

Agenda

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West Area Planning Committee

Date: **Wednesday 10 August 2011**

Time: **6.00 pm**

Place: **The Old Library, Town Hall**

For any further information please contact:

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If you would like help to understand this document please call Alec Dubberley, Democratic Services Officer on or email adubberley@oxford.gov.uk in advance of the meeting.

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor John Goddard	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Michael Gotch	Wolvercote;
	Councillor Graham Jones	St. Clement's;
	Councillor Shah Khan	Cowley;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;

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AGENDA

	Pages
1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2 DECLARATIONS OF INTEREST	
<p>Councillors serving on the Committee are asked to declare any personal or personal prejudicial interests they may have in any of the following agenda items.</p>	
3 9 ST BERNARD'S ROAD, OXFORD - 11/01350/FUL	1 - 4
<p>Addition of trellis to existing boundary fence panel (retrospective)</p> <p><u>Officer recommendation:</u> Approve with conditions</p>	
4 65 DONNINGTON BRIDGE ROAD, OXFORD - 11/01350/FUL	5 - 14
<p>Demolition of existing single storey extension. Erection of single storey rear extension, plus two storey side extension to form 2 x 1-bed residential units. Provision of 4 parking spaces to serve existing and proposed properties accessed off Freelands Road (retrospective).</p> <p><u>Officer recommendation:</u> approve with conditions.</p>	
5 OXONIAN REWLEY PRESS LTD, LAMARSH ROAD, OXFORD - 11/01214/FUL	15 - 26
<p>Demolition of existing Oxonian Rewley Press premises. Erection of 8 flats (2x1, 4x2 and 2x3 bed) in a three storey block with 10 car parking spaces, cycle and bin storage.</p> <p><u>Officer recommendation:</u> Grant planning permission but to delegate authority to officers the power to issue the notice of permission on completion of the legal agreement.</p>	
6 190 IFFLEY ROAD, OXFORD - 11/00268/FUL	27 - 34
<p>Erection of single storey office in rear garden.</p> <p><u>Officer recommendation:</u> approve with conditions</p>	
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DECLARING INTERESTS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

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.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

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
2. At the meeting the Chair will 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;

(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;

 - (d) 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 Officer/s and/or other speaker/s); and
 - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application(or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. 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,
6. 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; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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West Area Planning Committee

10 August 2011

Application Number: 11/01350/FUL

Decision Due by: 13 July 2011

Proposal: Addition of trellis to existing boundary fence panels (retrospective).

Site Address: 9 St Bernard's Road Oxford. (Site Plan Appendix 1)

Ward: North Ward

Agent: N/A

Applicant: Mrs Jean Fooks

Reason: Due to the applicant being Councillor Fooks

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.
- 2 The proposal is considered to form an appropriate visual relationship with the dwelling, the streetscene and the surrounding Conservation Area and does not result in any harm to neighbouring amenity or highway safety. As such the proposal complies with policies CP1, CP8, CP10, HE7 and HS19 of the Adopted Oxford Local Plan 2001-2016

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Developmt to Relate to its Context

CP10 - Siting Developmnt to Meet Functional Needs

HE7 - Conservation Areas

HS19 - Privacy & Amenity

Other Material Considerations:

This application site falls within the Walton Manor Conservation Area.

Relevant Site History:

None relevant.

Representations Received:

None received.

Statutory and Internal Consultees:

Oxford Preservation Trust – No comments received.

Issues:

- Impact on character and appearance of surrounding Conservation Area.
- Impact on neighbouring amenity.

Officers Assessment:Site Description

1. The application property is a two-storey end of terrace house situated within the Walton Manor Conservation Area.
2. Adjacent to the eastern boundary of the site is a private gravel access track leading to a block of garages serving a number of properties.

Proposal

3. Consent is sought retrospectively for the addition of three trellis/fence panels on top of an existing brick wall. The fencing is stepped, starting at 2.4m and rising to 2.6m high, extending for a distance of 6m, towards the north east corner of the rear garden of No.9 St Bernard's Road, adjacent to the garage block.

Impact on character of area

4. The new trellis/fence panels are located towards the end of an existing wall and trellis boundary enclosure and is set back over 30m from the St Bernard's Road street frontage, adjacent to a modern garage block and partially screened by existing hedging within the garden of No.9.
5. Due to the limited impact of the development on the streetscene, together with its appropriate design and finish, which reflects the existing boundary fencing, it is considered that the development preserves the special character of this part of the Conservation Area.

Impact on neighbouring amenity

6. Due to the nature and siting of the development it results in no undue loss of light or amenity to the occupants of either 8, 10 St Bernards Road or to the occupants of properties within Plantation Road to the rear.

Highway safety

7. The development has no impact on pedestrian or vehicular visibility within the highway and as such is acceptable on highway safety grounds.

Conclusion:

8. The proposal is considered to form an appropriate visual relationship with the dwelling, the streetscene and the surrounding Conservation Area and does not result in any harm to neighbouring amenity or highway safety. As such the proposal complies with policies CP1, CP8, CP10, HE7 and HS19 of the Adopted Oxford Local Plan 2001-2016

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

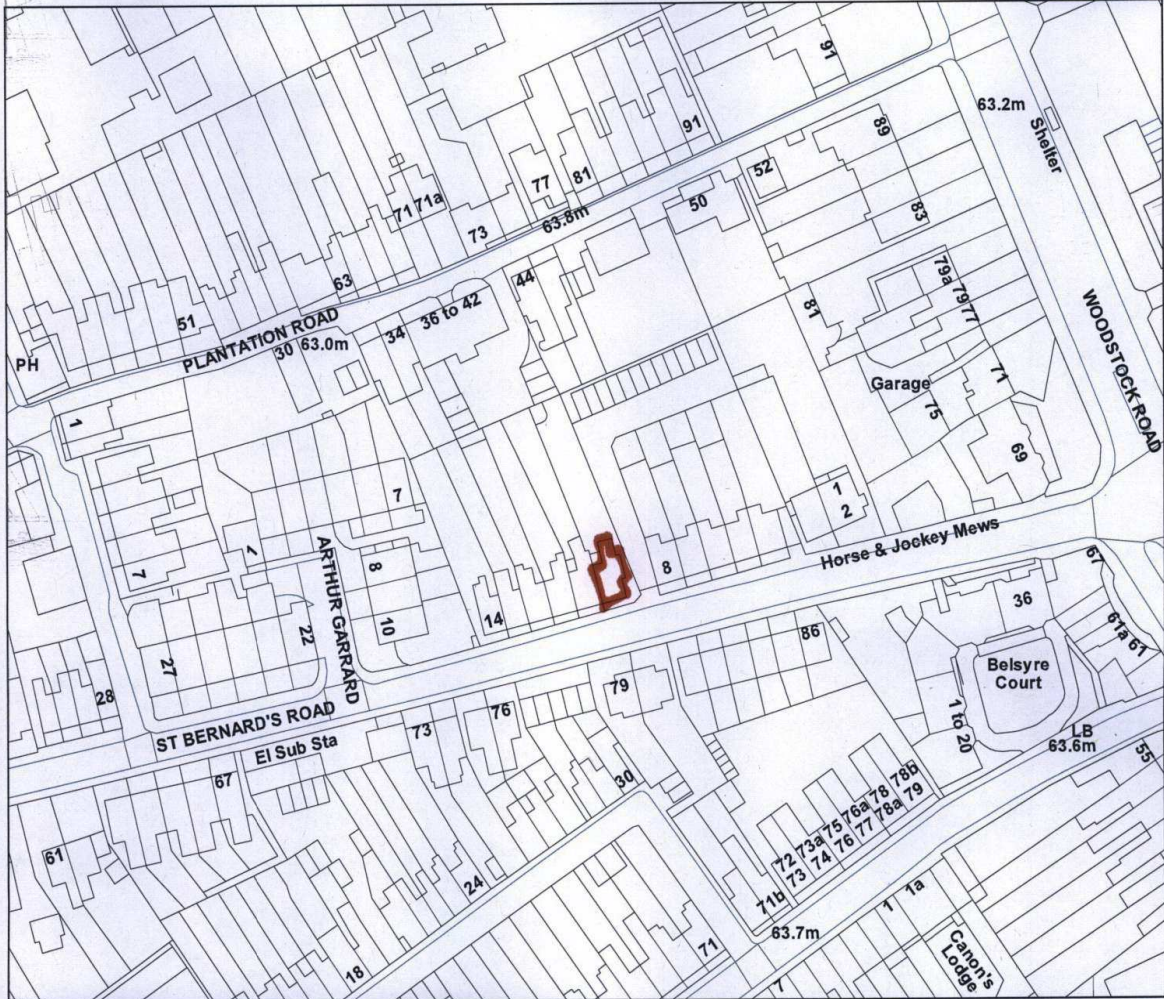
Contact Officer: Mark Spragg

Extension: 2716

Date: 18 July 2011

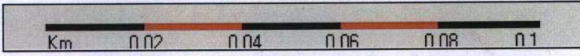
11/01350/FUL

9 St. Bernard's Road



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	22 July 2011
SLA Number	Not Set

Agenda Item 4

West Area Planning Committee

10 August 2011

Application Number: 11/01533/FUL

Decision Due by: 10 August 2011

Proposal: Demolition of existing single storey extension. Erection of single storey rear extension, plus two storey side extension to form 2 x 1-bed residential units. Provision of 4 parking spaces to serve existing and proposed properties accessed off Freelands Road (retrospective).

Site Address: 65 Donnington Bridge Road Oxford [Appendix 1]

Ward: Iffley Fields Ward

Agent: Ifor Rhys Ltd

Applicant: Mr M Saddiq

Called in by Councillors Tanner, Van Nooijen, Price, Clarkson, Rowley and Sinclair on grounds of overdevelopment.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the existing dwelling and the surrounding development and would not detract from the character of the area. The 2 x 1 bedroom flats would both be provided with a car parking space, bin store, cycle parking and an amenity space and would comply with adopted policies contained within the Core Strategy 2026 and the Oxford Local Plan 2001 - 2016. Furthermore there is an extant permission for a similar form of development that was approved in February 2011.
- 2 One letter of objection has been received and the comments made have been carefully considered. However given that the principle of the proposal is not at issue as a result of the extant permission, officers consider that the comments made can be satisfactorily addressed through the imposition of appropriate conditions to ensure that the completed development is acceptable.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Develop in accordance with approved plans
- 2 Materials - matching
- 3 Car and cycle parking and bin stores
- 4 Sustainable Drainage
- 5 Traffic Regulation Order
- 6 Obscure glaze first floor living room windows
- 7 Complete development in accordance with construction travel plan

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS18_** - Urban design, townscape character, historic environment
- CS23_** - Mix of housing

Other Material Considerations:

- PPS1 – Delivering Sustainable Development
- PPG3 – Housing
- PPG13 - Transport

Relevant Site History:

11/00036/FUL

Demolition of existing single storey rear extension. Construction of two storey side/rear extension to create 2 x 1 bedroom flats. Construction of single storey

rear extension. Provision of additional vehicular access to serve two additional car parking spaces. Provision of bin and cycle stores and sub-division of garden with 1.8 metre high close boarded fence [amended plans]

Approved

11/01248/VAR

Discharge of pre-commencement conditions of planning permission 11/00036/FUL after the commencement of development

Withdrawn

Representations Received:

2 letter of objection. The main points raised can be summarised as follows:

- There have been other applications for this type of development in the area which have been refused
- The proposal protrudes significantly beyond the strong building line of Freelands Road
- The development would occupy virtually all of the site
- Cars will be parked at the entrance to Freelands Road and this is already heavily congested
- Why has the Council not served a Stop Notice?
- The developer has used Freelands Road as a permanent parking space for construction vehicles
- No site notice displayed
- The development is cramped and although there are parking spaces shown on the plans, vehicles will be bound to park on the road

Statutory and Internal Consultees:

Drainage Team Manager, Thames Water Utilities Limited.

Thames Water

No objections

Oxfordshire County Council as Local Highway Authority

No comments received. No objection to previously approved application [11/00036/FUL] subject to conditions relating to:

- The provision car and cycle parking
- The provision of bin storage
- A Unilateral Undertaking to prohibit waiting for cars at the junction of the B4495/Freelands/Swinburne Roads

The current application is accompanied by plans showing details of car parking, cycle parking and bin storage and is also accompanied by a construction travel plan. A condition is recommended to require the UU for the waiting of cars at the road junction to be completed prior to the first occupation of the new flats

Issues:

- Principle
- Form and appearance
- Impact on neighbours
- Amenity space
- Highways issues
- Biodiversity issues

Officers Assessment:

Site location and description

1. The site lies at the junction of Donnington Bridge Road and Freelands Road and comprises an end of terrace dwelling which has a detached single garage in the rear garden. The area is characterised by similar blocks of terraced and semi-detached dwellings.
2. Whilst parts of Donnington Bridge Road lie within Flood Zones 2 and 3, the site lies outside any registered flood zone and therefore the application is not accompanied by a Flood Risk Assessment.

The Proposal

3. The application seeks to demolish an existing single storey rear extension to 65 Donnington Bridge Road together with a detached single garage in the rear garden and erect a two storey side extension to provide 2 x 1 bedroom flats with access off Freelands Road and a larger single storey rear extension to 65 Donnington Bridge Road. The flats would both have a single car parking space accessed off Freelands Road, cycle parking at the rear of the parking spaces together with bin stores and small amenity spaces at the front and rear of the flats.
4. The demolition of the existing garage would enable the provision of two, tandem car parking spaces for the retained three bedroom dwelling at 65 Donnington Bridge Road which would also retain a rear garden with a length of 12 metres and a width of 5.5 metres.
5. The flats would be laid out over two floors with a bedroom and bathroom on the ground floor and a kitchen/living room on the first floor. They would have an internal floor area of approximately 30 square metres.
6. The development has commenced and the shell of the two storey side extension is effectively complete.

Principle

7. PPS3 identifies the need to make efficient use of land and this is reflected in policy CP6 of the Oxford Local Plan which states that development proposals should make best use of site capacity; however it goes on to say that this should be in a manner that does not compromise the character of the surrounding area. The site constitutes previously developed land and there is an extant permission for the erection of two flats.

Form and appearance

8. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for developments that show a high standard of design, that respect the character and appearance of the area and use materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 states that the siting, massing and design of any new development should create an acceptable visual relationship with the grain, scale, form, materials and detailing of the surrounding area and policy CP10 states that planning permission will only be granted where proposed developments are sited to ensure acceptable access, circulation, privacy and private amenity space.
9. The form and appearance of the two storey side extension to provide the two new flats is identical to that previously approved apart from the fenestration details on the west elevation. The extension is set down from the ridge height of the host dwelling and in this way, the extension would appear subservient to the main house.
10. In terms of the building line along Freelands Road, this point was raised in pre-application discussions with the applicant and the proposed extension was duly decreased in width by one metre. A contemporary development opposite the application site at number 70 Donnington Bridge Road has been built with little regard to the building line in Swinburne Road.
11. The only change to the built form of the proposal relative to the extant permission is the proposed erection of a larger single storey rear extension to number 65 which would project a further 2 metres than as shown on the previously approved plans.

Impact on neighbours

12. Policy HS19 of the Oxford Local Plan states that planning permission will only be granted for development that adequately provides both for the protection and/or creation of the privacy or amenity of the occupants of the proposed and existing neighbouring, residential properties.
13. The scheme is the same as that previously approved in terms of its relationship with neighbouring properties. A condition is recommended to

obscure glaze the two small, secondary windows at first floor level that would look towards the private garden area of number 67 Donnington Bridge Road on the opposite side of Freelands Road.

14. The proposed larger single storey rear extension to number 65 would not have any adverse impact upon the amenities enjoyed by the occupiers of number 63. This property already has a single storey rear extension and the proposed additional two metre deep extension would not appear overbearing in the outlook from number 63 or result in any loss of sunlight or daylight.

Amenity space

15. Policy HS21 of the Oxford Local Plan states that planning permission will not be granted for development proposals involving residential uses where inadequate or poor quality private open space is proposed. It goes on to say that each dwelling should have access to a private amenity space, possibly in the form of a balcony.
16. In this case the flats proposed are modest, one bedroom units and would be served by small amenity spaces at the front and rear of the flats which would allow for sitting out and drying clothes. The provision of amenity space in the current application is identical to that previously approved.

Highway issues

17. The previously approved application was the subject of much discussion with the County Council as Highway Authority and as a result of these discussions, the plans were amended. No changes are now proposed to the provision of car and cycle parking, the provision of bin stores, the provision of pedestrian visibility splays and the use of permeable block paving for the new hardstandings.
18. Although the current application is accompanied by a construction travel plan, this is of limited value given that a substantial amount of development has already taken place and deliveries have caused inconvenience to other road users. However a condition is recommended to require that the remainder of the development proceeds in accordance with the construction travel plan which restricts the size of vehicles delivering to the site, hours of work and deliveries and parking of construction vehicles. In addition, a further condition is recommended to require a Unilateral Undertaking to prohibit the waiting of cars at the junction of Donnington Bridge Road/Freelands Road and Swinburne Road to be completed prior to the occupation of the flats.
19. No comments have been received from the County Council and, if necessary, Members will be up dated at the meeting.

Biodiversity issues

20. At the time of the previously approved application, concerns were raised by a neighbour that there were great crested newts on the site and these are a protected species. Investigations were made and the County Ecologist was involved and consulted. Given the modest size of the site and its location within a built up, residential area, it was considered that there was unlikely to be any significant population of newts such that an offence under the Habitats Directive could occur. Furthermore in March 2011 the applicant commissioned Windrush Ecology to undertake a great crested newt survey and this concluded that great crested newts were unlikely to be present on the site and that there are no suitable habitats in the local area.

Conclusion:

21. The proposal forms an appropriate visual relationship with the existing dwelling and the surrounding development and would not detract from the character of the area. The new flats would both be provided with a parking space, cycle parking, bin stores and an amenity space and the proposal complies with adopted policies contained within the Core Strategy 2026 and the Oxford Local Plan 2001 – 2016. Furthermore there is an extant permission for a similar form of development that was granted planning permission in February 2011.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

11/00036/FUL

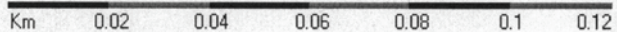
11/01533/FUL

Contact Officer: Angela Fettiplace

Extension: 2445

Date: 11 July 2011

APPENDIX 1



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West Area Planning Committee

10 August 2011

Application Number: 11/01214/FUL

Decision Due by: 20 July 2011

Proposal: Demolition of former Oxonian Press premises. Erection of 8 flats (2 x 1-bed, 4 x 2-bed and 2 x 3-bed) in a 3 storey block with 10 car parking spaces, cycle and bin storage.
(Amended Plans)

Site Address: Oxonian Rewley Press Ltd Lamarsh Road (**Location Plan – Appendix 1**)

Ward: Jericho And Osney Ward

Agent: Kemp And Kemp

Applicant: Mr Peter Mills

This report should be read in conjunction with the original officers report (**Appendix 2**)

Recommendation: The West Area Planning Committee is recommended to be mind to grant planning permission but to delegate authority to officers the power to issue the notice of planning permission on completion of the legal agreement for the following reasons:

- 1 The principle of development has been established under the outline consent. The application relates to the reserved matters and is considered to be an efficient and sustainable use of the site that responds positively to its context and constraints. The development would preserve the amenities of neighbouring properties and the character and appearance of the area. The proposal would not result in an increase in flooding due to its previously development nature and the surface and foul water system can accommodate the additional discharge subject to a effective drainage strategy. The application therefore accords with the Local Plan.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation

and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Boundary details before commencement
- 5 Landscape plan required
- 6 Landscape carry out after completion
- 7 Landscape hard surface design - tree roots
- 8 Landscape underground services - tree roots
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Schedule of proposed tree surgery works
- 12 Car Parking
- 13 Bins and bike store
- 14 Foul and surface water drainage system
- 15 Drainage strategy - on/off site works
- 16 Develop in accordance with Flood Risk Assessment
- 17 Details of sustainability measures
- 18 Details of enlarged balconies
- 19 Site levels to be submitted
- 20 Suspected contamination - Risk assess

Officers Assessment:

1. This application was deferred at the request of the West Area Planning Committee in July in order to allow the applicant to submit additional viability information to justify why no affordable housing could be accommodated on the site. The applicant has declined the request of the Committee on the basis that *'no affordable housing provision is required by your adopted policy from a scheme of 8 units such as this'*.

Conclusion: Officers maintain the view expressed in their report to the Committee in July (attached as appendix 2) and would recommend that the committee grant planning permission subject to the completion of the legal agreement and above planning conditions.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 11/01214/FUL, 07/00421/RES, 02/00952/OUT

Contact Officer: Steven Roberts

Extension: 2221

Date: 21 July 2011

Appendix 1

11/01214/FUL

Oxonian Rewley Press Ltd, Lamarsh Road



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	30 June 2011
SLA Number	Not Set

Appendix 2

West Area Planning Committee -13 July 2011

Application Number: 11/01214/FUL

Decision Due by: 20 July 2011

Proposal: Demolition of existing Oxonian Rewley Press premises.
Erection of 8 flats (2x1, 4x2 and 2x3 bed) in a three storey block with 10 car parking spaces, cycle and bin storage.

Site Address: Oxonian Rewley Press Ltd Lamarsh Road
(Site Plan – Appendix 1)

Ward: Jericho And Osney Ward

Agent: Kemp And Kemp **Applicant:** Oxonian Rewley Press

Recommendation: The West Area Planning Committee is recommended to be minded to grant planning permission but to delegate authority to officers the power to issue the notice of permission on completion of the legal agreement. For the following reasons:

1 The principle of development has been established under the previous planning consent (ref 07/00421/RES). The scale and form of the proposal is unchanged, as is the footprint. The proposal differs to the approved scheme in its mix of units and the size of its balconies; these changes are considered to accord with the Local Plan and Core Strategy policies. The proposal would not result in an increase in flooding due to its previously development nature and the surface and foul water system can accommodate the additional discharge subject to a effective drainage strategy.

2 The Council has had regard for the comments received through the consultation process. The issues set out below have been addressed within the report and are not considered to be significant enough to warrant refusal of the application.

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

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - samples
- 4 Boundary treatment
- 5 Landscape plan required
- 6 Landscape carry out after completion
- 7 Parking
- 8 Bin/cycle stores

- 9 Foul and surface water drainage system
- 10 Tree Protection Plan (TPP) 1
- 11 Arboricultural Method Statement (AMS) 1
- 12 Schedule for Tree Surgery
- 13 Sustainable drainage strategy
- 14 Details of sustainable measures
- 15 Desk Study – Contaminated Land
- 16 Details of balconies – Increase in size

Planning Obligations:

£20,000 – towards flood mitigation measures in the locality

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
 - CP6** - Efficient Use of Land & Density
 - CP8** - Design Development to Relate to its Context
 - CP9** - Creating Successful New Places
 - CP10** - Siting Development to Meet Functional Needs
 - CP11** - Landscape Design
 - HS11** - Sub-Division of Dwellings
 - HS19** - Privacy & Amenity
 - HS20** - Local Residential Environment
 - HS21** - Private Open Space
 - TR3** - Car Parking Standards
 - TR4** - Pedestrian & Cycle Facilities
 - NE14** - Water and Sewerage Infrastructure
- Core Strategy 2026**
- CS11** - Flooding
 - CS17** - Infrastructure and developer contributions
 - CSP18** - Urban design townscape char & historic environment
 - CSP23** - Mix of housing
 - CSP28** - Employment sites

Other Material Considerations:

National Guidance:

- PPS 1 – Delivering Sustainable Development
- PPS3 - Housing
- PPG 13 – Transport
- PPS25 – Development and Flood Risk

Local Policy and Guidance:

- Parking Standards, Transport Assessments and Travel Plans-Supplementary Planning Document (October 2006)
- Balance of Dwellings Supplementary Planning Document
- Planning Obligations Supplementary Planning Document

Relevant Site History:

02/00439/OUT - Demolition of Oxonian Rewley Press Building. Outline application, (all Matters Reserved), for 2 flats and 5 houses – withdrawn

02/00952/OUT - Demolition of existing Oxonian Press premises. Outline application (with all matters of detail reserved) for 8 flats in 3-storey block with 11 parking spaces (Amended plans) – approved

07/00421/RES - Demolition of existing Oxonian Rewley Press premises. Erection of 8 x 2 bed flats in 3 storey block with 8 car parking spaces, 16 internal cycle parking spaces, and bin store. (Reserved matters of approved application 02/00952/OUT) – approved

Representations Received: The following comments have been received:

- Increase pressure on drainage system
- Flood risk
- Noise and light pollution
- Inadequate access arrangements
- Insufficient consideration of trees

Statutory and Internal Consultees:

Environment Agency Thames Region – No comments – Officers will update at the meeting

Thames Water Utilities Limited – No objection

Highways And Traffic – No objection

Officers Assessment:

Site Description and Proposal

1. The application site comprises a single storey building that is presently occupied by a food recycling charity. The previous was as a printing works in association with Rewley Press. The building occupies the majority of the L-shaped site with only the area directly adjacent to the site entrance given over to hardstanding. The site is heavily vegetated along its east and south boundaries, comprising mature trees of high amenity value.

2. The site is located at the southern end of Marlborough Court, with a public foot path directly to the east, beyond which is No 1-15 Marlborough Court, separated by a verge and mature trees. The site is accessed from the west off Lamarsh Road, whilst to the south are the King George playing fields.

3. The application proposes the demolition of the existing building and the erection of a 3-storey building to accommodate 8 flats, comprising 2x1, 4x2 and 2x3 beds. Provision is made for 10 car parking spaces and a communal garden.

4. Officers consider the principles issues in this case to be:

- Principle of Development
- Housing Mix and Affordable Housing
- Design and Visual Appearance
- Future Residential Amenity
- Parking/Highway Implications
- Flooding and Drainage
- Sustainability

Principle of Development

5. Planning permission was granted in 2010 for matters reserved under a 2002 outline consent. The approved scheme proposed the erection of a three storey building to provide 8x2 bed flats. Although the proposal fell below the then affordable housing threshold of 20 units, the outline consent (ref 02/00952/OUT) secured 2 of the flats as affordable. Under the reserved matters application (ref 07/00421/RES) a financial contribution of £20,000 towards flood mitigation measures within the locality was secured.

6. The current application differs from the approved scheme in the following ways:

- Mix of units changed from 8x2 bed flats to 2x1, 4x2 and 2x3 bed flats
- Affordable housing omitted
- Balconies on east and south elevations are larger
- Southern elevation has been redesigned to accommodate larger balconies, particularly to the 3 bed flats on the 2nd floor
- Number of car parking spaces increased to 10

7. With the exception of the above, the proposal is identical to that approved in 2010. In this regard officers would advise the Committee to focus its consideration on the matters that have changed. There has been no change to the policy context that would justify reconsideration of the other matters.

Housing Mix and Affordable Housing

8. PPS 3 also encourages a mix in the balance of dwellings and this is reflected in policy CS23 of the Oxford Core Strategy. Policy CS23 recognises that the predominance of one particular form of housing type within a locality may have unwelcome social implications. As such the policy supports a mix of dwelling types within any given locality.

9. In support of policy CS23 the Balance of Dwellings Supplementary Planning Document (BoD SPD) (adopted Jan 08) has assessed the housing stock within Oxford and has identified areas of pressure. The aim of the SPD is to ensure that development provides a balanced and mixed community and as a result Neighbourhood Areas provide the framework for the assessment of new residential developments.

10. The application site falls within an area defined by the BoD SPD as amber, which indicates that the scale of pressure is considerable and as such a proportion of family dwellings should form part of new development. The application proposes a mix of 2x1, 4x2 and 2x3 bed flats. This does not comply with the prescribed mix set by the BoD SPD, which seeks a minimum of 30% 3 bed units in a development of this size at this location. However, in the light of the mix of the approved scheme, officers consider the proposed mix, 25% of which are 3 bed units, to be acceptable.

11. The approved scheme secures 2 of the units as affordable housing, despite the development not triggering the then affordable housing threshold of 20 units. The applicant has indicated that due to the additional costs incurred as a result of the contribution toward flood mitigation and the unknown costs that would be incurred in complying with the condition requiring an on and off site drainage strategy (requested by Thames Water), providing affordable housing is no longer viable. No Viability Study has been submitted to substantiate this claim.

12. Whilst officers are disappointed by this approach and have been provided with no evidence to confirm the applicant's position, the current policy threshold is 10 or more units or sites above 0.25 hectares. The proposal fits neither trigger, nor is it feasible to accommodate two more units on this restricted site to trigger the 10 unit threshold. Officers are aware of the options set out in the Affordable Housing Development Plan Document, which is currently being consulted upon. However, while this may have implications for sites such as this in the future, currently the document has no material weight and can not be relied upon to secure affordable housing on this site.

Design and Visual Appearance

13. The scale and form of the building is unchanged from the approved scheme. The changes relate to the increased size of the balconies on the east and south elevations, along with alterations to the window configuration and eave line of the south elevation. These changes do not significantly alter the appearance of the building, or how it relates to its context.

Future Residential Amenity

14. The Local Plan requires proposals for new residential development to adequately provide for the needs of future occupiers. An acceptable internal and external environment must be provided. Specifically policy HS11 requires flats to be well lit and ventilated, fully self contained and to have a floor area in excess of 25m². The Balance of Dwellings Supplementary Planning Document (BoD SPD) is more specific and requires 3 bed dwellings to have a minimum floor area of 75m².

15. The proposed flats all comply with these requirements.

16. Residential accommodation is also required to cater for the outdoor needs of future occupiers by way of an acceptable residential environment and gardens space. Local Plan policy HS21 states that planning permission should be refused when insufficient or poor quality private open space is provided. The policy explains that where the units proposed are unlikely to be occupied by a family then access to a communal space may be reasonable. It goes on to say that units with two or more bedrooms should have exclusive use of an outdoor space.

17. All but unit 4, a 1 bed flat, have exclusive use of a balcony or in the case of the ground floor units a terrace. The 1 bed flat does however have access to the communal garden and is therefore adequately provided for. The balconies are larger than those of the approved application and as such officers consider the balconies serving the 2 bed flats to be acceptable.

18. As regards the 3 bed flats, the balconies are larger than those serving the two bed flats. Flat 7 has access to two balconies, one on the 1st and an one on the 2nd level. The former is approximately 14m², while the latter is 6m². Flat 8 has access to a single 7.5m² terrace.

19. Within a location such as this officers would ordinarily expect the outdoor space for 3 bed flats to be larger and in the form of a garden. However, the site is immediately adjacent to the King George playing fields, which provides additional outdoor space within very close proximity. In view of these circumstances and the very restricted nature of the site, officers are

prepared in particular case to accept balcony space in lieu of a garden space to serve the 3 bed units. It is considered that these should be enlarged however and a condition is suggested accordingly.

Parking/Highways

20. The approved application was served by 8 car parking spaces, equating to one car per unit. The current scheme will retain the one-one provision for the 1 and 2 bed flats, whilst the 3 bed units will have two car parking spaces each. Given the sustainable nature of this site, within close proximity to shops, services, alternative transport links, and the City centre, officers consider the parking provision to be acceptable.

21. Parking provision of 18 cycles is provided on the ground floor of the building. This level of provision exceeds the requirements of Appendix 4 of the Oxford Local Plan which requires only 2 spaces per dwelling. The site fall outside the West Oxford Controlled Parking Zone and would not therefore be eligible for residents parking permits.

Other Matters

22. As with the approved scheme the applicant has agreed to pay a contribution of £20,000 towards flood mitigation measures in the locality. The applicant has also confirmed that the development will be achieving Code for Sustainable Homes Level 3 and will also incorporate a grey water recycling system and heat recovery.

Conclusion: It is considered that the proposal is acceptable for the reasons set out above. Subject to the above conditions officers recommend that planning permission be granted.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 07/00421/RES, 02/00952/OUT

Contact Officer: Steven Roberts
Extension: 2221
Date: 23 June 2011

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West Area Planning Committee

10 August 2011

Application Number: 11/00268/FUL

Decision Due by: 5 April 2011

Proposal: Erection of single storey office in rear garden.

Site Address: 190 Iffley Road, Appendix 1

Ward: Iffley Fields Ward

Agent: Perioli Man Architects

Applicant: Smart CJS

Called in by Councillors Benjamin, Wolff, Morton and Williams on grounds of encroachment into a small amenity space and long term concerns over permanence of the proposed building.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed garden room is not considered to be materially out of character with the existing buildings or conservation area, is unlikely to lead to a material loss of amenity to the occupiers of adjacent properties and an adequate area of amenity space will remain. The development is not considered likely to result in an increase in crime or to have a detrimental effect on ecology in the area. All other issues can be dealt with by the conditions recommended and will ensure the development complies with Policies CP1, CP6, CP8, CP9, CP10, CP19, CP20, CP21, TR3, TR4, NE15, HE6, HE7, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policies CS11, CS18 and CS19 of the Core Strategy.
- 2 A number of comments and objections have been received and these are dealt with in the Committee Report.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit

- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 External lighting
- 5 Hours of use
- 6 CCTV
- 7 Surface Drainage Scheme

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- CP25** - Temporary Buildings
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HE6** - Buildings of Local Interest
- HE7** - Conservation Areas

Core Strategy

- CS18_** - Urban design, town character, historic environment
- CS19_** - Community safety

Other Material Considerations:

This application is in or affecting the St. Clement's And Iffley Road Conservation Area.

Relevant Site History:

83/00190/GFH - 188-190 Iffley Road - Change of use from multi-occupation to 11 bedsitters and warden's accommodation for Housing the Homeless. DMD 23rd May 1983.

86/01045/GFH - New buildings adjacent to existing to provide additional accommodation units for homeless families. DMD 15th December 1986.

Representations Received:

43 Stratford Street: Object – Increased noise and light pollution, particularly in evening / night. Concern development may become permanent, possible precedent, effect on natural habitat and community well being. May increase problems of run-off. Doubt over status of building – office or communal , residential or business.

45 Stratford Street: Object – Use of building as communal outdoor space. Noise and light pollution, no information relating to times of use or period building will exist for.

47 Stratford Street: Object – Poor drainage of area. Increase in noise pollution and loss of privacy. Overdevelopment.

49 Stratford Street: Object – Proximity to other properties, effect on local ecology. Increase in noise pollution and fear of crime, will facilitate trespass of adjoining properties. Existing light pollution, risk of fire, risk of precedent.

53 Stratford Street: Object – Effect on natural habitat, increase in noise, existing light pollution. Inappropriate location, may set precedent.

192 Iffley Road: Object – Inaccurate description (office/communal is really recreation/lounge). No demonstrated need for building, may lead to precedent. Hours of use and staffing levels not addressed. Effect on families and wildlife corridor, especially regarding noise, light and vegetation. Screening is inadequate. Suggests conditions if application is approved: Office use only; Hours of use 9am to 8pm; No exterior lighting on the building and no spotlights or similar in the environs; No exterior noise e.g. Air-conditioning.

Statutory and Internal Consultees:

Iffley Fields Residents' Association: Object –
Use of application as mechanism to facilitate a larger student hostel.
Inaccuracy of application: Office appears to be communal facility.
Concern over noise pollution. Back garden development inappropriate.
No need has been demonstrated. Current invasive lighting.
Risk of increased crime and the fear of crime. Risk of precedent.

Local Highway Authority: No objection, but would recommend a temporary permission of 3 years.

Issues:

Design in a conservation area
Effect on adjoining properties
Crime and the fear of crime
Wildlife / ecology
Car and bicycle parking
Amenity space
Permanence of building

Officers Assessment:

Site Description and Background

1. 190 Iffley Road comprises two buildings in an Arts and Craft style facing the Iffley Road with a modern building behind. The site is currently in use as a detoxification unit.

Proposal

2. Permission is sought for the construction of a free standing building in the rear garden space to provide group meetings and classes for the residents and an office space for the manager to carry out staff and confidential meetings. Attached as Appendix 2 is a supporting statement from the applicants stating the hours of use are proposed to be limited to 10am to 7pm.

Design in a Conservation Area

3. The Council expects new development to enhance the quality of the environment, and with this Policy CP1 is central to the purpose. This policy states that all new development should respect the character and appearance of the area. This view is taken a step further in Policies CP8 of the OLP and CS18 of the Core Strategy, which require all new development to demonstrate high quality urban design and ensure that the siting, massing and design creates an appropriate visual relationship with the built form of the local area.
4. Policy HE7 of the OLP states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation area or its setting. Policy CS18 of the emerging Core Strategy requires that developments demonstrate high quality urban design that respects the unique townscape and character in different areas of Oxford.
5. The proposed development is not easily visible from the public domain, and will be constructed from mainly natural materials in a relatively well screened area. Although the flat roofed design is not typical of the St Clements and Iffley Road Conservation Area, it does allow the building to remain below the 2.5 metre height that would constitute Permitted Development if this were a private dwelling house. Overall, and subject to a condition of planning permission to control the appearance of materials used in the build, the development is not considered to be materially out of character with the existing house or conservation area, and the proposal complies with Policies CP1, CP8 and HE7 of the OLP and CS18 of the Core Strategy, indeed as a timber structure measuring 4m by 6.3m, the building is not dissimilar in appearance to a modern summerhouse or garden room to be seen within a larger than average domestic garden.

Effect on Adjoining Properties

6. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers, whilst Policy HS19 of the adopted Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that adequately provides both for the protection of the privacy or amenity of the occupants of proposed and existing neighbouring residential properties. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties.
7. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties. The proposal complies with the 45-degree guidance and is considered unlikely to have a material effect on adjacent properties in terms of loss of light, creation of overlooking or a sense of overbearing.
8. Several comments have been received suggesting that the quiet enjoyment of neighbouring occupiers may be interrupted by noise or light pollution. With regard to light pollution, it appears that security floodlights have been installed to the rear of 190 Iffley Road. These are not part of the current application, but it is important that the current proposals do not exacerbate the situation. It is therefore recommended that any grant of planning permission be conditional on no further external lighting being installed to the rear of the site without permission.
9. With regard to any potential for noise emanating from the building, the position of the structure towards the rear boundary means that internal noise will have an increased potential to escape and to impact negatively on adjoining occupiers. It is therefore recommended that any grant of planning permission be conditional on the building only being available for use within restricted hours during the day time hours.
10. These conditions should ensure that the proposed building will not lead to an adverse effect on the residential amenity of adjoining occupiers and that the development complies with Policies CP1, CP10 and HS19 of the OLP.

Crime and the Fear of Crime

11. Policy CS19 of the Core Strategy states that new developments are expected to promote safe and attractive environments, which reduce the opportunity for crime and the fear of crime.
12. The building itself is not considered likely to lead to an increased risk of crime and in light of its distance from the boundary is an impractical aid to gaining access to adjoining properties. However, the proposed building will reduce natural surveillance of the area immediately behind the building, and a condition of planning permission to require details of CCTV monitoring to this area is considered reasonable to ensure the development complies with policy CS19 of the Core Strategy.

Ecology and Flooding

13. Policy CP11 of the OLP requires that existing trees of significant landscape value are retained, and states that where development is permitted near trees, protection during site works will be necessary and expects these to be required by a condition of planning permission.
14. Policy CS11 of the Core Strategy states that unless it is shown not to be feasible, all developments will be expected to incorporate sustainable drainage systems or techniques to limit run-off from new development, and preferably reduce the existing rate of run-off.
15. It is proposed that the building be sited on a "Rapidpad" system which requires no foundations. The impact on tree roots, small ground dwelling creatures and overall permeability of the site will therefore be minimal.
16. The flat roof does however have the potential to increase rainwater run off to the rear of the site and it is considered reasonable for any grant of planning permission to be conditional on the implementation of a sustainable drainage scheme shall be implemented in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before commencement of the build to ensure the development complies with policy CS11 of the Core Strategy.

Amenity Space

17. Policy HS21 states that planning permission will not be granted for development proposals where insufficient or poor quality private open space is proposed.
18. The proposed development will result in the loss of some amenity space to the rear of the property, but the garden will still provide a usable garden area considerably in excess of 200 sq m, which is considered sufficient for the use of the site and the proposals therefore comply with policy HS21 of the OLP.

Parking

19. The building is not intended to increase the capacity of the site beyond that already permitted, and therefore will not generate a need for increased parking on site. Currently there are three car parking spaces provided to the frontage which would remain as existing.

Permanence of Building

20. The applicant states that it is intended to remove the building when and if they vacate the site, and that their current lease expires in October 2013. The development has therefore been described as temporary.
21. However, the development is considered acceptable and it is not considered

that making a grant of planning permission temporary would improve the development. It should be noted though that the retention of the building may impact on the suitability of the site for other uses in the future.

Conclusion:

22. The proposed garden room is not considered to be materially out of character with the existing buildings or conservation area, is unlikely to lead to a material loss of amenity to the occupiers of adjacent properties and an adequate area of amenity space will remain. The development is not considered likely to result in an increase in crime or to have a detrimental effect on ecology in the area. All other issues can be dealt with by the conditions recommended and will ensure the development complies with Policies CP1, CP6, CP8, CP9, CP10, CP19, CP20, CP21, TR3, TR4, NE15, HE6, HE7, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policies CS11, CS18 and CS19 of the Core Strategy. The application is therefore recommended for approval.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 11/00268/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 25 July 2011

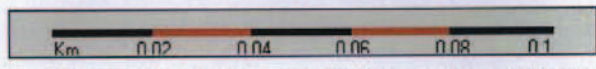
11/00268/FUL

190 Iffley Road



Legend

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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	27 July 2011
SLA Number	Not Set

WEST AREA PLANNING COMMITTEE

Wednesday 13 July 2011

COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Goddard (Vice-Chair), Benjamin, Cook, Gotch, Jones, Khan, Price and Tanner.

OFFICERS PRESENT: Alec Dubberley (Democratic Services Officer), Murray Hancock (City Development), Michael Crofton-Briggs (Head of City Development) and Steven Roberts (City Development)

15. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None

16. DECLARATIONS OF INTEREST

3. St Clement's Car Park And Public Convenience, St Clement's Street, Oxford - 11/01044/CAC.

Councillor Colin Cook, Personal, A former student of Queen's College.

3. St Clement's Car Park And Public Convenience, St Clement's Street, Oxford - 11/01044/CAC.

Councillor Oscar Van Nooijen, Personal, A former neighbouring resident and member of Queen's College.

4. 123 - 127 Walton Street and 32 - 32a Little Clarendon Street, Oxford - 11/00711/FUL and 11/01478/FUL.

Councillor Oscar Van Nooijen, Personal, A former employee of University College.

17. ST CLEMENT'S CAR PARK AND PUBLIC CONVENIENCE, ST CLEMENT'S STREET, OXFORD - 11/01044/CAC

The Head of City Development submitted a report (previously circulated, now appended) detailing an application for the demolition of public toilets, redevelopment of St. Clement's car park to provide student accommodation (141 bedrooms) and ancillary facilities over 3 blocks. The report also proposed a replacement car park (74 spaces), public toilets, landscaping and ancillary works.

Councillor Van Nooijen explained that there had been a number of requests to defer consideration of the application to allow a further period of consultation. The Committee discussed the merits of a deferral following advice from Planning Officers.

Resolved to defer consideration of the application for the following reasons:-

- 1) To allow a further period of consultation on the amendments to the plans for the scheme so that all comments from the public can be considered; and
- 2) To allow officers time to provide further details on the replacement car park that would be required during the construction phase of the project.

18. 123 - 127 WALTON STREET AND 32 - 32A LITTLE CLARENDON STREET, OXFORD - 11/00711/FUL AND 11/01478/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing to planning applications as follows:-

(i) 11/00711/FUL: Retention of front part of 123-125 and 127 Walton Street. Erection of new structure. Demolition of 126 Walton Street and 32-32A Little Clarendon Street and their replacement with new 3 and 4 storey building. Provision of 6 retail units on ground and basement floors with student accommodation (41 Study rooms) on upper floors (amended plans)

(ii) 11/01478/FUL: Demolition of 126 Walton Street and 32/32a Little Clarendon Street.

In accordance with the criteria for public speaking Huw Mellor, the applicant's agent, spoke in support of the development.

Resolved to support the applications in principle, but defer the applications in order to receive a unilateral undertaking with the City and County Councils to secure appropriate developer contributions, and on receipt of the agreement delegate to officers the issuing of the notices of planning permission and conservation area consent subject to the following conditions:-

(i): 11/00711/FUL:

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Samples of materials
4. Landscape plan required including details of all hard/soft landscaping and SUDs.
5. Landscaping carried out by completion
6. Landscaping specified for retention
7. Landscape management plan and Tree Protection Measures
8. Car and Cycle parking provision before use
9. Cycle parking details required; Sheffield stands required
10. Construction no mud on highway
11. Foul and surface water drainage system
12. Surface water drainage criteria
13. Layout design and installation of utility services
14. Energy Efficiency/renewable energy measures
15. Restriction on student use
16. Student management plan
17. Details of gates and boundary treatment.
18. Land and water contamination
19. Car parking spaces details of how marked out.

20. Students - No cars
21. Construction Traffic Management Plan
22. Management statement and plan regarding waste storage
23. Exclusion from eligibility for parking permits.
24. Security measures-lighting and CCTV in courtyard
25. Archaeological investigation -watching brief during groundworks
26. Recording all buildings
27. Recording and conservation and retention of the historic advertisement panels in situ on the corner of 127 Walton Street
28. Further details on the following matters:
 - a) methodology and specification for the stabilisation/repair and protection of the building fabric to be retained,
 - b) the extent of demolition proposed,
 - c) construction details, including shop fronts, windows, eaves, verges and abutments.
29. Details of proposed mechanical plant
30. Restricted deliveries to commercial premises
31. Retention of existing post box.

(ii): 11/00713/CAC

1. Development begun within time limit
2. Recording of 126 Walton Street and 32/32a Little Clarendon Street
3. No demolition without contract for redevelopment

19. REAR OF 17 - 41 MILL STREET, OXFORD - 11/00927/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing an application for the erection of a 3 storey building to accommodate 74 student rooms plus warden's accommodation as well as the provision of cycle and bin storage facilities and landscaping.

The Planning Case Officer advised of one late comment received from the local Member of Parliament highlighting concerns about certain aspects of the scheme. He said that the objections raised did not highlight any new issues and the recommendation to approve the application stood.

In accordance with the criteria for public speaking Amanda Whiting, a neighbouring resident, spoke in objection to the application and Nick Lyzba, the applicant's agent, spoke in support.

Resolved to support the development in principle but defer the application in order to complete an accompanying legal agreement and delegate Officers the issuing of planning permission subject to the following conditions:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Amended drawings
- 4 Samples
- 5 On site management of students
- 6 Occupancy restrictions
- 7 Student accommodation: out of term use
- 8 Tree protection plan

- 9 No felling, lopping, cutting
- 10 Landscape: underground services
- 11 Tree protection plan
- 12 Arboricultural method statement
- 13 Landscape plan required
- 14 Landscape carry out after completion
- 15 Landscape management plan
- 16 Students no cars
- 17 No car parking on site
- 18 Control of access
- 19 Restrict delivery / service times
- 20 Cycle parking
- 21 Bin stores: amended drawings
- 22 Scheme of lighting and CCTV
- 23 Boundary treatment
- 24 Ground contamination
- 25 Vibration: details to protect development
- 26 Noise from development
- 27 Soundproofing of development from railway noise
- 28 Development in accordance with Flood Risk Assessment (FRA)
- 29 Sustainable drainage
- 30 NRIA
- 31 Construction management plan
- 32 Travel plan
- 33 Archaeology
- 34 Public art
- 35 Further habitat survey
- 36 Wildlife habitats
- 37 Fire hydrants

The Committee also required details of the landscaping scheme (conditions 13 and 15 refer) be brought to a future Committee meeting for approval, and that in the event that there is additional demand for cycle parking then it should be provided accordingly.

20. HERNES HOUSE RESIDENTIAL HOME, 3 HERNES CRESCENT, OXFORD - 10/02605/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing a planning application for the demolition of Hernes House and erection of 9 dwellings (5 x 4-bedroom and 4 x 5-bedroom) as well as the provision of 18 car parking spaces, private amenity space and landscaping.

In accordance with the criteria for public speaking, Steven Sensecall, the applicant's agent, spoke in support of the development.

Resolved to refuse planning permission for the following reasons:-

- 1) The proposed development was of an inappropriately low density for a brownfield site of this size;
- 2) The absence of an acceptable scheme of affordable housing; and

- 3) Non compliance with balance of dwellings policies.

21. 376 BANBURY ROAD, OXFORD - 10/00755/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing an application for the demolition of an existing building, erection of a 5 storey building providing 3 x 3 bedroom and 6 x 2 bedroom flats, with 18 car parking spaces, cycle parking and bin store at basement level accessed from Hernes Road.

In accordance with the criteria for public speaking the Nick Caldwell and Peter Uzzell, on behalf of the applicants, spoke in support of the development.

Resolved to refuse planning permission for the following reasons:-

- 1) Having regard to its height, scale, mass and overall appearance, the proposal would constitute an overlarge, over dominant and incongruous development in relation to neighbouring residential properties which fails to strengthen, enhance and protect the distinctive suburban residential character of the locality, contrary to policies CP.1, CP.8 and CP.9 of the adopted Oxford Local Plan 2001 to 2016 and policy CS.18 of the adopted Oxford Core Strategy 2026;
- 2) In the absence of any fully detailed justification for the non - provision of affordable accommodation for people in priority need, the development fails to meet the requirements of policy HS.4 of the adopted Oxford Local Plan 2001 to 2016 and policy CS.24 of the adopted Oxford Core Strategy 2026 which seek to address the need for appropriate accommodation for the homeless, the unemployed and those on modest incomes unable to afford market housing;
- 3) With a provision of 2 x 3 bed and 6 x 2 bed flats the proposed development fails to meet the requirements of policy CS.23 of the adopted Oxford Core Strategy 2026 which seeks to provide an appropriate balance of dwelling types in response to the declining proportion of housing suitable for family occupation available within the local housing stock, and the delivery of mixed communities; and
- 4) The proposed large balcony areas to upper floor flats would give rise to a loss of privacy by reason of overlooking of private gardens serving the adjacent residential development at 378 Banbury Road, contrary to policy HS.19 of the adopted Oxford Local Plan 2001 to 2026.

22. OXONIAN REWLEY PRESS LTD, LAMARSH ROAD, OXFORD - 11/01214/FUL

The Head of City Development submitted a report (previously circulated, now appended) detailing a planning application for the demolition of the existing

Oxonian Rewley Press premises as well as the erection of 8 flats (2x1, 4x2 and 2x3 bed) in a three storey block with 10 car parking spaces, cycle and bin storage.

The Planning Case officer advised that the Environment Agency had submitted late comments highlighting no objections to the scheme.

In accordance with the criteria for public speaking Huw Mellor, on behalf of the applicant, spoke in support of the development. He confirmed that the developer was prepared to contribute £20,000 towards flood mitigation.

Resolved to defer consideration of the application pending the submission of further details relating to the viability of affordable housing provision either on the site or at an off-site location.

23. 7 NORHAM GARDENS, OXFORD - 11/01307/FUL AND 11/01308 LBC

The Head of City Development submitted a report (previously circulated, now appended) detailing two applications for the following:-

i) 11/01307/FUL – Change of use from educational use to single dwelling. As well as the erection of a two storey side extension and garden studio involving removal of existing classroom building.

ii) 11/01308/LBC – Demolition of existing conservatory, toilet block and garage as well as the erection of a two-storey extension, internal alterations including new openings, removal of existing partitions, new staircase and new partitions.

In accordance with the criteria for public speaking Nick Lyzba, on behalf of the applicant, spoke in support of the development.

Resolved to grant planning permission subject to the following conditions:-

10/03409/LBD

- 1 Commencement of works LB/CAC consent
- 2 LB/CAC consent - approved plans
- 3 7 days notice to LPA
- 4 LB notice of completion
- 5 Further works - fabric of LB - fire regs
- 6 Repair of damage after works
- 7 Materials - samples
- 8 Internal features – partitions, openings, staircase, doors, fireplaces, cornices etc
- 9 Further Details floors, windows, staircases, new internal doors etc
- 10 Archaeological building recording
- 11 Extraction/fumes
- 12 External lighting
- 13 Boundary treatment
- 14 Retain historic doors
- 15 Retain historic fireplaces
- 16 Amended plans - dormer window on north-west elevation
- 17 Walls/openings to match adjoining

10/03407/FUL

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Archaeological recording
- 5 Boundary details
- 6 Amenity – no additional side windows
- 7 Provision of cycle parking and bin stores prior to first occupation
- 8 Gates not to open over the highway
- 9 Restricted boundary treatments either side of access points
- 10 Conservation rooflight in side elevation to be 1.6 metres above ffl
- 11 Use of garden pavilion to be ancillary to enjoyment of main house
- 12 Drainage to be SUDS compliant
- 13 Variation of Road Traffic Order – Norham Gardens
- 14 Porous materials for new driveway areas
- 15 Side window to be obscure glazed with restricted openers and so retained
- 16 No felling, lopping, cutting
- 17 Details of refurbished gates
- 18 Detailed landscape plan including a planting plan and schedule
- 19 Trees - Underground services and drainage soakaways
- 20 Detailed Tree Protection Plan
- 21 Design and construction details for doors and windows
22. Cycle parking – secure and covered
- 23 Amended plans - dormer window on north-west elevation

24. 92 GLOUCESTER GREEN, OXFORD - 11/01135/FUL

The Committee considered items 10, 11 and 12 together as the applications were for an identical change of use in the same area.

In accordance with the criteria for public speaking Sally Thomas, a neighbouring resident, spoke in objection to the development and Nick Lyzba (on behalf of the applicant) spoke in support.

Resolved to refuse planning permission for the following reasons:-

- 1) The change of use would result in an unacceptable balance between food and retail outlets in the Gloucester Green area.
- 2) The change of use would result in an unacceptable loss of amenity for neighbouring residents due to the potential for noise and disturbance, and for cooking smells from the proposed restaurants; and
- 3) The waste disposal/collection and ventilation arrangements to the units were not considered adequate.

25. 98 GLOUCESTER GREEN, OXFORD - 11/01140/FUL

The Committee considered items 10, 11 and 12 together as the applications were for an identical change of use in the same area.

In accordance with the criteria for public speaking Sally Thomas, a neighbouring resident, spoke in objection to the development and Nick Lyzba (on behalf of the applicant) spoke in support.

Resolved to refuse planning permission for the following reasons:-

- 1) The change of use would result in an unacceptable balance between food and retail outlets in the Gloucester Green area.
- 2) The change of use would result in an unacceptable loss of amenity for neighbouring residents due to the potential for noise and disturbance, and for cooking smells from the proposed restaurants; and
- 3) The waste disposal/collection and ventilation arrangements to the units were not considered adequate.

26. 99 GLOUCESTER GREEN, OXFORD - 11/01142/FUL

The Committee considered items 10, 11 and 12 together as the applications were for an identical change of use in the same area.

In accordance with the criteria for public speaking Sally Thomas, a neighbouring resident, spoke in objection to the development and Nick Lyzba (on behalf of the applicant) spoke in support.

Resolved to refuse planning permission for the following reasons:-

- 1) The change of use would result in an unacceptable balance between food and retail outlets in the Gloucester Green area.
- 2) The change of use would result in an unacceptable loss of amenity for neighbouring residents due to the potential for noise disturbance, and for cooking smells from the proposed restaurants; and
- 3) The waste disposal/collection and ventilation arrangements to the units were not considered adequate.

27. FORTHCOMING PLANNING APPLICATIONS

Members noted the following planning applications would be before the Committee at future meetings:-

- 1) 190 Iffley Rd: 11/00268/FUL: Office in garden (call in)
- 2) Meadow Lane: 11/01473/FUL: Skateboard Park
- 3) Grove Street, Summertown: 11/01165/FUL: 4 houses & 3 flats

- 4) Travis Perkins site, Chapel St: 11/01712/RES: Graduate student accommodation
- 5) St. Hugh's College: Chinese Institute and student accommodation.
- 6) University Science Area: 11/00940/CONSLT: Science Area Masterplan
- 7) 65 Donnington Bridge Road: 11/01532/FUL: Extension and conversion to 2 flats.
- 8) 3 Bladon Close - 11/01398/FUL

The Planning Officer indicated that not all the planning applications listed would be reported to the August meeting of committee but would come to future meetings. Others would now be dealt with under Officers' delegated powers following the withdrawal of call in to committee.

28. PLANNING APPEALS

The Head of City Development submitted a report (previously circulated, now appended) giving details of planning appeals received and determined during May 2011.

Resolved to note the report.

29. MINUTES

Resolved to approve, as a correct record, the minutes of the meeting held on 8 June 2011.

The meeting started at 6.00 pm and ended at 8.48 pm

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