

Agenda

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West Area Planning Committee

Date: **Tuesday 13 November 2018**

Time: **6.00 pm**

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

For any further information please contact the Committee Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

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.

West Area Planning Committee

Membership

Chair	Councillor Colin Cook	Jericho and Osney;
Vice-Chair	Councillor Michael Gotch	Summertown;
	Councillor Lubna Arshad	Cowley Marsh;
	Councillor Nadine Bely-Summers	Holywell;
	Councillor Tiago Corais	Littlemore;
	Councillor Paul Harris	St. Margaret's;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Dan Iley-Williamson	Holywell;
	Councillor Louise Upton	North;

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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AGENDA

Pages

1 Apologies for absence and substitutions

2 Declarations of interest

3 18/01687/FUL - St Edward's School Woodstock Road OX2 7NN

9 - 40

Site address: St Edward's School, Woodstock Road, Oxford, OX2 7NN

Proposal: Erection of 2.5 storey boarding house with House Masters House, tutor flat and assistant House Masters Flat and associated facilities to accommodate 70 students (aged 13-18) in 55 bedrooms over three floors (Amended Plans).

Recommendation:

The West Area Planning Committee is recommended to:

- a) **approve the application** and grant planning permission for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and subject to confirmation being received from Natural England that their objection is withdrawn.
- b) **agree to delegate authority** to the Acting Head of Planning Services to:
 - i. 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.

4 18/02211/FUL - 31A Charlbury Road, Oxford, OX2 6UX

41 - 56

Site address: 31A Charlbury Road, Oxford, OX2 6UX

Proposal: Formation of 1no. dormer to front roofslope, formation of 2no. dormers and 2no. rooflights to rear elevation and formation of 2no. rooflights to both side elevations in association with loft conversion. (amended plans)

Recommendation:

The West 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:
- i. 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.

5 Minutes

57 - 66

Recommendation

To approve as a true and accurate record the minutes of the meeting held on 9 October 2018.

6 Forthcoming applications

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

15/03524/FUL: Oxford Spires Four Pillars Hotel, Abingdon Road, Oxford, OX1 4PS	Major application - awaiting response from applicant
17/02817/FUL: 472 - 474 Banbury Road, Oxford, OX2 7RG	Committee decision
18/01734/FUL: 28-32 St Michaels Street, OX1 2EB	Call in
18/01735/LBC: 28-32 St Michaels Street, OX1 2EB	Call in
18/02065/OUTFUL: Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout, Northern By-Pass Road, Wolvercote, Oxford, OX2 8JR	Major application
18/02400/FUL - 7 St Michael's Mansions Ship Street Oxford OX1 3DE	Call in
18/02540/FUL - 13 Dale Close, Oxford OX1 1TU	Call in

7 Dates of future meetings

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

2018

2019

11 December 2018	15 January 2019
	20 February 2019
	12 March 2019
	9 April 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.

WEST AREA PLANNING COMMITTEE

13th November 2018

Application number:	18/01687/FUL		
Decision due by	24th October 2018		
Extension of time	To be agreed		
Proposal	Erection of 2.5 storey boarding house with House Masters House, tutor flat and assistant House Masters Flat and associated facilities to accommodate 70 students (aged 13-18) in 55 bedrooms over three floors (Amended Plans).		
Site address	St Edward's School , Woodstock Road, Oxford, OX2 7NN – see Appendix 1 for site plan		
Ward	Summertown Ward		
Case officer	Tobias Fett		
Agent:	Mrs Sarah Firth	Applicant:	Mr Richard Hayes
Reason at Committee	Major Application		

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **approve the application** and grant planning permission for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and subject to confirmation being received from Natural England that their objection is withdrawn.

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 proposed erection of a new boarding house to extend the residential accommodation on the school's campus to allow for an increase in school places and to secure the school's long term viability.

2.2. The application will further enable new landscaped and communal areas as well as improved pedestrian access to link the existing Kendall House and Jubilee House and formalise the frequently used desire lines.

- 2.3. The building would have no adverse impact, and is sympathetically designed.
- 2.4. There have been formal objections from Oxfordshire County Council highways and Natural England, however Officers have considered the comments made and resolved these issues. The Highway Authority based its objection on car parking and cycle parking provision for student accommodation, while the proposal is in fact not for student accommodation but for a boarding house and in the absence of specific parking standards for boarding houses it is not considered reasonable to refuse the proposals on this basis.
- 2.5. Natural England has raised concern about the development impact on some significant designated nature sites located nearby due to the potential of ground water impact. The applicant has provided further information showing the sustainable drainage system that aims not to disrupt the natural flows, as well as adequate filtration. Natural England has been re-consulted with additional information, but no other comments have been received to formally withdraw the objection. Officers are satisfied that the applicant has met and successfully addressed Natural England's initial concerns and it is considered appropriate to recommend the application for approval subject to this objection being withdrawn.
- 2.6. The scheme would 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 11 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.

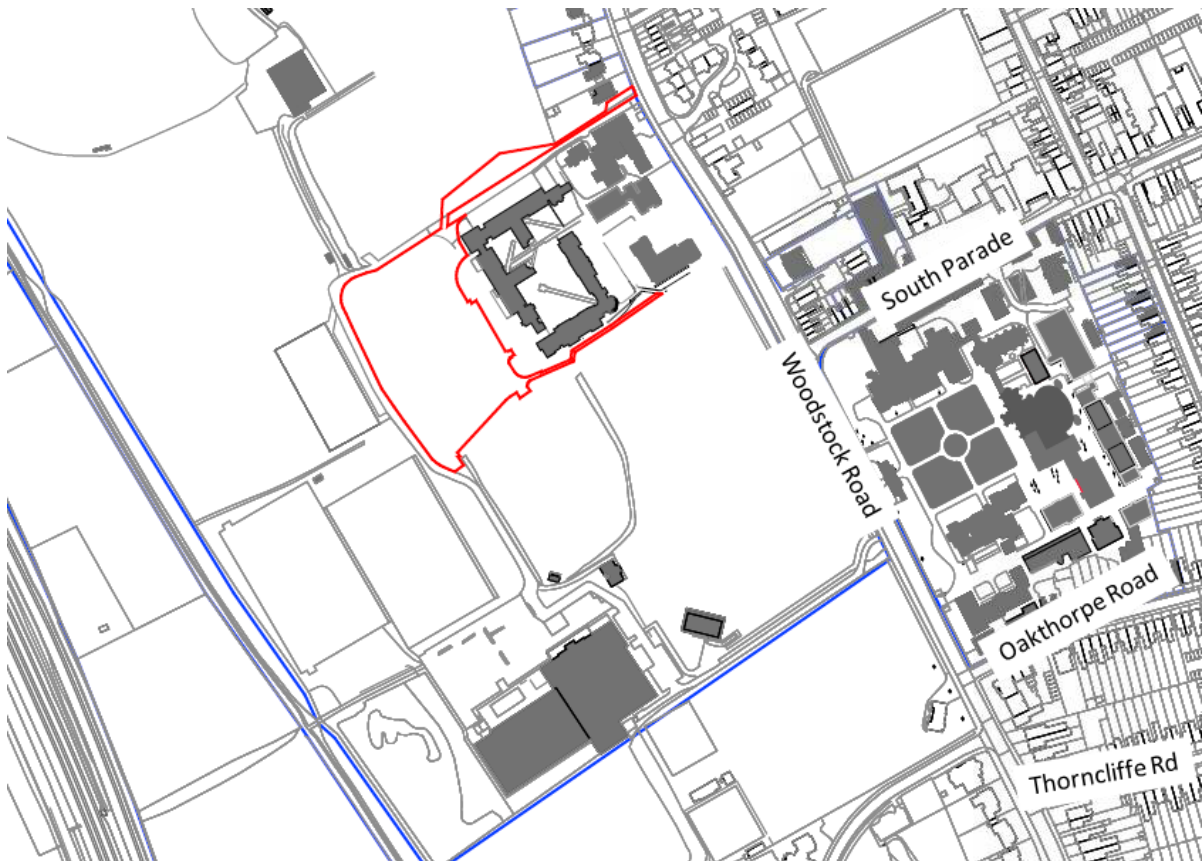
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL at a projected amount of £78,771.50.

5. SITE AND SURROUNDINGS

- 5.1. The site is located in North Oxford, within the western part of the St Edwards School campus, which is divided from the eastern site by Woodstock Road.
- 5.2. This part of the campus currently contains Jubilee and Kendall boarding houses, a vast range of outdoor sport pitches and provision, informal landscaping and associated buildings and work spaces.
- 5.3. The application site is currently a under 14s informal football pitch. There is a change of level gently sloping away from the site to the north, west and south. There are some trees surrounding the site, as well as an informal access road and informal pedestrian paths surround the site.
- 5.4. Adjacent to the site is Kendall House which is mainly two storeys with pitched roofs and the more recent Jubilee House which is mainly three storeys.

5.5. See block plan below:



6. PROPOSAL

- 6.1. The application proposes the erection of a new boarding house for 70 pupils, with accommodation on three floors, including 3 staff units, as well as landscaping, and associated facilities.
- 6.2. The proposed building would be in an L-Shape, with two equally projecting wings of 40 metres. The building's height will be 14.5 metres at its highest for the gables, and 12 metres at its main bulk accommodation.
- 6.3. The proposed materials include stone and stone coloured bricks, and a variety of textures and bonds.
- 6.4. The proposal is set into an established landscape, which will also be enhanced to include formalised paving for use by pedestrian and vehicular movements, as well as a formal garden area to the rear to include seating, sustainable drainage and water features.
- 6.5. The school campus contains listed buildings, but not on this part of the site.

7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site since 2013:

13/01645/FUL - Demolition of existing music school, annex, rifle range and estates/storage buildings. Erection of a two storey building accommodating music school and ancillary facilities.(amended plans). PER 21st November 2013.

13/02330/FUL - Extension to existing maintenance building (The Piggeries) to provide new laundry facility.(Amended plans). PER 21st November 2013.

13/03251/FUL - Renewal of temporary planning permission (reference 10/02861/FUL) for portakabins for a further period of 3 years.. PER 7th February 2014.

13/02330/CND - Details submitted in compliance with condition 4 (Hardsurfacing details required) and condition 5 (Underground services) of planning permission 13/02330/FUL (Extension to existing maintenance building to provide new laundry facility). PER 21st February 2014.

14/00770/FUL - Erection of temporary classroom to end 2016.. PER 15th May 2014.

14/02294/VAR - Variation of condition 2 (approved plans) of planning permission 13/01645/FUL (Erection of two storey building accommodating music school and ancillary facilities) to allow alternative materials to be used and minor amendments to the approved plans involving alterations to windows.. PER 1st December 2014.

14/02810/FUL - Alterations to existing storage shed to form classroom. (Retrospective). PER 12th November 2014.

14/02294/CND - Details submitted in compliance with conditions 3 (materials), 4 (cycle parking), 8 (biodiversity enhancement), 9 (external lighting scheme) and 10 (hard surfacing SUDS) of planning permission 14/02294/VAR.. PER 2nd March 2015.

14/02294/CND2 - Details submitted in compliance with condition 3 (Materials) of planning permission 14/02294/VAR. PER 9th November 2015.

16/01725/FUL - Demolition of existing school hall. Construction of a new hall, library and teaching accommodation and associated landscape works and alterations to a listed building (Amended Plans). PER 20th December 2016.

16/01727/LBC - Demolition of existing school hall. Construction of a new hall, library and teaching accommodation and associated landscape works. Alterations to existing library comprising removal of balcony.. PER 20th December 2016.

14/02294/CND3 - Details submitted in compliance with condition 11 (Phased contamination risk assessment) of planning permission 14/02294/VAR.. PER 21st March 2018.

16/02939/FUL - Renewal of temporary planning permission (13/03251/FUL) for

portakabins for a further period of 3 years.. PER 5th January 2017.

16/02943/FUL - Renewal of temporary planning permission (14/00770/FUL) for a classroom for a period of 3 years.. PER 5th January 2017.

17/03314/FUL - Formation of temporary access to construction site from Woodstock Road. Temporary dismantlement of existing boundary and garden walls and temporary levelling of terrain. (Amended description). PER 8th February 2018.

17/03315/LBC - Formation of temporary access to construction site from Woodstock Road. Temporary dismantlement of existing boundary and garden walls and temporary levelling of terrain. (Amended description). PER 13th February 2018.

16/01725/CND - Details submitted in compliance with conditions 4 (Construction Traffic Management Plan), 5 (Swept Path Analysis), 7 (Flooding and surface water drainage), 8(SUDs maintenance), 10 (Archaeology), 13 (Landscape plan required), 16(Tree Protection Plan (TPP) 1), and 17 (Arboricultural Method Statement (AMS) 1) of planning permission 16/01725/FUL.. PER 14th May 2018.

16/01725/CND2 - Details submitted in compliance with conditions 3 (Materials), 12 (Biodiversity enhancements), 15 (Landscape undrgrnd services - tree roots) and 20 (External lighting) of planning permission 16/01725/FUL.. PER 16th March 2018.

16/01727/CND - Details submitted in compliance with conditions 3 (Repairs to building facades), 6 (Details of abutments) and 7 (Details of internal alterations) of listed building consent 16/01727/LBC.. PER 10th May 2018.

17/03314/CND - Details Submitted in compliance with conditions 3, (Recording) 4, (Dismantlement and rebuilding) of planning permission 17/03314/FUL.. PER 27th June 2018.

17/03315/CND - Details submitted in compliance with conditions 3 (Recording prior to dismantlement), 4 (Dismantlement and rebuilding of wall) and 5 (Protection of exposed walls) of listed building consent 17/03315/LBC.. PER 1st May 2018.

16/01725/NMA - Non-material amendment to planning permission 16/01725/FUL to allow the increase of the footprint of the hall stair towers,insertion of external riser and increased footprint of the risers to the hall, alterations of hall stair towers from cast glass to brick with glazed clerestory and ground floor cast glass replaced with curtain walling, increased footprint to library block, increase the height of hipped roofs to the academic plant centre and re-arrangement of chiller enclosure to be located in the existing exhibition building instead of the existing hall building.. PER 16th May 2018.

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	CP6 CP8 CP9 CP10 CP11 CP13	CS18_ CS19_	HP9_	
Conservation/ Heritage	16	HE2			
Housing	5			HP5_ HP12_ HP13_ HP14_ HP15_	
Natural environment	15	NE15 NE20 NE12 NE13 NE14 NE21	CS11_ CS12_		
Social and community	8	SR2	CS16_ CS20_ CS21_		
Transport	9	TR2 TR3 TR4	CS13_		Parking Standards SPD
Environmental	14	CP22 CP23	CS9_ CS10_		Energy Statement TAN
Miscellaneous	11	CP.13 CP.24 CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 9th August 2018 and an advertisement was published in The Oxford Times newspaper on 9th August 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. Oxfordshire County Council as the Local Highway Authority has provided some comments with an overall objection, due to small amount of cycle parking and large amount of car parking. No objection to the principle of the development, and a number of conditions could mitigate these objections, if permission was to be granted.

Natural England

9.3. Natural England has requested further information, without which an objection would be lodged. There are concerns about potential significant effects on Hook Meadow and the Trap Grounds SSSI; Port Meadow with Wolvercote Common & Green SSSI and Oxford Meadows SAC. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

Oxford Civic Society

9.4. No objection has been made, general comments to the scheme have been provided.

Sport England

9.5. The applicant has had pre-application discussions with Sport England, and a community use agreement has been negotiated, as required by Sport England to mitigate the loss of the U14 football pitch, and therefore no objection.

Public representations

- No representations have been received.

Officer response

Oxfordshire County Council (Highways)

9.6. The concerns raised have been considered and are addressed in the main body of the report. The cycle and parking standards are the city councils own standards, and there is no standard for boarding houses. Requested conditions would be imposed.

Natural England

9.7. The requested information has been sent, and no response was received. Council officers have reviewed the concerns and are satisfied that the submitted information addresses the issues raised, and that the proposal does not adversely impact the designated areas in question. It is recommended that if confirmation by Natural England is received that their objection is withdrawn, then planning permission could be granted.

Sport England

9.8. The applicant has had pre-application discussions with Sport England, and a community use agreement has been negotiated, as required by Sport England to mitigate the loss of the U14 football pitch, and therefore no objection. The Council would condition the agreement to be completed.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Living environments
- Transport
- Planning Obligations
- Archaeology
- Drainage
- Trees & Landscape
- Biodiversity
- Air quality & Energy
- Contamination

a. Principle of development

Previously developed and greenfield land

10.2. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. Policy CS2 of the Oxford Core Strategy states that development will be focused on previously developed land. Policy CP6 of the Local Plan requires the any proposal to make the most efficient use of any land.

10.3. It is considered that the proposal is making a more efficient use of the land that is available to the school within their campus to accommodate and cater for the schools needs and requirements.

10.4. The proposed site has not been built up, but due to its frequent use as a sports pitch, and its associated treatment, it would not be a greenfield site.

10.5. In this case, the unallocated land within the school campus is considered, would be acceptable to be developed for the school's needs, as long as the loss of the sports pitch can be mitigated.

Sports provision

10.6. Policy SR2 of the Oxford Local Plan 2001-2016 would not grant planning permission “where there is a need for the open-air sport facility to be retained in its current location, or the open area provides an important green space for local residents. Planning permission would only be granted, where there is no need for this facility for the purposes of open space, sport or recreation, or where:

(a) there is a need for the development;

(b) there are no alternatives 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”

10.7. The current pitch is not open to the public or local people, and is not well used. The pitch is not required for open space, sport or recreation, and this part of the school campus contains a large amount of open space, and other open-air sports facilities.

10.8. Alternative locations for the development have been considered but excluded as not suitable, and the sports pitch was considered for relocation or upgrading other facilities for improvements. The applicant has consulted with Sport England who advised their preferred mitigation for the loss is a community use agreement. This would provide an improved access of the school’s facilities, and thus would comply with policy SR2 and would be acceptable.

Conclusion

10.9. The applicant has negotiated a community use agreement with Sport England, which would be adequate and acceptable mitigation to the sports pitch loss, and therefore the proposal would be acceptable in principle to develop the land as it would make a more efficient use of the schools land to meet its education purposes and provide more school places in accordance with CP6 and SR2 of the Oxford Local Plan 2001-2016 and Policy CS2 of the Core Strategy

Emerging Local Plan

10.10. The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

10.11. The emerging plan does not propose policies that would alter the considerations made as part of this application. There would be no specific

education policies for developments like this and the open-air space/sports provision Policy G5 retains the current requirements for relocation and seeking increased access to private facilities. In reaching a recommendation to grant planning permission, officers have afforded some weight to the emerging Oxford Local Plan 2016-2036. It is considered that the decision/recommendation as set out in this report does not conflict with emerging policy.

b. Design

Layout

- 10.12. The proposed development has an L-shaped plan, with a large common room and central stair case at the heart, and located in the most prominent part of the building. This space is flanked by two three storey wings providing school accommodation and staff accommodation at each end. The wings would provide a spatial separation of boys and girls; as well provide high quality internal and external communal spaces and landscaping.
- 10.13. In addition to being able to work as a standalone building the proposed scheme has been future proofed and would be able to accommodate a second phase to replicate this building to the north. An additional phase would be able to form a continuation of the landscaping that is proposed as part of this development.

Appearance

- 10.14. The development has been sympathetically designed to complement Jubilee House flanking the campus at the Banbury Road end in terms of form, composition and materiality as a contemporary approach to boarding house design.
- 10.15. Architectural features include four main stone walls that unite landscape and building and complement the random rubble stone walls found on the St. Edward's campus. This is enhanced further with prominent stone gables that create a statement corner building, which forms the main entrance and central common areas. Large windows benefit from views across the grounds and student bedrooms feature projecting windows and dormers.
- 10.16. The proposal has achieved a well-designed building that provides generous accommodation on three floors, while reading as a 2.5 storey building due to the shape and scale of the roof level, which provides visual interest to the site, fitting in well with the mature landscape.

Materials

- 10.17. High quality materials such as stone, precast concrete, brick and zinc will be used to complement the existing buildings. Officers understand that the proposals have considered a range of materials including the consideration of red brick but determined that the combination of buff brick, stone and pre-cast concrete is most complementary to the surroundings. Having had regard to

the existing context of the site officers agree with this approach and considered that the proposed choice of materials would be acceptable in planning terms and represents high quality design for the purpose of Policy CS18 of the Core Strategy (2011).

Views

- 10.18. The proposed scheme seeks to foremost create an extension to its existing accommodation within a vast landscape and enhance the backdrop to the most frequently used path of many students and visitors. Officers consider that the prominent south façade and landscaping therefore provide a visual enhancement to internal site views. Further to this it is considered that in combination with the existing buildings in the immediate context of the site the high quality building and architectural interest mean that these proposals would complement the appearance of the site.
- 10.19. Distant views have been carefully considered, most notable from Port Meadow, and it has been found that the development would not have a harmful impact on views from that space. The proposed location is well chosen, as the proposed development would merge with the existing built form and would therefore not introduce new or changed views.
- 10.20. Due to the location within the centre of this part of the campus, and the well-established and mature landscape, as well as the distance to the canal, the railway and the extended Port Meadow open spaces, the proposal is considered acceptable and would be well screened and not visible from important views.
- 10.21. A condition will be imposed for a scheme of lighting to control and prevent unacceptable light pollution.

Design Conclusion

- 10.22. The scheme has been presented and discussed at ODRP which recommendations have ultimately shaped this scheme, and recommendations have been incorporated into this revised development. The comments are in support of the scheme, and the recommendations have been included, and therefore there is no conflict with the advice that was provided. **The ODRP letter has been attached as Appendix 2.**
- 10.23. The applicant has provided evidence of the site selection and the design evolution. The proposed scheme is considered appropriate for its surroundings, and the choice of materials complement the proposed bulk, shape and size of the building. The proposal would be of a high quality and would be acceptable, as it would accord with CP1, C6 and C8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan as well as paragraph 127 of the NPPF.

c. Living environments

Pupils

10.24. The proposal is to accommodate 70 pupils in 55 rooms. There would be two accessible rooms of about 18 sqm, en-suite, with bed, desk and wardrobe space. There would be 38 single occupancy rooms and 15 double bed rooms, all en-suite, with beds, desk and wardrobes for each student. The double bedrooms would be approximately 18 sqm and the single rooms 12 sqm. There would be a large common room on the ground floor, and four further common rooms on the upper floors, thus providing ample space for all kinds of activities as well as large enough study rooms for individual space for occupiers.

Staff

10.25. The proposal includes three staff units. The House Masters accommodation would be over three floors at the northern end of the development. It would exceed the national space standard of 130 sqm by 50 at 180sqm floor space for this four bed unit.

10.26. The southern end would contain the assistant house masters three bed flat at the ground floor and a tutor two bed flat at first floor level. The ground floor three-bed unit would be 99sqm and the tutor flat would be 64 sqm, both exceeding national standard of 95sqm for a three bed and 61sqm for a two bed unit.

10.27. The internal accommodation is very generous and of a practical layout, with adequate light, and separate entrances to the main student entrances where possible. There are linked doors to be able to carry out supervisory duties.

10.28. The four and three bed units have direct access to a private garden and would be secluded by appropriate planting. The garden spaces are of a generous size and location. The tutor flat would not have direct access to a private amenity space, however the nature of the development is considered acceptable, as any support staff living in this accommodation would have access to the very large landscaped gardens and wider landscaped natural grounds of the school.

10.29. There is some potential for overlooking of the private gardens by students, and glimpsed views would not be unusual, which is considered acceptable for a boarding house development, where the nature of the development involves a high degree of communal living, but due to the amount of landscaping and outside space this is considered to be a quality scheme providing high quality living environment for staff.

10.30. The proposed development would be more than 25 metres away from the neighbouring accommodation at Kendall House. This would be the nearest residential accommodation, and no overlooking or overbearing impact would take place. The development would therefore comply with the requirements of Policy HP14 of the Sites and Housing Plan (2013).

Neighbours

10.31. The application site is not located near private residential dwellings, and therefore no harm to neighbouring amenities would take place, no loss of light or overbearing impact would take place due to the large separation distance and contained nature of the site. The development is therefore considered to comply with the requirements of Policy HP14 of the Sites and Housing Plan (2013).

Living Environment Conclusion

10.32. The proposal would provide generous high quality internal and external living environments for future occupiers, while not causing harm to neighbouring amenities of existing neighbours, pupils or staff on site. The proposal is therefore acceptable as it accords with CP1, CP6 and CP8 of the Local Plan, CS 18 of the Core Strategy and HP9 and HP13 and HP14 of the Sites and Housing Plan.

d. Transport

Highways Comment

10.33. The Local Highway Authority has made representation, objecting to the proposal. A strategic comment has been made, the objection is not against the principle of development, but some aspects of the details proposed.

10.34. "The county council does not object to the principle of the development; however the development as proposed does not accord with adopted standards as there is an overprovision of car parking and an under-provision of cycle parking. Furthermore, details of pedestrian access and refuse vehicle manoeuvring need to be provided for consideration."

10.35. Therefore the proposal is acceptable in principle in terms of highway matters, but the County Council as Local Highway Authority has some concerns to some aspects of the proposal, specifically with the parking provision, pedestrian access and refuse vehicle manoeuvring. These matters are addressed in the report in the following paragraphs.

Access

10.36. The pedestrian and vehicular access would not change existing access arrangements. The proposal would accommodate new pupils, and they would mainly go back and forth via the existing Woodstock Road subway for the school (this is a private subway under the Woodstock Road). The access would be improved and the pedestrian path would be formalised, which would enhance the access for all other existing residents on the western side of the school campus.

10.37. The pupils would arrive at designated times at the start of a term, and leave at the end of a term as the school currently handles this process with all other students, and has enough land to accommodate this short term drop off and collection by parents.

10.38. Therefore officers are satisfied that the proposal will provide adequate access for future occupiers of the development as well as improve access for existing occupiers.

Refuse vehicle manoeuvring

10.39. The applicant has confirmed that St Edward's School have their own internal refuse collection facilities. This includes domestic residences occupied by staff and pupils. Cleaners in each building put collected waste into either a clear bag (recycling) or a black bag (general waste), which are then collected on a twice daily basis (7 days a week) and delivered to the onsite compactor skips. The school's internal refuse van is the size of a Luton van (less than 3.5 tonne), so therefore a turning circle for a bin lorry is not required.

10.40. City council refuse lorries do not come onto the St Edward's site, vehicles only periodically come to collect the compactor skips, two or 3 times a month. These skips are automatic and send a signal to OCC when they are 95% full.

10.41. Therefore there is no requirement for turning of refuse vehicles on the site and despite the concerns raised by the County Council it is considered that the proposed arrangements would be acceptable in planning terms. A condition is recommended for the provision of refuse storage as part of the new accommodation.

Transport sustainability

10.42. The proposal is an addition to an existing well established boarding school, which is located on either side of Woodstock Road, a sustainable location. There are frequent bus services in and out of town, the South Parade shops and Summertown shops are in walking distance, and the school provides for daily meals and other needs. There is generally no need for much travel by pupils, other than some free time activities. The relatively modest number of staff (and their families) that would be accommodated in this development would be well located to not rely on travel by private car having had regard to the sustainable nature of this location.

Cycle parking

10.43. The proposal is for additional accommodation for St Edwards's boarding school. There are no adopted standards for this type of development. The County Council has used the student accommodation cycle standards, which are considered unreasonable for this type of development. The proposal includes secure and covered storage for 18 bikes. The applicant has adequately justified their provision:

10.44. *"The boarding house has been considered carefully in relation to its context and actual demand. 18 bicycle spaces for students is considered more than adequate since the boarding pupils have few uses for a bike and access the campus on foot due to close proximity within the St Edward's campus. The reduced provision is deemed appropriate as only a few students have a bike for commuting to the River at Wolvercote if they are on the rowing team.*

Bicycle storage at the school is usually associated with Staff and Day pupils and there will be no Day pupils in this House. In addition, cycle parking for day students is provided by the teaching buildings.

10.45. *The scheme will also incorporate separate bicycle stores for the House Master and Assistant House Master in their respective private gardens.”*

10.46. Therefore the proposal is acceptable, and further details of the exact cycling facilities can be conditioned, but the proposal is acceptable, in accordance with HP15 of the Sites and Housing Plan.

Car parking

10.47. As mentioned above there is no parking standard for boarding schools, and the City Council’s car parking standard should therefore be used as guide, and each proposal is considered on its own merits.

10.48. The parking shown represents an area with a capacity of 12 spaces that serves the Assistant Housemaster’s flat (3bedroom unit), House Master’s House (4 bed unit), Tutor’s Flat (2bed unit) as well as 2 more Housemaster’s houses adjacent; as their existing spaces have been replaced by soft landscaping in this scheme. These spaces would also be used by ad-hoc staff and site maintenance as required.

10.49. In addition there will be a Matron and several support staff working in the Boarding House in addition to daily deliveries. It is essential that the school provide parking spaces for delivery vans as to ensure they do not park on the pedestrianised area as that would present a safety hazard to school children.

10.50. Furthermore there are 70 students aged 13-18 in this boarding house who could have visitors or require support that will need parking provision. Therefore officers consider that 12 parking spaces are considered acceptable and justified against policy HP16 of the Sites and Housing Plan.

Transport Conclusion

10.51. Officers have considered the County Council’s objection and comments, and have sought responses from the applicant. The Council does not have specific standards for boarding schools, and due to the size and established nature of St Edward’s, the proposal has been considered against the adopted and national policies, and the proposed conditions imposed would make the development acceptable.

e. Archaeology

10.52. This application is of interest because it is a sizable development in the vicinity of dispersed parch marks with have the character of a Bronze Age landscape including ring ditches (i.e. funerary monuments) but that could also encompass later prehistoric or Roman elements (i.e. rural trackways and fields). The nearest recorded parch mark is a double linear track 70m to the south east that runs towards the south-west corner of the application site. Roman settlement remains have been recorded 200m to the west.

10.53. The geotechnical report indicates that the site is comprised of 1.2-1.4m of modern made ground over alluvium (over Oxford clay or mudstone) with one borehole suggesting an area where there is 4.5m of made ground in the south-west corner of the application site. The applicant intends to employ piled foundations for the new buildings leaving the proposed pond and attenuation tanks as the only substantial interventions through the made ground.

10.54. In this case, bearing in mind the character of the made ground and geology and the character of the proposed groundworks, the proposal would be considered acceptable, as it can be mitigated through a condition and would therefore accord with the NPPF and CP1 and HE2 of the Oxford Local Plan 2001-2016.

f. Drainage

10.55. The proposal includes detailed information on the existing made up ground situation, drainage and have proposed an adequate solution to ensure sustainable and safe drainage.

10.56. The drainage scheme includes the use of pumps, which is unusual, but in this case it has been shown that there is no alternative. Furthermore, the pump is on school land, not private residential land, therefore there would be a general maintenance regime, as well as in the event of flooding, overland flows would flow towards the canal.

10.57. The proposal is therefore acceptable in principle, and details could be conditioned to ensure the proposed drainage strategy would be practical, and fit for purpose. This is included in the officer recommendation. Therefore the proposal is acceptable, as it would accord with CS11 of the Core Strategy.

g. Trees & Landscape

10.58. The application site has some trees surrounding the site, and level changes shape the landscape. The proposal addresses these matters by extensive landscaping, and improvements to biodiversity and communal areas, which are considered benefits of the scheme.

10.59. The development is acceptable in principle, and details are recommended to be conditioned and therefore the proposal accords with Policy CP11 and NE15 of the Oxford Local Plan 2001-2016.

h. Biodiversity

10.60. Core Policy CS12: Biodiversity of the Core Strategy for Oxford City: "Opportunities will be taken (including through planning conditions or obligations) to: ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford."

10.61. In addition to local policy, the NPPF sets out that Plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity".

10.62. Officers have considered the application and the documentation submitted, and are satisfied that there will no detrimental impact on biodiversity as a result of the proposals. Given the amenity nature of the site area, it is agreed that a net gain in biodiversity may be achieved as a result of the development.

10.63. The proposal is acceptable as it is in accordance with Policy CS12 of the Oxford Core Strategy as well as with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended).

i. Air quality and Energy

10.64. The proposal would not lead to an increase in frequent traffic movements or a decrease in air quality. The construction phase may generate dust and building fumes that need to be monitored. This can be controlled by condition and agreed once a contractor has been appointed. Therefore the proposal can be mitigated and would be in accordance with Policy CP23 of the Oxford Local Plan 2001-2016.

10.65. The proposed scheme aims to achieve a 30% reduction in total energy through low/zero carbon technologies compared to the notional building, exceeding the Council's requirement of 20%.

10.66. A CHP engine would provide 48% of domestic hot water load and would generate more than 30% of the overall energy for the development.

10.67. The proposed scheme would therefore be acceptable in terms of sustainability and energy efficiency and would accord with CS9 of the Core Strategy.

j. Contamination

10.68. The levels of soil contamination in the made ground tested on site appear to be generally low, although the presence of unexpected contamination cannot be ruled out.

10.69. It was noted that no groundwater contamination testing has been carried out at the site to date. This is considered necessary in view of the depth of made ground on site and evidence of historical fuel storage. It is not appropriate to rely on soil quality tests only to determine potential groundwater risks.

10.70. To ensure that the some groundwater testing is completed together with the proposed further ground gas monitoring, and any required remediation of the site is secured, two conditions are recommended by officers to mitigate the low risk on site. The proposal would therefore be acceptable is it would comply with policy CP22 of the Oxford Local Plan 2001-2016.

11. CONCLUSION

11.1. The proposed boarding house has been sympathetically designed and is proposed to be placed adjacent to existing accommodation and its impacts have been thoroughly investigated and addressed by the applicant. All

impacts identified are able to be mitigated by conditions. The proposal would not have any adverse impacts on heritage assets or their settings.

- 11.2. The proposal will provide improved internal site access for pedestrians, better and more usable communal landscaped areas as well as more efficient use of the land for the schools educational purposes and community benefits through the community use agreement in accordance with CP6 and SR2 of the Local Plan.
- 11.3. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to proposed 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 Except where indicated otherwise on the drawings hereby approved, all external works and finishes and all materials shall be as stated in the application form, and there shall be no change unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026 and HP9 of the Oxford Sites and Housing Plan.

- 4 Prior to the occupation of the development, a lighting scheme for external lighting to reduce the potential and impact of light pollution shall be submitted to and approved in writing by the Local Planning Authority. Only the approved lighting scheme shall be installed and no additional external lighting shall be installed unless agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the area and to prevent light pollution with CP1 and CP20 of the Oxford Local Plan 2001-2016.

- 5 Before the development permitted is occupied details of the cycle parking areas for pupils and staff, 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.

- 6 A Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;
- o The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - o Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - o Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - o Contact details for the Site Supervisor responsible for on-site works,
 - o Travel initiatives for site related worker vehicles,
 - o Parking provision for site related worker vehicles,
 - o Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - o Engagement with local residents

The construction phase of the approved development shall be carried out in strict accordance with the requirements and working practices set out in the approved CTMP.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

- 7 Prior to the occupation of the approved development a travel plan shall be submitted to and approved by the Local Planning Authority. The travel plan shall identify how staff and residents of the approved development shall access the site and specifically how efforts shall be made to reduce car movements to the site.

Reason: In the interest of sustainable travel as required by Policy CP10 of the Oxford Local Plan 2001-2016.

- 8 Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.

Phase 1 has already been completed and included a desk study and

site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals. This element of the works has been partly completed but further ground gas assessment and groundwater sampling and testing is required to inform the conceptual site model and remedial strategy for the site.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001- 2016.

- 9 The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority.

Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001- 2016.

- 10 Prior to the commencement of the development, a scheme of ecological enhancements must be provided to and approved in writing by the Local Planning Authority, in accordance with the provisions of the Ecology Assessment provided by BSG (22nd June 2018). Details of new planting shall be specified, to include native tree and shrub species and plants of known value to wildlife. Enhancement measures shall include, but not be limited to, a minimum of three House Sparrow boxes, six bat boxes and a minimum of two dedicated Swift boxes. The scheme will outline the specifications, locations and management of new features.

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.

- 11 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric remains (Local Plan Policy HE2).

- 12 No development shall take place until a list of site specific dust mitigation measures are identified, and included in the site's CEMP, in order to minimise the impact of dust emissions during construction phase. The list of site specific dust mitigation measures will be identified as a result of a dust assessment, which will have to be submitted to and approved in writing by the Local Planning Authority prior to the development on any construction work, and will be conducted following specific IAQM guidance on the assessment of dust from demolition and construction Version 1.1 (2014).

Reason - to ensure that the overall dust impacts during the construction phase of the proposed development will be "not significant", in accordance with Core Policy 23 of the Oxford Local Plan 2001- 2016.

- 13 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- o Discharge Rates
 - o Discharge Volumes
 - o Maintenance and management of SUDS features and separately for the pump
 - o Sizing of features - attenuation volume
 - o Infiltration in accordance with BRE365
 - o Detailed drainage layout with pipe numbers
 - o SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
 - o Network drainage calculations
 - o Phasing
 - o Flood Route
 - o Discharge consent

Reason: In the interests of ensuring that there is adequate surface water

drainage as required by Policy CS11 of the Core Strategy (2011).

- 14 Prior to the first occupation of the approved development following its substantial completion a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the outdoor sports facilities, carparking and changing rooms and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy

- 15 All roof lights shall be flush with the roof, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance a in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026 and HP9 of the Oxford Sites and Housing Plan.

- 16 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. 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.

- 17 As from the date of the grant of this permission no trees shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped and no shrubs or hedges shall be cut down without the prior written consent of the Local Planning Authority. No site clearance shall start until any trees which the Local Planning Authority requires to be retained are protected.

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

- 18 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.

- 19 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless 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 A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless 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.

- 21 All residential waste shall be collected and disposed of in accordance with the details submitted as part of this application. Any changes to the waste disposal management shall be submitted and approved in writing by the Local Planning Authority.

Reason: In the interest of appropriate waste disposal and recycling, in accordance with HP13 of the Sites and Housing Plan

- 22 That, prior to the commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority, setting out how sustainable design and construction methods will be incorporated into the building(s) and how energy efficiency has been optimised through design and by utilising technology that helps achieve Zero Carbon Development and

the development shall only be carried out in accordance with the approved details.

Reason: To minimise carbon emissions in accordance with policy CS9 of the Oxford Core Strategy 2026.

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 accord 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 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
- 3 Oxford City Council strongly encourages that when this permission is implemented; all building works and the management of the development site are carried out in accordance with the Code of Considerate Practice promoted by the Considerate Contractors scheme. Details of the scheme are available from

Considerate Contractors Scheme
PO Box 75
Ware
Hertfordshire
SG12 9UY

01920 485959
0800 7831423

enquiries@ccscheme.org.uk
www.considerateconstructorsscheme.org.uk

- 4 Notwithstanding any details of energy efficient features included with the

planning application, subject to other considerations the Local Planning Authority would encourage the inclusion of additional energy efficiency measures within the development permitted in line with the principles of energy conservation, energy efficiency and sustainability embodied in policies CP15, CP16 and CP18 of the Oxford Local Plan.

5 A Construction Traffic Management Plan (CTMP) will need to incorporate the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities - to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity - details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot - contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

6 Trees and other vegetation may offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and I therefore recommend the following informative is included if minded to approve: Any works to trees

shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

7 Scope of recording-

The scope of the archaeological investigation will depend on the final details of the foundation design and landscaping works but is likely to consist of a targeted watching brief during the excavation of the pond and attenuation tank footprint. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – ODRP letter

14. HUMAN RIGHTS ACT 1998

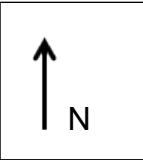
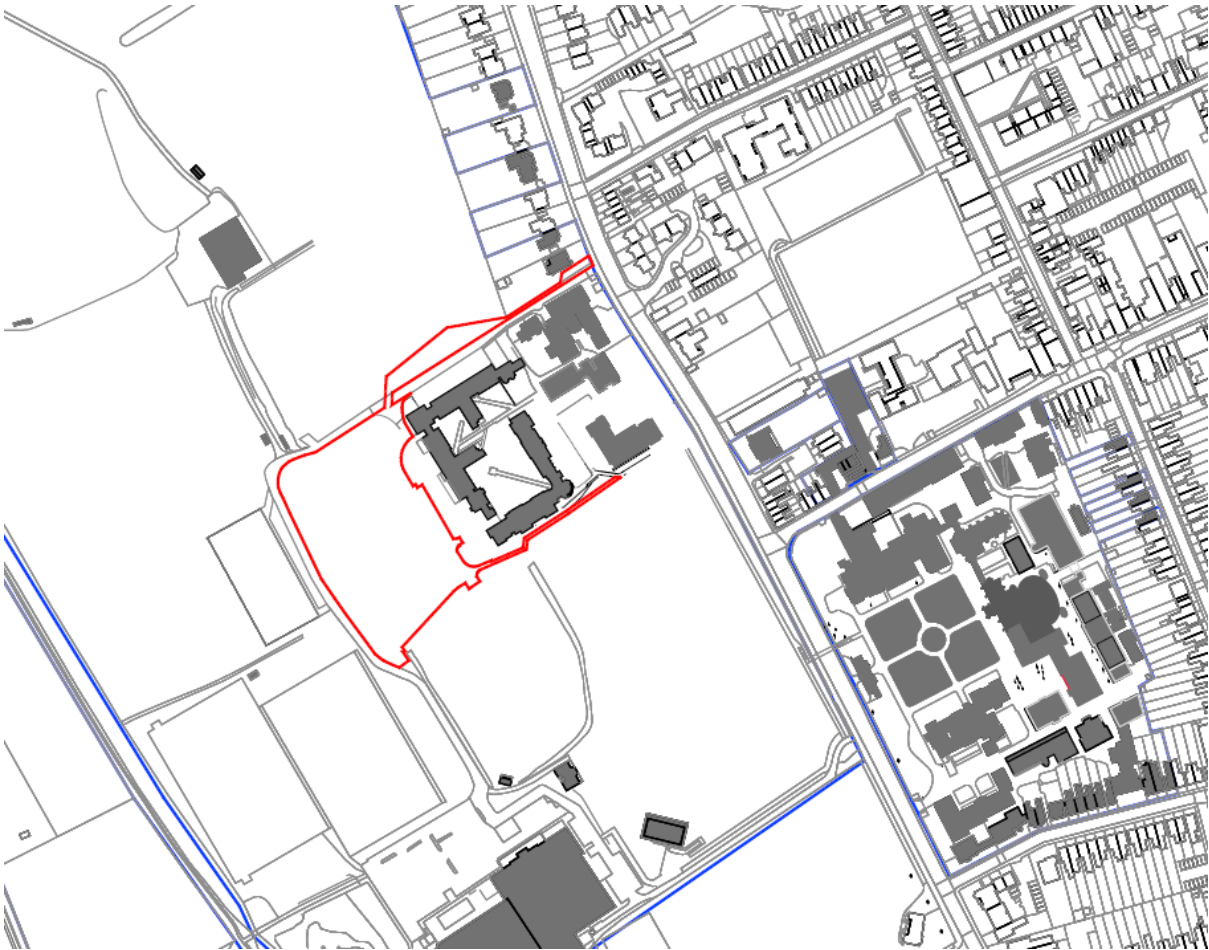
14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection 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

18/01687/FUL – St Edwards – Corfe Field



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CONFIDENTIAL

Stephen Withers-Green
St Edward's School,
Woodstock Road
Oxford,
OX2 7NN

Our reference: DCC/0942

Oxford City Council: Corfe Field Site, St Edward's Avenue, OX2 7NN

19 April 2018

Dear Stephen Withers-Green,

Thank you for inviting the Oxford Design Review Panel (ODRP) to engage in a Design Workshop for St Edward's School on 5 April 2018.

Summary

We are supportive of the ambition to provide new accommodation and facilities for the pupils of St Edward's School. Of the sites presented on the day, we think that the chosen location is the most suitable development site as it will have a coherent connection with existing school buildings. Whilst we see the merits of developing this site, the design and landscape is not yet integrating with the existing buildings and spaces on the site, nor is it creating a sense of identity for this new building.

Each new development scheme now and in the future has an important role to play in improving the identity and quality of the existing campus. The school campus appears to have been developed in a piecemeal fashion over time and therefore each new scheme has a duty to build coherence and strengthen the school's identity across the campus. An integrated sustainable masterplan approach that considers the requirements of the school, its overall future expansion and wider public realm could better shape the proposal for this site and help support the rationale for the building and landscape. Such a plan could incorporate landscape, buildings, facilities management, orientation, energy and ecology. The current proposal could then follow the ambitions of the masterplan in terms of the hierarchy of buildings, open spaces and access. The scheme for the new accommodation block could build more on this vision and guide how the landscape and green infrastructure might develop.

To create a cohesive connection to the existing school buildings within the site, we think the building orientation, layout, landscape and building design require further testing. We advise giving more thought to the relationship between buildings and spaces both within and outside the red line boundary, particularly in terms of the phasing programme. In terms of the proposed site layout and architectural treatment, we think the building is not distinctive enough, is lacking an identity and would benefit from a bespoke treatment. The elevation appears dominated by the roof, making the building appear top heavy. The environmental credentials could be more ambitious, particularly with regard to natural light and ventilation within the building. We would advise developing the detail of the form, elevations and sustainability to create a unique building that complements the wider school campus.

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Site layout

The existing layout of student and staff accommodation on the western part of the school campus already has a series of external spaces, which, with care, could become a delightful informal set of landscaped courts, linked by good planting, paths and seating. The new site has the potential to become the next in this sequence.

The proposed route between the site and existing student accommodation block to the east is a key route and potential piece of streetscape in the site which could provide opportunities for pupils and staff members to meet and interact. Locating parking spaces along this route makes it appear car-dominated, creating potential conflicts between vehicular, pedestrian and bicycle movements and compromising the use of this route as a social space. It also provides a disappointing fourth elevation to the proposed new court. We would suggest re-locating car parking spaces in order to maximise usable outdoor spaces and minimise the amount of hardstanding. It would be worth exploring whether the parking could be moved closer to the boundary and away from the heart of the site.

The proposed pair of L-shaped blocks offer the opportunity to create a centralised open space adjacent to this pathway. We are not yet convinced that the L-shaped configuration is the best approach for this site as it and the central courtyard fundamentally rely on the pair being built out, albeit in different phases. Should the funding not be available for the second block, the single L-shaped block will appear as an incoherent, stand alone block in undefined open space. Also, it is not yet clear how the courtyard contained by the proposed blocks will function and complement the existing landscape as well as the indoor spaces. We suggest exploring other building configurations, that will work both as a single phase and in two or three phases. For example, a long block (with openings) that is parallel and closer to the route can create a tighter site layout, and extensions to this block can be added at a later stage at either end. Alternatively, rotating the L-shaped blocks to create a west-facing court is worth investigation. This would result in buildings lining the route, and this might make it feel more active and welcoming. We would advise considering the overall phasing of the project to ensure each building element works by itself.

There is an opportunity to enhance the biodiversity in the site which the landscape could better capitalise on. At present, the landscape comprises of grass and trees, but could incorporate other types of planting, such as shrubs and trees of different heights to support biodiversity, particularly given the loss of open space on this site. The open space could also be used for activities for students such as planting and gardening as well as providing opportunities for learning about ecology. We suggest considering in more detail how the courtyard will be used on a day-to-day basis, particularly in terms of footpaths and using the space as a meeting place for pupils, taking advantage of orientation.

Massing and building design

Whilst we think the height of this new building is acceptable, stepping down in height towards the west could add interest to the composition and create a sense of hierarchy. The new building would benefit from further assessment within views from nearby public spaces to establish whether there is an impact and how the new building could preserve or enhance these views. We would advise carrying out a Landscape and Visual Impact Assessment (LVIA). We think that the scale of the roof makes it appear overly prominent and top heavy within the elevation as a whole. We recommend exploring ways to make it less dominant

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Preparing sectional drawings would enable a better understanding of the profile of this new building.

We think the building would benefit from being designed afresh, in order to create its own sense of identity, rather than copying the architect's earlier student housing building. Adopting a high environmental specification could be a way of creating a unique building that provides an opportunity for learning about sustainability technology and practices. In particular, we recommend further exploring scope for natural ventilation within the building, ensuring the environmental and sustainability strategy is developed in conjunction with the building design and establishing how this might affect the elevational treatment. Thought should be given to future-proofing and how the building could be made adaptable in the long term in the event it is no longer required for boarding accommodation.

We look forward to seeing it again.

Thank you for consulting us and please keep us informed of the progress of the scheme. If there is any point that requires clarification, please telephone us.

Yours sincerely

A. Osborne

Annabel Osborne

Design Council Cabe Advisor

Email: annabel.osborne@designcouncil.org.uk

Tel: +44(0)20 7420 5207

Review process

Following a site visit, (and) discussions with the design team and local authority and a pre-application review, the scheme was reviewed on 5 April 2018 by Joanna van Heyningen (Chair), Paul Appleby, Jessica Byrne-Daniel, Peter Studdert and Michael Crilly. These comments supersede any views we may have expressed previously.

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to dc.cabe@designcouncil.org.uk.

CC (by e-mail only)

Attendees

Stephen Withers-Green	Bursar, St Edward's School
Nicholas Hardy	TSH Architects
Hannah Deacon	TSH Architects
Mike Habermehl	Landscape Architect
Tobias Fett	Oxford City Council
Andrew Murdoch	Oxford City Council

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WEST AREA PLANNING COMMITTEE

13th November 2018

Application Number: 18/02211/FUL

Decision Due by: 11th October 2018

Extension of Time: To be agreed

Proposal: Formation of 1no. dormer to front roofslope, formation of 2no. dormers and 2no. rooflights to rear elevation and formation of 2no. rooflights to both side elevations in association with loft conversion. (amended plans)

Site Address: 31A Charlbury Road, Oxford, Oxfordshire, OX2 6UX

Ward: St Margarets Ward

Case Officer Robert Fowler

Agent: Mr and Mrs Darby **Applicant:** Mr Daly

Reason at Committee: The applicant is related to a Council member of staff

1. RECOMMENDATION

1.1. West 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

(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 alterations and extensions to the roof at the application property including the formation of three dormers and four rooflights. The proposed development would be acceptable in design terms having had regard to the impact of the proposed development in the streetscene. Officers have carefully considered the impact of the proposed development on neighbouring amenity, with specific regard being had for the impact of the proposed development on privacy. It is considered that the development would not have a harmful impact on the amenity of any neighbouring occupiers and would not lead to unacceptable levels of overlooking. The proposed development would not

have a harmful impact on the North Oxford Victorian Suburb Conservation Area, which is a designated heritage asset. The development would also not have a harmful impact on any non-designated heritage assets including No. 29 Charlbury Road (which is identified as a 'positive building' in the North Oxford Victorian Suburb Conservation Area Appraisal).

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

- Principle of development;
- Design;
- Impact on neighbours;
- Impact on Conservation Area
- Impact on non-designated heritage assets

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

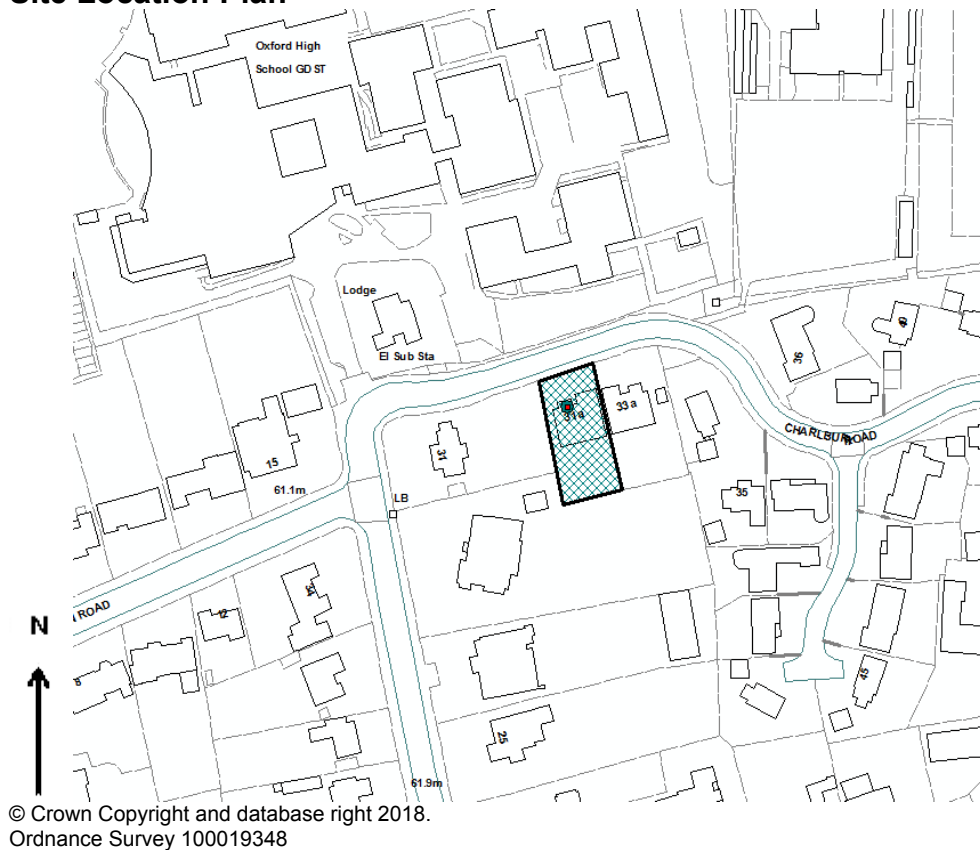
4.1. The proposal is not CIL liable as the amount of floorspace gained would be below the threshold where CIL would be required.

5. SITE AND SURROUNDINGS

5.1. The application site is a detached house in North Oxford; the property is one of the newer houses in Charlbury Road and was constructed in the early 2000s (being one a pair of properties with 33A Charlbury Road). Whilst this is newer than the modern properties to the east of the application site the house does have a similar appearance and character. The application site lies in the North Oxford Victorian Suburb and the front of the property faces north towards Oxford High School. To the immediate west and south of the site are the gardens of 31 and 29 Charlbury Road; these properties face west onto Charlbury Road and occupy larger plots. No. 29 Charlbury Road is identified as a 'positive building' in the North Oxford Victorian Suburb Conservation Area Appraisal. The area has an established residential character and there is mature vegetation around the edge of the application site.

5.2. The application site itself is a substantial five bedroom house with a steep pitched roof and integral double garage. There is a small front garden and a relatively short rear garden of approximately 16m in length. Despite the modern nature of the property it incorporates some features that are commonly found on older properties including gables on the front and rear elevation and variations in the height of parts of the roof; brick detailing some contrasting materials including different brick colours and render which add visual interest. There is an existing cottage dormer on the east elevation roofslope.

Site Location Plan



6. PROPOSAL

- 6.1. The application proposes changes to the roof of the existing dwellinghouse associated with a loft conversion. It is proposed to install two rooflights and one cottage type dormer on the front (north) elevation, two rooflights and two cottage dormers on the rear (south) elevation and two rooflights on each of the side elevations. There is an existing cottage dormer on the east (side) elevation. The proposed development would create additional accommodation within the existing dwellinghouse. The proposed materials used in the external construction of the proposed development would be a similar colour and appearance to those used in the existing dwelling.

7. RELEVANT PLANNING HISTORY

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

99/00637/NFH - Construct 2x4 bed 2 storey detached houses each with integral double garage, with access to shared forecourt onto Charlbury Road. PER 26th October 1999.

00/00247/NFH - Erection of 2x5 bed houses to rear of 31 Charlbury Road. WDN 4th October 2000.

00/01301/NFH - Erection of 2 detached 5 bedroomed houses with integral garages at rear of Nos 29/31. PER 19th September 2000.

00/01303/LH - Conservation Area consent for demolition of brick boundary wall crossing site at rear of Nos 29/31. PER 19th September 2000.

01/01606/CAT - Prune walnut tree in the North Oxford Victorian Suburb Conservation Area at 31A Charlbury Road. RNO 2nd September 2001.

05/02027/CAT - Fell leyland cypress tree in the North Oxford Victorian Conservation Area at 31A Charlbury Road, Oxford. RNO 19th October 2005.

07/00708/FUL - Single storey rear conservatory. PER 23rd May 2007.

10/01940/PDC - PERMITTED DEVELOPMENT CHECK - Proposed garage doors. PRQ 2nd August 2010.

15/01538/CAT - Removal of dead wood from 1no. Mature Walnut in the North Oxford Victorian Suburb Conservation Area. NNR 27th May 2015.

18/02211/FUL - Formation of 1no. dormer and 2no. rooflights to front roofslope, formation of 2no. dormers and 2no. rooflights to rear elevation and formation of 2no. rooflights to both side elevations in association with loft conversion. (amended plans). PDE.

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
Design	8, 11, 127, 128, 130,	CP1, CP8, CP10, CP13			
Conservation/ Heritage	189	HE7			
Natural Environment					
Social and community		CP10		HP14	
Transport					

Environmental					
Misc	47, 48	CP.13, CP.24, CP.25		MP1	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 10th September (for the originally submitted plans) and 15th October (for the amended plans) and an advertisement was published in The Oxford Times newspaper on 13th September (for the originally submitted plans) and 18th October 2018 for the amended plans). The consultation expiry for the amended plans consultation ends on 6th November 2018.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. No comments.

Linton Road Neighbourhood Association

- 9.3. No objections subject to conditions that the rooflights be Conservation type, metal construction and flush with the roof plane and that the rooflights on the west elevation are either removed or obscure glazed.

Oxford Civic Society

- 9.4. Support recommendations of the Linton Road Neighbourhood Association.

Public representations

- 9.5. 6 local people commented on this application from addresses in Charlbury Road, Belbroughton Road and Ockham Mews. 5 comments were in support and there was 1 objection:

In summary, the main points of objection (occupier at 31 Charlbury Road) were:

- The proposed development would conflict with Policy HP14 of the Sites and Housing Plan as the window on the western elevation would have an overbearing effect on 31 Charlbury Road.
- Detrimental impact on privacy
- Granting of planning permission for new building in the grounds of 29 Charlbury Road considered the impact on 31 Charlbury Road (in the context of Policy HP14) and it is therefore implicit that windows should not overlook neighbouring properties.
- (Further comments were received in relation to the amended plans that moved windows on the west elevation roofslope up to a height of 1.9m to

cill level when measured from the finished floor level). Continue to object to proposals (unless the windows on the west roofslope are obscure glazed and non-opening).

- Concerns about both direct visibility and perception of direct visibility in terms of a loss of privacy for occupiers at 31 Charlbury Road as a result of the proposed rooflights on the west elevation roofslope. Specific concerns about the loss of privacy in rooms at the rear of 31 Charlbury Road and the perceived loss of privacy for occupiers.

In summary, the main points in support (occupiers in Charlbury Road, Belbroughton Road and Ockham Mews) were:

- Development is thoughtful
- Support for development's design
- Recommend that development would be acceptable with obscure glazed non-opening windows on western elevation roofslope

- 9.6. The above comments received from the public are correct at the time of publication for this report (5th November). The consultation on the amended plans (which commenced on 15th October 2018) ends on 6th November 2018. The amended plans that were the subject of this reconsultation related only to moving the two rooflights on the west elevation roofslope 200mm higher up the roofslope so that they are proposed to be at 1.9 to the cill level from the finished floor level. Any comments received in relation to the amended proposals that were not received prior to the publication of this report but before the consultation period ending will be provided as a verbal update at committee.
- 9.7. A second set of amended plans was received on 30th October 2018. These amendments proposed the removal of two rooflights from the front roofslope at the suggestion of officers. As these changes to the plans involve only removal of an aspect of the development and have been requested to deal with specific concerns raised then it was not considered necessary to formally reconsult on these amendments. The application description was also amended to remove reference to the rooflights on the front elevation.

Officer Response

- 9.8. Officers sought amended plans to deal with the concerns raised about the west elevation rooflight and the impact on the neighbouring property at 31 Charlbury Road. These amendments have been the subject of additional public consultation (see above). Officers consider that the amended plans overcome the concerns about the impact of the proposed development on privacy for occupiers at 31 Charlbury Road; a thorough assessment of this matter is set out in this report. Concerns and comments about the use of conservation-type rooflights and specific materials are recommended to be addressed through conditions.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- i. Design;
- ii. Impact on Conservation Area;
- iii. Impact on non-designated heritage assets;
- iv. Impact on neighbouring amenity;

i. Design and Impact on Character of Surrounding Area

- 10.2. The proposed development is a householder development to provide additions and alterations to the roof in association with a loft conversion. The proposed development would facilitate internal changes within the roofspace to provide additional accommodation for use in conjunction with the existing dwellinghouse.
- 10.3. Officers have had regard to the impact of the proposed development in the streetscene. The nature of the application site means that it would be visible in the public realm from Charlbury Road in a number of locations (because Charlbury Road turns from a north-south direction to an east-west direction approximately 50m to the west of the application site). The result of this means that 31A Charlbury Road is visible from along Charlbury Road to the west of the site as well as immediately in front of the property; there are more distant glimpsed views of the property between houses on Charlbury Road to the south-west of the site. The application site is also visible from a number of neighbouring and nearby gardens and from other dwellings in the vicinity of the site. The main streetscene impact of the proposed development would be addition of rooflights and dormers; the front elevation dormer would be the most visible alteration in the public realm. Officers consider that the carefully proportioned dormer that is proposed would not be overly bulky on the front roofslope and having regard to the overall size of the roofslope this feature could be accommodated as a visually appropriate addition to this elevation. In reaching this view officers have been mindful that there is an existing gable feature and half-hipped roof on the garage that mean that there is already some variation in the front façade and the proposed dormer would not be out of place in this mixed roofscape. Further to this there is already a cottage dormer present on this property (on the east roofslope) and these features are found elsewhere in the immediate vicinity of the site; this feature will not be an alien addition to the streetscape.
- 10.4. The west elevation roofslope would also be visible from the streetscene in Charlbury Road. The addition of two rooflights on the west elevation roofslope would not be unacceptable having had regard to the context of the site as these are modern homes that already include contemporary features. The rooflights would be set high up the roofslope but given the overall size of the roof these rooflights would not be prominent features and they would not be visually jarring. Officers have had regard to the comments made by the Linton Road Neighbourhood Association and Oxford Civic Society and recommend that a condition is included to ensure that the rooflights are Conservation type rooflights to reflect the high quality materials that are present in the Conservation Area and to ensure that a non-bulky design of rooflight is used.
- 10.5. The additions on the east side and rear (south) elevations would mainly be visible in the private realm and given that the existing property is a modern house

where carefully considered contemporary additions would not be out of place officers recommend that the dormers and rooflights on these elevations would not be out of character or visually jarring when viewed from neighbouring properties and gardens. There would be glanced views of the east and south elevations from the public realm but these would be very limited and therefore the streetscene impacts of these additions would be acceptable.

- 10.6. Having had regard to the design of the additions it is considered that the proposals would represent high quality design that respects the character and context of the area and would form visually appropriate additions within the streetscene. Officers consider that the materials that are proposed to be used in the construction of the proposed development can be adequately dealt with by condition. The development therefore complies with the requirements of Policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy and Section 12 of the NPPF.

ii. Impact on Conservation Area

- 10.7. The application site lies in the North Oxford Victorian Suburb Conservation Area (NOVSCA). The Conservation Area is a designated heritage asset for the purpose of Section 16 of the NPPF. The Conservation Area contains a diverse range of architectural styles with properties ranging in age but a large part of the Conservation Area is associated with the Victorian development of the St John's Estate. The area is characterised by larger residential properties, mature vegetation and village like enclaves. Importantly, there are a number of established 'character areas' that are defined in the NOVSCA Appraisal (2017). The application site lies in the Bardwell Estate character area as defined in the NOVSCA appraisal though it is important to consider that the application site is relatively unusual as an example of a modern (2000s) development in the NOVSCA as the rest of the Bardwell Estate area arose principally through the development of the St John's Estate in the late 19th Century and interwar era. Officers have had regard to the NOVSCA appraisal and an understanding that the modern properties in this part of Charlbury Road have attempted to emulate the features seen elsewhere in the Conservation Area and further changes to these modern properties need to be carefully considered in that context.
- 10.8. The NOVSCA appraisal and specifically the Bardwell Estate character area have specific references to negative features in the area which include inappropriate modifications and enlargements to properties. Officers have carefully considered the proposals as set out above and consider that the additions that are proposed have been sensitively designed to respect the context of the existing house, surrounding properties and the established character of the Conservation Area. It is considered that the visual intrusion of modern features is minimal and would not be prominent in the Conservation Area; the focus of additions would be to the rear and would not be visible in the public realm (other than in very limited glimpsed views). As a result, Officers recommend that the proposed development would not lead to any harm to the NOVSCA for the purposes of Paragraphs 195 and 196 of the NPPF. The careful consideration of the design of the proposed development would preserve the appearance and special significance of the Conservation Area. Officers are therefore satisfied that the

development meets the requirements of Policy HE7 of the Oxford Local Plan 2001-2016 and Paragraphs 195 and 196 of the NPPF.

- 10.9. In reaching the recommendation to grant planning permission special attention has been paid to the statutory test of preserving the Conservation Area, any features of special architectural or historic interest which it possesses and the statutory test of preserving or enhancing the character and appearance of the conservation area under section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the Conservation Area, and so the proposal accords with sections 72 of the Act.

iii. Impact on Non-Designated Heritage Assets

- 10.10. The proposed development would be visible from No. 29 Charlbury Road which is considered to be a 'positive building' for the purpose of the NOVSCA. This means that No. 29 Charlbury Road would be considered to be a non-designated heritage asset for the purposes of Paragraph 197 of the NPPF. Officers have taken into account the significance of this heritage asset; which is an example of a fine detached house in the Conservation Area. Whilst the proposed development may be visible in glimpsed views in areas around the property and would be visible from its garden the proposed development represents a relatively modest set of alterations to the house that would not impact upon the setting of 29 Charlbury Road. The area to the east of 29 Charlbury Road is dominated by modern properties that contain some contemporary additions and it is considered that the proposed development in this case cannot be considered completely out of character. There is also separation between 29 Charlbury Road and the application site and existing mature vegetation would partially screen the proposals from view. As a result, Officers recommend that the proposed development would comply with the requirements of Paragraph 197 of the NPPF.

iv. Impact on Neighbouring Amenity

Impact on Sunlight and Daylight

- 10.11. The proposed development involves relatively modest additions to the bulk of the dwellinghouse. The proposed dormers on the front, rear and side elevations would be small cottage dormers that would not impinge on sunlight or daylight conditions for any neighbouring properties. It is considered that the proposed development would comply with the requirements of the 45/25 degree code as set out in Policy HP14 of the Sites and Housing Plan (2013).

Privacy

- 10.12. Officers have carefully considered the impact of the proposed development on the privacy of any neighbouring occupiers. There has also been careful consideration for any impact on perceived loss of privacy through overlooking when assessing the proposals; this follows specific concerns that were raised

through consultation in relation to this application. An assessment of the proposed development and the insertion of dormers and rooflights and their impact on privacy for neighbours is considered in the following paragraphs.

- 10.13. The proposed front dormer would look out towards the grounds of Oxford High School. The view from the proposed new roof level window would be similar to the views provided from existing first floor windows and would not have a detrimental impact on neighbouring amenity.
- 10.14. The proposed rooflights on the east elevation roofslope would be set relatively high in the roofslope of the house. The only window on this side elevation is currently a bathroom window that is obscure glazed but can be opened. The predominant view from this window (when open) is at the side wall and roofslope of 33A Charlbury Road. Officers recommend that the proposed rooflights on the east elevation roofslope would be acceptable as they would only provide views of the roofslope of 33A Charlbury Road and would not increase overlooking into any rooms or private amenity space. These rooflights would be at a high level. Further to this, the room that would be served by these rooflights would benefit from dormer windows at the front and rear elevations and given the height of the rooflights the dormer windows would provide the main sources of outlook for this bedroom.
- 10.15. The proposed dormer windows and rooflights at the rear elevation would provide similar views to existing windows at the first floor of the dwellinghouse. The views provided from these windows would face predominately over the existing private garden of the host property (which is 16m in length). It is acknowledged that views from the windows would provide some oblique views into neighbouring gardens at 31 Charlbury Road and 33A Charlbury Road and more distant views (beyond the rear garden) into the garden of 29 Charlbury Road. However, these views would be limited and do not represent a significant departure from the existing level of overlooking provided from first floor windows. Further to this, there is always some degree of overlooking from rear elevation windows into the gardens of neighbouring houses and the nature of overlooking that would be created in this case would not be considered out of character with the existing relationship between properties.
- 10.16. There are two rooflights that are proposed on the west elevation roofslope. These rooflights were originally proposed to be at a height of 1.7m from the finished floor level to the cill of the rooflights; following objections that were received, in relation to the impact of these rooflights on privacy, amended plans were received that raised the height of these rooflights so that they are now proposed to be at 1.9m from the finished floor level to the cill. These rooflights would face towards the rear garden of 31 Charlbury Road and towards the rear elevation of that property. In considering the impact of the rooflights on the amenity of occupiers of 31 Charlbury Road officers have carefully considered the distance between the rooflights and the boundary with 31 Charlbury Road (approximately 3m), the length of the rear garden of 31 Charlbury Road and comments raised in public consultation. It is also worthwhile noting that there is a slight drop in ground level from the rear garden of 31 Charlbury Road to the application site. The normal height of high level rooflights or windows would be

1.7m from the finished floor level; however as there is a drop in ground level and a relatively short distance to the boundary between the host property and the neighbouring property at 31 Charlbury Road a height of 1.9m was requested to ensure that there would be even more limited opportunity for overlooking. Officers consider that the height of these rooflights alone is necessary to protect the privacy of occupiers at 31 Charlbury Road by limiting the opportunity for overlooking. Only an exceptionally tall person would have any view from these rooflights; a person would have to have a height of approximately 2.15m (approximately 7 feet tall) to have a view out of these windows.

- 10.17. Specific concerns were raised in public consultation about the perceived loss of privacy as a result of the proposed development. This is an important consideration. Officers have had regard to the fact that there are currently no windows (other than an obscure glazed bathroom window) on the west elevation. The addition of rooflights therefore creates the perception that there would be a new view (for occupiers of 31 Charlbury Road specifically). However, the rooflights are proposed to be set very high up the roofslope of 31A Charlbury Road; having taken into account the height and angle of the roofslope officers consider that this perceived loss of overlooking would be reduced to an acceptable level. It is also considered that the length of the rear garden of 31 Charlbury Road further secures the privacy of occupiers of that property when in habitable rooms at the rear of the house.
- 10.18. Officers have considered whether it was necessary to impose a condition requiring that the rooflights on the west elevation roofslope should be obscure glazed and non-opening (or partially obscure glazed and with limited opening). It is not considered that this condition would be necessary because of the height of the rooflights in the roofslope.
- 10.19. It is worthwhile noting that when the application property was granted planning permission (reference 00/01301/NFH) permitted development rights were removed. The reason listed for this on the decision notice was because of the constrained nature of the site. The permitted development rights would normally have allowed insertion of rooflights (although not dormer in a Conservation Area). Officers have considered the constrained nature of the site when assessing these proposals and are mindful of the restrictions that were placed on this property at the time that planning permission was granted. The imposition of this condition would remain and would safeguard the privacy of surrounding occupiers from further alterations or extensions to the dwellinghouse as any additional rooflights would need planning permission.
- 10.20. Having carefully considered the above assessment Officers recommend that the development would have an acceptable impact on the amenity of neighbouring occupiers in terms of privacy (including consideration for a perceived loss of privacy). As a result, Officers recommend that the development would be acceptable in terms of its impact on neighbouring amenity and complies with the requirements of Policy HP14 of the Sites and Housing Plan (2013).

11. CONCLUSION

11.1. The proposed development would be acceptable having had regard to the design, the impact on designated and non-designated heritage assets and impact on neighbouring amenity. The proposal is considered to comply with all relevant local and national planning policy including Policies CP1, CP8, CP10 and HE7 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011), Policy HP14 of the Sites and Housing Plan (2013) and Paragraphs 195-197 of the NPPF. It is recommended that the Committee resolve to grant planning permission for the development 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 used in the external construction of the approved development shall be those specified in the approved plans and submitted application form with the exception of rooflights which shall be conservation type rooflights unless agreed otherwise in writing by 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.

13. APPENDICES

Appendix 1 – Site Location 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

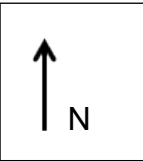
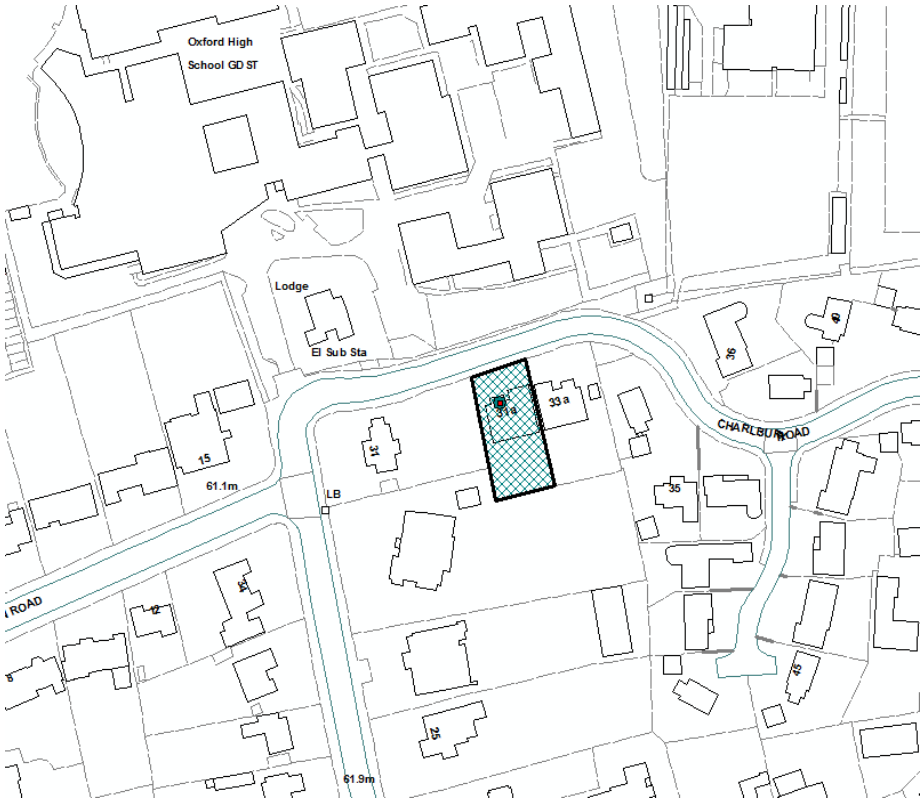
15.1. Officers have considered, with due regard, the likely effect of the proposal on the

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

18/02211/FUL – 31A Charlbury Road



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Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 9 October 2018

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Committee members:

Councillor Cook (Chair)	Councillor Gotch (Vice-Chair)
Councillor Arshad	Councillor Bely-Summers
Councillor Corais	Councillor Harris
Councillor Hollingsworth	Councillor Iley-Williamson

Officers:

Adrian Arnold, Acting Head of Planning Services
Andrew Murdoch, Development Management Service Manager
Sally Fleming, Lawyer
Catherine Phythian, Committee Services Officer
Gill Butter, Conservation and Urban Design Officer
Felicity Byrne, Principal Planner
Tobias Fett, Planning Officer

Also present:

William Madgwick, Local Highways Authority, Oxfordshire County Council

Apologies:

Councillor(s) Upton sent apologies.

33. Declarations of interest

18/01340/FUL; 18/01341/LBC; 18/00896/FUL; 18/00897/LBC

Cllr Cook - as a Council appointed trustee for Oxford Preservation Trust stated that he had taken no part in that organisation's discussions or decision making regarding the applications and was approaching them with an open mind.

18/01340/FUL; 18/01341/LBC

Cllr Iley-Williamson – stated that as a graduate of the University of Oxford he had been a user of the Bodleian Library but that he was approaching the applications with an open mind.

18/00896/FUL; 18/00897/LBC

Cllr Harris – stated that he was a graduate of Lincoln College and that he maintained close links with the College and consequently he would take no part in its determination.

18/02124/CPU

Cllr Hollingsworth – as Ward Member for Carfax stated that he had been actively involved in bringing the application before the Committee and consequently he would take no part in its determination.

34. 17/02832/FUL - 276 - 280 Banbury Road Oxford OX2 7ED

The Committee considered an application (17/02832/FUL) for planning permission for the demolition and redevelopment of existing retail office, and residential premises, to provide a mixed-use scheme comprising 4 x units (use classes of either A1, A2, A3 or A4) at ground floor with a 180 bed hotel over three floors and 6 maisonette flats over two floors (1x1 bed, 1x3 bed, 4x2 bed) (amended plans) (amended description).

The Planning Officer presented the report and highlighted the following points: that the development was in a sustainable location; that the design and appearance was acceptable; that the Local Highways Authority was satisfied with the proposals; that there was no loss of privacy to adjacent properties, including Summerfields School and the Church Hall.

Cllr Andrew Gant (ward councillor), Laurence Fouweather and David Faber (on behalf of Summerfields School) spoke against the application.

Michelle Davies (agent) spoke in favour of the application. Representatives from the applicant, the Easyhotel chain and architects and consultants were available to answer questions from the Committee.

The Committee asked questions of the officers and public speakers about the details of the application. The Committee discussion concentrated on, but was not limited to, the following issues:

- Catering provision at the Hotel: concern was expressed that the current, or future, hotel operators could start to provide pre-packaged meals. Officers advised that this was not a material consideration for this application.
- Hotel charges and accommodation offering: concern was expressed that the current, or future, hotel operators could change the rates charged or the business model. Officers advised that this was not a material consideration for this application.
- General parking: Officers advised that there was coach parking available at the nearby Ferry Leisure Centre and that emergency vehicle access would be from the public highway and was a matter for Building Control regulations.
- Residents' parking: The Local Highways Authority representative from Oxfordshire County Council was asked to explain the different time restrictions operating on streets within the Summertown CPZ and whether they would consider consulting on a change in hours for some streets. He said that they did not consider it necessary but that it could be done if funding became available. He reiterated the opinion set out in the formal response that the impact of the development was not severe and that the public car parks in the area have adequate capacity.

- Location: Officers confirmed that the current, and draft Local Plan, supported the provision of hotels in district centres and on arterial roads.

Members of the Committee asked for guidance on potential grounds for refusal, specifically in relation to highways and scale. Officers advised that the Committee should give weight to the opinions of the Local Highways Authority and that the Committee would need to provide technical evidence to support a refusal on highways grounds. Officers confirmed that Committee could consider refusal on grounds of scale.

In reaching its decision, the Committee considered all the information put before it. The Committee acknowledged the concerns of the local residents about the suitability of the development and its impact on the local area and balanced those comments against the advice of officers that the application was policy compliant.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

The West 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; and subject to:
 - i. the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - i. 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; and
 - ii. finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and
 - iii. complete the section 106 legal agreement referred to above and issue the planning permission.

Councillor Arshad and Councillor Iley-Williamson arrived during consideration of this item and consequently took no part in its determination.

35. 18/01340/FUL - Trinity College Broad Street OX1 3BH

The Committee considered an application (18/01340/FUL) for planning permission for the demolition of an existing 20th Century building and erection of a new building providing 51 student study bedrooms, Auditorium/ lecture theatre, teaching accommodation, library facilities, office accommodation and other associated ancillary facilities. In addition, new landscaping, bin & bike storage, replacement Gardeners buildings and minor alterations including works to the Norrington Building and the President's Garage are also proposed.

The Planning Officers presented the reports.

Richard Ovenden (Bodley Librarian) spoke against the application.

Dame Hilary Boulding DBE (President, Trinity College), spoke in favour of the application. Representatives from the Architects, agents and planning consultants were available to answer questions.

The Committee asked questions of the officers about the details of the application.

The Committee noted that the applications before them were the result of a lengthy and exhaustive planning process. Having considered all the information put before it the Committee concluded that an appropriate balance had been achieved in meeting the need for student accommodation and academic facilities for Trinity College and the relative harm, which was not significant in either case, to the Trinity College gardens and the Weston Library reading room.

On being put to the vote the Committee agreed with the officer recommendation.

The West 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.
2. agree to delegate authority to the Head of Planning Services to:
 - i. finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
 - ii. finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
 - iii. Complete the section 106 legal agreement referred to above and issue the planning permission.

36. 18/01341/LBC - Trinity College Broad Street OX1 3BH

The Committee considered an application (18/01341/LBC) for listed building consent for alterations and extension to library to provide new auditorium with foyer, lecture theatre and teaching spaces, administrative offices and student rooms with ancillary support spaces. Alterations to Parks Road wall to form temporary construction access, widen vehicular entrance and construct new lean-to gardener's buildings.

The officer presentation and Committee discussion of this application for listed building consent was taken as part of the previous item.

In reaching its decision, the Committee considered all the information put before it.

On being put to the vote the Committee agreed with the officer recommendation.

The West 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 10 of this report, grant listed building consent ; and
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 and issue the listed building consent.

Councillor Harris removed to the public seating for the duration of the next two agenda items.

37. 18/00896/FUL - The Mitre, No. 16 High Street And Nos. 3-7 Turl Street

The Committee considered an application (18/00896/FUL) for planning permission for the upgrading of existing student accommodation above and in the upper floors of no's 3-7 Turl Street and no.16 High Street. This includes the erection of lodge building on Turl Street, a fire escape into a Covered Market entrance, consolidation of plant into a plant stack and provision of raised walkway at first floor level behind the Mitre.

The application was called in by Councillors Pressell, Fry, Upton and Rowley because of concerns about the potential development having an impact on the public realm.

The Planning Officers presented the report. They explained that the proposals would upgrade the quality of accommodation and provide essential improvements to the fire strategy and escape routes on the site. Considerable care had been taken to minimise the harm done to the historic fabric of the building. They advised the Committee that three conditions, although referenced in the body of report, had been omitted from the list of conditions at paragraph 12:

- Large scale design detail for the Lodge (paragraph 10.14)
- Details of new plant and extraction systems (paragraph 10.21)
- Relocation of air condition units (paragraph 10.22)

Debbie Dance (Oxford Preservation Trust) spoke against the application.

Alex Spain (Bursar Lincoln College) and Nick Hardy (Architect) spoke in favour of the application.

In reaching its decision, the Committee considered all the information put before it. They were not persuaded by the concerns expressed by the Oxford Presentation Trust that the proposed Lodge would be too collegiate and out of keeping for the west side of Turl Street. The Committee agreed with the officers' conclusion that the less than substantial harm that would result from the development would be outweighed by the public benefits of the continued safe and secure use and maintenance of the historic buildings' stock.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

The West 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 three further conditions listed above, 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.

38. 18/00897/LBC - The Mitre, No. 16 High Street And Nos. 3-7 Turl Street Oxford OX1 4AG

The Committee considered an application (18/00897/LBC) for listed building consent for the upgrading of existing student accommodation above and to the rear of The Mitre public house and in the upper floors of no's 3-7 Turl Street and no.16 High Street and the erection of a lodge building on Turl Street, replacement dormers to the rears of nos. 4-5 Turl Street, no. 16 High Street, a fire escape exiting into a Covered Market entrance, consolidation of plant equipment into a plant stack and the provision of raised walkways at first floor level in the courtyard area to the rear of the Mitre.

The officer presentation and Committee discussion of this application for listed building consent was taken as part of the previous item.

In reaching its decision, the Committee considered all the information put before it.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

The West Area Planning Committee resolved to:

1. approve the application for the reasons given in the report and subject to the required conditions set out in section 12 of this report and grant listed building consent.

2. agree to delegate authority to the Acting Head of Planning Services to:
 - i. 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.

Councillor Harris resumed his place on the Committee at the end of this item.

Councillor Hollingsworth removed to the public seating for the duration of the next agenda item.

39. 18/02124/CPU - 14 Turn Again Lane, Oxford, OX1 1QL

The Committee considered an application (18/02124/CPU) to certify that the proposed removal of 2no. rooflights to rear roof slope and the formation of 2no. rear dormers in association with a loft conversion was lawful development.

The Planning Officer introduced the report and explained that the decision before the Committee centred on legal determinations and there was no consideration of the merits of the proposals. He made the following points of clarification and correction:

- Paragraph 8.1 – the correct reference was to Classes B and C of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.
- Paragraph 8.2 – Class B refers to “Additions to roof of a dwelling house”
- Paragraph 8.2 first bullet point – should state “No change of use to use as dwelling house has been granted by virtue of class M, N, P or Q of Part 3 of this Schedule (changes of use)”.
- Paragraph 8.3 – Class C refers to “Other alterations to a roof of a dwelling house”.
- Paragraph 8.3 bullet point 4 – delete the words “*construction or provision of a verandah, balcony or raised platform*” and insert “*installation, alteration or replacement of solar photovoltaics or solar thermal equipment*”.
- Paragraph 8.3 bullet point 5 – delete the words “*into a wall or*” and insert “*on a*”.
- Paragraph 9.1 – insert the words “*of Part 1 of*” after “classes B and C” and delete “*Part 1*” on 2nd line.
- Paragraph 10 – delete “*Proposed Plans*” and insert “*Site Plan*”.

In reaching its decision, the Committee considered all the information put before it.

On being put to the vote the Committee agreed with the officer recommendation.

The West Area Planning Committee resolved to approve the application for the reasons given in the report and grant a certificate of lawful development.

Councillor Hollingsworth resumed his place on the Committee at the end of this item.

40. 17/03040/FUL - 53 Sunderland Avenue, Oxford, OX2 8DT

The Committee considered an application (17/03040/FUL) for planning permission for the demolition of existing dwelling house, parking and garage and the erection of a replacement building comprising 6 flats, car parking and landscaping.

The Planning Officer presented the report.

The application had been approved, subject to completion of a legal agreement, by West Area Planning Committee on 10 April 2018. That legal agreement provided for a late stage viability test to secure an offsite contribution for affordable housing from any potential uplift of sales values on completion of the development.

The applicant had previously submitted a viability assessment concluding that no financial contribution for affordable housing could be made. This had been confirmed by an independent consultant engaged by the City Council. Officers concur with this assessment of the current situation but still consider that it would be prudent to secure a contribution from any potential uplift of values in the future.

Officers have been unable to reach a legal agreement with the applicant which is compliant with the previously agreed committee resolution. However, they consider that the concerns about any future uplift of values could be mitigated by securing a more certain timeline for completion of the scheme.

In summary the proposal before the Committee is that a late stage viability assessment would not be required provided that a “substantive start” is made on the development by February 2019 and that the development is “substantially completed” within 16 months from the start date. The definition of “substantive start” and “substantially completed” would be defined in the legal agreement.

The Planning Officer advised the Committee that the head of terms being proposed were:

- further viability assessment to be submitted by applicant prior to point of demolition, unless building demolished and a substantive start by February 2019
- Council to review viability upon submission within 8 weeks of its receipt, in the absence of a response from OCC the applicant can proceed with no contribution payable
- Viability based on same methodology and assumptions as previous submission and review
- Reasonable Return on Cost agreed at 20%, any level at or below not requiring a contribution
- (Post viability review) if applicant completes works to substantial completion within 16 months of making a substantive start no further review required
- If substantial completion not achieved within 16 months of substantive start then a further review of viability required

The Committee sought clarification from officers about the legal aspects of the application and received assurances that the Council policy was clear and that this would not set a precedent for other applicants to avoid or defer making contributions for affordable housing.

In reaching its decision, the Committee considered all the information put before it.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

The West Area Planning Committee resolved 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 the report and grant planning permission subject to:

1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and

(b) 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 Regulatory Services considers reasonably necessary;
2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and
3. Complete the section 106 legal agreement referred to above and issue the planning permission.

41. Minutes

The Committee resolved to approve the minutes of the meeting held on 11 September 2018 as a true and accurate record.

42. Forthcoming applications

The Committee noted the list of forthcoming applications.

43. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.05 pm and ended at 8.35 pm

Chair

Date: Tuesday 13 November 2018

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