

## **Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 31 October 2017**



### **Committee members:**

Councillor Upton (Chair)	Councillor Cook (Vice-Chair)
Councillor Azad	Councillor Hollingsworth
Councillor Iley-Williamson	Councillor Landell Mills
Councillor Pegg	Councillor Price
Councillor Goddard (for Councillor Fooks)	

### **Officers:**

Philip Devonald, Planning Legal Locum  
Adrian Arnold, Development Management Service Manager  
Robert Fowler, Planning Team Leader  
Felicity Byrne, Principal Planner  
Julia Drzewicka, Planning Officer  
Catherine Phythian, Committee Services Officer  
Rachel Drinkwater, Committee Services Support Officer

### **Apologies:**

Councillor(s) Fooks sent apologies.

### **29. Declarations of interest**

There were no declarations of interest.

### **30. 16/02689/CND, Unither House, 15 Paradise St**

The Committee considered the submitted Construction Traffic Management Plan in compliance with Condition 13 of planning permission 16/02689/FUL.

The Planning Officer presented the report and displayed maps to show the routing of vehicles to the site to take account of the weight restrictions on the Quaking Bridge and Swan Bridge.

The Planning Officer informed the Committee of a late revision to the submitted Construction Traffic Management Plan. The original plan proposed to use Welcome Break Services at Pear Tree as a lay-over point for the construction traffic. But the private land owner had not given consent as the site is too constrained to accommodate any large vehicles (trucks). The revised proposal would be to use lay-bys on the A34 on both the north and southbound sides of the carriageway. The County Highways Authority had confirmed that they were satisfied with the revised proposal.

Jimmy Donnelly (representing the site contractor) made a statement confirming the arrangements in place with local residents to address concerns during the construction and was present to answer questions from the Committee.

In reaching its decision, the Committee considered all the information put before it. The Committee concluded that this was a difficult construction site but were pleased to note that the contractor had demonstrated a sensitive approach to the views of local residents and that the main issues of concern had been addressed.

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

**The West Area Planning Committee resolved to:**

- a) **approve** the submitted Construction Traffic Management Plan in compliance with Condition 13 of planning permission 16/02689/FUL subject to the submission of a revised document which addressed the revision to the location of the lay-over points; and
- b) **agree** to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to approve the revised document.

**31. 17/01941/FUL: 225-229 Banbury Road Oxford OX2**

The Committee considered an application for planning permission for the erection of 3 x 3-bed dwellings (Use Class C3) and provision of private amenity space, cycle parking and refuse storage.

The application was before the Committee as it was called in by Councillors Fooks, Goff, Wilkinson, Wade and Landell Mills because of concerns that the development would have on the access arrangements, the impact on neighbours and the adequacy of the amenity space.

The Planning Officer presented the report and briefed the Committee on the details of the proposed development.

Simon Sharp (agent) spoke in favour of the application.

In discussion the Committee noted the following points:

- Landscaping, including the vegetation boundary, would be secured by Condition

- Bin and cycle storage would be secured by Condition 8
- The site would not be eligible for resident's or visitor's parking permits (Condition 10)
- The development would have no permitted development rights (Condition 4)

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:**

- (a) Approve** the application for the reasons given in the report and subject to the 13 required planning conditions and 2 informatives as set out in section 12 of this report and grant planning permission.
- (b) Agree** to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
  1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

## **32. 17/02392/FUL: 8 West St**

The Committee considered an application for planning permission for Change of use from dwelling house (Use Class C3) to a large House in Multiple Occupation (Sui Generis).

The application was before the Committee as it was called in by Councillors Pressel, Rowley, Tanner and Fry on the grounds that a 7 occupant HMO is too many people for a small Osney Mead property, with no front garden to store bicycles and bins for the property.

The Planning Officer presented the report and advised that the Highways Authority had submitted a late comment requesting a condition that would ensure that no more than fifty visitor parking permits could be issued each year for the whole property. Officers recommended that this condition be included if planning permission was granted. A copy of the wording of the condition was circulated to the Committee. The Planning Officer explained that the application met the minimum requirements of the Council policies for amenities and facilities; bin storage / outside space; and cycle parking. The decision to recommend approval had been finely balanced.

Barbara Hammond spoke against the application.

The Committee asked questions of the officers and public speaker about the details of the application with particular reference to the following concerns:

- The health and safety implications of installing vertical bike racks in the front hall

- The desirability of moving bikes and refuse/recycling bins through the only amenity space
- the accuracy of the plans
- whether the layout and size of the shower rooms meant that they could actually be used for that purpose
- the limited provision of communal amenity space
- The apparent lack of privacy for the occupants due to the quality of the internal walls
- That the floor space standards would be breached if the walls had adequate insulation

In reaching its decision, the Committee considered all the information put before it. The Committee concluded that the application before them did not provide an acceptable standard of housing and was not of the quality that should be required by the City Council. They felt that the cumulative impact of their concerns about the practicalities of the design features of the application justified challenge on the basis of over-development.

The Committee suggested that officers should review the Council's Planning and HMO policies in the light of the issues identified in determination of this application.

Notwithstanding the officer recommendation for approval and on being put to the vote the Committee agreed the resolution as set out below.

**The West Area Planning Committee resolved to refuse** planning permission for application 17/02392/FUL for the following reasons:

1. Having had regard to the amount of space within the property within the House in Multiple Occupation it is considered that the proposals would provide an insufficient quantity and quality of indoor space to the detriment of occupier's amenity. The small size and shape of bedrooms in addition to the poor quality provision of shared indoor amenity space, in particular the lack of natural light and ventilation in that space would make the development unacceptable. As a result the development is contrary to Policies CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policies HP7 and HP12 of the Sites and Housing Plan (2013).
2. The proposed development would provide an impractical and unrealistically usable arrangement for the storage of cycles and refuse. As a result the development would fail to adequately address the day to day needs of the occupiers of the large House in Multiple Occupation and would be contrary to Policy CP10 of the Oxford Local Plan 2001-2016 and Policies HP7, HP13 and HP15 of the Sites and Housing Plan (2013).

### **33. 17/02109/FUL: Bardwell Court, Bardwell Road, Oxford, OX2 6SX**

The Committee considered an application for planning permission for the partial demolition of existing building, alteration and extension to create a new link, rear extension and provision of bin and cycle stores and removal of trees and landscaping.

The Planning Officer presented the report and gave a detailed explanation of the application plans and site photographs, paying particular attention to the proposals for the terraces.

The Planning Officer said that two further public comments had been received in relation to the proposals since the agenda was published. The first was from the occupiers of 21 Bardwell Road raising concerns about noise from the terraces. This matter had been addressed in paragraph 10.29 of the officer report.

The second comment was from the Linton Road Neighbourhood Association and raised concerns about the potential impact of the development on the setting of a Listed Building at No. 2 Charlbury Road. The Listed Building was approximately 20m from the end of the proposed rear extensions to Bardwell Court and there was mature vegetation along the boundary to screen the development. As a result, the Planning Officer did not consider that the development would adversely impact on the setting of the listed building and the development complies with the requirements of Policy HE3 of the Local Plan.

The Planning Officer advised the Committee that specific concerns had been raised in the objection about noise from the terraces impacting on the listed building and its setting. The Planning Officer suggested that the proposed terraces would have a similar level of activity to the existing garden which is in closer proximity to No. 2 Charlbury Road and therefore there would not be an increase in activity that would be alien or out of character.

Councillor Price left the meeting during the officer presentation.

John Holland Kaye and Phillip Allan (representing Linton Road Neighbourhood Association) spoke against the application.

Peter Brampton (agent) spoke in favour of the application.

The Committee acknowledged the concerns raised by the public speakers and in discussion noted the following points:

- The terraces had been designed to be set back from the edge of the flat roof area and would have privacy screens to address the concerns of the neighbours about noise and overlooking
- Complaints about noise from the terraces could be addressed under the licensing and environmental health regulations
- The development would remain the property of St John's College and this would provide an additional level of control in the event of problems with noise from the terraces

- The construction of roof terraces was not prohibited in the North Oxford Victorian Suburb Conservation Area
- Further expansion of the roof terraces was restricted by Condition 13
- there was no change to the overall number of residential units (no.10) at the development
- the improvements to the front elevation of the development was welcomed as a significant enhancement and a net benefit to the spatial amenity of the area
- although there was concern that the occupants of the top floor properties would not have access to the rear gardens or roof terraces it was recognised that there was sufficient public green space in the locality

The Committee sought guidance from the Legal Adviser with respect to Historic England guidance on assessing the impact of a development on the setting of Listed Buildings and what weight should be applied to noise. After further deliberation and discussion on this point the Committee were advised that the Planning Officers had taken the view that the development would not have a significant detrimental impact on the setting of the Listed Building at No. 2 Charlbury Road. For clarification the Planning Officer repeated the verbal update he had given during his presentation and reiterated his view that the noise impact from the roof terraces would not have a detrimental impact on the setting of the Listed Building at No. 2 Charlbury Road.

Councillor Cook moved to approve the officer recommendation; this was seconded by Councillor Hollingsworth.

Councillor Landell Mills moved to add a condition to remove the roof terraces from the application; this was seconded by Councillor Goddard.

The Planning Officer explained that the inclusion of such a condition was not advisable and that the Committee should determine the application before them. If the inclusion of roof terraces was unacceptable then the Committee should vote to refuse the application.

The Committee then moved to vote on the original motion to approve the officer recommendation.

In reaching its decision, the Committee confirmed that it had considered all the information put before it taken account of the advice provided at the meeting by the Planning Officers and Legal Adviser.

#### **The West Area Planning Committee resolved to:**

- **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
- **Agree** to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

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

#### **34. 17/02052/CT3: 40 Morrell Avenue, Oxford, OX4 1ND**

The Committee considered an application for planning permission for the erection of single storey rear conservatory extension.

The Committee noted the report.

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 reason given in the report and subject to the 3 required planning conditions as set out in section 12 of the report and grant planning permission.

#### **35. Minutes**

The Committee resolved to approve the minutes of the meeting held on 12 September 2017 as a true and accurate record.

#### **36. Forthcoming applications**

The Committee noted the list of forthcoming applications.

#### **37. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 6.30 pm and ended at 8.50 pm**

Chair .....

**Date: Tuesday 14 November 2017**

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