

Agenda

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East Area Planning Committee

Date: **Tuesday 4 December 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 01865252402 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 ROYAL MAIL, BEAUMONT HOUSE, SANDY LANE WEST:
12/02219/FUL**

1 - 12

The Head of City Development has submitted a report which details a planning application for a change of use from class B1 (office) to class D1 (radiotherapy centre). Enclosure of existing external staircase and new reception/lobby area.

Officer recommendation: The Committee to APPROVE the planning application subject to the conditions listed in the report.

4 HAWKWELL HOUSE HOTEL, CHURCH WAY 11/03107/FUL

13 - 24

The Head of City Development has submitted a report which details a planning application for the refurbishment of hotel by: (i) conversion of conference room to additional 11 bedrooms; (ii) extension to dining room by infilling courtyard and fitting new glazed roof; (iii) re-laying and extending service road and parking area; (iv) excavation and construction of gabion cage, retaining structure and walkways; and (v) fitting of patio doors and external screens. (Amended plans)

Officer recommendation: The Committee is recommended to support the development in principle but defer the application in order to vary the legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions on its completion.

5 18 COWLEY ROAD: 12/02285/FUL

25 - 38

The Head of City Development has submitted a report which details a planning application for the conversion of an existing restaurant to provide an additional 1x2 bed flat, erection of a 1x2 bed dwelling and 1x3 bed dwelling [sall Use Class C3] with associated parking (amended plans) (Amended plans)

Officer recommendation: The Committee to APPROVE the planning application subject to the conditions listed in the report.

6	109A & 109B LIME WALK: 12/02531/FUL	39 - 48
	<p>The Head of City Development has submitted a report which details a planning application for the conversion of existing 1x1 bedroom and 1x2 bedroom dwelling in to 2x3 bedroom dwellings [use Class C3] following alterations to the front fenestration and a 2 storey extension to side and rear</p> <p><u>Officer recommendation:</u> The Committee to APPROVE the planning application subject to the conditions listed in the report.</p>	
7	110 OLIVER ROAD:12/01990/FUL	49 - 58
	<p>The Head of City Development has submitted a report which details a planning application for the erection of 2 x 2 bedroom dwellings (Class C3) to the rear of the existing property with associated parking for the existing and proposed dwellings. (Amended plans)</p> <p><u>Officer recommendation:</u> The Committee to APPROVE the planning application subject to the conditions listed in the report.</p>	
8	9 RUPERT ROAD: 12/02488/FUL	59 - 66
	<p>The Head of City Development has submitted a report which details a planning application for the erection of part single storey and part two storey rear extension and single storey side extension.</p> <p><u>Officer recommendation:</u> The Committee to APPROVE the planning application subject to the conditions listed in the report.</p>	
9	PLANNING APPEALS	67 - 70
	<p>To receive information on planning appeals received and determined during October 2012</p> <p>The Committee is asked to note this information.</p>	
10	MINUTES	71 - 76
	<p>Minutes of the meeting held on 6 November 2012.</p> <p>The Committee to note the minutes of the meeting held on 6 November 2012 as a true and accurate record.</p>	
11	FORTHCOMING PLANNING APPLICATIONS	
	<p>The Committee is to note the list of forthcoming planning applications:</p>	

12/01106/FUL – Cotuit Hall, Pullens Lane - Erection of 3 new buildings on 3 floors plus basement to provide teaching, residential and ancillary accommodation, together with underground common room to frontage. Refurbishment of existing Marcus and Brewer buildings, including alteration to existing elevations. Provision of new pedestrian footpath from Pullens Lane.

12/01107/CAC – Cotuit Hall, Pullens Lane - Demolition of existing upper and middle blocks of accommodation.

12/02072/OUT - University of Oxford Old Road Campus, Roosevelt Drive - Demolition of existing buildings on application site. Outline planning application (fixing details of access) for the erection of 48,000sqm of class D1 research floorspace and ancillary facilities on 2 to 5 storeys over 5 building plots as an extension to University of Oxford Old Road Campus. Provision of 459 car parking spaces, cycle parking, hard and soft landscaping and boundary treatment.

12/02622/CT3 & 12/02623/CT3 – Parks Depot, Bury Knowle Park - Erection of 5 x 3-bed, 3 x 2-bed and 2 x 1-bed flats (use class C3) arranged around central courtyard together with cycle and bin store and Conservation Area Consent for demolition of brick shed and former mess building.

12/02848/OUT - Land North Of Littlemore Healthcare Trust, Sandford Road - Outline application (fixing access) for up to 140 residential units together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space.

12/02653/FUL – 18 Sandfield Road - Demolition of existing dwelling house. Erection of 2 x semi-detached dwelling houses (Class C3), provision of car parking and landscaping. (Additional Information)

12/02519/FUL – 1 Liddell Road - Erection of part single and part two storey extension and alterations to dwelling to retain existing house and create 2 x 1 bedroom dwellings. (Amended plans)

12/02503/FUL – 16 Jessops Close - Subdivision of dwellinghouse to create 1 x 4-bed dwellinghouse and 1 x 1-bed flat. Provision of car parking and bin and cycle stores (retrospective).

12/02698/FUL - 59 Littlemore Road - Erection of single storey side and rear extension. Subdivision of dwelling house to form 3 self-contained flats (Class C3).

12 DATES OF FUTURE MEETINGS

The Committee is to note the following future meeting dates:

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

4th December 2012

Application Number: 12/02219/FUL

Decision Due by: 5th December 2012

Proposal: Change of use from class B1 (office) to class D1 (radiotherapy centre). Enclosure of existing external staircase and new reception/lobby area.

Site Address: Royal Mail, Beaumont House Sandy Lane West, Oxford –
Appendix A of report to 6th November 2012 Committee

Ward: Littlemore Ward

Agent: CSM Architects

Applicant: Cancer Partners UK Ltd

The application was deferred by East Area Planning Committee at its meeting of 6th November 2012 to allow officers to investigate and respond to concerns raised by Members in relation to the impact of the proposals on the highway network.

Recommendation: See Appendix A

Background

- 1 This planning application was considered by East Area Planning Committee on 6th November 2012 following a recommendation by officers to approve the application subject to conditions (Appendix A to this report contains the associated Committee report). The Committee, however, resolved to defer the application due to concerns expressed about the impact of the proposal on highway safety. The deferral was to allow officers the opportunity to investigate and respond to Members' concerns in this regard. Officers have since consulted further with the Highway Authority and it has responded accordingly.

Highway Implications

- 2 The application site is located at the entrance to an existing business park accessed from Sandy Lane West and lies only about 50m from the junction to the A4142 Eastern Bypass. The site therefore enjoys excellent access by road.
- 3 Appendix 3 of the Local Plan sets out maximum car parking standards in new development which varies according to the type of use proposed as well as the proposed location within the City. A cancer treatment centre falls within Use Class D1 (a medical centre/clinic) and the Local Plan requires a maximum

of 32 car parking spaces for such a development. However a total of 48 designated off-street car parking spaces are available to serve the building such that the Local Plan requirement is comfortably exceeded.

- 4 Whilst the Council would normally seek to limit car parking provision so as to encourage travel by more sustainable transport modes, in this case officers consider it unwise on two grounds: firstly, many of those visiting the building would be patients with medical conditions such that it would not be appropriate or realistic to expect them to travel by other means; and, secondly, the continued provision of a greater level of designated off-street parking will help the building to be an attractive proposition for a return to a business use in the future when/if the use of the building as a cancer treatment centre ceases.
- 5 The proposal will result in a number of patient, staff and servicing/delivery trips per day. It is expected that there will be between 30 and 45 patient trips per day, 10 to 15 staff trips per day and 7 to 8 servicing and delivery trips per day. A catchment area of 40 minutes' drive time is anticipated. In comparison, the number of trips likely to result from use of the building as an office (its current lawful use) is approximately 183 per day based on survey information provided by the Highway Authority. Consequently the change of use of the building is likely to result in approximately one-third of the vehicular movements than would be expected if it returned to its lawful office use such that, based on the total volume of traffic generated, it would not be reasonable to conclude that the proposal would adversely affect highway safety.
- 6 Further to the above, officers consider it relevant to point out that with respect to the proposed use, the associated vehicular movements are likely to be fairly consistent throughout the day from approximately 7am to 6pm as patients would arrive during the day and stay for 2-3 hours. This would represent an improvement over that likely to occur if the building were to be used as an office where the traffic movements would occur mainly in the peak hour periods from 8am to 9am and 5pm to 6pm which would prove more disruptive to existing businesses as well as children on their way to nearby schools.
- 7 Additionally officers would highlight the cycle parking facilities that are proposed as part of the scheme which are considered to be at an acceptable level for the use proposed and, in any event, represent an improvement over that currently provided. Furthermore it is proposed to impose a condition requiring the applicant to submit a Travel Plan prior to the occupation of the building setting out measures to achieve sustainable staff travel.
- 8 As a consequence of that set out above officers have no concerns whatsoever about the impact of the proposed use on the safety and functioning of the highway network and in this respect concur with the views of Highway Officers at the County Council who additionally raised no concerns.

Impact on Oxford University Hospitals NHS Trust (OUH)

- 9 Following the publication of the agenda for the previous Committee meeting a late objection was received from OUH and Members were verbally updated of this representation at Committee. For the purposes of clarity and completeness the concerns raised by OUH can be summarised as follows:
- The opening of a private radiotherapy treatment centre employing about 18 staff will result in the 'poaching' of staff from the Churchill Hospital to the detriment of patient care across Oxfordshire particularly in light of the national shortage of radiographers;
 - The level of care proposed to be provided is suboptimal as there is no 24 hour back-up such that, in cases of emergency, the NHS will be relied upon if patients suffer side effects or serious complications;
 - There is an inadequate provision of radiotherapy treatment machines which, in the case of breakdown, could have consequences for the health and treatment of patients; and
 - The development is unnecessary as the Churchill has a modern and comprehensive cancer treatment facility which opened in 2009. The viability of the new centre would be questionable given that only 5 of the 25 consultant oncologists at the Churchill Hospital Cancer Centre undertake private work with the majority of these not being interested in working at the proposed centre.
- 10 In response to this objection officers feel it important to stress to Members that competition between organisations (whether public or private) is not a material planning consideration and Government guidance is very clear on this matter. Officers therefore strongly recommend that Committee does not have regard to this issue in coming to a decision on this application.
- 11 Officers would also point out in response to this objection that the health and safety requirements of a private clinic and the standard of care it provides for its patients are not planning issues for Committee to consider given that such standards are assessed and regulated by the Care Quality Commission. Members should not therefore afford weight to this point of objection in their consideration of the application.
- 12 Finally, the point indirectly made about poached staff also extended to the issue of the potential loss of employment that is covered in the original report at Appendix A below. Whereas it may be considered that there would be no substitute employment if permission were granted because of the alleged poaching of staff it would not be possible to substantiate this concern in the event of an appeal.

Conclusion

- 13 Following deferral of the application, officers continue to have no concerns with respect to the impact of the proposed development on the safety and functioning of the local highway network. In addition the concerns raised by the NHS Trust cannot be afforded any weight in the determination of the application as they do not amount to material planning considerations as set out in long established Government guidance. As a consequence Committee is again recommended to approve the application subject to the conditions suggested at the beginning of this updated report.

EAST AREA PLANNING COMMITTEE

6th November 2012

Application Number: 12/02219/FUL

Decision Due by: 5th December 2012

Proposal: Change of use from class B1 (office) to class D1 (radiotherapy centre). Enclosure of existing external staircase and new reception/lobby area.

Site Address: Royal Mail, Beaumont House Sandy Lane West, Oxford –
Appendix 1

Ward: Littlemore Ward

Agent: CSM Architects

Applicant: Cancer Partners UK Ltd

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed change of use to a radiotherapy centre is, whilst away from the office/industrial uses protected by development plan policy in this key employment site, considered to bring a long-vacant office building back into an, albeit less intensive, employment generating use that would help support one of Oxford's key employment sectors. The proposed use is also considered to be commensurate with surrounding office and industrial uses in terms of noise, traffic and general disturbance and is adequately catered for in terms of car and cycle parking facilities as well as refuse storage provision. The proposals are therefore considered to accord with policies CP1, CP6, CP8, CP9, CP10, TR3 and TR4 of the Oxford Local Plan 2001-2016 as well as policies CS18, CS27 and CS28 of the Oxford Core Strategy 2026.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials to match
- 4 Exclusion of other uses within Use Class D1
- 5 Car/Cycle parking and manoeuvring areas to be laid out prior to commencement of the new use and retained as such thereafter
- 6 Refuse storage areas to be laid out prior to commencement of the new use and retained as such thereafter
- 7 Minimum of 12 cycle parking spaces to be provided at all times to cater for staff and visitors in the location shown on plan no. 4208/07A

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Developmnt to Meet Functionl Needs
- HS19** - Privacy and Amenity
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities

Core Strategy

- CS18** - Urb design, town character, historic env
- CS28** - Employment sites
- CS27** - Sustainable economy

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

97/00444/NF - Single storey extension to reception area – Permitted 02.05.1997

07/00164/FUL - Replacement entrance lobby – Permitted 13.04.2007

Representations Received:

None

Statutory and Internal Consultees:

Littlemore Parish Council – No objection provided sufficient car parking is proposed to prevent parking in nearby residential areas.

Thames Water Plc – No objection

Environment Agency – No objection

Highway Authority – No objection subject to conditions including the requirement for a Travel Plan to be submitted and agreed prior to commencement of the proposed use.

Officers' Assessment:

Site and Locality

1. The application site comprises an existing office building that was, until 2004, occupied by Royal Mail for some of its administrative functions. The building provides 1,311 sq m of floorspace over two floors and is supported by a relatively significant car park which forms part of the application site. The building is located at the entrance to the East Point Business Park, sited just off the A4142 ring road. The business park is comprised of predominantly office and light industrial operations. The application site can be seen in its context by viewing the site location plan appended to this report.

The Proposed Development

2. The application seeks consent for the change of use of the building from its current B1 (office) use to a radiotherapy centre within use class D1. The facility is proposed to employ 12 full-time and 4-6 part-time radiotherapy, chemotherapy, scanning and support staff though consultants will also use the facility to see patients throughout the day. The operating hours of the Centre are proposed to be between 8.30am and 6.30pm on weekdays and 9am to 1pm on Saturdays. The application also proposes a number of very minor external works including encasing an existing external stair in rendered walls and a standing seam metal roof. The front entrance lobby is also proposed to be demolished and replaced with a structure that is broadly the same.

3. Officers consider the principal determining issues affecting this application to be:

- The principle of the change of use;
- Acceptability of the new use within its context; and
- Highway implications.

Change of Use

4. The last and indeed lawful use of the application building was for office (B1 use class) purposes to support the Royal Mail's wider functions. Indeed it is, both in terms of external appearance and internal layout, set up as an office building. The building is located within East Point Business Park which is, through policy CS28 of the Core

Strategy, designated as a key protected employment site. Policy CS28 states that planning permission will not be granted for development that results in the loss of key protected employment sites unless either of the following can be demonstrated:

- Overriding evidence is produced to show the operation of the premises is presently or has caused significant nuisance or environmental problems;
- Or**
- No future occupiers can be found despite substantial evidence to show the premises/site has been marked both for its present use or alternative employment generating uses; **and**
 - The loss of jobs would not reduce the diversity and availability of job opportunities or small start-up business premises.

5. The supporting text to policy CS28 of the Core Strategy refers to employment sites as those in Class B uses (i.e. offices, industrial or warehousing) or closely related sui generis uses only (i.e. transport operators, builders yards etc).

6. It is clear therefore that the proposals, for a radiotherapy centre in Class D1 use, will result in a loss of a Class B use within a protected employment site and policy CS28 dictates that such a proposal be refused unless material considerations indicate otherwise.

7. However, it is clear from evidence submitted with the application and from anecdotal knowledge of the site that the building has been vacant since 2004 despite extensive marketing by at least two different estate agency firms. This is a significant period of time therefore that the building has not been contributing towards job provision within the City.

8. Officers recognise that the use of the building as a radiotherapy centre and the subsequent requirements for floorspace per consultancy room, the necessary changing/rest/waiting rooms as well as the significant plant requirements for such a facility mean that it will provide not nearly the level of employment that the average office use would allow. However, given that, at present, the building is contributing nothing towards job provision/retention within the City and that there seems to be no realistic prospect of an office use being found for the building in the short-medium term, officers are content that the requirements of policy CS28 of the Core Strategy have been met.

9. Officers would also point out that policy CS27 of the Core Strategy states that the Council will support Oxford's key employment sectors and clusters and permit proposals that seek to achieve managed economic growth. Such key employment sectors/clusters are referred to in the supporting text to the policy as including the universities, hospitals and the medical/scientific research industry. The proposals are therefore considered to not only bring an employment generating use to a long-vacant office building but also help support and contribute to one of Oxford's key existing strengths – the medical/scientific research sector. Such benefits are considered to override the default planning policy objection to the change use away from Class B uses within a key protected employment site.

10. Officers do however recommend a condition be imposed restricting the use of the

site to a radiotherapy centre only. This will prevent the long-term loss of the building from a Class B employment generating use in the event that the proposed radiotherapy centre vacates the building in the future. This will prevent other potential operations within Class D1 occupying the building without planning consent. This would allow the proposals to be considered against the policies of the development plan at that time.

Acceptability of Proposed Use

11. The use of the building as a radiotherapy centre is considered to be very unlikely to give rise to any material increase in noise, disturbance, traffic generation or other environmental effect over and above that which would be expected of a typical office or industrial premises. As a consequence, the use is considered to be commensurate with the nature of other existing uses within the business park and would not, in any way, prejudice the future functioning or desirability of the protected employment site. In addition, given the building's location within an existing business park, it is separated from residential properties such that no material harm will occur to amenity enjoyed by occupiers of any dwellings.

Highway Implications

12. As already discussed above, the proposed use is unlikely to result in a greater overall demand for car parking than the more employee intensive office use for which it is currently authorised. However, as the Centre would involve numerous visits from GPs, nurses, visitors etc throughout the day, the overall level of comings and goings outside the peak commuting hours may be higher. Policy TR3 of the Local Plan requires, for medical clinics of the size proposed, parking provision for 32 cars. This is comfortably exceeded by the 46 currently available spaces and, as part of the proposals to demolish one of the external stairs, this will create an additional two spaces to give a total of 48. Officers are therefore satisfied that the proposals will not result in an increase in indiscriminate on-street parking in the surrounding area.

13. Policy TR4 of the Local Plan requires a minimum of 22 covered and secure parking spaces for a development of the type proposed. However in this case, given the health of many of the patients coming to the radiotherapy centre, such provision is likely to be excessive as most will arrive by car and be dropped off outside the building. A dedicated 'drop off' lay-by is proposed. Visiting doctors, nurses are also unlikely to arrive by bicycle though regular staff should be encouraged to cycle to work. Consequently a condition is recommended on the permission that a minimum of 12 covered and secure parking spaces are required at any time. Such a figure is considered to be not only realistic in the context of the operation proposed but will also prevent the loss of parking spaces to cater for an unnecessarily high provision of cycle storage facilities. A Travel Plan is also recommended to be required by condition prior to commencement of the new Radiotherapy Centre use in the interests of encouraging sustainable travel. This would need to demonstrate that cycling and public transport trips will be encouraged for staff and, where relevant, other visiting professionals. This could also include car-sharing trips given the nature of the use and its likely catchment area.

14. Consequently the level of car and cycle parking provision is considered appropriate for the use proposed with the scheme unlikely to result in a material increase in traffic generation over and above that which would occur if the building

were to be lawfully used as an office once again.

Conclusion:

15. For the reasons given above the East Area Planning Committee is recommended to approve the application subject to the conditions suggested at the beginning of this report.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 97/00444/NF, 07/00164/FUL & 12/02219/FUL

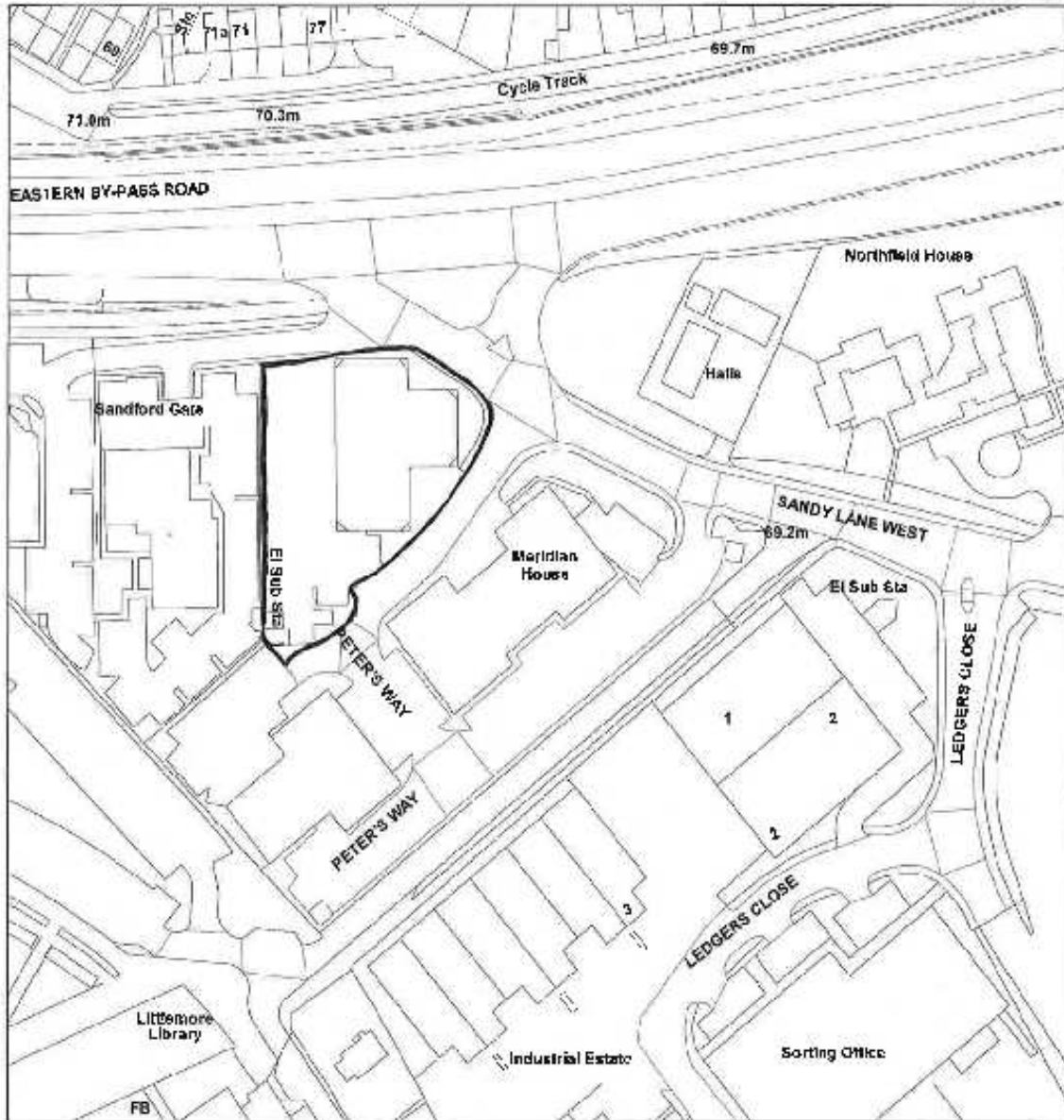
Contact Officer: Matthew Parry

Extension: 2160

Date: 25th October 2012

Appendix 1

Beaumont House, East Point Business Park



Scale : 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	12/02219/PUL
Date	23 October 2012
SLA Number	Not Set

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East Area Planning Committee

4th December 2012

Application Number: 11/03107/FUL

Decision Due by: 25th April 2012

Proposal: Refurbishment of hotel by: (i) conversion of conference room to additional 11 bedrooms; (ii) extension to dining room by infilling courtyard and fitting new glazed roof; (iii) re-laying and extending service road and parking area; (iv) excavation and construction of gabion cage, retaining structure and walkways; and (v) fitting of patio doors and external screens. (Amended plans)

Site Address: Hawkwell House Hotel, Church Way, Oxford (**site plan: appendix 1**)

Ward: Rose Hill and Iffley Ward

Agent: Paul Bowley

Applicant: Hawkwell House Hotel

Recommendation:

The East Area Planning Committee is recommended to support the development in principle but defer the application in order to vary the legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions on its completion:

- 1 That the proposed development would make an efficient use of previously developed land in order to reorganise the layout of the hotel in order to meet its needs. The works would help maintain the existing stock of tourist accommodation in an appropriate location and would not create any issues in terms of access, parking, highway safety, traffic generation or noise and disturbance for local residents. The proposed works would create an appropriate visual relationship with the existing building and the special character and appearance of the Iffley Village Conservation Area. The proposed works have also been designed in a manner that would not have an adverse impact upon the protected trees within the hotel grounds. As a result the proposal would accord with the aims of the National Planning Policy Framework and the relevant policies of the Oxford Core Strategy 2026 and the 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:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Landscape plan required
- 5 Landscape carry out by completion
- 6 Landscape hard surface design - tree roots
- 7 Landscape underground services - tree roots
- 8 Tree Protection Plan (TPP) 1
- 9 Arboricultural Method Statement (AMS) 1
- 10 Details of parking and service road
- 11 Details of Cycle Parking
- 12 Construction Traffic Management Plan
- 13 Restriction on the number of guest bedrooms

Legal Agreement

- Deed of variation to remove the restriction on the number of guest bedrooms at the hotel

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- TA4** - Tourist Accommodation
- HE7** - Conservation Areas

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS32_** - Sustainable tourism

Other Material Considerations:

National Planning Policy Framework

This application is within the Iffley Village Conservation Area.

Relevant Site History:

The site has an extensive planning history. The decisions of most relevance to the application are as follows:

62/12583/A H - Outline application for extension to hotel to form additional bedrooms, public rooms and bathrooms: Approved

82/00867/NFH - Erection of a detached two-storey building for an additional 16 bedrooms and associated car park, breakfast room extension to existing hotel, erection of new wall and gates adjoining existing car park: Approved

88/00953/NFH - Erection of ground and first floor extensions to provide dining-room, bar and additional bedrooms (Amended Plans): Approved

97/01001/NFH - Retention of visitors car park for a temporary period of 1 year while existing car park is used for storage / site huts associated with construction of approved hotel extension: Approved

03/00686/VAR - Use of Hawkwell Annex as guest accommodation and increase in guest rooms from 50 to 66 (Deletion of conditions 12 and 14 of planning permission NFH/876/90) (Including tree work and alterations to landscaping): Approved

Representations Received:

No third party comments have been received.

Statutory and Internal Consultees:Oxfordshire County Council Highways Authority:

The level of off-street parking provision is acceptable to cater for the increased accommodation at this Hotel.

Oxford Civic Society:

- Letter dated 10/01/2011

The proposal would result in a near 80% increase in residential accommodation, and proposed expansion of the dining room evidently anticipates increased numbers of visiting diners. Only 4 additional car parking spaces are proposed and there is no evidence of consideration of the effects of increased traffic generated by expansion of the hotel. The location is unlikely to mean that visitors use public transport. Church Way is a narrow cul-de-sac, of extended length, serving many properties.

The application should be refused at least pending demonstration that the already difficult conditions of parking and traffic in Church Way and the environs will not be adversely affected.

- Letter dated 26/03/2012

We commented on this application in an earlier letter in January. No changes had

been made and we still feel that the proposals are far too ambitious to be accommodated in this restricted site in a pleasant small village, without causing wholly unacceptable disruption, particularly in enormously increasing road traffic. The hotel is charming as it is and should not be enlarged.

Friends of Iffley

- The hotel is in a dominant position at the entrance to our village and is an important feature of our Conservation Area (see the Iffley Village Conservation Area Appraisal 2009).
- We recognise the need for good hotel accommodation within easy reach of Oxford city centre and we welcome some of the facilities that such an establishment can bring to our village. With the long history of application for expansion of this property, we are also very conscious of our role in balancing the commercial needs with our duty to preserve the character of our Conservation Area.
- We have no objection to the current application with regard to creating 11 new bedrooms by converting an unsatisfactory conference room and a laundry area to hotel bedrooms, since this will not increase the buildings footprint, nor will it damage the external appearance.
- We also have no objection to the plans to enhance the dining area by incorporating the courtyard and renewing the glazed roof. This promises to improve the dining experience and may result in greater use by non-residential customers, which we would wish to encourage.
- We are however concerned by the possible transport implications. The Transport Statement, dated 28th February, makes no reference to car parking needs resulting from non-residential use.
- Over the years there have been serious problems when overflow parking from the hotel into Church Way has threatened access for emergency vehicles to the village as well as inconveniencing local residents.
- We would not want to see the plans to improve this hotel jeopardised by unsatisfactory transport arrangements.
- A transport plan should address not only the number of parking spaces, but also the impact on the local area of the much increased traffic flow in narrow Church Way.
- To avoid over-use of the access road, and to prevent anti-social parking around the village, we would like to see a Transport Plan adopted which would use mini-buses to shuttle visitors from the nearby Park&Ride or Rail station of high demand.

Officers Assessment:

Site Location and Description:

1. The site lies on the southern side of Church Way within Iffley Village (**site plan: appendix 1**). The site is within the Iffley Village Conservation Area.
2. The site comprises a Victorian building which is currently in use as the 66 bedroom Hawkwell House hotel set within large grounds. There are a number of outbuildings within the site, and a parking area which is accessed from Church Way.

Proposal

3. The proposal is seeking planning permission for a number of refurbishment works to the hotel which would consist of the following:
 - The internal alterations to the main hotel to form 11 additional bedrooms, through the conversion of a conference room and unused storage / laundry areas
 - The excavation and construction of a gabion retaining wall and walkways around the building.
 - The fitting of patio doors and external screens to the external elevations
 - The extension to the dining room through the provision of a glazed roof to the courtyard
 - The re-laying and extension of the service road and parking area.
4. The scheme has been amended since it was originally submitted. The amendments effectively reduced the extent of excavation around the building in order to take into account the potential impact upon protected trees within close proximity.
5. Officers consider that the principle determining issues with regards to the proposal are as follows:
 - Principle of Development
 - Tourist Accommodation
 - Form and Appearance
 - Tree Matters
 - Highway Matters

Principle of Development

6. The National Planning Policy Framework encourages the effective use of previously developed land, provided it is not of high environmental value. This is supported by Policy CS2 of the Oxford Core Strategy 2026.
7. The proposed refurbishment would seek to make the best use of previously developed land, and therefore the general principle of development would accord with the aims of the above-mentioned policies.

Tourist Accommodation

8. The Oxford Local Plan seeks to retain the existing stock of guest-houses through Policy TA4 and supports the provision of additional accommodation in a range of locations on identified locations within the city.
9. The Hawkwell House is not located on one of the designated roads, but is a long established hotel situated within Iffley Village. The proposed refurbishment to provide 11 additional guest bedrooms would be achieved through internal alterations to the existing hotel, rather than any extension to the existing building which increases the overall floorspace. These alterations would replace an existing conference room which is capable of providing functions for 100 persons and also part of the hotel laundry which is no longer in use as this is externally

serviced. The extension to the dining room would be achieved through the provision of a roof over the small courtyard, would not significantly increase the size of the dining room but would provide a more flexible space.

10. Having regard to the scale of the works, officers consider that the proposal would effectively reorganise the internal layout of the hotel in order to better serve the needs of the hotel. The increase in number of guest bedrooms would be more than offset by the loss of the function space, and all other alterations, such as the dining room extension would not result in a significant increase in floor space for the hotel. As such officers consider that the proposed improvements to the existing facilities would accord with the aims of Local Plan Policy TA4 provided that the improvements do not create any issues in terms of access, parking, highway safety, traffic generation or noise and disturbance for local residents.

Form and Appearance

11. The site lies within the Iffley Village Conservation Area. The National Planning Policy Framework requires proposals to be based upon an informed analysis of the significance of any heritage asset affected and expects applicants to understand the impact of any proposal upon the asset with the objective being to preserve that significance. These aims are embodied in Local Plan Policy HE7 which requires development proposals to preserve or enhance the special character and appearance of the conservation area or its setting.
12. Policy CS18 of the Oxford Core Strategy 2026 requires proposals to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; contributes to an attractive public realm; and high quality architecture. The Local Plan requires new development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP8 requires development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area.
13. The application is accompanied by a heritage statement. The proposal includes minimal alterations to the external elevations of the main hotel building. In order to provide the additional guest bedrooms a small area of excavation will be required on the eastern elevation of the building to provide windows to the rooms. The northern elevation will have an existing flat roof and screen removed and a new wall provided with windows to the rooms. The dining extension will be created by the provision of a glazed roof over an open courtyard.
14. Officers consider that the proposed works would not have a significant impact upon the visual appearance of the existing hotel building. The excavated areas are in a discreet underused area of the hotel with no views from the public realm and therefore it is considered that these works would tidy up these underused areas and serve to maintain the visual appearance of the building and its contribution to the significance of the conservation area. In a similar fashion the provision of the roof over the existing courtyard outside the dining room is set within the built form of the hotel and cannot be viewed from the public realm so as to have little impact. The new service road will make use of an area between the hotel and lawn at the

rear and could be surfaced appropriately so as not to have an impact upon the setting of the building alongside the lawn and its grounds. As a result the proposal is considered to accord with the aims of the National Planning Policy Framework, Policy CS18 of the Core Strategy 2026, and Policies CP1, CP6, CP8, CP10, and HE7 of the Oxford Local Plan 2001-2016.

Tree Matters

15. The application has been accompanied by an Arboricultural Method Statement and Tree Survey by Sylva Consultancy. The proposed development has been amended since it was originally submitted in order to respond to the constraints of the existing trees (Horse Chestnut and Lime Tree) placed upon the development.
16. Officers consider that if adequate care is taken during the construction phase of development these existing trees should not be harmed by the development. The 'Provisional' Arboricultural Method Statement and Tree Protection Plan that have been submitted in support of the planning application provide some comfort on this, but these details should be reviewed with the appointed building contractor and finalized before work starts on site. Additional details should be submitted about how the excavation works for the extension will be carried out. Details of the location of underground services and design of new and re-laid hard-surfaces would also need to be approved.
17. The development provides the opportunity to improve the boundary landscaping of the hotel grounds for the benefit of the appearance and character of this part of the Iffley Conservation Area. In particular new trees should be planted along the eastern boundary of the site.

Highways Matters

18. In terms of the existing parking provision at the hotel. There are currently a total of 56 marked parking spaces, with an overspill area available which could provide a total of 28 additional spaces. The proposed development would seek to increase the parking provision on site, with an additional 14 marked parking spaces provided giving a total of 70 marked spaces and the 28 potential overspill parking spaces.
19. The Local Plan sets the maximum parking standards of 1 space per 2 bedrooms and 1 space per resident staff. In accordance with these maximum parking standards there would be a requirement for 36.5 parking spaces for 77 guest bedrooms. The hotel does not have any staff in residence and therefore there is no requirement to provide any additional staff parking.
20. The Local Highways Authority considers that the level of off-street parking provision is appropriate for the size of the hotel. Officers would share this view, and recognise that the level of parking available on site is virtually double the required maximum standards. In terms of traffic generation, although the number of bedrooms is to be increased by 11 this is at the expense of a conference facility capable of providing functions for 100 persons. Therefore the additional rooms would be unlikely to result in a significant increase of traffic generation at the site.

It is not clear how the hotel proposes to provide suitable cycle parking for visitors and staff and therefore a condition should be attached which secures appropriate cycle parking.

21. Officers consider that the proposed development would not give rise to increased traffic generation, and would provide an appropriate level of off-street parking to cater for the proposed development and prevent any adverse impact upon the local highway. As a result the proposal would be accord with the aims of Policy CP1, TR3 and TR4 of the Oxford Local Plan 2001-2016.

Legal Agreement

22. The hotel is subject to a legal agreement as part of the original planning permission (NFH/876/90) which restricts the maximum number of guest bedrooms on site. This was varied in 2003 when permission was granted to increase the number of guest bedrooms from 50 to 66 under reference 03/00686/VAR.
23. The legal agreement will therefore need to be varied in order to remove the restriction on the number of guest bedrooms and a planning condition then attached which restricts the maximum number of guest bedrooms. The use of a planning condition would still allow suitable control of the guest bedrooms but would remove the need to vary the legal agreement each time the hotel wished to consider any extensions. The use of a condition would also be consistent with government advice that recommends the use of conditions rather than legal agreements where possible.

Conclusion:

24. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore the committee is recommended to grant planning permission for the proposed 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, subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2221

Date: 21st November 2012

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Appendix 1

Hawkwell House (11/03107/FUL)



GIS by ESRI (UK)



Scale : 1:2500

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Organisation	Not Set
Department	Not Set
Comments	
Date	22 November 2012
SLA Number	Not Set

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East Area Planning Committee

4th December 2012

Application Number: 12/02285/FUL

Decision Due by: 1st November 2012

Proposal: Conversion of existing restaurant to provide an additional 1x2 bed flat, erection of a 1x2 bed dwelling and 1x3 bed dwelling [sall Use Class C3] with associated parking (amended plans) (Amended plans)

Site Address: 18 Cowley Road Littlemore Oxford [Appendix 1]

Ward: Littlemore Ward

Agent: Mr Damon Ball

Applicant: Mr Iftikhar Ahmed

Application called in by Councillors Tanner, Seamons, Lygo, Van Noojen, Rowley and Kennedy on grounds of overdevelopment, height, overlooking and local concerns.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is considered to form an appropriate visual relationship with the site and its surroundings and would preserve the special character and appearance of the Littlemore Conservation Area. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application and the proposal complies with adopted policies contained in both the Oxford Local Plan 2001 - 2016 and the Oxford Core Strategy 2026.
- 2 Objections to the scheme have been received from Littlemore Parish Council, The Society of Work with International Centre of Newman Friends [9 College Lane] and two other local residents and the comments made have been carefully considered. However the Council takes the view that the points made do not constitute sustainable reasons for refusing planning permission and that the imposition of appropriate planning conditions will ensure a good quality form of development that would relate satisfactorily to neighbouring properties and to the street scene.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation

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

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Design - no additions to dwelling
- 5 Amenity no balcony
- 6 Amenity no additional windows north, south, east or west,
- 7 Obscure glazed first floor window
- 8 Velux rooflights - cill height of 1.7 m
- 9 New stone boundary wall
- 10 Boundary details before commencement
- 11 Landscape plan required
- 12 Landscape carry out by completion
- 13 Landscape hard surface design - tree roots
- 14 Sustainability design/construction
- 15 Cycle parking and bin stores
- 16 Permeable block paving for car park
- 17 Provision of bollards
- 18 Car parking spaces
- 19 Construction Travel Plan
- 20 Landscape Management Plan
- 21 Use Class C3 only

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
- HE7** - Conservation Areas
- NE15** - Loss of Trees and Hedgerows
- 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

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP15_ - Residential cycle parking

HP15_ - Residential cycle parking

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the Littlemore Conservation Area.

Relevant Site History:

87/00380/PN: Conversion of barn to bar/games room and extension to first floor flat. Approved

10/00523/FUL: Erection of extraction flue and associated works. Approved.

10/01736/FUL: Demolition of garage and erection of conservatory and patio. Approved

The site the subject of this application was formerly known as the Blue Mile Public House which ceased trading in May 2009. The premises then opened as the Anglo/Asian Restaurant which ceased trading in March 2012.

Representations Received:

Letters of objection have been received from the occupiers of numbers 16 and 18 Piple Furlong and Ambrose Cottage, 9 College Lane to the rear of the site. The main points raised can be summarised as follows:

- Objection only to the new dwelling in the car park
- Loss of daylight and sunlight to gardens and living rooms at 18 and 17 Piple Furlong
- Impact of the shadow on pond and wildlife [17 Piple Furlong]
- The new building will dominate the sky line and appear overbearing and claustrophobic
- Additional noise from residents, cars and visitors
- The parking arrangement is inadequate and unworkable and there is no visitor parking proposed
- There is already parking stress in the local area
- Piple Furlong is a private road and the developer cannot assume access to the site will be permitted by the Management Company
- A new gravel surface to the car park would be noisy
- 18 Piple Furlong is sited 1 metre lower than the ground level of the proposed new dwelling and the living room is a glazed rear extension
- The proposed 6 metre high new dwelling would cause a sense of enclosure, be overbearing and overshadow the garden [number 18]
- The site must be properly managed in terms of landscaping
- The proposed new dwelling will block out sunlight from 2 – 3 pm in the

summer months and earlier in the winter [number 18]

- The new dwelling should be pulled away from the boundary with number 18 to ensure proper maintenance is possible
- If permission is granted a new, good quality stone wall should be erected along the boundary to number 18
- Windows in the new dwelling that face towards number 18 should be obscure glazed and velux rooflights should have minimum cill heights of 1.7 metres
- Both dwelling 1 and 2 are very close to the premises of The College and endangers the privacy of its garden which is used by many groups and visitors from around the world to meditate and pray in peace
- Dwelling 2 should be moved further away from Ambrose Cottage and should be single storey only

Statutory and Internal Consultees:

Littlemore Parish Council: Objection on grounds of adverse impact on neighbouring properties.

Thames Water: No objection on grounds of either surface water or sewerage infrastructure.

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

- Car parking area to be constructed of permeable paving and be SUDS compliant
- Provision of 8 off street car parking spaces, secure and sheltered cycle parking and bollards to front and side to prevent indiscriminate car parking
- No discharge of surface water onto the adjacent public highway
- Applicant to enter into a Unilateral Undertaking in respect of the provision of double yellow lines at the junction of Cowley Road and Pibley Furlong
- Approval of a Traffic Management Plan
- Entrance gates should not open outwards onto the highway
- Provision of visibility splays

Issues:

- Principle
- Form and appearance in the Conservation Area
- Highways and parking
- Private amenity space
- Balance of dwellings
- Impact on neighbours
- Trees and landscaping
- Bin and cycle storage

Sustainability:

The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal to convert the existing buildings on the site to residential use and to erect a new family dwelling at the rear of the site would make more efficient use of an existing brownfield site which currently displays a large,

unused and unattractive car park.

The Design and Access Statement submitted with the application states that the new build will be heavily insulated and would be likely to achieve a minimum equivalent of code level 4 for sustainable homes. Low energy lighting and energy efficient appliances will be fitted throughout and the implementation of P.V's will be considered on the south facing slopes. It goes on to say that the existing stone buildings will be upgraded to meet current building regulations and will take advantage of natural solar gain. In addition sustainable surface water drainage will be implemented and rainwater butts will be added to each dwelling. A condition has been added requiring additional details in respect of sustainable construction and design.

Officers Assessment:

Site location and description

1. The application site lies on the east side of Cowley Road with vehicle access off PipleY Furlong. It accommodates a substantial, two storey, brick building which was erected in the 1920's or 1930's as a public house and displays multipane casement windows and gable features fronting Cowley Road. The building has been extended at the rear by way of a lightweight entrance structure that links the different parts of the building.
2. The accommodation currently comprises the ground floor restaurant and associated facilities which has been closed since March 2012, a first floor two bedroom flat which is occupied by the owner of the building and a single storey stone building which has been used as an additional bar and games room. The remainder of the site is a car park bounded by stone and brick walls of differing heights.
3. The site is surrounded by residential development – to the north are the two and a half storey PipleY Furlong dwellings, to the south is the private garden of Ambrose Cottage which is occupied by Sisters belonging to The Society of the Work with International Centre of Newman Friends [The College] and to the east are numbers 18 and 17 PipleY Furlong, a pair of older cottages together with their small gardens.
4. The site lies within the Littlemore Conservation Area.

The Proposal

5. The application seeks planning permission to convert the ground floor of the former restaurant to a two bedroom flat and convert and extend the existing stone building to form a two bedroom dwelling. Part of the rear extension of the building would be demolished to provide a private courtyard for the new, two bedroom flat, surrounded by a new stone wall.
6. The application also seeks planning permission for the erection of a new, three bedroom dwelling at the rear of the site and this would be erected using matching natural stone, red brick and clay roof tiles. Amended plans

have been submitted that pull the new dwelling away from the boundary with 18 Pibley Furlong and Ambrose Cottage by between 1.5 and 1.99 metres and reduce the height of the new dwelling to 5 metres adjacent to the boundaries of these neighbouring dwellings and 6 metres at its highest point.

7. The development would be served by a total of 8 on site car parking spaces with cycle parking being provided in the individual garden areas. A communal bin store is shown close to the entrance to the site. All of the existing walls on the site would be retained and repaired where necessary and the low stone wall along the boundary of the site with 18 Pibley Furlong would be increased in height to 1.8 metres.

Principle

8. The National Planning Policy Framework [NPPF] was issued in March 2012 and has superceded previous Government guidance set out in the various PPG's and PPS's. Whilst it may be a very substantial change in the form of national policy, the NPPF largely carries forward existing planning policies and protections in a significantly more streamlined and accessible form.
9. The NPPF stresses the importance of steering new development to previously developed land [PDL] and introduces a presumption in favour of sustainable development which means that Local Planning Authorities should approve applications that comply with the Development Plan, in this case the adopted Oxford Local Plan and the Oxford Core Strategy. Both of these plans contain up to date policies that do not conflict with the general policies of the NPPF.
10. The change of use of the building from a public house to a restaurant was carried out as 'permitted development' under the terms of the 1987 Use Classes Order 1987 [as amended]. Drinking establishments comprise Use Class A4 and there is a permitted change to Use Class A3 – restaurants and cafes. However the only permitted change from Use Class A3 is to Use Class A1 [shops] or Use Class A2 [financial and professional services] and therefore the premises could not revert back to being a public house without planning permission. For this reason, officers take the view that the loss of the former public house is not a relevant consideration in the determination of this application. However the application is accompanied by an estate agent's letter which sets out how the premises have been marketed since September 2011 and it is the case that there is an existing public house in College Lane to the south of the application site.

Form and appearance in the Conservation Area

11. Littlemore Conservation Area was designated in 1995 and includes the surviving features of the agricultural village and examples of the many types and styles of buildings among which they now stand. Littlemore

Conservation Area Appraisal [2008] was prepared with the aim of preserving and enhancing the character and appearance of this heritage asset.

12. In 1995 outline planning permission was granted for the 15 houses now known as Piplely Furlong and the following year consent was given for the necessary demolition of the disused dairy and other buildings on the site. An application to demolish 17 and 18 Piplely Furlong was resisted in 2001 on grounds of their historic interest being representative of a building type characteristic of a rural, farming community.
13. 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 does would be compatible with both the site itself and the surrounding area. Policy CP8 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. In addition policy HE7 states that development should preserve or enhance the special character and appearance of conservation areas.
14. Policy CS18 of the Oxford Core Strategy emphasises the importance of good quality urban design and architecture and its contribution towards an attractive public realm.
15. The existing building at 18 Cowley Road makes a positive contribution to the Cowley Road streetscene and this elevation would remain largely unchanged as a result of the development proposals except for some minor decorative improvements. Officers take the view that the removal of part of the more modern, rear extensions would positively improve the appearance of the rear of the building as viewed from Piplely Furlong and the sensitive conversion of the existing stone building which would include replacement doors and windows and the erection of a single storey, flat roofed extension would also benefit the overall appearance of the site. There is no proposal to increase the height of this building and its appearance as viewed from the car park would not materially change.
16. The proposed new dwelling at the rear of the site would be erected using a mix of natural stone, red brick and clay tiles and would be part single storey and part two storey with the provision of one bedroom and bathroom within the roofspace. It would have a maximum roof height of between 5 and 6 metres. The new dwelling would not be visible from the Cowley Road but would be visible from Piplely Furlong and some surrounding residential properties.

17. The proposal includes the removal of all the existing concrete surfaces and their replacement with permeable block paving. It is considered that this will significantly improve the visual appearance of the site and the conservation area given its current poor level of maintenance.

Highways and parking

18. Oxfordshire County Council as Local Highway Authority is not raising any objection to the application subject to the imposition of a number of conditions and informatives as set out earlier in this report. Revised plans have been submitted to show visibility splays, vehicle tracking and the provision of bollards at the front and side of the existing building to prevent indiscriminate parking on the roadside which are all matters that have been raised by the Local Highway Authority. Conditions 15 – 19 all relate to highway matters.

Private amenity space

19. 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 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.
20. Policy HP13 of the emerging Sites and Housing Plan 2012 is not so specific regarding garden sizes but states that new houses of two or more bedrooms should have a private garden of adequate size and proportions for the size of the house proposed and for exclusive use of the occupiers of that property.
21. The new three bedroom dwelling would have a south facing garden between 5 and 9 metres long and 17 metres wide and this is considered to be a generous garden area. The converted two bedroom dwelling would also have a south facing garden 6 metres long and 10.5 metres wide and this is also considered to be an acceptable garden area. The new ground floor, two bedroom flat would have an external courtyard with a new boundary wall that would measure approximately 8 metres in length and between 5 and 6 metres in width which is considered to be acceptable relative to the size of the flat.

Balance of dwellings

22. 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 adopted 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 wherein new developments of between 4 – 9 dwellings should include a proportion of three bedroom family houses. However for developments of up to 3 new dwellings, the only criteria is that there should be no loss of a family dwelling.

23. The proposal is for 2 x 2 and 1 x 3 bedroom additional units as the existing two bedroom first floor flat already exists. The proposal therefore complies with the BoDS SPD.

Impact on neighbours

24. 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 occupiers of the proposed and existing, neighbouring, residential properties.
25. The properties potentially affected by the proposals, particularly the new dwelling, are numbers 18 and 17 Pibley Furlong to the east and Ambrose Cottage to the south. Objections to the original plans have been received from the occupiers of all three of these properties and the comments made are set out earlier in this report.
26. The revised plans that have been submitted pull the new dwelling away from the boundaries with 18 Pibley Furlong and Ambrose Cottage by between 1.5 and 1.99 metres and significantly reduce the bulk of the new dwelling. In terms of overall height, the new dwelling would be 1 metre lower than originally proposed adjacent to these joint boundaries and the form of the roof has been altered from a half hip to a full pitch which would slope away from the neighbouring properties. The eaves height of the new dwelling would be 2.4 metres.
27. Officers are aware that numbers 18 and 17 Pibley Furlong sit approximately 1 metre below the ground level of the application site and it is for this reason that the occupiers of these properties are concerned that the new dwelling would appear unacceptably overbearing in their outlook and would cut off light to their garden and living areas. Application of the 25/45 degree rule does indicate that the reduction in the bulk of the new dwelling, the lower roof height and the re-siting of the new dwelling further away from the joint boundary has resulted in there being no breach in terms of either a 25 or 45 degree line drawn from the ground floor living room window or the first floor bedroom window at number 18. There is another small ground floor living room window that is sited close to the 1.8 metre boundary fence. Given the lower ground level and the existing fence, this window is already compromised in terms of the light it receives and officers do not consider this situation would be significantly affected by the proposals. Furthermore the applicant has agreed to replace the existing fence by building up the section of the stone wall between number 18 and the site boundary to a height of 1.8 metres and the occupier of number 18 has confirmed her acceptance of this. This would mean that the new stone wall would be higher than the top of this window which

would compromise its outlook.

28. In terms of the impact on Ambrose Cottage, the new dwelling would project 4.3 metres in front of an existing single storey rear extension; however there would be no breach of a 45 degree line drawn from the ground floor window. Concerns have been raised by two resident Sisters that the proposal will cause additional noise and disturbance that would destroy the peace and quiet of the College gardens. The proposed dwelling is a modest family dwelling, the occupation of which is unlikely to result in excessive noise or disturbance. In addition, it is the case that should the premises re-open as a restaurant, the noise and disturbance from cars and customers arriving and leaving would be likely to be far more intrusive than a residential use.
29. Overall, officers are satisfied that the changes made to the proposed new dwelling render it acceptable in terms of its relationship with neighbouring properties. The new dwelling will be visible from 18 and 17 Piple Furlong and Ambrose Cottage. However it is considered that there will be no significant loss of daylight and sunlight and that the new dwelling would not appear unacceptably overbearing in the outlook from these neighbouring dwellings such as to warrant a refusal of planning permission.

Trees and Landscaping

30. There are a number of mature trees along the northern boundary of the site and at the site entrance and these are all proposed to be retained. They would not be affected by the new build but their roots could be damaged by the proposed resurfacing of the site with permeable interlocking blocks. For this reason a condition is recommended that would require a method statement for all new hard surfaces prior to the commencement of development.
31. An area of new planting is proposed as a buffer to the garden area at 18 Piple Furlong and details of this planting will be required together with other planting proposed in the private garden areas. It is also suggested that a Landscape Management Plan would ensure that the communal planting area is satisfactorily maintained.

Bin and cycle stores

32. The plans show individual cycle parking within the amenity areas of the three new residential units although no details have been provided as to their means of enclosure. A communal bin store is shown sited close to the site entrance although again there are no details of an enclosure. For this reason a condition is recommended that would require these details the provision of the facilities prior to the first occupation of the new dwellings.

Conclusion:

33. The proposal is considered to form an appropriate visual relationship with the existing building and the surrounding development and would preserve the special character and appearance of the Littlemore Conservation Area. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application and the proposal complies with adopted policies contained in 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:

12/02285/FUL

Contact Officer: Angela Fettiplace

Extension: 2445

Date: 20th November 2012

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Appendix 1

18 Cowley Road, Littlemore



Legend



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

Scale: 1:1250

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East Area Planning Committee

4th December 2012

Application Number: 12/02531/FUL

Decision Due by: 27th November 2012

Proposal: Conversion of existing 1x1 bedroom and 1x2 bedroom dwelling in to 2 x 3 bedroom dwellings [Use Class C3] following alterations to the front fenestration and a 2 storey extension to side and rear

Site Address: 109A And 109B Lime Walk, Oxford [Appendix 1]

Ward: Headington Ward

Agent: Mr Robert Pope

Applicant: Mr Zaid Bakhsh

Application called in by Councillors Rundle, Fry, Jones and Wilkinson on grounds of bulk and design.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the existing building and the surrounding development and would appear sympathetic with the character of the local area. The existing buildings are in a poor state of repair and the proposal would provide 2 new family dwellings. No objections have been received from statutory consultees and the proposal complies with adopted policies contained in both the Oxford Local Plan 2001 - 2016 and the Oxford Core Strategy 2026.
- 2 An objection has been received from a local resident and the comments made have been carefully noted. However it is considered that the points raised do not constitute sustainable reasons for refusing planning permission and that the imposition of appropriate planning conditions will ensure a good quality development that will relate satisfactorily to its neighbours and appear in keeping with the street scene.
- 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 Materials - matching
- 3 Develop in accordance with approved plans
- 4 Boundary details before commencement
- 5 Design - no additions to dwelling
- 6 Bin stores and cycle parking
- 7 Construction Travel Plan
- 8 Variation of Road Traffic Order
- 9 Sustainable design/construction
- 10 No additional windows – side elevations
- 11 Reinstate dropped kerbs prior to occupation
- 12 No first floor side windows
- 13 Tree Protection Plan
- 14 Use Class C3 only

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HS19** - Privacy & Amenity
- 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 - Submission

- HP9_** - Design, Character and Context
- HP10_** - Developing on residential gardens
- HP13_** - Outdoor Space
- HP15_** - Residential cycle parking
- HP14_** - Privacy and Daylight
- HP16_** - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

None

Representations Received:

1 letter received from the occupier of 1 Nursery Close objecting on grounds that the proposal is completely out of character with the existing row of Victorian houses, would create multiple occupancy, noise and disturbance and would lead to overcrowding and car parking problems.

Statutory and Internal Consultees:

Thames Water: No objection on grounds of either surface water or sewerage infrastructure but recommends that the applicant makes contact regarding the details of the scheme.

Oxfordshire County Council as Local Highway Authority [LHA]: No objection subject to the following conditions and informatives:

- Each dwelling to be eligible for one residents parking space only
- The applicant to agree highway works for the reinstatement of dropped kerbs
- The submission and approval of a Construction Travel Plan

Issues:

- Principle
- Form and appearance
- Impact on neighbours
- Highways and parking
- Private amenity space
- Trees

Sustainability:

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

The Design and Access statement accompanying the application makes the following statements:

- Energy conservation construction measures and appliances will be used
- The building will be sealed from outside to prevent heat loss
- The dwellings will use appliances that result in the use of less water
- A waste management system throughout construction

Condition 9 requires the submission of further details regarding sustainable construction and design measures that would be incorporated into the dwellings.

Officers Assessment:

Site location and description

1. The application site lies on the east side of Lime Walk at its junction with Nursery Close and comprises a two storey brick building with a slate roof together with a glazed, single storey link that has been used in the past as a shop but has been unoccupied for some time and is in a semi-derelict state. The brick building is currently in use as a 1 x 1 bedroom flat on the ground floor and a 1 x 2 bedroom flat on the first floor. There is also a basement area which is used as a store and games room together with a rear amenity area which contains a number of dilapidated sheds.
2. Lime Walk is characterised by a mix of largely residential dwellings and lies in close proximity to the Headington District Shopping Centre.

The Proposal

3. The application seeks planning permission to demolish the commercial building together with all the dilapidated garden structures and erect two storey side and rear extensions to form 2 x 3 bedroom dwellings together with cycle parking, bin stores and private amenity space. The front elevation of the building would be altered by the addition of new entrance doors and new windows and at the rear of the building, the two storey extensions would be pulled in some 2 metres from both side boundaries of the site.
4. The rear extension would have a lower ridge height than the host dwelling and would be erected using matching facing brick and slates for the roof. Two new, ground floor side windows would be inserted to serve the new dining room. The basement area would provide two store areas to serve each dwelling.
5. The proposed development would be 'car free' with no off street parking facilities.

Principle

6. The National Planning Policy Framework [NPPF] was issued in March 2012 and has superseded previous Government advice set out in the various PPG's and PPS's. Whilst it may be a very substantial change in the form of national policy, the NPPF largely carries forward existing planning policies and protections in a significantly more streamlined and accessible form.
7. The NPPF stresses the importance of steering new development to previously developed land [PDL] but specifically excludes garden land from this. It also introduces a presumption in favour of sustainable development which means that Local Planning Authorities should approve applications that comply with the Development Plan, in this case the Oxford Local Plan and the Oxford Core Strategy. Both of these plans

contain up to date policies that do not conflict with the general principles of the NPPF.

8. The application site is a residential plot and there is no 'in principle' objection to the renovation and extension of the existing building.

Form and appearance

9. 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. Policy CP8 states 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.
10. Policy CS18 of the Oxford Core Strategy stresses the importance of good urban design and high quality architecture that will contribute to an attractive public realm.
11. The proposal would involve extending the existing brick building from its current width of 10 metres to 14.5 metres and from its current depth of 7.5 metres to 12.5 metres. The extensions would be erected in matching materials and officers take the view that the form of the extensions would appear in keeping with the character of the existing building and positively improve its appearance. Both the new front and rear elevations would be symmetrical in form and, whilst the building would increase in size, it is considered that it would retain a cottage style character when viewed from Lime Walk.
12. Pedestrian walkways would be retained at both sides of the new dwellings to enable bins and cycles to be moved to the front of the building.

Impact on neighbours

13. 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 occupiers of the proposed and existing, neighbouring, residential properties.
14. The application site lies on a corner plot and the only other property potentially affected by the proposed extensions is number 111 Lime Walk. Occupiers of the dwellings in Nursery Close to the side and rear of the site will be able to see the proposed extensions but the separation distances are such that there is unlikely to be any adverse impact in terms of overlooking and loss of privacy.

15. The proposed single storey rear extension would project some 4 metres from the rear wall of number 111 at a distance of 1 metre from the joint boundary. The two storey element of the scheme would be pulled in from the boundary by 2 metres. The proposal does not breach the 25/45 degree rule and it is considered that there would not be any adverse impact on the privacy and amenity enjoyed by the occupiers of number 111 Lime Walk.

Highways and parking

16. Oxfordshire County Council as Local Highway Authority is not raising any objection to the application on grounds that the site lies in a sustainable location, Lime Walk has parking restrictions on both sides of the road and is subject to a 20 mph speed restriction.
17. The LHA is content to allow the existing residential car parking permits for the two existing flats on the site to remain for the 2 proposed dwellings. Therefore the lack of any on site car parking is not an issue. Residents of the new dwellings will not be eligible for any further resident parking permits or any visitor parking permits. The two existing dropped kerbs need to be removed and the kerb reinstated which will provide an additional car parking space.
18. The LHA is also requesting that a Traffic Management Plan be submitted and approved before any works commence on site as the site lies within a sensitive area where parking is controlled and some car parking spaces will have to be temporarily suspended during construction work.

Private amenity space

19. 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 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.
20. The proposed new dwellings would both be served by private rear gardens measuring 10 metres in length and 8 metres in width and it is considered that this level of garden provision is acceptable.

Trees

21. Whilst there are no significant trees on the site that may be affected by the proposal, there is a fine Maple tree located in the communal grassed area adjacent to the site. Although the new extensions will encroach into the Root Protection Area of this tree, the area of encroachment is relatively small. Also given the age and physiological condition of the tree, officers are confident that it will not be harmed if appropriate care is taken

within the site during the construction phase of the development. It will probably be necessary to erect scaffolding between the building and the site boundary to construct the extensions and the ground should be protected from compaction in this area. In addition the building contractors should not use the grassed area to store materials or park vehicles. A condition is recommended that would require the submission and approval of a tree protection plan prior to the commencement of the development.

Conclusion:

22. The proposal forms an appropriate visual relationship with the existing building and the surrounding development and would appear sympathetic with the character of the local area. The existing buildings are in a poor state of repair and the proposal would provide two, new family dwellings. No objections have been received from statutory consultees and the proposal complies with adopted policies contained in 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:

12/02531/FUL

Contact Officer: Angela Fettiplace

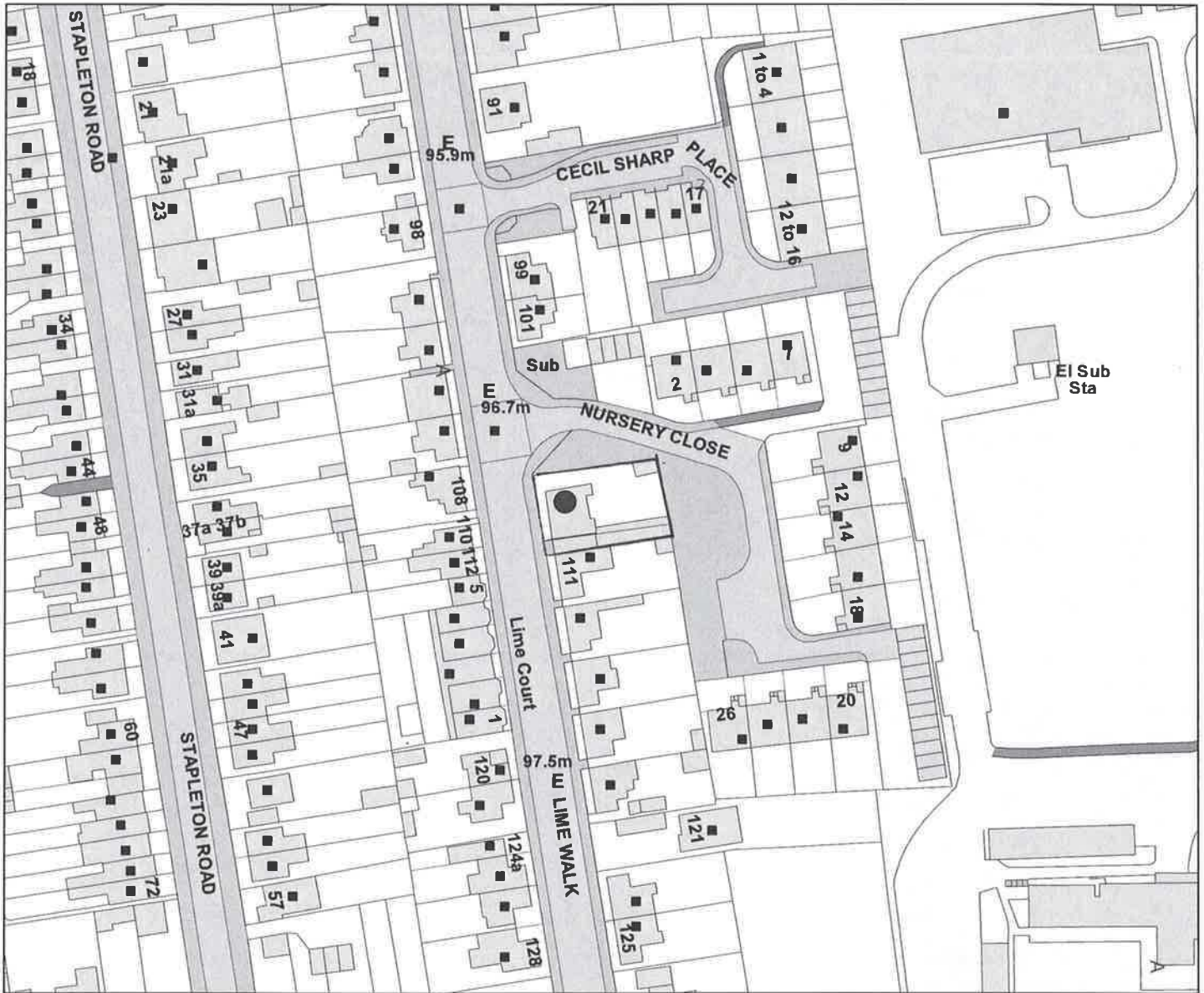
Extension: 2445

Date: 15th November 2012

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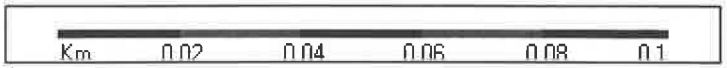
Appendix 1

109A and 109B Lime Walk, Headington



Legend

Scale: 1:1250



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

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East Area Planning Committee

4th December 2012

Application Number: 12/01990/FUL

Decision Due by: 5th October 2012

Proposal: Erection of 2 x 2 bedroom dwellings (Class C3) to the rear of the existing property with associated parking for the existing and proposed dwellings. (Amended plans)

Site Address: 110 Oliver Road Oxford. Site plan at **Appendix 1**

Ward: Lye Valley Ward

Agent: N/A

Applicant: Mr S Khanam

Application Called in – by Councillors – Kennedy, Tanner, Price, van Nooijen, Clarkson and Lloyd-Shogbesan for the following reasons – overdevelopment of the site

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 units would have a good standard of internal and external environment which adequately provide for the living conditions of future occupants of each unit. The development would therefore accord with the relevant policies of the development plan and would not constitute an overdevelopment of the site.
- 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.
- 3 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.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Design - no additions to dwelling
- 5 Amenity no additional windows side and rear,
- 6 Suspected contamination - Risk assess
- 7 Sustainability design/construction
- 8 SUDS/surface water
- 9 Cycle parking details required
- 10 Car parking spaces sizes
- 11 Vision splays
- 12 Pedestrian awareness vision splays

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

Relevant Site History:

05/00842/OUT - Outline application for the erection of a dwelling in the rear garden of 110 Oliver Road, Cowley. Relocation of existing garage and construction of new access (All matters reserved). PER 27th June 2005.

08/01118/OUT - Outline application for 2-storey side extension for use as 2 flats. REF 14th August 2008.

Land to the Rear of 97 And 99 Oliver Road

07/02539/FUL - Erection of two storey building for use as 4 (1 bed) flats. Parking for 4 cars on frontage. REF 19th December 2007. Allowed on appeal 12th June 2008.

Representations Received:

95 Oliver Road: increase in traffic movement using a designated cycle way, parking outside properties could cause a hazard to cyclists.

108 Oliver Road: access, effect on adjoining properties, effect on traffic, on-street parking, parking provision, party fence, hazard to cyclists.

Statutory and Internal Consultees:

Drainage Team Manager Oxfordshire County Council: no details of soakaways, no increase in surface water run-off should enter the existing highway, and hardstanding should be SUDs compliant.

Thames Water Utilities Limited: No objection

Oxford Civic Society: side return onto a designated cycle way, concerns about

increase in traffic and parking which could be a hazard to cyclists.

Highways Authority: no objection subject to conditions (see below)

Issues:

Principle
Balance of Dwellings
Design
Residential Amenity
Highway Issues
Cycle Parking
Sustainability
Other

Officers Assessment:

Site description

1. The application site comprises the rear garden of a detached, two storey house at the eastern end of Oliver Road in Cowley at the corner with the access road running parallel to the Eastern Bypass Road. There is an existing vehicular access to the site, from the access road, leading to a single detached garage.

Proposal

2. The application is seeking permission for the erection of 2x2 bed houses with associated car parking.

Principle

3. NPPF requires LPAs to reconsider the development of garden areas, whilst 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. The proposal would not be considered to be inappropriate on this site as it is in keeping with other developments of a similar nature within the immediate vicinity e.g. land to the Rear of 97 and 99 Oliver Road and land to the rear of 133 Fern Hill Road.

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 an amber 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 in the rear garden of 110 Oliver Road 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 proposed dwellings are to be constructed in red brick with a tiled roof. A condition can be added to seek samples to ascertain the nature of the materials. The proposed new dwellings will not have a significant impact on the existing street scene of Oliver Road since they will be sited within the rear garden of 110 and will not be visually prominent from the street. The new dwellings will face towards the eastern by-pass and this is where the main impact will be. The dwelling within the rear garden of 133 Fern Hill Road also faces towards the eastern by-pass. The dwellings, whilst two storey, are low level with dormers in the front roof slope and roof lights in the rear.
8. The proposal is therefore considered to form an appropriate visual relationship with the dwelling and its surroundings and would make appropriate use of the land available in accordance with policy CS18 of the OCS, CP1, CP6, CP8 and CP10 of the OLP, HP9 of the SHP.

Residential Amenity

9. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation, with policy HP12 stipulating that any single family dwelling which provides less than 75m² floor space will not be granted permission, where a family home is described as a self contained house (or bungalow) of 2 or more bedrooms, or a self contained flat either with 3 or more bedrooms or otherwise deemed likely to encourage occupation by a family including children.
10. The proposed two units are over of the required 75m² and therefore in compliance with HS20 and HP12. The rooms and corridors are able to accommodate furniture and household equipment that would be expected in that part of the home, and allow for convenient circulation and access.
11. Policy HS20 of the OLP requires new dwellings to have access to private amenity space and HP13 of the SHP requires amenity space of adequate size and proportions for the size of house proposed. Whilst the proposal uses a significant part of the rear amenity space of 110 Oliver Road there remains a 10m length rear garden for Oliver Road along with a considerable sized side

garden which is considered acceptable. An amenity space of 53m² is allocated to each proposed dwelling which is considered acceptable given the size and proportion of the new units. A condition is suggested to remove permitted development rights to the new units to protect the level of amenity space.

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. There are no windows in the rear elevation at first floor level thus there is no potential for overlooking or loss of privacy to the rear garden of 108 Oliver Road. A condition can be added to prevent any additional windows being inserted to protect the privacy of the neighbouring properties.
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. There are no side windows to habitable rooms at 135 Fernhill Road which will be affected by the proposal.
14. Policy HS19 also allows the local Planning Authority to assess proposals in terms of sense of enclosure or being of an overbearing nature. The proposed units are located centrally towards the front of the plot. Either side are car parking spaces which bring it away from the common boundaries. Therefore the proposal is not considered to be overbearing on the neighbouring properties.

Highway Issues

15. To the rear of the development site there is an existing vehicular access onto the cycleway. This is a vehicular access for off-street parking including a garage for the existing property.
16. The vehicular access to the proposal is via Fern Hill Road as there is a gate across the cycleway which prohibits vehicular access from Oliver Road. There are existing properties which are accessed via the cycleway.
17. There is a separate footway adjacent to the cycleway from a point to the south of Fern Hill Road to a point north of Oliver Road. This is a continuation of a shared footway and cycleway which links the Oxford Business Park, Oxford Retail Park to residential areas and industrial estates. The cycleway leads to subways which enable access across the A4142 Eastern Bypass and links residential areas with industrial estates to the south. There are no parking restrictions in operation along the cycleway and there is evidence of parking adjacent to the cycleway and on the footway. The cycleway contains directional signage for the A4142 Eastern Bypass and access for servicing vehicles is difficult.

18. Further information was provided by the applicant and the proposal as submitted provides acceptable visibility splays and pedestrian awareness vision splays; and acceptable off-street parking provision including resident and visitor parking for both of the new dwellings.
19. On the basis of the information provided and the existing developments there are no highway concerns with the proposal as submitted as acceptable visibility splays and pedestrian awareness vision splays and additional off-street parking are to be provided.

Cycle Parking

20. 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. Cycle parking provision is shown for both units however there are no details. A condition can be added to seek details.

Sustainability

21. 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.
22. 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.

Other Issues

23. The application has been considered with respect to contaminated land and a condition is recommended requiring a phased risk assessment. This is due to the sensitive nature of the proposed development i.e. residential properties with gardens. Whilst the site is not known to be contaminated it is important that the developer demonstrates that the site is suitable for use. As a minimum a desk study and documented site walkover are required to ensure that there are no sources of contamination on or near the site and that the site is suitable for its proposed use.
24. Party wall matters are a civil matter and not a concern for the planning system.

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 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:

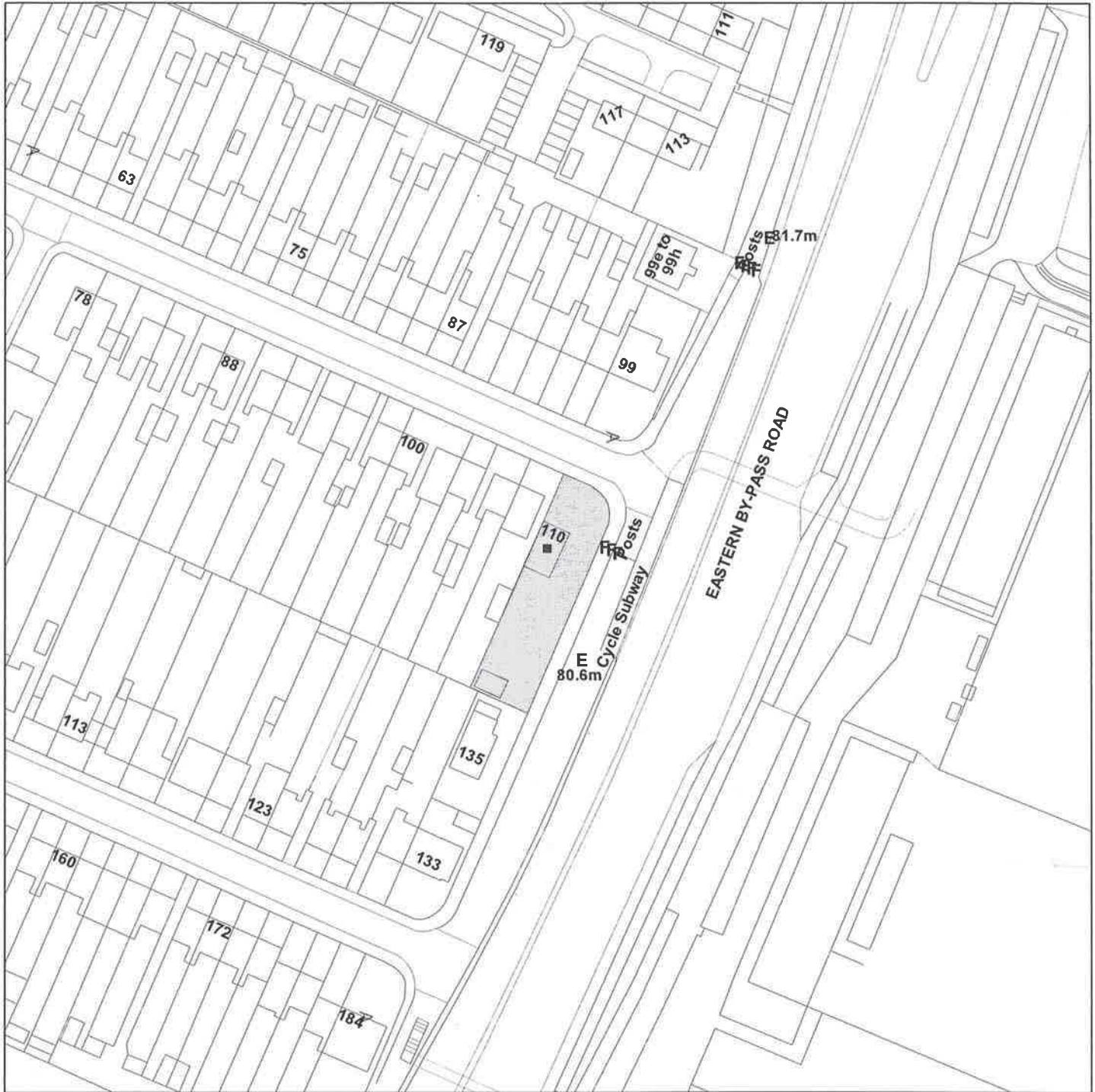
Contact Officer: Lisa Green

Extension: 2614

Date: 22nd November 2012

Appendix 1

12/01990/FUL



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	110 Oliver Road
Date	23 November 2012
SLA Number	LA100019348

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Ordnance Survey 100019348.

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East Area Planning Committee

4th December 2012

Application Number: 12/02488/FUL

Decision Due by: 26th November 2012

Proposal: Erection of part single storey and part two storey rear extension and single storey side extension.

Site Plan – Appendix 1

Site Address: 9 Rupert Road Oxford OX4 2QQ

Ward: Lye Valley Ward

Agent: N/A

Applicant: Mrs Erum Ashgher

Application Called in - by Councillors Kennedy, Van Nooijen, Canning and Tanner for the following reason: Potential overdevelopment of the site.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is considered to form an acceptable visual relationship with the existing building and local area, is unlikely to have a significant effect on the current and future occupants of adjacent properties and provides an acceptable level of parking for a four bedroom house in this location. The proposals therefore comply with Policies CP1, CP8, CP10, TR3 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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 windows obscure glass first floor side facing bathroom,
- 5 Amenity no additional windows side,
- 6 Amenity no balcony

**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
TR3 - Car Parking Standards
HS19 - Privacy & Amenity

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

The Town and Country Planning (General Permitted Development) Order 1995. As amended. (GPDO).

Relevant Site History:

12/01623/FUL - Erection of single storey side extension and two storey rear extension. REF 22nd August 2012.

Representations Received:

Comments have been received from 7 Rupert Road. These are in support, but request a number of conditions relating to the construction process and making good.

Statutory and Internal Consultees:

Local Highway Authority: Further information required – parking plan.

Oxford Civic Society: A parking plan is required, side extension will block access to the rear which is undesirable.

Issues:

Design / making the best use of land
Effect on adjacent occupiers
Parking

Officers Assessment:

Site description and background

1. 9 Rupert Road is a semi detached house with pedestrian rear access to the side. The adjoining semi has been substantially extended to the side and rear and converted to four flats.
2. Permission is sought to construct a single storey side extension and a single and two storey rear extension. The current application is an amended version of a previous scheme submitted under application 12/01623/FUL. That scheme included a two storey element as part of the rear extension that went up to the boundary with the neighbouring property and which was refused earlier this year for the following reasons:

Due to their height, depth and proximity to the boundaries, the proposed extensions will result in a material loss of natural light and daylight to the habitable rooms of 7 Rupert Road and Flat 1 11 Rupert Road and the creation of a sense of overbearing and oppressiveness to those properties, resulting in an unacceptable loss of residential amenity for the occupiers of those properties, contrary to Policies CP1, CP10 and HS19 of the adopted Oxford Local Plan 2001 - 2016.

Design / making the best use of land

3. 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.
4. Policy CP6 of the Local Plan states that development proposals should make efficient use of land by making best use of site capacity in a manner that does not compromise the surrounding area.
5. The proposals seek to make the best use of land by adding to the accommodation of a dwelling house. It is noted that the previous application was not considered unacceptable in design terms and such issues were not a reason for refusal, however the application has been assessed on its merits to ensure the development will not compromise the surrounding area.
6. The proposed two storey extension would not be highly visible from the public domain and whilst somewhat bulky is considered to achieve a reasonable relationship with the existing house and area.

7. The side extension, with its flat roof and parapet would be easily visible from the public domain and although perhaps not preferable compared to a pitched roof, it is nevertheless considered to achieve an acceptable relationship with the existing house.
8. Subject to a condition of planning permission to control the appearance of materials used in the build, the proposed development is not considered to be materially out of character with the existing house or local area, makes good use of the land available and the proposal complies with Policies CP1, CP6 and CP8 of the Local Plan and CS18 of the Core Strategy.

Effect on adjacent occupiers

9. Oxford City Council 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.
10. The previous application 12/01623/FUL was refused because of a likely loss of light and creation of an overbearing effect to the side facing windows at 7 Rupert Road and Flat 1, 11 Rupert Road. These issues have been addressed by a reduction in height to the side extension and the removal of a first floor element adjacent to number 11.
11. The 45-degree guidance indicates that the current proposals will not result in a material loss of light to the adjacent properties. The overbearing effect is no longer considered oppressive and it is noted that if built in isolation, the relevant single storey elements could be constructed under Permitted Development rights granted by the GPDO.
12. The two storey element will lead to some loss of outlook to the adjacent flat at number 11, however the main outlook to this room is to the rear and this remains unaffected by the proposals.
13. On balance, the proposed extension is not considered likely to result in material harm to the residential amenity of the occupiers of the adjacent properties and the application complies with Policies CP1, CP10 and HS19 of the OLP.

Parking

14. Policy CP1 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.
- 15.9 Rupert Road currently provides one off street parking place to the front of

the house and the proposed extension would create a four bedroom house. The front garden could be adapted to provide additional parking, although this would result in the loss of at least part of the existing hedge. Appendix 3 of the OLP gives a maximum standard of three parking spaces for a four bedroom house. However given that this is a maximum figure, and the sustainable location of Rupert Road with its proximity to local shops and bus services, one space is considered sufficient for this location.

16. The comments of the Local Highway Authority and Oxford Civic Society are noted, and consideration has been given as to whether to require further details of parking. However, given that parking for one car already exists at the property, this is considered an unreasonable imposition and unnecessary to ensure that the proposal complies with Policy TR3 of the adopted Oxford Local Plan 2001 – 2016.

Other matters

17. It is noted that the site was previously in use as a brickworks and associated clay pits may have been filled with contaminated infill. Whilst the risk of significant contamination is considered low, it is considered appropriate to inform the applicant of the situation.
18. The comment of Oxford Civic Society that the development will reduce access to the rear is noted, but this is a common result of side extensions in Oxford and is not considered to be a reason for refusal.

Conclusion:

19. The development is considered to form an acceptable visual relationship with the existing building and local area, is unlikely to have a significant effect on the current and future occupants of adjacent properties and provides an acceptable level of parking for a four bedroom house in this location. The proposals therefore comply with Policies CP1, CP8, CP10, TR3 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: 12/02488/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 22nd November 2012

9 Rupert Road

12/02488/FUL



Scale : 1:1250



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Ordnance Survey 100019348.

Organisation	Not Set
Department	Not Set
Comments	
Date	23 November 2012
SLA Number	LA100019348

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Agenda Item 9

Monthly Planning Appeals Performance Update – October 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 October 2012, while Table B does the same for the current business plan year, ie. 1 April 2012 to 31 October 2012.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	10	(30%)	2 (40%)	8 (29%)
Dismissed	23	70%	3 (60%)	20 (71%)
<i>Total BV204 appeals</i>	33		5	28

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	6	(30%)	1 (25%)	5 (31%)
Dismissed	14	70%	3 (75%)	11 (69%)
<i>Total BV204 appeals</i>	20		4	16

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

Table C. All planning appeals (not just BV204 appeals): Rolling year to 31 October 2012

	Appeals	Percentage performance
Allowed	13	(33%)
Dismissed	26	67%
All appeals decided	39	
Withdrawn	1	

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 October 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 October 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 1/10/12 And 31/10/12

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
12/00743/EXT	12/00020/NONDET	COMM		ALC	03/10/2012	LITTM	Land To The Rear Of 1 Oxford Road Littlemore	Application to extend the time limit on planning permission 08/02702/FUL for "Proposed 3 storey building containing three houses (1x4 and 2x3 bed) and 3 flats (3x2 bed), new vehicular access to Dudgeon Drive and pedestrian access to Oxford Road. Provision of 9 parking spaces, cycle and bin store."
12/01437/FUL	12/00033/REFUSE	DEL	REF	DIS	26/10/2012	HINKPK	81 Wytham Street Oxford Oxfordshire OX1 4TN	Erection of single storey side extension and single storey rear extension.

Total Decided: 2

TABLE E Appeals Received Between 1/10/12 And 31/10/12

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
12/00683/VAR 05/01355/VAR to	12/00044/REFUSE	DELCOM	PER	W	The Carling Academy At Oxford 190 - 194 Cowley Road Oxford Oxfordshire OX4 1UE	STMARY	Application to vary condition 2 of planning permission to enable the premises to be open between the hours of 18:00 - 02:00 Mondays to Thursdays; 18:00 - 04:00 on Fridays and Saturdays; 12:00 - 00:00 on Sundays; 12:00 - 04:00 on Sundays prior to Bank Holidays; and on 30th April each year to be open until 06:00 the following day (May Day)
12/01457/VAR	12/00041/COND	DEL	PER	W	Grove House Club Grove Street	SUMMTN	Deletion of conditions 8, 9 and 10 to planning (use as 1 x 4-bed dwelling), relating to use of roof terrace, ground and permission 12/00872/FUL contamination residents parking permits respectively.
12/01774/FUL	12/00042/REFUSE	DEL	REF	W	28 Foxwell Drive Oxford	HHLNOR	Erection of two storey side extension to form new 2 bedroom dwelling. Provision of private amenity space and car parking.

Enforcement Appeals Received Between 1/10/12 And 31/10/12

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

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00394/ENF	12/00043/ENFORC	P	34 Mill Lane Marston Oxford Oxfordshire OX3 0QA	MARST	Appeal against alleged unauthorised subdivision.

Total Received: 1

EAST AREA PLANNING COMMITTEE

Tuesday 6 November 2012

COUNCILLORS PRESENT: Councillors Darke (Chair), Rundle (Vice-Chair), Altaf-Khan, Clarkson, Coulter, Curran, Lloyd-Shogbesan and Williams.

OFFICERS PRESENT: Martin Armstrong (City Development), Michael Morgan (Law and Governance), Angela Fettiplace (City Development), Nick Worledge (City Development), Robert Lloyd-Sweet (Conservation Officer) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

75. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies received from Councillor Sam Hollick (substitute Councillor David Williams) and Councillor Dee Sinclair.

76. DECLARATIONS OF INTEREST

Councillor Williams declared that he knows the neighbours of Item 10 (392 London Road 12/02103/FUL) but had made no predetermination. (minute 84 refers). Nevertheless, he declared that he would abstain from the discussion and voting of the item.

Councillor Darke declared that he had given advice to the neighbour of item 11 (188 Headley Way 12/02269/FUL) but had expressed no opinion either for or against the application (minute 85 refers). He noted that his interest and that of Councillor Williams were not disclosable pecuniary interests.

Councillor Rundle declared that he had being involved in an appeal involving item 11 (188 Headley Way 12/02269/FUL) but had made no predetermination (minute 85 refers). He also advised that he had prior involvement with the Applicant in connection with item 6 (29 Old High Street 12/01765/FUL & 12/01766/CAC) and was party to the call in (minute 80 refers).

77. OXFORD HERITAGE ASSETS REGISTER: CRITERIA AND PROCESS

The Head of City Development submitted a report (previously circulated, now appended) on the proposed Heritage Assets Register for Oxford.

The Heritage Manager presented the report to the Committee and explained that the heritage register was part of a wider area of work to help determine the value of heritage in Oxford. It will assist in robust decision making, will raise public awareness of heritage in the city and will encourage public engagement through the process of registering sites.

A process and criteria for reviewing and determining sites had been created based on English Heritage's criteria and a pilot scheme of four area – West

Oxford, Summertown, Iffley Fields and Blackbird Leys has been funded by English Heritage.

The heritage register will only include sites outside conservation areas as sites within conservation areas are already designated heritage assets with a high level of protection.

The public will be asked to only suggest sites outside of conservation areas.

The Committee made the following comments on the proposed register, the criteria and process of compiling the list.

- The Chair asked how the heritage register would work with the new community assets register required by the Localism Act 2011. Both registers will complement each other, the two teams involved in the creation of both the heritage and community assets registers will work closely together to develop the lists.
- Councillor Coulter endorsed the proposed register and the protection and greater cultural understanding the register will provide to the public and city at large.
- Several Councillors offered further suggestions to the proposed list, including the Iffley Priory, Ferry House, Donnington Bridge and Florence Park Skate Park. It was agreed that all Councillors will offer more suggestions once registers are created for their ward.

The Committee resolved (by 6 votes to 0) to ENDORSE the proposal for a Heritage Assets Register for Oxford and recommend that the City Executive Board adopt the proposed criteria and selection process. AND

That Officers involved in the creation of the heritage and community assets registers work together to create complementary registers.

78. ROYAL MAIL, BEAUMONT HOUSE, SANDY LANE WEST 12/02219/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for a change of use from class B1 (office) to class D1 (radiotherapy centre), enclosure of existing external staircase and new reception/lobby area.

In accordance with the criteria for public speaking, the Committee noted that Clare Blessing spoke against the application and Steve Bird and Professor Karl Sikori spoke in favour of it.

The Committee resolved (by 8 votes to 0) to DEFER the application to seek more information from the County Council as Highways Authority on the impact of the change of use on the road network in the light of an anticipated change in the character and nature of traffic generation.

79. 31 CHURCH LANE 12/02159/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application to demolish the existing dwelling and erect 3 x detached dwellings (class C3). Provision of private amenity space and car parking. Formation of new vehicular access. (Amended plans)

In accordance with the criteria for public speaking, the Committee noted that Jake Collinge spoke in favour of the application and no one spoke against it.

The Committee resolved (by 7 votes to 0) to APPROVE the application subject to the 19 conditions listed in the report and the additional condition - Condition 20 Construction traffic management plan

80. 29 OLD HIGH STREET: 12/01765/FUL & 12/01766/CAC

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the:

1. Partial demolition of existing house and demolition of existing garages and outbuildings. Erection of two storey side and rear extension. Provision of new access, car parking and turning area. Rebuilding of stone boundary wall fronting Old High Street. (Amended plans)
2. Partial demolition of existing house, boundary wall and demolition of existing garages and outbuildings

The Committee was informed that the applicant had verbally WITHDRAWN the application so it was inappropriate to determine it at tonight's meeting. However if a written statement is not received from the applicant confirming the withdrawal, the Committee will discuss the application at a future meeting. (Following the committee meeting the applicant did confirm in writing the withdrawal of the planning application.)

81. 14 MORTIMER DRIVE 12-02385-FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for the erection of single storey bungalow with pitched roof.

In accordance with the criteria for public speaking, the Committee noted that Stephen Broadley spoke in favour of the application and no one spoke against it.

The Committee resolved (by 8 votes to 0) to APPROVE the application subject to the 15 conditions listed in the report.

82. COLTHORN FARM 12/01860/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application to erect a 2 storey 5 bed dwelling with games room/studio.

In accordance with the criteria for public speaking, the Committee noted that Stephen Broadley spoke in favour of the application and no one spoke against it.

The Committee resolved (by 7 votes to 1) to APPROVE the application subject to the 19 conditions listed in the report, with additional information on condition 4: Further details of Windows/rooflights - Applicant to work with Officers to substantially reduce the window glazing in roof.

83. WARNEFORD HOSPITAL 12-02082-VAR

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application to remove condition 16 so that the existing Highfield Unit can be retained and used as decant ward whilst existing hospital wards are refurbished, and its associated car park retained for use by Trust staff and ambulances and vary condition 7 to allow Trust staff and ambulances to use entrance from Warneford Lane of planning permission 09/02309/FUL. (Amended plans)

In accordance with the criteria for public speaking, the Committee noted that Marilyn Cox spoke against the application and Paul Semple spoke in favour of it.

The Committee resolved (by 7 votes to 0) to APPROVE the application subject to the 11 conditions listed in the report, with additional information on condition 11 Retention of old Highfield unit for 10 years only – Highfield unit to be removed after ten years in the interest of visual amenity and to ensure the provision of an open, landscaped space to replace that lost by the erection of the new Highfield Adolescent Unit. (The 10 year period is reasonable as the application suggests that the rolling programme of work to renovate the other wards is planned to take approximately 10 years.)

84. 392 LONDON ROAD 12/02103/FUL

The Head of City Development submitted a report (previously circulated, now appended) which detailed an application for an extension for a part single storey, part two storey, side and rear extensions, including side roof extension. Erection of detached garage.

In accordance with the criteria for public speaking, the Committee noted that no one spoke in favour or against the application.

Extra information was provided for condition 10: Use of garage for incidental purposes only means the garage cannot be used as living accommodation unless a planning application is made.

Councillor Williams voluntary abstained from deliberating on this item because of his declaration of interest (refer minute 76)

The Committee resolved (by 7 votes to 0) to APPROVE the application subject to the 11 conditions listed in the report and the following informative: The Committee does not wish for the property to become an HMO.

85. 188 HEADLEY WAY 12/02269/FUL

The Head of City Development has submitted a report which details a planning application for the demolition of a conservatory and erection of a single storey rear extension.

In accordance with the criteria for public speaking, the Committee noted that Farida Anwar spoke against the application and Bismeen Jadoon spoke in favour of it.

The Committee resolved (by 6 votes to 0) to APPROVE the application subject to the 3 conditions listed in the report and the additional condition.

Condition 4: Removal of all householder permitted development rights concerning extensions to the house and free standing structures in the garden.

86. PLANNING APPEALS

The Committee resolved (by 8 votes to 0) to NOTE the report for planning appeals received and determined during September 2012.

87. MINUTES

The Committee resolved (by 8 votes to 0) to NOTE the minutes of 9 October 2012 as a true and accurate record.

88. FORTHCOMING PLANNING APPLICATIONS

The Committee resolved (by 8 votes to 0) to NOTE the list of forthcoming planning applications.

89. DATES OF FUTURE MEETINGS

The Committee NOTED that the next meeting is on Tuesday 4 December 2012.

The meeting started at 6.00 pm and ended at 9.05 pm

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