan.*

### Visual impact

4. 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.
5. 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. It suggests that it is usually best practice to set extensions back and set ridges lower to ensure the extension remains subordinate to the existing house.

6. The proposed development would be highly visible from the public domain, both from Gorse Leas and also tangentially from Saxon Way. The two storey side extension is now set back from the front wall of the main house and down from its roof. Although the front extension remains, the upper parts of the side extension would appear as a subordinate addition to the existing house.
7. The front extension has the form of an elongated porch, is similar to other development in the area (such as at 14 Gorse Leas) and would form an acceptable relationship with the extended house.
8. The current proposals show an amended rear projection to the proposed extension in an effort to address issues of amenity for adjacent occupiers. This does result in an extension that has a somewhat unusual form for the area, in that the rear roof slope continues down to the eaves at ground floor level and a large cottage style dormer has been inserted at first floor level. This form does not reflect the predominate form of houses or extensions in the area, although there are isolated examples, such as at 5-7 Steep Rise.
9. Officers have considered carefully the effect on visual amenity resulting from the above and conclude that whilst the form at the rear is unusual, it has been designed to address the constraints of the site and would remain a subordinate addition to the dwelling. Any harm to visual amenity would be limited and would not justify a refusal of planning permission.

#### Effect on adjacent occupiers

10. 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. 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. Due to the distance of the proposed extension from the adjoining house at 20 Gorse Leas, there would be no material effect on the habitable rooms of that house. The side facing windows at number 16 do not appear to serve habitable rooms and the 45-degree guidance indicates that the effect on rear facing windows at 16 would be acceptable.
12. The proposed extension would still be situated immediately adjacent to the boundary with 16 and project beyond the rear walls of both houses; however the changes to the form and mass of the upper parts would reduce the effect on the garden at number 16. These changes would reduce the effective height and rear projection of the upper parts of the extension and whilst the changes may appear relatively small, officers consider that the overbearing and overshadowing effect of the previous proposal has now been reduced to a level that would not justify a refusal of planning permission.

## Flooding

13. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off.
14. The development would add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals would not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy

## Parking

15. There is no change in the number of parking spaces as a result of the proposal, the Local Highway Authority has no comments and the provision of one parking space is considered adequate for a house of the size proposed in this area.

## **Conclusion**

For the reasons set out above, officers recommend that the application be approved subject to the recommended conditions.

## **Human Rights Act 1998**

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

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

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

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

**Background Papers: 16/02727/FUL**

**Contact Officer:** Tim Hunter

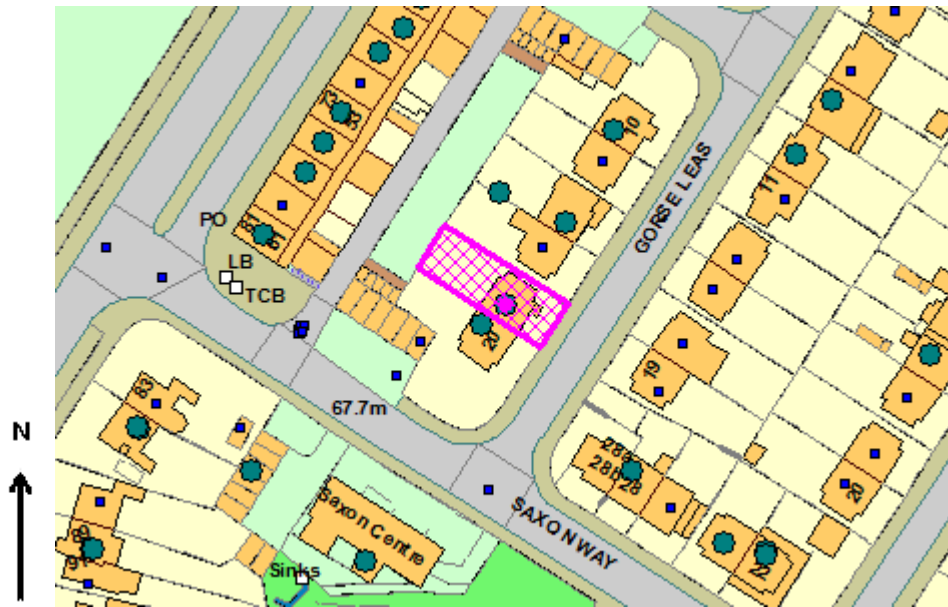
**Extension:** 2154

**Date:** 20th December 2016

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# Appendix 1

## 16/02727/FUL - 18 Gorse Leas



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**East Area Planning Committee**

**11 January 2017**

**Application Number:** 16/02151/CT3

**Decision Due by:** 8 December 2016

**Proposal:** Replacement of windows.

**Site Address:** 331 Cowley Road Oxford Oxfordshire OX4 2AQ

**Ward:** Cowley Marsh Ward

**Agent:** Mr Gary Long

**Applicant:** Oxford City Council

The applicant is Oxford City Council and therefore determination at Committee is required.

---

## **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reason for approval:

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

Conditions:

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

## **Main Local Plan Policies:**

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

**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**

**MP1** - Model Policy

### **Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

The Town and Country Planning (General Permitted Development) Order 2015 (GPDO).

### **Relevant Site History:**

None relevant

### **Representations Received:**

No comments received

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

Local Highway Authority: No comments

### **Issues:**

Visual impact

### **Officers Assessment**

#### Site description and proposal

1. 331 Cowley Road is a detached dwelling house now in use as a hostel and situated on the corner of Cowley Road and Kenilworth Avenue.
2. Permission is sought to replace the existing timber framed windows, which are in a poor state of repair, with upvc double glazing. The works would be Permitted Development under the GPDO if the building were in use as a dwelling house.

#### Visual impact

3. The Council expects new development to enhance the quality of the environment, and Policy CP1 is central to the purpose. This policy states that all new development should respect the character and appearance of the area. This view is taken a step further in Policies CP8 of the OLP and CS18 of the Core Strategy, which require all new development to demonstrate high quality urban

design and ensure that the siting and design creates an appropriate visual relationship with the built form of the local area.

4. The proposed development would be clearly visible from the public domain and would be sited on a prominent corner site. Officers note that a highly similar house is situated on the corner site on the other side of Kenilworth Avenue and that building has replacement UPVC windows.
5. Subject to a condition to control the profile of the new frames, the proposed windows would reflect those already in place at 333 Cowley Road and other properties in the area. The impact on visual amenity would therefore be limited and whilst refurbishment of the existing frames may have been preferable, the development may well represent a marginal improvement on the current situation.
6. On the basis of the above, the proposal is 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.

## **Conclusion**

For the reasons set out above, officers recommend that the application be approved subject to the suggested conditions.

## **Human Rights Act 1998**

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

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

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

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

**Background Papers: 16/02151/CT3**

**Contact Officer:** Tim Hunter

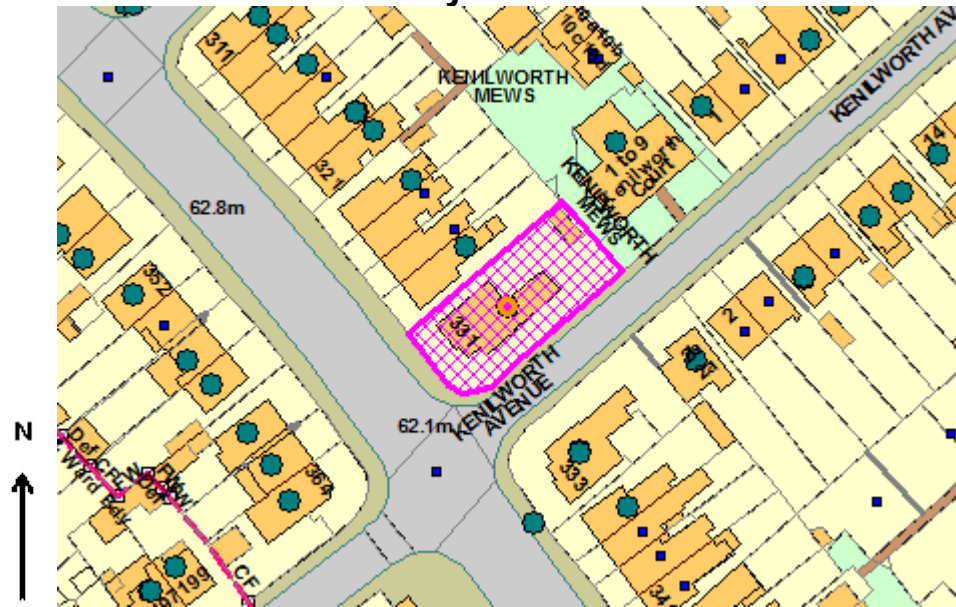
**Extension:** 2154

**Date:** 20th December 2016

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# Appendix 1

## 16/02151/CT3 - 331 Cowley Road



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East Area Planning Committee

11 January 2107

**Application Number:** 16/02804/CT3

**Decision Due by:** 21 December 2016

**Proposal:** Demolition of existing storage sheds and entrance canopy. Erection of refuse store and 12No. storage sheds to north of site. Formation of canopy to entrance.

**Site Address:** 114 - 136 Barton Road Oxford Oxfordshire

**Ward:** Barton And Sandhills Ward

**Agent:** N/A

**Applicant:** Oxford City Council

The applicant is Oxford City Council and therefore determination at Committee is required.

---

## **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reasons for approval:

- 1 No objections have been received and officers conclude that the proposal is acceptable in design terms and would not cause any unacceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local development plan. There are no material considerations which outweigh this conclusion.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

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

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP10 - Siting Development to Meet Functional Needs
- CP9 - Creating Successful New Places
- CP11 - Landscape Design

**Core Strategy**

CS18\_ - Urb design, town character, historic env

**Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

**Relevant Site History:**

None.

**Representations Received:**

None

**Statutory and Internal Consultees:**

No comments received.

**Issues:**

Design and visual Impact  
Amenity  
Highways

**Officer assessment**

Site Location and Description

1. The application site is an existing bin store area serving flats 114-136 Barton Road, the application site sits south and north east of these units.

Proposal

2. The application proposes the demolition of twelve storage sheds and canopy from the entrance to the block of flats and then creating a permanent refuse store for the block (west) and building 12 new storage sheds in the unused



drying area (north east) and new canopy placed over the block entrance. The proposed sheds will cover a floor area of 31.2sqm.

3. New storage is required to prevent bins from being stolen, damaged or used by non – residents. With the creation of permanent storage facilities away from the block the entrance to the apartments will become cleaner and more welcoming.

#### Design and visual impact

4. The proposed sheds will be constructed in a uniform row and will be of a similar style to the existing. A new permeable façade will be added with an exterior cladding of treated timber which will help to visually break up the appearance of the brick walls and blend in with surrounded area which is planted. For this reason the proposals can be seen to be beneficial to the character of the area.
5. The proposal will have an acceptable visual impact on the area and accords with Policies CP1, CP6, CP8, CP9, CP10 and NE15 of the Oxford Local Plan, policy CS18 of the Core Strategy and policy HP16 of the Sites and Housing Plan.

#### Highways

6. The proposals are considered acceptable and will not result in a detrimental impact to highways safety.

#### Residential Amenity

7. The proposed storage areas will be overlooked by surrounding properties which will create natural surveillance. Officers consider the proposal would not significantly harm residential amenities in this instance. The proposal therefore accords with Policies CP1 and CP10 of the Oxford Local Plan.

### **Conclusion**

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

### **Human Rights Act 1998**

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

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

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

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

### **Background Papers:**

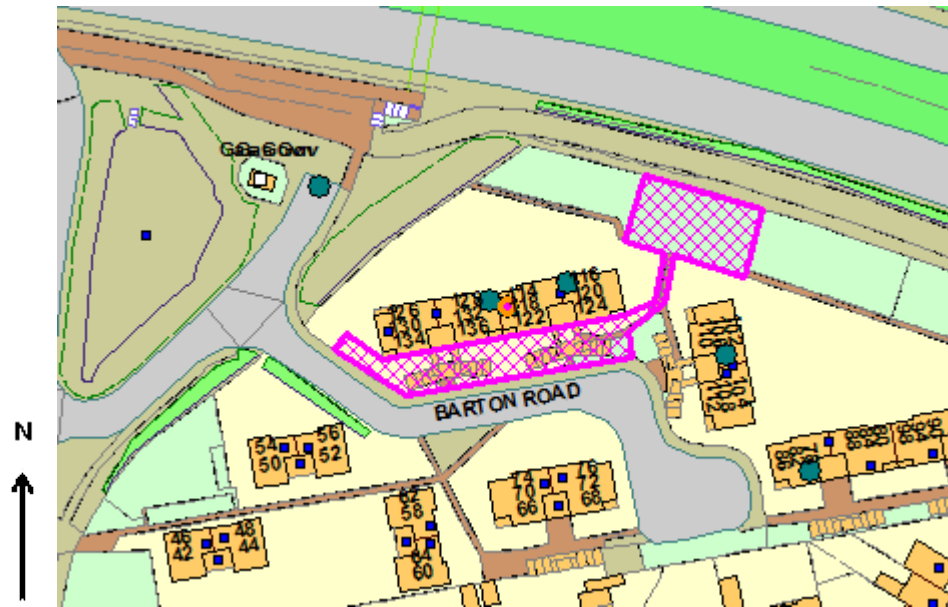
**Contact Officer:** Graeme Felstead

**Extension:** 2160

**Date:** 15th December 2016

# Appendix 1

## 16/02804/CT3 - 114 - 136 Barton Road



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**East Area Planning Committee**

**11 January 2017**

**Application Number:** 16/02803/CT3

**Decision Due by:** 21 December 2016

**Proposal:** Demolition of existing storage sheds and entrance canopy. Erection of refuse store and 6No. storage sheds to north of site. Formation of canopy to entrance.

**Site Address:** 102 - 112 Barton Road Oxford Oxfordshire

**Ward:** Barton And Sandhills Ward

**Agent:** N/A

**Applicant:** Oxford City Council

The applicant is Oxford City Council and therefore determination at Committee is required.

---

## **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reason for approval:

- 1 No objections have been received and officers conclude that the proposal is acceptable in design terms and would not cause any unacceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local development plan. There are no material considerations which outweigh this conclusion.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

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

## **Main Local Plan Policies:**

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

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP10** - Siting Development to Meet Functional Needs
- CP9** - Creating Successful New Places
- CP11** - Landscape Design

## **Core Strategy**

**CS18\_** - Urb design, town character, historic env

## **Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

## **Relevant Site History:**

None.

## **Representations Received:**

None

## **Statutory and Internal Consultees:**

No comments received.

## **Issues:**

Design and visual Impact  
Amenity  
Highways

## **Officer assessment**

### Site Location and Description

1. The application site is an existing bin store area serving flats 102-112 Barton Road, the application site sits north and west of these units.

### Proposal

2. The application proposes the demolition of six storage sheds and canopy from the entrance to the block of flats and then creating a permanent refuse store for the block and 6 new storage sheds in the unused drying area (north) and new

canopy placed over the block entrance. The proposed sheds will cover a floor area of 15.6sqm.

3. New storage is required to prevent bins from being stolen, damaged or used by non – residents. With the creation of permanent storage facilities away from the block the entrance to the apartments will become cleaner and more welcoming. It will also open up views of the ground floor apartments in this block.

#### Design and visual impact

4. The proposed sheds will be constructed in a uniform row and will be of a similar style to the existing. A new permeable façade will be added with an exterior cladding of treated timber which will help to visually break up the appearance of the brick walls and blend in with surrounded area which is planted. For this reason the proposals can be seen to be beneficial to the character of the area.
5. The proposal will have an acceptable visual impact on the area and accords with Policies CP1, CP6, CP8, CP9, CP10 and NE15 of the Oxford Local Plan, policy CS18 of the Core Strategy and policy HP16 of the Sites and Housing Plan.

#### Highways

6. The proposals are considered acceptable and will not result in a detrimental impact to highways safety.

#### Residential Amenity

7. The proposed storage areas will be overlooked by surrounding properties which will create natural surveillance. Officers consider the proposal would not significantly harm residential amenities in this instance. The proposal therefore accords with Policies CP1 and CP10 of the Oxford Local Plan.

#### **Conclusion**

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

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

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

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the

rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

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

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

### **Background Papers:**

**Contact Officer:** Graeme Felstead

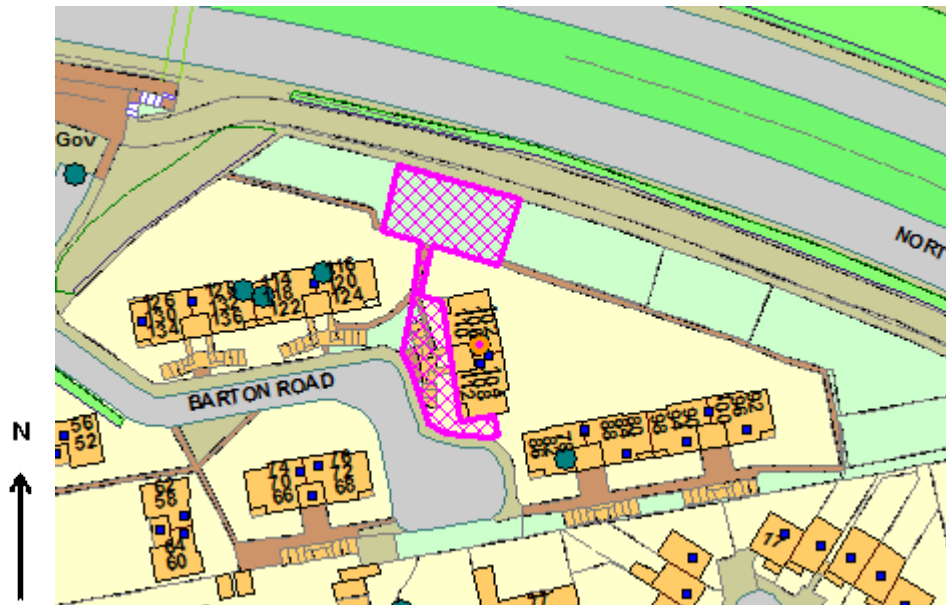
**Extension:** 2160

**Date:** 15th December 2016



# Appendix 1

## 16/02803/CT3 - 102 - 112 Barton Road



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**East Area Planning Committee**

**11 January 2017**

**Application Number:** 16/02802/CT3

**Decision Due by:** 29 December 2016

**Proposal:** Conversion of storage sheds and refuse store to create larger enclosed refuse stores and erection of additional storage to the east of existing storage sheds.

**Site Address:** 78 - 100 Barton Road Oxford Oxfordshire

**Ward:** Barton And Sandhills Ward

**Agent:** N/A

**Applicant:** Oxford City Council

The applicant is Oxford City Council and therefore determination at Committee is required.

---

## **Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reasons for approval:

- 1 No objections have been received and officers conclude that the proposal is acceptable in design terms and would not cause any unacceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local development plan. There are no material considerations which outweigh this conclusion.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

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

## **Main Local Plan Policies:**

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

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP10** - Siting Development to Meet Functional Needs
- CP9** - Creating Successful New Places
- CP11** - Landscape Design

## **Core Strategy**

**CS18\_** - Urb design, town character, historic env

## **Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

## **Relevant Site History:**

None.

## **Representations Received:**

None

## **Statutory and Internal Consultees:**

No comments received.

## **Issues:**

Design and visual Impact  
Amenity  
Highways

## **Officer assessment**

### Site Location and Description

1. The application site is an existing bin store area serving flats 78-100 Barton Road, the application site sits south of these units.

### Proposal

2. The application proposes converting the middle section of the two outbuildings which consist of two storage sheds and a refuse store each and replacing them with two larger refuse stores. Four additional storage sheds

with a floor area of 10.4sqm are to be built to the east of the existing sheds.

3. New storage is required to prevent bins from being stolen, damaged or used by non – residents. With the creation of permanent storage facilities away from the block the entrance to the apartments will become cleaner and more welcoming.

#### Design and visual impact

4. The proposed sheds will be constructed in a uniform row and will be of a similar style to the existing. A new permeable façade will be added with an exterior cladding of treated timber which will help to visually break up the appearance of the brick walls and blend in with surrounded area which is planted. For this reason the proposals can be seen to be beneficial to the character of the area.
5. The proposal will have an acceptable visual impact on the area and accords with Policies CP1, CP6, CP8, CP9, CP10 and NE15 of the Oxford Local Plan, policy CS18 of the Core Strategy and policy HP16 of the Sites and Housing Plan.

#### Highways

6. The proposals are considered acceptable and will not result in a detrimental impact to highways safety.

#### Residential Amenity

7. The proposed storage areas will be overlooked by surrounding properties which will create natural surveillance. Officers consider the proposal would not significantly harm residential amenities in this instance. The proposal therefore accords with Policies CP1 and CP10 of the Oxford Local Plan.

#### **Conclusion**

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

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

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

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing

conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

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

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

### **Background Papers:**

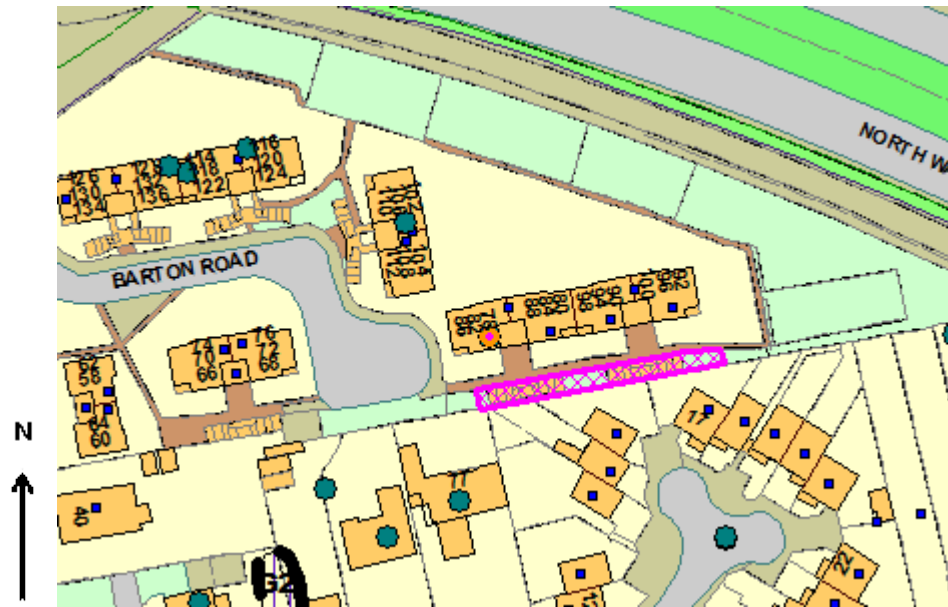
**Contact Officer:** Graeme Felstead

**Extension:** 2160

**Date:** 15th December 2016

# Appendix 1

16/02802/CT3 - 78 - 100 Barton Road



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Ordnance Survey 100019348

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## **Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 7 December 2016**

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### **Committee members:**

Councillor Coulter (Chair)	Councillor Henwood (Vice-Chair)
Councillor Brandt (for Councillor Wolff)	Councillor Clarkson
Councillor Hollingsworth (for Councillor Chapman)	Councillor Lloyd-Shogbesan
Councillor Paule	Councillor Taylor
Councillor Wade (for Councillor Wilkinson)	

### **Officers:**

Michael Morgan, Lawyer  
Adrian Arnold, Development Management Service Manager  
Sian Saadeh, Development Management Team Leader  
Jennifer Thompson, Committee and Members Services Officer

### **Apologies:**

Councillor(s) Chapman, Wilkinson and Wolff sent apologies. Their appointed substitutes are shown in the attendance.

## **66. Declarations of interest**

There were no declarations of interest.

## **67. 16/00797/OUT: William Morris Close, OX4 2JX**

The Committee considered an application for outline planning permission for 45 new dwellings (4 x 1-bed flats, 14 x 2-bed flats, 10 x 3-bed flats, 10 x 3-bed houses and 7x 4-bed houses) together with private amenity space, parking, access road, landscaping and new publicly accessible recreation space, (all matters other than access reserved) at William Morris Close.

Judith Harley, local resident and representative of Old Temple Cowley Residents Association, spoke against the application.

Nik Lyzba, the agent for the applicant, spoke in support of the application.

**The Committee resolved** to refuse planning permission for application 16/00797/OUT for the reasons set out below:

1. The site is protected open space (including associated car parking). It is not allocated for housing development nor is it needed to meet National Planning Policy Framework housing land availability requirements. It has not been clearly shown that the site is surplus to requirements for sport or recreation. It is not essential that the need for housing development should be met on this particular site, and there are no other balancing reasons or mitigating circumstances why housing should be allowed. It is necessary to retain the site as open space for the well-being of the local community, and its development is contrary to Policies CS2 and CS21 of the Core Strategy, and Policy SR2 of the Oxford Local Plan.
2. The application, because of the potential adverse relationship of the development to the trees on the southern and eastern boundaries, and because of unresolved highway issues, has not satisfactorily demonstrated that 45 dwellings can be accommodated on this site in accordance with Policies CP1, CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan.

#### **68. 16/01973/FUL: Canterbury House, 393 Cowley Road, OX4 2BS**

The Committee considered an application for planning permission for the 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) at Canterbury House, 393 Cowley Road, OX4 2BS.

Nik Lyzba, the agent for the applicant, spoke in support of the application.

**The Committee resolved** to approve application 16/01973/FUL subject to and including conditions below, and delegate to officers the issuing of the notice of permission on satisfactory completion of a S106 legal agreement to secure a contribution to affordable housing.

#### **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 Agreement:**

S106 to secure affordable housing contribution.

**69. 16/01945/FUL: Plot 12, Edmund Halley Road, Oxford Science Park**

The Committee considered an application for planning permission for the erection of a 4 storey office building with associated access, pedestrian links, car parking for 203 vehicles, and new landscaping scheme including partial re-grading of existing landscaping bund at 12 Edmund Halley Road, Oxford Science Park.

The Planning Team Leader reported two updates:

- A change in the recommendation for clarity to read: “East Area Planning Committee is recommended to resolve to grant planning permission subject to the completion of a legal agreement to secure the matters set out in the report and the conditions below, and to delegate to officers the issuing of planning permission once the legal agreement has been satisfactorily completed”.
- To remove condition 16 and amend the legal agreement to include a requirement for pedestrian and cycle link to Littlemore Park.

Jonathan Buckwell, the agent for the applicant, was available to answer questions.

The Committee noted that the proposed pedestrian/ cycle link should be required to be constructed to the extreme edge of the boundary of the site to avoid any gaps between this and the next section of the link.

**The Committee resolved** to grant planning permission for application 16/01945/FUL subject to the completion of a legal agreement to secure the matters set out in the report and the conditions below, and to delegate to officers the issuing of planning permission once the legal agreement has been satisfactorily completed.

**Conditions**

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as specified.
4. Landscape plan required.
5. Landscape carried out after completion.
6. Tree Protection Plan (TPP) 1.
7. Implementation of Flood Risk Assessment recommendations.
8. Drainage Strategy - Foul and Surface Water.

9. Detail of car parking provision and management plan.
10. Travel Plan.
11. Construction Traffic Management Plan.
12. Implementation of Energy statement recommendations.
13. Contaminated Land Assessment.
14. Details of Electric Charging Points within parking area.
15. Biodiversity Enhancements.

**Legal Agreement:**

1. To secure a pedestrian and cycle link to Littlemore Park,
2. To secure one or all of the following improvements to public transport services to the site for a period of 5 years:
  - enhance existing services to the city centre (from 2 to 4 buses per hour in peak\* hours), or
  - enhance and extend services to Oxford train station (from 2 to 3 buses per hour in the peak\* hours), or
  - provide a service to Cowley and Headington (operating at least 2 buses per hour in the peak\* hours).

\*to arrive at the site between 07:00 and 10:00, and leave the site 16:00-19:00 on working days (all Mondays to Fridays except public holidays).

**70. 16/02677/FUL: 91 Lime Walk, Oxford, OX3 7AD**

This application was withdrawn by the applicant prior to the meeting and was not considered by the committee.

**71. 16/02002/RES: Community Sports Pavilion, Land West Of Barton OX3 9SD (Barton Park)**

The Committee considered an application for planning permission for a community sports pavilion with associated car and cycle parking and landscaping (Reserved Matters of outline planning permission 13/01383/OUT) at Land West of Barton, North of A40, and South of Bayswater Brook, Northern By-Pass Road, Oxford.

Representatives of the developer were available to answer questions.

The Committee discussed the provision of facilities for teams of disabled players, but noted that this was not required either in national sporting policy or in the Local Plan.

**The Committee resolved** to grant the reserved matters application 16/02002/RES with the following conditions:

1. Piling methods statement.
2. Verification report - contaminated land.
3. Watching brief - contaminated land.

## **72. 16/02856/CT3: Land Fronting 48 To 62 Field Avenue, Oxford**

The Committee considered an application for planning permission for the formation of 29 additional car parking spaces with associated landscaping on land fronting 48 to 62 Field Avenue Oxford.

Councillor Wade commented that it was unfortunate that the green spaces in the estates were being lost to formal and informal car parking.

**The Committee resolved** to grant planning permission for application 16/02856/CT3 subject to the conditions below, and to delegate authority to the Head of Planning and Regulatory Services to issue the permission after the public consultation expiry date of 14 December subject to no new material issues arising before the end of that consultation.

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Drainage.
4. Landscape plan required.

## **73. 16/02588/CT3, 16/02596/CT3, 16/02597/CT3: 2 - 24 and 26 - 60 Stowford Road, 55 - 89 Bayswater Road, Barton**

### **Site Address:**

16/02588/CT3 - 2 To 24 Stowford Road – site plan Appendix 1

16/02596/CT3 - 26 To 60 Stowford Road – site plan Appendix 2

16/02597/CT3 - 55 To 89 Bayswater Road – site plan Appendix 3

The Committee considered an application for planning permission for Relocation of bin storage, insertion of permeable fence with associated landscaping. (Amended plans and additional information)

**The Committee resolved** to approve applications 16/02588/CT3, 16/02596/CT3, and 16/02597/CT3 all subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as proposed.
4. Ground resurfacing - SUDS compliant.
5. Tree Protection Plan.
6. Arboricultural Method Statement.
7. Landscape plan to be carried out by completion.
8. Landscape management plan.

#### **74. Minutes**

The Committee resolved to approve the minutes of the meeting held on 2 November as a true and accurate record.

#### **75. Forthcoming applications**

The Committee noted the list of forthcoming applications.

#### **76. Dates of future meetings**

The Committee noted the meeting dates.

**The meeting started at 6.00 pm and ended at 7.10 pm**