

Agenda

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East Area Planning Committee

Date: **Wednesday 5 December 2018**

Time: **6.00 pm**

Place: **The Old Library - Oxford Town Hall**

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

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

Chair Councillor Sian Taylor Northfield Brook;

Vice-Chair

Councillor Shaista Aziz	Rose Hill and Iffley;
Councillor Nigel Chapman	Headington Hill and Northway;
Councillor Mary Clarkson	Marston;
Councillor Stef Garden	Headington;
Councillor Mark Lygo	Churchill;
Councillor Christine Simm	Cowley;
Councillor Roz Smith	Quarry and Risinghurst;
Councillor John Tanner	Littlemore;

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

Copies of this agenda

Reference copies are available to consult in the Town Hall Reception. Agendas are published 6 working days before the meeting and the draft minutes a few days after.

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- viewed using the computers in the Customer Services, St Aldate's, or
- subscribed to electronically by registering online at mycouncil.oxford.gov.uk

AGENDA

Pages

- | | | |
|----------|---|---------|
| 1 | Apologies for absence and substitutions | |
| 2 | Declarations of interest | |
| 3 | Election of Vice-Chairman for the remainder of the 2018/19 municipal year | |
| 4 | 18/00686/OUT - 1 Gurl Close Oxford OX3 9SG

Site Address: 1 Gurl Close

Proposal: Outline application (seeking approval of access, appearance, layout and scale) for the demolition of existing dwellinghouse and erection of 6 apartments.

Recommendation: East Area Planning Committee is recommended to:

Refuse the application for the reasons given in the Section 12 of the report. | 13 - 26 |
| 5 | 18/02457/FUL - Beechwood House The Beeches Oxford OX3 9JZ

Site Address: Beechwood House , The Beeches, Oxford, OX3 9JZ

Proposal: Erection of first floor rear extension. (Amended plans)

Recommendation: East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

(b) Agree to delegate authority to the Acting Head of Planning Services to:

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; | 27 - 36 |
| 6 | 18/02113/CT3 - Land Adjacent 27 Broad Oak Oxford OX3 8TS

Site address: Land Adjacent 27, Broad Oak, Oxford, OX3 8TS | 37 - 56 |

Proposal: Erection of a 1 x 2 bed dwelling house (Use Class C3).
Provision of bin and cycle store.

Recommendation: East Area Planning Committee is recommended to:

1. Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.
2. Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
 - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

7 18/02336/FUL - 80 White Road, OX4 2JL

57 - 68

Site address: 80 White Road, Oxford, OX4 2JL

Proposal: Erection of a 1 x 2 bed dwelling house. Provision of bin and cycle stores and new car parking.

Recommendations: East Area Planning Committee is recommended to:

1. approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.
2. agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
 - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

8 18/02452/FUL - 1A Gathorne Road Oxford OX3 8NF

69 - 82

Site Address: 1A Gathorne Road, Oxford, OX3 8NF,

Proposal: Change of use of dwellinghouse (Use Class C3) to a large House in Multiple Occupation (Use Sui Generis). Erection of a two storey side extension and provision of bin and cycle stores.

Recommendation: East Area Planning Committee is recommended to:

- (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

9 18/02320/FUL - 238 Headington Road Oxford OX3 7PR

83 - 94

Site Address: 238 Headington Road, Oxford OX3 7PR,

Proposal: Change of use from guesthouse (Use Class C1) to a large House in Multiple Occupation (Sui Generis) (Amended Site Location and Amended Plans)

Recommendation: East Area Planning Committee is recommended to:

- (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.
- (b) Agree to delegate authority to the Acting Head of Planning Services to:

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;

10 18/02253/FUL - 29 Williamson Way OX4 4TT

95 - 104

Site address: 29 Williamson Way, Oxford, OX4 4TT

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

Recommendation: East Area Planning Committee is recommended to:

1. approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.
2. agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

11 18/02287/FUL - 49 Dashwood Road Oxford Oxfordshire OX4 4SH

105 -
112

Site address: 49 Dashwood Road, Oxford, Oxfordshire, OX4 4SH

Proposal: Erection of a two storey rear extension.

Recommendation: East Area Planning Committee is recommended to:

1. approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission
2. agree to delegate authority to the Acting Head of Planning Services to:
 - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

12 Minutes

113 -
118

Recommendation: That the minutes of the meeting held on 7 November 2018 are approved as a true and accurate record.

13 Forthcoming applications

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

16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG	Non-delegated application
17/01338/OUT: 23 And Land To The Rear Of 25 Spring Lane, Littlemore, OX4 6LE	Called in
17/01519/FUL: 55 Collinwood Road Oxford OX3 8HN	Called in
18/00571/FUL: 11 Horseman Close, Oxford, OX3 0NR	Called in

18/00591/VAR: 255A Marston Road, Oxford, OX3 0EN	Committee level decision
18/01081/FUL: 75 Bartholomew Road, Oxford, OX4 3QN	Committee level decision
18/01091/FUL: The Stadium Grenoble Road, Oxford, OX4 4XP	Called in
18/01477/VAR - John Radcliffe Hospital, Sandfield Road OX3 9DU	Committee level decision
18/02061/FUL: Leys Pool And Leisure Centre , Pegasus Road, Oxford, OX4 6JL	Committee level decision
18/02141/FUL - 22 Peterley Road Oxford Oxfordshire OX4 2TZ	Called in
18/02231/VAR: Littlemore Park, Armstrong Road, Oxford, OX4 4XG	Major development - variation to 14/02940/OUT
18/02303/RES - Littlemore Park Armstrong Road Oxford Oxfordshire OX4 4XG	Committee level decision
18/02442/FUL - 4 Lime Walk, OX3 7AE	Committee level decision
18/02465/FUL - 67 Copse Lane Oxford OX3 0AU - Refused to delegated 20-11-18	Called in
18/02480/FUL: SS Mary And John CE Primary School, Hertford Street, Oxford, OX4 3AJ	
18/02588/FUL - Meadow Larkins Larkins Lane Oxford OX3 9DW	Called in
18/02817/FUL: Former Rose Hill Community Centre, The Oval, Oxford, OX4 4UY	
18/02818/FUL: Former Rose Hill Community Centre, The Oval, Oxford, OX4 4UY	

14 Dates of future meetings

Future meetings are at 6.00pm on

16 Jan 2019

6 Feb 2019
6 Mar 2019
3 Apr 2019

|

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 by noon on the working day before the meeting, 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 in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. 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

7. 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

8. 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.
9. 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

10. 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.
11. 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 Constitution changes agreed at Council in April 2017.

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East Area Planning Committee

- 5th December 2018

Application number:	18/00686/OUT		
Decision due by	16th May 2018		
Extension of time	14 th December 2018		
Proposal	Outline application (seeking approval of access, appearance, layout and scale) for the demolition of existing dwellinghouse and erection of 6 apartments.		
Site address	1 Gurl Close – see Appendix 1 for site plan		
Ward	Barton And Sandhills Ward		
Case officer	Sarah Orchard		
Agent:	Alex Cresswell	Applicant:	Mr Stephen Edgington
Reason at Committee	More than 5 residential units proposed.		

1. RECOMMENDATION

1.1. **East Area Planning Committee** is recommended to:

1.1.1. **Refuse the application** for the reasons given in the Section 12 of the report.

2. EXECUTIVE SUMMARY

2.1. This report considers an outline planning application for the demolition of the existing dormer bungalow and erection of a two and half storey building to house six flats (3no. one bed, 1no. 2 bed and 2no. 3 bed). The report considers the principle of the development and loss of the existing three bedroom family dwelling, the design and scale of the proposed development, amenity of neighbours and future occupants of the site, the provision of car and cycle parking, energy efficiency, drainage, land quality, provision of affordable housing and impact on trees. It is concluded that the proposed development results in harm to the character and appearance of the area, results in the loss of a family dwelling, results in poor quality of indoor and outdoor amenity space, inadequate access to the lower ground floor flats and no affordable housing contribution has been secured. The application is therefore contrary to the policies identified in this report and recommended for refusal.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement to cover a contribution towards affordable housing. Whilst the applicant has accepted that a contribution

would be required an agreement has not been drawn up due to the unacceptability of the scheme.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

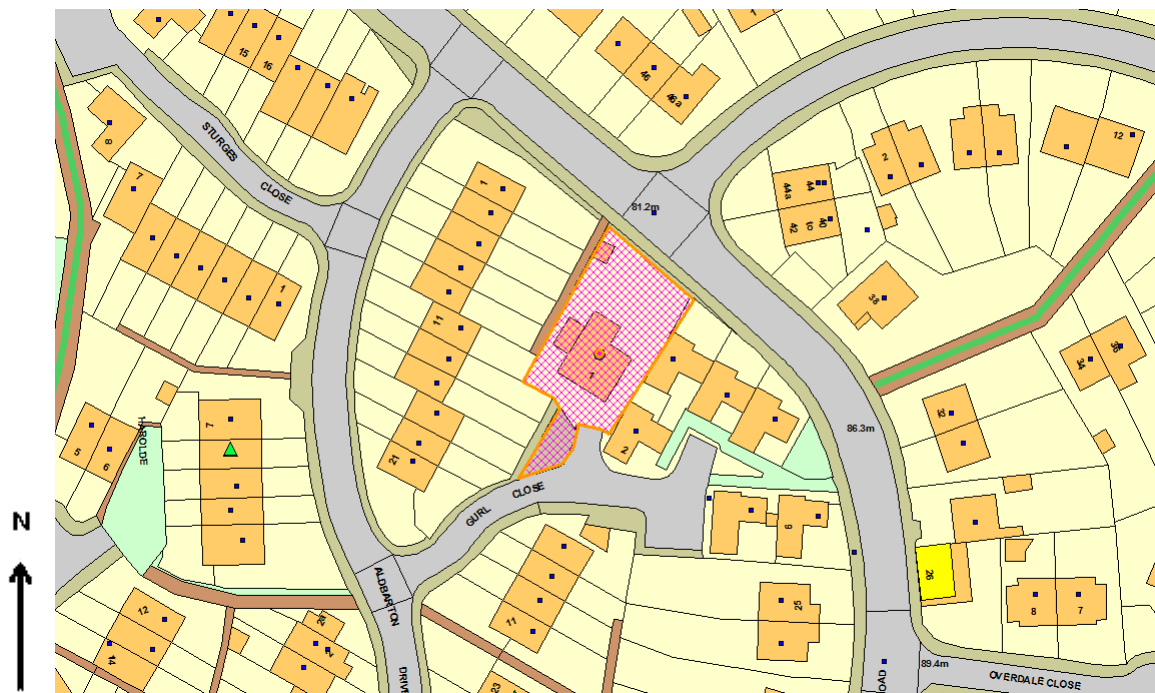
4.1. The proposal is liable for CIL. The exact amount would be calculated at Reserved Matters stage.

5. SITE AND SURROUNDINGS

5.1. The site is located within the Barton area of Oxford. The vehicular access to the site is from Gurl Close to the south of the site, which is accessed via Aldebarton Drive. The site also borders Barton Village Road to the north from which it benefits a pedestrian access. The site slopes quite steeply from the south down to the north where it meets Barton Village Road. The land to the west of the site in Aldebarton Drive also drops steeply away from the site.

5.2. The site is currently occupied by a single storey bungalow with a fairly generous garden to the rear. The site has its own character with a tighter grain of development to the south, west and east formed of terraces and I-shaped single storey dwellings on small plots. Land to the north is primarily formed of terraces and semi-detached dwellings.

5.3. See site location plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application seeks outline planning permission for the demolition of the existing detached single storey dwelling and erection of a two and a half storey building comprising of 2no. 3 bedroom flats, 3no. 1 bedroom flats and 1no. 2

bedroom flat with provision of 8no. car parking spaces, bicycle storage and a bin store. Due to the topography of the site the building would contain a lower ground floor with level access to Barton Village Road, an upper ground floor which would be slightly stepped up from the parking and access to the south from Gurl Close and a first floor set within the roof space.

6.2. Approval is sought in relation to access, appearance, layout and scale. The only matter reserved is landscaping.

6.3. The proposed building would measure 9.1 metres height at its highest from land adjacent to Barton Village Road and 7.1 metres high from ground level in Gurl Close. This is 1.4 metres higher than the adjoining dwelling at 3 Gurl Close to the east of the site but similar to the height of the existing property. The width of the proposed building is almost 15 metres and over 13 metres in depth.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

67/19377/A_H - Erection of dwelling house (1 Gurl Close). PER 24th October 1967.
07/01739/PDC - PERMITTED DEVELOPMENT CHECK - Erection of conservatory to side elevation. PNR 10th August 2007.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	118, 122, 124, 127,	CP1 CP6 CP8	CS2_ CS18_	HP9_ HP10_	
Housing	62,		CS23_	HP1_ HP2_ HP4_	Affordable Housing and Planning Obligations SPD, Balance of Dwellings SPD
Natural environment		CP11, NE15,			
Transport	108, 110			HP15_	Parking

				HP16_	Standards SPD
Environmental	155, 163, 178,	CP10 CP22	CS9_ CS11_	HP11_ HP12_ HP13_ HP14_	Energy Statement TAN
Miscellaneous	38, 47, 48			MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 6th April 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. Raised concerns with the proposed 6 parking spaces and 12 bicycle spaces which is below the adopted standards. 14 covered and secure spaces should be provided. In this area there is a higher reliance on car ownership and the property does not fall within a CPZ therefore at least 8 spaces should be provided. If refuse collection is to take place within the site, swept path analysis would be required to demonstrate that the collection vehicle could reverse in the site.

9.3. A revised site plan was submitted showing 8 parking spaces and 10 Sheffield stands. The bin store is also shown adjacent to the highway on Gurl Close. Therefore the Local Highway Authority removed their objection.

Barton Community Association

9.4. No comments received.

Public representations

9.5.1 no. objection comment received (No address given. Written on behalf on Aldebarton Drive residents).

9.6. In summary, the main points of objection were:

- Site notice was not in the road where the development will take place, were not very visible and not displayed for a long period of time.
- Loss of privacy to residents in Aldebarton Drive due to removal of Leylandii hedge.
- Impact of excavation and building works. Potential subsidence.
- Additional disruption as well as that from Barton Park. The dwellings should at least be social housing.
- Impact on the natural environment. Renewable energy, bicycles and electrical charging points should be used.

Officer response

9.7. Where these comments relate to material considerations, they are addressed below in the report. Three site notices were posted around the site and displayed for 21 days fulfilling the statutory requirement. They were sited in Gurl Close, Aldebarton Drive and Barton Village Road.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable Housing
- Balance of Dwellings
- Design
- Amenity
- Internal and External Space
- Highways/Parking
- Water/Energy Efficiency
- Drainage
- Land Quality
- Trees

a. Principle of development

10.2. Policy HP1 of the Sites and Housing Plan allows for dwellings to be demolished providing it is replaced and there is no net loss of residential units on the site. Policies CP6 of the Oxford Local Plan (and the NPPF) supports making a more efficient use of land and policy HP10 of the Sites and Housing Plan supports residential development on residential gardens subject to other material considerations. In this case this primarily relates to impact on the character of the area, quality of internal and external space, impact on neighbouring occupiers, provision of adequate car parking, highway safety, impact on trees and bin and bicycle storage which are addressed in further detail below.

b. Affordable Housing

10.3. The proposal is for 6no. residential units. This is classed as a small housing site and falls under policy HP4 of the Sites and Housing Plan which states that an affordable housing contribution of 15% of the sale value should be secured towards provision of affordable housing elsewhere in the city or 50% of the homes on the site should be affordable. This is secured through a Section 106 agreement. Whilst the NPPF (2018) states affordable housing contributions should not be sought on less than 10 units, it is considered that this is

outweighed by the unaffordability of Oxford where affordable housing is still sought on sites of four or more dwellings.

10.4. The Planning, Design and Access Statement submitted with the application states that a contribution towards affordable housing could be secured by a legal agreement and does not contest that this would be required. However given the unacceptability of the scheme for other reasons, a legal agreement has not been pursued by officers to secure this.

c. Balance of Dwellings

10.5. Policy CS23 of the Core Strategy relates to mix of dwellings and requires a range of size, type and tenure to be provided on sites. This policy is supported by the Balance of Dwellings Supplementary Planning Document (SPD). Neighbourhood areas are colour coded with a traffic light system according to the pressure they are experiencing in terms of loss of family properties. Barton is identified as an 'amber' area where family units need to be safeguarded. On any size development there shall be no net loss of family units. For developments of 4-9 units a specific mix is required.

10.6. 33.3% of the proposed development is 3 bed (2 units) within the 30-100% bracket, 16.6% of the proposed development is a 2 bed unit within the 0-50% bracket and 50% of the development is 1 bed (3 units) outside of the allowed 0-30%. Whilst this does not strictly comply with the balance of dwellings policy, it falls close to the requirement. Given the emerging policy in the Oxford Local Plan 2036 seeks to only secure a mix of dwelling sizes on sites of 25 units or more, it is not considered reasonable to refuse the application on lack of compliance with this policy at this time. It is acknowledged that only limited weight can be given to the emerging Oxford Local Plan but given the proposals in addition to this only fall short of the 1 bed requirement in the SPD, it is not considered a reason for refusal could be substantiated at the present time.

10.7. The proposal does however result in the net loss of a family dwelling, which is carried through to the emerging Local Plan. Whilst two three bedroom units are proposed as part of the scheme, they do not meet the definition of a family unit due to the amenity space. A family unit as defined in the Balance of Dwellings SPD requires a private garden space. The Sites and Housing Plan also sets out that any house with 4 or more bed spaces is a family dwelling and is required to have a private garden large enough for children to play in and family activities. It is considered that the proposal cannot comply with this requirement due to constrained amenity space to the rear of the units and therefore results in the loss of a family unit contrary to policy CP23 of the Oxford Local Plan.

d. Design

10.8. The proposed development replaces a dormer bungalow which sits comfortably within the plot. The area is strongly characterised by two storey terraced and semi-detached dwellings to the north, west and south of the site and I-shaped bungalows to the east of the site. Whilst the existing dwelling is not overly typical of the other dwellings within the streetscene, it does not stand out as a prominent feature in the area.

- 10.9. The proposed building to house 6no. flats is considered to an incongruous addition to the area. The proposal is set over three floors and would appear as a two and a half storey building from Barton Village Road due to excavation of the site and therefore appear as a more prominent feature in this streetscene. Whilst the proposal seeks to make a more efficient use of the site, it also needs to relate to the character and grain of development in the surrounding area. The bulk and massing of the proposed building greatly exceeds that of those in the surrounding area. The ridge height of the building is also 1.4 metres higher than that at 3 Gurl Close to the east of the site. Whilst this is no higher than the existing ridge height of the existing dwelling the eaves are increased from 2.5 metres to over 4 metres and the upper ground floor level is higher than the parking area increasing the prominence of the building in Gurl Close which is also uncharacteristic of this streetscene. This height needs to be assessed in relation to the overall scale, massing and prominence of the proposed replacement building which is far greater than that which exists on site at present or in the surrounding area. The existing building is lower and sits further back within the plot when viewed from Barton Village Road and the surrounding properties are also diminutive in their scale. The proposals in comparison would have the appearance of being much taller for the reasons set out above, be far bulkier and much closer to this road frontage, to the point where it would be unduly dominant and incongruous in the street scene.
- 10.10. The land significantly slopes away to the west towards a terrace in Aldebarton Drive. Since the proposal is likely to remove the existing vegetation between the site and properties in Aldebarton Drive due to the proximity of the development to the boundary the proposal would be particularly visible from Barton Village Road with a large expanse of blank elevation.
- 10.11. Whilst the application has not been accompanied by a roof plan, it appears that the proposal would result in a section of flat roof, further demonstrating that the need for this is created by the overly large massing and scale of the proposed building. A building of this size should also sit in a larger plot, the scale of the building and amenity space surrounding it feels overly cramped resulting in issues with amenity and access to the building as addressed below within this report.
- 10.12. The overall combination of the massing, height, levels of the property and proximity to Barton Village Road result in an application which fails to sit comfortably within the topography of the site and appears as an overly dominant feature in the area which fails to relate to the existing low key residential character. The proposal is therefore not considered to comply with policies CP1 and CP8 of the Oxford Local Plan, HP9 and HP10 of the Sites and Housing Plan and CS18 of the Core Strategy.

e. Amenity

- 10.13. Concerns have been raised by neighbours in Aldebarton Drive in relation to loss of privacy. Except for the lower ground floor, the proposal does not contain any west facing windows towards Aldebarton Drive where properties are located 15 metres from the proposal. The proposed balconies could overlook neighbouring gardens if the existing vegetation on the site is removed, however

appropriate mitigation could be sought to show side privacy screens to the balconies to ensure that overlooking would not occur and secured by condition. Towards the east there are already windows facing towards the rear of 2 and 3 Gurl Close which are blank elevations. The proposal is therefore not considered to cause a loss of privacy to these dwellings.

10.14. The development has been sited to ensure that it does not have an overshadowing or overbearing impact on neighbouring properties. The proposed development is sited off the boundary with 2 and 3 Gurl Close by over 3 metres. Whilst the proposed development projects closer to Barton Village Road than 3 Gurl Close, it does not intersect 45 degree angles from windows of this property in relation to daylight and sunlight under policy HP14. The proposal is located over 15 metres from dwellings in Aldebarton Drive and whilst they are sited on lower ground, the proposal would not intersect 45 degree angles upwards from the sill of the rear facing windows to these properties.

10.15. Subject to appropriate conditions the development is not considered to be harmful to the amenity of neighbouring occupiers in relation to policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.

f. Internal and External Space

10.16. Any new proposed residential units, in accordance with policy HP12 of the Sites and Housing Plan, should comply with National Space Standards, should provide natural lighting and outlook and have a separate lockable entrance and kitchen and bathroom facilities. A single storey, one bedroom unit for two occupants should be 50m² and a single occupant 37m². The proposed one bedroom units would be 51m² and comply with the standard for two occupants and also provide a double bedroom over 11.5m². The two bedroom unit is 67m² and has two double bedrooms but fails to meet the space standard of 70m² for two occupants. The lower ground floor three bedroom unit also fails to meet the requirement of 86m² for five occupants and is only 84m². This is considered to be to the detriment of the amenity of the occupiers due to the small communal kitchen, living and dining room. The upper ground floor three bedroom unit does however meet the requirement for four occupants.

10.17. New dwellings, as required by policy HP2, are expected to be accessible and adaptable and meet the lifetime homes standard. This is now replaced by the nearest equivalent of Part M of building regulations, optional requirement M4(2). A condition could be recommended to ensure the homes are built to this standard to ensure compliance with this policy. However this would require level access from the parking to the entrance of the flats. This cannot be achieved to the lower ground floor flats and therefore they fail to meet the requirements of policy HP2 in relation to accessibility. The positioning of the parking within the site also restricts access to the access ramp to the main communal entrance of the building further demonstrating the cramped nature of the development.

10.18. Notwithstanding the requirement for private space for a family dwelling, as discussed above, flats are required to have a balcony or terrace of at least 1.5 by 3 metres. The proposed balconies and terraces comply with this standard. There is however a concern in relation to the quality of the amenity space and outlook

to the 3 bedroom flats and the lower ground floor one bedroom unit as the amenity space faces directly onto trees and a high boundary wall which are shown to be retained not only overshadowing these spaces but also reducing outlook and light to the main aspect of the amenity spaces. Due to the positioning of the bicycle store and requirement for covered and secure cycle parking this could also result in a loss of light and outlook to bedrooms 2 and 3 of the upper ground floor three bedroom unit.

10.19. The proposal is therefore considered to fail to meet the requirements of policies HP2, HP12 and HP13 of the Oxford Local Plan.

g. Highways/Parking

10.20. Concerns were raised by the Local Highway Authority in relation to the level of parking and bicycle storage to be provided on the site and the arrangements for the collection of waste and recycling. An amended plan was received to show 8 parking spaces, increased from 6, and 10 Sheffield stands. This meets the requirements of policies HP15 and HP16 of the Sites and Housing Plan which requires a maximum of two car parking spaces for 2 and 3 bedroom flats and a maximum of one space for one bedroom flats. This would create a maximum of 9 car parking spaces. However the Local Highway Authority considers one space is adequate for the two bedroom flat.

10.21. In relation to cycle parking 3 spaces are required for 3 bedroom units and 2 spaces for 1 and 2 bedroom units. This creates a minimum requirement of 14 spaces which would easily be accommodated on 10 Sheffield stands. Details of the storage would be required to demonstrate that it is covered and secure which could be secured by condition.

10.22. The bin storage has also been shown adjacent to the agent to the highway in Gurl Close to ensure a collection vehicle is not required to enter and turn in the site. This is acceptable and could be secured by condition.

10.23. The proposal is therefore considered to comply with policies CP1 of the Oxford Local Plan and HP15 and HP16 of the Sites and Housing Plan.

h. Water/Energy Efficiency

10.24. Policies CS9 and HP11 expect the applicant to demonstrate how sustainable design and construction methods will be incorporated and how energy efficiencies have been incorporated into the design. Given the proposal is a small scale development that is not a qualifying site to provide 20% of energy consumption through renewables it is considered appropriate to deal with energy and water efficiency by condition.

10.25. A condition relating to water efficiency could be recommended to ensure that optional requirement of building regulations is triggered in accordance with policy CS9 of the Core Strategy.

10.26. A condition could also be recommended in relation to energy efficiency to ensure that the new dwelling meets an energy performance equivalent to ENE1

level 4 of the Code for Sustainable Homes in accordance with Policies HP11 of the Sites and Housing Plan and CS9 of the Core Strategy.

i. Drainage

10.27. Policy CS11 of the Core Strategy relates to drainage and flooding. Whilst the proposed development is located in flood zone 1 and would be at a low risk from flooding, it would result in the loss of green garden land and increases impermeable areas on the site. To ensure that the proposed development does not result in an increase in surface water run-off which could contribute to flooding elsewhere, sustainable drainage would need to be incorporated into the site. Drainage plans, calculations and drainage details could be requested by condition to demonstrate that this would be the case.

j. Land Quality

10.28. Policy CP22 of the Local Plan relates to land quality. The proposed development involves the creation of new 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 could be placed on any planning permission granted regarding unexpected contamination and developer responsibilities.

k. Trees

10.29. The proposal has been reviewed by a Tree Officer and is not considered to have any significant arboricultural implications and therefore the proposal is considered to comply with policies CP1, CP11, NE15 and NE16 of the Oxford Local Plan.

l. Other Matters

10.30. Concerns have been raised in relation to loss of biodiversity. The proposed development is not considered to have a harmful impact on biodiversity which would result in the refusal of the application. This application has not been identified as an application of interest by an Ecology Officer.

11. CONCLUSION

11.1. The proposed development forms an incongruous addition to the streetscene and cramped form of development which also fails to retain a family dwelling with private amenity space on the site. Whilst the proposal seeks to make a more efficient use of the site this is not outweighed by the harm to the character and appearance of the area, amenity of the future occupiers of the site and the loss of a family dwelling within the city, contrary to the policies identified and the NPPF.

11.2. It is recommended that the Committee resolve to refuse planning permission for the development proposed for the reasons set out below.

12. REASONS FOR REFUSAL

1. The proposal results in the loss of a family dwelling and fails to provide a family unit within the proposed development with a private amenity space which meets the definition of a family dwelling set out in the Balance of Dwellings Supplementary Planning Document and the Sites and Housing Plan. The proposal therefore fails to comply with policies CS23 of the Core Strategy and HP13 of the Sites and Housing Plan.
2. Due to the height, massing, design, proximity to Barton Village Road and relationship with neighbouring properties the proposal results in an overly cramped and incongruous form of development which fails to relate to the character of the area contrary to policies CP1 and CP8 of the Oxford Local Plan, HP9 and HP10 of the Sites and Housing Plan and CS18 of the Core Strategy.
3. The outlook and amenity space to the three bedroom unit on the upper ground floor and the units on the lower ground floor would be restricted and overshadowing by the existing trees and high boundary wall on Barton Village Road which are shown to be retained resulting in a poor amenity space, outlook and light contrary to policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.
4. The proposal fails to provide level access from the parking to the entrances of the lower ground floor flats and therefore fails to comply with M4(2) of Building Regulations and therefore fails to comply with policy HP2 of the Sites and Housing Plan.
5. The two bedroom unit and the lower ground floor three bedroom unit fail to meet the national space standards to the detriment of the amenity of the occupiers and therefore fail to meet the requirements of policy HP12 of the Sites and Housing Plan.
6. Had the overriding reasons not applied, the Local Planning Authority would have required the applicant to enter into a S106 agreement to secure a contribution towards affordable housing in accordance with policy HP4 of the Sites and Housing Plan. Whilst the applicant has accepted a contribution towards affordable housing would be payable, this has not been secured due to the unacceptability of the scheme as outlined in the reasons for refusal. However in the absence of a S106 agreement the proposal is considered contrary to policy HP4 of the Sites and Housing Plan.

INFORMATIVES :-

- 1 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However,

development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

13. APPENDICES

- **Appendix 1 – Site plan**

14. HUMAN RIGHTS ACT 1998

14.1. 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

15.1. 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.

Appendix 1



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EAST AREA PLANNING COMMITTEE

5th December 2018

Application Number: 18/02457/FUL

Decision Due by: 9th November 2018

Extension of Time:

Proposal: Erection of first floor rear extension. (Amended plans)

Site Address: Beechwood House , The Beeches, Oxford, OX3 9JZ

Ward: Barton And Sandhills Ward

Case Officer Alice Watkins

Agent: Mr Tim Smissen **Applicant:** Mr Sergey Kotelnikov

Reason at Committee: Called in by Councillors M Rowley, J Tanner, M Clarkson, S Malik, M Rush on the grounds of overdevelopment of the site and overlooking and loss of privacy and daylight to neighbouring properties.

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

(b) Agree to delegate authority to the Acting Head of Planning Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a first floor rear extension at Beechwood House.

2.2. The key matters for assessment set out in this report include the following:

- Design;
- Impact to neighbouring properties.

2.3. The proposal would form an appropriate visual relationship with the host dwelling

and would be acceptable in design terms. Officers consider it would not be overbearing nor result in a loss of privacy or light when experienced from the neighbouring properties. The proposal would comply with CP1, CP6, CP8 and CP10 of the Local Plan, HP9 and HP14 of the Sites and Housing Plan, CS18 of the Core Strategy, CIP1 and GSP4 of the Headington Neighbourhood Plan and the National Planning Policy Framework (NPPF).

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

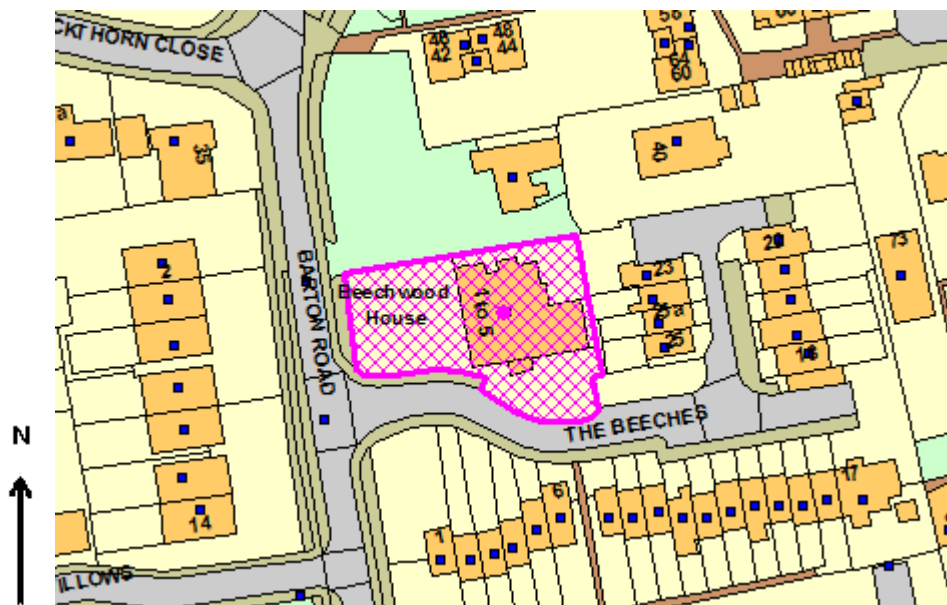
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. Beechwood House is a two storey block of flats located on the northern side of The Beeches, at the junction with Barton Road. The site is highly visible from both The Beeches and Barton Road. Planning permission has been granted for a number of alterations including extensions and the creation of two additional flats in the loft, which are currently under construction. To the north of the site lies the Oxfordshire County Council Integrated Transport Hub, whilst residential properties lie to the east and south off of The Beeches and west off of Barton Road. The Beeches is a gently sloping road with properties to the east of Beechwood House featuring a lower ground level. The ground level of properties to the north, south and west of the site are of similar levels to Beechwood House.

5.2. A site location plan is set out below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes the erection of a first floor rear extension (to the east of the building). The extension would extend by 3.7m from the northern elevation and feature a hipped roof with a ridge height of 9.75m and eaves height of 8.1m. The extension would be constructed from materials to match the existing building. The extension is set away from the eastern boundary of the site by 1.9m and will provide a new kitchen to serve flat 5.

7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

52/02295/A_H - Barton End - Change of use to old people's home. PER 6th May 1952.

55/04192/A_H - Barton End - Dormitory and dining extensions. PER 25th January 1955.

60/09867/A_H - Barton End - Addition and alteration. PER 27th September 1960.

90/01174/DF - Change of use from elderly persons home to 4 residential flats including improvements to existing access onto Barton Road. ROB 27th March 1991.

91/01390/DF - Conversion of former elderly persons home to five flats and erection of 18 two-bedroom houses, 7 three-bedroom houses with associated car parking and landscaping and improvements to the existing access onto Barton Road (Amended Plans).. ROCPER 25th March 1992.

13/03473/TPO - Fell 1No. Lime tree as identified as T.1 in the Oxford City Council Barton End (No1) Tree Preservation Order 1992. PER 3rd February 2014.

16/02508/FUL - Conversion of loft to form additional 2 x 2-bed flats (Use Class C3). Erection of two storey extensions to north elevation, with increase in roof height to existing north extensions and formation of dormer windows and insertion of rooflights. Alterations to windows and doors. Formation of dormer window and insertion of rooflight to west elevation and dormer windows and insertion of rooflights to south elevation). PER 27th March 2017.

17/01434/VAR - Variation of condition 2 (Development in accordance with approved plans) of planning permission 16/02508/FUL (Conversion of loft to form additional 2 x 2-bed flats (Use Class C3). Erection of two storey extensions to north elevation, with increase in roof height to existing north extensions and formation of dormer windows and insertion of rooflights. Alterations to windows and doors. Formation of dormer window and insertion of rooflight to west elevation and dormer windows and insertion of rooflights to south elevation) to

allow amendments to the approved plans to include a first floor extension.. PER 1st August 2017.

18/00025/VAR - Variation of condition 2 (Development in accordance with approved plans) of planning permission 17/01434/VAR to allow rationalisation of main roof pitch, removal of chimneys increase in height of first floor rear extension to remove half dormer, additional rooflight to north elevation and increase in size of rooflights to west and north elevations (amended description).. PER 2nd March 2018.

18/00281/FUL - Erection of a single storey rear extension.. PER 27th March 2018.

18/00433/FUL - Erection of a 1 x 3 bed dwelling house(Use Class C3). Formation of car port and erection of bin store.. REF 18th May 2018.

18/01871/FUL - Erection of boundary wall and electrically operated sliding gate (amended plan).. PCO .

18/02129/VAR - Variation of condition 2 (Development in accordance with approved plans) of planning permission 18/00025/VAR to allow the insertion of an additional rooflight to the east elevation on the second floor.. PER 4th October 2018.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Headington Neighbourhood Plan
Design	118, 122, 124, 127	CP1, CP6, CP8, CP10,	CS18_	HP9_	CIP1, GSP4
Housing				HP14_	
Misc	38, 47, 48			MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 28th September 2018

and on 29th October, upon receipt of amended plans.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

9.2. No comments

Natural England

9.3. No comments

Public representations

9.4. Ten objection comments were received in response to this application from addresses in The Beeches.

9.5. In summary, the main points of objection were:

- Loss of light to garden
- Overbearing impact
- Overshadow 23-25 The Beeches
- Building is already overdeveloped and does not fit with surrounding area
- Negative impact on visual amenity of residents
- Loss of privacy from existing side facing windows

Officer Response

9.6. The proposed extension does not include any new windows to the east elevation. Other matters raised including the amount of development, design, and impact to neighbouring properties will be addressed below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Design;
- ii. Neighbouring amenity etc.

i. Design and Impact on Character of Surrounding Area

10.2. The proposed extension would extend by 3.7m from the rear and feature a hipped roof with a ridge height of 9.75m and eaves height of 8.1m. These measurements are taken from the lowest ground level within the site. The extension would form a good visual relationship with the host dwelling and would read as a subservient addition to the existing property. Due to the prominence of the site, the extension would be visible from Barton Road and from the eastern end of The Beeches but would not read as an overly prominent addition. The extension would sit comfortably with the existing building and would be constructed from materials to match the existing single storey extension.

10.3. The proposal would be acceptable in design terms and would comply with CP1, CP6, CP8 and CP10 of the Local Plan, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy, CIP1 and GSP4 of the Headington Neighbourhood Plan and the NPPF.

ii. Impact on Neighbouring Amenity

10.4. 23-25 The Beeches lie to the eastern side of Beechwood House and the eastern elevation of the proposed extension would be visible from these properties. The Beeches is a sloping road and the ground level at Beechwood House is higher than at 23-25 The Beeches.

10.5. The existing Beechwood House building is two storey and sits adjacent to the rear boundary of the properties to the east (No. 23-25). The extension would not project any closer to the eastern boundary than the existing Beechwood House building which is significantly taller. There is a degree of separation between Beechwood House and the properties to the east (No. 23-25). The separation is adequate to ensure that the development would not be overbearing or result in a detrimental loss of light when experienced from the neighbouring properties. The extension would be sited mainly along the rear boundary of 23 The Beeches. The extension is significantly lower and slightly further from the boundary than the existing Beechwood House building. 23 The Beeches would retain its open aspect to the north and partly open element to the east. Due to the separation between Beechwood House and the properties to the east, the lower height and limited depth of the extension, it is not considered that the impact of the proposed development would be any worse than the existing situation with other dwellings which lie to the east. The outlook and sunlight afforded to the 23-25 Beechwood House would be relatively unchanged by the proposals and it would not be reasonable to refuse planning permission.

10.6. A number of objection comments have been raised in relation to existing windows within the east elevation which face 23-25 The Beeches. These windows are existing and do not form part of this application. The proposed extension does not propose any east facing windows and would not impact the privacy afforded to the neighbouring properties. It would not be reasonable to require existing windows in the eastern elevation to be obscurely glazed as they do not form part of this application.

10.7. On the basis of the above, the proposal is considered to comply with HP14 of the Sites and Housing Plan and the NPPF.

11. CONCLUSION

11.1. The proposal would be acceptable in design terms and would not have a detrimental impact to the neighbouring properties so as to warrant a refusal of planning permission. The proposal would comply with CP1, CP6, CP8 and CP10 of the Local Plan, HP9 and HP14 of the Sites and Housing Plan, CS18 of the Core Strategy, CIP1 and GSP4 of the Headington Neighbourhood Plan and the NPPF.

11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed.

12. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 The materials to be used in the external elevations of the new development shall match those of the existing building.

Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

13. APPENDICES

Appendix 1 – Block Plan

14. HUMAN RIGHTS ACT 1998

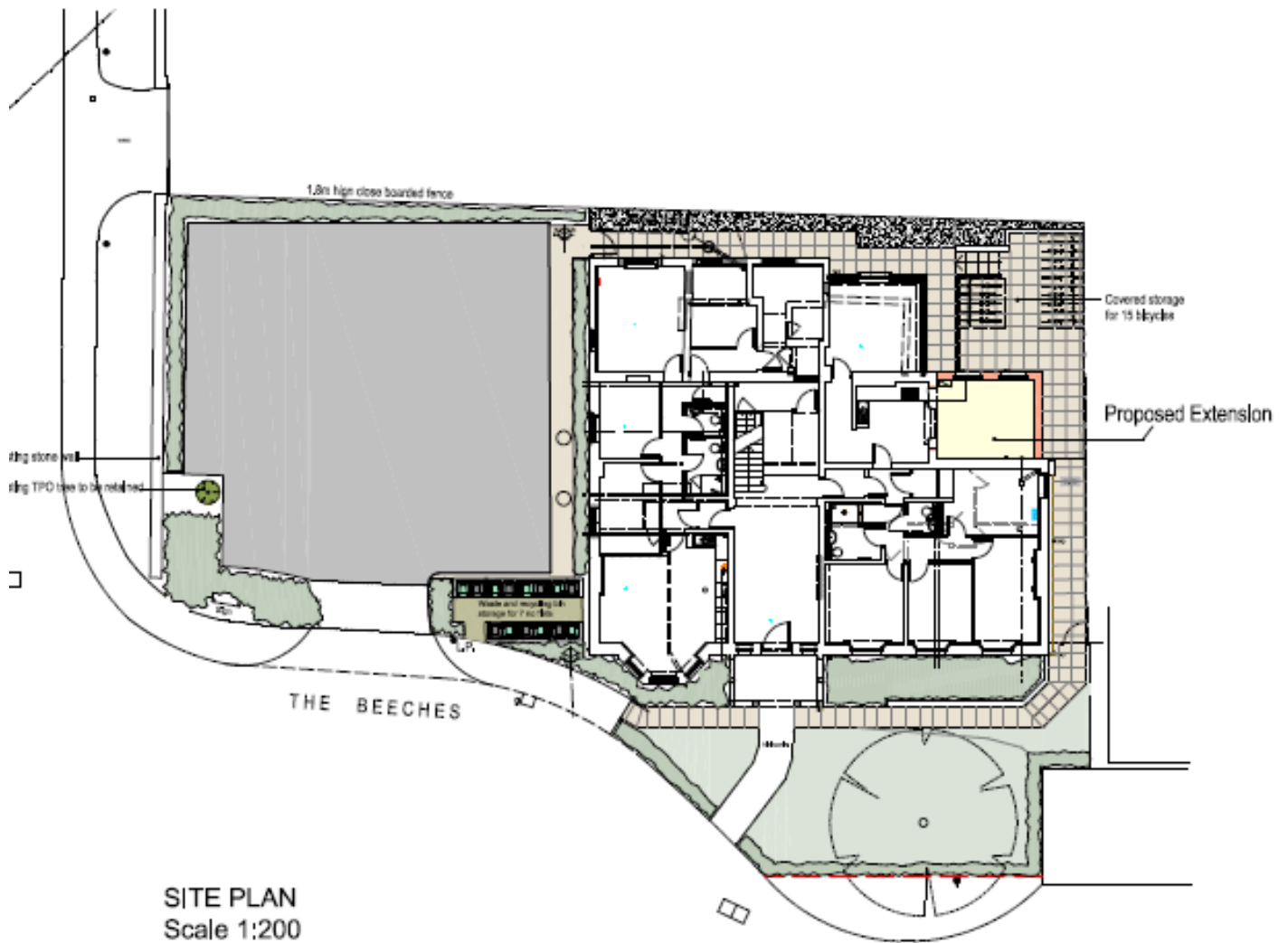
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

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Appendix 1 – Block Plan



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East Area Planning Committee

- 5th December 2018

Application number:	18/02113/CT3		
Decision due by	23rd October 2018		
Extension of time	14 th December 2018		
Proposal	Erection of a 1 x 2 bed dwelling house (Use Class C3). Provision of bin and cycle store.		
Site address	Land Adjacent 27 , Broad Oak, Oxford, OX3 8TS – see Appendix 1 for site plan		
Ward	Churchill Ward		
Case officer	Michael Kemp		
Agent:	Mr Martyn Few	Applicant:	Ms Allison Dalton
Reason at Committee	This is an Oxford City Council application		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the proposed development of 1 x 2 bedroom dwelling on an area of land adjacent to Broad Oak. The application site previously comprised of a small playground.

2.2. This report considers the loss of an existing recreation space, highways impacts, the impact of neighbouring occupiers, the impact of the development on adjacent trees and the design quality of the housing proposed.

2.3. Overall it is considered that the benefits of the development, namely in terms of the provision of a socially rented dwelling addressing a specific city-wide requirement for suitable living accommodation for elderly or disabled occupants would outweigh the identified level of harm associated with the proposals and on balance the application is recommended for approval.

2.4. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations on balance support the grant of planning permission.

2.5. The scheme would also accord with the aims and objectives of the National Planning Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 14 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for a CIL contribution of £8185.54

5. SITE AND SURROUNDINGS

5.1. The site is located within Wood Farm in an area comprising of 1970's housing characterised by two storey brick properties laid out in small terraces and semi-detached pairs. The site lies to the north of Broad Oak, adjacent to a residential property No.27 Broad Oak, which is a two storey semi-detached brick property. Magdalen Wood is located to the North of the site, which is a relatively large area of ancient woodland that is accessible to the public.

5.2. The site formerly comprised of children's playground and is owned by Oxford City Council though the space is no longer being actively managed and has become overgrown, the play equipment has been removed and the site has been closed off to public use. The artificial surfacing remains in place at the present time

5.3. The application site plan is listed below:



6. PROPOSAL

6.1. The application proposes the erection of a two bedroom bungalow dwelling, with associated access, vehicle, cycle parking and bin storage. The building would extend to a height of 4.5 metres to the roof ridge and would measure 14.7 metres in length. Oxford City Council is the applicant and the proposed unit would be a social rented property, with the dwelling being designed specifically for either elderly or disabled occupiers.

7. RELEVANT PLANNING HISTORY

7.1. There is no planning history on the site which is of material relevance to the proposed development.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	12	CP1 CP6 CP8 CP9	CS18_		
Housing	5		CS22_	HP9_ HP12_ HP13_ HP14_ HP15_ HP16_	

Natural environment	9, 11, 13	NE15, NE16	CS12		
Social and community	8	SR2 SR5	CS21_		
Transport	4				Parking Standards SPD
Environmental	10		CS12_ CS11_		Energy Statement TAN
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 10th October 2018 an advertisement was published in The Oxford Times newspaper on 11th October 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The proposal seeks to erect new 2-bed dwelling adjacent to 27 Broad Oak. Car and Cycle Parking provision is in line with adopted policy and is therefore acceptable. If a dropped kerb is required, this will be at the applicant's expense.

Oxfordshire County Council does not object to this application on highway grounds.

Natural England

9.3. No comments

Public representations

9.4. No public comments have been received in support or objection to the proposals.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design and Visual Impact
- Neighbouring amenity
- Trees

- Highways

a. Principle of development – Loss of Recreation Facility

10.2. Policy CS2 of the Core Strategy outlines that new development should be focused on previously developed land and that development will only be permitted on Greenfield Land if it is specifically allocated for the use in the local development framework; or in the case of residential development, it is required to maintain a rolling five year supply of housing, as outlined within Policy CS22.

10.3. The application site, whilst a play facility is considered to constitute previously developed land. Whilst the NPPF in defining previously developed land excludes parks and recreation grounds, it is considered that the site, by reason of its scale and function would not constitute a recreation ground. The site is entirely surfaced and previously comprised of play equipment. The sites physical character as viewed in the street scene has the appearance of previously developed land, rather than a green open space and the park provided a local, incidental play function which is not substantial in its scale. Consequently the development is considered to comply with the requirements of Policy CS2.

10.4. Notwithstanding this as the site has a function as a play area and therefore a recreation function it is important to consider the change of use in relation to the relevant local plan policies applicable to sports and recreation uses. Policies SR2 and SR5 of the Oxford Local Plan and Policy CS21 of the Oxford Core Strategy afford protection to public open space, sports facilities and leisure facilities. Policy SR2 specifies that;

Planning permission will not be granted for development that would result in the loss of open-air sports facilities, including school playing fields, where there is a need for the facility to be retained in its current location, or the open area provides an important green space for local residents

Where this is not the case, planning permission will only be granted where there is no need at all for the facility for the purposes of open space, sport or recreation, or where:

a. there is a need for the development;

b. there are no alternative non-greenfield sites; and

c. the facility can be replaced by either:

i. providing an equivalent or improved replacement facility; or

ii. upgrading an existing facility.

10.5. In addition to this Policy SR5 of the Oxford Local Plan specifies that planning permission will not be granted for development that would result in the loss of public open space. Areas of public open space are defined on the proposals map which does not include the application site, which is not designated as protected open space under the provisions of Policy SR2 and SR5, nevertheless

there is a statutory requirement to consider the value of the site as both open space and as a recreational facility.

- 10.6. Paragraph 97 of the NPPF requires that existing recreational land should not be built on, unless an assessment has been made to clearly show that the land is surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 10.7. The application site previously functioned as a small, local children's play facility for local residents in the estate. There was previously play equipment located on the site, though this has since been removed and the park has become neglected, overgrown with vegetation and is no longer publically accessible. The park has also allegedly been subject of anti-social behaviour. The current lack of use of the facility and its present condition of the site has prompted the Council to explore alternative uses for the site, including the use of the site for housing.
- 10.8. The Councils Green Spaces Officer has advised that that the play area was decommissioned as there is a much larger grass facility located at the end of Broad Oak. It has been advised that the Council have no plans to reuse the existing facility for a play or recreation use and if the development fails to come forwards then the site will be reseeded and left to grow wild. There is a large park area within 100 metres of the site, comprising of play and sports equipment, this is both larger and of a higher standard than the application site, this area is accessible and in close proximity to surrounding properties in the area. The site is also adjacent to a large wooded area, whilst this does not constitute formal open space in the same manner as a public park, the wood provides opportunities for informal play and recreation.
- 10.9. On the basis of the above assessment it is considered that there is no identifiable need for the facility for the purposes of recreation, this is reinforced by the Councils Communities Team who are no longer actively managing the space for recreational use and have no future plans to manage the site for these purposes. Furthermore there is a much larger recreation facility in very close proximity. On the basis that there is no longer a recreational need for the facility and on the basis that the site is not listed as a protected public open space; officers consider that the development does not conflict with the provisions of Policies SR2 and SR5 of the Oxford Local Plan and Paragraph 97 of the NPPF. The proposals are also considered to comply with the provisions of Policy CS2 of the Oxford Core Strategy.

b) Principle of Development - Requirement

- 10.10. It is intended that the provision of smaller housing units would have the joint benefits of freeing up larger family sized units in the city, whilst also providing accommodation for elderly and disabled householders, reducing dependency on supported accommodation. The single dwelling would be for social rent, the

Councils Housing Register indicates a shortage of social housing within the city and with the proposed dwelling contributing to the social housing stock.

- 10.11. Policy HP4 of the Oxford Local Plan requires that developers make a financial contribution towards the offsite provision of affordable housing in Oxford, though this is in small housing schemes of 4 or more dwellings. In relation to the development proposed there would be no requirement to provide either on site affordable housing or to provide a financial contribution towards off-site affordable housing, though the development makes provision for an affordable dwelling which is a significant public benefit of the proposed scheme.
- 10.12. Policy CS23 of the Core Strategy states that development should comply with the Balance of Dwellings Supplementary Planning Document (SPD). This document highlights that across Oxford, new development should include a certain percentage of 3 bedroom dwellings. The BOD's requirement to provide a percentage of three bed units applies only to developments of four or more dwellings, the proposals are for a single dwelling therefore the provision of a two bedroom unit would not conflict with Policy CS23 or the BOD's SPD. Policy CS23 also specifies that the mix of housing should provide for a range of households including older people and people with specialist housing needs. In this instance the proposed dwelling is designed to meet the specific needs of older and disabled persons meeting an identified need specified in the BOD's SPD.
- 10.13. The Councils Housing Needs Assessment identifies a specific need for 1 and 2 bed dwellings for applicants aged 55 and over, it also identifies a large number of occupants aged 55+ who are OCC or Housing Association Tenants who are also looking to downsize. The Assessment further identifies the need for smaller 1 and 2 bed units amongst applicants with a mobility need. Therefore in addition to meeting a specific identified need for smaller accommodation, the delivery of small units such as this has the joint benefit in freeing up larger family units as stated above, with occupants of these properties downsizing. The project has also attracted funding from the Oxfordshire Housing Deal. Funding is dependent on the development of this site along two other sites to provide a total of 8 similar units as a part of a pilot project
- 10.14. In summary there are moderate public benefits associated with the provision of socially rented affordable dwelling on this site in terms of meeting citywide housing need, albeit that benefit is limited given the scale of the development for one dwelling. The proposed development would comply with the provisions of Policy HP4 of the Oxford Local Plan and Policy CS23 of the Oxford Core Strategy.

c) Design and Visual Impact

- 10.15. The present undeveloped nature of the site makes a contribution to the open character of the area on approach into the estate from the west. The northern side of Broad Oak comprises of a landscaped space, which serves as a buffer between the estate to the south and Magdalen Woods to the north. The application site features artificial surfacing, which has prevented to an extent the site growing wild and the site is in a neglected condition at present. There are a

number of frontage trees on the site, which would be removed, which are considered to add to the general character of the area.

- 10.16. The addition of a dwelling on the site would inevitably impact on the open aspect in terms of views into the estate, though the building is a single unit and single storey which helps to lessen the visual impact of the development.
- 10.17. The immediately surrounding development comprises of semi-detached pairs of dwellings and small terraces of two storey dwellings and in this regard a single storey bungalow would evidently differ in design terms. Notwithstanding this there are bungalow dwellings in the near vicinity of the site adjacent to Three Fields Road and Leiden Road and there is no strict design uniformity in the area. The design of the dwelling is relatively low key and is of a simple form. The dwelling would be of a lesser scale compared with the surrounding properties in the area, though it is considered that the property would generally form an appropriate relationship with the immediately surrounding properties, both in terms of its scale and general appearance.
- 10.18. The submitted plans suggest that the materials would match the existing vernacular though no schedule of materials is provided. The existing properties in the area are principally brick, though the colour of brick varies from a darker brick used in the properties opposite and a lighter brick used in the adjacent properties. Given the principle use of brick it is considered appropriate that the proposed dwelling should be constructed from brick, a sample of which is requested by condition.
- 10.19. Overall it is considered that the proposed dwelling is appropriately designed and the proposals are considered to comply with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

d) Amenity

- 10.20. The proposed dwelling is a single storey property and therefore it is considered that the siting of the dwelling would not result in a material increase in overlooking of any adjacent properties and consequently would not impact detrimentally on the privacy of existing occupiers.
- 10.21. The proposed dwelling would be sited approximately 4 metres from the side boundary of No.27 Broad Oak, this being the only immediately adjacent property. Owing to the siting of the dwelling, its separation distance relative to the adjacent property and the relatively limited scale of the proposed dwelling, officers consider that the proposed development would not have an adverse impact on the residential amenity of this property. The proposals fully comply with the 45 degree rule in ensuring that existing occupiers are afforded adequate natural light.
- 10.22. The dwelling would measure 79.4sqm internally, which would comply with the minimum floor space requirements for a two bedroom dwelling. Each of the bedrooms would exceed the minimum requirements as specified within the Governments National Space Standards. The internal spaces are considered to

be of an acceptable standard. The property would be served by an area of external amenity space, of a similar size to the footprint of the existing property. Areas of this space would be overshadowed, though the space is considered to be of an acceptable standard and is considered to be compliant with the provisions of Policy HP12 of the Oxford Local Plan. Bin storage is located to the front of the site, the provision of which would be required by condition.

10.23. The proposals are considered to fully comply with the requirements of Policy HP12, HP13 and HP14 of the Sites and Housing Plan and Policies CP1 and CP6 of the Oxford Local Plan.

e) Transport

10.24. Policy HP16 of the Sites and Housing Plan and corresponding Appendix 8 outline maximum parking standards applicable to new residential development. The application is for a two bedroom property within a somewhat peripheral location. There are regular buses serving The Slade, though this around 400 metres from the site, there is also a regular bus service serving Wood Farm to the north around 470 metres from the site.

10.25. The surrounding roads are not within a CPZ at present, though Oxfordshire County Council are currently carrying out consultation on the addition of a CPZ within Wood Farm, which would include Broad Oak and the surrounding roads, given that this is out for consultation at present and there is no guarantee of implementation, this can be attributed little weight at present.

10.26. The application makes provision for one off-street parking space, accounting for the site of the dwelling and the location of the property, this is considered to be sufficient and the application is considered to comply with maximum parking standards outlined within Policy HP16 of the Sites and Housing Plan and can be secured by condition. It is also noted that Oxfordshire County Council are in the process of public consultation regarding the possibility of establishing a controlled parking zone within the Wood Farm area, including Broad Oak, if approved implementation would commence in winter 2019.

10.27. Policy HP15 of the Sites and Housing Plan requires the provision of at least two cycle parking spaces within a two bedroom dwelling. The proposed site plan makes provision for at least two additional cycle parking spaces, this provision would comply with the requirements of Policy HP15 and can be secured by condition.

10.28. Oxfordshire County Council Highways have raised no objection to the proposed development on highway safety or amenity grounds.

f) Trees

10.29. The site is located on the edge of Magdalen Wood, which is a designated area of Ancient Woodland as well as a Conservation Target Area, though the parameters of the site are not within the designated boundaries of Magdalen Wood. There is a canopy of mature oak trees which overhang the northern sections of the site which are within this area of woodland.

- 10.30. There are several early mature trees; 2 silver birches, one Scots pine and a common ash tree standing along the Broad Oak street frontage. These are Category B Trees which provide a contribution to the character of the area, though the trees are not subject of any TPO. The application is accompanied by an Arboricultural statement which assesses the corresponding impact of the development on all trees on site, as well as the adjacent trees in the woodland to the rear.
- 10.31. The application proposes the removal of the four frontage trees facing Broad Oak. Retention of three frontage trees (2 birches and Scots Pine) would not be compatible with the siting of a dwelling on the site, given that the trees proximity to the proposed dwelling and likely impact on residential amenity. The other frontage tree (ash) was indicated to be retained in the Arboricultural Statement, however it has since been identified that the tree has caused significant damage to both the adjacent pavement and driveway of the neighbouring property and would be intended for removal regardless of whether the proposed development proceeds.
- 10.32. The area to the rear of the site is thickly wooded. The applicants Tree Protection Plan indicates that the canopy area of three large oak trees would overhang the site, these being T1, T2 and T3. T1 and T2 encroach to a lesser extent on the site than T3 and overhang a relatively small area of the amenity space of the property. These trees are of individual and collective value and form part of an area of Ancient Woodland (Magdalen Wood). As T3 overhangs the site there is a likelihood that the canopy area of this tree would need to be pruned. The development creates additional pressure for pruning the applicants note that were the site to continue to be used as a play facility there would be a similar pressure in the interests of public safety. In relation to trees T1 and T2, it is considered that there is a sufficient separation distance that the development would not unduly compromise the integrity of these important trees.
- 10.33. It is indicated that the construction of the development would involve a piled ring beam foundation which does not involve excavation and should not unduly compromise the roots of the surrounding trees, therefore avoiding potential future damage to the foundations of the property and any future pressure to remove the surrounding trees to the rear. A similar means of construction was proposed in a recently approved development at Bracegirdle Road (18/00408/CT3).
- 10.34. It is considered that whilst the development would result in some pressure for pruning of the canopy area of one of the trees to the rear (T3) the development is unlikely to substantially compromise the future integrity of the trees and it is noted that if the site were to be reused as a recreation space, similar pressures may also exist. The removal of the frontage trees would impact on the character of the area, though these trees are not subject of statutory protection and the Ash Tree to the front of the site would require removal in any event given the damage to the pavement and adjacent property. Notwithstanding the loss of the frontage trees the site would still be set against a wooded backdrop which would still be perceived in the street scene.

10.35. The City Council have ownership of the land immediately to the west of the site, in order to mitigate the loss of the frontage trees it has been proposed that larger trees could be planted within this area, outside the site boundary as there is sufficient space within this area, which is not available in the site to provide larger specimen planting. The provision of planting in this location would help to soften the impact of the development and retain the green approach into the estate, as viewed from the west.

10.36. The removal of the trees when balanced against the public benefits of the proposed development, namely the provision of a socially rented affordable dwelling, which would meet an identified citywide need for this accommodation and when accounting for the provision of replacement is considered to outweigh the limited harms associated with the removal of the frontage trees. The proposals are considered to comply with policies CP1, CP11, NE15 and NE16 of the Oxford Local Plan.

f) Ecology

10.37. An ecology survey has been provided for the site. Whilst the site is previously developed land and comprises principally of rubber hardstanding with a concrete base, the site is adjacent to ancient woodland which is a priority habitat for conservation and had potential to support many different protected species. The site itself is considered to be of negligible ecological potential.

10.38. The ecology report contains a series of recommendations and suggested enhancements. The recommendations have been assessed by the Councils Ecologist and are considered appropriate. The site is within 15 metres of the ancient woodland to the rear and details of buffer planting are required. A scheme of ecological enhancement for the site is required by condition, alongside a lighting scheme and details of a construction management plan. Overall it is considered that the proposals comply with the provisions of Policy CS12 of the Oxford Core Strategy.

g) Energy efficiency

10.39. Policies CS9 and HP11 expect the applicant to demonstrate how sustainable design and construction methods will be incorporated and how energy efficiencies have been incorporated into the design. Given the proposal is a small scale development that is not a qualifying site to provide 20% of energy consumption through renewals it is considered appropriate to deal with energy and water efficiency by condition.

10.40. A condition relating to water efficiency is recommended to ensure that optional requirement of building regulations is triggered in accordance with policy CS9 of the Core Strategy.

10.41. A condition is also be recommended in relation to energy efficiency to ensure that the new dwelling meets an energy performance equivalent to ENE1 level 4 of the Code for Sustainable Homes in accordance with Policies HP11 of the Sites and Housing Plan and CS9 of the Core Strategy.

h. Flood Risk

10.42. Oxford Core Strategy Policy CS11 resists development where it would increase the risk of flooding. The site is classified by the Environment Agency as being at a low risk of fluvial flooding and within flood zone 1, there are no specific concerns in respect of surface water drainage or flooding, however the site does lie within the catchment zone for the Lye Valley fen SSSI, which is sensitive to changes in water quantity and quality. The Councils Flood Mitigation Officer has advised that the development is acceptable subject to SUD's details which should be provided by way of condition. The development is therefore considered to comply with the requirements of Policy CS11 of the Oxford Local Plan.

11. CONCLUSION

11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 14 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework

11.3. It would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.

11.4. In summary it is considered that the site no longer provides an important function as an area of public open space, evidenced by the neglected and derelict condition of the site and the Councils Open Spaces Officer has highlighted that there is little prospect of the site being reused as a play facility. Furthermore there is a larger and well equipped facility which is closely accessible, taking these factors into account it is considered that the site is no longer required as a recreation facility. In this context the development is considered to not conflict with the requirements of Policy SR2 and SR5 of the Local Plan which attribute weight to the retention of recreation facilities and areas of important open space.

11.5. It is acknowledged that the removal of the frontage trees would impact on the character of the area, though it is considered that the impact on the trees to the rear would not be substantial, accounting for the relative distance and subject to conditions. The visual impact associated with the removal of the frontage trees

must be balanced against the public benefits of the proposals namely the provision of a socially rented affordable dwelling to meet a specific need to provide additional accommodation across the city for elderly and disabled residents. Within this context it is considered that the public benefits outweigh the visual impact associated with the loss of the trees.

11.6. Moreover the development would also accord with the other relevant policies of the development plan including protection of the amenity of neighbouring occupiers in relation to policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan, protection of highway safety and provision of parking and cycle storage in relation to policies CP1 of the Oxford Local Plan and HP15 and HP16 of the Sites and Housing Plan. The development also accords with design policies and efficient use of the land in relation to policies CP1, CP6 and CP8 and Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan and provides an adequate level of indoor and outdoor space in relation to policies HP2, HP12 and HP13 of the Sites and Housing Plan.

11.7. For the reasons expressed above it is recommended that the Committee resolve to grant planning permission for the development.

12. **CONDITIONS**

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of above ground works on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. The dwelling(s) shall not be occupied until all of the dwellings hereby approved meet Building Regulations Part M access to and use of building, Category 3 wheelchair user dwellings, Optional requirement M4(3).

Reason: To ensure that new housing meets the needs of the proposed occupiers of the units and to comply with the Development Plan, in particular Local Plan policies CP1, CP13, Core Strategy Policy CS23 and Sites and Housing Plan Policy HP2.

5. All Impermeable areas of the proposed development, including roofs, driveways, and patio areas should be drained using Sustainable Drainage measures (SuDS).

This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches and demonstrate the surface water can be adequately treated prior to discharge to a sensitive receptor such as a SSSI. Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques, and in consultation with the sewerage undertaker where required.

If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations.

The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policies CS11 of the Oxford Core Strategy 2011-2026

6. Inert gravel materials are to be used in any Sustainable Drainage system.

Reason: To ensure groundwater chemistry upstream of the Lye Valley Sites of Special Scientific Interest (SSSI) is maintained in accordance with Policy CS12 of the Oxford Core Strategy

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or enacting that Order) no structure including additions to the dwelling house as defined in Classes A, B, C, D, E of Schedule 2, Part 1 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration to safeguard the appearance of the area and the amenity of neighbouring properties and occupiers of the dwellings in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.

8. Before the start of above ground works details of the cycle parking and bin storage areas, including means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall

not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads in accordance with policies CP1, CP10 and TR4 of the Adopted Oxford Local Plan 2001-2016.

9. A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before the start of above ground works. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

10. The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

11. A plan showing the means of enclosure for the new development including details of the treatment of all the boundaries of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the start of above ground works. The approved treatment of all of the site boundaries shall be completed prior to first occupation of the approved development and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the privacy of adjoining occupiers in accordance with policies CP1, CP8, CP9 and CP10 of the Adopted Oxford Local Plan 2001-2016 as well as policy HP14 of the Sites and Housing Plan 2011-2026.

12. The dwelling shall not be occupied until the relevant requirements of level of energy performance equivalent to ENE1 level 4 of the Code for Sustainable Home have been met and the details of compliance provided to the local planning authority.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

13. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include details of native landscape planting and provision of artificial roost features, including bird and bat boxes.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policy CS12 of the Oxford Core Strategy 2026.

14. Prior to occupation, a “lighting design strategy for biodiversity” for buildings shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be directed towards the adjacent woodland habitat and all external lighting shall be installed in accordance with the specifications and locations set out in the strategy; these shall be maintained thereafter in accordance with the strategy. No other external lighting shall be installed without prior consent from the Local Planning Authority.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policy CS12 of the Oxford Core Strategy 2026.

15. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones” including off-site receptors.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy CS12 of the Oxford Core Strategy 2026.

16. The dwelling(s) shall not be occupied until the Building Regulations Part G sanitation, hot water safety and water efficiency, Category G2 water efficiency, Optional requirement G2 36 (2) (b) has been complied with.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

17. The areas for parking and manoeuvring of vehicles as shown on the approved plans shall be laid out and made available for use prior to first occupation of the development hereby approved and shall be retained solely for such purposes thereafter.

Reason: In the interests of highway safety in accordance with policies CP1, CP6, CP10, TR3 and TR4 of the Adopted Oxford Local Plan 2001-2016.

18. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: In the interests of amenity and the appearance of the area in accordance with policies CP1, CP11 and NE17 of the Adopted Local Plan 2001-2016.

19. The development including demolition shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details, unless as otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

20. **APPENDICES**

- **Appendix 1 – Site Block Plan**

21. **HUMAN RIGHTS ACT 1998**

21.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

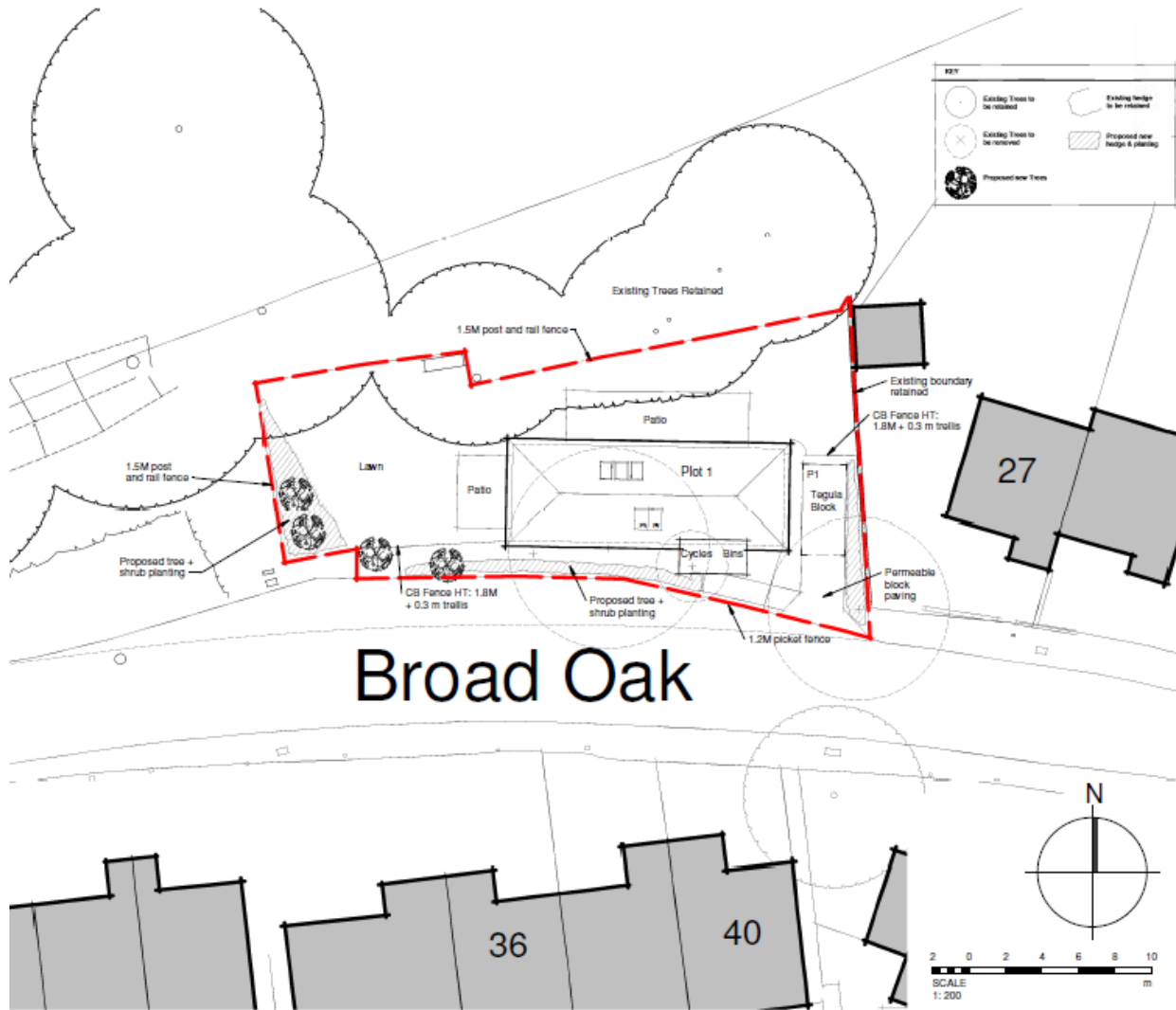
22. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

22.1. 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.

Appendix 1

18/02113/CT3

Proposed block plan



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East Area Planning Committee

- 5th December 2018

Application number:	18/02336/FUL		
Decision due by	19th November 2018		
Extension of time	Friday 14 th December		
Proposal	Erection of a 1 x 2 bed dwelling house. Provision of bin and cycle stores and new car parking.		
Site address	80 White Road, Oxford, OX4 2JL, – see Appendix 1 for site plan		
Ward	Lye Valley Ward		
Case officer	Michael Kemp		
Agent:	Mr Peter Pritchard	Applicant:	Ms C Cap
Reason at Committee	The application was called into committee by Councillors Kennedy, Tanner, Rowley and Pressel on the basis that the proposals would put pressure on parking provision and would constitute overdevelopment of the site.		

1. RECOMMENDATION

1.1. **East Area Planning Committee** is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers an amended proposal to develop a single detached dwelling within the rear garden area of No.80 White Road. The proposed dwelling would be 1.5 storeys and would extend to a height of 5.8 metres to the ridge. The application makes provision for parking for both the existing and

proposed dwelling. The application has been amended, which has included a reduction in the overall height of the dwelling, the dwelling has also been repositioned further back in the site. On officers advice an additional parking space has also been proposed to serve the existing property, in order to offset the loss of the existing parking space serving No.80 White Road.

2.2. The proposed dwelling is considered to be of an appropriate design and it is considered that the scale and siting of the building would not have an adverse impact on the residential amenity of the neighbouring properties. The proposals are therefore considered to comply with the requirements of Policies HP9 and HP14 of the Sites and Housing Plan and Policies CP1 and CP6 of the Oxford Local Plan. The proposals make provision for adequate vehicle and cycle parking, which is considered to comply with the requirements of respective policies HP16 and HP15 of the Oxford Local Plan. The proposals are subsequently recommended for approval subject to the conditions outlined.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

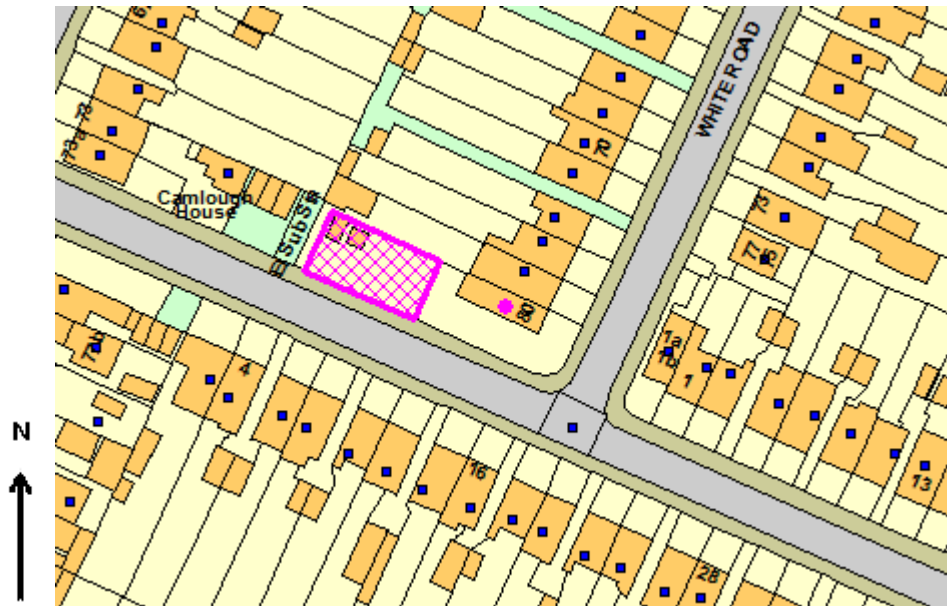
4.1. The proposal is liable for a CIL contribution of £9822.54

5. SITE AND SURROUNDINGS

5.1. The site is located within a residential area of Cowley, characterised by suburban development, consisting principally of terraces and semi-detached pairs of 20th century brick and render dwellings. Many of the side and rear garden plots in the surrounding area have been subject of infill type housing development, notably within the garden of the adjacent property No.73A Wilkins Road, whilst two side gardens in Marshall Road, near the site have also been developed for infill housing development.

5.2. The application site is a rear garden plot, which serves as a private amenity space for No.80 White Road. The garden space runs alongside the street frontage of Oliver Road and contains some small outbuildings and small trees. There is a substation immediately to the north west of the site and a small row of single storey garages. Beyond the garages there is a new dwelling known as Camlough House, this is a 1.5 storey dormer bungalow, which is set back behind an area of private amenity space, this particular dwelling was granted planning approval in 2015 (15/00778/FUL). No.80 White Road is an end of terrace two storey brick and render dwelling, the property presently benefits from a single off-street parking space to the front of the existing garage off Oliver Road. The garage though is unlikely that to would comply with modern parking standards as it appears insufficiently wide.

5.3. The site plan is listed below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the erection of a detached, two bedroom dwelling alongside bin and cycle stores and a single off street parking space. The design of the proposed dwelling has been amended and the overall scale of development reduced both in terms of height and width. The position of the dwelling has also been amended to better reflect the existing pattern of development and to align to a greater extent with the adjacent properties, namely 80 White Road and Camlough House, both of which are set back further from Oliver Road. The proposed dwelling would extend to a total height of 5.8 metres to the ridge, 3.7 metres to the eaves and would be 1.5 storeys. The building would be 9 metres in length and 6 metres wide. The external elevations of the dwelling would be a mix of brick and render materials.

6.2. The site plan has also been amended to ensure that a parking space is retained for the existing property No.80 White Road; this would be located within the rear curtilage area of this property. Whilst a parking space would also be provided for the new dwelling to the south east.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

81/00831/NO - Outline application for one dwelling (retaining existing garage). REF 5th March 1982.
--

92/00841/NF - Erection of single storey dwelling with attached garage accessed from Oliver Road. Parking space. REF 26th October 1992.
--

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	12	CP1 CP6 CP8 CP9 CP10			
Housing	5			HP9_ HP10_ HP12_ HP13_ HP14_ HP15_ HP16_	
Transport	9				Parking Standards SPD
Environmental	14, 15				
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 28th September 2018. Site notices were re-posted on the 26th October 2018 advertising the amendments to the plans.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The maximum and recommended parking standards set out in policy HP16 in the Sites and Housing Plan are a total of two spaces for a two-bedroom property. Whilst the applicant proposes just one off street parking bay for the new dwelling, Oliver Road and adjoining White Road does not currently experience issues with parking stress and there is a temporary parking restriction in place during school peak time. This will help to prevent any additional on-street parking stress as a result of this proposed development.

As referred to by the applicant, the installation of a new off-street parking bay would involve adding a dropped kerb along Oliver Road. This would be at the cost of the applicant.

Secure and covered cycle storage is noted in the attached documents, but there is no clear indication of storage capacity and dimensions. This can be secured by condition. Oxfordshire County Council does not object to this application subject to conditions

Public representations

9.3. No third party comments have been received in support or objection to the proposals.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Neighbouring amenity
- Transport
- Energy Efficiency
- Flood Risk

a. Principle of development

10.2. Policies CP6 of the Oxford Local Plan and HP10 of the Sites and Housing Plan support making a more efficient use of sites and developing on residential gardens subject to other material considerations. In this instance the important considerations relate to the design of the dwelling and its responsiveness to the character and appearance of the area, the scale of the dwelling in relation to the size of the site and the corresponding impact on the residential amenity of existing and future occupiers. Officers are satisfied that the site is of a sufficient size to support the proposed dwelling; the other material considerations are explored within the following sections of this report. Policy CS23 of the Core Strategy states that development should comply with the Balance of Dwellings Supplementary Planning Document (SPD). This document highlights that across Oxford, family sized dwellings are being lost to subdivision and new development should also include a certain percentage of 3 bedroom dwellings. The BOD's requirement to provide a percentage of three bed units applies only to developments of four or more dwellings; the proposals are for a single dwelling therefore the provision of a two bedroom unit would not conflict with Policy CS23 or the BOD's SPD.

b. Design

10.3. The proposed dwelling would be a 1.5 storey dormer bungalow comprising of a simple linear single gable form. The dwelling would face Oliver Road and would read as an infill development, which would sit between the recently approved development in the garden of 78a Wilkins Road (15/00778/FUL) and the existing end of terrace property, No.80 White Road.

- 10.4. The surrounding roads comprise principally of semi-detached and terraced dwellings, though there is a proliferation of recent development in the area comprising of infill detached properties in a similar form to the development proposed. The siting of the dwelling is considered to relate well to the surrounding built form and would read as a logical infill dwelling located within a presently undeveloped plot fronting Oliver Road. The position of the dwelling has been amended to better reflect the siting of the adjacent dwelling and existing property No.80 White Road. The proposals allow adequate separation between the proposed dwelling and adjacent properties and do not in officer's view represent an overdevelopment of the plot. Of particular importance to this is the significant gap that would be provided to the eastern side of the dwelling, on this plot and the remaining garden at no. 80 White Road. Such a gap would be reflective of other gaps on corner plots in the area and could not be argued to be overdevelopment.
- 10.5. The proposed materials palette is consistent with the surrounding vernacular, which comprises of brick and rendered properties, whilst the proposed dwelling also features prominent front facing dormer windows, similar to the adjacent recently constructed dwelling. The general scale of the dwelling is broadly consistent with the adjacent new build property, which is also a 1.5 storey dormer bungalow of a similar height and sits below the roof ridge of No.80 White Road.
- 10.6. Overall it is considered that the design of the dwelling respects the character and appearance of the area and is compliant with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan and the NPPF.

c. Amenity Impacts

- 10.7. The proposed dwelling would be served by an area of external amenity space, which would be located to the side of the existing property. This would be larger than the footprint of the proposed dwelling and is considered to be of a sufficient size and quality.
- 10.8. The proposals would result in the loss of a significant quantity of the amenity space of the existing property No.80 White Road, it is however noted that the garden serving this property is large comparative to the size of the existing property and is much larger than the rear garden spaces serving the neighbouring properties in White Road. The retained area of amenity space serving No.80 White Road would be larger than the footprint of the existing dwelling and is considered to be sufficient; it would also be similar to many of the surrounding properties in the area in terms of size. Provision is made for bin storage within the site; details of this would be secured by condition.
- 10.9. It is considered that the external amenity space provision would comply with the requirements of Policy HP13 of the Sites and Housing Plan.
- 10.10. The proposed dwelling would comply with the minimum floor space requirements for a two bed three person dwelling which is 70sqm. The proposed floor space would be 84sqm. Each of the bedrooms which are both doubles would exceed the minimum requirements as specified within the Governments

National Space Standards. The internal spaces are considered to be of an acceptable standard and comply with the requirements of Policy HP12 of the Sites and Housing Plan.

10.11. The only neighbouring property which would be potentially affected by the proposed development would be No.78 White Road. The rear amenity space of this property is located directly to the rear of the application site. The principle first floor windows of the proposed dwelling would be the front facing dormer windows. At the rear fenestration is restricted to roof lights these would be 1.8 metres above finished floor level, which limits the potential for the rear amenity space of No.78 to be overlooked as a result of the siting of the proposed development. In terms of the siting of the proposed dwelling, this would be close to the rear garden of the adjacent property, however the dwelling would be sited towards the rear section of this amenity space, adjacent to existing outbuildings and it is considered that the dwelling would not be overbearing or oppressive in terms of scale. There would also be no loss of light given the separation distances. All other properties would be a sufficient distance away so as not to be adversely affected. The proposals are therefore considered to comply with the requirements of Policy HP14 of the Sites and Housing Plan and Policies CP1 and CP6 of the Oxford Local Plan.

d. Transport

10.12. Policy HP16 of the Sites and Housing Plan and corresponding Appendix 8 outline maximum parking standards applicable to new residential development. The application makes provision for one off-street parking space to serve the proposed dwelling which is a two bedroom property. The surrounding roads are not within a CPZ (only a temporary one in relation to school peak time as mentioned in the County Highway comments detailed above). The provision of one off street parking space to serve the new dwelling is considered to comply with maximum parking standards outlined within Policy HP16 of the Sites and Housing Plan. It is noted that no objections have been raised by County Highways in relation to the proposed parking provisions for this site.

10.13. The proposed plans have been amended on officer's advice to make provision for a replacement parking space to serve the existing property, in order to offset the loss of the existing space to the front of the garage. The garage is small in size and would be unlikely to meet modern parking standards; therefore the parking provision for No.80 is at present considered to be one space. Replacement provision would therefore match the existing provision and is considered adequate and compliant with Policy HP16 of the Sites and Housing Plan. Policy HP15 of the Sites and Housing Plan requires the provision of at least two cycle parking spaces for a two bedroom dwelling. The proposed site plan makes provision for at least two additional cycle parking spaces, this provision would comply with the requirements of Policy HP15 and can be secured by condition

e. Energy Efficiency

10.14. Policies CS9 and HP11 expect the applicant to demonstrate how sustainable design and construction methods will be incorporated and how energy

efficiencies have been incorporated into the design. Given the proposal is a small scale development that is not a qualifying site to provide 20% of energy consumption through renewables it is considered appropriate to deal with energy and water efficiency by condition.

10.15. A condition relating to water efficiency is recommended to ensure that optional requirement of building regulations is triggered in accordance with policy CS9 of the Core Strategy.

10.16. A condition is also be recommended in relation to energy efficiency to ensure that the new dwelling meets an energy performance equivalent to ENE1 level 4 of the Code for Sustainable Homes in accordance with Policies HP11 of the Sites and Housing Plan and CS9 of the Core Strategy.

e. Flood Risk

10.17. Oxford Core Strategy Policy CS11 resists development where it would increase the risk of flooding. The site is classified by the Environment Agency as being at a low risk of fluvial flooding and within flood zone 1. The Councils Flood Mitigation Officer has advised that the development is acceptable subject to SUD's details which should be provided by way of condition. The development is therefore considered to comply with the requirements of Policy CS11 of the Oxford Local Plan.

11. CONCLUSION

11.1. The proposals relate to the provision of a single infill dwelling within a large rear garden plot serving 80 White Road an end of terrace property. The principle of development is considered to comply with the requirements of Policy HP10 of the Sites and Housing Plan, which allows in principle for the development of private garden plots subject to there being no adverse amenity impacts and subject to the development respecting the character and appearance of the area.

11.2. It is considered that the scale and siting of the dwelling would not impact adversely on the amenity of No.78, the immediately adjacent property to the rear of the site. The design and appearance of the dwelling is considered to respect the character and appearance of the area and immediately surrounding development and is compliant with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan and the NPPF

11.3. The development makes acceptable provision for cycle and vehicles parking and would not impact adversely on highway safety or amenity and is considered to comply with the relevant requirements of Policies HP15 and HP16 of the Sites and Housing Plan.

11.4. It is recommended that the Committee resolve to grant planning permission for the development proposed.

12. CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of above ground works and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. The dwelling shall not be occupied until all of the dwellings hereby approved meet Building Regulations Part M access to and use of building, Category 3 wheelchair user dwellings, Optional requirement M4(3).

Reason: To ensure that new housing meets the needs of the proposed occupiers of the units and to comply with the Development Plan, in particular Local Plan policies CP1, CP13, Core Strategy Policy CS23 and Sites and Housing Plan Policy HP2.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or enacting that Order) no structure including additions to the dwelling house as defined in Classes A, B, C, D, E of Schedule 2, Part 1 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration to safeguard the appearance of the area and the amenity of neighbouring properties and occupiers of the dwellings in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.

6. A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of above ground works. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

7. A plan showing the means of enclosure for the new development including details of the treatment of all the boundaries of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of above ground works. The approved treatment of all of the site boundaries shall be completed prior to first occupation of the approved development and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the privacy of adjoining occupiers in accordance with policies CP1, CP8, CP9 and CP10 of the Adopted Oxford Local Plan 2001-2016 as well as policy HP14 of the Sites and Housing Plan 2011-2026.

8. Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I.* The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- II.* The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III.* Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required.

A SuDS maintenance plan shall also be submitted and approved by the LPA. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDs maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

9. Prior to occupation of the dwelling visibility splays measuring 2m by 2m shall be provided to each side of the access. This visibility splay shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level.

Reason: To provide and maintain adequate visibility in the interest of highway safety in accordance with policies CP1 and CP10 of the Oxford Local Plan.

10. Before the commencement of above ground works details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy HP15 of the Sites and Housing Plan

11. The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

12. The dwelling shall not be occupied until the relevant requirements of level of energy performance equivalent to ENE1 level 4 of the Code for Sustainable Home have been met and the details of compliance provided to the local planning authority.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

13. The dwelling(s) shall not be occupied until the Building Regulations Part G sanitation, hot water safety and water efficiency, Category G2 water efficiency, Optional requirement G2 36 (2) (b) has been complied with.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

14. The areas for parking and manoeuvring of vehicles for the proposed dwelling and for 80 White Road as shown on the approved plans shall be laid out and made available for use prior to first occupation of the development hereby approved and shall be retained solely for such purposes thereafter.

Reason: In the interests of highway safety in accordance with policies CP1, CP6, CP10, TR3 and TR4 of the Adopted Oxford Local Plan 2001-2016.

13. APPENDICES

- **Appendix 1 – Block Plan**

14. HUMAN RIGHTS ACT 1998

14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

15.1. 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.

EAST AREA PLANNING COMMITTEE

3rd November 2018

Application Number: 18/02452/FUL

Decision Due by: 9th November 2018

Extension of Time: 14th December 2018

Proposal: Change of use of dwellinghouse (Use Class C3) to a large House in Multiple Occupation (Use Sui Generis). Erection of a two storey side extension and provision of bin and cycle stores.

Site Address: 1A Gathorne Road, Oxford, OX3 8NF,

Ward: Headington Ward

Case Officer Michael Kemp

Agent: N/A

Applicant: Mr Shinder Pal Singh

Reason at Committee: Application was called into committee by Councillors Smith, Gotch, Harris and Gant. The reason for the call in was due to local concerns expressed regarding the proposed change of use to an HMO.

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers an application to change the use of a C3 dwelling to a large House in Multiple Occupation. The development includes the erection of a two storey side extension to the dwelling. The principle of the proposed change of use complies with the provisions of Policy HP7 of the Sites and Housing Plan as the proportion of buildings used in full or part as an HMO within 100m of street length either side of the application site does not exceed 20%. The internal and external amenity spaces are considered adequate and in compliance with the

provisions of Policies HP12 and HP13 of the Sites and Housing Plan respectively.

- 2.2. The proposed extension is considered to be acceptable in design terms and its appearance is considered to harmonise appropriately with the appearance of the existing property and the general character of the area. The scale is considered to be appropriate and subservient to the host property and complies with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.
- 2.3. The scale and siting of the extension is considered to retain an acceptable standard of amenity of the occupants of the immediately adjacent properties. It is considered that accounting for the scale of the extension and relative separation distance between the extension and the adjacent property No.145 Windmill Road that the extension would not appear overbearing in scale and would not result in a significant loss of light to this property. A condition requiring the use of obscure glazing on the first floor rear window would restrict overlooking of the garden of No.147 Windmill Road to the rear of the site. The proposals are therefore considered to comply with the provisions of Policy HP14 of the Sites and Housing Plan.
- 2.4. In respect of highways issues it is noted that Oxford County Council Highways do not object to the proposals and it is considered that accounting for the relative sustainability of the location and the sites location within a CPZ that the proposals would not result in displacement of vehicles which would otherwise compromise highway safety or amenity, Consequently the proposals are considered to comply with the requirements of Policy HP16 of the sites and Housing Plan.
- 2.5. Approval of the application is recommended, subject to conditions.

3. LEGAL AGREEMENT

- 3.1. This application would not be subject of a legal agreement.

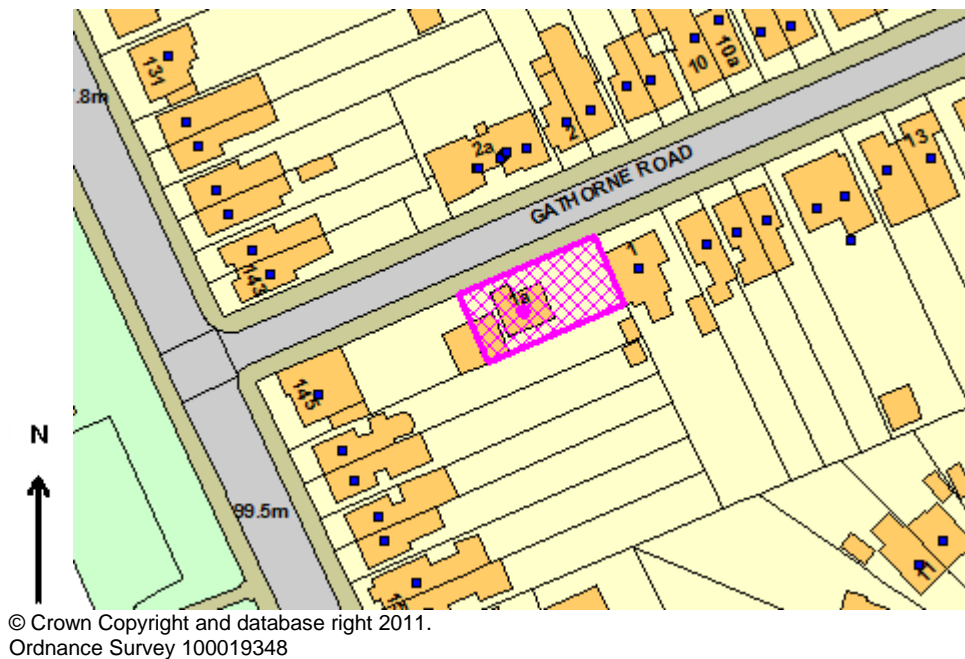
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal would not be liable for a CIL contribution.

5. SITE AND SURROUNDINGS

- 5.1. The property is located within New Headington and is a 1980's two storey brick dwelling, which lies within an infill plot between a detached property, No.1 Gathorne Road and the rear garden of another detached property No.145 Windmill Road. The area consists of a mix of property types ranging from semi-detached and detached dwellings and small blocks of flats. The property is served by an area of external amenity space to the side and parking for two vehicles, consisting of a space within a detached garage and a further parking space to the front of the garage.

5.2. The site location plan is listed below:



6. PROPOSAL

- 6.1. The application proposes the change of use of the existing building from a Class C3 dwellinghouse to a larger house in multiple occupation (Sui Generis Use). A larger HMO is a property which would be occupied by 7 or more occupants. The application also proposes a two storey side extension to the existing dwelling, which comprises of a single ground level parking space in an undercroft. The proposed extension would be 3.6 metres wide and would be two storeys in height, the roof ridge of the extension would fall slightly below that of the main roof ridge of the existing property. The ground floor would comprise of living accommodation and kitchen space as well as a single bedroom, with a further three bedrooms located at first floor level.
- 6.2. The proposed plans have been amended, which include changes to the side elevation of the extension at ground level, alterations to the front porch, the roof ridge of extension has also been dropped to a minor degree. The amended plans have been subject to a further round of consultation which is set out in further detail below.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

81/00898/NF - Removal of two garages and erection of detached house and detached single garage (Amended) (1A Gathorne Road). APPROVED 25th March 1982.
--

86/00842/NF - Demolition of garage and erection of two storey extension to form

garage and utility room on ground floor and self-contained annex for elderly relative on first floor. Retention of existing vehicular accesses and car space (Amended Plans). REFUSED 23rd October 1986.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Headington Neighbourhood Plan
Design	12	CP1, CP8, CP9, CP10,		HP9_,	CIP1
Housing	5			HP7_, HP12_, HP13_, HP14_,	HGC2
Transport	9			HP15_, HP16_,	TRP1, TRP5
Misc		CP.13, CP.24, CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 28th September 2018. Additional site notices were posted on the 26th October advertising amendments to the proposed plans.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways) – Revised

- 9.2. The proposal seeks to change use from a dwellinghouse (Class C3) to HMO (Sui Generis). Gathorne Road suffers from severe on-street parking pressure, however, benefits from being in a highly sustainable location close to many local amenities and bus routes.
- 9.3. The property has 1 off-street parking bay and the Design and Access Statement states that the property currently has 2 residential parking permits, however, the County's records show that only 1 parking permit has been issued for the

property. So not to exacerbate the already severe parking pressure along Gathorne Road the property should be limited to 1 off-street parking permit.

- 9.4. The proposal states that cycle storage for 8 bicycles is to be provided to the rear of the property; this is in line with policy HP15 and is accepted. Oxfordshire County Council as the Local Highway Authority do not object to this application

Oxford Civic Society

- 9.5. It is noted that a previous application on this site (0842/86) was refused by the Council on the grounds of 'overdevelopment of the site tantamount to the creation of a separate self-contained unit'. OCS recommends that the Council take this into account when assessing the feasibility of the new application which anticipates an HMO with potentially eight occupants. This high level of occupancy could create parking issues with only one permit currently allocated to the property. The provision for bin storage at the front of the property adjacent to the one off-street parking space should be rethought and located at the rear of the property, alongside the proposed cycle racks.

Natural England

- 9.6. No comments

Public representations

- 9.7. 7 letters of objection have been received in relation to the proposed development, the key matters of concerns expressed are listed below:

- A previous application for an extension was refused on the basis of overdevelopment, loss of amenity space and overlooking.
- The loss of the garage would lead to an increase in on street parking.
- The change of use would result in disturbance for residents and will change the character of the area.
- The extension would impact negatively on views from properties in Windmill Road.
- The property should be excluded from on-street residents parking permits.
- The proposal would result in an overconcentration of HMO's within the area.

A letter of objection has been received from the St Annes, Gathorne, Margaret Roads and Rock Edge Resident's Association; concerns are expressed on two grounds:

- Overconcentration of HMO's within the area and the cumulative impact of this in relation to the availability of family homes and impact on the character of the area. It is considered that the change of use would result in an overconcentration of HMO's, exceeding 20%.
- There are issues with parking in the area; no additional permits should be available to occupants if the application is approved.

A letter of objection has also been received from the Windmill Road Residents Action Group (WRRAG). The letter raises the following matters:

- Clarity is needed regarding HMO concentration figure of 18.42% referenced within the officer report. Clarity regarding the datum point is requested.
- The decision to retain one parking permit within the HE zone is not consistent with a recent conversion of a smaller building at 70 Windmill Road to an HMO (17/01092/FUL). If a change of use were to be permitted the property should be removed from eligibility within the CPZ.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Amenity of existing and future occupiers
- iv. Highways

i. Principle of Development

10.2. Policy HP7 of the Sites and Housing Plan stipulates that change of use to an HMO will only be granted where the proportion of buildings used in full or part as an HMO within 100m of street length either side of the application site does not exceed 20%. This includes side roads and footpaths. For the sake of clarity in response to the query raised by the Windmill Road Residents Action Group (WRRAG) the datum point is applied from the midpoint of the frontage of the application site as outlined in Red on the applicant's site location plan. 100 metres as calculated from a mid-datum point includes No.155 to the South East and No.131 Windmill Road to the North East as the furthest extent of the calculation. The calculation includes the whole frontage of Gathorne Road and three properties on St Annes Road.

10.3. There are 6 dwellings within 100 metres of the site which are currently under use as an HMO Overall there are 38 residential properties within 100 metres of the application site. Accounting for the 6 dwellings currently under use as an HMO, along with the application property, this would amount to an HMO concentration of 18.42% which is below the maximum permitted threshold of 20%.

10.4. Accounting for the above calculation the proposed change of use would not result in an overconcentration of HMO's within the specified 100 metres. The principle of the change of use of the dwelling to an HMO use would not therefore conflict with the provisions of Policy HP7 of the Oxford Local Plan.

ii. Design and Impact on Character of Surrounding Area

10.5. The application proposes a side extension measuring a total of 3.6 metres in width, this would be located in the position of the existing parking space and garage. A single off-street parking space would be retained for the dwelling at ground floor level; this would be located in an undercroft below the first floor of

the dwelling.

- 10.6. The proposed extension would be constructed from brick to match the existing property. The general form and design of the extension would be consistent with the character and appearance of the dwelling. The ridge of the extension would be set down in relation to the main roof ridge of the property, which would mean that the extension appears reasonably subservient to the host dwelling.
- 10.7. In summary it is considered that the design of the extension respects the character and appearance of the existing property, the surrounding properties in the area and the character of the street scene. The development is considered to comply with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy; Policy HP9 of the Sites and Housing Plan and Policy CIP1 of the Headington Neighbourhood Plan.

iii. Impact on Amenity of Existing and Future Occupiers

Existing Occupiers

- 10.8. A previous planning application to extend the dwelling and to form an annex was refused on the basis that the proposals represented an overdevelopment of the site and an unneighbourly form of development by reason of the size, massing and location of the development and its relationship to adjoining properties and their gardens and the size of the site. The development was also refused on the basis that the proposals would be tantamount to the creation of a self-contained unit of residential accommodation, with insufficient external amenity space.
- 10.9. Officers note that the previously proposed extension (86/00842/NF) was much larger in terms of scale, bulk and mass. The extension also extended up to the boundary of the adjacent property No.145 Windmill Road, leaving no separation between the side elevation of the proposed dwelling and the side boundary of the adjacent property.
- 10.10. The extension proposed within this application is of a lesser scale and would measure 3.6 metres in width, leaving a 0.9 metre separation between the side elevation of the extended dwelling and the side boundary of No.145 Windmill Road. There would be a separation distance of approximately 21 metres between the side elevation of the extension and the rear elevation of No.145 Windmill Road. The proposals would comply with the 45 degree rule and would not result in a loss of light to the rear facing windows of this property. There are no windows proposed at first floor level in the side elevation of this extension, which would otherwise overlook No.145 Windmill Road.
- 10.11. The extension is separated from the rear amenity space of No.145 Windmill Road by a driveway and single storey garage building. Accounting for the position of the extension, the scale of the addition and its proximity relative to the rear garden space of the dwelling, the proposals would not in officer's view have an unacceptable overbearing impact on the residential amenity of the adjacent occupiers.

- 10.12. Accounting for the scale and position of the proposed extension, it is considered that the development would not have an overbearing impact on No.147 Windmill Road to the rear of the site; the end area of the garden of this property extends along the boundary of the application site. Officers note that a first floor window is proposed to the rear of the property, which would overlook the garden area, at a distance of 2.5 metres. The proposed window serves a large double bedroom, which is also served by a front facing window. Given that there is a front facing window of a sufficient size serving this room; it is considered reasonable to condition that the rear facing window should be conditioned to be obscure glazed to prevent undue overlooking of the rear garden area of this property. The original planning consent for the dwelling from 1981 removed permitted development rights for windows and required that the single proposed window should be fitted with obscure glazing on this basis.
- 10.13. With the application of appropriate conditions, the proposals are considered to comply with the requirements of Policy HP12, HP13 and HP14 of the Sites and Housing Plan and Policies CP1 and CP6 of the Oxford Local Plan.

Future Occupiers

- 10.14. Policy HP7 of the Sites and Housing Plan requires that the applicant demonstrate compliance with the City Councils Good Practice Guidance on HMO's in respect of amenities and facilities.
- 10.15. 4 double bedrooms are proposed within the extended dwelling, each of the proposed rooms would exceed 11m² in floor area. The Councils HMO Amenities and facilities guide specifies that a room for two occupants should be a minimum of 10.2m² in floor area; the proposed rooms all exceed this minimum requirement. It is intended that the dwelling would be suitable for occupation for up to 8 persons and this would be controlled through HMO licencing.
- 10.16. Specific standards for external amenity space for HMO's are not listed within the Sites and Housing Plan or Councils Good Practice Guidance for HMO's. Policy HP13 of the Sites and Housing Plan however requires that houses of two or more bedrooms should provide a garden of adequate size and proportions for the size of the house proposed, for family homes the supporting text indicates that this should be equivalent to the footprint of the existing house. The private amenity space serving the proposed HMO would be equivalent to the footprint of the existing property and it is considered that a sufficient quantity and standard of external space is provided for future occupiers. Provision is made for bin storage, details of which are requested by way of planning condition. The proposals are therefore considered to comply with the requirements of Policy HP13 of the Sites and Housing Plan and Policy HGC2 of the Headington Neighbourhood Plan.

iv. Transport

- 10.17. Provision is made for parking one vehicle at the property, typically maximum parking standards for Sui Generis HMO's would require the provision of 1 space per 2 habitable rooms, for this property there would therefore be a requirement to

provide 2 off-street parking spaces. It is noted that the current property is served by two parking spaces, one of which is within an existing garage; the other is located to the front of the garage in a driveway. The proposals make provision for a single parking space, which would be provided in an undercroft, below the proposed extension.

- 10.18. It is noted that County Highways do not object to the proposed change of use on the basis of the intended parking provision. The surrounding streets fall within a CPZ, with parking restricted to resident's permits. The site is also in a relatively sustainable location, in terms of proximity to existing public transport links as there is a bus stop within 100 metres of the site. The site is also relatively close to the Headington District Centre and the range of services and facilities available.
- 10.19. County Highways has advised that the proposed development should be restricted to 1 parking permit as this is what the property already benefits from so it would be unreasonable to take it away and also so as to ensure that the development does not generate an increase in parking demand over and above what occurs at present; this is deemed reasonable accounting for the existing parking situation in the area and proliferation of on street parking. With the application of a condition to restrict parking for residents, it is considered that the proposals would comply with the provisions of Policy HP16 of the Sites and Housing Plan.
- 10.20. Provision would be made for cycle parking for 8 bicycles; this would comply with the minimum requirements for cycle parking as outlined within Policy HP15 of the Sites and Housing Plan, which for an HMO use is one space per occupant. This can be secured by condition.

11. CONCLUSION

- 11.1. The proposed change of use of the dwelling to a Sui Generis HMO would comply in principle with the provisions of Policy HP7 of the Sites and Housing Plan and would not result in an overconcentration of HMO properties within 100 metres of the site.
- 11.2. The proposals would not otherwise have a detrimental impact on adjacent existing occupiers and future occupiers of the property are considered to benefit from an acceptable standard of residential amenity. The scale and design of the extension is considered to be acceptable and harmonises appropriately with the character of the existing property and the character of the street scene. The development is considered to comply with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.
- 11.3. Subject to the application of an appropriate condition to restrict resident's permits for future occupiers, it is considered that the extension and proposed change of use would not have a detrimental impact on highway safety or amenity, also accounting for relative sustainability of the site in terms of its proximity to the

Headington District Centre and nearby bus links. The proposals are therefore considered to comply with the provisions of Policies HP15 and HP16 of the Sites and Housing Plan.

11.4. For the reasons expressed above, it is recommended that the Committee resolve to grant planning permission for the development proposed.

12. CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

3. The materials to be used in the new development shall be as shown on the approved plans and as detailed within the submitted Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. Before the start of above ground works details of the cycle parking areas, including means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads in accordance with policies CP1, CP10 and TR4 of the Adopted Oxford Local Plan 2001-2016.

5. The areas for parking and manoeuvring of vehicles as shown on the approved plans shall be laid out and made available for use prior to first occupation of the development hereby approved and shall be retained solely for such purposes thereafter.

Reason: In the interests of highway safety in accordance with policies CP1, CP6, CP10, TR3 and TR4 of the Adopted Oxford Local Plan 2001-2016.

6. Prior to the first use of the building hereby permitted the refuse storage area as shown on the approved plans shall be implemented and shall be retained thereafter for the purposes of refuse storage only.

Reason: To ensure adequate refuse storage provision in the interests of the amenity of occupants of the property in accordance with Policy HP13 of the Sites and Housing Plan.

7. Prior to the first use of the development permitted, the first floor window serving the newly formed bedroom in the rear (south east) elevation of the building shall be fitted with obscure glazing and shall be retained in this condition hereafter i.e. it shall only be glazed or re-glazed with obscure glazing.

Reason: To prevent overlooking of the private (rear) curtilage area of the adjacent property in accordance with Policy HP14 of the Sites and Housing Plan.

8. The development hereby permitted shall not be occupied until the Order governing parking at Gathorne Road; has been varied by Oxfordshire County Council as highway authority to limit subject to this permission, eligibility for resident's parking permits and residents' visitors' parking permits to 1 parking permit unless otherwise agreed in writing by the Local Planning Authority.

Reason: 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, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

13. APPENDICES

Appendix 1 – Site Block Plan

14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

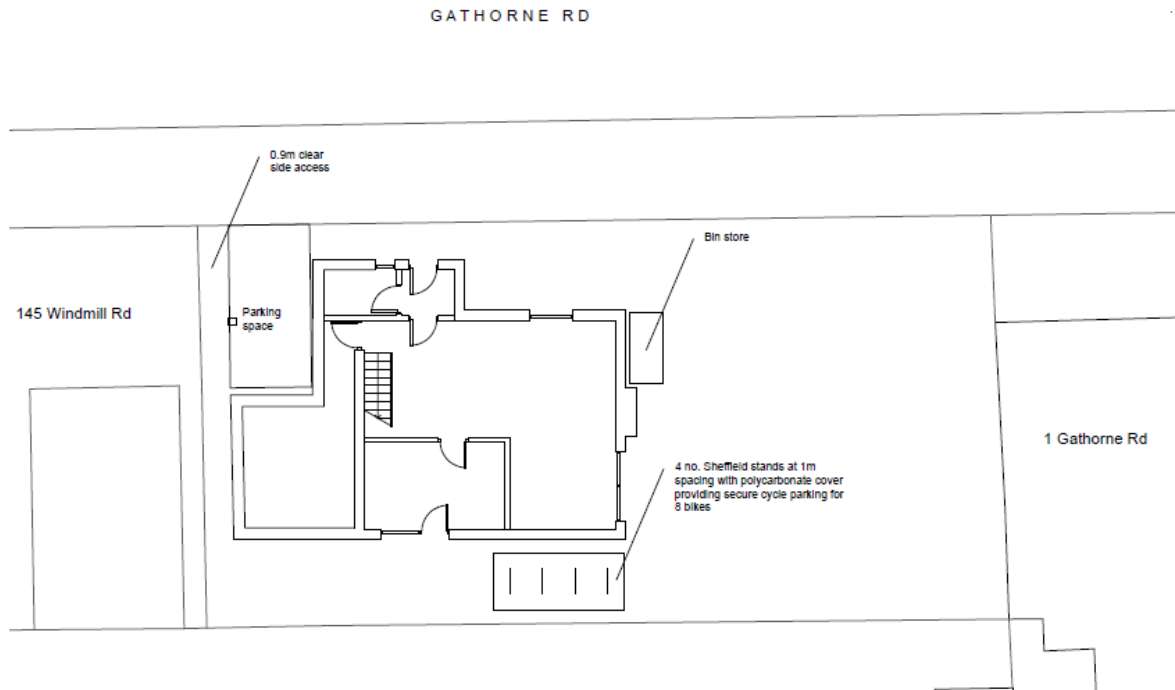
- 15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve planning permission,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

community.

Appendix 1

18/02452/FUL

Proposed block plan



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EAST AREA PLANNING COMMITTEE

5th December 2018

Application Number: 18/02320/FUL

Decision Due by: 26th October 2018

Extension of Time:

Proposal: Change of use from guesthouse (Use Class C1) to a large House in Multiple Occupation (Sui Generis) (Amended Site Location and Amended Plans)

Site Address: 238 Headington Road, Oxford, OX3 7PR,

Ward: Churchill Ward

Case Officer Alice Watkins

Agent: Mr Paul Southouse **Applicant:** Mr Dai

Reason at Committee: Called in by Councillors S Brown, L Smith, J Fry, C Munkonge, P Kennedy, M Rowley and N Chapman due to loss of Guest House accommodation and concentration of HMOs in the area.

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

(b) Agree to delegate authority to the Acting Head of Planning Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the change of use of 238 Headington Road from a Guest House (Use Class C1) to a large House in Multiple Occupation (Sui Generis).

2.2. The key matters for assessment set out in this report include the following:

- Principle of the change of use
- Residential Amenity

- Bin and Cycle Stores
- Car Parking

2.3. The proposed change of use is considered acceptable. The applicant has demonstrated that the property has been realistically marketed and offers for the property as a guesthouse. The property would provide adequate internal space, bin and cycle stores. The proposal is considered to accord with CP1, CP8, CP10, TA4 and TR3 of the Oxford Local Plan, HP7, HP13, HP15 and HP16 of the Sites and Housing Plan and CS18 of the Core Strategy.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

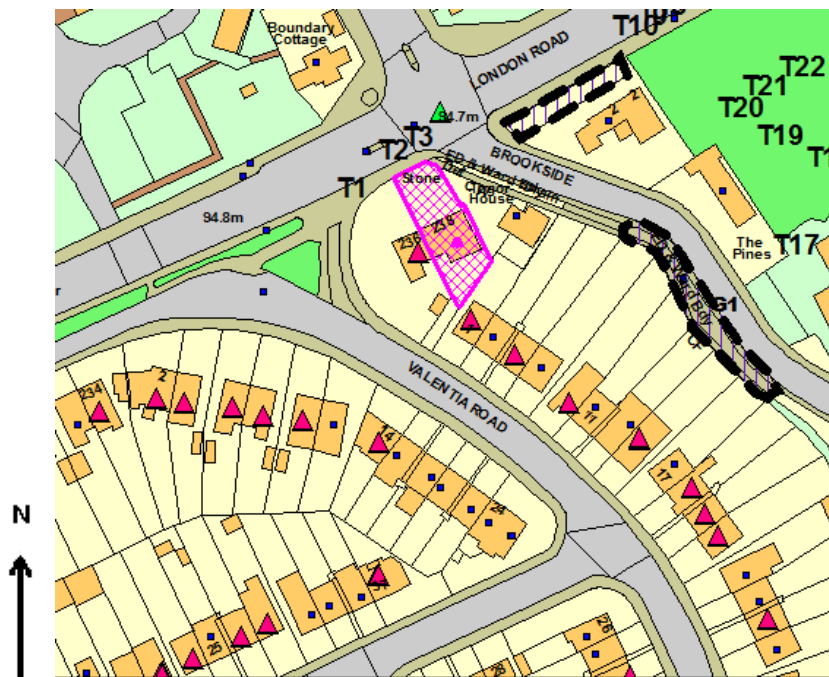
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. 238 Headington Road is a semi-detached dwelling located on the south-east side of the road. The property fronts London Road, the main thoroughfare through Headington and leading into the city centre. The site has previously been subdivided and a new dwelling has been built in the rear garden to the east. The new dwelling is now known as Togor House and is accessed from Brookside. The site benefits from access to the rear which is from Valentia Road. The site is bounded by a low level wall to the front and there is no vehicular access from London Road.

5.2. A site location plan is set out below:



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6. PROPOSAL

- 6.1. The application proposes to change the use of the property from a Guest House (Use Class C1) to a large House in Multiple Occupation (Sui Generis).

7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

89/00064/NF - Two storey side and single storey front and rear extensions (Amended Plans). PER 4th April 1989.

91/00574/NF - Detached garage. PER 27th November 1991.

14/00190/FUL - Erection of 1 x 3-bed dwelling (Use Class C3). Provision of cycle parking, bin storage and amenity space.. PER 2nd June 2014.

14/00190/VAR - Variation of condition 6 (Tree Protection Plan) of planning permission 14/00190/FUL (1x 3 bed dwelling and cycle parking, bin and amenity provision) to allow removal of tree T4 and replacment with alternative tree.. PER 14th November 2014.

14/03416/FUL - Erection of 1 x 3-bed dwelling (Use Class C3). Provision of cycle parking, bin storage and amenity space.. REF 10th February 2015.

15/01082/FUL - Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle store.. REF 9th July 2015.

18/01938/CPU - Application to certify that the proposed erection of a single storey extension to south elevation and formation of 1no. dormer to south elevation and 1no. box dormer to east elevation is lawful development.. WDN 29th August 2018.

18/01941/FUL - Change of use of dwellinghouse (Use Class C3) to a House of Multiple Occupation (Use Class C4).. WDN 29th August 2018.

18/02321/FUL - Erection of single storey rear extension; formation of dormer windows to the rear and side roofslopes.. PCO .

8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents (Headington Neighbourhood Plan- no policies apply)
Design	7	CP1, CP6, CP10,	CS18_,		
Housing	6	TA4,		HP7_ , HP13_ ,	
Transport	4	TR3,		HP15_ , HP16_ ,	Parking Standards SPD

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 10th September 2018 and 11th October 2018, upon receipt of an amended site location plan.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

The proposal seeks to convert guesthouse (Class C1) to a large House in Multiple Occupation (Sui Generis). The site is situated within the Headington West Controlled Parking Zone (CPZ) which limits non-residents cars from parking between 8am-7pm Monday to Friday and 2pm to 4pm on Saturdays. The proposed dwelling will have 8 bedrooms, the 8 cycle spaces proposed to the front of the dwelling is in line with Policy HP15 and is deemed acceptable. Policy HP16 states that for a large HMO, 1 off-street parking bay should be provided per 2 residential rooms, by this standard, 4 off-street parking bays should be provided for the property. However, the existing guesthouse has 7 bedrooms and therefore it is not deemed that the proposal will greatly increase traffic to the site and the impact cannot therefore be deemed severe. As the CPZ is not in place to restrict residents from on-street parking bays it is not deemed appropriate to restrict the property from access to parking permits. Oxfordshire County Council do therefore not object to this application on highway grounds.

Oxford Civic Society

The applicant should be required to confirm the proposed external facilities for bin & cycle storage and the access arrangements are with the legal property boundaries and do not compromise the vehicle movements in the joint driveway for the pair of semi-detached houses. There is no discussion of car parking in the application and only one car parking space is shown on the block plan. The car

parking arrangements and/or restrictions also need to be clarified before permission for this HMO, which will be occupied by a minimum of 15 tenants, can be granted.

Public representations

9.2. One resident from 236 Headington Road commented on this application.

In summary, the main points of objection were:

- The area being shown on the plan for bin and cycle stores is not owned by the application. This area is a shared access between 236 and 238 Headington Road.
- Unable to submit comments in relation to a certificate of lawful development.

Officer Response

9.3. An amended site location plan and block plan were submitted by the agent. The amended plans re-located the cycle store to the rear garden and removed the disputed parcel of land from the red outline. On the basis of the information available, Officers are satisfied that the land contained within the red edge on the revised location plan is owned by the applicant.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of the change of use
- ii. Concentration of HMOs
- iii. Residential Amenity
- iv. Bin and Cycle Stores
- v. Car Parking
- vi. Trees

i. Principle of Change of Use

10.2. 238 Headington Road, when occupied by the previous owner, operated as a Guest House for approximately 20 years. Since 2014, the property has been in use as a single dwellinghouse. The property was purchased by the present owner in April this year and the dwelling is currently vacant. Planning permission was never sought for the use of the property as a Guest House. The use of the site as a Guest House became lawful because of the amount of time it operated as a Guest House and would be immune from any enforcement action. It is clear from the evidence available to the Council that the property was in use as a guesthouse for the period of time stated above. When the property was occupied again in 2014 as a single dwellinghouse, this change of use would have required planning permission which was not sought or granted. The property would need to be occupied as a single dwellinghouse for a period of at least ten years for the use to be lawful and immune from enforcement action. Officers are satisfied that

the lawful use of the site is a Guest House (Use Class C1) and have therefore assessed the application on this basis.

- 10.3. Policy TA4 of the Oxford Local Plan seeks to protect the existing stock of Guest Houses. It states that planning permission will only be granted for the change of use where:
- no other occupier can be found following a realistic effort to market the premises for the existing use; or
 - evidence of non-viability is submitted.

The application has been accompanied by a letter from the Estate Agents who marketed the property. They confirm that the property was first marketed on 16th September 2017. During the marketing period which commenced in September 2017, twelve viewings took place. Of these, all interested parties were either owner/occupiers who did not seek to use the premises as a Guest House. Two offers were received from potential purchasers who sought to use the property for a residential use. A sale was agreed in December 2017 and contracts exchanged in March 2018. Officers consider that the applicant has sufficiently demonstrated that no other occupier could be found for the premises following the marketing period and that the change of use is acceptable and in accordance with policy TA4 of the Oxford Local Plan.

ii. Concentration of HMOs

- 10.4. Policy HP7 of the Sites and Housing Plan states that planning permission will only be granted for the change of use of a dwelling in Use Class C3 to an HMO where the proportion of buildings used in full or part as an HMO within 100 metre of street length either side of the application site does not exceed 20%.
- 10.5. Whilst it would usually be expected that the concentration of HMOs in an area does not exceed 20%, the criteria of Policy HP7 (a) does not apply in this case. The application seeks consent to change the property from a Guest House (Use Class C1) to a large House in Multiple Occupation (Sui Generis). The 20% limit identified under Policy HP7 only relates to the change of use from a single dwellinghouse (Use Class C3). The aim of this policy is to retain the existing housing stock. The proposal would result in a total of 42.31% of properties being in use as HMOs in the area. As explained above, the existing use of 238 Headington Road is considered to be a Guest House (Use Class C1) and as the policy only restricts the use of C3 dwellinghouses, it is considered that it would not be reasonable to refuse the application due to the density of HMOs in the area. There are no other relevant planning policies which restrict the density of HMO. As such in this case there would be no conflict with policy in terms of the concentration of HMOs.

iii. Residential Amenity

- 10.6. Policy HP7 requires that all new HMOs comply with the Landlord's Guide to Amenities and Facilities. The HMO Licensing team have reviewed the application and consider that, from the information available, the property could provide a good standard of accommodation for ten occupants including outdoor space. All

ground and first floor bedrooms are en-suite and each large enough to accommodate two people. There are bedrooms contained within the second floor, however, sufficient details have not been submitted to assess the useable floor areas of these rooms. The loft rooms have sloping ceilings and only floor area where the ceiling is over 1.5m high is considered useable. The usability of these rooms would be considered further during the course of the HMO licensing procedure and should the rooms not be considered sufficient, this can be restricted by condition on the HMO license.

Overall, the property would provide a good standard of living accommodation and would accord with the space standards set out in the Landlord's Guide to Amenities and Facilities and with the requirements of HP7 of the Sites and Housing Plan.

iv. Bin and Cycle Stores

- 10.7. The proposed block plan indicates that a bin store would be provided to the front of the property. Specific details of the store have not been submitted with the application, however, Officers consider that there is sufficient space to the front of the site to provide an adequate bin store. A condition has been recommended requiring details of the store to be submitted and approved, and for the store to be provided on site prior to the first occupation of the HMO. On this basis, the proposal is considered to comply with HP13 of the Sites and Housing Plan.
- 10.8. The proposed block plan shows that a cycle store would be provided in the rear garden. There is an external rear level access from Valentia Road and this location is considered acceptable. The design and access statement confirms that fourteen cycle parking spaces are to be provided, which is sufficient for an HMO of this size. Specific details of the store have not been submitted, however, these details could be reserved by condition and the store provided prior to first occupation of the HMO. On this basis, the proposal is considered to comply with HP15 of the Sites and Housing Plan.

v. Car Parking

- 10.9. The Guest House does not benefit from off-street car parking. Policy TR3 and Appendix 3 of the Oxford Local Plan indicates that a Guest House should provide one parking space per two habitable rooms, which equates to six off-street spaces for a property of this size. Policy HP16 of the Sites and Housing Plan sets out the maximum parking standards for a large HMO which is also one parking space per two habitable rooms. The proposed block plan does not include the provision of off-street parking, and because of the constraints of the site, off-street parking would be difficult to provide. When the site was in use as a Guest House, no off-street car parking was provided. The site does not currently benefit from any off-street parking and the proposal does not seek consent to provide off-street parking spaces.
- 10.10. The Highways Authority have reviewed the application and raised no objection to the proposed change of use. The site lies within the Headington West Controlled Parking Zone (CPZ) which limits non-residents cars from parking between 8am-

7pm Monday to Friday and 2pm to 4pm on Saturdays. The standards set out under HP16 of the Sites and Housing Plan indicates that the proposed eight bedroom HMO should provide four off-street parking spaces. However, the existing guesthouse has 7 bedrooms and the Highway Authority consider that the proposal would not greatly increase traffic to the site, nor would the impact on the demand for on-street parking be severe. The CPZ is not in place to restrict residents from on-street parking bays and it is not deemed appropriate to restrict the property from access to parking permits.

10.11. On the basis of the above, and because of the lack of objection from the Highways Authority, the proposal is considered to comply with HP16 of the Sites and Housing Plan.

vi. **Trees**

10.12. There are three important lime trees in the front garden of the site. The proposed alterations are limited to the Valentia Road side of the site and the proposal would not result in changes to the garden where there are lime trees. There are no arboricultural implications associated with the proposals and the development is considered to comply with CP1, CP11, NE15 and NE16 of the Oxford Local Plan.

11. CONCLUSION

11.1. For the reasons outlined above, the change of use of the Guest House (Use Class C1) to a large HMO (Sui Generis) is considered acceptable. The proposal would provide sufficient bin and cycle stores and would not have a detrimental impact on the demand for car parking. The proposal is therefore considered to comply with CP1, CP6, CP10, TA4, and TR3 of the Oxford Local Plan, HP7, HP13, HP15 and HP16 of the Sites and Housing Plan and CS18 of the Core Strategy. There are no relevant policies in the Headington Neighbourhood Plan which apply to this application. The proposal would comply with the relevant parts of the NPPF.

11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions.

12. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 Prior to occupation as a HMO, further details of the bin and cycle stores shall be submitted to, and approved in writing by, the Local Planning Authority. The approved stores shall then be provided on site prior to the first occupation of the HMO and shall be retained thereafter.

Reason: To ensure adequate bin and cycle stores are provided in line with the requirements of HP13 and HP15 of the Sites and Housing Plan.

13. APPENDICES

Appendix 1 – Block Plan

14. HUMAN RIGHTS ACT 1998

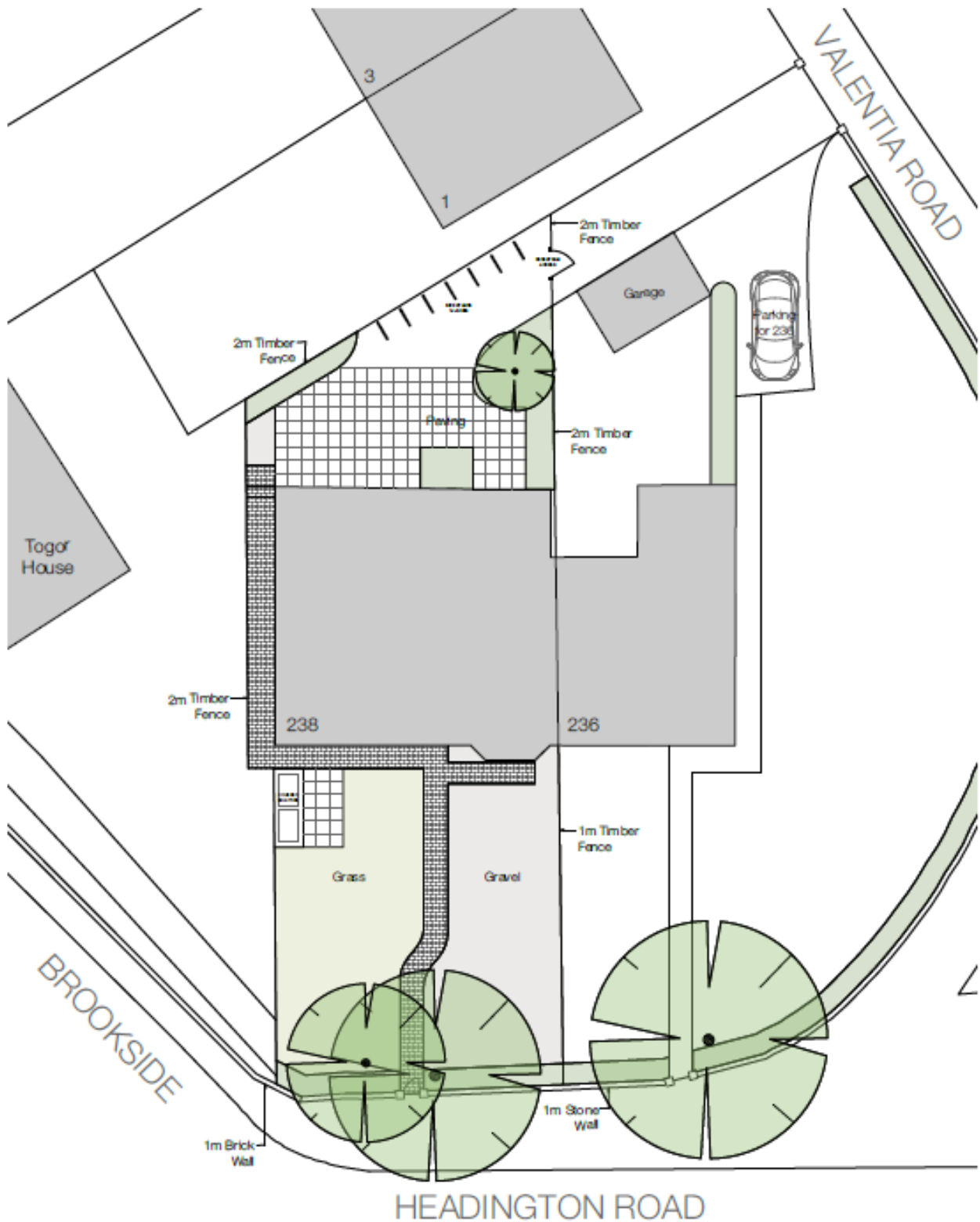
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

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Appendix 1 – Block Plan



○ **Proposed Block Plan**
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dwg
PA-06 RevB

02.10.18

Client
Mr Dai

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East Area Planning Committee

5th December 2018

Application number: 18/02253/FUL

Decision due by 5th November 2018

Extension of time

Proposal Change of use of dwellinghouse (Use Class C3) to a House of Multiple Occupation (Use Class C4).

Site address 29 Williamson Way, Oxford, OX4 4TT, – see **Appendix 1** for site plan

Ward Rose Hill And Iffley Ward

Case officer Tim Hunter

Agent: Mr Stephen Ingram **Applicant:** Mr Ben Christopher

Reason at Committee The application was called into committee by Turner, Hollingsworth, Lygo and Munkonge for reason for that the Highways authority are recommending refusal on highways grounds, as there is no dedicated parking and the likely increase in vehicles generated would “create highway safety concerns”.

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers a proposal to change the use of a single dwelling house (Use Class C3) to a small (Use Class C4) House in Multiple Occupation (HMO),

along with internal changes to create a fourth bedroom that would not require permission if carried out as a separate operation.

- 2.2. The site is a terraced house. The house has a garden to the rear and a front courtyard. There is no off street parking to the house. An area of land to the front of the house, at least part of which is within the control of the Local Highway Authority (LHA), appears to be in general and informal use as parking. The house is situated on the edge of town but in a sustainable location, being within 500m of local shops and services and a main bus route into Oxford, with a large super store a similar distance away by foot.
- 2.3. At a density of 7.1% HMOs in the 100m distance set out in the Sites and Housing Plan, the surrounding area does not show a significant concentration of HMOs, and the application complies with Policy CS23 of the Core Strategy and Policy HP7 of the SHP.
- 2.4. The house will provide an acceptable level of accommodation and facilities in accordance with Policy TR4 of the OLP and Policies HP7 and HP15 of the SHP.
- 2.5. No car parking spaces are provided to the house and this situation would not change. The Local Highway Authority has recommended refusal of the application on the basis that the likely increase in vehicles generated would create highway safety concerns. However officers do not consider that there is sufficient evidence for this or any sound policy backing for a refusal on these grounds, for the reasons set out in detail below.
- 2.6. Officers note the concerns of residents relating to social disturbance and activity but these matters can be properly dealt with under the HMO licencing scheme and in planning terms given that there would not an overconcentration of HMO's in the area, would not warrant refusal on that basis. The proposals are subsequently recommended for approval subject to the conditions outlined.

3. LEGAL AGREEMENT

- 3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL

5. SITE AND SURROUNDINGS

- 5.1. The site is located on the edge of the Rose Hill residential suburb, backing onto the eastern bypass. The area is characterised by suburban development, consisting principally of terraces and semi-detached pairs of 20th century brick and render dwellings. The terrace in which 29 Williamson Way sits was likely built in the late 1960s and it is believed that it would have been provided with an integral garage to the front, which has subsequently been converted to residential accommodation.
- 5.2. There is currently no off street parking to the house, nor do officers consider that any compliant spaces could be created on the site due to the limited width of the

former garage and the courtyard to its side. An area of land to the front of the house, at least part of which is within the control of the Local Highway Authority (LHA), appears to be in general and informal use as parking. The house is situated in a sustainable location, being within 500m of local shops and services and a main bus route into Oxford, with a large super store a similar distance away by foot.

5.3. See site location plan below:



6. PROPOSAL

6.1. The application proposes to change the use of the house from a single dwelling house (Use Class C3) to a small (Use Class C4) House in Multiple Occupation (HMO), along with internal changes to create a fourth bedroom that would not require permission if carried out as a separate operation. The result would be three compliant bedrooms and a bathroom on the first floor, with a further compliant bedroom, kitchen, shower room and two reception rooms on the ground floor. Two bin stores and cycle storage for four cycles are proposed to the front courtyard.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

64/00440/M_H - Recreation Ground off Nowell Road - Site for two-storey mental health hostel for 35 residents and staff, scouts hut and housing scheme comprising two- storey terrace houses, two-storey, flats for old people and garage.. Approved 20th August 1964.

65/00581/M_H - Recreation Ground Nowell Road - Housing and mental health hostel with accesses.. Approved 21st July 1965.

66/00587/M_H - 1-51, 50-84 Williamson Way, 1-37 and 10-52 Thames View Road - The erection of 8, 4 bedroomed houses, 48, 3 bedroomed houses, 30 with integral garages, 29, 2 bedroomed houses, 77 lock-up garages and 1 electricity sub station with accesses. Approved 24th August 1966.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	7	CP8	CS18	HP9	
Housing	6		CS23	HP7, HP13	Facilities and Amenities Guide for Landlords
Social and community	8		HP13		
Transport	4, para 109	CP1		HP15, HP16	Parking Standards SPD Car parking standards for new residential development
Environmental	10				
Miscellaneous	5	CP10		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 25th September 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

The Local Highway Authority (LHA) advises that although the application form indicates that the application will create 4 off-street parking bays, this is not in fact the case, because the parking area shown (on the block plan) to the front of the property is public highway land and should not be used for parking. The property therefore has no parking specifically for private use. This application will create an additional bedroom bringing the likely total to a minimum of 4 occupants. In addition, HMO's typically have more cars associated with them than dwelling houses and the result will likely be cars parking informally along the carriageway and footpaths and creating highway safety concerns. There is no Controlled Parking Zone in place to enforce this and as such the LHA recommended refusal of this application on highway safety grounds.

Oxford Civic Society

This application provides no information on proposals for car parking beyond a reference to a parking area lying outside the site boundary. This is unacceptable, given the absence of a CPZ applicable to this area, and, in any event, the space available would be inadequate for the level of occupancy proposed. This application should be refused.

Public representations

9.2. Three letters of objection have been submitted on this application from 31, 39 and 58 Williamson Way.

9.3. In summary, the main points of objection were:

- Increased pressure on parking in the area
- Noise and disturbance
- Anti-social behaviour from previous occupants

Officer response

9.4. The comments of the LHA are a material consideration. However, the level of parking on site is not changing as a result of this application and the parking standard for C3 dwellings is the same as for C4 dwellings. There would be no increased demand as a result of the proposals and therefore there is no sound policy reason to justify a refusal of planning permission on parking grounds. On this basis the proposal is considered to accord with policy in respect of car parking.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Density of HMOs in the local area
- Facilities and amenities
- Parking
- Noise and disturbance

a. Density of HMOs

10.2. Policy CS23 of the Core Strategy states that Planning permission will only be granted for residential development that delivers a balanced mix of housing both within each site and across Oxford as a whole. Oxford has a large number of HMOs and in some areas of the city, high concentrations of HMOs are resulting in changes to the character of the local area.

10.3. The above changes in character to areas of Oxford as a result of increased levels of HMOs has been actively addressed by Oxford City Council, firstly by the removal of permitted development rights to change the use of a single dwelling to an HMO, and also by the SHP, which directly addressed the issue of overconcentration of HMOs in Policy HP7 and its accompanying text. The SHP states that the Council will use its planning responsibilities to prevent any further over-concentration of HMOs in areas where there are already significant numbers. Policy HP7 of the SHP states that permission for a change of use to an HMO will only be granted where the proportion of buildings used as an HMO within 100m of street length of the application site does not exceed 20%.

10.4. Officers calculate that there are 42 buildings within 100m street length of the site. Of these, licensing records indicate that 2 of these have, or have applied for an HMO license. The actual number may be higher, due to some HMOs not being licensed, but the figures indicate even if permission is granted in this case, only around 7.1% of buildings in the relevant area would be HMOs, below the 20% concentration defined in Policy HP7.

10.5. The surrounding area does not therefore show a significant concentration of HMOs, the current proposal will not materially harm the overall mix of housing in the local area and the application complies with Policy CS23 of the Core Strategy and Policy HP7 of the SHP.

b. Facilities and amenities

10.6. Policy HP7 of the Sites and Housing Plan also states that permission for a change of use to an HMO will only be granted where the applicant has demonstrated compliance with the City Council's good practice guide on HMO amenities and facilities. Policy HP13 of the SHP requires adequate provision for the safe, discrete and conveniently accessible storage of refuse and recycling whilst HP15 of the SHP requires the provision of adequate cycle parking.

10.7. The house will provide an acceptable level of communal and cooking space, four adequately sized bedrooms and both a bath and separate shower room in accordance with the good practice guide and policy HP7 of the SHP.

10.8. There is also an acceptable area of private amenity space to the rear, whilst secure storage is proposed to the front courtyard for cycles, waste and recycling bins. It is considered that this storage should be secured by a condition of planning permission to ensure compliance with and Policies HP7, HP13 and HP15 of the SHP.

c. Parking

10.9. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. The Sites and Housing Plan makes it clear that C4 HMOs are subject to the same standards as C3 dwelling-houses and that outside of the Transport Central Area, such applications will be decided on their merits, to reflect local context and existing parking capacity and safety issues.

10.10. Oxfordshire County Council has published "Car parking standards for new residential developments" (parking standards) which includes detailed technical guidance on parking space dimensions and visibility, along with a guide to maximum parking provision.

10.11. Officers note that the LHA's document highlights that "for the purposes of parking numbers, houses which are considered to be "houses in multiple occupation" shall be considered as a single dwelling". The document suggests that a maximum of two parking spaces should be provided for any house of more than one bedroom. On the basis of the LHA's document therefore, the maximum parking standard for 29 Williamson Way is 2 parking spaces, regardless of whether it has 3 or 4 bedrooms, or whether it is in use as an HMO or not.

10.12. The application form states that 4 parking spaces are provided to the front of the property, but the LHA has indicated that this area is land within their control, which should not be used for parking and that the house is not associated with any car parking. This appears to be confirmed by the red line on the location plan, which does not include the area in question. The situation is therefore that no car parking spaces are provided for the dwelling at present in C3 use and this situation would not change under the proposals for C4 use.

10.13. Officers have had regard to the existing situation at and around the site. The area identified as car parking is not part of the site and is in the control of the LHA rather than the applicant. Notwithstanding the comments of the LHA, the corresponding areas in front of other houses are currently used for parking, indeed they serve as the only access to the houses and their on-site parking and garages. Officers also note the lack of yellow lines to the street and are unsure how the LHA could prevent parking to these areas. In any event, this specific issue should not properly be considered as part of the application: The area to the front of the house is not included in the red line site area and notwithstanding the application form, a grant of permission for an HMO will in no way provide the applicant with permission to park on the land in front of the house. Officers have considered imposing a condition to specifically remove this element from the approved plans, but do not consider this necessary and have recommended an informative instead.

10.14. The house is not in an area provided with a Controlled Parking Zone, and other than a white line to the carriageway around the junction to the east, there appears to be nothing in the way of parking controls in the area. Many properties in the immediate local area have garages to the front and there is informal parking that occurs to the frontages, both of which reduce the pressure for on street parking. At the time of the officer site visit, no particular parking pressure was observed and in terms of cars parking on the street, outside of dedicated parking areas, the evidence available to the Council shows this is limited. Officers have had regard to the concerns of local residents relating to parking pressures in the area, but have not seen any evidence that there is excessive or even substantial competition for on street parking in the immediate local area.

10.15. The comments of the LHA are a material consideration. However, no evidence has been provided to justify a refusal of planning permission on Highway Safety grounds and officers do not consider that the LHA has correctly assessed the likely impact of what is being proposed, the existing parking pressure or the policies and standards that should be applied. The level of parking is not changing, the parking standards for C3 dwellings are the same as for C4 dwellings and there is no sound policy reason to justify a refusal of planning permission on parking grounds. Indeed, paragraph 109 of the NPPF states that "Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". Officers do not consider that the application would result in an unacceptable impact on highway safety or that the impacts on the road network would be severe. On this basis the proposal is considered to be acceptable in highway safety and parking terms and accords with Policies CP1 and CP10 of the OLP, HP16 of the SHP and 108 – 111 of the NPPF in respect of car parking and Highway Safety.

d. Noise and disturbance

10.16. Officers note the concerns of residents relating to social disturbance and activity but these matters can be properly dealt with under the HMO licencing scheme and in planning terms given that there would not an overconcentration of HMO's in the area and thus a balanced community, would not warrant refusal on that basis.

11. CONCLUSION

11.1. Officers advise that the area does not show a significant concentration of HMOs, the house provides an acceptable level of facilities and amenities for future occupants and there is no sound policy reason to justify a refusal of planning permission on parking grounds. The proposal therefore accords with Policies Policy CS23 of the Core Strategy, CP1 and CP10 of the adopted Oxford Local Plan and Policies HP7, HP13, HP15 and HP16 of the Sites and Housing Plan.

11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the Conditions set out below.

12. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 (i) Within 3 months of the commencement of the use hereby approved, screened provision for the storage of refuse (wheelie bins) and recycling facilities shall be made in accordance with the approved plans. Thereafter the facilities shall be retained solely for their intended purpose and refuse and recycling items shall be placed and stored only in this storage area.

(ii) Within 3 months of the commencement of the use hereby approved, screened and covered provision for the storage of no less than one cycle per occupant shall be made in accordance with the approved plans. Thereafter the facilities shall be retained solely for their intended purpose and cycles shall be placed and stored only in this storage area.

Reason: To protect the amenities which ought to be enjoyed by the occupiers of adjoining residential properties and to encourage the use of cycles. In accordance with policy CP1, CP10 and HS19 of the adopted Oxford Local Plan 2001 - 2016 and Policies HP9 and HP16 of the Sites and Housing Plan.

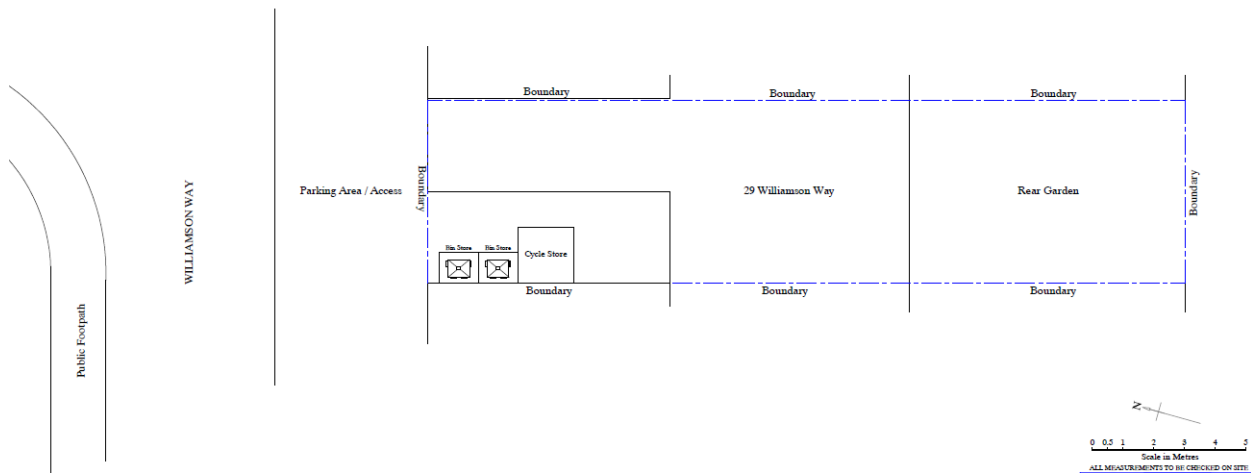
INFORMATIVES :-

- 1 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
- 2 This permission relates only to the granting of planning permission. The use of the property as an HMO also requires a separate Houses in Multiple Occupation Licence.

- 3 The applicant is advised that notwithstanding the approved plans, this permission does not grant any permission for the creation of parking spaces in front of the site as this area is outside of the red line site area and not within the application site.

13. APPENDICES

- **Appendix 1 – Block plan**



14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

5th December 2018

Application number:	18/02287/CT3		
Decision due by	15th November 2018		
Extension of time	12th December 2018		
Proposal	Erection of a two storey rear extension.		
Site address	49 Dashwood Road, Oxford, Oxfordshire, OX4 4SH – see Appendix 1 for site plan		
Ward	Rose Hill And Iffley Ward		
Case officer	Sarah Chesshyre		
Agent:	Mr Gary Long	Applicant:	Mr Gary Long
Reason at Committee	The application is made by the City Council		

1. RECOMMENDATION

1.1. **East Area Planning Committee** is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a two-storey extension to the rear of the existing dwelling.

2.2. The key matters for assessment set out in this report include the following:

- Design
- Residential amenity

2.3. The development is considered acceptable in design terms and will not detract from the character and appearance of the area. The proposal would not have a detrimental impact on the neighbouring properties and is considered to comply

with CP1, CP6, CP8 and CP10 of the Oxford Local Plan, HP9 and HP14 of the Sites and Housing Plan, CS18 of the Core Strategy and the NPPF.

3. LEGAL AGREEMENT

3.1. A legal agreement is not required for this application.

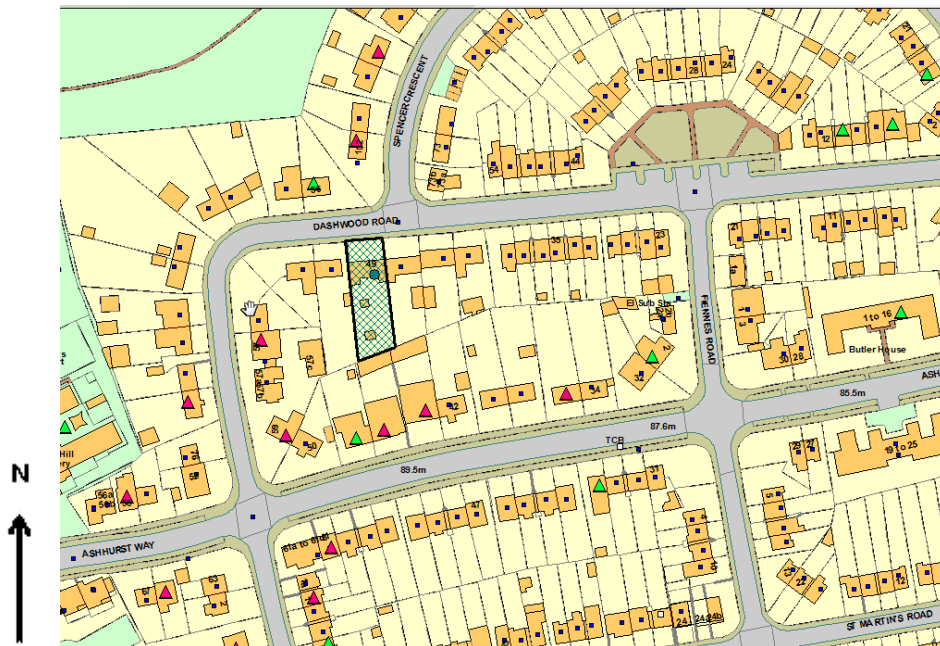
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located in the Rosehill and Iffley Ward of Oxford to the south east of the city centre. Dashwood Road is accessed from Ashhurst Way. The property is a two-storey semi-detached dwelling with a large rear garden which is up to 27 metres in length.

5.2. See site location plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the erection of a two storey rear extension to the existing dwelling. The extension would extend beyond the existing rear elevation of the dwelling by 4.8 metres and would have a width of 6.15 metres. The extension would measure approximately 5 metres to the eaves and the apex of the roof would meet that of the main dwelling, at a height of approximately 8.5 metres. The ground floor element would provide an additional bedroom and a reconfigured bathroom. The first floor element would also provide an additional bedroom and a further bathroom. Access to the rear garden via the side of the

house would be maintained. The extension would be finished in brick with tiles to the roof to match the existing dwelling.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

70/23257/A_H - 43-57 (odd) 56-74 (even) Dashwood Road and 71 and 92-102 (even) Spencer Crescent - Alteration and improvements. PDV 8th September 1970.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	127	CP1 CP6 CP8	CS18	HP9	
Environmental		CP10		HP14	
Miscellaneous	38, 47			MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 4th October. However, these notices were found to be incorrect as the application reference failed to indicate that the application was made by the city council. The error was corrected, and amended site notices were displayed on 23rd October 2018.

Statutory and non-statutory consultees

Oxford Civic Society

9.2. No objection. Recommended that a daylight/sunlight assessment should be made to determine the impact of the proposal on the adjoining house at 47 Dashwood Road.

Public representations

9.3. No third party comments were received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Neighbouring amenity

a. Design

10.2. Policies CP1, CP8, CP10, CS18 and HP9 seek to ensure that development is well designed and relates well to the existing house and surroundings.

10.3. A number of surrounding properties have been altered and extended with single storey extensions or box dormers to the rear. The proposal represents a larger addition to the host dwelling than these nearby alterations and which continues the roofline and is not set down or back from the existing dwelling. However given its positioning to the rear, form and scale, it would nonetheless appear a proportional and somewhat subordinate addition to the existing dwelling. The extension would be continuous with the west elevation of the existing dwelling, thus being to the rear of the dwelling only and not projecting to the side in any way, and would therefore not be prominently visible from the public realm. The proposal would not detract from the character and appearance of the area. The materials proposed are considered to form an appropriate relationship with the host dwelling.

10.4. The proposal is considered to comply with CP1, CP8 and CP10 of the Oxford Local Plan, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy and the NPPF.

b. Impact on neighbouring amenity

10.5. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for development that provides reasonable privacy and daylight to neighbouring properties, does not have an overbearing impact or result in a loss of outlook afforded to neighbouring properties.

10.6. The proposal is considered to comply with the 45/25 degree access to light test for both the adjoining neighbour at 47 Dashwood Road and the neighbour at 51 Dashwood Road and would not result in an unacceptable loss of light to either property.

10.7. The proposed extension is separated from the boundary with 47 Dashwood Road by 4 metres. 49 and 51 Dashwood Road benefit from side access measuring approximately 2 metres in width, so the proposed extension would be separated from the dwelling at 51 Dashwood Road by approximately 4 metres and from the garden by approximately 2 metres. The proposal would therefore not have an overbearing impact on the dwelling or garden of either neighbour.

10.8. No windows would be introduced at first floor level into the side elevations of the proposed extension, apart from a small window serving a landing in the east elevation which is not a habitable room. Views over the gardens of 47 and 51 Dashwood Road from the first floor windows in the rear elevation of the

proposed extension would be limited to narrow oblique views and in any event would be no different to the existing situation with bedroom windows at first floor and in no way unusual in a residential area such as this. They would cause no more overlooking than could occur at present.

10.9. The rear of the application site is opposite the rear elevation and garden of 48 Ashhurst Way. While the proposal would involve the introduction of windows at first floor, the length of the garden (up to 27m) of the host property is such that the proposal would not result in any loss of privacy to the garden or dwelling of neighbours at 47 or 51 Dashwood Road or at 48 Ashhurst Way.

10.10. The proposal is considered to comply with HP14 of the Sites and Housing Plan.

11. CONCLUSION

11.1. The proposed development would be acceptable having had regard to the design and impact on neighbouring amenity. The proposal is considered to comply with all relevant local and national planning policy including Policies CP1, CP6, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions as set out below.

12. CONDITIONS

1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3 The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by policy CP1 of the Oxford Local Plan 2001-2016

4 All Impermeable areas of the proposed development, including roofs, driveways, and patio areas should be drained using Sustainable Drainage measures (SuDS).

This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches.

Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required.

If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations.

The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Reason

To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policies CS11 of the Oxford Core Strategy 2011-2026

13. APPENDICES

- **Appendix 1** – Block plan

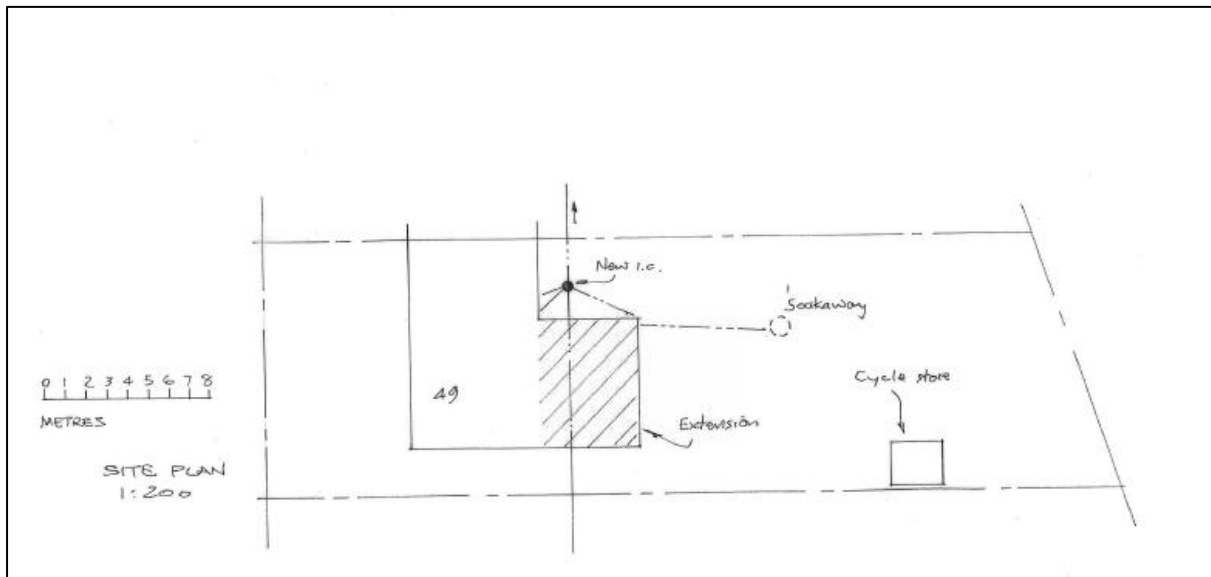
14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

Appendix 1 – Block Plan



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Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 7 November 2018

www.oxford.gov.uk



Committee members:

Councillor Taylor (Chair)	Councillor Henwood (Vice-Chair)
Councillor Aziz	Councillor Chapman
Councillor Clarkson	Councillor Garden
Councillor Lygo	Councillor Tanner
Councillor Roz Smith	

Officers:

Sally Fleming, Lawyer
Felicity Byrne, Principal Planner
Hayley Jeffery, Development Management Team Leader
Mike Kemp, Senior Planner
Rachel Drinkwater, Committee Services Support Officer
John Mitchell, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager

Also present:

None
None
None

Apologies:

Councillor(s) None sent apologies.

No apologies were received

56. Declarations of interest

18/01851/FUL

Councillor Chapman stated that as a Non Executive Director of the South Central Ambulance Service NHS Foundation Trust he was approaching the application for the John Radcliffe Hospital with an open mind.

57. 18/00870/FUL: 1 Pullens Lane, Oxford, OX3 0BX

The Committee considered an application for Demolition of existing dwelling and erection of a 55 bedroomed care home with associated car parking, landscaping and infrastructure.

The Planning Officer presented the report and noted the following corrections to be reported:

- Paragraph 10.39 – the word “weight” is missing from the last sentence.
- Paragraph 10.82 - the first reference to “substantial harm” in line 4 should read “less than substantial harm”

Reasons for Refusal

Reason 2

- Line 9: after words ‘character appraisal’ insert “and a harmful impact on the setting of the listed building Headington Hill Hall”
- Line 11 should read: “Sections 66 & 72 of that Act.”

Reason 3

- Line 3 should read mitigated and compensated

Reason 5

- Line 2: after ‘would’ insert ‘be’

In discussion it was noted that Oxfordshire County Council as Highways Authority, had no jurisdiction over Pullen Lane as a private road.

No information was immediately available as to when the traffic assessment referred to in the report had been conducted.

David Salvesen – Pullen’s Lane Association and Headington Hill Umbrella spoke against the application.

Michael Mansell – Applicant, Andrew Winstanley – future occupier and Reece Lemon was there to answer questions, spoke for the application.

On being proposed, seconded and put to the vote, the committee voted to agree with the officer recommendations to refuse the application.

East Area Planning Committee resolved to:

1. **Refuse the application** for the reasons given in the report, and
2. **Agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:
 - Finalise the reasons for refusal as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary and issue the decision notice.

58. 18/01758/FUL - 244 Barns Road OX4 3RW

The Committee considered an application to change of use of 244 Barns Road from office use (retention of some B1 floor space at ground floor level) to 27 x 1-bed flats, including creation of a fourth storey at roof level. Associated external alterations. Provision of bin and bicycle storage. (Amended Plans).

The Planning officer reported some minor changes to the report:

- reason for refusal 2 – 3 line – the first word of that line ‘student’ should read ‘residential’,
- at para 9.15 in the fifth line down the word ‘except’ should be inserted between ‘sites’ and ‘where’ so that it reads ‘permission will not be granted for the loss of employment on category 2 sites **except** where...’ and
- at 11.1 the square brackets should be removed and the word ‘approve’ deleted.

The Planning officer presented the report.

Christopher Gasson a local resident spoke against the application.

Simon Sharp, Planning agent and Tony Nolan there to answer questions spoke for the application.

In response to questions it was confirmed that the applicant had not sought to address the needs of key workers and that the scheme had not been considered by the Oxford Design Review Panel. Concern was expressed at the schemes failure to address the need for affordable housing.

On being proposed, seconded and put to the vote, the Committee voted to agree with the officer recommendations to refuse the application.

East Area Planning Committee resolves to:

Refuse the application for the reasons given in the report and as follows

1. The proposal represents an unsustainable form of development that would result in the loss of a key protected employment site. Inadequate evidence has been put forward to justify a departure being made from the development plan policies that seek to protect and safeguard these sites in order to maintain a sustainable distribution of business premises and employment land within Oxford. As a result the proposal would be considered contrary to policy CS28 of the Oxford Core Strategy 2026.
2. The proposed development fails to provide adequate functional and good quality indoor and outdoor amenity space for the occupants of the student accommodation contrary to the provisions of HP12 and HP13 of the Sites and Housing Plan 2011-2026.

3. The proposed development would result in the loss of significant trees that contribute to the visual amenity of the application site and insufficient details have been submitted regarding their replacement to to mitigate their loss and impact on visual amenity in the area. The proposal would be contrary to adopted policies CP1 and NE15 of the Oxford Local Plan 2001-2016
4. The applicant has failed to demonstrate through the submission of a viability assessment that it is not viable to provide a minimum of 50% affordable housing as required by policy HP3 of the Sites and Housing Plan. Further, had the above overriding reasons not applied, the Local Planning Authority would have required the applicant to enter into a Planning Obligation Agreement to secure affordable housing provision in accordance with policy HP3 of the Sites and Housing Plan 2011-2026.

59. 18/01851/FUL: John Radcliffe Hospital, Sandfield Road, Oxford, OX3 9DU

The Committee considered an application for planning permission to the expansion of the Emergency Department of the John Radcliffe Hospital through to the provision of a two storey extension to A and E unit and refurbishment of existing space to provide, resuscitation bays, paediatric resuscitation bays, enhanced resuscitation room and isolation room. The provision over ancillary works such as external plant and other associated landscape works including revised land layout and dedicated ambulance parking bays.

The Planning Officer presented the report, he noted that:

The recommendation was subject to the provision of an acceptable Air Quality Assessment, which assesses the impact of the development during the construction phase. Between publication of the agenda and this meeting this has been provided by the applicants and has been checked and deemed satisfactory by the Councils Air Quality Officer. An additional condition would be attached to the consent requiring the submission of a Construction Environmental Management Plan prior to the commencement of development.

There was no-one registered to speak against the application.

Charmaine Hope, Head of Capital and Architectural Practice, Dr Larry Fitton, Emergency Medicine Consultant, Louise Rawlinson, Interim Divisional head of Nursing and Governance Medicine, Rehabilitation and Cardiac and Craig Merrifield, Senior Project Manager spoke for the application.

On being proposed, seconded and put to the vote, the Committee agreed with the officer recommendation to approve the application noting his update about an additional condition.

East Area Planning Committee resolved to:

1. Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning

permission subject to:

- The provision of an acceptable Air Quality Assessment, which assesses the impact of the development during the construction phase.
2. Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

60. 18/02452/FUL - 1A Gathorne Road Oxford OX3 8NF

This application was withdrawn for consideration at a future meeting of the East Area Planning Committee.

61. Minutes

The Committee resolved to approve the minutes of the meeting held on 3rd October as a true and accurate record.

62. Forthcoming applications

The Committee noted the list of applications.

63. Dates of future meetings

The Committee noted the dates.

The meeting started at 6.00 pm and ended at 7.20 pm

Chair

Date: Wednesday 5 December 2018

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