

Agenda

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West Area Planning Committee

Date: **Wednesday 8 May 2019**

Time: **6.00 pm**

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

For any further information please contact the Committee Services Officer:

John Mitchell, 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	apologies;
	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;
	Councillor Nigel Chapman	Substitute for Cllr Arshad;

The quorum for this meeting is five members. Substitutes are permitted. Substitutes for the Chair and Vice-chair do not take on these roles.

Copies of this agenda

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AGENDA

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the search box.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.

1 Apologies for absence and substitutions

2 Declarations of interest

3 19/00316/FUL: 5 Warnborough Road,

11 - 24

Site address: 5 Warnborough Road, Oxford, OX2 6HZ

Proposal: Demolition of garage and erection of a two storey side extension and single storey rear extension at basement level. (amended plans) (amended description)

Reason at Committee: The application was called in by Councillors Fry, Munkonge, Upton and Pressel because of concerns about the possible harm to the Conservation Area.

Recommendation:

West Area Planning Committee is recommended to:

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

4 16/02689/CND11: Unither House, 15 Paradise Street, Oxford OX1, 1LD (was Cooper Callas)

25 - 32

Site address: Unither House, 15 Paradise Street

Proposal: Details submitted in compliance with condition 24 (Public Art) of planning permission 16/02689/FUL

Reason at Committee: Application 16/02689/FUL was approved on 9th May 2017 subject to conditions. It was agreed that approval of the details required by condition 24 (public art) should be brought back to Committee and not delegated to the Head of Planning to approve.

Recommendation:

West Area Planning Committee is recommended to:

Approve the submitted public art in compliance with Condition 24 of planning permission 16/02689/FUL and agree a revised installation timescale of within 6 months following occupation of the hotel for the reasons given in the report.

5 19/00867/FUL: Riverside Court, Long Ford Close, Oxford, OX1 4NG

33 - 40

Site address: Riverside Court , Long Ford Close, Oxford, OX1 4NG

Proposal: Replacement of communal entrance doors and insertion of 1no. communal door.

Reason at Committee: The application is made by Oxford City Council and must therefore be decided by a planning committee.

Recommendation:

West Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report subject to no additional public comments being received that raise objections relating to matters that have not already been considered and subject to planning conditions set out in section 12 of this report and grant planning permission.
2. **agree to delegate authority** to the Acting Head of Planning Services to:

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

6 Minutes

Recommendation: to approve the minutes of the meeting held on 9 April 2019 as a true and accurate record.

7 Forthcoming applications

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

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 development
18/02644/FUL: Site Of Millway Close, OX2 8BJ	Called in
18/02989/FUL: 269 Cowley Road, OX4 2AJ	Committee decision
18/03369/FUL: Site Of Gibbs Crescent, OX2 0NX	Committee decision
18/03370/FUL: Simon House, 1 Paradise Street, Oxford, OX1 1LD	Committee decision
18/03325/FUL: Old Toll House, Folly Bridge, OX1 4LB	Called in
18/03326/LBC: Old Toll House, Folly Bridge, OX1 4LB	Called in
19/00410/FUL: Falcon Rowing And Canoe Club, Meadow Lane, OX4 4BJ	Committee decision
18/03133/FUL: Linton Lodge Hotel, 11-13 Linton Road, OX2 6UJ	Committee decision
18/02982/FUL: Old Power Station, 17 Russell Street, Oxford, OX2 0AR	
19/00436/FUL: Convent of the Incarnation, Fairacres Road, Oxford, OX4 1TB	Major development
19/00867/FUL: Riverside Court, Long Ford Close, Oxford, OX1 4NG	

8 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on:

2019

11 June

19 June - New

9 July

6 August

10 September

8 October

12 November

10 December

2020

21 January

11 February

10 March

7 April

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.
Unchanged in last Constitution update agreed at Council November 2018.**

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West Area Planning Committee

8th May 2019

Application number:	19/00316/FUL		
Decision due by	8th April 2019		
Extension of time	13th May 2019		
Proposal	Demolition of garage and erection of a two storey side extension and single storey rear extension at basement level. (amended plans) (amended description)		
Site address	5 Warnborough Road, Oxford, OX2 6HZ, – see Appendix 1 for site plan		
Ward	North Ward		
Case officer	James Paterson		
Agent:	Mr Dominic Brooke-Read	Applicant:	Mr & Mrs Westbrook
Reason at Committee	The application was called in by Councillors Fry, Munkonge, Upton and Pressel because of concerns about the possible harm to the Conservation Area.		

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the proposed demolition and extensions to the property. Specifically, the application proposes the demolition of a garage sited to the south side of the property, and associated works, and a replacement two storey side extension. A single storey rear extension at basement/ lower ground floor level is also proposed. The proposal would have an acceptable impact in terms of design. Officers have carefully considered the impact of the proposed development on the character, appearance and significance of the North Oxford Victorian Suburb Conservation Area, which is a designated

heritage asset and have considered that it would not give rise to a harmful impact. Officers also consider that the proposal would have an acceptable impact on the amenity of neighbouring properties. In terms of car parking and the loss of the garage officers considers that sufficient car parking arrangements would be retained. The proposal is considered to have an acceptable impact on flood risk and ecology subject to conditions.

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

- Design
- Impact on Conservation Area
- Impact on Neighbouring Amenity
- Car Parking
- Flooding
- Biodiversity

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

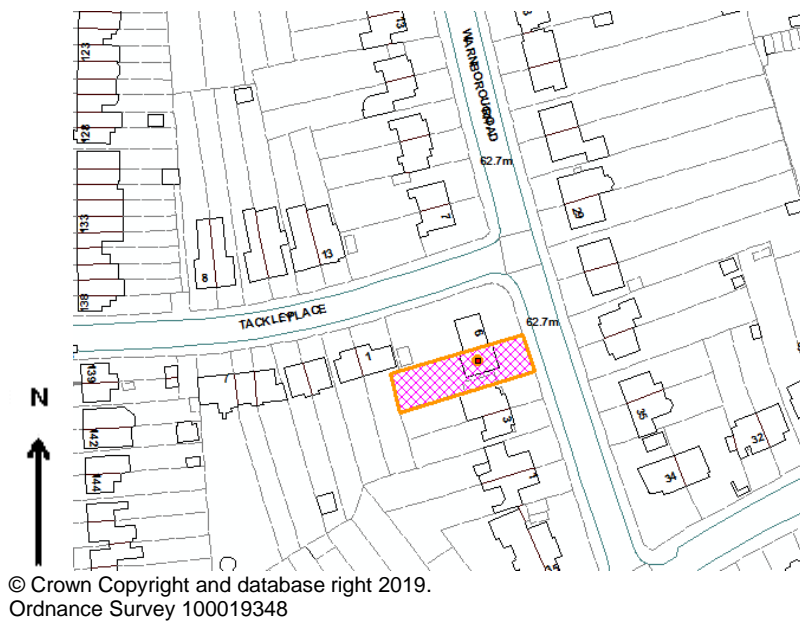
4.1. The proposal is not CIL liable as the amount of floorspace gained would be below the threshold where CIL would be required.

5. SITE AND SURROUNDINGS

5.1. 5 Warnborough Road is a large semi-detached Victorian property, erected circa 1875. It is located near the junction with Tackley Place and is situated on the west side of Warnborough Road. The house has remained largely unaltered with the exception of the detached garage which was presumably erected after the original building. The plot is approximately 0.9m higher at the end fronting Warnborough Road than the garden to the rear. The property has been used for various purposes over the years, more recently it had been used as student accommodation; however, it has recently been bought for use as a family dwelling (C3). The property is constructed of red brick and slate tiled roofs, typical of houses of this era.

5.2. The site is located within the North Oxford Victorian Suburb Conservation Area. While 5 Warnborough Road is not singled out as being of particular significance, the house contributes to the special character of the Conservation Area by forming half of a pair of large semi-detached Victorian villas which typify the area. The house's location means that views of both the front elevation and the rear elevation are possible from the public realm.

5.3. See block plan below:



6. PROPOSAL

- 6.1. The original application proposed the demolition of the existing detached garage. The demolition of the garage would also entail works to level the driveway to be the same height as street level, in line with similar works at both No. 4 and No. 6 Warnborough Road. This is to allow for a more efficient use of the space in terms of car parking. A part of the front boundary wall would also be removed to this effect.
- 6.2. A replacement two storey side extension is proposed. This extension would feature a sloped roof, sloping away from the host dwelling. The side extension would have a height of 4.2m to the eaves with a total height of 6.7m when measured from the lower ground level to the rear of the property. The visible heights from the front elevation would be 2.4m and 4.9m respectively. The fenestration of the extension would be similar to the existing dwelling, with the exception of the rear elevation which would be heavily glazed.
- 6.3. A single storey rear extension at basement/ lower ground floor level is also proposed. This would be 2.9m in height and extend 3m from the existing rear wall; it would feature a flat roof and substantial glazing to the rear elevation. Two rooflights would be inserted into the roof of the extension. The extension would be of red brick construction, although the roof would be finished in zinc.
- 6.4. A three storey extension was originally proposed. This would have been a 'closet extension' reaching from the ground level to the roof of the host dwelling. This element has been removed at the request of officers and the scheme substantially reduced with the submission of amended plans.
- 6.5. The extensions would all be finished in materials to match the existing house, including being of red brick construction with stone lintels and a slate roof.

6.6. The applicant was informed of the Council’s intent to refuse the original application due officers’ views that the proposed three storey rear extension to the property would result in harm to the Conservation Area. In this instance, a revised proposal and associated plans were accepted by planning officers. The revised application removed the three storey extension in its entirety and also lowered the height of the side extension.

7. RELEVANT PLANNING HISTORY

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

02/01116/CAT - Fell Western Red Cedar in the North Oxford Victorian Suburbs Conservation Area at 5 Warnborough Road, Oxford. RNO 28th June 2002.
76/00829/AH_H - Change of use from bed sitting room for students to nursery school on lower two floors and residential maisonette for proprietors on the upper 2 floors. REF 15th December 1976.
77/00667/AH_H - Change of use from student accommodation to a single family dwelling. PER 9th September 1977.
18/02821/CAT - Fell 1no. Lawson Cypress in the North Oxford Victorian Suburb Conservation Area.. RNO 19th November 2018.
19/00179/CAT - Works to 1no. Holly Tree and laburnum as specified by Mrs Sarah Venners in North Oxford Victorian Suburb Conservation area.. RNO 13th February 2019.
19/00316/FUL - Demolition of garage and erection of a two storey side extension and single storey rear extension at basement level. (amended plans) (amended description). PDE .

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	8, 11, 129, 128, 130	CP1, CP6, CP8, CP10	CS18	HP9, HP14	
Conservation/Heritage	189, 192, 196	HE7			
Natural environment	170		CS12		

Transport	108			HP16	Parking Standards SPD
Miscellaneous	47, 48		CS11	MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 22nd February 2019 and an advertisement was published in The Oxford Times newspaper on 21st February 2019. Further pink site notices were displayed on 9th April 2019, following the submission of the revised scheme.

Public representations

9.2. Five local people commented on the original application from addresses in Warnborough Road and Leckford Road.

9.3. In summary, the main points of objection (five residents) were largely in relation to the side extension and the three storey rear extension. However concerns as to the daylight of No. 6 Warnborough Road were also voiced. The concerns were as follows:

- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Height of proposal
- Light – daylight/sunlight
- Local plan policies

9.4. Three amenity groups also objected to the original application on the grounds that both the side and three storey rear extensions were not appropriate.

9.5. Following revisions to the scheme, a further consultation for two weeks was undertaken. Four further comments from local people were received in addition to two further comments from two amenity groups.

Officer response

9.6. Officers have considered carefully the objection to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the reasons for the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Design
- ii. Impact on Conservation Area
- iii. Impact on Neighbouring Amenity
- iv. Car Parking
- v. Flooding
- vi. Biodiversity

i. Design

10.2. Policy CP1 of the Oxford Local Plan 2001-2016 states that a development must show a high standard of design, including landscape treatment, that respects the character and appearance of the area; and the materials used must be of a quality appropriate to the nature of the development, the site and its surroundings. CS18 of the Core Strategy states that planning permission will be granted for development that demonstrates high-quality urban design through responding appropriately to the site and its surroundings; creating a strong sense of place; and contributing to an attractive public realm. Policy HP9 of the Sites and Housing Plan states that planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features.

10.3. The proposed demolition of the garage, and associated works, are considered to not have a significant impact in design terms. While the garage's red brick construction and pitched roof integrate it with the site well enough, it is not considered to be significant in design terms. The proposal to level off the driveway is also considered to have little impact in terms of design, as this would be a subtle change that most neighbours have already implemented. The other minor associated landscaping changes are also considered to be subtle changes that would not impact the visual appearance of the house.

10.4. The proposed single storey rear extension would clearly give the appearance of a modern intervention, with strong straight lines, a flat roof and substantial glazing which would set it apart visually from the host dwelling. However, the extension would not be obtrusively discordant in appearance due to its relatively low profile and modest size which means that it would be a proportionate addition and would not overpower the rear elevation. Furthermore, while the contemporary style differs from the historic host dwelling and would make clear which parts of the house are original or later additions, the dominant feature would remain the red brick masonry and large, dominating scale of the original villa. This element is therefore considered acceptable in design terms.

10.5. In terms of the side extension, this element responds well to the features of the host dwelling, particularly in terms of fenestration to the front and side

elevations as well as its long sloping roof. While the proposed front elevation of the extension is fairly traditional, which would integrate it well with the principle façade, the rear of the side extension would be very contemporary and heavily glazed. This is considered to be acceptable in design terms as it would be at a relatively low and discreet level and not readily visible. Additionally this would set this addition apart as a recent intervention and makes it clear which parts are original/modern. While the overall form of the side extension would be tall, when viewed from the lower ground level to the rear, it would only be approximately two thirds the height of the eaves of the host dwelling while also being fairly slender. This would clearly mean that the extension would be a subservient addition and would not overpower or unbalance the overall form of the host dwelling. This element is therefore considered acceptable in design terms. Officers recommend that the development therefore complies with Policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy (2011).

ii. Impact on Conservation Area

- 10.6. Policy HE7 of the Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation areas or their setting. Furthermore, planning permission will not be granted for proposals involving the substantial demolition of a building or structure that contributes to the special interest of the conservation areas.
- 10.7. It is considered that the demolition of the garage and associated changes to the front garden would not result in harm to the Conservation Area. The garage does not contribute to the significance of the Conservation Area due it being a modern intervention. While other houses on the street have side garages, it is not a typical or positive feature of the area. The levelling of the driveway would likewise not have a negative impact on the Conservation Area as it would be a very subtle change. While the plots on both sides of the road slope away from the highway, it is not a noteworthy feature of the streetscene and is not a significant feature in heritage terms. In any case, numerous other houses on the street have undertaken similar work in order to make the front garden space more useable; the proposed driveway would therefore not appear out of place. The railings proposed as part of the work associated with the demolition of the garage and the side extension would be in accordance with the council's guidance; the house would have been built in 'phase two' of the suburb's construction and the proposed railings reflect this style. The length of front boundary wall to be removed is also considered acceptable. The section to be removed appears to be the remnant of the original wall which was likely unsympathetically shortened to allow use of the garage. The removal of this section would 'tidy up' the front boundary treatment. In any case, this element is less than 1m in height and its removal, therefore, would not constitute relevant demolition under S74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as per paragraph 64 of the Planning Practice Guidance. Therefore the removal of the front wall would not require planning permission in any case and its removal cannot form a basis of refusing planning permission.

- 10.8. The proposed rear extension is considered to have an acceptable impact on the Conservation Area. The extension would be a subtle addition to the area and would not be visible from public views and would largely be obscured from private views by virtue of its low profile, due to the low ground level at this point. While it is noted in the North Oxford Victorian Suburb Conservation Area Appraisal that the Conservation Area is vulnerable to inappropriate additions to the rear of houses, in this case the rear addition is not considered inappropriate by virtue of its high quality design and discrete siting.
- 10.9. The side extension, however, has greater implications in terms of the Conservation Area. The North Oxford Victorian Suburb Conservation Area Appraisal notes that, although the building plots in this area are narrow, the feeling of openness is retained due to the generous rear gardens which can be glimpsed through the gaps between houses. Extensions into these gaps are a vulnerability of the Conservation Area. It is also noted by planning officers that a number of houses on the road have side extensions of varying size and use; while this is not considered to set a firm precedent in favour of such extensions, the principle of side additions in the area has been established. In this instance it is considered that the proposed side extension would be acceptable. The extension would be sited 1.2m from the boundary with 4 Warnborough Road and so glimpses into the greenery of the house's rear amenity space would still be possible. Indeed the width of the extension is not dissimilar to the width of the garage that is proposed to be demolished, although the extension has the advantage of being set away from the boundary. The side extension is also proposed to be set back a distance from the building line of the original house; this means that the side extension would appear subservient and not completely fill the gap between Nos. 4 and 5 Warnborough Road. While it is considered that a shorter side extension would have been preferred, the height of the proposed extension would not be disproportionate or visually jarring as it would not have the appearance of a two storey addition, when viewed from the street, due to the differences in ground level. While the loss of most of the side windows is regrettable, as some of them have some architectural merit, the proposal would 'tidy up' this elevation which at present is quite random in its window placement. Indeed, having regard to the otherwise orderly fenestration of the pair of semi-detached properties, of which this house forms part, the disorderly fenestration of this elevation of No. 5 seems at odds with the established character of the houses and wider built environment.
- 10.10. Officers have carefully considered the impact of the proposed development in terms of harm that it would have on the North Oxford Victorian Suburb (which is a designated heritage asset). Regard has been paid to Paragraph 192 of the NPPF in reaching a decision to recommend granting planning permission. When applying the test outlined in Paragraph 196 of the NPPF, it is considered that the proposal would cause no harm to the character, appearance and special significance of the Conservation Area. Therefore, the proposals would be acceptable in terms of their impact on this designated heritage asset and the development complies with the requirements of the NPPF and Policy HE7 of the Oxford Local Plan 2001-2016.

10.11. Special attention has been paid to 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 Section 72 of the Act.

iii. Impact on neighbouring amenity

10.12. Policy HP14 of the Sites and Housing Plan states that planning permission will not be granted for development that has an overbearing effect on existing homes, and will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. Policy HP14 of the Sites and Housing Plan sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

Privacy

10.13. Due to the proposed windows on the side elevation of the side extension being at lower ground floor level and the rooflights being approximately 1.8m higher than the floor, it is considered that unacceptable views into the rooms of No. 4 would not be possible. Likewise the addition of windows to the rear and front elevation of the property would not result in unacceptable views of nearby properties due to the distance between the houses.

Daylight/ Sunlight

10.14. The proposals would be compliant with the 25/45 degree test, outlined in Policy HP14, in terms of its impact on No. 4 Warnborough Road. It is therefore considered that the proposal would not result in a loss of daylight for this neighbour

10.15. The proposal would be compliant with the 25/45 degree test, outlined in Policy HP14, in terms of 6 Warnborough Road with the exception of the lower ground floor window closest to the boundary with No. 5. However, the daylight to this window is already impinged upon by the boundary wall and trellis atop that wall; the height of the rear extension would not cumulatively result in a significant further loss of daylight. Officers have also been mindful that a similar sized rear extension could be erected on the basis of permitted development (as set out Part 1, Class A of the GPDO); with this fallback position in mind it is recommended that it would be unreasonable to refuse planning permission because of the impact of the development on light conditions for No. 6 Warnborough Road.

Overbearing

10.16. Due to the rear extension only extending 3m beyond the existing rear wall of the house, it is considered that this would not result in unacceptably overbearing form of development on No. 6 Warnborough Road

10.17. The side extension would add a two storey element near the boundary with 4 Warnborough Road. However, it is considered that due to the gap between the extension and the boundary in concert with the fact that an amount of the extension would be concealed due to the change in ground level the proposal would not result in unacceptable overbearing on 4 Warnborough Road.

iv. Car Parking

10.18. Policy HP16 of the Sites and Housing Plan states that planning permission will only be granted for residential development where the relevant maximum car parking standards set out in Appendix 8 are complied with. Applications will be decided on their merits, to reflect local context and existing parking capacity and safety issues.

10.19. It is considered that despite the loss of the garage, there would remain sufficient space in the front garden for parking the cars associated with the use of the property as a family dwelling. In any case, the site is within a CPZ and, due to limited permits, would not result in increased on-street parking pressures.

v. Flooding

10.20. Policy CS11 of the Core Strategy states that planning permission will not be granted for any development in the functional flood plain (flood zone 3b) except water-compatible uses and essential infrastructure. The suitability of developments proposed in other flood zones will be assessed according to the NPPG sequential approach and exceptions test. All developments will be expected to incorporate sustainable drainage systems or techniques to limit runoff from new development, and preferably reduce the existing rate of runoff. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

10.21. The site lies within the defined floodzone 1 area; which means it is not at risk of flooding. The proposed works include the change of the ground level of the driveway, in this instance it is considered appropriate to include a condition ensuring that drainage arrangements are made in accordance with the principles of SuDS. Subject to this condition being included with any planning permission officers recommend that the development would have an acceptable impact on flooding and surface water drainage and complies with the requirements of Policy CS11 of the Core Strategy (2011).

vi. Biodiversity

10.22. Policy CS12 of Core Strategy states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking opportunities to include features beneficial to biodiversity within new developments throughout Oxford.

10.23. While the Council is satisfied that the presence of protected species on the site has been given due regard, it is considered that a schedule of ecological

enhancements should be implemented as part of the proposal. This is due to Policy CS12 which states that opportunities will be taken to ensure the inclusion of features beneficial to biodiversity within new developments throughout Oxford and the NPPF which encourages the incorporation of ecological improvements to developments. With this in mind, the applicant submitted an ecological method statement which made a series of recommendations to improve the biodiversity of the site. Condition 4 stipulates that work must be completed in accordance with these measures. With these measures in place the proposal would accord with Policy CS12 and would thereby be acceptable in terms of ecology.

11. CONCLUSION

- 11.1. The proposed development would be acceptable having had regard to the design, the impact on designated heritage assets, impact on neighbouring amenity, car parking, flooding and ecology. The proposal is considered to comply with all relevant local and national planning policy including Policies CP1, CP8, CP10, HE7 of the Oxford Local Plan 2001-2016, Policies CS11, CS12 and CS18 of the Core Strategy (2011), Policies HP9, HP14, HP16 and MP1 of the Sites and Housing Plan (2013) and Paragraphs 195-197 of the NPPF.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject conditions as recommended below.

12. CONDITIONS

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

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

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

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

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

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

- 4 The development hereby approved shall take place in accordance with the recommendations of the submitted 'Ecological Enhancement Method Statement.'

Reason: To ensure the development protects and enhances Oxford's biodiversity, in accordance with Policy CS12.

- 5 The approved driveway shall be laid out and constructed using sustainable drainage measures and shall not allow water to drain onto the highway.

Reason: To ensure that the development does not have an adverse impact on surface water runoff as required by Policy CS11 of the Core Strategy (2011).

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

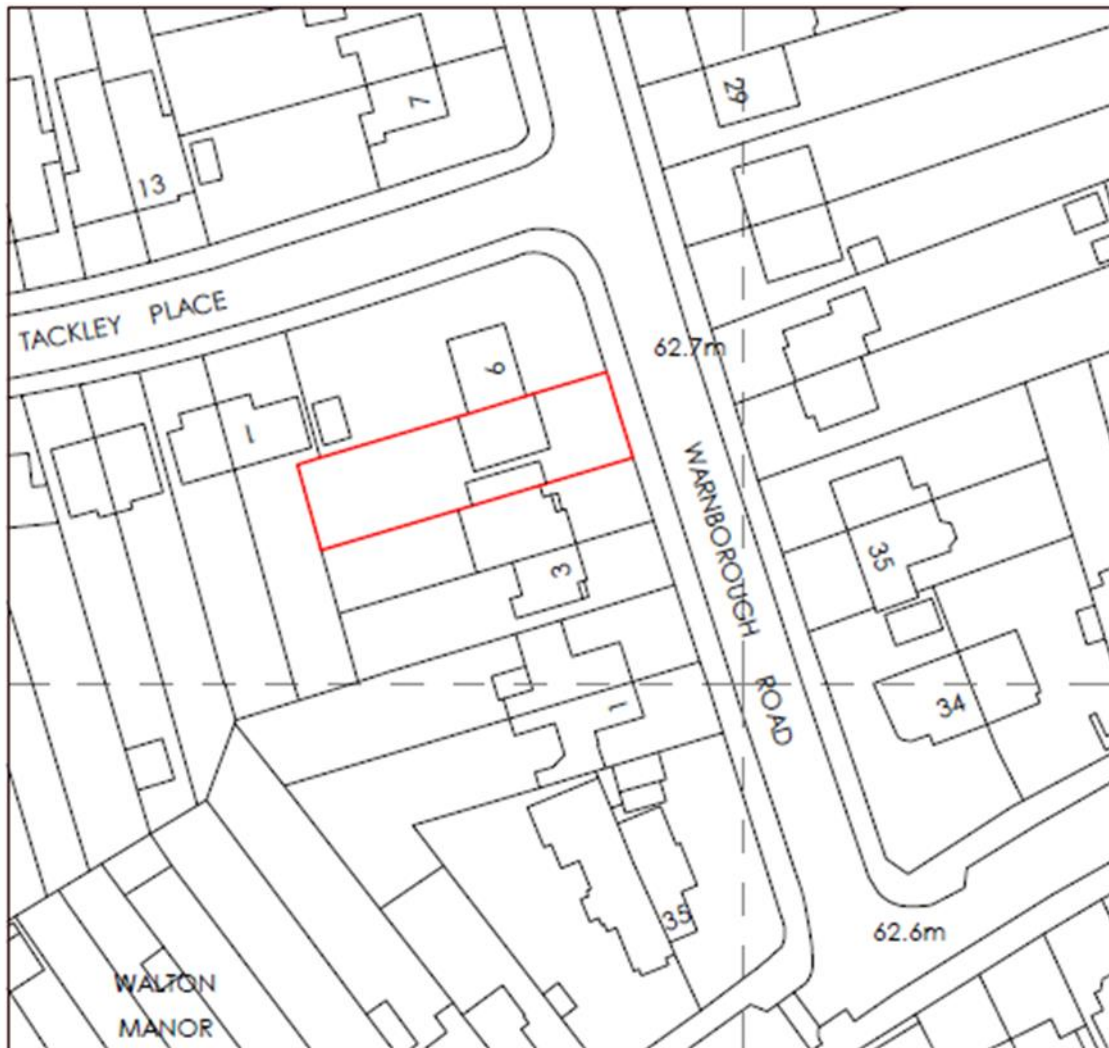
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

Appendix 1 – Site Plan

19/00316/FUL – 5 Warnborough Road



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West Area Planning Committee

8th May 2019

Application number:	16/02689/CND11		
Decision due by	21st May 2019		
Extension of time	n/a		
Proposal	Details submitted in compliance with condition 24 (Public Art) of planning permission 16/02689/FUL.		
Site address	Unither House, 15 Paradise Street.		
Ward	Carfax Ward		
Case officer	Felicity Byrne		
Agent:	Mr Martin Lennon	Applicant:	Dominvs Project Company 3 Limited
Reason at Committee	Application 16/02689/FUL was approved on 9 th May 2017 subject to conditions. It was agreed that approval of the details required by condition 24 (public art) should be brought back to Committee and not delegated to the Head of Planning to approve.		

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. Approve the submitted public art in compliance with Condition 24 of planning permission 16/02689/FUL and agree a revised installation timescale of within 6 months following occupation of the hotel for the reasons given in the report.

2. EXECUTIVE SUMMARY

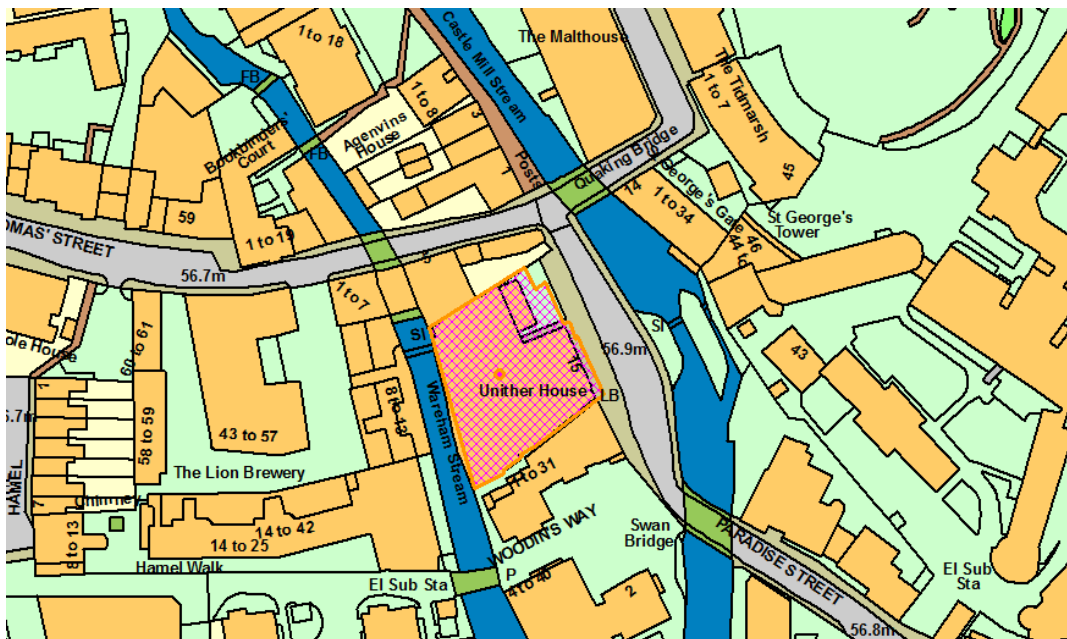
2.1. This report considers the appropriateness of the submitted information in respect of condition 24 of 16/02689/FUL and timescale for implementation.

3. BACKGROUND TO CONDITION:

3.1. Planning permission was approved by WAPC on 9th May 2017 for the demolition of the Unither House and construction of a new hotel (use class C1), with associated vehicle and cycle parking, landscaping, plant and engineering works, subject to conditions. The site is located on Paradise

Street see the location plan below at 3.2. Adjoining it to the North is the former public house now residential property No.5 St Thomas Street, also under the same ownership as the site. The site lies within the Central Conservation Area and west of St George's Tower (Grade I listed) within the Oxford Castle and the Castle Mill Stream, which runs alongside Paradise St and the Castle boundary. To the south is the mixed use residential and office development of Woodin's Way. The western boundary is formed by the Wareham Stream and on its western side is the residential complex of the former Lion Brewery. Construction of the hotel is well under way and is due to be opened later this year.

3.2. See the location plan below:



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Ordnance Survey 100019348

3.3. Condition 24 of the approval requires the submission of details of a piece of Public Art. In approving the development WAPC required the details of the public art to be approved by committee and not delegated to the Head of Planning to approve. Condition 24 states:

'Prior to occupation of the development details of public art within the development shall be submitted to and approved in writing by the Local Planning Authority. The proposed Public Art shall be installed prior to occupation of the hotel or within another timescale period as to be agreed in writing with the Local Planning Authority and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.'

Reason: To give further consideration to the matter and in order to comply with CP14 of the Oxford Local Plan 2001-2016'.

3.4. In considering public art the supporting text to CP14 (Public Art) of the Oxford Local Plan 2001-2016 states that 'Proposed public art should be accessible

for public enjoyment, enhance and enliven the environment, and contribute to the cultural identity of its location' and '...we will seek public art that is original, stimulating and of lasting value to both the development and the cultural life of Oxford'.

4. RELEVANT PLANNING HISTORY

- 4.1. The table below sets out the relevant planning history for the application site and adjoining property:

<p>Site: 16/02689/FUL - Demolition of existing building and construction of new hotel building (use class C1), with associated vehicle and cycle parking, landscaping, plant and engineering works. (Amended plans)(Amended information). Permission granted 21st July 2017.</p> <p>No.5 St Thomas St: 19/00228/FUL – Change of use of part of dwelling house (Use Class C3) to a provide hotel guest suite accommodation (Use Class C1), creation of a dwelling to be used by staff (use Class C3). Erection of a single storey link extension and private amenity space (amended description). Permission granted 26th March 2019.</p>

5. CONSULTATION RESPONSES

- 5.1. At the time of writing the report no public comments have been received. Any received will be reported verbally to Committee.

6. OFFICER ASSESSMENT:

Details of The Public Art:

- 6.1. The location of the public art was identified in the application and takes the form of gates to the residential dwelling, No. 5 St Thomas's Street (former the Brewery Tap), which adjoins the new hotel. It should be noted that permission has recently be granted to subdivide part of this dwelling to create a smaller dwelling for use by hotel staff (19/00228/FUL refers) and private garden space. Implementation of this permission would not materially alter the location of the gates or the installation of the public art under condition 24 of 16/02689/FUL. The proposed public art work gates would measure 2.8m high by 5.28m wide.
- 6.2. The chosen artist Anna Vickers is a multi-media artist working in metal, stone, ceramic (tiles) who has successfully incorporated historic imagery through her public artwork elsewhere in the UK. For example cut metal work fencing around a community garden in Southampton and large scale tiled murals,

depicting events and images of Southampton within the alcoves of residential blocks of flats.

- 6.3. The proposed public art for this site draws on the history of the site and its immediate surroundings. Due to the fact that they would still form part of the existing boundary to the residential property the gates also need to provide privacy screening to the garden. The gates would be made from anodised aluminium and the design image made by cutting holes of various size and density to form the image. The image itself references Queen Matilda, who was once a prisoner in the Castle; St Georges Tower; the industrial history of this part of Oxford and its breweries: the Castle Mill stream that powered the water wheel for the brewery and maltings; hops and barley; the Swan Brewery; and the shire horses that pulled the brewery carts (and had stables at the Brewery Tap).
- 6.4. Officers consider that the proposal would be a successful piece of art work in this location. The proposed material would complement both new hotel and the existing residential property in terms of materials and would be appropriate in terms of appearance in the street scene. The size of the artwork and its form means that it would provide adequate privacy to the garden area behind and is appropriate in relation to the adjoining buildings and street scene. Finally in terms of the image itself, Officers consider that the juxtaposition of medieval and industrial themes are entirely appropriate to its location. It meets the requirements of CP14 in that it would enliven the street scene and delight the passer by. It successfully draws on the cultural identity of its location and would be original, stimulating and of lasting value to both the development and the cultural life of Oxford.
- 6.5. Special attention has been paid to the statutory test of preserving the listed building or its setting or 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 sections 16 and 72 respectively of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the art work would preserve and enhance the character and appearance of the Conservation Area and the setting of St George's Tower and neighbouring listed buildings, and so accords with sections 16 and 72 of the Act.
- 6.6. In terms of timescales for installing the art work, should Committee be minded to approve the details, it would not be possible to fabricate the gates and install them prior to occupation of the hotel. For clarity occupation in this instance is taken to mean the opening of the hotel (as opposed to guests occupying the rooms). It is planned to open the Hotel in June this year, although this may be subject to change. The wording of the Condition allows for an alternative timescale to be agreed and Officers suggest that the public art should be installed within 6 months of the first occupation of the hotel.

7. CONCLUSION

- 7.1. Officers consider that the detail of the public art submitted is acceptable in compliance with Condition 24 of planning permission 16/02689/FUL and it should be installed within 6 months following occupation of the hotel. West Area Committee is recommended to approve the details and revised installation timescale accordingly.

Background Papers: 16/02689/FUL & 16/02689/CND11

Contact Officer: Felicity Byrne

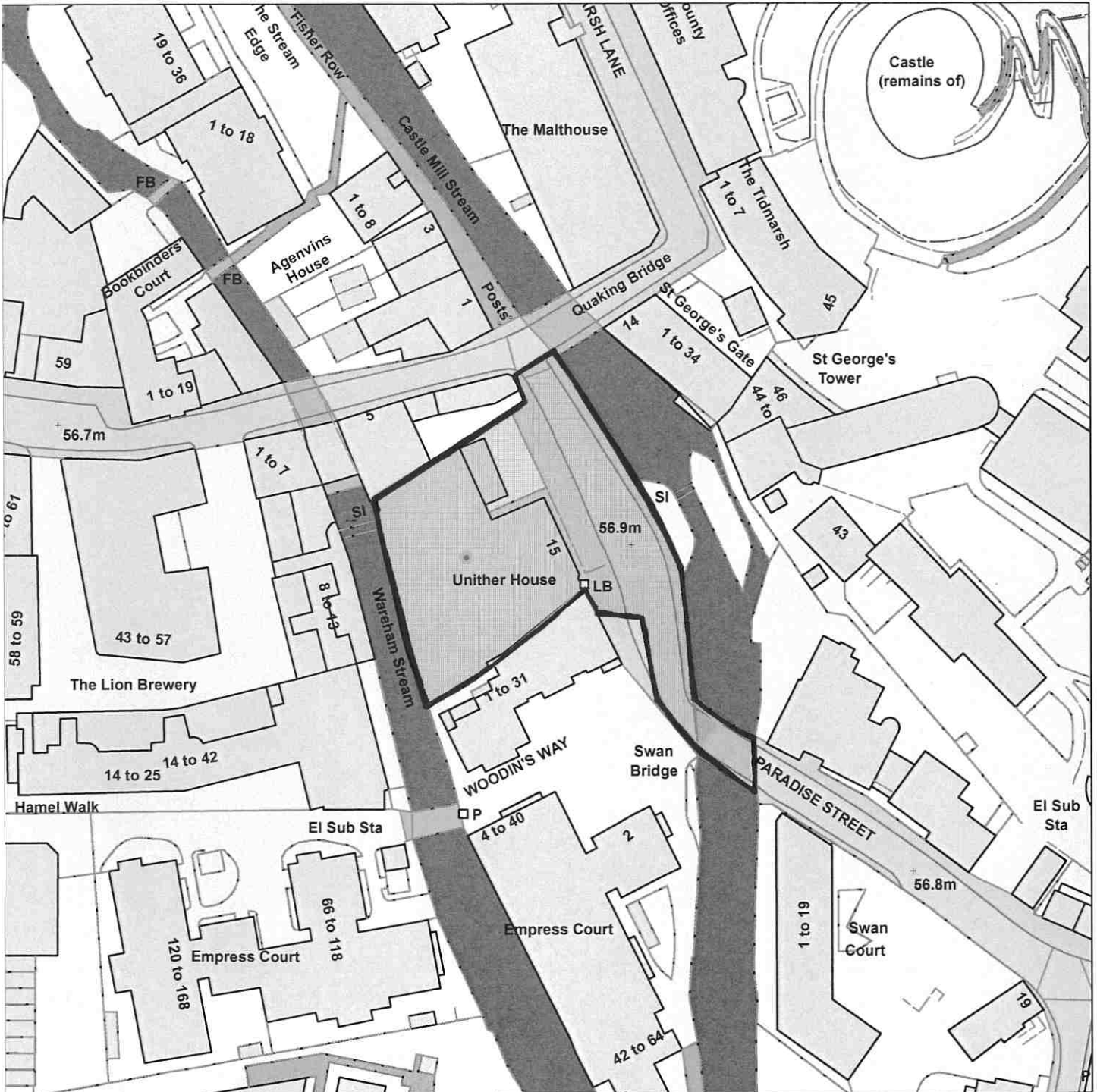
Extension: 2159

Date: 3rd April 2019

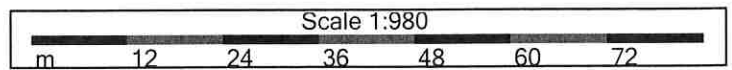
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Appendix 1

Unither House, 15 Paradise Street (16/02689/FUL)



1:980



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	03 April 2017
SLA Number	100019348

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West Area Planning Committee

8th May 2019

Application number:	19/00867/FUL		
Decision due by	30th May 2019		
Extension of time	14th June 2019		
Proposal	Replacement of communal entrance doors and insertion of 1no. communal door.		
Site address	Riverside Court , Long Ford Close, Oxford, OX1 4NG – see Appendix 1 for site plan		
Ward	Hinksey Park		
Case officer	James Paterson		
Agent:	N/A	Applicant:	Mr Bill Chamberlain (Oxford City Council)
Reason at Committee	The application is made by Oxford City Council and must therefore be decided by a planning committee.		

1. RECOMMENDATION

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

1.1.1. **approve the application** for the reasons given in the report subject to no additional public comments being received that raise objections relating to matters that have not already been considered and subject to planning conditions set out in section 12 of this report and grant planning permission.

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the proposed insertion of a new communal door to serve the laundry room and office (as shown on elevation 10 of drawing OXF-OCC-RSC-00-AR-DR-00003 P01). It is also proposed to replace the external communal doors of the apartment complex. The proposal would have an acceptable impact in terms of design. Officers also consider that the proposal would have an acceptable impact on the amenity of neighbouring properties.

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.

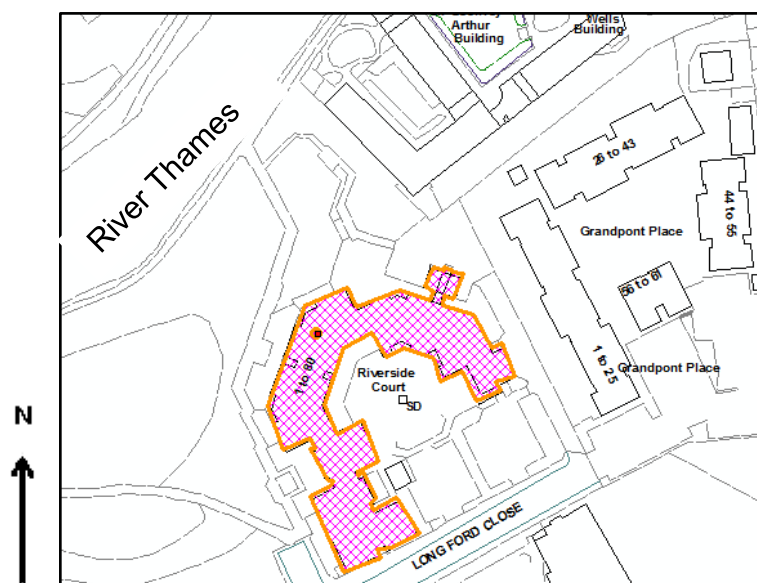
5. SITE AND SURROUNDINGS

5.1. Riverside Court is a purpose built apartment complex owned by Oxford City Council. It was erected in the late 1980's and is of yellow brick construction and has remained largely unaltered from its original form. A number of communal doors serve the residents of the flats; these are of aluminium construction with a single transom and glazed above and below the door transom. The doors are finished in either polished aluminium or powder coated paint in either brown or blue colours.

5.2. The site is surrounded by other apartment complexes to the east and north while the river Thames lies a short distance to the north. Across the public highway to the south, Long Ford Close lies a primary school. To the west lies an area of green with intersecting public footpaths as well as Grandpont Car Park.

5.3. While it is noted that the site lies near to the Central Conservation Area, due to views not being afforded of it from the conservation area in conjunction with the fact that the site lies behind tall buildings, it is considered that the site would not form part of the setting of the conservation area.

5.4. See block plan below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes the installation of an additional communal door to serve the existing office and laundry room in conjunction with the replacement of the existing communal doors, both single and combination. The doors serving the curtain wall and the entrances which feature glass roof canopies do not form part of this application.
- 6.2. The replacement doors would be high security stainless steel warrior doors. Where there are combination frames, the replacement doors would include a side panel. The replacement doors would have a greater width than the existing to incorporate the maglock vertical security locks. Where the existing communal doors have one transom, the proposed doors would have two additional transoms spaced equally and glazed in between. The replacement doors would be finished in a powder colour brown to match the existing installed window colours.

7. RELEVANT PLANNING HISTORY

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

75/00052/A_H - Residential development at a density of 70 bed spaces per acre. PER 19th February 1975.
85/00808/GF - 79 flats for single people and one caretaker's flat, with 36 car parking spaces and 4 garages (Amended Plans). DMD 10th December 1985.
97/01277/GF - Single storey extension to wardens office and erection of gate and 'pergola' at 1st floor level.. PER 18th September 1997.
04/00843/FUL - Window and door replacement.. PWD 14th May 2004.
19/00867/FUL - Replacement of communal entrance doors and insertion of 1no. communal door.. PDE .

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	Neighbourhood Plans:
Design	8, 11, 129, 128, 130	CP1, CP6, CP8, CP10	CS18	HP9, HP14		
Miscellaneous	47, 48	CP.13 CP.24 CP.25		MP1	Insulation TAN,	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 16th April 2019.

Statutory and non-statutory consultees

9.2. No representation was received

Public representations

9.3. No local people commented on this application.

The consultation period for this application expires at midnight on 9th May. As this is after the committee date the recommendation to the committee is that planning permission is granted subject to no public comments having been received by the end of the consultation period that raise matters that have not been considered in this report.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Design
- ii. Neighbouring amenity

i. Design

10.2. Policy CP1 of the Oxford Local Plan 2001-2016 states that a development must show a high standard of design, including landscape treatment, that respects the character and appearance of the area; and the materials used must be of a quality appropriate to the nature of the development, the site and its surroundings. CS18 of the Core Strategy states that planning permission will be granted for development that demonstrates high-quality urban design through responding appropriately to the site and its surroundings; creating a strong sense of place; and contributing to an attractive public realm. Policy HP9 of the Sites and Housing Plan states that planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features.

10.3. The proposed alterations and additions would be unlikely to substantially alter the visual appearance of the building, as the changes to the doors would be subtle and the existing layout of the fenestration would be unaltered, with the exception of one additional door being installed. The changes would therefore not unbalance or overwhelm any of the elevations. The materials of the door as well as the brown powder coated finish would also mean that the doors would be well integrated with the rest of the building by responding to its existing features.

10.4. It is therefore considered that the proposal would be of sufficient design quality so as to accord with Policies CP1, CS18 and HP9.

ii. Impact on neighbouring amenity

- 10.5. Policy HP14 of the Sites and Housing Plan states that planning permission will not be granted for development that has an overbearing effect on existing homes, and will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. Policy HP14 of the Sites and Housing Plan sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

Privacy

- 10.6. The proposed doors would have a similar level of glazing to the existing doors, it is considered that the views afforded of flats and schools in the vicinity by residents when using the doors would not be materially worse than is possible under the existing arrangement.

Overbearing

- 10.7. The proposed development would not result in any additional built mass which could constitute an overbearing presence on the residential areas and school surrounding the site.

Daylight

- 10.8. The proposal is compliant with the 25/45 degree access to light test, outlined in Policy HP14. The proposal would thereby not result in a reduction of light to any of the domestic flats in Riverside Court or any of the flats surrounding the site.

11. CONCLUSION

- 11.1. The proposed development would be acceptable having had regard to the design and the impact neighbouring amenity. The proposal is considered to comply with all relevant local and national planning policy including Policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011), Policies HP9, HP14 and MP1 of the Sites and Housing Plan (2013) and the NPPF.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the reasons given in the report subject to no additional public comments being received that raise objections relating to matters that have not already been considered and subject to planning conditions set out in section 12 of this report below.

12. CONDITIONS

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

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

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

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

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

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

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

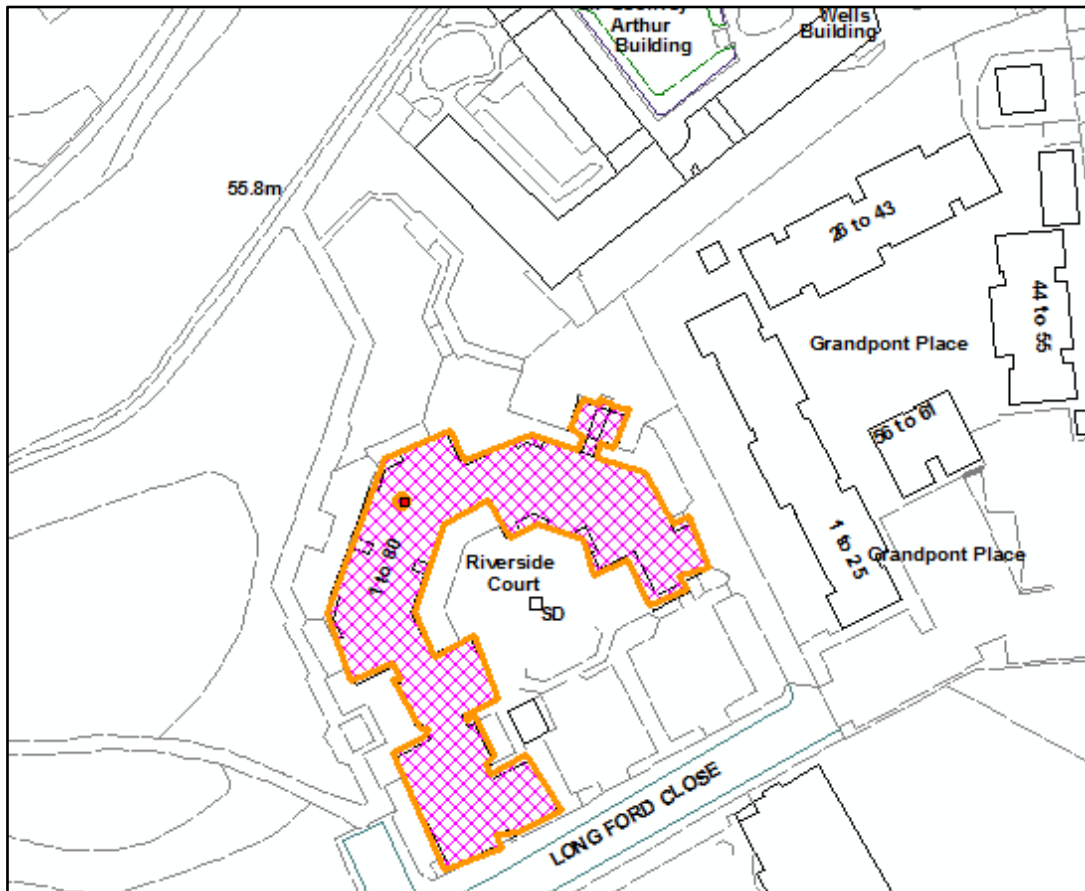
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

Appendix 1 – Site Plan

19/00867/FUL - Riverside Court, Long Ford Close



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Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 9 April 2019

www.oxford.gov.uk



Committee members:

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

Officers:

Robert Fowler, Planning Team Leader
Sally Fleming, Planning Lawyer
Sarah De La Coze, Planning Officer
Julia Drzewicka, Planning Officer
Amy Ridding, Senior Conservation Officer
Catherine Phythian, Committee Services Officer

Apologies:

Councillor(s) Harris sent apologies.

82. Declarations of interest

18/03322/FUL: Councillor Landell Mills stated that although he was a signatory to the call-in he was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

19/00249/FUL: Councillor Hollingsworth stated that although he was a signatory to the call-in he was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Cook stated that he was a Council appointed trustee for Oxford Preservation Trust and a member of Oxford Civic Society. However, he had taken no part in those organisations' discussions or decision making regarding any of the applications before the Committee and that he was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Upton stated that she was a Council appointed trustee for Oxford Preservation Trust. However, she had taken no part in those organisations' discussions or decision making regarding any of the applications before the Committee and that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

83. 18/03322/FUL - 16 Northmoor Road, Oxford, OX2 6UP

The Committee considered an application (18/03322/FUL) for planning permission for the sub-division of the existing building to create 4 x 2-bed and 2 x-1 bed flats (Use Class C3); the demolition of the existing rear extension and erection of a three storey extension to north elevation with external staircase and bin and cycle store (amended plans).

This application had been called in by Councillors Harris, Roz Smith, Landell-Mills, Wade and Goddard due to concerns about overbuilding and damage to the character of the Conservation Area.

The Planning Officer presented the report and referred the Committee to a dormer window proposed to be located on the rear elevation of the existing building as it was not referred to explicitly within the assessment in paragraphs 10.17 and 10.28 of the report. The Planning Officer explained that the dormer was considered to form a visually appropriate relationship with the property, would be in keeping with the design of the existing dormers on the building, and would not give rise to unacceptable levels of overlooking or loss of privacy.

James Wyman, local resident, spoke against the application.

Mark Utting, agent, spoke in favour of the application.

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

The Committee acknowledged that this was a sensitive site within the conservation area but on balance agreed with the Planning Officer's judgement that the application would lead to less than substantial harm due to the position of the extension to the rear of the site and the relationship with the existing Church extension. The Committee concluded that the less than substantial harm was outweighed by the benefits of the proposal, in particular the removal of the garage to the front and the staircase to the side, the provision of an additional dwelling and improved quality of space for future occupiers of the site.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

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 the report and grant planning permission; and
2. **delegate authority** to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

84. 19/00249/FUL: 16 East St, Oxford, OX2 0AU

The Committee considered an application (19/00249/FUL) for planning permission for the demolition of the existing workshop (Use Class B1) to erect a two storey yoga workshop (Use Class D2) and provision of cycle spaces (amended description).

The application had been called-in by Councillors Pressel, Fry, Tanner and Hollingsworth on the ground that there is a massive concern locally about the possible change of use to D2 in the middle of a residential area and the design of the proposed building.

The Council's Planning Lawyer addressed the Committee on the points raised in the Counsel's Opinion which had been circulated by Mr Orr a local resident, to the Planning Officer and members the Committee prior to the meeting.

The Planning Lawyer informed the Committee that the arguments in the opinion were not, in her view, persuasive and she did not consider that they could form the basis of a successful legal challenge to any decision to grant permission based on the content of the Planning Officer's report.

The Planning Officer presented the report and reported that:

- an additional 8 comments had been submitted in relation to the application (7 objections and 1 supporter) since the publication of the agenda but all of the material planning considerations raised were addressed in the Planning Officer's report;
- paragraph 10.5 of the report should refer to policy CS28 not CS18;
- the wrong certificate of ownership had been submitted with the application; a revised certificate had been now been submitted but this would require a 21 day consultation period. To address this it was proposed that the first bullet point at paragraph 1.1.2 of the report should be revised as follows (additional text in italics):

"Consider and deal with any new material planning considerations that may be raised through public consultation, which expires on the 11th April 2019 and consider and deal with any representations that may be made as a result of the notice which has now been served on the owner which expires on the 29th April 2019, including deciding whether it is necessary to refer the application back to the committee prior to issuing the permission".

Vernon Orr and Bianca Elgar spoke against the application.

In discussion the Committee noted the following points:

- that the Article 4 Direction did not apply to the application site as it was not a residential dwelling
- that the proposed restriction to D2 use only as a yoga studio (proposed Condition 10) would prevent the use of any permitted development rights to change the use of the site
- the concerns raised by local residents about potential increase in footfall and/or traffic were not limited to the proposed change of use to D2; the existing B1

designation could also result, without the need for any further planning permission, in a use of the site within that Use Class which could involve increased footfall and/or traffic

- advice from the Conservation Officer that the heritage significance of the application site related primarily to its use as a light industrial and local business and to the fact that it created a visual break in the streetscene.

In reaching its decision, the Committee considered all the information put before it including the officer's report and presentation; the speakers' presentations; answers to questions put to the officers and officers' professional advice.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application subject to the inclusion of the revised wording to 2a) below shown in italics.

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 the report and grant planning permission; and
2. **delegate authority** to the Acting Head of Planning Services to:
 - a) consider and deal with any new material planning considerations that may be raised through public consultation, which expires on the 11th April 2019 *and deal with any representations that may be made as a result of the notice which has now been served on the owner which expires on the 29th April 2019*, including deciding whether it is necessary to refer the application back to the committee prior to issuing the permission;
 - b) finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
 - c) issue the planning permission.

85. Minutes

The Committee resolved to approve the minutes of the meeting held on 12 March 2019 as a true and accurate record.

86. Forthcoming applications

The Committee noted the list of forthcoming applications.

87. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 7.15 pm

Chair

Date: Wednesday 8 May 2019