

Agenda

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East Area Planning Committee

Date: **Tuesday 9 October 2012**

Time: **6.00 pm**

Place: **Oxford Town Hall**

For any further information please contact:

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If you would like help to understand this document please call Sarah Claridge, Democratic Services Officer on or email sclaridge@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 Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Dee Sinclair	Quarry and Risinghurst;

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.

3 OXFORD SPIRES ACADEMY - 12/01787/FUL

1 - 10

The Head of City Development has submitted a report which details a planning application for a 3 storey extension to existing building to provide replacement accommodation for science, ICT and business enterprise, sixth form and assembly hall, with associated landscaping and replacement parking including demolition of the existing science block. Ancillary works to provide single storey extension WC extension to existing art block and single storey extension to sports changing rooms. (Amended description).

Officer recommendation: Approve subject to conditions.

4 GARAGE BLOCK, LEIDEN ROAD - 12/01845/CT3

11 - 20

The Head of City Development has submitted a report which details an outline planning application for the demolition of garage block and erection of 3x3 bed houses with associated parking and bin stores.

Officer recommendation: Approve subject to conditions.

5 77 AND 77A SANDFIELD ROAD, OXFORD - 12/01608/VAR

21 - 46

The Head of City Development has submitted a report which details a planning application to remove conditions 7, 11, 15, 18 and 19 from planning permission 12/00077/FUL for a 2 bed dwelling.

Officer recommendations: Approve.

6 THE BUNGALOW, 35 BARTON ROAD, OXFORD - 12/02139/FUL

47 - 56

The Head of City Development has submitted a report which details a planning application for the demolition of existing bungalow and erection of 1x3 bed dwelling house, 1x2 bed flat and 1x1 bed flat.

Officer recommendation: Approve subject to conditions.

7	38 RYMERS LANE, OXFORD - 12/01984/FUL	57 - 64
	<p>The Head of City Development has submitted a report which details a planning application for the erection of single storey rear extension, two storey side extension to create 3 bedroom dwelling (class C£) with associated parking, amenity space and bin and cycle storage.</p> <p>Officer recommendation: Approve subject to conditions.</p>	
8	BELLA COURT, 69 THE SLADE, OXFORD - 12/01516/FUL	65 - 72
	<p>The Head of City Development has submitted a report which details a planning application for a change of use of 3 live/work units to rear of site to 3x1 bed dwellings (retrospective).</p> <p>Officer recommendation: Approve subject to conditions.</p>	
9	10A KELBOURNE ROAD, OXFORD - 12/01967/FUL	73 - 80
	<p>The Head of City Development has submitted a report which details a planning application for the erection of part single storey, part two storey, rear extension to existing dwelling and two storey side extension to create two-bed dwelling (class C3) with associated parking, amenity space and bin and cycle storage. (Amended documents).</p> <p>Officer recommendation: Approve subject to conditions.</p>	
10	1 ELSFIELD ROAD, OXFORD - 12/01643/FUL	81 - 90
	<p>The Head of City Development has submitted a report which details an application for a proposed removal of existing porch and erection of single storey extension with a dormer window.</p> <p>Officer recommendation: Approve subject to conditions.</p>	
11	PLANNING APPEALS	91 - 96
	<p>To receive information on planning appeals received and determined during August 2012</p> <p>The Committee is asked to note this information.</p>	
12	MINUTES	97 - 102
	<p>Minutes of the meeting held on 6th September 2012.</p>	
13	FORTHCOMING PLANNING APPLICATIONS	

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

- (1) Cotuit Hall, Pullens Lane – 12/01106/FUL and 12/01107/CAC – Student accommodation.
- (2) Old Road Campus – 12/02072/FUL – Medical research buildings.
- (3) 1 Colthorne Farm – 12/01860/FUL – Single house.
- (4) 18 Cowley Road, Littlemore – 12/02285/FUL – 2 houses.
- (5) 31 Church Lane, Old Marston – 12/02159/FUL – 3x3 bed house.
- (6) Warneford Hospital, Warneford Lane – 12/02082/VAR – Variation to condition.
- (7) 392 London Road – 12/02103/FUL – Extensions.
- (8) 110 Oliver Road, Oxford - 12/01990/FUL

14 DATES OF FUTURE MEETINGS

Tuesday 6 November 2012 (and Thursday, 8 November 2012 if necessary)
Tuesday 4 December 2012 (and Thursday, 6 December 2012 if necessary)
Tuesday 8th January 2013 (and Thursday 10th January if necessary)
Tuesday 5th February 2013 (and Tuesday 12th February if necessary)
Tuesday 5th March 2013 (and Thursday 7th March if necessary)
Tuesday 16th April 2013 (and Tuesday 23rd April if necessary)

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners..

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

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

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;

(Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;

 - (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
 - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application (or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting,
6. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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East Area Planning Committee

9th October 2012

Application Number: 12/01787/FUL

Decision Due by: 1st November 2012

Proposal: 3 storey extension to existing building to provide replacement accommodation for science, ICT and business enterprise, sixth form and assembly hall, with associated landscaping and replacement parking including demolition of the existing science block. Ancillary works to provide single story extension WC extension to existing art block and single storey extension to sports changing rooms. (Amended description)

Site Address: The Oxford Spires Academy Glanville Road (**site plan: appendix 1**)

Ward: Cowley Marsh Ward

Agent: Mr S Ward

Applicant: CFBT Schools Trust

Recommendation:

The East Area Planning Committee is recommended to approve planning permission for the following reasons:

- 1 The proposed development would make an efficient and appropriate use of previously developed land in order to improve the existing academic accommodation for the school. The proposed extensions and alterations would be of a size and scale that would create an appropriate visual relationship with the built form of the original school grounds and the character and appearance of the wider area. The extensions have been designed in a manner that would safeguard the residential amenities of the surrounding residential properties and would not create any adverse impacts upon the local highway, trees, or biodiversity. The proposed development would therefore accord with the relevant national planning policy and policies of the current development plan. No third party objections have been received.
- 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of Materials
- 4 Landscape plan required
- 5 Landscape carry out by completion
- 6 Travel Plan
- 7 Details of Cycle Parking
- 8 Details of Parking Areas
- 9 Sustainable Urban Drainage Scheme
- 10 Construction Traffic Management Plan
- 11 Arch - Implementation of programme
- 12 Details of Energy Efficiency Measures
- 13 Details of Biodiversity Enhancements

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
- CP11** - Landscape Design
- CP13** - Accessibility
- CP18** - Natural Resource Impact Analysis
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- TR1** - Transport Assessment
- TR2** - Travel Plans
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HE10** - View Cones of Oxford
- SR2** - Protection of Open Air Sports Facilities

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS9_** - Energy and natural resources
- CS12_** - Biodiversity
- CS13_** - Supporting access to new development
- CS19_** - Community safety
- CS21_** - Green spaces, leisure and sport
- CS16_** - Access to education

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

The site has an extensive planning history with the most relevant applications as follows:

00/00367/DF - Demolition of existing garage and cycle store. Construction of new art studio and replacement cycle parking: Approved

01/01003/DF - Demolition of existing music room and associated buildings, erection of new 3 storey classroom block and single storey extension to link with existing building. New hard play area. Additional 15 new parking spaces (73 in total): Raised objection / County Council Approved

Representations Received:

None

Statutory and Internal Consultees:

Thames Water Utilities Limited: No objection

Oxfordshire County Council Highways Authority: No objection, comments reported in the Highways Matters section of the report.

Officers Assessment:

Site Location and Description

1. The application site is situated at the northern side of Barracks Lane at the junction with Glanville Road on the edge of a built-up residential area. It is bordered to the south-west by Barracks Lane, Herbert Close to the north-west, and Southfield Golf Club to the north-east (**site plan: appendix 1**)
2. The site comprises the Oxford Spires Academy and its grounds which is a secondary school formerly known as Oxford School. The majority of the school buildings and teaching accommodation is within the south-western corner, with the remainder of the grounds taken up by open space in the form of recreation grounds and sports fields. The site is has two vehicular accesses onto Barracks Lane.

Proposal

3. The proposal is seeking permission for a number of works to the existing academic accommodation as part of a refurbishment programme for the Oxford Spires Academy. These works include the following:
 - The renovation and erection of a three-storey extension to the existing I.T./Business block to provide accommodation for Science, I.T. & Business Enterprise, Sixth Form, and a new Assembly Space to seat 330 students.
 - The demolition of the existing science block and replacement with a landscaped courtyard

- Small scale extension of the sports hall changing rooms
 - The addition of a link between the existing Art Block and Main Reception Building
 - Replacement car parking facilities
4. In addition the refurbishment programme would also involve a number of internal alterations to other buildings throughout the site. These internal alterations do not require planning permission and therefore are not subject to this application.
5. Officers consider that the principle determining issues with regards to the proposal are as follows:
- Principle of development
 - Educational Need
 - Form and appearance
 - Impact upon adjoining properties
 - Archaeology
 - NRA
 - Biodiversity
 - Trees.

Principle of Development

6. The National Planning Policy Framework encourages the efficient use of previously developed land. This is supported by Policy CS2 of the Oxford Core Strategy.
7. The general principle of extending and remodelling the existing school buildings in order to improve and reorganise the academic accommodation would be consistent with the aims and objectives of these policies.

Educational Need

8. The Oxford Core Strategy makes clear in Policy CS16 that the Council will seek to improve access to all levels of education, through new or improved facilities, throughout Oxford.
9. The proposal will demolish the existing science block, and extend the existing I.T. / Business Block to provide a new building which would accommodate Science, I.T. & Business Enterprise, Sixth Form, and a new Assembly Space to seat 330 students.
10. The proposal would improve the overall quality of the teaching accommodation by providing modern facilities which will serve the educational needs of students in the Cowley Area and enable the Academy to further development is recent academic improvements. This would accord with the aims of Policy CS16 of the Oxford Core Strategy 2026.

Form and Appearance

11. Policy CS18 of the Oxford Core Strategy 2026 requires development proposals to demonstrate high-quality urban design which responds appropriately to the site and surroundings, and creates a strong sense of place while contributing to an attractive public realm and providing high quality architecture. Policy CP1 of the Local Plan also requires development to enhance the quality of the environment, with Policy CP8 emphasising the need to ensure that development relates to its context and the siting, massing and design to create an appropriate visual relationship with the form, grain and scale of the surrounding area.
12. The refurbishment programme includes a number of works to the existing accommodation, with the main element under this planning permission comprising the demolition of the existing science block and the erection of a three-storey extension to the existing I.T. / Business block. The removal of the existing science block would not have a negative impact upon the school grounds considering it is a rather tired looking building. A landscaped courtyard would be provided in its place which would establish a central hub for the campus linking the main academic buildings together and improving the general permeability through the site which in urban design terms would be welcomed.
13. The existing I.T./Business Block is a large three-storey building which would lend itself to a sizeable extension given the space that exists between the western elevation and the main school buildings that front onto the main entrance. The three-storey extension would fill this space, and in terms of size and scale has been designed as three separate blocks of varying height. The main parts would be three-storey, while the Assembly Hall element is two-storey in order to reduce the perception of the increased bulk of the host building. The whole building would then be provided with a more modern appearance with a brick plinth and white rendered finish with larger windows and vertical louvers. The Assembly Hall would be finished in a different type of cladding, in order to distinguish this part of the building and provide a prominent feature which addresses the main entrance to the school grounds and providing a legible entrance for visitors to the school, community use, and also academy branding.
14. The other ancillary works to the school grounds would involve a small glazed link and extension between the Art block and Main Reception building, and small scale extension of the sports hall changing rooms. These would be minor alterations that would not have a significant impact upon the visual appearance of their host buildings.
15. Officers consider that the size, scale, siting, and design of the proposed extension would create an appropriate visual relationship with the existing buildings within the school grounds and also the wider street scene of Barracks Lane and Glanville Road. As such officers consider that the proposal would accord with the aims of the design policies of the Oxford Core Strategy 2026 and Oxford Local Plan 2001-2016.

Impact upon adjoining properties

16. The Council seeks to safeguard the amenities of properties surrounding proposed development as new development can block light, have an overbearing effect and overlook adjoining properties. Policy HS19 states that development should protect the privacy or amenity of existing residential properties, specifically in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also supported through Policy CP10.
17. There are residential properties on the southern side of Barracks Lane, but while they are opposite side of the entrance to the school they are some distance from the proposed extension to the I.T. / Business Block. The distance is sufficient to ensure that the proposed extension to the block would not give rise to any loss of amenity to these properties in terms of overlooking, loss of light or overbearing impact. The same would be said for the residential properties of Reliance Way that lie further to the south of the site on the opposite side of the Barracks Lane footpath.

Highway Matters

18. The Academy is situated on a busy residential road and is well located for access to pedestrian and cycle routes along with regular bus services on the Cowley Road. There is a vehicular access to the Academy opposite Glanville Road with no segregation of pedestrians who may use this access and vehicle entry for access to the car park. There is segregation of vehicles and pedestrians at the vehicle exit to the south of the Academy. There is a traffic free cycle route (which forms part of a longer distance cycle route) which is street lit and connects residential areas from the north and south to the Academy
19. The proposal would increase the gross floor area within the site, but not the number of students and staff on the site. The Local Highways Authority have indicated that the proposal would not have any impact on drop off and pick up trips by car where there is existing on-street parking pressure and parking is not controlled.
20. The site in general has approximately 120 car parking spaces on site, with an overflow area outside the sports hall. The proposal does not intend to increase the operational parking within the site, but instead reorganise the location of this parking. The level would therefore be maintained at 120 spaces which include disabled and visitors' spaces. The main bulk of parking will be relocated to the east of the site, and will enable the pedestrian and vehicular activity within the site to the benefit of the safety of students. The small area of parking would result in the loss of a small part of the open recreation space which would certainly be regrettable, however, this part of the field is currently underused and the benefits to the layout in terms of improved student safety would be welcomed.
21. The Academy encourage the staff and students to use alternative means of transport, however, the existing parking is well-used and any reduction of the spaces on site could lead to increased parking on-street in Glanville Road. The

School Travel Plan submitted as part of the application was produced in 2006/2007 and does not therefore include existing pupil numbers, predicted pupil numbers, modes of travel currently used by the students and staff and details of the current barriers to the use of healthy, sustainable modes of transport. An up-to date School Travel plan should be produced to include up-to date travel survey data (postcode and trip mode data for the Academy), a measurable set of targets, based on the survey data and an action plan to outline how the targets are going to be achieved. This should be secured by condition.

22. The Local Highways Authority has raised no objection to the proposal on highway grounds, subject to conditions requiring the provision of a construction traffic management plan; provision of cycle parking; details of the parking layout to ensure the spaces are to standard and identifying the disabled and visitors spaces; and a sustainable urban drainage scheme.

Archaeology

23. A geophysical survey report for this site has been prepared by Stratascan Ltd (2012). The report notes that the survey area was dominated by the presence of high levels of magnetic disturbance likely to have been caused by modern development and that the type of discrete elevated magnetic responses that one would anticipate from Roman kilns were not present. Two features in the eastern part of the study area were identified as of possible archaeological origin. In this case, bearing in mind the results of the survey and the previous archaeological evidence from the site. In accordance with the National Planning Policy Framework a condition should be attached requiring further archaeological work to be carried out. The archaeological investigation should take the form of a strip and record watching brief.

NRIA

24. An Energy Statement by Ridge Property Consultants has been submitted as required by Local Plan Policy CP18 and Policy CS9 of the Core Strategy, and the NRIA Supplementary Planning Document.
25. The energy statement states that proposal will utilise a combination of passive measures, air source heat pump heating and cooling and electricity generation through the use of photovoltaic cells. The measures will result in a 13% improvement in emissions over those required by Part L of the Building Regulations 2010 rather than the improvements over 2006 emissions coupled with 20% renewable generation. Therefore officers would raise no objection to this aspect of the proposal. A condition should be attached requiring these details to be carried out.

Biodiversity

26. There is scope for biodiversity enhancements, both due to the scale of the site and development and opportunities because the site is next to the golf course and near to Lye Valley and Cowley Marsh nature areas, and is in an area of high water table. A condition should be attached which obtains some improvements

such as the landscaping to include native species; and the use of bat and bird boxes in the building, including bird boxes for larger birds like swifts and house martins.

Trees

27. An Arboricultural Impact Assessment has been prepared for the site by SJ Stephens Associates. This assessment concludes that 13 trees would need to be removed as part of the proposal. It is intended that 5 of these trees will be relocated on the site, with the remainder removed. Apart from the trees that are to be relocated on site, the only tree of significant landscape value to be removed would be a Weeping Willow.

28. Having reviewed the assessment, the Oxford City Council Tree Officer would raise no objection to the proposal. The trees to be removed have no public amenity value beyond the site, and would not alter the existing tree coverage on the boundary to the site. The loss of these trees could be mitigated by an appropriate landscaping scheme which seeks suitable locations for the relocated trees and also suitable replacement planting. This could be secured by condition.

Conclusion:

29. The proposal is considered to be acceptable in terms of the relevant policies of the adopted Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

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.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 18th September 2012

Appendix 1

Oxford Spires Academy (12/01787/FUL)



GIS by ESRI (UK)



Scale : 1:5000

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Organisation	Not Set
Department	Not Set
Comments	
Date	21 September 2012
SLA Number	Not Set

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East Area Planning Committee

9th October 2012

Application Number: 12/01845/CT3

Decision Due by: 13th September 2012

Proposal: Outline planning application for demolition of garage block and erection of 3x3 bed houses with associated parking and bin stores

Site Address: Garage Block, Leiden Road, Headington (**Site Plan: Appendix 1**)

Ward: Churchill Ward

Agent: Kemp & Kemp Property Consultants

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to approve outline planning permission for the following reasons:

- 1 The principle of the proposal is acceptable in that it would make an efficient use of previously developed land and deliver much needed affordable housing for the city within an existing residential area. All matters are reserved however the illustrative plans show indicative details of layout, scale, access, appearance and landscaping for the proposed development which would be sympathetic to the site and its surrounding while also safeguarding the residential amenities of the adjoining properties. Although the development will result in the loss of a sycamore tree, it is considered that this loss could be mitigated through more appropriate replacement planting to the front of the site. The application would therefore accord with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the emerging Sites and Housing Plan. No third party objections have been received.
- 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.

Conditions:

- 1 Reserved Matters within time limit
- 2 Details of Reserved Matters
- 3 Development parameters – 2 storey buildings / staggered building line
- 4 Sample Materials
- 5 Means of enclosure
- 6 Refuse and Cycle Storage
- 7 Landscape Plan
- 8 Landscape carry out by completion
- 9 Parking and Vision Splays Provided
- 10 Sustainable Urban Drainage Scheme

Main Local Plan Policies:**Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- HS11** - Sub-Division of Dwellings
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS23_** - Mix of housing

Sites and Housing Plan - Submission

- HP9_** - Design, Character and Context
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Relevant Site History:

11/03012/CT3: Outline permission for demolition of garage block, erection of 3x3 bed units with associated parking and bin store: Withdrawn

Representations Received:

None

Statutory and Internal Consultees:

Thames Water Utilities Limited: No objection

Oxfordshire County Council Highways Authority: No objection subject to conditions

Officers Assessment:**Site Location and Development**

1. The site is situated on the western side of Leiden Road, and is bordered to the north and south by residential properties of 102 and 104 Leiden Road respectively (**site plan: appendix 1**)
2. The site comprises a block of 16 single storey garages which are accessed from Leiden Road. There is a footpath that links Leiden Road with The Slade directly to the north.

Proposal

3. The proposal is seeking outline planning permission for the demolition of the existing block of garages, and the erection of 3x3 bedroom dwellings with associated parking and bin stores as part of the Council's Affordable Housing Programme. The application is made in outline with all matters such as access, appearance, landscaping, layout, and scale reserved for approval.
4. Officers consider that the determining issues in this case would be the
 - principle of development
 - balance of dwellings
 - form and appearance
 - impact upon adjoining properties
 - residential uses
 - highway matter;
 - trees
 - biodiversity

Principle of Development

5. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed. This is supported by Policy CS2 of the Oxford Core Strategy 2026.
6. The site has been identified as suitable to provide housing as part of the Council's Affordable Housing Programme, which seeks to increase the supply of affordable homes within the city. The site would be classed as previously developed land, and its location within a residential suburb would make it a suitable site for residential use in accordance with the aims and objectives of the above-mentioned policies.

Balance of Dwellings

7. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
8. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Wood Farm Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. The provision of 3x3 bedroom dwellings within the site would be wholly consistent with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Form and Appearance

9. Policy CS18 of the Oxford Core Strategy 2026 encourages development proposals to achieve a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should create an appropriate visual relationship with the form, grain, scale, materials, and details of the surrounding area. This is supported in Policy HP9 of the emerging Sites and Housing Plan.
10. The area is generally characterised by modest two-storey dwellings which either in terraced rows or pairs of semi-detached properties. They follow a linear street pattern and are set back from the street by small front gardens with private gardens to the rear. There are a number of larger flatted developments, but the suburb is generally of a more domestic scale.
11. The development would provide a terraced row of two-storey dwellings that have a staggered frontage in order to continue the building line between 102 and 104 Leiden Road. Although the details of appearance, scale, and layout of the development are to be dealt with at the reserved matters stage, officers consider that the overall size, scale, and siting of the proposed dwellings as shown on the illustrative plans would create an appropriate visual relationship with Leiden Road street scene. In order to ensure that the reserved matters applications follow these illustrative plans a condition should be attached which sets the parameters of the staggered building line and two-storey height of the dwellings.

Impact upon the Adjoining Properties

12. Policy HS19 of the Oxford Local Plan states that permission will only be granted for development that protects the privacy or amenity of the proposed and existing residential properties, specifically in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also echoed in Policy HP14 of the emerging Sites and Housing Plan.

13. The siting of the proposed dwellings would respect the linear pattern of the street scene along with the staggered building line that exists between 102 and 104 Leiden Road. Therefore while the proposal would increase the built form that exists on the site, officers consider that it would not have a detrimental impact upon the residential amenities of the adjoining properties of 102 and 104 Leiden Road in terms of loss of light, overbearing impact, overlooking.

Residential Uses

14. The proposed development would create a total of 3x3 bedroom dwellings all of which would have a good standard of internal environment in accordance with Policy HS20 of the Oxford Local Plan 2001-2016, and Policy HP12 of the emerging Sites and Housing Plan.

15. The dwellinghouses would have individual private gardens that are 10m in length and would receive sufficient levels of natural sunlight and daylight, which would improve the quality of the spaces. As such officers consider that the proposal would satisfy Saved Policies CP10, HS20, and HS21 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan.

16. There would be sufficient space for each of the units to be provided with suitable refuse and cycle storage which is in an accessible and practical location in accordance with Policies CP10, HS19, and HS20 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan.

Highway Matters

17. The existing garage block consists of 16 garages, 13 of which are empty and only 3 are currently let to individuals. The planning statement indicates that only 1 of the lessees is from the vicinity of the site. Therefore given the low usage of the garages, officers consider that the demolition of the garage block would not result in a significant displacement of vehicles onto the local highway. The statement also indicates that there are other garage blocks on Leiden road which could be used to re-house existing occupants if required. As a result the demolition of the garages would not result in any material harm to highway safety or congestion on Leiden Road.

18. The proposal would provide off-street parking for each of the units with 1 space for unit 1 and 3, and 2 spaces for unit 2. The parking provision has been designed to respond to the available space within the frontage and the need to maintain the existing street tree that lies outside the garage block.

19. The maximum parking standards set out within the Oxford Local Plan and the emerging Sites and Housing Plan state that 3 bedroom dwellings should be provided with 2 off-street parking spaces. However, these are maximum parking standards and both plans state that parking standards should respond to site circumstances and existing parking capacity within the vicinity of the site.

20. Having regards to the existing site circumstances, there are parking bays adjacent to the site which offer off-street parking and there is capacity within the street. At the same time although the site lies outside the Transport District Area, there is access to public transport links on The Slade and is within walking distance of the Wood Farm Shopping Parade. The Local Highways Authority has raised no objection to the parking provision within the scheme, subject to conditions requiring the spaces meeting current standards and suitable vision splays.

Trees

21. There are two trees situated on the street frontage, a Silver Birch to the north and a Sycamore to the south. A Tree Survey prepared by Land and Landscape Management Ltd has been submitted with the application, which concludes that while the trees do not have particular merit they make a significant contributions to the amenity value of the road.

22. The scheme has been designed to retain the Silver Birch to the north of the site but does result in the loss of the Sycamore to the south. The loss of the tree is regrettable, however the applicant has considered all options to retain the tree but none were considered appropriate. It is recognised that there would be an uncomfortable spatial relationship between the tree and the proposed dwelling (unit 1) which would have an impact upon the living conditions for future occupants and place pressures for constant pruning to the tree. The applicants had considered pushing the building back into the site in order to improve this relationship, but this resulted in a loss of amenity space and would still required a reduction to the crown of the tree. The only option was to reduce the number of units within the scheme to 2. However this approach would not make an efficient use of the site, and result in the delivery of a lower number of affordable units on a site which has been specifically identified to contribute towards the Council's Affordable Housing Programme.

23. In this instance given the need for affordable housing provision within the city, and the need to make an efficient use of land in order to deliver this housing. Officers consider that there is justification in this instance to remove the Sycamore tree. In order to mitigate the harm, a more suitable replacement tree could then be provided by condition. The tree should be taken from advanced nursery stock at planting, and could be a Pyrus 'Chanticleer' which would have a narrower crown form which would be better and more sustainable in the long term.

Biodiversity

24. The site lies within the catchment area for the Lye Valley Site of Special Scientific Interest. In accordance with Policy CS12 of the Oxford Core Strategy and Policies NE19 and 20 of the Oxford Local Plan, it is recommended that all hard surfacing within the site be permeable and any surface water and grey water from the roof be delivered to the aquifer by diversion to vegetated areas.

Amd Murdoch

Conclusion:

25. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and emerging Sites and Housing Plan and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant outline 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 outline planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 19th September 2012

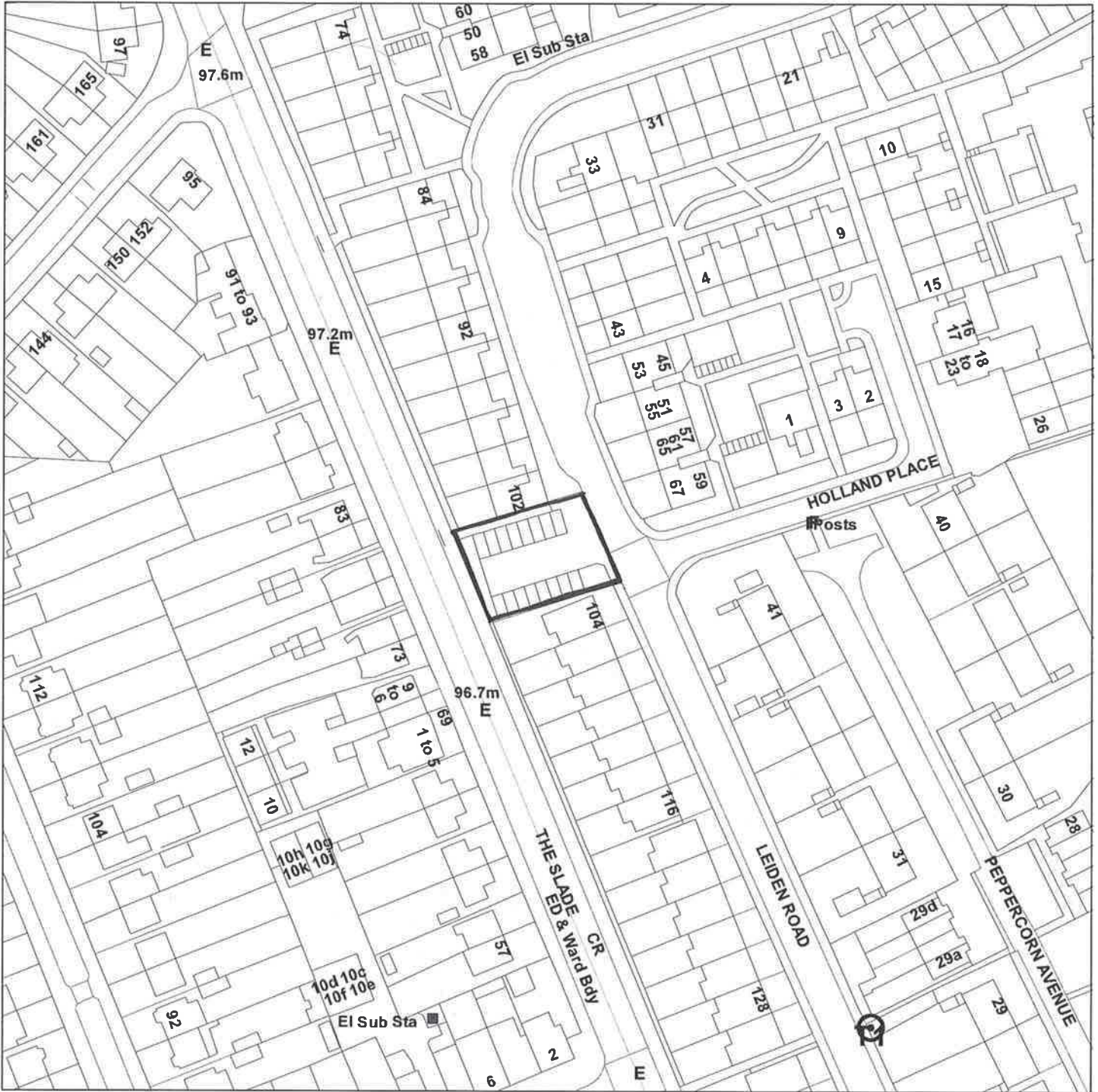
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Appendix 1

Garage Block, Leiden Road (12/01845/CT3)



GIS by ESRI (UK)



Scale : 1:1250

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

Organisation	Not Set
Department	Not Set
Comments	
Date	21 September 2012
SLA Number	Not Set

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East Area Planning Committee

9th October 2012

Application Number: 12/01608/VAR

Decision Due by: 22nd August 2012

Proposal: Application to remove conditions 7, 11, 15, 18 and 19 from planning permission 12/00077/FUL for a 2 bed dwelling

Site Address: 77-77a Sandfield Road, Headington (**site plan: appendix 1**)

Ward: Headington Ward

Agent: Mr Henry Venners

Applicant: Mr Z Jiang

Application called in by Councillors Wilkinson, Jones, Rundle, and Altaf-Khan on grounds that the site has a long planning history and the conditions to be varied were recommended by the East Area Planning Committee.

Recommendation:

The East Area Planning Committee is recommended to approve the variation of condition 7, 11, 18 and 19, but refuse the variation of condition 15 for the following reasons:

- 1 The principle of development has been established in granting planning permission under references 10/02781/FUL, 11/00051/FUL, and 12/00077/FUL on balance. It is considered that conditions 7, 11, 18, and 19 would not meet the tests set out within Circular 11/95 'Use of Planning Conditions' and can therefore be removed as they would not give rise to an unacceptable impact upon the character and appearance of the street scene or adjoining properties, the overall quality of the residential accommodation or highway safety. It is considered that condition 15 would meet the tests of Circular 11/95 as the current amenity space would be considered of an inadequate size for the residential dwelling it serves. The proposal would satisfy the National Planning Policy Framework and the policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Oxford Local Plan 2001-2016.
- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.

- 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: (as per decision notice for 12/00077/FUL)

- 1 Develop in accordance with approved plans
- 2 Materials - matching
- 3 Details of boundary treatment
- 4 Landscaping to accord with plans
- 5 Car parking to accord with plans
- 6 Vision splays for parking areas
- 7 Refuse and cycle storage
- 8 Obscure Glazing for north-east bathroom
- 9 Design - no additions to dwelling
- 10 Restriction on use of loft in dwelling
- 11 No increase in height of extension
- 12 Retention of privet hedge on boundary
- 13 Increased width of garden for dwelling
- 14 Restriction on height of boundary treatment
- 15 Dividing wall of new house to be glazed

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
- 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_** - Urban design, town character, historic environment
- CS23_** - Mix of housing

Sites and Housing Plan - Submission

- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space

HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

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, and subdivision to form 1 bed house. Provision of car parking: Withdrawn

11/02816/FUL - 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. (Additional Information): Withdrawn

12/00077/FUL - Erection of single and two storey side, front and rear extensions and alteration to roof, sub-division to form two bedroom dwelling provision of parking to front (amendment to 11/02816/FUL): Approved

Representations Received:

Letters of comment have been received from the following addresses, and they are summarised below

- 69, 75,79, 90 Sandfield Road

- There has been a history of non-compliance with the approved schemes on this site
- The retrospective applications have been approved with carefully considered conditions
- The site has three parking spaces and there is public parking only 50 yards away
- If the properties were to get parking permits it would allow them to become Houses in Multiple Occupation

- It would increase parking stress in Sandfield Road
- There was an original parking bay outside the property which was removed in order to create the driveway. The permits would lead to visitors to these properties parking in other person(s) parking bays outside their properties
- Visitors can use the 2 hour parking spaces close by
- The site is near a bend in the road where additional parking may cause safety problems especially for cyclists
- The double driveway has caused problems in terms of health and safety from icy pavements to making access for wheelchairs and buggies difficult
- Planning permission was only granted for a 1 bed house and not a 2 bed
- The dwellinghouse is considerably larger than the original dwellinghouse
- The second room in the loft and associated staircase was provided without planning permission, with permission only granted if the space was not used for habitation
- The planning committee visited the property and agreed it was not fit for habitation
- A two-bed property would make parking worse, as there is only enough parking for a 1 bed house
- The garden is too small for a 1 bed and 2 bed house
- The extension was built larger in depth due to a drawing error.
- The extensions were built wider than approved and encroach onto the boundary with 79 Sandfield Road.
- The second bedroom could only be provided because the front wall of the single storey side extension to the front was pushed out further than approved
- The extension would have a major impact on 79 Sandfield Road, especially the front extension
- The applicant did not make a mistake with the parallel walls to the boundary with 79 Sandfield Road as the owner was fully aware of this from the outset
- The casement windows in the rooflights do look poor in comparison to proper rooflights and they do have a major visual impact especially in the side facing 75
- The development is not complete. The exterior wall on the boundary with 79 Sandfield Road remains unfinished.
- The applicant never entered into a party wall agreement with the adjoining property at 79 Sandfield Road

Statutory and Internal Consultees:

Oxfordshire County Council Highways Authority:

The previous planning application at this development site was assessed on its own merits. The Highways Authority advised that the units proposed under 12/00077/FUL be excluded from eligibility for residents' parking permits where the proposal resulted in an increase in the number of bedrooms and a loss of off-street parking for the existing dwelling. It was considered that the loss of off-street parking justified exclusion from parking permits where additional on-street parking pressure would be created within this CPZ.

The proposal also included the provision of 1 no. off street parking space for the new 2 bedroom dwelling. This is below the maximum parking standard for a 2 bedroom unit and it was considered that 1 no. off-street parking space would be acceptable in

this sustainable location. In view of this it was considered that the new unit should also be excluded from parking permits.

In the light of the application seeking permission to remove the condition to be allowed parking permits the previous highway comments have been reviewed and a further site visit has been carried out. On-street parking on Sandfield Road did not appear to be over-subscribed and therefore it would be difficult to sustain an objection to this request given the lack of observed on-street parking in the vicinity of 77-77A Sandfield Road.

Officers Assessment:

Site Location and Description:

1. The site is located on the north-eastern side of Sandfield Road in a residential area. The site is bordered by 79 Sandfield Road to the north-west; 75 Sandfield Road to the south-east; and the grounds of the John Radcliffe Hospital to the north-east (**site plan: appendix 1**)
2. The site comprises a two-storey dwellinghouse which is separated from the street by a front garden with an off-street parking area and large private garden to the rear. The original dwelling has been enlarged through a single-storey rear and single storey front extension.
3. A part single-storey and two-storey side extension has also been added to the original dwelling which provides a self-contained dwellinghouse with parking area to the front and individual private garden to the rear.

Proposal

4. In April 2012, the East Area Planning Committee resolved to grant permission for the erection of a single and two-storey side, front and rear extension, alterations to roof, and sub-division to form a 2 bed dwelling with provision of parking to front (amendment to 11/02816/FUL) under application 12/00077/FUL. A copy of the committee minutes and officers report can be found in **appendix 2** of this report.
5. This was granted subject to a number of conditions. The applicant considers that these conditions were not reasonably imposed and is seeking the removal and/or variation of the following:
 - Condition 7: Exclusion from Controlled Parking Zone
 - Condition 11: Use of roof space in 77a Sandfield Road for habitable room
 - Condition 15: Increased width of Garden for 77a Sandfield Road
 - Condition 18: Installation of set backs from 79 Sandfield Road
 - Condition 19: Replacement of casement windows in roof of rear extension
6. Circular 11/95 'Use of conditions in planning permission' sets out six tests for conditions imposed upon planning permissions. The circular makes clear that conditions should not be imposed unless they are both necessary and effective, and do not place unjustifiable burdens on applicants. They should only be

imposed where they satisfy the six tests which are that they are necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

7. The circular goes on to say that in considering whether a particular condition is necessary, Local Planning Authorities should ask whether planning permission would have been refused if that condition were not imposed.
8. Officers consider that the main determining issues in this case are whether the above-mentioned conditions are reasonable and meet the relevant tests set out within government guidance.

Condition 7:

The development hereby permitted shall not be occupied until the Order governing parking at the development (77 and 77A Sandfield Road) has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

9. The scheme approved under 12/00077/FUL provided off-street parking provision for both dwellings, with 2 spaces for the original house and 1 space for the new unit. This was below the maximum parking standards set out in the Local Plan, but the level of parking was accepted as the site was in a sustainable location with on-street parking controls. A condition was then attached removing both properties entitlement to residents and visitors parking permits.
10. The applicant has stated that the application only sought to create a self-contained unit of accommodation in the side extension. The original dwellinghouse would have been eligible for both forms of parking permit, and therefore it is unreasonable to remove this eligibility when this dwelling is not materially larger and places no additional demand. The single dwelling subject to the application would not worsen the local parking situation or create a hazard. They go on to state that the controlled parking zone has reduced the parking pressures that used to exist within the street from hospital visitors parking in the road. The road and parking zone are meant for home owners and their visitors to park and denying permits would not meet the aims of the controlled parking zone.
11. The Local Highways Authority have confirmed that they requested that eligibility be removed as the proposal resulted in an increase in the number of bedrooms on site and a loss of off-street parking for the existing dwelling. They considered that the loss of off-street parking justified exclusion because it could place additional pressures on-street. At the same time, it was recognised that the level of off-street parking proposed within the scheme was below the maximum standards even if the sustainable location of the site supported a reduction in the standards. In

response to this application, the Local Highways Authority have conducted a further site visit and identified that on-street parking on Sandfield Road and within the vicinity of the site did not appear to be over-subscribed. Therefore they have no objection to the removal of the condition.

12. The emerging Sites and Housing Plan makes clear in Appendix 8 that parking standards should respond to site circumstances and existing capacity within the vicinity of the site. In the case of this application, it is clear that the off-street parking for both units is acceptable under the terms of local plan policies and the scheme would not have been refused on the basis of insufficient parking. In addition the Local Highways Authority have identified that there is capacity within the controlled zone to enable both properties to be eligible for permits. While the site is close to a bend in the road, the controlled parking zone means that there are designated parking bays throughout the street which would prevent ad-hoc parking from occurring in dangerous areas. As a result the condition would not be necessary and it would be difficult to maintain an objection to the condition being removed.
13. Therefore officers consider that the condition can be removed. The parking provision for the approved scheme would accord with parking standards as set out in Policy TR3 of the Oxford Local Plan 2001-2016 and Policy HP16 of the emerging Sites and Housing Plan.

Condition 11:

Notwithstanding the approved plans the development hereby approved excludes the bedroom in the roof space of No 77A Sandfield Road, the roof shall not be used for habitable accommodation hereafter without the prior written consent of the Local Planning Authority.

Reason: In the interest of the residential amenities of the future residents of No 77A Sandfield Road in accordance with policy CP1, CP10, HS11, HS19 and HS20 of the Oxford Local Plan 2001 - 2016 and policy HP12 of the Sites and Housing Development Planning Document (Proposed Submission Feb 2012)

14. The scheme which was approved under 12/00077/FUL was for the creation of a two-bedroom dwelling within the two-storey side extension. This was granted albeit with a condition that required the removal of the second bedroom within the roofspace. This condition effectively prevents the self-contained unit from being used as a two bedroom dwelling, which conflicts with the permission that was granted.
15. Having carried out an internal inspection of the property, it would provide a good sized dwellinghouse. The second bedroom in the loft space is of a suitable size and importantly has enough usable head height, light and ventilation for the proposed use. It has also satisfied building regulations. It would be no different to many other loft conversions within the area which have been created to provide additional habitable space for their properties. It is important to recognise that internal alterations, such as loft conversions, do not require planning permission where they are not creating a separate unit of accommodation.

16. The condition to prohibit the use of the loft for a habitable room would not therefore be necessary, relevant to planning, or relevant to the development permitted. The retrospective application sought the provision of a 2 bed house and was assessed under that context in terms of the quality of accommodation and parking provision. The use of the roofspace as a habitable room would not conflict with any of the policies within the Oxford Local Plan 2001-2016 or the emerging Sites and Housing Plan. More importantly the condition would not be enforceable as it would be impossible to detect any contravention unless internal inspections were regularly carried out on the property. Therefore the condition should be removed.

Condition 15:

Notwithstanding the approved plans prior to occupation of 77A Sandfield Road the rear garden of No 77A Sandfield Road shall be increased in width, details of which shall be submitted to and approved in writing by the Local Planning Authority and the garden shall be altered in strict accordance with those details prior to occupation and retained as such thereafter.

Reason: In the interest of residential amenity in accordance with policy CP1, CP10 and HS21 of the Oxford Local Plan 2001 - 2016.

17. The scheme approved under 12/00077/FUL included a private garden for the two-bedroom dwelling which measured approximately 14m x 3m. The condition required the width of the garden to be increased in order to improve the overall quality of the amenity space for the dwelling.

18. The applicant suggests that the width of the garden was determined by the subdivision of both properties. They accept that it is smaller than other nearby properties but consider it is not unreasonably small as it allows space for sitting out and drying clothes. There is also a nearby park which would provide additional space if children are present. They go on to state that there is no policy standard for garden width sizes within the development plan and therefore the condition has been unreasonably imposed.

19. Officers do not agree with the applicant's argument. Local Plan Policies HS20 and HS21 both require residential developments to have good quality external environments and adequate amenity spaces for future occupants. Policy HP13 of the emerging Sites and Housing Plan also states that 2 bedroom dwellings should have a private garden of adequate size and proportion for the proposed house. It also states that the location and context of the dwelling, the orientation of the space, and the overall shape and access to the space is material in considering the suitability of the space. Therefore it is incorrect to state that the development plan policies do not set standards for garden width sizes.

20. Although the officer's report for the approved scheme (12/00077/FUL) concluded that the size of the space would be acceptable, a site visit has been carried out in relation to this application to assess the overall size and quality of the space. In this regard, officers consider that the garden does feel narrow and small for the type of accommodation it serves. The requirement to increase the width would certainly improve the overall quality of the space without compromising the quality

of space for the original dwelling.

21. In this regard officers do not consider that condition is unreasonable and it should be retained in accordance with Policies CP10, HS20, and HS21 of the Oxford Local Plan and Policy HP13 of the emerging Sites and Housing Plan. The applicant has suggested that the garden width could be increased by 0.5m which would be an improvement however this could be improved further as part of the condition.

Condition 18:

Notwithstanding the approved plans the setbacks in the front and rear extensions adjacent to No 79 Sandfield Road shall be reinstated in strict accordance with the plans approved under planning permission 11/00051/FUL within 6 months from the date of this permission.

Reason: In the interest of the residential amenities of No 79 Sandfield Road in accordance with policy CP1, CP10 and HS19 of the Oxford Local Plan 2001 - 2016.

22. The recent application 12/00077/FUL requested retrospective permission for the extension which had not been built in accordance with the plans originally approved under 11/00051/FUL. The original permission for the side extension had the main range of the extension sited directly on the boundary with 79 Sandfield Road along with two small set backs of 200mm to the front and rear. The condition attached to the permission required these set backs to be reinstated.
23. The applicant has indicated that during the construction process there were concerns over the position of the boundary and as a result the boundary to the rear was not parallel with the house and the rear wall of the extension was therefore angled slightly away from the boundary resulting in a loss of the set back to the rear. The small set back on the front corner was lost in order to provide access to the stairs in order to meet the building regulations. They consider that the condition requiring the provision of these 200mm set backs would require an onerous level of building works, which would be unreasonable given the fact that their omission would not give rise to any visual harm or overbearing impact.
24. A site visit has been carried out from 79 Sandfield Road in order to assess the true situation on site. The main range of the two-storey side extension is sited directly on the boundary (as approved). The front extension does not have the approved set back, as it continues along the common boundary. At the rear, the extension has been set in slightly from the boundary 160mm. This set back is consistent from the point it starts until the end of the extension and it does not angle away as suggested by the applicant. During the consultation process concerns have been raised that the set back to the front was omitted largely to enable the creation of the staircase in order to facilitate the creation of the second bedroom in the roofspace. The reasons for the omission are not a material planning consideration, it is the harm caused to the adjoining property which needs to be assessed against development plan policies.

25. In terms of the rear of the two-storey extension, there is a 160mm set back from the boundary with 79 Sandfield Road. This is a difference of 40mm (4cm) from the 200mm required by the condition. Although this is obviously closer to the boundary, officers consider that it would not have a material impact upon the rear of the adjoining property or the study window in the rear elevation of this dwelling closest to the extension beyond that which has already been considered acceptable in the granting of planning permission 11/00051/FUL & 12/00077/FUL.
26. With respect the front extension, there is a kitchen window in the front elevation of 79 Sandfield Road. This is a bay window which faces directly out onto the frontage of the property. Although the omission of the 200mm set back would bring this part of the extension closer to the property, it would not have a material impact upon the amount of light and outlook from this kitchen window. Although the owner of 79 Sandfield Road has concerns about impact upon the side passage between houses, this is not considered a habitable space in the same fashion as a room within the dwellinghouse.
27. Therefore officers consider that the condition requiring the set backs to be provided should be removed as the extension as built would not have a material impact upon the residential amenities of the adjoining properties over and above that already considered acceptable under the previous permissions.

Condition 19:

Notwithstanding the approved plans the casement windows in the roof of the ground floor extension shall be replaced with made for purpose roof lights within 6 months from the date of this permission, details of which shall first be agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with policy CP1, CP8 and CP10 of the Oxford Local Plan 2001 - 2016.

28. The retrospective application 12/00077/FUL proposed rooflights in the single storey rear and side extension to the original dwellinghouse. However, casement windows were used rather than standard velux rooflights. Therefore the condition requested these be removed in the interests of visual amenity.
29. The applicant accepts that the rooflights are different from those conventionally used but then many of the houses in the area are different in style and have different window sizes and styles. They consider that the windows used on the property are generally of matching style and are sited to the rear of the building, which itself is not within a conservation area. They are a minor feature, and while they may not be to everyone's taste they are not an eyesore and their removal is unnecessary.
30. Having conducted a site visit, the windows do not look like conventional velux rooflights although they do match the other windows within the building and are set into the roof slope in a similar fashion to a rooflight. They are sited to the rear and side and so are not visible from the public realm, and as such it is difficult to suggest that they would have a significantly detrimental impact upon the character

and appearance of the building.

31. As such officers consider that it would not be reasonable to require these windows to be replaced by rooflights as the current windows do not cause material harm to the visual appearance of the building. The removal of the condition is justified.

Conclusion:

32. The principle of development has been established in granting planning permission under references 10/02781/FUL, 11/00051/FUL, and 12/00077/FUL. It is considered that there is a good case for conditions 7, 11, 18, and 19 to be removed as they would not give rise to an unacceptable impact upon the character and appearance of the street scene or adjoining properties, the overall quality of the residential accommodation or highway safety. It is considered that condition 15 would meet the tests of Circular 11/95 however as the current amenity space would be considered of an inadequate size for the residential dwelling it serves.

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.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 21st September 2012

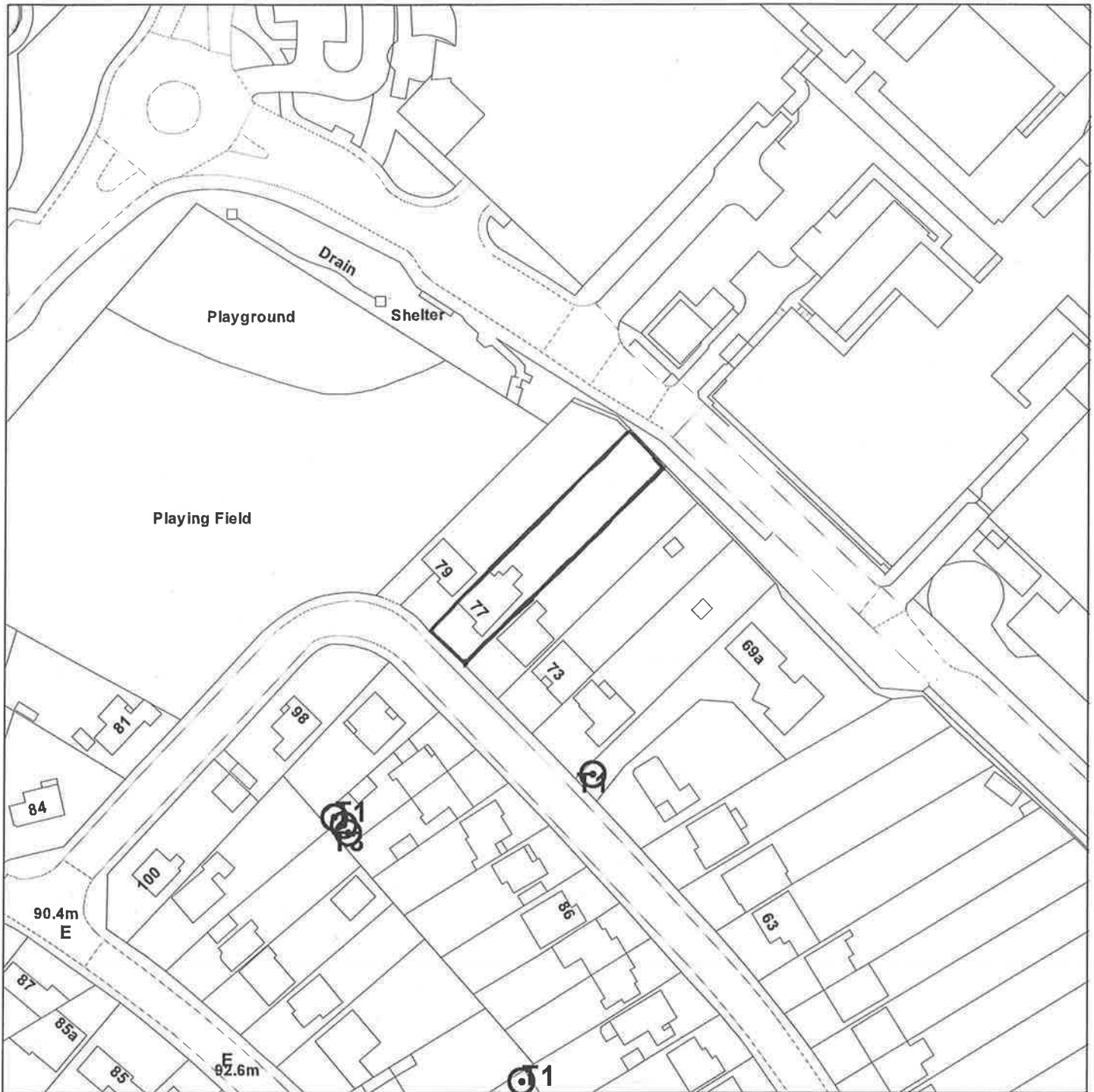
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Appendix 1

77-77a Sandfield Road (12/01608/VAR)



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	21 September 2012
SLA Number	Not Set

Condition (11) – Sustainability measures.

**122. 169 AND TEMPLE COWLEY UNITED REFORMED CHURCH HALL,
OXFORD ROAD, OXFORD - 12/00281/VAR**

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the variation of condition 4 of planning permission 05/02333/FUL to allow occupation of two warden flats by ex-homeless persons.

Councillor Stephen Brown informed the Committee that while he had previously declared a personal interest in agenda item 5 (169 and Temple Cowley United Reformed Church Hall, Oxford Road, Oxford – 12/00281/VAR) as his wife was an employee at the application site, this was now not the case. (Minute 121 refers).

Councillor Dick Wolff declared a personal interest in agenda item 5 (169 and Temple Cowley United Reformed Church Hall, Oxford Road, Oxford – 12/00281/VAR) as he was a Minister of the Temple Cowley United Reformed Church which was close to the application site. (Minute 121 refers).

Councillor Jean Fooks declared a personal interest in agenda item 5 (169 and Temple Cowley United Reformed Church Hall, Oxford Road, Oxford – 12/00281/VAR) as she was a Friend of Emmaus. (Minute 121 refers).

Councillor Gill Sanders declared a personal interest in agenda item 5 (169 and Temple Cowley United Reformed Church Hall, Oxford Road, Oxford – 12/00281/VAR) as the Emmaus was her nominated charity when she was the Lord Mayor of Oxford. (Minute 121 refers).

In accordance with the criteria for public speaking, the Committee noted that no requests to speak either in favour or against the application had been received from members of the public.

The Committee agreed to grant planning permission subject to the 17 conditions as laid out in the Planning Officers report.

123. 77 SANDFIELD ROAD, OXFORD - 12/00077/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the erection of two story side, front and rear extension and alteration to roof. Sub-division to form two bedroom dwelling and provision of parking to front.

Councillor Mary Clarkson declared a personal interest in agenda item 6 (77 Sandfield Road, Oxford – 12/00077/FUL) as she knew the neighbours at 75 Sandfield Road, but she had not discussed the application, nor expressed an opinion to them. (Minute 123 refers).

Councillor Brown informed the Committee that while he was unable to attend the formal site visit concerning agenda item 6 (77 Sandfield Road, Oxford – 12/00077/FUL) he had visited the site on 3rd April 2012 and spoken with the builder. (Minute 123 refers).

In accordance with the criteria for public speaking Mike Bishop spoke against the application and Dr Jiang spoke in favour of the application.

The Committee considered all submissions both written and oral and agreed to grant planning permission subject to the 11 conditions as laid out in the Planning Officers report and subject to the following additional conditions and informative as follows:

Additional conditions

Condition (12) – No habitable room in roof space of 77a Sandfield Road

Condition (13) – Remove permitted development rights

Condition (14) – Height of extension adjacent to No 79 Sandfield Road to be as built not as shown on proposed plan

Condition (15) – Retention of privit hedge at 77a Sandfield Road and extension of amenity space (suggested 1m wider)

Condition (16) – Boundary fencing to be 2m in height or less

Condition (17) – Glazed internal wall to kitchen in 77a Sandfield Road

Condition (18) – Set backs adjacent to No 79 Sandfield Road to be re-instated

Condition (19) – Storage spaces and library in 77 Sandfield Road not to be used as habitable rooms

Condition (20) – Replacement of casement windows in roof of side and rear single storey extension with velux windows

Informative

Informative (1) – C3/C4 no HMO use

124. PLANNING APPEALS

The Head of City Development submitted information (previously circulated, now appended) which detailed planning appeals received and determined during January 2012 and February 2012.

The Committee agreed to note the information.

125. FORTHCOMING PLANNING APPLICATIONS

Agenda Item 6

East Area Planning Committee

- 3rd April 2012

Application Number: 12/00077/FUL

Decision Due by: 19th March 2012

Proposal: Erection of single and two storey side, front and rear extensions and alteration to roof. Sub-division to form two bedroom dwelling provision of parking to front

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, Rundle, Mills, Jones and Campbell on the grounds of concerns expressed by Highway Authority about the vicinity of the access to the bend in the road and the need for parking spaces to conform with new parking standards.

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. Adequate car parking is provided in accordance with Appendix 3 of the Local Plan. 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 Boundary treatment to accord with plans
- 5 Landscaping to accord with plans
- 6 Car parking to accord with plans
- 7 Vision Splays
- 8 Removal from controlled parking zone
- 9 Bin and cycle storage
- 10 Northeast bathroom window obscure glass
- 11 Design - no additions to dwelling

Principal Planning 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
- CP11 - Landscape Design
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Oxford Core Strategy 2026

- CS2_ - Previously developed and greenfield land
- CS9_ - Energy and natural resources
- CS18_ - Urban design, town character, historic environment
- CS23_ - Mix of housing

Sites and Housing DPD – Proposed Submission

- HP9_ - Design, Character and Context
- HP11_ - Low Carbon Homes
- HP12_ - Indoor Space
- HP13_ - Outdoor Space
- HP14_ - Privacy and Daylight
- HP15_ - Residential cycle parking
- HP16_ - Residential car parking

Other Material Considerations:

- PPS 1 – Delivering Sustainable Development
- PPS 3 – Housing
- PPG 13 – Transport

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 bedroom 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

11/02816/FUL - 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 - Withdrawn

Third Party Representations Received: Two letters of objection have been received. The issues raised can be summarised as follows:

- Increased width of northwest side of building results in loss of light front and rear of to No 79 Sandfield Road
- Proximity of extension to No 79 Sandfield Road prevents access for maintenance
- Front garden dividing walls above 0.6m. Neighbours not prepared to allow them to be lowered to provide vision splays
- Layout of No 77a contrived
- Concerns that both houses will be multi occupancy
- Rear extension being built larger than approved in 2011
- Unapproved retrospective development
- Location of windows provides insufficient light to rooms
- No means of escape from loft
- Roof lights out of keeping and harmful to residential amenity
- Overdevelopment

- Insufficient cycle parking
- Garden for 77a is poor standard
- Poor general workmanship

Statutory and Internal Consultees:

Highways And Traffic – No objection – some initial concern raised about the proximity of new access to junction, however it has been acknowledged that part of this is existing and as such no objection to this has been formally raised. Conditions have been suggested to secure visibility splays, porous surface treatment and cycle storage.

Thames Water Utilities Limited – No objection

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 single storey front porch in connection with the subdivision of the property to provide two houses (1x2 bed and 1x4 bed). It is proposed to widen the existing access on the site frontage to accommodate two additional cars (3 spaces in total).
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, the proposed residential environment, the visual impact, and car parking.

Planning History

4. At the March meeting of the East Area Planning Committee it was resolved to defer this application to allow to Members to visit the site, and to allow officers to measure the depth of the building as constructed following representations by No 75 Sandfield Road that the rear extension had been constructed larger (further rearward) than approved under application 11/00051/FUL and therefore the current plans are for a larger extension than approved.
5. Officers can confirm that the total depth of the extension (front to rear) as approved under reference 11/00051/FUL was 15.4m and the measurement taken by officers on site on the 12th March 2012 was 15.4m. The 1st floor element was measured as being 1.57m in from the rear most part of the ground floor extension. The plans approved under reference 11/00051/FUL show this measurement to be 1.57m. The proposed plans therefore accurately show the measurements taken on site and the

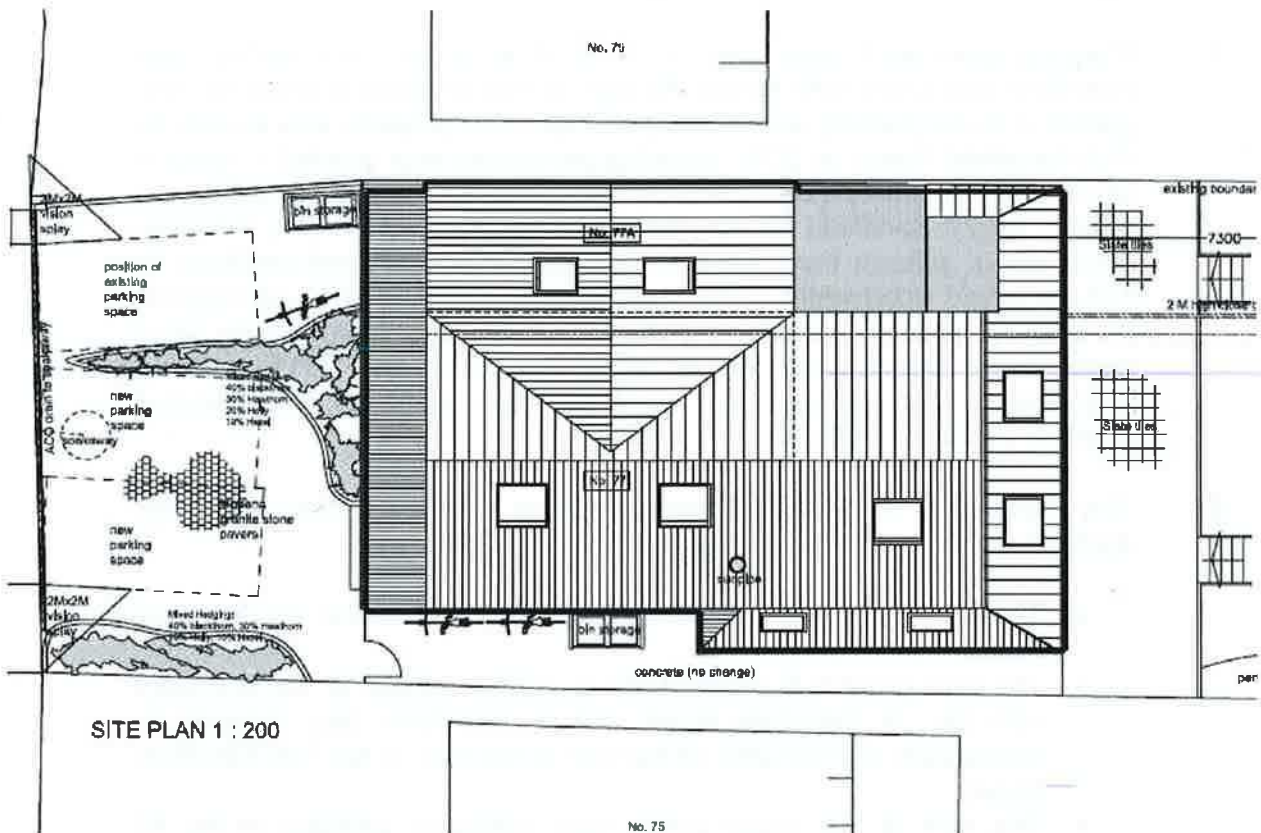
extension as constructed, in depth at least, complies with the plans approved under reference 11/00051/FUL.

6. The difference in depth which has been referred to in representations from No 75 Sandfield Road arises from the fact that the rear of No 75 has been shown in a different position on the approved plans to that on the proposed plans. It is the size of the actual extension shown on the approved and proposed plans that is relevant to this case and as your officers have confirmed above there is no difference in depth. Figure 1 below shows the outline of the extension approved under reference 11/00051/FUL plotted on the proposed plan. This confirms that the footprint of the proposal/building as constructed is almost identical to that approved.
7. 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 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 has 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 permission is required to regularise what has/is being constructed and to bring the 2010 and 2011 planning permissions together as they could not technically be implemented together under the separate permissions.
8. 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 rear French doors of No 77A Sandfield Road are lower than originally approved;
 - 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. As storage area has been included which is lit by two new roof lights on the southeast roof slope;
 - The roof lights on the ground floor are actually casement windows

- set into the roof;
- The rear facing 2nd floor gable window was constructed larger than approved.

9. 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 outline of the approved plan.

Figure 1



10. 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

11. 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.
12. The porch and rear single storey extension of No 77A Sandfield Road would be 300mm and 200mm closer to No 79 Sandfield Road. There are ground floor habitable room windows in both the front and rear elevation 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.
13. The proposals would be no closer to No 75 Sandfield Road than the approved scheme and as such there would be no material change to the impact on daylight to No 75.
14. The new roof lights would not look directly into neighbouring gardens and officers would conclude that they are therefore acceptable. The omission of the glazed roof of the single storey extension adjacent to No 75 Sandfield Road and its replacement with a tile roof with roof lights would not materially affect the privacy of No 75, indeed it would improve the situation.

Proposed Residential Environment

15. 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 in excess of 10m, while the new two bed dwelling would have a rear garden approximately 10.8m in length. The proposal would therefore comply with policy HS21.
16. 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 with space enough for furnishings. The ground floor of 77A Sandfield Road

would be lit by windows to the front and rear and as such the rooms would receive an acceptable level of light and ventilation. The layout is such that it would allow sufficient space for storage and furnishings suitable for a dwelling of this size and type.

17. The proposal includes bin and cycle storage which is of adequate size and located within easy access of the street. This provision accords with Local Plan policies CP10 and HS19.

Visual Impact

18. 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.
19. The roof lights that were originally intended for the single storey side and rear extension have been replaced by casement windows. The windows have been set into the roof so that they do not project above the plane of the roof to any greater extent than a roof light. Because of this, and the location of the windows at the side and rear of the property, they can not be seen from the public realm and officers therefore conclude that in this particular instance they would not be unacceptable.

Car Parking

20. Three off street car parking spaces are proposed, 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 and the Local Plan supports reduced parking provision in a sustainable locations 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.
21. The Highway Authority had initially raised concerns about the proximity of the access to the bend in the road, however this has since been withdraw on the basis that the original house had an access in the same position and tat the parking and new access have been approved under the previous applications. The Highway Authority has recommended conditions relating to visibility splays and that the parking area is SUD compliant.

Sustainability

22. The application site lies within a sustainable location, on the edge of the Headington District Centre. The site therefore has excellent access to shops, services and public transport nodes. The proposal will make efficient use of the site.
23. Policy CS9 states that all applications for development are expected to

minimise carbon emissions by incorporating sustainable design and construction methods into the development. The application is silent on this issue, however parts of the Building Regulations, in particular Part G (Sanitation, Hot Water Safety and Water Efficiency) and Part L (Conservation of fuel and power), aim to help reduce carbon emissions and protect the environment.

24. Although ordinarily officers would suggest a condition requiring details of how sustainable design and construction methods would be incorporated into the building, this application is a minor reworking of two previous planning permissions which did not include such a condition. As the approved works are now well advanced officers would in this particular instance recommend that the condition not be imposed as any such measures could not now be reasonably accommodated.

Conclusion: The principle of development was established in granted planning permission under references 10/02781/FUL and 11/00051/FUL. The difference 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.

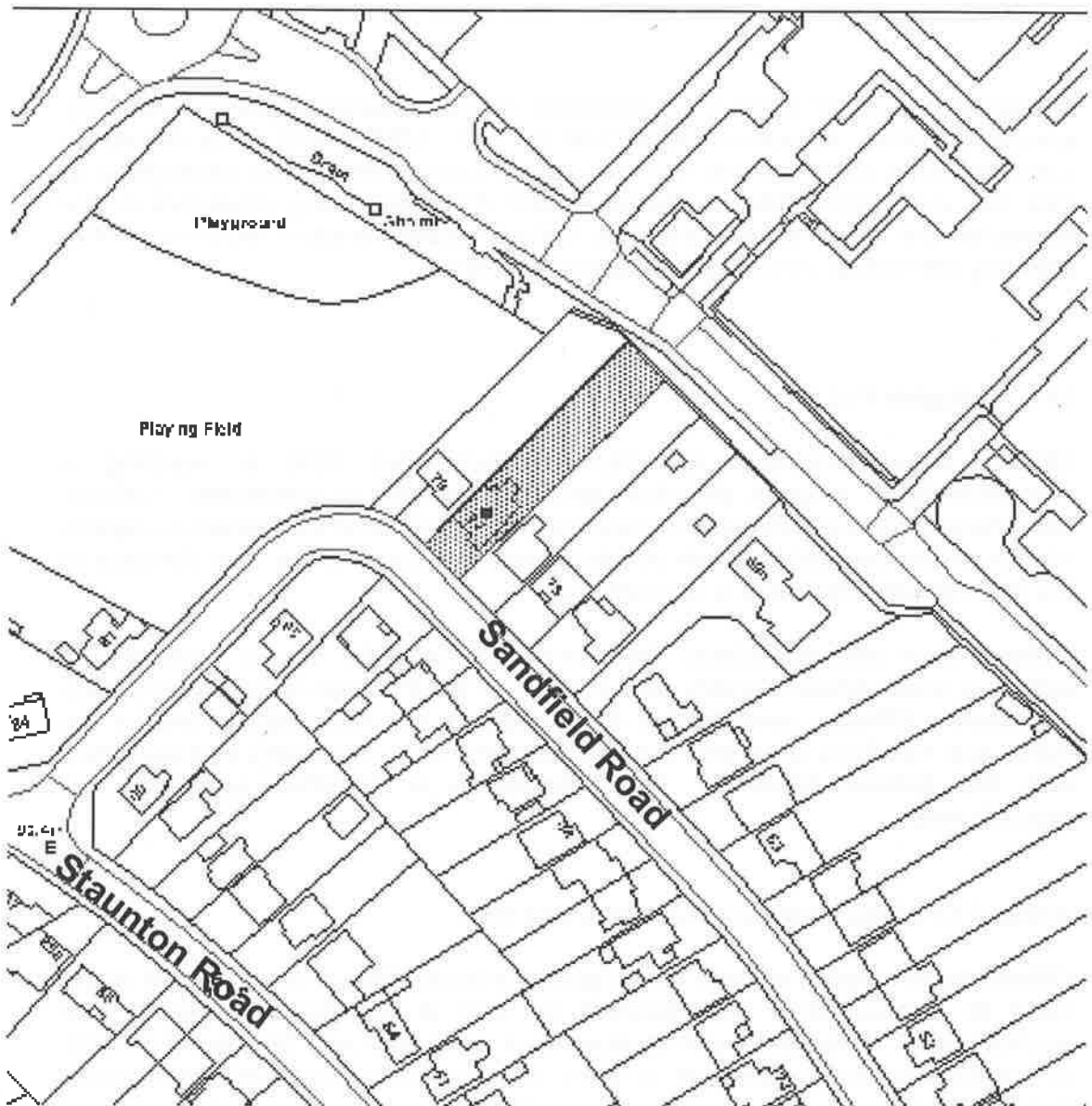
Background Papers: 12/00077/FUL, 10/02781/FUL, 11/00051/FUL

Contact Officer: Steven Roberts

Extension: 2221

Date: 23rd March 2012

Appendix 1



East Area Planning Committee

9th October 2012

Application Number: 12/02139/FUL

Decision Due by: 15th October 2012

Proposal: Demolition of existing bungalow and erection of 1 x 3 bed dwelling house, 1 x 2 bed flat and 1 x bed flat.

Site Address: The Bungalow 35 Barton Road Oxford Oxfordshire

Ward: Barton And Sandhills Ward

Agent: N/A

Applicant: S Khanam

Application called in by Councillors Rowley, Seamons, Fry, Curran, Coulter, Canning and Kennedy on grounds of overdevelopment and overbearing impact on the neighbouring bungalow in Blackthorn Close.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the surrounding development and would not unacceptably impact on neighbour amenity in a detrimental way. Planning permission was granted for an identical development in May 2009 and, although this permission has now lapsed, this previous permission is an important material consideration. No objections have been received from third parties and the proposal complies with adopted policies contained in both the Oxford Local Plan 2001 - 2016 and the Core Strategy 2026.
- 2 An objection has been received from Oxford Civic Society on grounds of visual impact. However it is considered that the comments made do not constitute sustainable reasons for refusing planning permission, particularly having regard to the expired permission and that the imposition of appropriate conditions will ensure a good quality development that relates satisfactorily to its neighbours.
- 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 plns
- 3 Samples
- 4 Boundary details before commencement
- 5 Landscape plan required
- 6 Landscape carry out by completion
- 7 Formation of new access
- 8 Variation of Road Traffic Order Barton Road,
- 9 Construction Travel Plan
- 10 Provision of parking spaces
- 11 Vision splays
- 12 Rear rooflights - cill height no less than 1.6 metres
- 13 Bin and cycle stores
- 14 Sustainable design/construction measures

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- 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
- CS10_ - Waste and recycling
- CS11_ - Flooding
- CS18_ - Urban design, town character, historic environment
- CS23_ - Mix of housing

Sites and Housing Plan

- HP9_ - Design, Character and Context
- HP11_ - Low Carbon Homes
- HP12_ - Indoor Space
- HP13_ - Outdoor Space
- HP14_ - Privacy and Daylight
- HP15_ - Residential cycle parking
- HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

07/01693/FUL: Demolition of existing bungalow and erection of 2 x 3 bedroom semi detached dwellings. Approved

09/00536/FUL: Demolition of existing bungalow. Erection of two storey building to provide 1 x 3 bedroom dwelling, 1 x 2 bedroom flat and 1 x 1 bedroom flat. Approved MAY 2009

Representations Received:

At the time of writing this report, no letters from third parties have been received. Any comments which are submitted will be reported verbally at the committee meeting.

Statutory and Internal Consultees:

Thames Water: No objection

Oxford Civic Society: Objection. The site would be better developed as two semi detached dwellings. Neither of the flats are spacious and the upper one will probably have restricted headroom. The gardens are small and there would be an impact on the neighbouring bungalow.

Oxfordshire County Council as Local Highway Authority: No objection subject to the imposition of the following conditions and informatives:

- Exclusion of the site from the controlled parking zone
- Provision of parking spaces prior to occupation
- Parking spaces to be constructed using permeable paving to be SUDS compliant
- No discharge of surface water onto the public highway
- Applicant to obtain a vehicle crossing license
- Provision of dropped kerbs to be at the applicant's expense
- Provision of vision splays
- Cycle parking to be sheltered and secure
- Provision of bin stores

Issues:

- Principle
- Form and appearance
- Impact on neighbours
- Highways/parking
- Private amenity space
- Balance of dwellings

Sustainability:

The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal would constitute a sustainable form of development that would make more efficient use of an existing, residential plot of land.

Officers Assessment:

Site Location and Description

1. The application site comprises a detached, brick built bungalow which is located on a prominent corner plot at the junction of Barton Road and Blackthorne Close. The bungalow is a single storey, 2 bedroom property which has front and rear gardens, a brick/stone boundary wall and access off Blackthorne Close which leads to a single detached garage building.
2. The nearest neighbouring residential property is number 1A Blackthorne Close which is also a bungalow and was built on part of the original site of 35 Barton Road, the subject of this application. The remaining dwellings in the vicinity of the application site, apart from the bungalow opposite the site at number 37 Barton Road, are generally two storey dwellings.

The Proposal

3. The application seeks planning permission for the demolition of the existing bungalow and garage and the erection of a two storey building to form 1 x 3 bedroom semi detached dwelling, 1 x 2 bedroom ground floor flat and 1 x 1 bedroom first floor flat.
4. The new dwelling would be served by 2 car parking spaces to the front of the building and a rear garden area. The two flats would each have a single car parking space accessed off Blackthorne Close and a small private amenity space.
5. The new building would be erected using facing bricks and concrete tiles and would have a height of 7.5 metres. It is an identical proposal to that which was granted planning permission in May 2009 [09/00536/FUL].

Principle

6. The previous planning permission for the proposal is an important material consideration in the determination of the current application although officers accept that the permission has now lapsed.
7. In terms of site circumstances, there have been no changes that would warrant deviation from a recommendation of approval in line with the previous permission.

8. In terms of planning policy, the National Planning Policy Framework [NPPF] was approved in March of this year and has superceded all the previous PPS's and PPG's that represented Government advice. The NPPF largely carries forward planning policies and protections in a significantly more streamlined and accessible form and introduces the presumption in favour of sustainable development which means approving applications that accord with the Development Plan. The Oxford Core Strategy has also been adopted since the previous approval, but neither it nor the NPPF are documents such as to warrant a different approach to the development of the site however.
9. The proposal is a sustainable form of development that would make efficient use of land and officers therefore consider that the principle of the development is acceptable subject to the recommended conditions.

Form and Appearance

10. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for development that shows a high standard of design, that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP6 states that development proposals should make the best use of site capacity but in a manner that would be compatible with both the site itself and the surrounding area.
11. Policy CP8 of the Oxford Local Plan suggests that the siting, massing and design of any new development should create an acceptable visual relationship with the form, grain, scale, materials and detailing of the surrounding area and policy CP10 states that planning permission will only be granted where proposed developments are sited to ensure acceptable access, circulation, privacy and private amenity space.
12. Policy CS18 of the Oxford Core Strategy states the planning permission will only be granted for development that demonstrates high quality urban design and contributes to an attractive public realm.
13. The new building would have a larger footprint than the existing bungalow and would be sited 1.5 metres closer to the Barton Road frontage and 2.6 metres closer to the Blackthorn Close frontage. Officers consider this to be acceptable as there is no obvious building line in Blackthorne Close and the site abuts open land [the former Cricket club site] on Barton Road. In addition this layout was approved in 2007 [permission for a pair of semi detached dwellings] and 2009 [permission identical to the current proposal].
14. The new building would be erected using facing bricks and concrete tiles to be approved [condition 3 refers] and would have symmetrical front gable features fronting onto Barton Road. The rear elevation would incorporate one dormer window and 3 rooflights.

15. The new building would have a width of 14 metres, a depth of 11 metres and a height of 7.5 metres. Officers consider that both the size and appearance of the new building would appear sympathetic to and in keeping with the character of the local area.

Impact on Neighbours

16. Policy HS19 of the Oxford Local Plan states that planning permission will only be granted for development that adequately provides both for the protection and/or creation of the privacy or amenity of the occupants of the proposed and existing neighbouring, residential properties.
17. It is considered that the only dwelling directly affected by the proposal is number 1A Blackthorne Close which is a bungalow that has been erected in the former garden of number 35 Barton Road. Number 1A is sited approximately 1 metre from the boundary of the application site and has no windows in the flank wall that faces towards the garage serving number 35.
18. The new building would be sited 6.4 metres distant from the boundary of the site with number 1A. The roof of the new building would slope away from this adjoining bungalow and would have one dormer window and 3 rooflights in its rear roof slope, as in the previous permission. The dormer window would overlook the parking area and front garden of number 1A and the 3 rooflights would all have minimum cill heights of 1.6 metres above finished floor level [condition 12 refers] to avoid overlooking.
19. The proposed new building would be higher than the existing dwelling on the site but no higher than previously approved in 2009. Officers have concluded that the increase in height would not unacceptably impact upon sunlight and daylight levels experienced by the occupiers of number 1A given the distances involved or appear unacceptably overbearing in the outlook from the garden of this property.

Highways and Parking

20. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application subject to the imposition of a number of conditions and informatives as set out earlier in this report. The County has requested that the site be excluded from the controlled parking zone to ensure that the development does not exacerbate on street parking in the local area.

Private amenity Space

21. Policy HS21 of the Oxford Local Plan states that planning permission will not be granted for development proposals involving residential uses where inadequate or poor quality private open space is proposed. It goes on to say that each dwelling should have access to a private open space, possibly in the form of a balcony and that family dwellings of two or more

bedrooms should have exclusive use of an area of private open space, which should generally have a length of 10 metres.

22. Policy HP13 of the emerging Sites and Housing Plan states that private gardens serving dwellings of 2 or more bedrooms should be proportionate to the size of the dwelling and that proximity to public open space should be taken into account when considering the adequacy of the proposed amenity space. It also states that one or two bedroom flats should have access to a terrace or balcony or direct access to a shared or private garden.
23. The 1 x 1 and 1 x 2 bedroom flats would each have a private open space measuring approximately 4 x 6 metres and this is considered to be acceptable. The proposed 3 bedroom dwelling would have direct access to a private garden measuring 8 x 6.5 metres; whilst this does not meet the 10 metre standard in the Oxford Local Plan, it is considered to be proportionate to the relatively modest size of the proposed house [bedroom 3 is very small] and it is also the case that there is a public recreation ground on the opposite side of Barton Road in close proximity to the application site. For these reasons, officers take the view that the provision of private open space is acceptable.

Balance of dwellings

24. The Balance of Dwellings [BoDS] Supplementary Planning Document [SPD] was adopted in January 2008 to elaborate upon the provisions of policy HS8 of the Oxford Local Plan [now superseded by policy CS23 of the Core Strategy] and to ensure the provision of an appropriate mix of dwelling sizes in the different neighbourhood areas, set out in the SPD as red, amber and green. The site lies in an amber area where the pressure on family houses is considerable and for schemes that involve the erection of between 1 – 3 dwellings, the SPD states that there should be no loss of a family unit.
25. In this case, the proposal involves the demolition of an existing bungalow and the erection of 3 new units, one of which would be a replacement 3 bedroom family dwelling. Therefore the proposal accords with the requirements of the BoDS SPD.

Conclusion:

26. The proposal forms an appropriate visual relationship with the surrounding development and would not impact on neighbour amenity in a detrimental way. Planning permission was granted in May 2009 for an identical development and, although this permission has now lapsed, this previous permission is a material consideration. No objections have been received from third parties and the proposal complies with adopted policies contained in both the Oxford Local Plan 2001 – 2016 and the Oxford 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

07/01693/FUL

09/00536/FUL

12/02139/FUL

Contact Officer: Angela Fettiplace

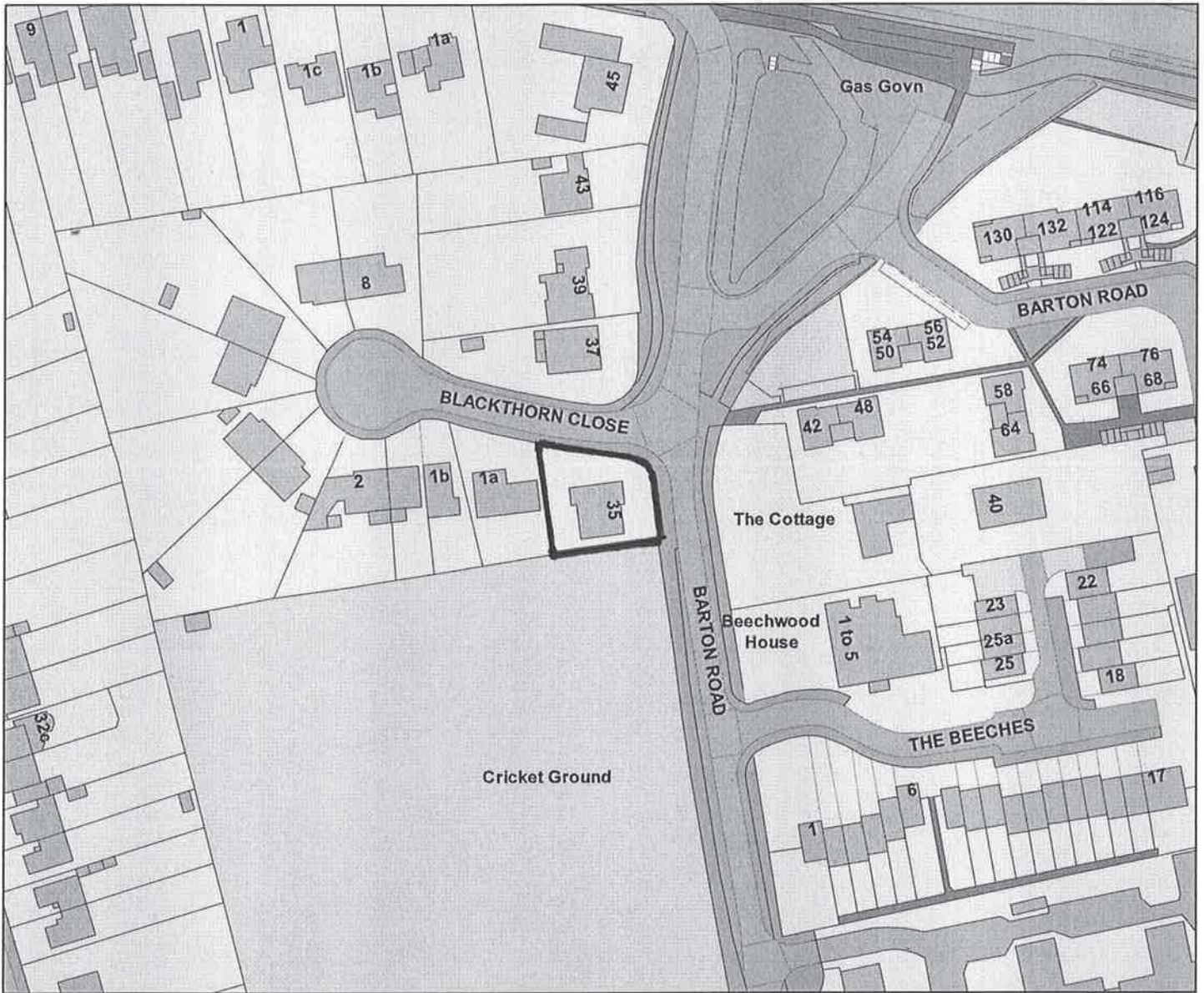
Extension: 2445

Date: 18th September 2012



Appendix 1

The Bungalow, 35 Barton Road



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	
Date	19 September 2012
SLA Number	Not Set

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East Area Planning Committee

9th October 2011

Application Number: 12/01984/FUL

Decision Due by: 27th September 2012

Proposal: Erection of single storey rear extension two storey side extension to create 3-bedroom dwelling (class C3) with associated parking, amenity space and bin and cycle storage.

Site Address: 38 Rymers Lane, **Appendix 1**

Ward: Cowley Ward

Agent: I. C. Architects

Applicant: Mr P. Chung

Application Called in – by Councillors – Khan, Price, Coulter, Fry Lygo and Tanner
for the following reasons – overdevelopment and out of line with Trevor Place

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed development would make an efficient use of an appropriate site within a residential area. It has been designed in a manner whereby the level of development suits the sites capacity and creates an appropriate visual relationship with the surrounding area. The proposal would not have a detrimental impact upon the residential amenities of the neighbouring property. The proposed unit would have a good standard of internal and external environment which adequately provide for the living conditions of future occupants of the unit. The development would therefore accord with the relevant policies of the development plan and would not constitute 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 Materials - matching
- 4 Bay window - revised plans
- 5 Design - no additions to dwelling
- 6 Ground resurfacing - SUDS compliant
- 7 Surface Water
- 8 Vision Splays
- 9 Car parking sizes
- 10 Construction Travel Plan
- 11 Sustainability design/construction

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
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Core Strategy (OCS)

- CS2_ - Previously developed and greenfield land
- CS9_ - Energy and natural resources
- CS18_ - Urban design, town character, historic environment

CS22_ - Level of housing growth

CS23_ - Mix of housing

Sites and Housing Plan – Submission (SHP)

HP9_ - Design, Character and Context

HP10_ - Developing on residential gardens

HP11_ - Low Carbon Homes

HP12_ - Indoor Space

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP15_ - Residential cycle parking

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Balance of Dwellings Supplementary Planning Document Jan 2008

Parking Standards, Transport Assessments and travel Plans Supplementary Planning Document Feb 2007

Oxford City Council Design Guides 2: Side Extensions

Relevant Site History:

12/01332/PDC - Extension and alterations. PRQ 16th July 2012.

12/01533/FUL - Single storey rear extension to no. 38 Rymers Lane. Subdivision of garden and erection of new 2 storey 2 bedroom dwelling with associated parking, amenity space and bin and cycle storage. WDN 27th July 2012.

Representations Received:

45 Rymers Lane: amount of development on site, effect on character of area, on-street parking

Statutory and Internal Consultees:

Highways Authority: no objection subject to conditions

Thames Water Utilities Limited: no objections

Issues:

Principle

Balance of Dwellings

Design

Residential Amenity

Highway Issues

Cycle Parking

Sustainability

Other

**Officers Assessment:
Site Description**

1. The application site comprises an end of terrace residential dwelling on the corner of Rymers Lane and Trevor Place within Cowley Ward. The property is rendered with a slate hipped roof.

Proposal

2. The application is seeking permission for the erection of a single storey rear extension and a two storey side extension with the side extension to be used as a separate 2/3 bed dwelling.

Assessment

Principle

3. NPPF requires LPA's to reconsider the development of garden areas; Policy CS2 of the OCS resists development on large areas of greenfield land. Policy HP10 of the emerging SHP is designed to strike a balance between the contribution of gardens to local character, and the need to ensure that suitable land can be used for well-designed residential development. The policy therefore indicates that development can continue to come forward on appropriate sites in residential areas.

Balance of Dwellings

4. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDS) sets out the appropriate housing mixes for each Neighbourhood Area within the City.
5. The site lies within a red area where pressure is considerable, so the Council needs to safeguard family dwellings and achieve a higher proportion of new family dwellings as part of the mix for new developments. For new residential developments of between 1 – 3 units, there should be no loss of an existing family dwelling.
6. The application site is located to the side of the existing dwelling therefore there is no loss of an existing family dwelling and as the proposal is for less than 3 units no specific mix of new housing is required.

Design

7. The two storey side extension continues the ridgeline and building line of the existing dwellings thus continuing the form, scale and details of the

surrounding area in accordance with Oxford City Council Design Guides 2: Side Extensions. The front elevation is flat whereas the adjoining properties have a bay window at ground floor. To maintain the style and rhythm of the row of terrace it is recommended that a bay be added to the front elevation at ground floor level. This can be achieved by adding a condition.

8. The proposal is forward of the building line within the short terrace of houses in Trevor Place. However there are a variety of corner plot arrangements within the immediate vicinity and a number have been developed or have planning permission to be developed in similar fashion, for example at 40A Rymers Lane. The proposal would read as a logical part of the street scene of Rymers Lane and would not harm the appearance of Trevor Place. It is considered acceptable as it would be viewed as an integral part of the corner development rather than as one of the row of houses along Trevor Place and, because of its design and materials it would reflect the appearance of the terrace of which it would form part.
9. The single storey rear extension has a mono pitched roof and is to be faced in materials to match the existing property. It is simple in form and respects the character and appearance of the property and the area as a whole.

Residential Amenity

10. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation, with policy HP12 stipulating any single dwelling providing less than 39m² of floor space will not be granted permission. The proposed new dwelling is in excess of the required 39m² and is therefore in compliance with HS20 and HP12.
11. Policy HS20 of the OLP and HP13 of the SHP require new dwellings to have access to private amenity space. The existing garden is to be divided to provide private amenity space of the existing property and the proposed property. The resultant areas are considered to be adequate in size for each of the dwellings.
12. Policies HS19 and CP10 of the OLP and HP14 of the SHP require the 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. The proposals do not give rise to any issues of overlooking or loss of privacy.
13. Policy HS19 of the OLP and HP14 of the SHP set 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 and Appendix 7 of the SHP. The proposed single storey rear extension marginally clips the 45 degree line when taken from the proposed kitchen window of the new dwelling. However it is not considered significant enough to have a detrimental impact on the sunlight/daylight reaching the kitchen and therefore not significant enough to warrant a refusal of permission

14. Policy HS19 also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. The single storey rear element abuts the boundary with 36 Rymers Lane which also has a similar size single storey extension. Therefore the single storey extension will not have an impact on 36 Rymers Lane in terms of being overbearing or creating a sense of enclosure. The two storey side extension is set away from the corner boundary by 1.2m which mirrors that on the other side of Trevor Place. It is therefore not considered to be overbearing or create a sense of enclosure within the street scene.

Highway Issues

15. 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 standard for a 2/3 bed dwelling is 2 spaces.
16. The existing property has one car parking space and an additional one is proposed for the new dwelling. Given the sites proximity to Templars Retail Park, the Cowley Centre and public transport it is officers opinion the maximum car parking standards should not be sought.

Cycle Parking/Bin Storage

17. 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. This is reiterated in policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
18. A cycle and bin store have been shown on plot adjacent to a new gate access onto Trevor Place which is adequate in size to house two cycles and associated bins.

Sustainability

19. The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal would constitute a sustainable form of development that would make more efficient use of an existing site.
20. How sustainable design and construction methods will be incorporated into the building and how energy efficiency has been optimised through design and utilising technology that helps achieve Zero Carbon Development can be secured by a condition.

Conclusion:

21. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. Therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

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:

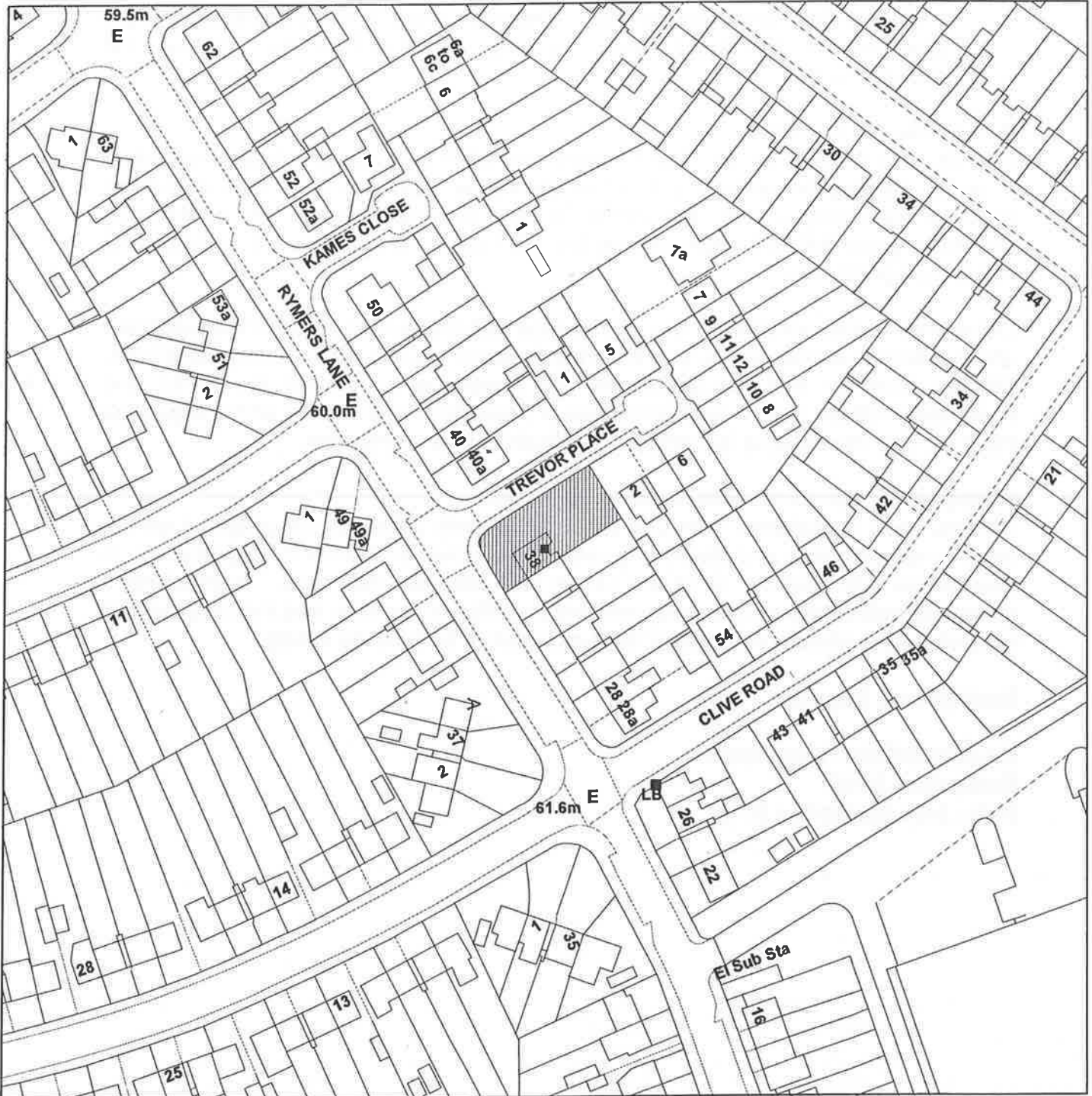
Contact Officer: Lisa Green

Extension: 2614

Date: 24th September 2012

Appendix 1

12/01984FUL 38 Rymers Lane



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	26 September 2012
SLA Number	LA100019348

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East Area Planning Committee

9th October 2012

Application Number: 12/01516/FUL

Decision Due by: 24th September 2012

Proposal: Change of use of 3 live/work units to rear of site to 3 x 1-bed dwellings (retrospective).

Site Address: Bella Court 69 The Slade, **Appendix 1.**

Ward: Lye Valley Ward

Agent: DW Contractors

Applicant: Mr David Exley

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 It has been demonstrated that there is no demand for the live/work units therefore their loss is acceptable. The alterations to the front elevation create an appropriate visual relationship with the existing building. The internal and external space for each unit is considered acceptable and an adequate level of car parking remains on the site. The development would therefore accord with the relevant policies of the development plan.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Develop in accordance with approved plans
- 2 Cycle parking

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
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Core Strategy (OCS)

- CS2_ - Previously developed and greenfield land
- CS18_ - Urban design, town character, historic environment
- CS22_ - Level of housing growth
- CS23_ - Mix of housing

Sites and Housing Plan – Submission (SHP)

- HP9_ - Design, Character and Context
- HP12_ - Indoor Space
- HP13_ - Outdoor Space
- HP14_ - Privacy and Daylight
- HP15_ - Residential cycle parking
- HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
Balance of Dwellings Supplementary Planning Document Jan 2008
Parking Standards, Transport Assessments and travel Plans Supplementary
Planning Document Feb 2007

Relevant Site History:

64/14569/A_H - Outline application for redevelopment by demolition of existing building and erection of three storey block of nine flats with lock-up garages. PER 25th March 1964.

03/02175/FUL - Demolish house, workshop and office. Erection of 2 storey building, plus rooms in roofspace, containing 9 flats (7x1 bed, 2x2 bed) fronting The Slade. Two storey building at rear containing 3 live/work units (ground floor B1 use, first floor 1-bed flat). Parking for 12 cars and 14 bicycles bin store (Amended plans). PER 19th April 2004.

Representations Received:

None

Statutory and Internal Consultees:

Highways Authority: Additional 3 car parking spaces required.

Thames Water Utilities Limited: No objections.

Issues:

Loss of live/work units

Balance of Dwellings

Design

Residential Amenity

Car Parking

Cycle Parking

Officers Assessment:

Site Description

1. The application site is located on the western side of The Slade to the rear of No. 69. The site comprises 3 live work units.

Proposal

2. The application is seeking retrospective permission for the change of use of the 3 live/work units to the rear of the site to 3 x 1-bed dwellings. This includes alterations to the front elevation of the building.
3. The application is before Members as the applicant is related to a member of staff.

Assessment

Loss of live/work units

4. Planning permission was granted in April 2004 for the redevelopment of the site which included 3 live/work units. A live-work unit combines a home with a non-domestic work space (such as a small workshop, studio or office) for the business use of the household. The site had previously been occupied by a single dwelling and workshop.
5. The live/work units were marketed in May 2007 but with no success. It was therefore decided that the upper floors would be let without the ground floor 'work' space attached. When the leases came up for renewal they were advertised again as live/work units but again to no avail. The 'work' space was then converted into 3 x 1 bed flats in early 2009.
6. It is clear from the marketing exercise undertaken that there is little

demand for such live work units. This may be due to their location where there is a greater demand for residential accommodation from the site's proximity to the hospitals and the need to accommodate health care professionals.

7. Given that it has been demonstrated that the live/work units have not proved marketable; there has been no uptake, their loss is considered acceptable, and there is no actual loss of employment land, then officers consider there is a good case for the three small residential units to remain in that use.

Balance of Dwellings

8. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDS) sets out the appropriate housing mixes for each Neighbourhood Area within the City.
9. The site lies within an amber area where 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 for new developments. For new residential developments of between 1 – 3 units, there should be no loss of an existing family dwelling.
10. The site comprises three 'work' areas related to live/work units therefore there is no loss of an existing family dwelling and as the proposal is for 3 or less units no specific mix of new housing is required.

Design

11. The alterations to the building are concentrated on the front elevation and involved bringing forward the ground floor façade wall. New doors have been installed to serve each unit along with full height glazing.
12. The alterations are considered acceptable in that they create an appropriate visual relationship with the existing building and the surrounding area in accordance with policy CS18 of the OCS, CP1 and CP8 of the OLP and HP9 of the SHP.

Residential Amenity

13. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation, with policy HP12 stipulating any single dwelling providing less than 39m² of floor space will not be granted permission. The proposed units are in excess of the required 39m² and are therefore in compliance with HS20 and HP12.

14. Policy HS20 of the OLP and HP13 of the SHP require new dwellings to have access to private amenity space which allows the people living there to enjoy fresh air and light in privacy. Each unit has a small area of amenity space to the front with the occupiers of the units at 69 The Slade and the units above having access to the area. Given this and the inability to provide any amenity space at the rear it is Officers opinion, on balance, that the small area of amenity space to the front of each unit can be accepted in the circumstances of the case

Car Parking

15. 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 standard for a 1 bed dwelling is 1 space. Therefore an additional 3 spaces should be provided.
16. The site has 12 off street car parking spaces for 15 units of accommodation (the original 12 plus the additional 3 the subject of this application). Through the management of the site it is evident that not all occupiers are car owners as the application site is located between the local centres of Cowley and Headington. The site is well served by bus services to these local centres and also the city centre and local shops and facilities can be easily accessed by walking and cycling. The Slade is a bus and cycle route between these urban centres, the John Radcliffe Hospital and Oxford Brookes University and is a pedestrian route between local residential estates, shops and facilities.
17. Given this it is Officers opinion that the proximity of local shops, services, and public transport an additional three car parking spaces will not be required.

Cycle Parking

18. 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. This is reiterated in policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
19. The additional three units would require 6 cycle spaces. The scheme approved under 03/02175/FUL approved 14 cycle spaces in a purpose built cycle and bin store. Given that no additional car parking spaces are being sought additional cycle parking spaces will be required or it will need to be demonstrated that the current cycle stores can accommodate an additional six spaces. This can be secured via a condition.

Conclusion:

20. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. Therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the change of use.

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: 25th September 2012

Appendix 1

12/01516/FUL Bella Court 69 The Slade



Scale : 1:1250



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Organisation	Not Set
Department	Not Set
Comments	
Date	26 September 2012
SLA Number	LA100019348

East Area Planning Committee

9th October 2012

Application Number: 12/01967/FUL

Decision Due by: 26th September 2012

Proposal: Erection of part single storey, part two storey, rear extension to existing dwelling and two storey side extension to create two-bed dwelling (class C3) with associated parking, amenity space and bin and cycle storage. (Amended documents)

Site Address: 10A Kelburne Road, **Appendix 1**

Ward: Littlemore Ward

Agent: N/A

Applicant: Mr Nadeem Khan

Application Called in – by Councillors – Tanner, Canning, McManners, Coulter and Lygos
for the following reasons – over development and insertion of an extra house as part of a semi-detached dwelling

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 Permission remains extant on the site for the two storey side and rear extension, and single storey rear extension. The conversion of the side extension to form a two bed unit is considered acceptable as it provides adequate internal and external space for the occupiers including provision for sufficient levels of off-street car parking.
- 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 Amenity no additional windows
- 7 Construction Travel Plan
- 8 Vision splays
- 9 Pedestrian vision splays
- 10 No water onto highway
- 11 Cycles and bins

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

Core Strategy (OCS)

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS22_** - Level of housing growth
- CS23_** - Mix of housing

Sites and Housing Plan – Submission (SHP)

- HP9_** - Design, Character and Context
- HP12_** - Indoor Space

HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
Balance of Dwellings Supplementary Planning Document Jan 2008
Parking Standards, Transport Assessments and travel Plans Supplementary
Planning Document Feb 2007

Relevant Site History:

61/11146/A_H - Private garage. PDV 12th June 1961.

86/00375/NF - Single storey rear extension to dining-room. PER 19th May 1986.

88/01143/NO - Demolition of 10A and 10B Kelburne Road. Outline application for residential development including new vehicular and pedestrian access from Kelburne Road (Amended Plans). DIS 15th June 1989.

05/01979/FUL - Demolition of 10A and 10B Kelburne Road. Erection of 3 storey building containing 16 dwellings (4x3, 6x2 and 6x1 flats). 15 parking spaces. WDN 18th November 2005.

06/01671/FUL - Demolition of 10A and 10B Kelburne Road. Residential development including 6x3 bed houses and 3 flats (2x2, 1x1 bed), 15 parking spaces. REF 22nd December 2006.

08/00824/FUL - Two storey side and rear extension, with single storey rear extension. PER 23rd July 2008.

10/00464/PDC - To temporarily remove the garage to create working space for activities such as construction of new drainage, excavation by excavator, removal of dug material, access for materials/concrete delivery and erection of scaffolding. WDN 24th May 2010.

Representations Received:

10 Kelburne Road: Access, amount of development on site, effect on adjoining properties, effect on character of area, effect on existing community facilities, effect on privacy, effect on traffic, general dislike for proposal, height of proposal, noise and disturbance, on street parking.

Statutory and Internal Consultees:

Thames Water Utilities Limited: No objections.

Oxford Civic Society: Over-exploitation of a corner site, dwellings themselves are acceptable, small area of parking space is too cramped, access very difficult,

amenity area too small.

Highways Authority: No objection subject to conditions.

Issues:

Balance of Dwellings
Residential Amenity
Highway Issues
Cycle Parking
Bin Stores
Sustainability

Officers Assessment:

Site Description

1. The application site comprises a semi detached residential property located on the bend of Kelburne Road. The property is finished in pebble dash render and interlocking roofing tiles.
2. The other half of the pair of semis (10B Kelburne Road) has also been extended with a two storey side and rear extension and a single storey rear extension.
3. It is stated in the supporting documentation that the property is licensed as a HMO. However as can be seen from the planning history planning permission has not been applied for a change of use from a dwelling to a HMO. Before the property can be used as a HMO planning permission will be required.

Proposal

4. Planning permission was granted in July 2008 under ref.: 08/00824/FUL for a two storey side and rear extension and a single storey rear extension. This permission was commenced in February 2010 by the construction of the single storey rear element. Therefore this permission remains extant. The extant permission is identical to that submitted as part of this current application. Therefore under consideration is the use of the extension as a separate unit of accommodation given the proposed extensions can be built without further permission.

Assessment

Balance of Dwellings

5. Policy CS23 of the OCS requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.

The Balance of Dwellings Supplementary Planning Document (BoDS) sets out the appropriate housing mixes for each Neighbourhood Area within the City.

6. The site lies within a red area where pressure is considerable, so the Council needs to safeguard family dwellings and achieve a higher proportion of new family dwellings as part of the mix for new developments. For new residential developments of between 1 – 3 units, there should be no loss of an existing family dwelling.
7. The application site is currently occupied by a two bed unit which is to remain therefore there is no loss of an existing family dwelling and as the proposal is for less than 3 units no specific mix of new housing is required.

Residential Amenity

8. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation. With policy HP12 stipulating any single dwelling providing less than 39m² of floor space will not be granted permission. The proposed two bed unit has a floor area of 111m² which is therefore in compliance with HS20 and HP12.
9. Policy HS20 of the OLP and HP13 of the SHP require new dwellings to have access to private amenity space. The existing garden is to be divided to provide private amenity space of the existing property and the proposed property. The resultant areas are considered to be adequate in size for each of the dwellings, with the proposed dwelling having a large area to the side/rear.

Highway Issues

10. 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 standard for a 2 bed dwelling is 2 spaces. A total of three car parking spaces are proposed for the existing (two bed) and proposed unit; one in the form of a garage which meets the Highway Authority size standards and two off street spaces to the front. The site is in a good location for access to shops, local schools and bus routes therefore the proposed level of car parking is considered acceptable.

Cycle Parking/Bin Stores

11. 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. This is reiterated in policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per

dwelling.

12. The application form states four cycle parking spaces are to be provided with the drawings indicating an area for cycles and bins. However no details have been provided. These can be requested via a condition.

Sustainability

13. As stated above the site is located within a sustainable location close to shops, local schools and bus routes. Energy efficient measures have been incorporated into the design in the form of solar panels.

Conclusion:

14. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. Therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

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:

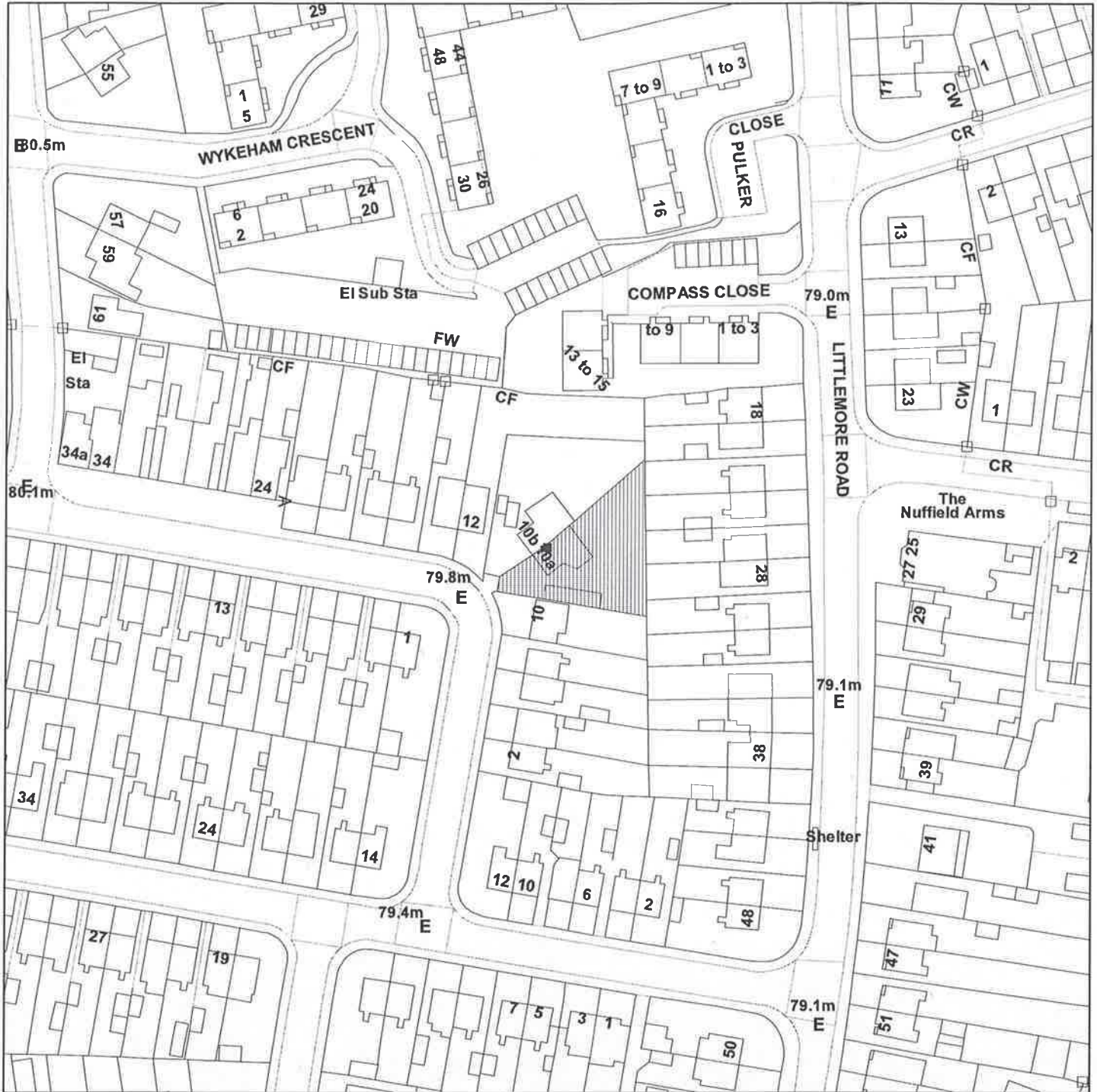
Contact Officer: Lisa Green

Extension: 2614

Date: 24th September 2012

Appendix 1

12/01967/FUL 10A Kelburne Road



Scale : 1:1250



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Ordnance Survey 100019348.

Organisation	Not Set
Department	Not Set
Comments	
Date	25 September 2012
SLA Number	LA100019348

East Area Planning Committee

9th October 2012

Application Number: 12/01643/FUL

Decision Due by: 28th August 2012

Proposal: Proposed removal of existing porch and erection of single storey extension with a dormer window.

Site Address: 1 Elsfield Road Oxford Oxfordshire OX3 0PR
(Site Plan – Appendix 1)

Ward: Marston Ward

Agent: The Anderson Orr Partnership **Applicant:** Mrs J Fletcher

Application Called in - by Councillors - Clarkson, Tanner, Clack, Price and Kennedy
- for the following reasons - impact on the Marston Village Conservation Area.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is considered to form an acceptable visual relationship with the existing building and Marston Village Conservation Area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. The effect on parking and trees is considered acceptable and any effect on other issues such as archaeological remains can be controlled by condition to ensure the development complies with Policies CP1, CP8, CP10, TR3, NE15, NE16, HE2, HE7 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.
- 2 Marston Parish Council has objected to the development, mainly based on the size and visual appearance of the extension. The issues raised are addressed in the officers' report. An adjacent occupier has also raised issues relating to the position of windows. This has led to the recommendation of a condition.
- 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 Deemed in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Amenity - no additional windows
- 5 Design - no additions to dwelling
- 6 Arch - Implementation of programme Old Marston Village,
- 7 Details excluded submit revised plans the north facing rooflights to the main extension,
- 8 Tree Protection Plan (TPP) 1

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs
- HE7** - Conservation Areas
- HS19** - Privacy & Amenity
- TR3** - Car Parking Standards

Core Strategy

- CS12_** - Biodiversity
- CS18_** - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the Marston Village Conservation Area.

Oxford City Council Planning Design Guide 5 – Rear Dormers
(Design Guide 5)

Relevant Site History:

84/00555/SON - Demolition of boundary wall to highway, single storey extension comprising bathroom and kitchen. PER 30th October 1984.

85/00377/PN - Erection of new porch.. PER 19th August 1985.

98/01047/CAT - Fell cypress tree in the Old Marston Conservation Area at Cross Cottage, 1 Elsfield Road, Marston, Oxford. ROB 8th October 1998.

06/00225/PDC - PERMITTED DEVELOPMENT CHECK - Proposed extension. WDN 5th May 2006.

06/01077/PDC - PERMITTED DEVELOPMENT CHECK - Part conversion of garage into office. PNR 15th June 2006.

11/02111/TPO - Fell Thuja tree referenced T.1 on the Oxford City Council - Elsfield Road (No.1) TPO, 1998.. REF 7th October 2011.

11/02997/FUL - Removal of existing porch and provision and erection of single and two storey side extension.. REF 19th January 2012.

12/00740/FUL - Removal of existing porch and erection of single storey side extension. Insertion of dormer window.. WDN 15th May 2012.

12/01643/FUL - Proposed removal of existing porch and erection of single storey extension with a dormer window.. PDE .

Representations Received:

Horsley Farm Stafford (on behalf of adjoining properties): No objection subject to amended position of roof windows.

2 Mill Lane: In support – will add to the supply of family homes in the area.

Statutory and Internal Consultees:

Marston Parish Council: Object – A 30% increase in the size of the property is too large and will spoil views of cottages and the street scene. The extension is too large on a row of cottages considered positive buildings and there is a failure to preserve or enhance special features.

Local Highway Authority: No objections.

Issues:

Design in a Conservation Area
Archeology
Effect on adjacent occupiers
Trees
Parking

Officers Assessment:

Site description

1. 1 Elsfield Road sits in a somewhat elevated position at the junction with Mill

Lane and Oxford Road. Although the site is bounded by mature planting in parts, the end wall and upper parts of the house are highly visible from the public domain. The house forms the end of a short terrace of stone cottages built in a vernacular style and running parallel to Mill Lane. Some relatively minor additions have been formed to houses in the terrace, but the original form and setting of the terrace in the conservation area are still clear.

Background and Proposal

2. Permission was refused under application 11/02997/FUL for a substantial two storey extension to the side of the house for the following reason:
3. *Due to its height, width, projection to the rear and overall bulk, coupled with its prominent position within the street scape and upon the terrace of properties upon which it sits, the proposed two storey extension would fail to create an appropriate visual relationship with the historic form and scale of the house and terrace on which it sits, materially alter the architectural design and historic interest of the property and remove or obscure features which are important to the character of the local area and would therefore fail to preserve or enhance the special character and appearance of the Marston Village Conservation Area, contrary to the aims of Policies CP1, CP8 and HE7 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the adopted Oxford Core Strategy 2026.*
4. After suggesting several alternative schemes, the current application seeks permission for a single storey side extension, a small dormer and a new bay window. These changes attempt to address the previous reason for refusal.

Design in a Conservation Area

5. Oxford City Council desires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8 and CS18 are key in this regard.
6. Policy HE7 of the OLP states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation area or its setting. Policy CS18 of the emerging Core Strategy requires that developments demonstrate high quality urban design that respects the unique townscape and character in different areas of Oxford.
7. The overview document for Marston Village Conservation Area notes that “the prevailing architectural character of the village is principally derived from the large number of small houses and cottages built in the local vernacular style”, and officers consider that 1 Elsfield Road is typical of this type of building. PPS5 states that local planning authorities should require applicants to provide a description of heritage assets that would be affected by proposed

development and their setting along with an assessment of the impact of the proposal.

8. The form and appearance of 1 Elsfield Road and the terrace of cottages on which it sits are considered important heritage assets that contribute substantially to the special character and setting of the Marston Village Conservation Area. The application includes a design and access statement that goes some way to describing the building and its setting but does little to assess the impact of the proposed development on the house or its setting.
9. The proposed side extension is now situated at the end of the terrace. A slight set back under the behind the existing side wall and the boundary wall softens the visual effect on the public domain whilst helping the extension to remain visually subservient. The height of the extension is also reduced and this reduces the effect on the existing roof slope facing Mill Lane, as well as reducing the expanse of new roof and overall bulk that would be visible from Elsfield Road and Mill Lane. The result is that whilst still large, the extension will appear as a subservient wing or range to the terrace and will read as a vernacular addition. This is considered an appropriate approach to a sensitive building and location.
10. The bay window will not be highly visible from the public domain, but is in any case considered an attractive addition to the house. The dormer window, whilst situated on the side roof, is considered acceptable, will have relatively little visual impact and is in keeping with the character of the house and area. The additions will not therefore appear out of place on the house or terrace and will preserve the special character and appearance of the Marston Village Conservation Area.
11. The chosen materials of natural stone and clay tiles will also reflect the existing buildings, whilst helping to ensure a high quality development in this highly visible location. On this basis, it is considered reasonable to require samples of the materials to be used, to ensure the development is successful in these aims and complies with the aims of policies CP1, CP8 and HE7 of the OLP and CS18 of the Core Strategy.

Archaeology

12. The National Planning Policy Framework states the effect of an application on a non-designated heritage asset should be taken into account when determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgment is required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate, local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (in whole or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generate) publicly accessible.
13. Policy HE2 of the Oxford Local Plan requires that where archaeological

deposits that are potentially significant to the historic environment are suspected to exist anywhere in Oxford, planning applications should incorporate sufficient information to define the character and extent of such deposits. Where the existence and significance of such deposits is confirmed, planning permission will only be granted where provision has been made for the preservation or investigation and recording of archaeological remains in accordance with an approved scheme.

14. The site is of interest because it lies within the historic core of Old Marston, on the frontage of a central road junction opposite the site of the medieval cross. The evolution of the hamlet is currently poorly understood, however recent work 60m to the north of the application site, on Mill Lane, has provided evidence for the laying out of plots fronting the road in the Norman period. A recent excavation behind the Bricklayers Arms, located 140m to the north east, produced evidence suggesting the contraction of the settlement in the 14th century. It is therefore considered likely that development of the site will reveal evidence of value to the understanding of the evolution of the area.
15. The application does not contain information sufficient to satisfy Policy HS2. No specific assets are recorded on the site, but it is considered appropriate that any grant of planning permission be subject to a condition requiring implementation of a programme of archaeological work in accordance with a written and approved scheme of architectural investigation to ensure the development complies with policy HE2 of the Oxford Local Plan. Such a scheme should take the form of a watching brief followed by further work if required. The work should be undertaken by a professionally qualified archaeologist working to a brief issued or approved by the Local Planning Authority.

Effect on Adjacent Occupiers

16. The Local Planning Authority requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1, CP10 and HS19 of the OLP support this aim. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
17. The proposal would be highly visible from the adjoining properties but the 45-degree guidance indicates that there is unlikely to be a material loss of light to adjacent properties. Officers consider that there would be no material loss of outlook or creation of an overbearing effect. The proposals would not lead to an increase in overlooking, but the north facing roof lights would have the potential to increase overlooking if a first floor level were to be added within the main extension. It is noted that a previous version of the proposals did contain a mezzanine floor and it is considered that the roof lights should be excluded from the scheme in their current position to ensure the development does not lead to an increase in overlooking in the future and continues to comply with policies CP1, CP10 and HS19 of the OLP.

Parking

18. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. Policy TR3 states that planning permission will only be granted for development that provides an appropriate level of car parking spaces no greater than the maximum car-parking standards shown in the plan's Appendix 3.
19. There would be no change to the parking situation at the property. An increase in bedrooms from 2 to 3 would not change the threshold in Appendix 3 of the OLP, the location is relatively sustainable and there are few on street pressures. The LHA has no objection and the situation is considered to comply with Policy TR3 of the OLP.

Trees

20. NE15 of the OLP states that permission will not be granted for development proposals which include the removal of trees that form part of a development site where this would have a significant adverse impact upon public amenity or ecological interest, whilst NE16 states that permission will not generally be given for proposals that involves major surgery to, or loss of protected trees.
21. The site contains a large cedar tree that is prominent in the street scene and is subject to a Tree Preservation Order. Officers consider that adequate protection of the tree during construction could be secured by condition. However there is some concern that reducing the size of the garden may result in pressure for this large tree to be removed. It is noted that the agent acting for the applicants has confirmed that this issue has been considered by the applicants and they are happy with the relationship between house, garden and tree that would result from the proposed development.
22. In any event, it is not considered that concerns about the future of the tree amount to a valid reason for refusal as the proposals comply with policies NE15 and NE16 of the Oxford Local Plan

Conclusion:

23. The development is considered to form an acceptable visual relationship with the existing building and Marston Village Conservation Area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. The effect on parking and trees is considered acceptable and any effect on other issues such as archaeological remains can be controlled by condition to ensure the development complies with Policies CP1, CP8, CP10, TR3, NE15, NE16, HE2, HE7 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 12/01643/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 24th September 2012

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Monthly Planning Appeals Performance Update – August 2012

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 31 August 2012, while Table B does the same for the current business plan year, ie. 1 April 2012 to 31 August 2012.

Table A. BV204 Rolling annual performance (to 31 August 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	(40%)	4 (57%)	10 (36%)
Dismissed	21	60%	3 (43%)	18 (64%)
<i>Total BV204 appeals</i>	35		7	28

Table B. BV204: Current Business plan year performance (1 April to 31 August 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	5	(42%)	1 (33%)	4 (44%)
Dismissed	7	58%	2 (67%)	5 (56%)
<i>Total BV204 appeals</i>	12		3	9

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 31 August 2012

	Appeals	Percentage performance
Allowed	17	(41 %)
Dismissed	24	59 %
All appeals decided	41	
Withdrawn	3	

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 August 2012.
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 August 2012. 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 1/8/12 and 31/8/12

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, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/00559/FUL	12/00021/REFUSE	DEL	REF	DIS	03/08/2012	HINKPK	28 Edith Road Oxford Oxfordshire OX1 4QA	Erection of single storey rear extension.
12/00580/FUL	12/00022/REFUSE	DEL	REF	ALW	21/08/2012	RHIFF	2 John Parker Close Oxford Oxfordshire OX4 4FG	Erection of single storey rear extension.

Total Decided: 2

Enforcement Appeals Decided Between 1/8/12 and 31/8/12

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, AWD - Appeal withdrawn, DIS - Dismissed

EN CASE NO.	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
12//0005/0/ENF	12/00009/ENFORC	DIS	15/08/2012	4 Netherwoods Road Oxford	QUARIS	Appeal against enforcement against alleged unauthorized use of part of extension (approved by planning permission 06/01148/FUL) as self contained dwelling

Total Decided: 1

TABLE E**Appeals Received Between 1/8/12 and 31/8/12**

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
11/03268/FUL	12/00028/REFUSE	DEL	REF	W	24 Milton Road Oxford Oxfordshire OX4 3EF	COWLYM	Erection of 2 bedroom house.
12/00435/FUL	12/00029/REFUSE	DEL	REF	W	7 Wentworth Road Oxford Oxfordshire OX2 7TG	SUMMTN	Erection of two storey building, providing garage on ground floor and self-contained flat on the first floor, to be used as accommodation ancillary to main dwelling
12/00821/FUL	12/00031/REFUSE	DEL	REF	W	54 William Street Oxford Oxfordshire OX3 0ER	MARST	Demolition of existing building. Erection of 1x4 bed dwelling
12/00876/FUL	12/00037/REFUSE	DELCOM	PER	W	241 Banbury Road Oxford Oxfordshire OX2 7HN	SUMMTN	New first floor rear 2 bedroom apartment with separate ground floor entrance
12/00914/FUL	12/00036/REFUSE	DEL	REF	W	1 Clive Road Oxford Oxfordshire OX4 3EJ	COWLEY	Two-storey, side extension and other alterations to create 2x1 bed flats with associated car parking, amenity space and refuse/cycle storage facilities (variation of scheme approved by application 11/02631/FUL)
12/00994/FUL	12/00032/REFUSE	DEL	REF	W	Store Adjacent 79 St Leonard's Road Oxford	HEAD	Demolition of garage/store building and erection of two storey house (3 bedroom).
12/01325/FUL	12/00030/REFUSE	DEL	REF	W	32 Cherwell Street Oxford Oxfordshire OX4 1BG	STCLEM	Change of use from C3 dwellinghouse to C4 house of multiple occupation
12/01437/FUL	12/00033/REFUSE	DEL	REF	H	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Erection of single storey side extension and single storey rear extension.

Enforcement Appeals Received Between 1/8/12 and 31/8/12

TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00193/ENF	12/00034/ENFORC	W	14 East Street Oxford Oxfordshire OX2 0AU	JEROSN	Alleged replacement of windows in Osney Article 4 area
12/00355/ENF	12/00035/ENFORC	W	8 Jersey Road Oxford Oxfordshire OX4 4RT	RHIFF	Alleged erection of single storey garden building without planning permission

Total Received: 2

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EAST AREA PLANNING COMMITTEE

Thursday 6 September 2012

COUNCILLORS PRESENT: Councillors Darke (Chair), Altaf-Khan, Clarkson, Coulter, Curran, Hollick, Lloyd-Shogbesan, Sinclair and Gotch.

OFFICERS PRESENT: Martin Armstrong (City Development), Murray Hancock (City Development), Angela Fettiplace (City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

42. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillor David Rundle (Councillor Michael Gotch attended as a substitute).

43. DECLARATIONS OF INTEREST

There were no declarations of interest.

44. TEMPLE COURT BUSINESS CENTRE, 107 OXFORD ROAD, OXFORD - 11/02960/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for a conversion of offices to form 6 flats (2x3 bed, 3x2 bed and 1x1 bed) and 1x3 bed house, gardens, car parking, cycle parking, refuse storage and landscaping.

The Committee noted that there was no one to speak for or against the application.

The Committee resolved to support the development in principle but DEFER the application in order to draw up a legal agreement in the terms outlined in the report, and delegate to officers the issuing of the notice of permission, subject to the conditions set out in the Planning Officer's report upon completion of the agreement.

45. HEADINGTON COMMUNITY CENTRE, 39 GLADSTONE ROAD - 12/01716/CT3

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application to create disabled access.

The Committee noted there was no one to speak for or against the application.

The Committee resolved to APPROVE the application subject to the three conditions listed in the Planning Officer's report.

46. 1- 30 BRADLANDS, MILL LANE, OXFORD - 12/01116/CT3

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the demolition of existing buildings. Erection of 3 storey sheltered accommodation comprising 49 flats with ancillary communal space and facilities

In accordance with the criteria for public speaking, the Committee noted that James Lawrie spoke against the application.

The Committee considered all submissions both written and oral and resolved to support the proposal in principle but DEFER the application in order to receive a Unilateral Undertaking. To delegate to officers the issuing of the notice of planning permission, subject to the 14 conditions (listed in the Planning Officer's report), an additional condition for a Construction Management Plan and an informative on additional car parking if the need arises in the future upon its receipt.

47. THE STABLES, NORTH PLACE -12/01606/CAC & 12/01605/CT3

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application to:

- (1) Grant Conservation Area Consent to demolish an outbuilding and lean-to
- (2) Convert Bury Knowle Stables and Barn to 3 x 2-bed dwellings. Provision of car parking, bin and cycle storage demolish an outbuilding and lean-to.

In accordance with the criteria for public speaking, the Committee noted that Mark Pitt spoke against the application.

The Committee considered all submissions both oral and written and resolved to GRANT Conservation Area Consent and APPROVE the planning application subject to the 14 conditions listed in the Planning Officer's report.

The Committee expanded on the requirements for the following conditions:
Condition 4 Further details of all doors, windows, and roof lights - to include having roof lights rather than windows in the bathrooms proposed in the two dwellings in the old barn.

Condition 7 Details of means of enclosure - the steel estate fencing should be the amenity type of steel fencing rather than the security type.

Condition 10 Biodiversity Mitigation Measure - to include bat boxes

Condition 12 Details of Parking Area - to consider a safer and easier access way.

48. 13 FAIR VIEW- 12/01622/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a change of use of a single family dwelling (use class C3) to dwelling used as House in Multiple Occupation (use class C4).

In accordance with the criteria for public speaking, the Committee noted that Paul Gardiner spoke against the application and James Schumann spoke for the application.

The Committee considered all submissions both oral and written and resolved to APPROVE the application subject to the three conditions listed in the Planning Officer's report.

49. 33 DENE ROAD, OXFORD - 12/00815/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of a single storey 1 bedroom dwelling and 1 x car parking space accessed from Town Furze (retrospective) (amendment to 07/02540/FUL)

In accordance with the criteria for public speaking, the Committee noted that Huw Mellor and Douglas Higginson spoke in favour of the application.

The Committee considered all submissions both oral and written and resolved to APPROVE the application subject to the 12 conditions listed in the Planning Officer's report.

50. 101 BULAN ROAD - 12/01954/FUL

The Head of City Development has submitted a report (previously circulated, now appended) which detailed a planning application for the erection of a two storey rear extension

The Committee noted there was no one to speak for or against the application.

The Committee resolved to APPROVE the application subject to the nine conditions listed in the Planning Officer's report.

51. JOHN RADCLIFFE HOSPITAL, HEADLEY WAY- 12/01779/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application to erect a single storey extension to the main hospital entrance to provide a new reception area and support facilities plus 4 ancillary retail units, cafe, reconfigured vehicular and parking arrangements.

The Committee noted there was no one to speak for or against the application.

The Committee resolved to APPROVE the application subject to the 12 conditions listed in the Planning Officer's report.

The Committee expanded on the requirements for the following conditions: Conditions 4 Landscaping Plan and 11 SUDS/Drainage - need to maximise tree planting opportunities.

52. 57 WILKINS ROAD- 12/01727/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of a detached single storey garden building to rear.

The Committee noted there was no one to speak for or against the application.

The Committee resolved to APPROVE the application subject to the four conditions listed in the Planning Officer's report and an additional condition to prohibit permitted development rights related to further garden buildings only.

53. 7 MOODY ROAD - 12/01734/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a change of use of a single family dwelling (use class C3) to dwelling used as House in Multiple Occupation (use class C4).

In accordance with the criteria for public speaking, the Committee noted that Councillor Mick Haines spoke against the application.

The Committee considered all submissions both oral and written and resolved to APPROVE the application subject to the five conditions listed in the Planning Officer's report and an additional condition requiring the garage to be used for bin storage.

54. 23 OUTRAM ROAD 12/01135/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of two storey side and rear extension (Amended Plans).

The Committee noted there was no one to speak for or against the application.

The Committee considered all written submissions and resolved to APPROVE the application subject to the conditions listed in the report.

55. 34 RYMERS LANE- 12-01931-FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of single storey rear extension.

The Committee noted there was no one to speak for or against the application.

The Committee considered all written submissions and resolved to APPROVE the application subject to the three conditions listed in the Planning Officer's report and an additional condition removing permitted development rights for additional windows in the side elevations.

56. RECEIPT AND EXPENDITURE OF DEVELOPER CONTRIBUTIONS

The Head of City Development submitted a report (previously circulated, now appended) that summarises the receipt and expenditure of developer contributions in the last financial year (11/12)

The Committee resolved to NOTE the receipt and expenditure of developer contributions in the last financial year (2011/12) and the proposed expenditure of developer contributions for 2012/13 plus future years.

57. FORTHCOMING PLANNING APPLICATIONS

The Committee resolved to NOTE the list of forthcoming planning applications.

58. MINUTES

The Chair alerted the committee that a member of the public had queried the accuracy of the committee minute 37 Conservation Area Appraisal

“The Committee agreed to endorse the Headington Hill Conservation Area Appraisal subject to the Chair convening a meeting between all interested stakeholders to further discuss the proposed appraisal.”

The query was whether the Committee had actually endorsed the appraisal; however the Chair recollection was that although there had been discussion over whether to use the word ‘endorse’ or not, the Committee had voted to endorse the appraisal and that the minute was a true and accurate record.

The Committee resolved to NOTE the minutes of 14 August 2012

59. PLANNING APPEALS JULY 2012

The Committee NOTED the planning appeals for July 2012.

60. DATES OF FUTURE MEETINGS

The Committee NOTED that the date of the next meeting was Tuesday 9 October 2012.

The meeting started at 6.00 pm and ended at 8.45 pm

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