

Agenda

www.oxford.gov.uk



East Area Planning Committee

Date: **Wednesday 4 January 2012**

Time: **6.00 pm**

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

For any further information please contact:

Mathew Metcalfe, Democratic Services Officer

Telephone: 01865 252214

Email: mmetcalfe@oxford.gov.uk

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

East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Stephen Brown	Carfax;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Jean Fooks	Summertown;
	Councillor Bryan Keen	Cowley;
	Councillor Gill Sanders	Littlemore;
	Councillor Dick Wolff	St. Mary's;

HOW TO OBTAIN AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

A copy of the agenda may be:-

- Viewed on our website – mycouncil.oxford.gov.uk
- Downloaded from our website
- Subscribed to electronically by registering online at mycouncil.oxford.gov.uk
- Sent to you in hard copy form upon payment of an annual subscription.

AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The quorum for this meeting is 5 Members.

2 DECLARATIONS OF INTEREST

Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any of the following items.

3 59 STAUNTON ROAD, OXFORD - 11/02634/FUL

1 - 6

The Head of City Development submitted a report which detailed a planning application for the erection of outbuilding to rear to be used as a gym/games room. (Amended plans).

Officer recommendation: Approve subject to conditions.

4 4 BROOKSIDE, OXFORD - 11/02710/FUL

7 - 12

The Head of City Development has submitted a report which details an application for the erection of linked studio rooms in roof space.

Officer recommendation: Approve subject to conditions.

5 83 EDGEWAY ROAD, OXFORD - 11/02755/FUL

13 - 18

The Head of City Development has submitted a report which details a planning application for the conversion of car port into dining room.

Officer recommendation: Approve subject to conditions.

6 LAND BETWEEN 38 AND 40 CARDINAL CLOSE, OXFORD - 11/03011/CT3

19 - 26

The Head of City Development submitted a report which details outline planning permission for the erection of 3x3 bed units with associated parking and bin storage.

Officer recommendation: Approve subject to conditions.

7 83-87 ASHURST WAY, OXFORD - 11/02526/FUL

27 - 34

The Head of City Development has submitted a report which details a

planning application for the erection of two storey extension to form 2x1 bed flats. Provision of new bin and cycle store. (Amended description).

Officer recommendation: Approve subject to conditions.

8 77 SANFILED ROAD, OXFORD - 11/02816/FUL

35 - 44

The Head of City Development has submitted a report which details a planning application for the demolition of existing rear single storey extension and front porch. Erection of single and two storey side, front and rear extension, and alterations to roof. Sub-division to form 2 bed house and provision of car parking.

Officer recommendation: Approve subject to conditions.

9 ELMTHORPE CONVENT, OXFORD ROAD, COWLEY, OXFORD - 11/02628/FUL

45 - 52

The Head of City Development has submitted a report which details a planning application for a two storey extension to provide 6 additional bedrooms, office and store.

Officer recommendation: Approve subject to conditions.

10 51 LITTLEMORE ROAD, OXFORD - 11/02885/FUL

53 - 62

The Head of City Development has submitted a report which details a planning application for the subdivision of existing garden serving 51 Littlemore Road. Demolition of existing garages and erection of detached 2 storey, 4 bedroom dwelling and provision of 2 car parking spaces with access off Van Diemens Lane. Provision of bin and cycle stores and private amenity space.

Officer recommendation: Approve subject to conditions.

11 PLANNING APPEALS

63 - 66

To receive information on planning appeals received and determined during November 2011.

The Committee is asked to note this information.

12 FORTHCOMING PLANNING APPLICATIONS

These items are for information only and are not for discussion or determination at this meeting.

- (1) John Radcliffe Hospital – 11/02888/FUL – Two storey extension to the existing Women's Unit, containing ground floor plant room and first floor new born intensive care unit.

- (2) 1 Quarry Road, Oxford – 11/02626/FUL – Change of use from single dwelling to 2x3 bedroom flats. Provision of parking and amenity space.
- (3) 6 Bells Public House, 3 Beaumont Road, Oxford – 11/02609/FUL – Erection of timber framed smoking shelter to rear.
- (4) Part Territorial Army Centre, Slade Barracks, Mascall Avenue, Oxford – 11/02946/FUL – Application for a variation of condition 15 of planning permission 09/02802/VAR to allow occupation of the development by students in full time education on courses of one academic year or more.
- (5) Temple Court Business Centre, 107 Oxford Road, Oxford – 11/02960/FUL – Conversion of offices to form 6 flats (2x3 bed and 1x1 bed) and 1x3 bed house, gardens, car parking, cycle parking, refuse storage and landscaping.
- (6) Headington Preparatory School, 26 London Road, Oxford – 11/02528/FUL – Construction of two storey entrance foyer. Single storey extension to form kitchen. First floor extension to provide store and teaching space. Two storey extension to provide cloakroom. New entrance lobby to rear with canopy over library.
- (7) Land at rear of 1-2 Collinwood Close, Oxford – 11/02773/FUL – Demolition of existing buildings. Erection of single storey, one bedroom dwelling. Provision of one parking space, bin and cycle store and private amenity space.
- (8) Former Dominion Oils Site, Railway Lane, Oxford – 11/02189/OUT – Outline planning application (seeking access and layout) for residential redevelopment of site including the erection of 78 flats and houses comprising 3x5 bedroom houses, 4x4 bedroom houses, 32x3 bed houses, 20x2 bed houses and 13x1 bed houses and 6x2 bed houses. Access road, footpaths and car parking.

13 MINUTES

67 - 72

Minutes of the meeting held on 6th December 2011.

14 DATES OF FUTURE MEETINGS

Wednesday 1 February 2012 (and 2 February if necessary)

Wednesday 7 March 2012 (and 8 March if necessary)

Tuesday 3 April 2012 (and 5 April if necessary)

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.

This page is intentionally left blank

East Area Planning Committee

- 4th January 2012

Application Number: 11/02634/FUL

Decision Due by: 15th December 2011

Proposal: Erection of outbuilding to rear to be used as a gym/games room (Amended Plans)

Site Address: 59 Staunton Road Oxford (Site plan: **Appendix 1**)

Ward: Headington Ward

Agent: Mr Benham

Applicant: Mr Ghulam

Application Called in – by Councillors – Wilkinson, Coulter, Rowley, Rundle, McCready and Mills

Reason: to ensure that a public hearing takes place as the development of this site is contentious within the neighbourhood.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is acceptable in design terms and would not be harmful to the living conditions of the occupiers of neighbouring dwellings. The development is to be used as an incidental building to the main house, and although the footprint is fairly large, the plot is large enough to accommodate it. The proposal is considered to comply with policies CP1, CP6, CP8, CP10 and HS19 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2026.
- 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 Gym/games room or other purpose incidental to the dwelling house
- 4 Materials as specified

**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

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

PPS1 – Delivering Sustainable Development

Representations Received:

6 Staunton Road (the applicant) – property will be used as family dwelling, not rented out. Building will be used solely as games/gym room for family.

48 Staunton Road – intrusive development; concerned over intended use; should be screened by foliage; impact on wildlife in plot of land adjacent; out of keeping with the neighbourhood

50 Staunton Road – foliage should be used to hide the building; use should be restricted

57 Staunton Road – excessive size; potential residential use; plans unclear

73 Staunton Road – overdevelopment

Statutory and Internal Consultees:

Oxford Civic Society – plans were inadequate and lack of detail on materials and drainage. Use should be restricted.

Issues:

Design

Impact on neighbours

Use

Trees

Other matters

Sustainability:

This proposal aims to make the best use of urban land and recognises one of the aims of sustainable development in that it will create extended accommodation on a brownfield site, within an existing residential area.

Officers Assessment:

Site

1. The application site comprises a semi-detached dwelling located in a predominantly residential area in Headington.
2. Works are currently being undertaken on the existing house under permitted development.

Proposal

3. Planning permission is sought for a single storey building located in the rear garden. The building is proposed to be used as a gym/games room and would have a shower room. The proposed building would have a dual pitched roof with rooflights on the rear roofslope and two windows and a door on the front elevation (facing the existing house). The proposed building would measure 8 metres in length and 5metres in depth.
4. In response to concerns raised by local residents regarding the intended use of the building and the site as a whole, the applicant submitted a letter stating that the property is to be used a family dwelling and will not be rented out, and the proposed garden building is to be used solely as a gym/games room.
5. Amended plans were sought during the application process to reduce the height of the proposed building from 4.9 metres to 4.1 metres and to move it away from the row of trees at the rear of the site (which were omitted from the original plans).

Design

6. Policies CP1 and CP8 of the OLP state that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CS18 of the Core Strategy emphasises the importance of demonstrating good urban design.
7. The plot is large enough to accommodate a building of this size, and still leave adequate amenity space for the existing dwelling. The height of the proposed building has been reduced by 800mm and now has an eaves height of 2.4 metres and a ridge height of 4 metres.
8. Officers are of the view that the reduced height has rendered the proposal acceptable, and whilst still fairly large, it would not harm the character and appearance of the area or the existing house. The walls would be rendered and the roof would be tiled, in keeping with the main house. Officers do not consider it reasonable or necessary to impose a condition requiring the building to be screened with foliage however a condition is

imposed to ensure the materials are as specified in the application.

Impact on neighbours/ Use

9. Policy HS19 of the OLP states that the Council must assess proposals in terms of the potential for overlooking, sense of enclosure, overbearing nature and sunlight and daylight standards.

10. The building is single storey and the windows do not directly overlook any neighbouring boundaries. The use of the building is proposed to be as a gym/games room and this would be incidental to the main house and is not a separate unit of accommodation. A condition has been imposed restricting the use of the building to a gym/games room or other incidental use to prevent it from being used as primary living accommodation in the future i.e. as an additional bedroom. Officers do not consider the building to be overbearing when considering that it is set in from one of the side boundaries and the rear boundary and has been reduced in height.

Trees

11. There are a row of Western Red Cedar trees along the boundary at the bottom of the garden. These would originally have been planted as a hedge but have not been maintained and so have grown very tall. They do however provide screening between the application site and no. 3 Fortnam Close to the rear of the site. The siting of the proposed building has been amended since the original submission and is now set 3.9 metres away from the rear boundary. None of the trees are proposed to be removed (although they are not covered by a TPO) and the Tree Officer is satisfied that the proposed building would not be harmful to their health.

Other matters

12. Several concerns were raised about the lack of information on drainage for the proposed building. Drainage details are not required for planning applications, especially for a development of this nature. Drainage would be covered under Building Regulations.

Conclusion:

The proposal is for an ancillary garden building that is acceptable in design terms and will not overlook neighbouring dwellings. Officers were mindful of comments raised through consultation and conclude that with suitable conditions the proposal accords with policies CP1, CP6, CP8, CP10 and HS19 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2026.

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: 11/02634/FUL

Contact Officer: Rona Gregory

Extension: 2157

Date: 6th December 2011

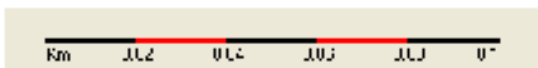
Appendix 1

59 Staunton Road



Legend

[Empty legend box]



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Not Set
Department	Not Set
Comments	11/02634/PUL
Date	15 December 2011
SLA Number	Not Set

Produced using ESRI (UK) s. Map Explorer 2.0 - <http://www.esri.com>

Agenda Item 4

East Area Planning Committee

-4th January 2012

Application Number: 11/02710/FUL

Decision Due by: 16th December 2011

Proposal: Erection of linked studio with rooms in the roof space

Site Address: 4 Brookside Oxford (Site plan: **Appendix 1**)

Ward: Headington Ward

Agent: Allied Design Associates

Applicant: Mrs Sarah Stewart-Brown

Application Called in – by Councillors – Rundle, Rowley, Jones, Clarkson and Goddard

Reason: to investigate concerns regarding a potential change of use

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is for an ancillary building that would create an appropriate visual relationship with the existing house in terms of design and scale and would not adversely impact neighbouring dwellings. Officers conclude that the proposal accords with policies CP1, CP6, CP8, CP10 and HS19 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2026.
- 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 Materials - matching
- 4 Use of building
- 5 Solar panels installed prior to occupation

**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
CP10 - Siting Development to Meet Functional Needs
HS19 - Privacy & Amenity

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

PPS1 – Delivering Sustainable Development

Relevant Site History:

02/00085/FUL - Single storey rear extension. Approved 21st February 2002

Representations Received:

No's: 1, 4A, 5, 7, 8, 9, 10, 11, 12, 13, 16, The Pines - Brookside

Nearly all of the comments raised related to concerns over a change of use of the building to commercial use, with related parking and traffic issues. Most comments stated that there was no objection to the building itself.

Other issues raised were: excessive size of proposed building; proposed building larger than existing garage.

Statutory and Internal Consultees:

Oxfordshire County Council Highways Authority – no objection subject to building being used as ancillary accommodation

Oxford Civic Society – no objection to building; should be used only as ancillary accommodation

Issues:

Design
Impact on neighbours
Use
Parking

Sustainability:

This proposal aims to make the best use of urban land and recognises one of the

aims of sustainable development in that it will create extended accommodation on a brownfield site, within an existing residential area. Solar panels would be installed on the roof slope of the proposed building to harness renewable energy from the sun.

Officers Assessment:

Site

1. The application site comprises a large detached house set in a large plot in Brookside, off the London Road in Headington. There is a detached garage measuring 4.9 metres in width, 6 metres in length and 3 metres in height to the side of the dwelling that would be demolished.

Proposal

2. Planning permission is sought for a two-storey building located to the side of the house that would be attached to the main dwelling by a single storey link.

Design

3. Policies CP1 and CP8 of the OLP state that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CS18 of the Core Strategy emphasises the importance of demonstrating good urban design.
4. The proposed building would be two storeys high and would comprise a studio space at ground floor level and a bedroom, study and bathroom at first floor level. The building would measure 5.6 metres in width, 9.5 metres in length and 6.9 metres to the ridge (3.9 metres to the eaves). The building would have a pitched roof and would be constructed in materials to match the existing house, e.g. red brick and red clay tiles. Although two-storey, the building would appear subservient to the main house in height and scale. The building would be set back over 8 metres from the front building line of the dwelling and so will not appear unduly prominent in the Brookside streetscene. The building would be attached to the main house by a single storey link one metre wide and a stair tower on the side (south east) elevation would be visible. Officers consider that the building would create an appropriate visual relationship with the existing house and would not be harmful to the character of the area.

Impact on neighbours

5. Policy HS19 of the OLP states that the Council must assess proposals in terms of the potential for overlooking, sense of enclosure, overbearing nature and sunlight and daylight standards.
6. The nearest neighbouring dwelling to the proposed development is 2 Brookside, a bungalow to the north of the application site. The bungalow is sited approximately 8 metres away from the proposed building and so the proposal would comply with the 45° guidance when measured from a south facing window of no. 2 Brookside. Due to the separation distance officers do not consider there to be any issues of loss of light or development of an overbearing nature.

Use

7. The design and access statement states that the proposed building is to be used as a space for various activities ancillary to the dwellinghouse. Due to comments raised by local residents that the intended use of the building was commercial, further clarification was sought from the agent. This stated that the first floor would house an extra bedroom to accommodate family members and other guests when visiting, as well as office / study space integral to the dwelling. The ground floor space would be used for a variety of ancillary purposes, including play space for grandchildren and space to develop personal interests which include alternative exercise therapies. This space would also be used for small groups to practice these therapies, which are currently undertaken within the dwelling. These activities do not amount to a change of use, and can be carried out within the curtilage of a dwelling house.
8. This permission is not seeking consent for a commercial building, and to prevent any future change of use away from ancillary uses, a condition has been imposed stating that the building shall be used only for purposes ancillary to the dwelling house and is not indicated to be used for any business or commercial purposes, or as a separate unit of accommodation. Any future reported breaches of this condition would be investigated by the Enforcement team.

Parking

9. The application involves the loss of a garage, however there is adequate space on the frontage for parking for a family dwelling. Concerns have been raised about increased parking and traffic issues connected with a commercial use. However, the approved use would not be commercial and the parking provision is considered acceptable for a domestic dwelling. The Highways Authority has no objection to the proposal subject to it being used as ancillary accommodation to the existing dwelling.

Conclusion:

The proposed building is acceptable in design terms and would not be harmful to the living conditions of occupiers of neighbouring dwellings. A condition has been attached restricting the use to ancillary purposes and officers considered that, taking into all account all matters raised, the proposal complies with the relevant policies of the OLP and Core Strategy.

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: 11/02710/FUL

Contact Officer: Rona Gregory

Extension: 2157

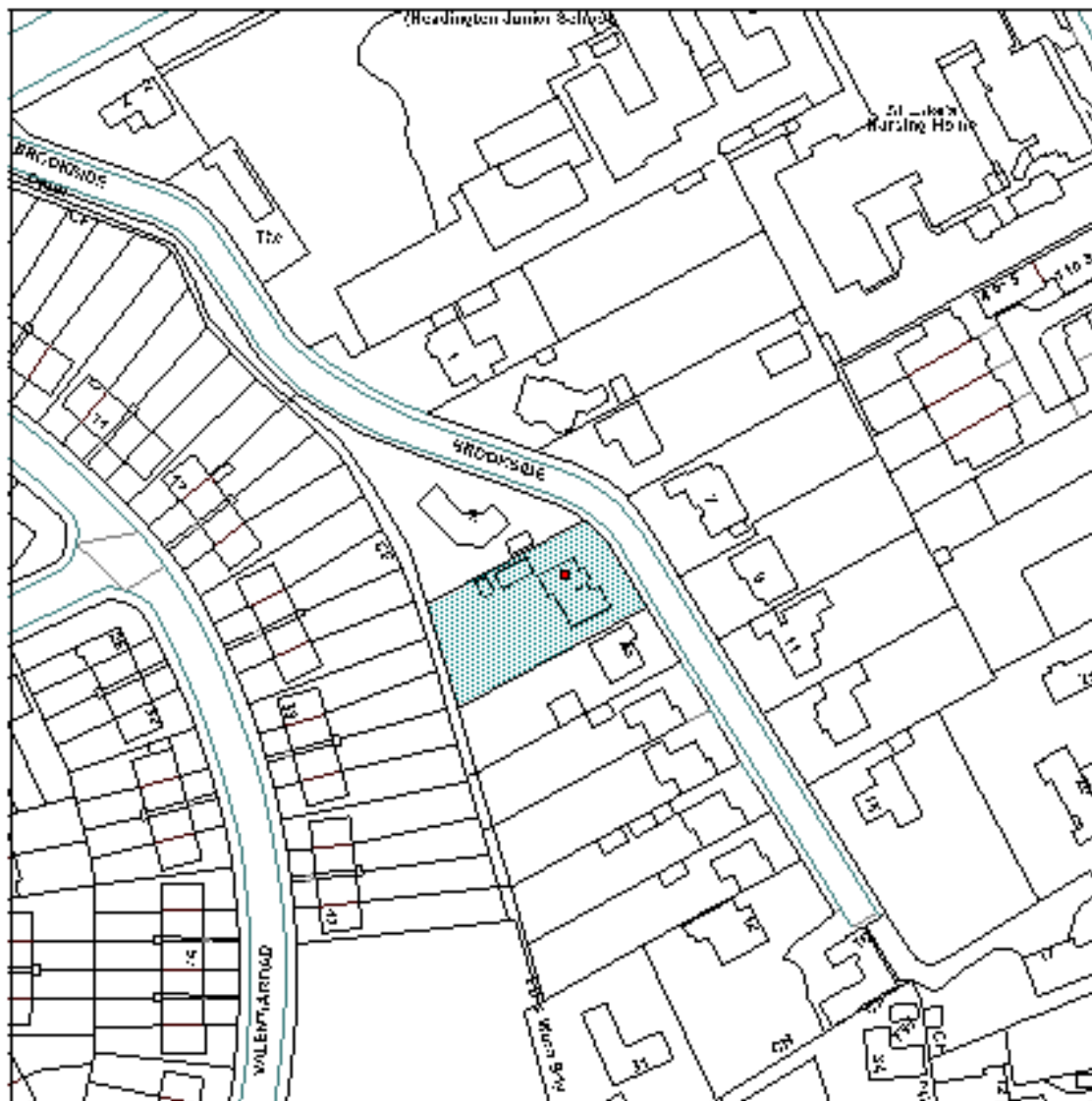
Date: 8th December 2011

Appendix 1

4 Brookside



ESRI INC. 3800



Scale : 1:1250

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI/UK's MapXtension 2.0 - <http://www.esri.com>

Organisation	Not Set
Department	Not Set
Comments	11.02710/FUL
Date	15 December 2011
SLA Number	Not Set

East Area Planning Committee

-4th January 2012

Application Number: 11/02755/FUL

Decision Due by: 21st December 2011

Proposal: Conversion of car port into dining room.

Site Address: 83 Edgeway Road Oxford (Site plan: **Appendix 1**)

Ward: Marston Ward

Agent: Michael J Vaughton

Applicant: Mr Sebastian Johnson

The proposal has been submitted by an Oxford City Council Employee and so must be determined at Committee.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is acceptable in terms of its visual appearance and the loss of the off-street car parking space is compensated by the gain of an on-street car parking space. No objections were received and the proposal is considered to comply with policies CP1, CP6, CP8, CP10, TR3 and TR13 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2026.
- 2 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 - matching
- 4 Re-instate kerb

**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
CP10 - Siting Development to Meet Functional Needs
HS19 - Privacy & Amenity
TR3 - Car Parking Standards
TR13 - Controlled Parking Zones

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

PPS1 – Delivering sustainable Development

Relevant Site History:

84/01040/NF - Two storey 3-bedroom detached dwelling-house, parking space, vehicular access and ancillary works. Approved February 1985.

Representations Received:

36 Edgeway Road – will improve appearance of house; sufficient on-street parking exists

38 Edgeway Road – support application

40 Edgeway Road – capacity exists for on-street parking; will improve the appearance of the house

85 Edgeway Road – support application; ample space to park

Statutory and Internal Consultees:

Oxfordshire County Council Highways Authority – objected to parallel parking on frontage, but do not object to proposal subject to the kerb being re-instated and road markings removed (see more detailed comments in body of report).

Issues:

Design

Parking

Sustainability:

This proposal aims to make the best use of urban land and recognises one of the aims of sustainable development in that it will create extended accommodation on a brownfield site, within an existing residential area.

Officers Assessment:

Site

The application site comprises a two-storey detached house located on the south-western side of Edgeway Road in Marston. The dwelling has an integral car port.

Proposal

Planning permission is sought to convert the car port to a habitable room. Consent is required as condition 8 of planning permission 84/01040/NF states that the car port shall not be enclosed and shall be used only as a car parking

space.

Design

Policies CP1 and CP8 of the OLP state that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CS18 of the Core Strategy emphasises the importance of demonstrating good urban design.

Matching brickwork and fenestration would be used to enclose the car port to ensure it does not appear out of character with the existing house and conditions are attached that will achieve this. The proposal is minor in nature and officers consider that the alteration would be an improvement on the existing front elevation, and would appear more in keeping with the street as a whole.

Parking

The proposal involves the loss of an off-street car parking space. The applicant proposed to retain an off-street parking space by providing a parallel parking bay on the frontage. The Highways Authority objected to this for the following reasons:

The proposed parking in a parallel relationship to the highway would lead to excessive manoeuvring over the footway to access the space this would lead to an increase in risk to pedestrian and vehicle safety.

Ease of visibility along the highway whilst manoeuvring would be compromised as the driver would require constant changing between looking in the forward direction and looking over their shoulder increasing the risk to pedestrian safety.

The proposed parking space does not seem to meet the current standards for a parallel space (6.0m in length and 2.5m in width).

Future occupiers of the property may own an average/larger vehicle, which may not fit parallel to the Highway while still keeping pedestrian footway access to the property and without obstructing the footway.

Edgeway Road is within a Controlled Parking Zone and evidence supplied by the applicant illustrates that there is ample capacity in Edgeway Road for on-street parking. The Highways Authority has no objection to the application subject to the drop kerbed in front the application site being re-instated and the access protection marking removed. This would prevent parallel parking on the property frontage and would result in the creation of an additional on-street parking space to compensate for the loss of an off-street parking space. A 'Grampian' style condition can be applied to secure this.

Conclusion:

The alterations to the front elevation are considered to be an improvement and although an off-street parking space would be lost, an additional on-street space would be created. Edgeway Road does not suffer from parking pressures and the Highway Authority has no objection to the proposal, subject to a condition

requiring the dropped kerb to be re-instated.

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: 11/02755/FUL

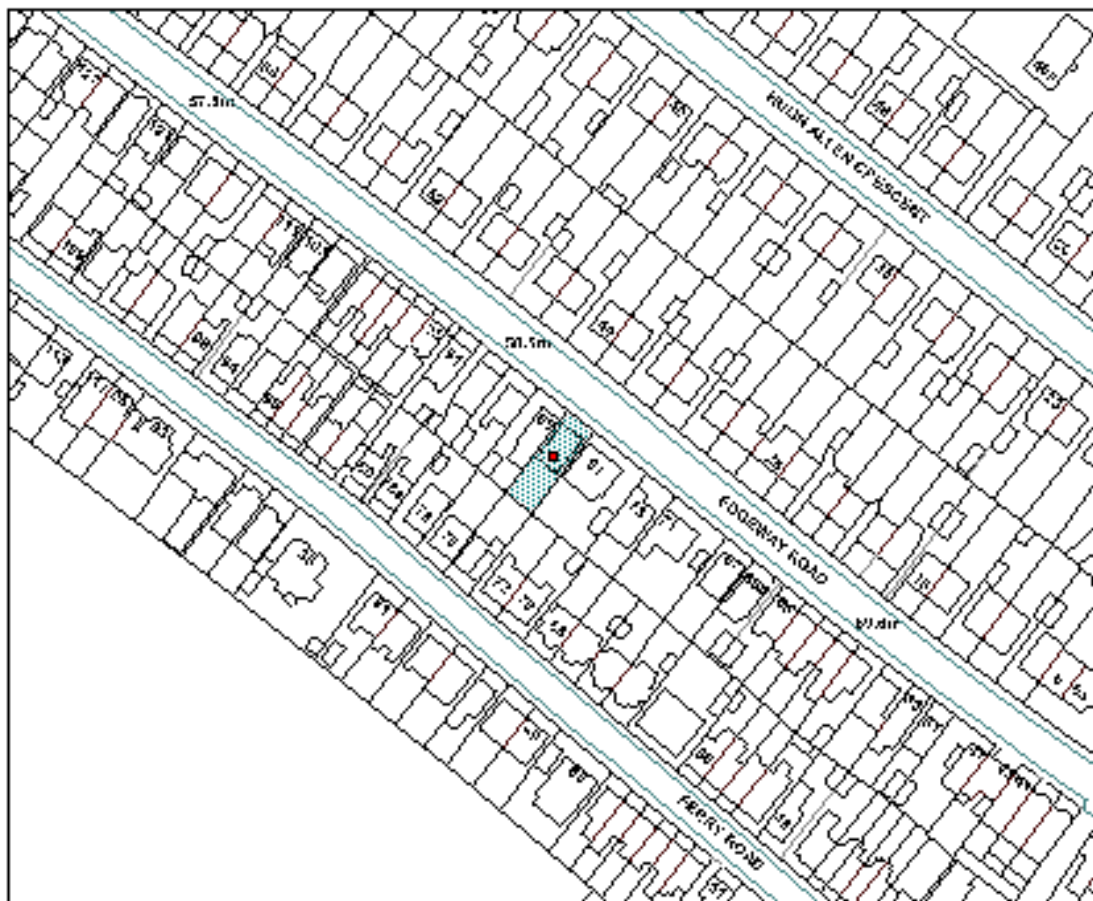
Contact Officer: Rona Gregory

Extension: 2157

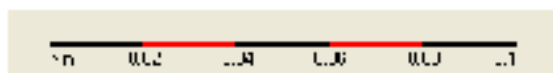
Date: 13th December 2011

Appendix 1

83 Edgeway Road



Legend



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Not Set
Department	Not Set
Comments	11/02755/PUL
Date	15 December 2011
SLA Number	Not Set

Produced using GIS (UK)'s Map6/plotter 2.0 - <http://www.gisuk.com>

This page is intentionally left blank

East Area Planning Committee

- 4th January 2012

Application Number: 11/03011/CT3

Decision Due by: 18th January 2012

Proposal: Outline permission for erection of 3x3 bed units with associated parking and bin storage.

Site Address: Land Between 38 And 40 Cardinal Close (**Appendix 1**)

Ward: Littlemore Ward

Agent: Kemp And Kemp

Applicant: Oxford City Council

Recommendation: It is recommended that the application is **approved** for the following reasons:

- 1 The principle of the proposal is acceptable in that the site is within a predominantly residential area with access to shops and services and public transport nodes. All matters are reserved, however, the illustrative plans which show an indicative layout, scale, access, appearance and landscaping are sympathetic to the site and its surrounding and are therefore acceptable in principle. The application accords with policy CP1, CP6, CP8, CP10, CP11, HS19, HS20, HS21, TR3 and TR4 of the Oxford Local Plan 2001 and 2016 and policy CS2, CS18 and CS23 of the Oxford Core Strategy 2026.
- 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.

Conditions:

- 1 Commencement 3/2 years detailed approval
- 2 Reserved details
- 3 Maximum of 2 storeys
- 4 Boundary details before commencement
- 5 Design - no additions to dwelling

- 6 Car parking
- 7 Vision splays
- 8 Bin and cycle storage
- 9 Landscaping implementation

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

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

HS20 - Local Residential Environment

HS21 - Private Open Space

TR3 - Car Parking Standards

TR4 - Pedestrian & Cycle Facilities

Core Strategy 2026

CS2_ - Previously developed and greenfield land

CS18_ - Urban design, town character, historic environment

CS23_ - Mix of housing

Other Material Considerations:

PPS 1 – Delivering Sustainable Development

PPS 3 – Housing

PPG 13 – Transport

Regional Spatial Strategy for the South East

Balance of Dwellings Supplementary Planning Document

Parking Standards Supplementary Planning Document

Relevant Site History:

76/00639/SON_H - Site Of (cons) 23-33 Newman Road (odd) Flats 1-65 Cardinal House And (even) 2 - 46 Cardinal Close Oxford - Erection of 32 old peoples flats, wardens flat and commercial rooms, four 7-person dwellings, 16, 5-person dwellings and 14, 4-person dwellings with accesses - Approved

Third Party Representations Received: None

Statutory and Internal Consultees:

Highway Authority – No objection subject to conditions relating to surface treatment of parking and vision splays.

Officers Assessment:

Site Description and Proposal

1. The application site comprises an area of hardstanding between and in front of No 38 and 40 Cardinal Close. The site is located in the southwest corner of the 1970's residential development at 23-33 Newman Road and 2-38 Cardinal Close. The site is accessed from the south off Cardinal Close, with pedestrian routes flanking the site to the east and north. The western side abuts a steep bank which is overgrown with grass and brambles. Beyond Cardinal Close to the south is another steep grass bank, beyond which is the Eastern By-Pass.
2. The application seeks outline permission (with all matters are reserved) for the erection of a 3x3 bed houses with associated car parking and bin storage.
3. Officers consider the main issue of the case to be the principle of development, however the proposals include illustrative layout and floor plans and elevations so officers would therefore also consider the matters relating to the layout, scale and appearance to be relevant.

Principle of Development

4. Local Plan policy CP6 states that development proposals should make efficient use of land by making best use of site capacity. Policy CS23 of the Oxford Core Strategy explains that the predominance of one particular form of housing type within a locality may have unwelcome social implications. To remedy this policy CS23 supports a balance of dwelling types within any given locality.
5. In support of policy CS23 the Balance of Dwellings Supplementary Planning Document (BoDs) has assessed the housing stock within Oxford and has identified areas of pressure. The aim of BoDs 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.
6. The application site falls within an area defined by the 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 residential development. In this area the SPD does not prescribe a particular mix for developments including 3 or less dwellings and, as such, officers raise no objection to the provision of 3x3 bed houses.

Scale and Form

7. Policy CP8 of the Oxford Local Plan 2001-2016 suggests the siting, massing and design of development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area and CP10 states planning permission will only be

granted where proposed developments are sited to ensure that street frontage and streetscape are maintained or enhanced or created.

8. The site comprises an area of hardstanding between and to the front of No 38 and 40 Cardinal Close, both of which form part of a residential development from the 1970's. This development, with the exception of the houses on Newman Road, is inward facing with the two storey Cardinal Close houses turning their backs on the street by fronting on to an internal green space. This approach to residential layout is contrary to current best practice and design advice.
9. In contrast to the 1970's development the illustrative drawings show buildings fronting onto Cardinal Close. Although this is different to the rest of Cardinal Close it is not considered to adversely affect the character of the street, which is typified by high rear garden walls against the back edge of the street. The proposal would offer a more active frontage at this part of the street providing natural surveillance of the new parking areas opposite.
10. The illustrative drawings show the proposed houses, like the adjacent 1970's development, as having a domestic scale and form, being two storeys in height and with a traditional appearance which incorporates a pitch roof. Although details of scale and appearance are not fixed and will be dealt with under a reserved matters application, officers consider the height and form shown on the illustrative drawings to be in keeping with the immediate context. Officers would, however, recommend a condition to fix the scale of the building at a maximum of 2 storeys.

Proposed Residential Environment

11. Policy HS21 of the OLP states that residential development should have access to private amenity space. Units with 2 or more bedrooms are required to have exclusive access to an outdoor space and where the unit is a house the garden should generally be a minimum of 10m in length.
12. Although the layout is reserved the illustrative drawings demonstrate that the three houses could all have private rear gardens measuring between 8.4-8.6m in length and 6.8-8.6m in width. Although these lengths are below the minimum 10m as set out in policy HS21, this is a general standard and allows exceptions where there are extenuating circumstances. In this particular case the gardens are of substantial width and would result in a better quality of space compared to, for example, a situation where the gardens were 10 metres in length but only 5 metres wide. In addition the proposed gardens are not dissimilar to those of the neighbouring dwellings. Given the site constraints officers do not believe that the garden lengths could be greatly increased without compromising the size of the houses. On balance therefore officers conclude that the outdoor space would be acceptable.
13. Bin and cycle storage is shown to be located in the rear gardens of the

three houses. Each has direct access to the street.

Impact on Neighbouring Properties

14. Policy HS19 of the OLP states that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
15. Although the position and scale of the houses is not set, the illustrative plans show that three houses could be accommodated on the site without adversely affecting the residential amenities of neighbouring properties due to the separation distances and window positions of neighbouring properties.

Car Parking

16. The application proposes 6 off street car parking spaces to be located opposite the proposed houses. This level of provision accords with Appendix 3 of the Local Plan. The Highway Authority raises no concerns.

Sustainability

17. The site is a brownfield site within an existing residential area. The area is well served by shops and services and has excellent access to public transport nodes. The application would make a more efficient use of the site by providing two new flats which would need to meet Level 3 of Code for Sustainable Homes in order to satisfy the Building Regulations.

Conclusion: The proposal is acceptable in principle and the detailed matters of layout, scale, appearance, landscaping and access, which are acceptable in principle in relation to the information provided, will be forthcoming under a reserved matters application. Officers would recommend that outline planning permission be approved subject to the conditions set out above.

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:

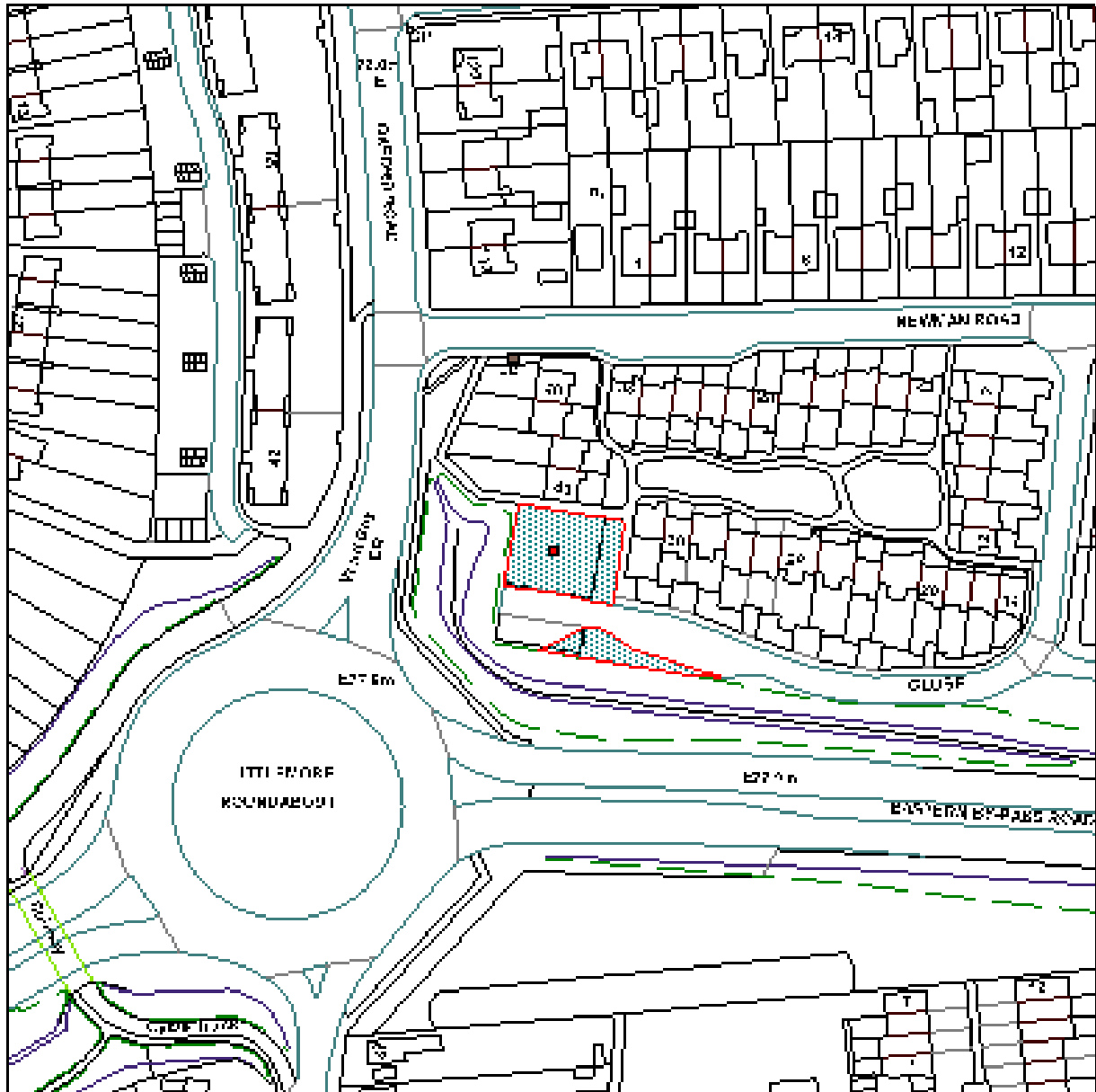
Contact Officer: Steven Roberts

Extension: 2221

Date: 17th December 2011

Appendix 1

11/03011/C B - 38-40 Cardinal Close



Scale : 1:10250

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using © ESRI UK's MapGuide 2.0 - <http://www.esri.com>

Organisation	Met. Sec.
Department	Met. Sec.
Comments	
Date	16 December 2011
BLA Number	Met. Sec.

This page is intentionally left blank

East Area Planning Committee

- 4th January 2012

Application Number: 11/02526/FUL

Decision Due by: 23rd December 2011

Proposal: Erection of two storey extension to form 2 x 1-bed flats. Provision of new bin and cycle store. (Amended description)

Site Address: 83 - 97 Ashhurst Way (**Appendix 1**)

Ward: Rose Hill And Iffley Ward

Agent: GES Design Associates

Applicant: Sheehan Group

Call in: The application was called in by Councillors Turner, Coulter, Lygo, Lloyd-Shogbesan and Humberstone on the grounds of major concerns about potential damage to trees, design, and the impact upon neighbouring properties.

Recommendation: It is recommended that planning permission be **approved** for the following reasons:

- 1 The proposal would make a more efficient use of the site in a manner which would provide an acceptable residential environment for future residents. The scale and form of the proposal would be sympathetic to that of the existing building and would sit comfortably within the streetscene. The amenities of neighbouring residential properties would not be unacceptably affected. The proposal would provide a new storage area for bins and bicycles which would also serve nos 91-97 Ashurst Way. The application accords with policies CP1, CP6, CP8, CP10, TR3, TR4, HS11, HS19 and HS21 of the Local Plan and policy CS2, CS18 and CS23 of the Core Strategy.
- 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Landscape plan required prior to commencement
- 5 Landscape carry out after completion
- 6 Landscape management plan
- 7 Tree Protection Measures
- 8 Bin/cycle store in accordance with approved plans

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

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

TR3 - Car Parking Standards

TR4 - Pedestrian & Cycle Facilities

HS11 - Sub-Division of Dwellings

HS19 - Privacy & Amenity

HS20 - Local Residential Environment

HS21 - Private Open Space

NE15 - Loss of Trees and Hedgerows

NE16 - Protected Trees

Oxford Core Strategy 2026

CS2_ - Previously developed and greenfield land

CS18_ - Urban design, town character, historic environment

CS23_ - Mix of housing

Other Material Considerations:

PPS 1 – Delivering Sustainable Development

PPS 3 – Housing

PPG 13 – Transport

Regional Spatial Strategy for the South East

Balance of Dwellings Supplementary Planning Document

Parking Standards Supplementary Planning Document

Relevant Site History:

11/01871/FUL - Two storey side extension to provide two flats (1x 1 bed and 1 x 2 bed). Provision of 3 car parking spaces accessed from Desborough Crescent – Withdrawn

69/00802/M_H - Land west of Lambourn Road - Roads and sewers for housing development with accesses – Approved

69/00080/M H - Land west of Lambourn Road - Erection of 62 houses, 24 old persons flats, 69 garages and 41 car parking spaces – Approved

68/00192/M H - Site west of Lambourn Road - Houses and old people's flats and accesses - Approved

Third Party Representations Received: None

Statutory and Internal Consultees:

Highway Authority – No objection in principle however concern was raised about possible additional car parking on street close to the junction.

Thames Water Utilities Limited – No objection

Tree Officer – No objection subject to tree protection measures during construction

Officers Assessment:

Site Description and Proposal

1. The application site comprises a plot of land in the northern corner of 83-97 Ashurst Way, formally an area of hardstanding which accommodated a bin and cycle store serving the existing flats. No 83-97 Ashurst Way is a two storey block of one bedroom flats on the corner of Ashurst Way and Desborough Crescent. The existing building takes the form of two staggered blocks with the flats accessed from the north via a parking court, although the main frontage is towards the south onto Desborough Crescent. The Ashurst Way and Desborough Crescent frontages are grassed and have a number of mature trees.
2. The application proposes the erection of a two storey extension along the Ashurst Way frontage. The proposal also includes a new bin and cycle store which will also serve No 91-97 Ashurst Way.
3. Officers consider the main issues of the case to be the principle of development, the scale, form and appearance of the extension, proposed residential environment, the impact on neighbouring properties, trees, and car parking.

Planning History

4. A planning application for a similar proposal was withdrawn earlier this year (ref 11/01871/FUL) following concern raised by officers about the impact of the extension on the amenities of Nos 75-81 Ashurst Way, specifically light, privacy and outlook, the impact on daylight to some of the flats at the application site, specifically 91-95 Ashurst Way, the poor residential environment created by virtue of bins stores adjacent to windows and the lack of cycle parking, the visual impact of car parking along the Desborough Crescent frontage, and the impact on the protected false acacia tree adjacent to the proposed car parking.

5. In response to the concerns raised the current proposal has made the following changes:

- The 1st floor windows in the south elevation (facing No 75-81 Ashurst Way) have been omitted;
- A new bin and cycle store is provided which would be large enough to accommodate bins and bikes for proposed flats and No 91-97 Ashurst Way. This store is located away from habitable room windows;
- A small but more meaningful and overlooked garden is provided to the south of the extension. This would be accessible by all flats;
- The car parking adjacent to the protected false acacia tree has been omitted;

Principle of Development

6. Local Plan policy CP6 states that development proposals should make efficient use of land by making best use of site capacity. Whilst policy CS23 of the Oxford Core Strategy recognises that the predominance of one particular form of housing type within a locality may have unwelcome social implications. To remedy this policy CS23 supports a balance of dwelling types within any given locality.

7. In support of policy CS23 the Balance of Dwellings Supplementary Planning Document (BoD SPD) 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.

8. The application site falls within an area defined by the 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. In this area the SPD does not prescribe a particular mix for development below 3 units and as such officers have no objection to the principle of 2x1 bed flats.

Scale, Form and Appearance

9. Policy CP8 of the Oxford Local Plan 2001-2016 suggests the siting, massing and design of development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area and CP10 states planning permission will only be granted where proposed developments are sited to ensure that street frontage and streetscape are maintained or enhanced or created.

10. The extension turns at a right angle to the existing block and creates a new frontage onto Ashurst Way, with doors and windows actively addressing the street. The extension has a traditional form, with a pitched roof set slightly lower than the ridge of the original block. The materials are

proposed to match the existing building and the bay window details seen in the original block are carried through into the extension. The proposal is set back from the footpath maintaining the area of grass and trees between the buildings and the street.

11. Officers conclude that the scale, form and appearance of the extension are sympathetic to the existing building and would not appear out of keeping with the street.

Proposed Residential Environment

12. Saved Oxford Local Plan policy HS21 states that residential development should have access to good quality outdoor space. The preamble to policy HS21 explains that where the residential units are unlikely to be occupied by people with children the amenity space can be provided in the form of a shared space. The flats would have only one bedroom and it is therefore reasonable to conclude that they would be extremely unlikely to be occupied by persons with children. The existing development was not designed with private open space in mind, with only the grassed areas between the building and the road offering outdoor space.
13. The proposal creates a small area of shared space measuring approximately 30m² to the south of the extension. Although small this space offers an outdoor communal area which does not front onto the highway. This is considered to be a benefit to the existing flats as well as the proposed ones. The site is also generously served by a grassed area adjacent to Desborough Crescent. In consideration of the existing site circumstances officers conclude that in this particular instance the level of outdoor space is acceptable.
14. Policy HS11 requires flats to have a floor area of at least 25m² and be fully self contained. The proposed flats would comply with this requirement. Bin and cycle storage is proposed to the south of the extension which will also provide store space for some of the existing flats on site.

Impact on Neighbouring Properties

15. Local Plan policy CP10 states that development should be sited to ensure that the 'use or amenity of other properties is adequately safeguarded'. Policy HS19 goes further and states that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
16. The extension would be approximately 12m away from No 79 and 81 Ashurst Way (both to the south of the proposal). Due to this separation distance, the 45° code when applied in the horizontal plane to the ground and first floor habitable room windows of both properties, would not be breached.

17. Although the outlook from these windows would change, as can be seen from Appendix 1, 12m is a common separation distance in this area. In addition the opportunity for new landscaping between the extension and Nos 79 and 81 Ashurst Way will be a benefit. On balance therefore officers consider the relationship between these properties and the proposal to be acceptable.
18. The windows serving the existing flats at Nos 91-95 Ashurst Way, which are adjacent to the extension, serve non habitable rooms and as such policy HS19 and the 45° code do not apply. There would not therefore be an adverse impact on those flats.

Trees

19. There are a number of trees on the site, most importantly those which front Ashurst Way and Desborough Crescent. The application is accompanied by an Arboricultural Report which categorises the main trees, the false acacia trees, as Category B trees, meaning that they are considered to be of high amenity value. The application retains all of the false acacia trees and officers are satisfied that the development will not harm these trees. Officers would however recommend a condition to ensure that in accordance with British Standards, tree protection measures are in place prior to any work commencing on site.

Car Parking

20. The Local Plan parking standards states that at this location a maximum of one off street car parking space should be provided per one bed unit. The application does not propose any off street car parking. This is chiefly due to the previous concerns raised by officers about the impact of the car parking on the protected false acacia tree, but also due to the visual impact of the proposed off street car parking on the open green area fronting Desborough Crescent. Due to the site constraints this remains the most appropriate location for off street car parking. Aside from the possible harm to the tree and green space, the provision of off street car parking would inadvertently reduce on street parking capacity as a result of the required access, which due to the slight curve in the road would equate to almost two car lengths. As a result officers are of the view that not providing off street car parking would have a very similar impact to providing off street car parking.
21. In raising no objection to the proposals the Highway Authority raised concerns about the lack of off street car parking and that they would not want this to result in car parking adjacent to the junction. For the reasons set out above officers consider that in this particular instance it is reasonable to provide no off street car parking. Officers acknowledge the concerns of the Highway Authority regarding the possibility of car parking adjacent to the junction, however it is not the place of the Planning Authority to make assumptions about the parking habits of drivers when there are alternative regulations to deal with such matters.

Sustainability

22. The site is a brownfield site within an existing residential area. The area is well served by shops and services and has excellent access to public transport nodes. The application would make a more efficient use of the site by providing two new flats which would need to meet Level 3 of Code for Sustainable Homes in order to satisfy the Building Regulations.

Conclusion: The development would make an efficient use of the site, while being sympathetic to the character of the area and the amenities of neighbouring residential properties. Although the proposal would provide no off street car parking officers consider that on balance this is a reasonable approach given the site constraints and particular circumstances of the case. Officers would therefore recommend that planning permission be approved subject to the conditions set out above.

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: 11/02526/FUL

Contact Officer: Steven Roberts

Extension: 2221

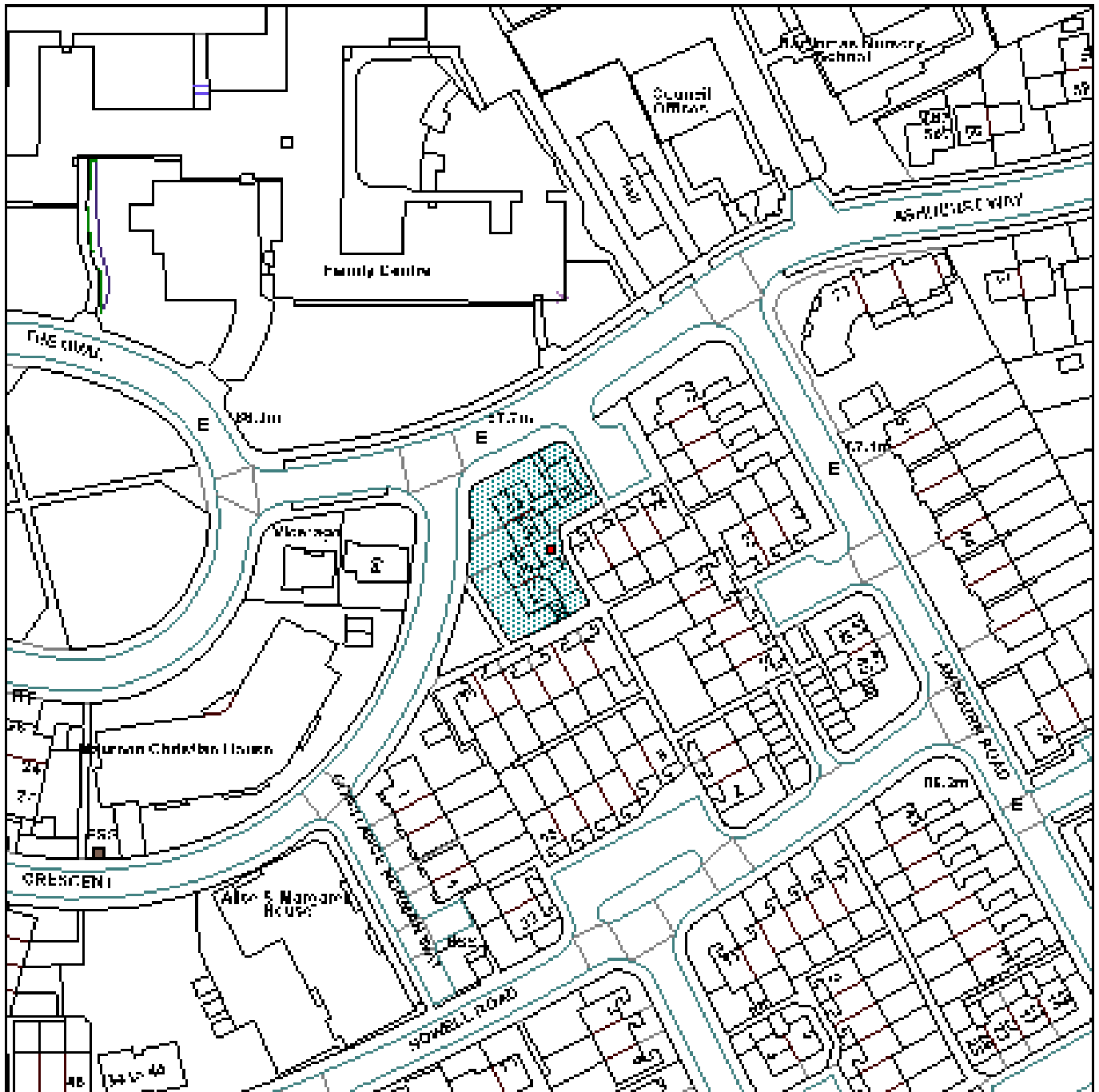
Date: 12th December 2011

Appendix 1

11/02526/FUL - 83-97 Ashhurst Way



City of London



Scale : 1:1250

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright 2000.

Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 7.0 - <http://www.esri.com>

Organisation	Not Set
Department	Not Set
Comments	
Date	15 December 2011
SLA Number	Not Set

East Area Planning Committee

- 4th January 2012

Application Number: 11/02816/FUL

Decision Due by: 28th December 2011

Proposal: Demolition of existing rear single storey extension and front porch. Erection of single and two storey side, front and rear extension, and alterations to roof. Sub-division to form 2 bed house and provision of car parking

Site Address: 77 Sandfield Road (**Appendix 1**)

Ward: Headington Ward

Agent: Mr Saeed Khan

Applicant: Dr Z Jiang

Call in: The application was called in by Councillors Wilkinson, Campbell, Jones and Rundle on the grounds that the previous application was called in and the subdivision is a contentious issue in the immediate neighbourhood.

Recommendation: It is recommended that planning permission be **approved** for the following reasons:

- 1 The principle of the development was established by the extant planning permissions (ref 10/02781/FUL and 11/00051/FUL). The application seeks to bring these two permissions together under one consent with some small alterations that are not considered to unacceptably impact on neighbouring properties or the character and appearance of the building or street. The application accords with policies CP1, CP6, CP8, CP10, TR3, TR4, HS19, HS20 and HS21 of the Oxford Local Plan 2001 - 2016 and policies CS2, CS18 and CS23 of the Oxford Core Strategy 2026.
- 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Boundaries in accordance with plans
- 5 Landscaping in accordance with plans
- 6 Car parking in accordance with plans
- 7 Vision Splays
- 8 Development removed from CPZ
- 9 Bin and cycle stores
- 10 Northeast study window obscure glass
- 11 Design - no additions to dwelling

Main Local Plan Policies:**Oxford Local Plan 2001-2016 (OLP)**

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP1 - Development Proposals

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

HS20 - Local Residential Environment

HS21 - Private Open Space

TR3 - Car Parking Standards

TR4 - Pedestrian & Cycle Facilities

Oxford Core Strategy 2026

CS2_ - Previously developed and greenfield land

CS18_ - Urban design, town character, historic environment

CS23_ - Mix of housing

Other Material Considerations:

PPS 1 – Delivering Sustainable Development

PPS 3 – Housing

PPG 13 – Transport

Regional Spatial Strategy for the South East

Balance of Dwellings Supplementary Planning Document

Parking Standards Supplementary Planning Document

Relevant Site History:

10/02781/FUL - Alteration to front and rear elevation to include porch and rear patio door. Conversion of existing two storey side extension to self contained one bedroom house- provision of 3 car parking spaces to frontage plus cycle and storage for bins and provision of amenity space to rear – Approved

11/00051/FUL - Erection of part single storey, part two storey, extensions to the side and rear and single storey front extension. (Amended plans) – Approved

11/02153/VAR - Variation of conditions 5 and 7 of planning permission 10/02781/FUL for extension and creation of one bedroomed house, to allow details of landscaping to be submitted following commencement of development, and car parking spaces to be laid out after occupation – Withdrawn

11/02155/VAR - Variation of conditions 5 and 10 of planning permission 11/00051/FUL for extension to front – Withdrawn

11/02243/FUL - Demolition of existing rear single storey extension and front porch. Erection of single and two storey side and rear extension, front porch and alterations to roof. Subdivision to form 1 bed house. Provision of car parking - Withdrawn

Third Party Representations Received: The comments received can be summarised as follows:

- Extension to porch will have an overbearing impact on and result in a loss of light to front window of No 79 Sandfield Road
- Ground floor layout nonsensical
- Not in keeping with the area
- Loss of privacy to No 75 and 79 Sandfield Road
- Overdevelopment
- Differs significantly from approved plans
- No means of escape from loft

Statutory and Internal Consultees:

Highways And Traffic – No objection subject to the removal of new house from the CPZ, the provision of vision splays, treatment of parking area in porous materials and provision of cycle storage.

Thames Water Utilities Limited – No objection

Sustainability: The development would make more efficient use of an existing site, which is within a highly accessible area within close proximity to shops, services and public transport nodes.

Officers Assessment:

Site Description and Proposal

1. The application site comprises No 77 Sandfield Road, a two storey detached property within a predominately residential area. The building is presently undergoing alterations to the front, side and rear. Prior to these works the property had already been extended to the side and rear.
2. The application proposes the erection of a single and two storey side and rear extension and front porch in connection with the subdivision of the

property to provide two houses (1x2 beds and 1x4 beds). Car parking is provided on the site frontage for three vehicles.

3. Officers consider the main issues of the case to be the planning history and the principles that have been established therein, the impact on neighbouring properties, proposed residential environment, visual impact, and car parking.

Planning History

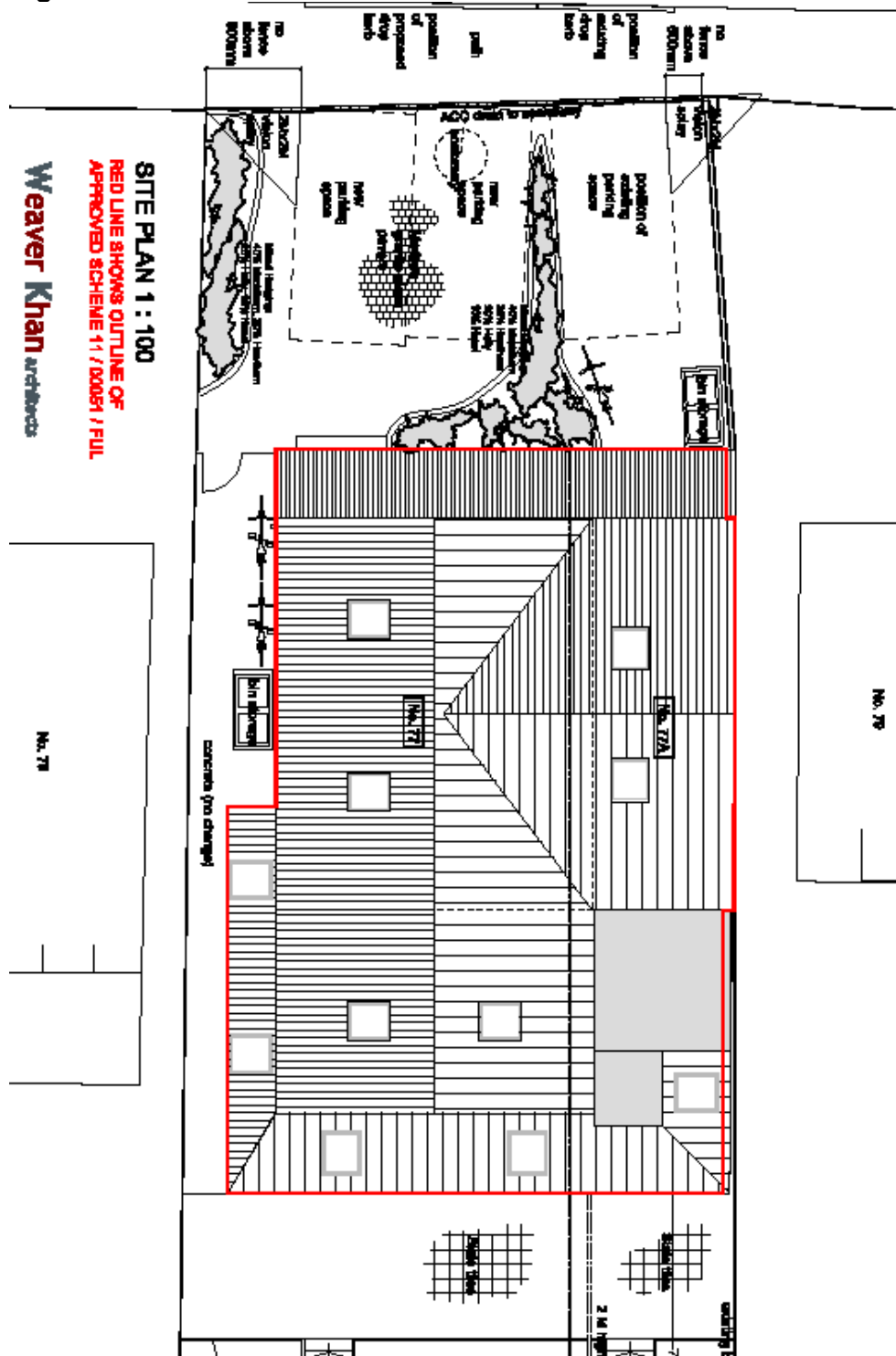
4. Planning permission was granted in 2010 to convert the earlier side extension into a one bed house, as part of that proposal a separate rear garden and car parking space was proposed (this property was known as 77A Sandfield Road). In 2011 a planning permission was granted to erect a single and two storey extension to the side and rear of the original house (known as 77 Sandfield Road). Work commenced on site, however these works differed from the approved plans and included additions to 77A Sandfield Road which were not approved under the 2010 permission. As a result a fresh planning application was required to regularise what was being built on site and to bring the 2010 and 2011 planning permissions together as they could not technically be implemented together under the separate permissions.

5. The following differences were identified between the approved applications and what was being constructed on site:

- The porch is 300mm closer to the boundary with No 79 Sandfield Road;
- The rear ground floor extension is 200mm closer to the boundary with No 79 Sandfield Road and its roof form has changed to incorporate a small area of flat roof to the rear of No 77A Sandfield Road;
- The roof of the single storey side extension adjacent to No 75 Sandfield Road, previously fully glazed, has been replaced with tiles with two roof lights inserted;
- The rear single storey extension now has two roof lights;
- The 1st floor rear extension adjacent to No 79 Sandfield Road is 200mm closer to the boundary;
- The internal layout of No 77A Sandfield Road has changed, with an additional room in its roof space (lit by roof lights);
- Two roof lights have been omitted above bedroom 4 (within the roof) in No 77 Sandfield Road. A storage area has been included which is lit by two new roof lights on the southeast roof slope;

6. There are also some internal alterations to No 77 Sandfield Road, however these do not require planning permission. The above alterations are shown on figure 1 below where the proposed plan has been overlaid by the approved plan.

Figure 1



7. As can be seen from figure 1, the proposed extensions are only marginally larger than those which have been approved. In such cases CLG Circular 03/09 - *Costs Awards in Appeals and Other Planning Proceedings* points out that a planning authority may be considered to have acted unreasonably if it does not determine like cases in a like manner. The Circular further explains that a Planning Authority may be vulnerable to costs in two other circumstances noted in the circular, a) where it fails to

grant permission for a scheme that is subject to an extant or recently expired permission, and b) where there has been no material change in circumstances. In this regard officers would advise that as the changes in the size of the extensions are only very minor (300mm at most) it would not be reasonable to resist the principle of the extensions, or for that matter the principle of the new house. Officers would therefore recommend that the previous permission be afforded considerable weight in assessing the current application.

Impact on Neighbouring Properties

8. Local Plan policy CP10 states that development should be sited to ensure that the 'use or amenity of other properties is adequately safeguarded'. Whilst policy HS19 goes further and explains that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
9. The porch and rear single storey extension of No 77A Sandfield Road would be 300mm and 200mm nearer the boundary with No 79 Sandfield Road. There are habitable room windows at both the front and rear of No 79. The front window is a bay window which is of sufficient size and distance away from the porch so as to not suffer any unacceptable loss of light or outlook, whilst the rear window is again of a sufficient distance away so as to not be unreasonably affected by the marginal encroachment of the proposal. Officers conclude that the difference in impact between the approved extensions and those proposed is very minor and would not give rise to significant additional harm.
10. The new roof lights would not look directly into neighbouring gardens and officers would conclude that they are therefore acceptable.

Proposed Residential Environment

11. Local Plan policy HS21 states that residential development should have access to private amenity space. Units with 2 or more bedrooms are required to have exclusive access to an outdoor space and where the unit is a house the garden should generally be a minimum of 10m in length. The existing house would retain a substantial rear garden well in excess of 10m, while the new two bed dwelling would have a rear garden approximately 10.8m in length.
12. The Local Plan does not give standards for the layout or size of houses. They should however be well lit and provide a good environment. The ground floor would be lit by windows to the front and rear and as such the rooms would receive an acceptable level of light and ventilation.
13. The proposal includes bin and cycle store in accordance with Local Plan policy CP10 and HS19.

Visual Impact

14. The proposed external alterations are very minor and would not significantly change the appearance or scale of the development. Officers therefore consider the visual impact on the site and character of the area to be acceptable.

Car Parking

15. Three off street car parking spaces are provided: one for the new house and 2 for the existing house. This level of parking provision would not fully comply with the standards set out in the Local Plan, however they are maximum standards where reduced levels are considered acceptable where the site is in a sustainable location, such as this, and that there are on street parking controls to prevent any additional parking on the highway. The site is within an accessible location and a Controlled Parking Zone. In the light of this officers consider the level of parking to be acceptable. Officers would recommend a condition to remove the houses from entitlement to parking permits.

Conclusion: The principle of development was established in granted planning permission under references 10/02781/FUL and 11/00051/FUL. The differences between those schemes and the one before Committee are not considered to give rise to an unacceptable adverse impact on neighbouring properties or the character and appearance of the area. Officers would therefore recommend that planning permission be granted subject to 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: 11/02816/FUL, 10/02781/FUL, 11/00051/FUL

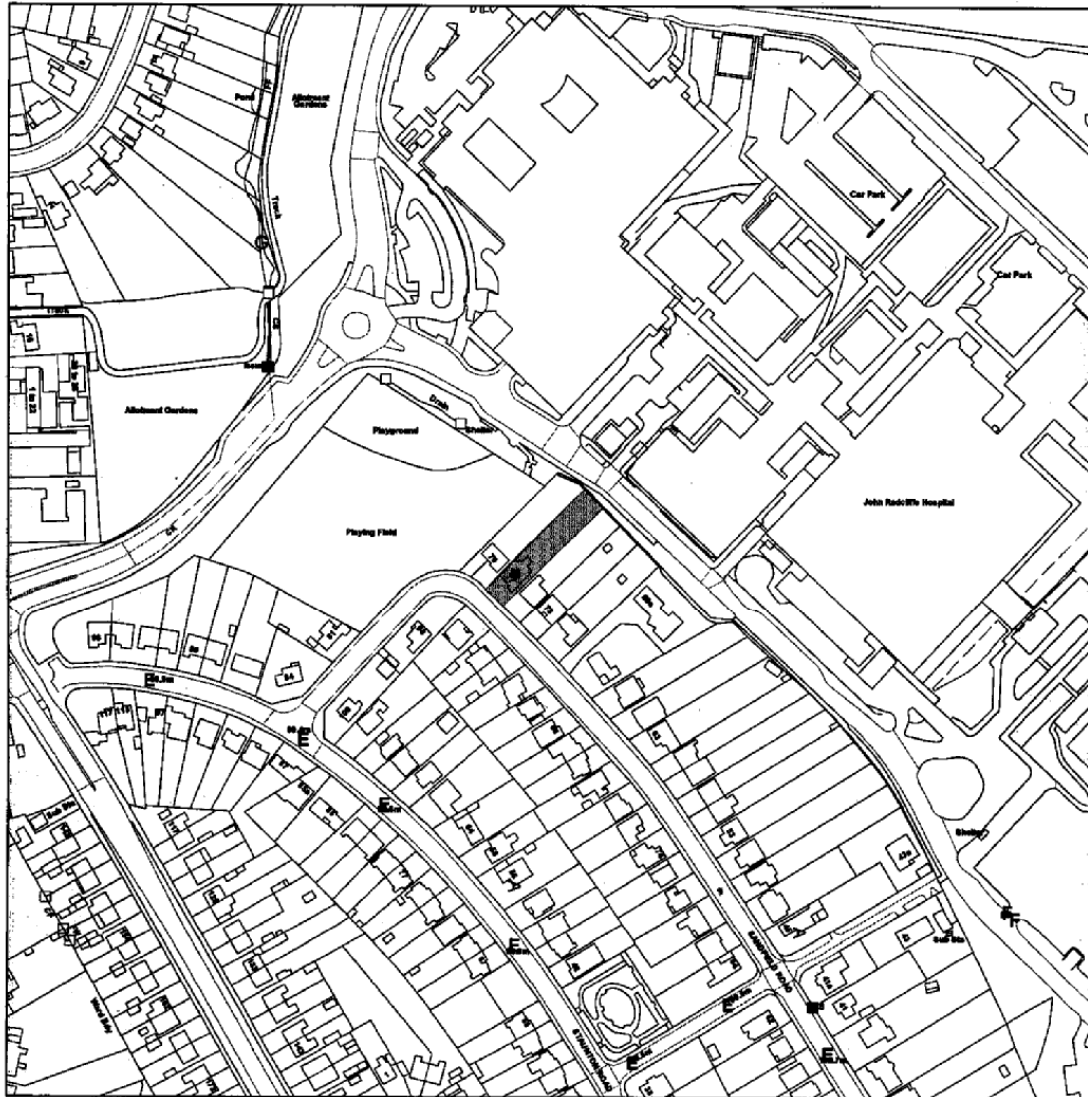
Contact Officer: Steven Roberts

Extension: 2221

Date: 9th December 2011

Appendix 1

11/02816/FUL 77 Sandfield Road



Scale : 1:2500

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	15 December 2011
SLA Number	

This page is intentionally left blank

East Area Committee

4th January 2012

Application Number: 11/02638/FUL

Decision Due by: 12th December 2011

Proposal: Two storey extension to provide 6 additional bedrooms, office and store.

Site Address: Elmthorpe Convent Oxford Road Cowley (Site plan at **Appendix 1**)

Ward: Cowley Ward

Agent: RHA Architects Ltd

Applicant: Ms Helen Murphy

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is considered to form an appropriate visual relationship with the existing convent and its surroundings, will not have a detrimental impact on the neighbouring properties and will not affect a horse chestnut tree providing care is taken during construction.
- 2 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 - matching
- 4 Tree Protection Plan (TPP) 1
- 5 Arboricultural Method Statement (AMS) 1

- 6 Construction Travel Plan
- 7 Restriction on construction vehicles
- 8 Delivery Times
- 9 Sustainability measure

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Developmnt to Meet Functionl Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HE2** - Archaeology

Core Strategy

- CS18_** - Urb design, town character, historic env

Other Material Considerations:

PPS1 Delivering Sustainable Development

Relevant Site History:

50/01516/A_H - Dormitory. PER 12th December 1950.

74/00349/A_H - Erection of laundry to replace timber building. PER 14th May 1974.

78/00512/A_H - Two storey extension. PER 19th July 1978.

98/01120/NFH - Demolition of existing hall. Construction of new single storey hall on same site. PER 20th August 1998.

85/01111/NF - 2 storey rear extension to form chapel and reconciliation room, with residential accommodation over. PER 12th February 1986.

06/01590/FUL - Demolition of existing structure on site except Mornese Centre. Erection of new two storey convent building with 12 bedrooms, car parking, landscaping and associated facilities. (Amended Plans). PER 16th October 2006.

Representations Received:

None

Statutory and Internal Consultees:

Highway Authority: no objections subject to conditions.

Issues:

Design
Residential Amenity
Highways
Trees
Archaeology
Sustainability

Officers Assessment:

Site Description

1. The existing convent is situated to the south of Oxford Road, at the junction with Hollow Way, from which the site is accessed. It is set within a large landscaped site, almost hidden from the main road and bounded to the east and south by 2 storey post-war (mainly semi-detached) residential properties on St Lukes Road and Coleridge Close respectively. To the west of the convent lies Our Lady's Roman Catholic Primary School.

Proposal

2. The application is seeking permission for the erection of a 6 bedroomed 2 storey extension to the existing convent to accommodate the Salesian Sisters of St John Bosco with additional space for Sisters from around the country whose convents are being closed.

Assessment

Design

3. Policy CS18 of the Core Strategy (CS) states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the Oxford Local Plan (OLP). Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings.
4. Policy CP8 of the Oxford Local Plan 2001-2016 suggests the siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the

surrounding area.

5. The proposed extension completely copies the existing building in every respect i.e. materials, design, detailing etc. It is therefore considered acceptable as it will form an appropriate relationship with the existing convent and respects the character and appearance of the area subject to conditions requiring matching materials and compliance with the approved plans.

Residential Amenity

6. Policy HS19 of the OLP sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25-degree code of practice, detailed in Appendix 6 of the OLP. For the purpose of these guidelines a habitable room includes a kitchen as well as living rooms, dining rooms, studies, bedrooms and/or playrooms. The proposal does not breach the 45/25-degree code of practice in relation to the neighbouring properties along St Lukes Road to the east of the application site.
7. Policy HS19 also assesses development in terms of creating a sense of enclosure or being of an overbearing nature. The proposal is approximately 27m from the rear boundary of the properties along St Lukes Road. This distance is considered to be sufficient so as not to be overbearing or create a sense of enclosure.
8. Policies HS19 and CP10 of the OLP require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. There are two bedroom windows on the first floor in the side elevation facing the rear of the properties fronting St Lukes Road. However, given the general rule of thumb of a 20m back to back separation distance between habitable rooms is exceeded in this instance, then the proposal is not likely to give rise to any issues of overlooking or loss of privacy.

Highways

9. No additional car parking or cycle parking is proposed. However Officers do not consider this to be an issue as the rooms are for elderly nuns who do not drive. In accordance with the requirements of Policy CP13, the new building will provide disabled parking spaces, ramped and level access.
10. The Highway Authority recommends due to the location of the Convent on the Oxford Road B480 that a "rumble strip" is installed at the access point to the Convent to slow vehicles down before they exit onto the footway. Also warning signs erected on either side of the access of the applicants land warning of pedestrian movements. Officers queried this as they felt a rumble

strip would also slow traffic down entering the site which would be more detrimental to highway safety given the nature of the junction. Officers also felt that signs were unnecessary as vehicles would be exiting very slowly again due to the nature of the junction. Highway Officers agreed and revised their comments.

11. One highway safety issue is that construction deliveries should only occur between 0930 and 1430 so as to avoid school drop off and pick up times and this is suggested to be controlled by a condition.

Trees

12. Officers have no objection to the proposed extension. While it is within the nominal Root Protection Area of a horse chestnut tree, if adequate care is taken during the construction phase the tree shouldn't be harmed. If planning permission is granted conditions will be attached which require a Tree Protection Plan and Arboricultural Method Statement to be submitted and approved before construction starts.

Archaeology

13. Officers have consulted the Historic Environment Record and conclude that, on present evidence, this scheme would be unlikely to have significant archaeological implications.

Sustainability

14. The development falls below the size threshold where a Natural Resource Impact Analysis is required. However the original building built under 06/01590/FUL featured a number of sustainable features, as the applicant was keen to promote green principles in its design. It was proposed to use geothermal heating, roof lights in darker corridor areas to save energy during the day, and water butts around the building to collect rainwater. Construction materials incorporated higher 'U' values than required by Building Regulations in order to minimise heat loss. A condition is suggested to continue these principles through into the extension.
15. The site is located on the busy Oxford Road, which benefits from a good public transport system into the City Centre, and residential areas.

Conclusion:

For the reasons given and taking into account all other matters raised Officers conclude that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore recommends approval as the proposal is considered to form an appropriate visual relationship with the existing convent and its surroundings, will not have a detrimental impact on the neighbouring properties and will not affect a horse chestnut tree providing care is taken during construction.

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:

Contact Officer: Lisa Green

Extension: 2614

Date: 5th December 2011

Appendix 1

11/02638/FUL Elmthorpe Convent, Oxford Road



GIS by ESRI (UK)



Scale : 1:2500

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	09 December 2011
SLA Number	Not Set

This page is intentionally left blank

East Area Committee

4th January 2012

Application Number: 11/02885/FUL

Decision Due by: 4th January 2012

Proposal: Subdivision of existing garden serving 51 Littlemore Road. Demolition of existing garages and erection of detached 2 storey, 4 bedroom dwelling provision of 2 car parking spaces access off Van Diemens Lane. Provision of bin and cycle stores and private amenity space.

Site Address: 51 Littlemore Road Oxford (Site plan attached at **Appendix 1**)

Ward: Littlemore Ward

Agent: Demarcation Design

Applicant: Mr P Carney

Application Called in – by Councillors – Tanner, Lloyd-Shogbesan, Timbs and Sinclair
for the following reasons – overdevelopment and local concern

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 Approval is recommended as the site lies within an accessible urban area and its development is consistent with policies encouraging the efficient use of land and it will add to the balance and mix of dwellings within the area. It is considered to form an appropriate relationship with and respect the character and appearance of the area and does not impact on the immediate neighbours in a detrimental way. It also provides adequate amenity space, cycle parking and car parking. Given the plot can adequately provide all the requirements of the Oxford Local Plan 2001-2016 it is not considered to be an overdevelopment of the site.
- 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 Vision Splays
- 5 Vehicles/cycles/bins
- 6 Surface Water Run Off
- 7 Landscaping carry out by completion
- 8 Design - no additions to dwelling
- 9 Amenity no additional windows

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- CP10** - Siting Developmnt to Meet Functionl Needs
- CP11** - Landscape Design
- 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
- CS9_** - Energy and natural resources
- CS18_** - Urb design, town character, historic env
- CS22_** - Level of housing growth
- CS23_** - Mix of housing

Other Material Considerations:

PPS1 Delivering Sustainable Development
PPS3 Housing
Supplementary Planning Document: Parking Standards, TAs and TPs Adopted Feb 2007.
Supplementary Planning Document Balance of Dwellings Adopted Jan 2008.
Better Places to Live 2002

Relevant Site History:

76/00219/A_H - Erection of garage and extension to house to form Loggia, W.C., porch and extension to kitchen. PER 11th August 1976.

76/00245/SON_H - Formation of vehicular access. PER 13th July 1976.

94/00030/NF - Two storey side extension and single storey front and rear extension including new pitch roof over existing rear addition (Amended plans). PER 12th May 1994.

11/01564/FUL - Sub-division of existing garden serving 51 Littlemore Road. Demolition of existing garages, erection of a detached two-storey 4 bedroom dwelling, creation of 2 car parking spaces accessed from an existing vehicular access onto Van Diemens Lane (Amended Plans). WDN 3rd August 2011.

Representations Received:

49 Littlemore Road: overlooking, loss of privacy, loss of light, loss of view, overdevelopment, doesn't comply with 45/25 degree rule in relation to ground floor windows and French doors, poor design, garden grabbing.

At the time of writing this report the consultation period had not ended. Therefore any additional comments received will be reported verbally

Statutory and Internal Consultees:

Thames Water Utilities Ltd: no objection

Highways Authority: no objections subject to conditions regarding SUDS and vision splays

At the time of writing this report the consultation period had not ended. Therefore any additional comments received will be reported verbally

Issues:

Principle
Design
Residential Amenity
Car Parking
Cycle Parking
Sustainability

Officers Assessment:

Site Description

1. The application site comprises the rear half of the garden to 51 Littlemore Road which has access of Van Diemens Lane. Van Diemens Lane comprises a mix of semi detached and detached residential properties. The site currently has a detached garage located on it for two cars.

Proposal

2. The application is seeking permission for the erection of a detached 2 storey, 4 bed dwelling in the rear garden of 51 Littlemore Road with access off Van Diemens Lane.

Assessment

Principle

3. In June 2010, Annexe B to PPS3 was changed in respect of domestic gardens in that they are no longer included within the definition of 'previously developed land'. Whilst this does not constitute an embargo on new housing development involving garden land, it is now necessary to assess the value of the site and whether its loss as open, garden land would detract from the character and appearance of the area.
4. The revised PPS3 does not outlaw garden development; when considering such proposals, decision-makers will need to balance carefully the need to comply with the overall objectives of government planning policy and a general requirement to help to deliver new housing in accordance with relevant targets, against the general need to ensure that existing amenity levels are not unacceptably harmed.
5. PPS3 also 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 efficient use of land by making the 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.
6. The site is currently occupied by a double flat roof garage therefore it is considered that the open, garden land has already been lost due to the garage therefore the inclusion of the new dwelling would not detract from the character and appearance of the area given its design and use of materials.
7. In policy HS8 of the OLP the City Council will have regard to the local distribution of dwelling types (including size of unit, tenure, and specialist occupation) with a view to achieving a balanced and suitable distribution of dwelling types. Policy HS8 is supported by the Balance of Dwellings Supplementary Planning Document (SPD) and provides an evidence base

for the need to ensure a mix of dwelling types in the different neighbourhood areas set out in the SPD. These are red, amber and green. The site lies within an amber area. Amber shows that pressure is considerable so the Council needs to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix form new developments.

8. For residential developments of 1-3 units in an amber area there should be no loss of family units. In this instance there is no loss of any residential units and the creation of a four bed unit. Therefore in terms of the SPD the proposal is considered acceptable.

Design

9. Policy CS18 of the Core Strategy (CS) states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the Oxford Local Plan (OLP). Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings.
10. Policy CP8 of the Oxford Local Plan 2001-2016 suggests the siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area.
11. The proposed new dwelling is two storey and detached. It is to be constructed in red brick and render with a clay tile simple hip roof. The bottom half is to be brick with the upper half to be rendered. To the front elevation is a double height bay window. The new dwelling is very similar is design and scale to 1 Van Diemens Lane and the proposed materials are typical of Van Diemens Lane. The proposal is therefore considered form an appropriate relationship and respects the character and appearance of the area.

Residential Amenity

12. Policies HS19 and CP10 of the OLP require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties. The general rule of thumb for minimum "back-to-back" distance is 20m. This proposal meets this requirement and there is a back to back distance with 51 Littlemore Road of 22m. It may be argued that bedrooms facing bedrooms do not to create such a serious a problem as a living room/bedroom or living room/living room confrontation due to the general use of the rooms and the times they are used. Therefore Officers do not consider there to be an undesirable issue of overlooking or loss of privacy to the properties fronting Littlemore Road whose gardens back onto the site.

13. Policy HS19 of the OLP sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25-degree code of practice, detailed in Appendix 6 of the OLP. For the purpose of these guidelines a habitable room includes a kitchen as well as living rooms, dining rooms, studies, bedrooms and/or playrooms.
14. The proposal does not breach the 45/25-degree code in relation to the properties fronting Littlemore Road. There are windows in the side elevation of 1A Van Diemens Lane; these serve a hall, a cloak room and a kitchen. The kitchen window is the only window which the 45/25-degree code of practice should be applied to. In the case of windows in side elevations development will not normally be allowed to intrude over a line drawn at an angle of 45 degrees in the vertical plane from the sill. The 45 degree line is not breached when applied to this kitchen side window. The kitchen also has a window and part glazed door on the rear elevation so it is Officers opinion that the kitchen at 1A Van Diemens Lane will receive adequate sunlight and daylight.
15. Policy HS19 also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. As discussed above the "back to back" distance is 22m with 51 Littlemore Road therefore the proposal is not considered to be overbearing or create a sense of enclosure on the rear of the properties fronting Littlemore Road due to this distance. The proposed new dwelling runs along the boundary of the rear garden of 49 Littlemore Road. It is acknowledged that the proposal will be overbearing on this section of their garden however it is at the end of a 43m length garden. The majority of usage of a garden occurs close to the property where there is interaction between the indoor and outdoor spaces. It is Officers opinion therefore that the impact is not significant enough to warrant a refusal.
16. The proposal is a minimum distance of 3.9m from 1A Van Diemens Lane and a maximum distance of 6.8m and it is only 1m higher, at its highest point, than 1A Van Diemens Lane. Given its height and distance from 1A Van Diemens Lane Officers do not consider the proposal to be overbearing or create a sense of enclosure on 1A Van Diemens Lane.
17. Policy HS21 states that planning permission will not be granted for proposals involving residential uses where insufficient or poor quality private open space is proposed. Both the existing property and the proposed will have gardens of 10m in length which meets the requirements of policy HS21.
18. Concerns have been raised over the loss of views down and beyond Van Diemens Lane however it is accepted that there is no private "right to a view" that the planning system should protect, as stated in former PPG1 para.64.

Car Parking

19. Policy TR3 of the OLP states Planning Permission will only be granted for development that provides an appropriate level of car parking spaces, no greater than the maximum parking standards shown in Appendix 3. The maximum provision considered for a four bed dwelling is 3 spaces. Two spaces are proposed. Officers consider this acceptable as the site is in a sustainable location close to the Cowley Centre with its amenities and frequent bus services.
20. The Design and Access statement submitted with the application states “the property (51 Littlemore Road) has 2 existing on plot spaces which are accessed off Littlemore Road itself”. Having conducted a site visit Officers discovered this is in fact not true. However the site is not within a controlled parking zone and the Highway Authority have raised no objections to the scheme in terms of parking and highway safety Officers accept the level of car parking proposed.

Cycle Parking

21. Policy TR4 of the OLP states that planning permission will only be granted for development that provides good access and facilities for pedestrians and for cyclists and complies with the minimum cycle parking standards shown in Appendix 4. According to the Parking Standards SPD secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments. The minimum requirement for residential dwellings is two spaces per residential unit. Cycle parking has been integrated into the design, it is located within the rear garden which is a secure location.

Sustainability

22. The application site lies within a sustainable location in that it is within walking distance of the Cowley Centre and its amenities and frequent public transport services to and from the city centre. The proposal will make efficient use of the land and will provide family accommodation.
23. Parts of the Building Regulations, in particular Part G (Sanitation, Hot Water Safety and Water Efficiency) and Part L (Conservation of fuel and power), including the Code for Sustainable Homes and the Energy Performance Certificates for Construction, aim to help reduce carbon emissions and protect the environment. The Code for Sustainable Homes is the national standard for the sustainable design and construction of new homes. The Code aims to reduce our carbon emissions and create homes that are more sustainable.
24. Notwithstanding the details contained within the application and the need to meet the requirements of the Building Regulations a condition is suggested for information on how sustainable design and construction methods will be incorporated into the building(s) and how energy efficiency has been optimised through design and by utilising technology that helps achieve Zero Carbon Development

Conclusion:

For the reasons given above and taking into account all other matters raised Officers conclude that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore recommend approval as the site lies within an accessible urban area and its development is consistent with policies encouraging the efficient use of land and it will add to the balance and mix of dwellings within the area. It is considered to form an appropriate relationship with and respect the character and appearance of the area and does not impact on the immediate neighbours in a detrimental way. It also provides adequate amenity space, cycle parking and car parking. Given the plot can adequately provide all the requirements of the Oxford Local Plan 2001-2016 it is not considered to be an overdevelopment of the site.

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:

Contact Officer: Lisa Green

Extension: 2614

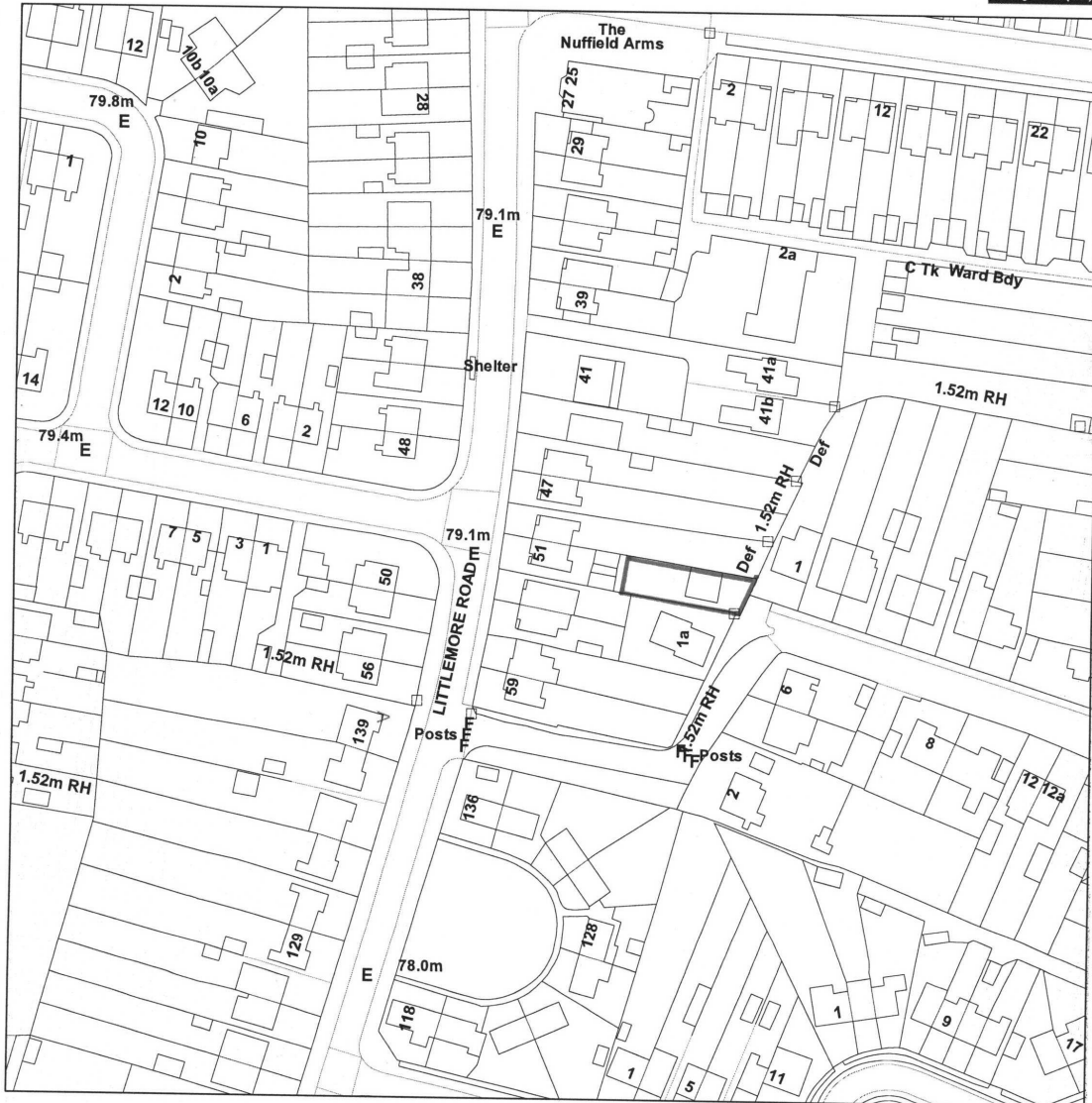
Date: 9th December 2011

Appendix 1

11/02885/FUL 51 Littlemore Road



GIS by ESRI (UK)



Scale : 1:1250

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	09 December 2011
SLA Number	Not Set

This page is intentionally left blank

Monthly Planning Appeals Performance Update – November 2011

Contact: Head of Service City Development: Michael Crofton-Briggs.
Tel 01865 252360.

1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 November 2011, while Table B does the same for the current business plan year, ie. 1 April 2011 to 30 November 2011.

Table A. BV204 Rolling annual performance (to 30 November 2011)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	10	(29%)	5 (50%)	5 (21%)
Dismissed	24	71%	5 (50%)	19 (79%)
<i>Total BV204 appeals</i>	34		10	24

Table B. BV204: Current Business plan year performance (1 April to 30 November 2011)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	8	(35%)	3 (43%)	5 (31%)
Dismissed	15	65%	4 (57%)	11 (69%)
<i>Total BV204 appeals</i>	23		7	16

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C. All planning appeals (not just BV204 appeals): Rolling year to 30 November 2011

	Appeals	Percentage performance
Allowed	14	(30%)
Dismissed	33	70%
All appeals decided	47	
Withdrawn	7	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during November 2011.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. If the appeal is against a delegated decision the relevant ward members receive a copy of this notification letter. If the appeal is against a committee decision then all members of the committee receive the notification letter. Table E, appended below, is a breakdown of all appeals started during November 2011. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D

Appeals Decided Between 1/11/11 and 30/11/11

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
11/00636/OUT	11/00026/REFUSE	DEL	REF	DIS	08/11/2011	QUARIS	Garages To The Rear Of 1 3 5 7 And 9 Coppock Close Oxford Oxfordshire	Outline application with all matters reserved for the demolition of existing block of 11 garages. Erection of two storey building to provide 2 x 1- bedroom flats and 2 x 2-bedroom flats. Provision of car and cycle parking, bin store and amenity space.

Total Decided: 1

TABLE E Appeals Received Between 1/11/11 and 30/11/11

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee;
 RECMND KEY: PER - Approve, REF - Refuse, SPL - Split Decision, NDA - Not Determined; TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

DC CASE NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
11/00927/FUL	11/00044/REFUSE	COMM	D0204	I	Land To The Rear Of 17 To 41 Mill Street Oxford Oxfordshire OX2 0AJ	JEROSN	Erection of 3 storey building to accomodate 74 student rooms plus warden's accommodation. Provision of cycle and bin storage facilities and landscaping. (Amended Plans)
11/01867/FUL	11/00042/REFUSE	DEL	REF	H	82 Cricket Road Oxford Oxfordshire OX4 3DH	COWLY	Proposed two storey side extension. Part single and part two storey rear extension.
11/02150/FUL	11/00043/REFUSE	DELCOM	PER	W	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Proposed two storey side extension and single storey rear extensions (amended plans)

Total Received: 3

EAST AREA PLANNING COMMITTEE

Tuesday 6 December 2011

COUNCILLORS PRESENT: Councillors Darke (Chair), Rundle (Vice-Chair), Brown, Clarkson, Coulter, Fooks, Keen, Sanders and Wolff.

OFFICERS PRESENT: Mathew Metcalfe (Democratic and Electoral Services) and Martin Armstrong (City Development)

71. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None received.

72. DECLARATIONS OF INTEREST

None declared.

73. 69 CHERWELL DRIVE, OXFORD - 11/02377/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of first floor and two storey side extension to form 1 bed house.

The Committee considered all submissions, both written and oral and agreed to grant planning permission subject to the eight conditions as laid out in the Planning Officers report.

74. 54 WILLIAM STREET, OXFORD - 11/02305/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the demolition of existing building. Erection of 1x4 bedroom dwelling with bin and cycle store.

The Committee considered all submissions, both written and oral and agreed:

- (a) Not to defer the application to allow further time to consider the proposals;
- (b) To grant planning permission subject to the 11 conditions as laid out in the Planning Officers report and subject to the following amended and additional conditions and informative:

Amended conditions

Condition (10) – Variation of Road Traffic Order so that only one set of 50 visitor permits were available to the property and only one resident's parking permit.

Condition (11) – Bin and cycle storage details – a minimum of four cycle parking spaces to be provided.

Additional conditions

Condition (12) – Obscure glazing to 1st floor windows in the rear of the rear portion of the development

Condition (13) – Construction Management Plan

Condition (14) – Removal of Permitted Development Rights

Condition (15) – Amended plans to be submitted showing development wholly with site area including gutters

Additional Reason for Approval

In granting planning permission for a high density development, the Committee took into account the unusual circumstances of the site and the previous use of the land.

75. 27 WELDON ROAD, MARSTON, OXFORD - 11/02666/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the demolition of existing single storey garage. Erection of two storey side extension to form two self-contained one bed flats. Provision of 2 car parking spaces for existing house.

The Committee considered all submissions, both written and oral and agreed to grant planning permission subject to the twelve conditions as laid out in the Planning Officers report.

76. FORMER DHL SITE, SANDY LANE WEST, OXFORD - 11/02492/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for a variation of condition 10 (hours of deliveries and fork lift truck activity) of planning permission 11/01550/FUL to enable activity from 07.30hrs to 17.00hrs Monday to Friday and 08.00hrs to 12.00hrs on Saturdays.

The Committee considered all submissions, both written and oral and agreed to grant planning permission subject the eleven conditions as laid out in the Planning Officers report and that additional informative detailed below.

Informative

- (1) That the Oxford City Council was keen that the granting of this planning permission would not cause undue noise in the mornings to local residents.

77. UNIT 1, TEMPLARS SHOPPING PARK, OXFORD - 11/02032/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the refurbishment of Unit 1, comprising:

- External alterations to the eastern elevations of the building to match the rest of the shopping park to create 4 units, additional glazing and new frontage louvers; (Additional information);
- Mezzanine floor space within retail units 1A, 1B and 1C;
- Alterations to the pedestrian and parking areas to front of the retail building and replacement compound/new plant area within the service area (all as a variation on previous approval), and out of hours deliveries within the car park;
- Formation of three Class A3 café-restaurants as a change of use and extension of the south western part of the existing retail building and enhancement of the open space to the south;
- Demolition of part of the rear of existing building and redevelopment of that area and the adjoining garden centre to provide four dwelling houses with related access and car parking. (Additional information) (Amended plans):

The Committee considered all submissions, both written and oral and agreed:

- (a) To support the proposals in principle and subject to the 22 conditions as laid out in the Planning Officers report with an additional condition (23) to remove Permitted Development Rights which would have allowed a change of use from café/restaurants to retail shops without the need for planning permission and to allow servicing of the food store at Unit 1A from the rear yard on Sundays and Bank Holidays and from the car park area overnight;
- (b) To defer the application to allow a “Deed of Variation” to be drawn up and to delegate to Officers the issuing of the Notice of Planning Permission on its completion.

78. 72 ROSE HILL, OXFORD - 11/02377/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of internally illuminated tower sign and fascia sign.

The Committee considered all submissions, both written and oral and agreed

- (a) To grant advertisement consent for the fascia sign subject to the five conditions as laid out in the Planning Officers report;
- (b) Not to grant advertisement consent for the totem sign for the following reason:

- (1) The proposed totem sign by virtue of its height, bulk, size, illumination and prominent location would appear unduly obtrusive when viewed from the street or from adjacent residential properties to the detriment of the visual amenity of the area. The proposed totem is therefore contrary to policy CP1, CP10 and RC14 of the Oxford Local Plan 2011-2016.

**79. BRICKLAYERS ARMS, 39 CHURCH LANE, OLD MARSTON, OXFORD
- 11/02477/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the conversion and alteration to the existing public house to form a four bedroom dwelling, together with the erection of five dwellings and garages parking, landscaping and alterations to existing access. (Amendment to permission 11/01331/FUL) (Amended plans).

The Committee considered all submissions, both written and oral and agreed to endorse its previous approval of the application, made at its meeting on 2nd November 2011, subject to the conditions as laid out in the Planning Officers report submitted to that meeting.

80. PLANNING APPEALS

The Head of City Development submitted information (previously circulated, now appended) which detailed planning appeals received and determined during October 2011.

The Committee agreed to note the information.

81. FORTHCOMING PLANNING APPLICATIONS

The Committee agreed to note that the following application may be submitted to a future meeting for consideration and determination.

- (1) John Radcliffe Hospital – 11/02888/FUL – Two storey extension to the existing Women’s Unit, containing ground floor plant room and first floor new born intensive care unit.
- (2) 4 Brookside, Oxford – 11/02710/FUL – Erection of linked studio with rooms in roof space.
- (3) 83 Edgeway Road, Oxford – 11/02755/FUL – Conversion of car port into dining room.
- (4) 51 Littlemore Road, Oxford – 11/02885/FUL – Subdivision of existing garden serving 51 Littlemore Road. Demolition of existing garages and erection of detached 2 storey, 4 bedroom dwelling and provision of 2 car parking spaces with access off Van Diemens Lane. Provision of bin and cycle stores and private amenity space.

- (5) 1 Quarry Road, Oxford – 11/02626/FUL – Change of use from single dwelling to 2x3 bedroom flats. Provision of parking and amenity space. (Amended plans).
- (6) 6 Bells Public House, 3 Beaumont Road, Oxford – Erection of timber framed smoking shelter to rear.
- (7) Part Territorial Army Centre, Slade Barracks, Mascall Avenue, Oxford – Variation of condition 15 of planning permission 09/02802/VAR to allow occupation of the development by students in full time education on courses of one academic year or more.
- (8) Temple Court Business Centre, 107 Oxford Road, Oxford – 11/02960/FUL – Conversion of offices to form 6 flats (2x3 bed and 1x1 bed) and 1x3 bed house, gardens, car parking, cycle parking, refuse storage and landscaping.
- (9) Headington Preparatory School, 26 London Road, Oxford – Construction of two storey entrance foyer. Single storey extension to form kitchen. First floor extension to provide store and teaching space. Two storey extension to provide cloakroom. New entrance lobby at rear with canopy over library.
- (10) Land to the rear of 1-2 Collinwood Close, Oxford – Demolition of existing buildings. Erection of single storey, one bedroom dwelling. Provision of one parking space, bin and cycle store and private amenity space.
- (11) Elmthorpe Convent, Oxford Road, Cowley, Oxford – 11/02628/FUL – Two storey extension to provide 6 additional bedrooms, office and store.
- (12) Former Dominion Oils site, Railway Lane, Oxford - 11/02189/OUT - Outline application (seeking access and layout) for residential redevelopment of site including the erection of 78 flats and houses comprising 3x5 bedroom houses, 4x4 bed houses, 32x3 bed houses, 20x2 bed houses and 13x1 bed houses and 6x2 bed houses. Access road, footpaths and car parking.
- (13) 83-97 Ashurst Way, Oxford - 11/02526/FUL - Erection of two storey extension to form 2 x 1-bed flats. Provision of new bin and cycle store. (Amended description).
- (14) 59 Staunton Road, Oxford - 11/02634/FUL - Erection of outbuilding to rear to be used as a gym/games room (Amended Plans)

82. MINUTES

The Committee agreed to approve the minutes (previously circulated) of the meeting held on 2nd November 2011 subject to the following minor amendment:

- (a) In minute 62 (Declarations of Interest) and minute 65 (Former Oxford Bus Garage, 395 Cowley Road, Oxford – 11/02386/VAR) to delete the words “University of Oxford” and to insert the words “Oxford Brookes University” as that was Councillor Stephen Brown’s employers.

83. DATES OF FUTURE MEETINGS

The Committee agreed to note the dates and times of future meetings as detailed on the agenda and that the next meeting would be on Wednesday 4th January 2012.

The meeting started at 4.05 pm and ended at 6.45 pm