

# Agenda

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## West Area Planning Committee

Date: **Wednesday 30 May 2012**

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Time: **6.00 pm**

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

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For any further information please contact:

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If you would like help to understand this document please call Lois Stock, Democratic and Electoral Services Officer on or email [lstock@oxford.gov.uk](mailto:lstock@oxford.gov.uk) in advance of the meeting.

# West Area Planning Committee

## Membership

### Chair

### Vice-Chair

<b>Councillor Elise Benjamin</b>	Iffley Fields;
<b>Councillor Anne-Marie Canning</b>	Carfax;
<b>Councillor Bev Clack</b>	St. Clement's;
<b>Councillor Colin Cook</b>	Jericho and Osney;
<b>Councillor John Goddard</b>	Wolvercote;
<b>Councillor Graham Jones</b>	St. Clement's;
<b>Councillor Shah Khan</b>	Cowley;
<b>Councillor John Tanner</b>	Littlemore;
<b>Councillor Oscar Van Nooijen</b>	Hinksey Park;

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# AGENDA

## Pages

### COMMITTEE MEMBERSHIP

Please note that the membership of this Committee will be appointed formally at Annual Council on 23<sup>rd</sup> May 2012.

**1 ELECTION OF CHAIR FOR THE COUNCIL YEAR 2012/2013**

**2 ELECTION OF VICE CHAIR FOR COUNCIL YEAR 2012/2013**

**3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

**4 DECLARATIONS OF INTEREST**

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

**5 PLANNING APPLICATION FOR DETERMINATION - GRANTHAM HOUSE, CRANHAM STREET - 11/03269/FUL, 11/03271/FUL, 11/03272/CAC, 11/03273/FUL**

1 - 22

Application A (11/03269/FUL) External alterations and additions, including extensions to roof to form ¾ floor, external cladding and balconies. Provision of bin and cycle storage.

Application B (11/03273/FUL) – External alterations and additions, including extensions to roof to form 3<sup>rd</sup> floor, external cladding and balconies. Conversion to 7 flats (3 x 1 bed, 1 x 2 bed and 3 x 3 bed). Provision of 1 off street car parking space.

Application C: (11/03271/FUL) – Conservation consent for demolition of building. Erection of 2 x 3 bed semi detached houses and car parking.

Report of the Head of City Development attached.

**6 PLANNING APPLICATION FOR DETERMINATION - MAGDALEN COLLEGE, 12/00459/FUL, 12/00460/LBC**

23 - 38

Proposal: (1) Extension to existing library to provide book storage, reading rooms, staff accommodation, seminar rooms, landscaping to quadrangle and provision of level access and bicycle storage facilities.

- (2) External and internal alterations and extension to library involving removal of inserted floor and staircase, insertion of new staircase, lift to provide book storage, reading rooms, staff accommodation and seminar space

Report of the Head of City Development attached.

**7 PLANNING APPLICATION FOR DETERMINATION - 115 WALTON STREET - 12/00862/FUL 39 - 44**

Proposal: Change of use from Class A1 (retail) to Class A2 (financial and professional services)

Report of the Head of City Development attached.

**8 PLANNING APPLICATION FOR DETERMINATION - 56 ST CLEMENTS - 12/00721/FUL 45 - 50**

Proposal: Change of use from sui generis HMO (House in Multiple Occupancy) to Class C4 HMO.

Report of the Head of City Development attached.

**9 PLANNING APPLICATION FOR DETERMINATION - 49 MEADOW PROSPECT, 12/00549/FUL 51 - 58**

Proposal: Two storey side and rear extension (amended plans)

Report of the Head of City Development attached

**10 PLANNING APPLICATION FOR DETERMINATION - OXFORD ICE RINK, OXPENS ROAD - 12/00561/CT3 59 - 64**

Proposal: Replacement of external entrance/exit doors to main entrance – Oxford Ice Rink, Oxpens Road.

Report of the Head of City Development attached.

**11 FORTHCOMING ITEMS FOR INFORMATION**

The following forthcoming applications / matters are for **noting only**:-

1. 12/00460/LBD, 12/00371/FUL – University Press, Walton Street – offices;
2. 12/00249/FUL – former Motorworld site, Abingdon Road – Travelodge;

3. 12/00992/FUL – 10 Gordon Street – conversion of social club to residential;
4. 12/00683/VAR - Carling Academy, Cowley Road – variation of hours;
5. 12/00602/FUL – 9 Whitehouse Road – extension;
6. 12/01083/FUL – 18 Weirs Lane – extension;
7. 11/00940/CONSLT – University Science Area, South Parks Road – Master Plan (not a planning application)
8. 12/00888/FUL & 12/00902/CAC – 30 Plantation Road – Garage
9. 12/00769/FUL – 75 Southmoor Road – extensions
10. 12/00765/FUL – Brock Grove, Lamarsh Road – change of use from ClassC3 dwellings
11. 12.00825/VAR – 16a Charlbury Road – variation to access arrangements
12. 12/00182/FUL - 18 Regent Street – extension
13. 12/00147/FUL – 9 & 12 Whitson Place – extensions
14. 12/00541/VAR – 48A Donnington Bridge Road - extensions

## **12 PLANNING APPEALS**

65 - 68

To receive information on planning appeals received and determined.

The Committee is asked to note this information.

## **13 MINUTES**

69 - 72

Minutes of the meeting held on 11<sup>th</sup> April 2012

## **14 DATES AND TIMES OF FUTURE MEETINGS**

The Committee is asked to note the dates of future meetings, and to decide if it wishes to continue to meet at 6pm.

All the following meeting will take place on Wednesday, with the exception of February 2013:-

13<sup>th</sup> June  
 11<sup>th</sup> July  
 15<sup>th</sup> August

12<sup>th</sup> September  
10<sup>th</sup> October  
7<sup>th</sup> November  
12<sup>th</sup> December  
16<sup>th</sup> January 2013  
7<sup>th</sup> February – please note that this meeting will be held on **Thursday**  
13<sup>th</sup> March  
17<sup>th</sup> April  
8<sup>th</sup> May

The following dates are reserved for overflow meetings which will only be held if necessary. These are all Thursday, with the exception on November 2012, February and May 2013:-

21<sup>st</sup> June  
12<sup>th</sup> July  
23<sup>rd</sup> August  
13<sup>th</sup> September  
18<sup>th</sup> October  
14<sup>th</sup> November – please note that this meeting will be held on **Wednesday**  
13<sup>th</sup> December  
17<sup>th</sup> January 2013  
13<sup>th</sup> February - please note that this meeting will be held on **Wednesday**  
14<sup>th</sup> March  
25<sup>th</sup> April  
15<sup>th</sup> May - please note that this meeting will be held on **Wednesday**

## **DECLARING INTERESTS**

What is a personal interest?

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

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

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

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

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

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

### **What is a prejudicial interest?**

You have a prejudicial interest in a matter if;

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

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

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

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

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

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

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

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

  - (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
  - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to [planningcommittee@oxford.gov.uk](mailto: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.



# Agenda Item 5

West Area Planning Committee

- 30<sup>th</sup> May 2012

**Application A:** 11/03269/FUL

**Proposal:** External alterations and additions, including extension to roof to form 3/4 floor, external cladding and balconies. Provision of bin and cycle storage

**Application B:** 11/03273/FUL

**Proposal:** External alterations and additions, including extension to roof to form 3rd floor, external cladding and balconies. Conversion to 7 flats (3x1 bed, 1x2 bed and 3x3 bed). Provision of 1 off street car parking space

**Application C:** 03272/CAC, 11/03271/FUL

**Proposal:** Conservation consent for demolition of building  
Erection of 2x3 bed semi detached houses and car parking

**Decision Due by:** 13th February 2012

**Site Address:** Grantham House Cranham Street (**Appendix 1**)

**Ward:** Jericho And Osney Ward

**Agent:** Mr Douglas Riach

**Applicant:** Iconic Strategic Asset Fund

This report should be read in conjunction with the officer report dated 2<sup>nd</sup> March 2012 attached as **Appendix 2**.

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**Recommendation:**

## **Applications for Planning Permission**

It is recommended that the West Area Planning Committee grant planning permission to the above planning applications.

### **Reasons:**

- 1 The development makes a more efficient use of a brownfield site which is within an existing residential area and sustainable location in accordance with policy CP1 and CP6 of the Local Plan. The proposal offers a good balance and mix of dwelling types and sizes in accordance with policy CS23 of the Core Strategy and would secure a financial contribution towards affordable

housing in accordance with policy HP4 of the Sites and Housing DPD. It would significantly improve the residential environment of the site in accordance with policy CP1, CP10 and HS19 of the Local Plan. The development would not adversely affect the amenities of neighbouring residential properties in accordance with Policy CP1, CP10 and HS19 of the Local Plan, and it would sustain the special qualities of this part of the Jericho Conservation Area in accordance with policy HE7 of the Oxford Local Plan. The proposal would not increase on street car parking by reason of sites removal from the Controlled Parking Zone with is reasonable in light f the sustainable location.

- 2 The Council has had regard to all the comments received through the consultation process. The matters raised have been addressed within the report and when taken on balance are not considered to warrant refusal of the application.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material issues, 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 In accordance with approved plans
- 3 Samples of Materials in Conservation Area
- 4 Submit further architectural & construction details
- 5 Boundary details before commencement
- 6 Landscaping plan required
- 7 Details of green wall
- 8 Landscape Implementation
- 9 Landscape management plan
- 10 Tree Protection Plan
- 11 Arboricultural Method Statement
- 12 Hard Surface design – tree roots
- 13 Underground Services – tree roots
- 14 Bin and cycle storage
- 15 Construction Traffic Management Plan
- 16 Visibility Splays
- 17 Car Parking (Porous material)
- 18 Removal of site from Controlled Parking Zone
- 19 Removal of Permitted Development Rights
- 20 Details of services (i.e. satellite, meters)
- 21 Sustainability design/construction

(the above conditions are a summary and conditions 10-13 only apply to Application A)

## **Application for Conservation Area Consent**

It is recommended that the West Area Planning Committee grant conservation area consent:

### **Reasons:**

1. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

### **Conditions:**

- 1 No demolition prior to contract for redevelopment

### **Officers Assessment**

1. At the West Area Planning Committee on the 14<sup>th</sup> March 2012 it was resolved to defer determination of these applications to allow officers the opportunity to obtain a legal view as to whether it is acceptable in planning terms to consider, as a material consideration, an allocation for social housing, as required by Policy HP4, from some of the capital receipt money received for the sale of Grantham House by the Council.
2. Since the March meeting the financial contribution for the full 15% of the projected sale value of the 9 new units has been received by the Council, by way of a financial transfer, to the off-site social housing account. In planning terms the proposal now accords with policy HP4 of the Sites and Housing Development Plan Document.

### **Conclusion:**

The applications make a more efficient use of a previously developed site in a manner which would be sympathetic to the character and appearance of the conservation area. They would contribute to the provision of affordable homes within the City. The loss of trees and shrubs on site can be adequately mitigated by a comprehensive replacement planting scheme. The development would not adversely affect the living conditions of neighbouring properties and would create a much improved residential environment. Although some refinements are required to details of the development these can be secured by the imposition of appropriate conditions. Officers would therefore recommend that planning permission and conservation area consent be granted subject to the conditions set out in the report attached as Appendix 2.

### **Human Rights Act 1998**

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

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing

conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

**Section 17 of the Crime and Disorder Act 1998**

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

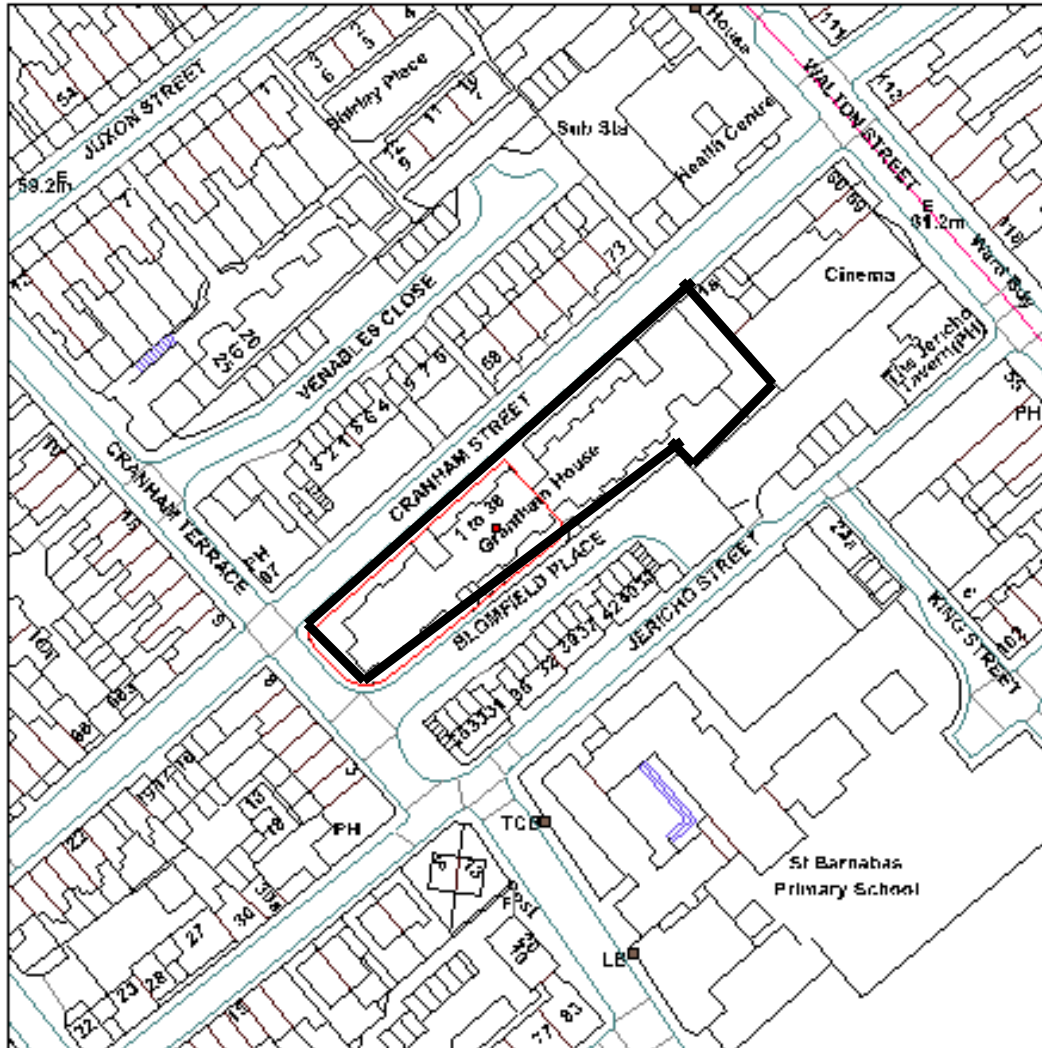
**Background Papers:** 11/03272/CAC, 11/03269/FUL, 11/03271/FUL, 11/03273/FUL

**Contact Officer:** Steven Roberts

**Extension:** 2221

**Date:** 8<sup>th</sup> May 2012

# Appendix 1



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**Application A:** 11/03269/FUL

**Proposal:** External alterations and additions, including extension to roof to form 3/4 floor, external cladding and balconies. Provision of bin and cycle storage

**Application B:** 11/03273/FUL

**Proposal:** External alterations and additions, including extension to roof to form 3rd floor, external cladding and balconies. Conversion to 7 flats (3x1 bed, 1x2 bed and 3x3 bed). Provision of 1 off street car parking space

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**Site Address:** Grantham House Cranham Street (**Appendix 1**)

**Ward:** Jericho And Osney Ward

**Agent:** Mr Douglas Riach

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**Recommendation:**

**Application for Planning Permission**

It is recommended that the West Area Planning Committee grant planning permission to the above applications.

**Reasons:**

- 1 The development makes a more efficient use of a brownfield site which is within an existing residential area and sustainable location in accordance with policy CP1 and CP6 of the Local Plan. The proposal offers a good balance and mix of dwelling types and sizes in accordance with policy CS23 of the Core Strategy, as well as significantly improving the residential environment of the site in accordance with policy CP1, CP10 and HS19 of the Local Plan. The development would not adversely affect the amenities of neighbouring residential properties in accordance with Policy CP1, CP10 and HS19 of the

Local Plan, and it would sustain the special qualities of this part of the Jericho Conservation Area in accordance with policy HE7 of the Oxford Local Plan. The proposal would not increase on street car parking by reason of sites removal from the Controlled Parking Zone with is reasonable in light f the sustainable location.

- 2 The Council has had regard to all the comments received through the consultation process. The matters raised have been addressed within the report and when taken on balance are not considered to warrant refusal of the application.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material issues, 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
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- 19 Removal of Permitted Development Rights
- 20 Details of services (i.e. satellite, meters)
- 21 Sustainability design/construction

(the above conditions are a summary and conditions 10-13 only apply to Application A)

**Application for Conservation Area Consent**

It is recommended that the West Area Planning Committee grant conservation area consent:

Reasons:

1. The Council considers that the proposal, subject to the conditions imposed,



would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Conditions:

- 1 No demolition prior to contract for redevelopment

**Principal Planning Policies:**

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- HE2 - Archaeology
- HE7 - Conservation Areas
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- HS11 - Sub-Division of Dwellings
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Oxford Core Strategy 2026

- CS2 - Previously developed and greenfield land
- CS9 - Energy and natural resources
- CS12 - Biodiversity
- CS18 - Urban design, town character, historic environment
- CS23 - Mix of housing

Sites and Housing DPD – Proposed Submission

- HP2 - Accessible and Adaptable Homes
- HP4 - Affordable Homes from Small Housing Sites

**Other Material Considerations:**

- This application is located within the Jericho Conservation Area.
- PPS 1 – Delivering Sustainable Development
- PPS 3 – Housing
- PPS 5 – Planning for the Historic Environment
- PPS 9 – Biodiversity and Geological Conservation
- PPG 13 – Transport
- National Planning Policy Framework (Draft)
- Regional Spatial Strategy for the South East
- Balance of Dwellings Supplementary Planning Document
- Parking Standards, Transport Assessments and Travel Plans SPD
- Manual for Streets

### **Relevant Site History:**

67/19136/AA H - Grantham House - Erection of 36 old people's flatlets, warden's flat and communal rooms. (revised) – Approved

67/19136/A H - Erection of 36 old people's flatlets, warden's flat and communal rooms – Approved

95/00473/NF - 3 storey extension to provide lift shaft and external alterations - Approved

**Third Party Representations Received:** One letter of comment has been received.

The issues raised can be summarised as follows:

- Generally applaud proposal
- Could have been 2 or 3 storeys higher
- Could have had a commercial unit on ground floor
- Roof terrace could have been communal
- No family accommodation provided

### **Statutory Consultees:**

Environment Agency Thames Region – No objection

Thames Valley Police – No objection

Thames Water Utilities Limited – No objection

Highways Authority – No objection subject to conditions to ensure adequate cycle parking is provided, car parking for 2x3 bed houses has adequate visibility, porous hard surfaces, and that the site be removed from the controlled parking zone

Oxford Civic Society – No objection – This is an acceptable and reasonable adaptation of the site which has been too long neglected and disused.

### **Officers Assessment:**

#### **Site Description and Proposal**

1. The application site comprises Grantham House, a two/three storey residential building occupying a rectangular plot (**Appendix 1**). The site has three street frontages, Cranham Street which is the primary frontage, Blomfield Place which runs parallel to Cranham Street, and Cranham Terrace.
2. Grantham House is predominantly two storey, however due to the change in levels from the northeast to southwest, the southwestern end of the building is three storeys, with part of the central area accommodating a lower ground store. The accommodation comprises 20x1 bed flats, which are in the southwest end of the building, and 16 flatlets, a warden's flat and common area, which are in the northeast end of the building. The building occupies the majority of the site and as such landscaping is limited, although there are two trees at both ends of the site, the London Plan on the junction with Cranham Terrace being of particular prominence. The limited space on site also means that there is no off street car parking.
3. The proposals relate to three separate planning applications, which are set out below, and an application for conservation area consent. Figure 1 shows Applications A, B and C on a block plan for ease of reference.

**Application A** – Extension to the roof to provide additional floor and alterations to the elevations (including new bay windows and cladding) in association with the extension to and internal refurbishment of the 20 one bed flats. The flats on the 1<sup>st</sup> floor become duplex units with second bedrooms in the new roof extension.

**Application B** - Extension to the roof to provide additional floor and alterations to the elevations (including new bay windows and cladding) in association with the conversion of the 16 flatlets into 3x1 bed, 1x2 bed, and 3x3 bed flats. The 3 bed flats are duplex units with rooms in the roof extension.

**Application C** – Demolition of the existing two storey warden flat and common area. The erection of a pair of three bed houses over three floors, with integral garages.

4. The application for conservation area consent proposes the demolition the warden flat and common area.

**Figure 1**



5. Officers consider the principal determining issues of the case to be:

- principle of development
- affordable housing
- balance and mix of dwellings
- impact on the character and appearance of the conservation area

- Proposed residential environment
- impact on trees
- archaeology
- impact on neighbouring properties
- car parking
- sustainability

### **Principle of Development**

6. Local Plan policy CP6 states that development proposals should make efficient use of land by making best use of site capacity. This is a brownfield site within an existing residential area. The proposed use is historic to this site and officers therefore consider the principle of development to be acceptable.
7. The existing building is of a typically utilitarian 1960's design and officers consider the demolition of the warden flat and common area in connection with the redevelopment of the site is acceptable. However, the warden flat and common area are connected to the flatlets and as such officers would not encourage the loss of these until the flatlets have been/are being redeveloped.

### **Affordable Housing**

8. The three planning applications include a total of 29 residential units. Application A proposes extensions/alterations to existing units and as such does not trigger the policy thresholds in Local Plan policy HS4 where affordable housing would be required. The remainder of the site provides new residential accommodation and it is therefore reasonable to apply policy HS4. In the first instance the 9 new units would not exceed the threshold set out in policy HS4 where affordable housing would be required. Secondly, the site is tightly constrained and in order to accommodate more units to trigger the threshold in policy HS4 the development would be likely to create a unacceptable mix of units with a poor level of amenity. In light of this officers would conclude that it is not possible to provide additional units on this part of the site in an acceptable manner which would provide good levels of amenity and respect the character and appearance of the conservation area.
9. Policy HP4 of the Site and Housing Development Plan Document (DPD) (Proposed Submission) sets a new affordable housing threshold. Policy HP4 states that *'Planning Permission will only be granted for residential development on sites with a capacity for 4-9 dwellings, if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford.'* Application B and C therefore triggers the requirement for affordable housing delivery under policy HP4.
10. The Committee should be mindful that whilst the document is not adopted, the Council endorsed the DPD for development control purposes. In this particular case officers would conclude that there are exceptional

circumstances for not requiring the affordable housing contribution which officers have had to take into consideration. These are set out below.

11. In approving the sale of Grantham House the City Executive Board (CEB) agreed that the originally estimated capital receipt be used to finance the decent homes programme, which feeds into regeneration and the creation of new affordable homes. CEB also indicated that indicated that the remainder of the balance from the sale of Grantham House be used to fund affordable housing and strongly pressed for reinvestment in social housing in Jericho. CEB has indicated this will be a priority if a scheme comes forward in a timely fashion and can deliver affordable housing providing good value for money. Therefore the site has already made a contribution towards affordable housing.
12. In addition to the above officers would also draw the Committee's attention to the benefits of the proposal. In its present condition the site is considered to have a negative impact on the character and appearance of the conservation area (see below for more detail), it offers a poor balance and mix of accommodation contrary to the Balance of Dwellings SPD (also discussed in more detail below), it offers no private outdoor space for occupants and has a generally poor residential environment. The proposals significantly improve all of these features by bringing a vacant building back into use, by improving the visual impact of the site and how it contributes to the area, and by introducing a mix of dwelling types and sizes which have a good level of amenity both internally and externally.
13. For the reasons set out above officers conclude that in this particular instance it is reasonable not to impose a requirement for an additional contribution towards affordable housing.

### **Balance of Dwellings**

14. Core Strategy policy CS23 explains that the predominance of one particular form of housing type within a locality may have unwelcome social implications and as such policy CS23 supports a balance of dwelling types within any given locality.
15. In support of policy CS23 the Balance of Dwellings Supplementary Planning Document (BoDs) assesses the housing stock within Oxford and has identified areas of pressure. The aim of BoDs is to ensure that development provides a balanced and mixed community and as a result Neighbourhood Areas provide the framework for the assessment of new residential developments. The application site falls within an area defined by BoDs as amber, which means that the scale of pressure is considerable and therefore a proportion of family dwellings should form part of new residential development.
16. Application A does not create any new units and is therefore exempt, while Application B and C create 9 new units. For developments of 4-9 units in this area BoDs prescribes the mix set out in column 3 in Figure 2 below.

The proposal complies with the 2 and 3 bed requirement, but provides marginally too many 1 bed flats (33% 1 bed, 11% 2 bed and 55% 3 bed provided). Officers consider this to be acceptable in light of the very marginal infringement and that it substantially improves the existing balance and mix of units on this site.

**Figure 2**

Dwelling types	Residential developments of 10-24 units (percentage range)	Residential developments 4-9 units (percentage range)	Residential developments 1-3 units
1 bed	0-20 %	0-30 %	No net loss of 'family units'
2 bed	10-35 %	0-50 %	
3 bed	30-75 %	30-100 %	
4+bed	0-35 %	0-50 %	

## Impact on the Character and Appearance of the Conservation Area

### Heritage Policy Framework

17. PPS5 - *Planning for the Historic Environment* explains the government's commitment to the protection of the historic environment and provides a policy framework on its effective management. The guidance asks that applicants and the local planning authority (LPA) have sufficient information to understand the significance of a heritage asset and to understand the impacts that any proposal would have. It advises in particular that the LPA should take into account the desirability of sustaining and enhancing the significance of heritage assets and the positive role that their conservation can make to the establishment and maintenance of sustainable communities and economic viability. PPS 5 recognises that intelligently managed change is necessary if heritage assets are to be maintained for the long term, but equally that it is desirable for development to make a positive contribution.

### Heritage Impacts

18. Using the Jericho Conservation Area Appraisal the applicants have undertaken an analysis of the character and appearance of the Jericho Conservation Area to inform the design of the proposals. They have identified the following issues with the existing buildings and their context:
- Lack of activity at street level;
  - Retaining wall along Blomfield Place oppressive;
  - No definition to the edge of the highway as is characteristic of the area (e.g. front wall);
  - Roof pitch shallow which is uncharacteristic of Jericho;
  - Materials uncharacteristic of the area and give building its dowdy appearance;
  - Lack of landscaping;
19. The existing buildings do not possess any historic or architectural interest.

The 1960s redevelopment involved the demolition of one of the earliest phases (1820s) of the development of Jericho and the removal of other rows of later C19th terraces. This changed the character, layout and appearance of the area and introduced more green spaces. Whilst the redeveloped area attempts to knit in with its context the site does not retain any elements that reflect the historic character of the suburb and there is potential to improve the present contribution the existing buildings make by enhancing the perceptions of the immediate area and the character of this part of the conservation area. There is no harmful impact from the demolition proposed.

#### Bulk and Height

20. Traditionally the terrace houses off Walton Street are primarily two storey (e.g. Juxon Street). However Grantham House is an exception, as is the 1970's development opposite and Blomfield Place to the east. The existing building uses the gradient of the street to change from 2 to 3 storey without raising the ridge height and therefore not appearing out of scale. An important issue for these proposals is how the roof extension is therefore designed so that it does not appear top heavy and out of scale with the site. The mass of the roof extension has been limited by it being set in from the edges of the building and having an irregular form with staggered roof line and face. The materials are also different from the rest of the elevation which allows it to appear more as an attic storey rather than a conventional floor. One of the details which makes the existing building stand out is its shallow pitched roof. The proposed extension would give the building a better proportioned scale.

#### Design and use of materials

21. Crucial to the success of the scheme is the quality of the design and materials that are used. Key to this is the activity at street level and to address this issue the proposal introduces doors to individual flats accessed by individual footpaths leading directly off the street. It also introduces larger windows and low front boundary walls to provide greater surveillance of the front gardens and a more clearly defined boundary between the private and public realm. Officers have had discussions with the applicant about introducing railings of traditional or contemporary styling to the boundary wall on this wall along Cranham Street to reflect a characteristic feature of the area and to help the site integrate with the wider conservation area. This is a matter of detail which can be addressed by condition.
22. The proposals also increase the size of existing bays and introduce new ones with larger openings to enliven and articulate the elevations. This, along with the window grouping, creates a new rhythm in the building which is common to the terraced streets of Jericho. Key to the success of this will be the fine detailing of the windows and the materials and colours of the bay elements. Again officers would advise that these matters can be addressed by imposed conditions.

### Landscaping

23. The proposals include a comprehensive outline scheme for landscaping which involves new tree and shrub planting. The principle of these elements is reasonable. However if planning permission is granted officers would recommend a condition to secure a full landscaping scheme prior to commencement of development.
24. The application has also sought to address the oppressive retaining wall along Bromfield Place. It is intended to introduce wall planting to create a green wall. This is considered to be a intelligent response to this issue and officers would recommend that if planning permission is granted a condition be imposed to secure specific details of the green wall.

### **Proposed Residential Environment**

25. The Local Plan requires proposals for new residential development to adequately provide for the needs of future occupiers. An acceptable internal and external environment must be provided. Specifically policy HS11 requires flats to be well lit and ventilated, fully self contained and to have a floor area in excess of 25m<sup>2</sup>. The Balance of Dwellings Supplementary Planning Document (BoDs) is more specific and requires 3 bed dwellings to have a minimum floor area of 75m<sup>2</sup>. The proposed dwellings in Application B and C exceed these requirements. Whilst Application A is not required to comply with this policy as the application relates to the extension of existing units, the internal and external alterations to them greatly improves their internal environment.
26. Policy HS21 of the OLP states that residential development should have access to private outdoor space, possibly in the form of a balcony/terrace where, and that in the case of family dwellings of 2 or more bedrooms this should be exclusive to the residential property and generally in excess of 10m in length.
27. The existing accommodation has no private outdoor space exclusive to any of the units. The landscaping around the site is not enclosed and does not offer a private or secure outdoor space. The development proposes private outdoor space for each of the extended and new residential units. This has been accommodated through the introduction of balconies, roof terraces and private gardens enclosed by new boundary walls. The single bed flats are served by balconies or gardens in the case of the ground floor units. The two bed flats have access to both a balcony and roof terrace, with those on the ground floor having a private garden. The three bed flats have access to a balcony and roof terrace, while the two three bed houses have access to rear private gardens and roof terrace.
28. In most cases the private outdoor space for each unit is small. However this is not due to the footprint of the building being increased, rather it is the result of its existing tightly drawn boundaries. A balance needs to be struck between the policy requirements and the particular circumstances of the case. Officers have concluded that in light of the constrained nature



of the site and other benefits of the development, that it is reasonable in this instance to accept the outdoor space provided, which although small is secure, private and exclusive to each unit. This is a significant improvement upon the current situation.

29. Across the three sites 52 cycle parking spaces are provided. This falls short of the Local Plan requirement of 2 spaces per dwelling (total of 54). There is space to accommodate additional cycle parking and officers would recommend that a condition be imposed to secure this.
30. Notwithstanding the number of cycle parking spaces, officers have concerns regarding the location of cycle parking for Application B. They are sited some distance from the flat entrances to the side of the block where there is no natural surveillance. Officers consider it likely that cycles will be placed elsewhere where they would be more secure and closer to the entrance to the flats. In light of this officers would recommend that in imposing the condition mentioned in paragraph 36 an additional requirement be included to ensure that the cycle stands are sited more centrally.
31. There is a large bin store beneath flats 9-12 of Application A. Officers commend the applicants design for including an integral bin store. However Application B is not as well served by a store and would be some distance from the store beneath flats 9-12. As such officer consider that it would be more practical to include bin storage closer to the entrance of flats in Application B and as such would recommend imposing a condition to secure this.

### **Impact on Neighbouring Properties**

32. Core policy CP10 of the Local Plan states that development should be sited to ensure that the *'use or amenity of other properties is adequately safeguarded'*. Local Plan policy HS19 goes further and states that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
33. The proposal would introduce some new and enlarged windows, as well as balconies and a roof terrace. The proposals would not be any closer to neighbouring properties and officers consider the relationship to be reasonable and common to an urban environment. The proposal would not therefore adversely affect the privacy of neighbouring properties.
34. Two new houses are under construction on the site to the east of Application Site C. Although not complete they are under construction and therefore the impact of the proposals on these houses need to be considered. The houses in Application C would be approximately 6.6m away from the boundary, approximately 2m closer than the existing building. However, despite this relatively close relationship the proposal would not affect the new houses to the east to a significantly greater

extent than the existing building due to the relatively similar separation distances and the change in levels between the two sites (ground level of Application C approx 1.5 higher). This change in levels means that any view of the rear gardens of the new houses from the 1<sup>st</sup> floor windows of the proposal would be obscured by the boundary fence which would be approximately 3.5m above the garden level of the new houses. This would prevent any unacceptable overlooking.

35. Application C would replace the warden flat and common area with a larger pair of 3 bed houses. These houses would be approximately 10m from the rear boundary of Nos 59 and 60 Walton Street. The new houses would not have any side facing habitable room windows and as such there would not be any direct overlooking of Nos 59 and 60. While the separation distance and massing of the proposal ensures that it would not have an overbearing impact on or cause a loss of light to Nos 59 and 60.
36. The proposal would not adversely affect daylight to neighbouring properties due to the separation distances.

### **Trees**

37. There is a very large mature London plane tree at the south western end of the site (within the site of Application A) near the corner of Cranham Street and Cranham Terrace. The tree is very significant in public views and makes a very important contribution to the character and appearance of this part of the Jericho Conservation Area. Although it is classified as moderate quality and value (B category) for planning purposes, this does not adequately reflect the important contribution that the tree makes in relation to its amenity.
38. The alterations proposed include increasing the height of the building next to the tree and altering the gable end to provide a flat roof terrace and this will require the tree to be pruned to reduce the spread of lateral branches which extend over the roof of the building. If this pruning work is undertaken by a competent arboricultural contractor working in accordance with good practice (BS3988:2010) it should not be harmful the health, structural condition or appearance of the tree so that its amenity value will be maintained. If planning permission is granted it should be conditional upon a detailed specification for pruning works being approved by the Council before the work is undertaken.
39. It is essential that the tree is adequately protected from physical damage during the construction phase of development. Barrier fencing and ground protection measures will be required to ensure that the roots of the tree are not damaged by ground works and the construction details of new hard surfacing and the route of any new under ground services will need to be designed to minimise the impact on the tree. These details can be secured and agreed by condition.
40. The site of Application B contains several small trees and large shrubs

including 2 holly trees which stand along the Cranham Road frontage. The removal of these trees will not have a significant harmful effect on visual amenity and their loss can be adequately mitigated by new planting that is proposed as part of soft landscaping which can be secured by condition.

41. The site of Application C contains a mature silver birch tree in the rear of the site which is a pleasing feature of public views looking from Blomfield Place and a section of Cranham Terrace. The tree makes a valuable contribution to the character and appearance of this part of the Jericho Conservation Area.
42. However, it grows within a raised planted and is inconveniently sited within the application site. While the tree could be retained, the raised planter would be located centrally within the garden of one of the proposed houses and would unreasonably restrict enjoyment of the garden. The visual impact of removing it can be mitigated to a large extent by planting a new silver birch tree along the western boundary of the rear garden of the houses as is proposed. The new tree should be an advanced nursery stock sized specimen so that it has some stature on planting and immediately replaces some of the visual amenity that will be lost to public views when the existing silver birch is removed.
43. Although the loss of the existing silver birch tree is regrettable and planning permission might not usually be granted for development that required it to be removed, officer consider that the mitigation proposed and the other benefits of the scheme would outweigh any harm arising from the removal of the tree.
44. The site of Application C also contains several other small trees and shrubs including and elder and buddleia which stand in the gap between Grantham House and 1a Cranham Street. The removal of these trees will not have a significant harmful effect on visual amenity and their loss can be adequately mitigated by new planting that is proposed as part of soft landscaping which can be secure by condition.

## **Archaeology**

45. The site lies close to prehistoric and Saxon remains identified at the Radcliffe Infirmary site during excavations in the summer of 2009. The excavations identified a Middle Neolithic enclosure and a linear alignment of late Neolithic-early Bronze Age barrows. The alignment of barrows can be projected through the application site. The full extent of this prehistoric landscape is not currently known and is likely to be defined by the edge of the Summertown-Radley gravel terrace, which itself is not accurately plotted on the available geological maps. PPS5 states that where the loss of the whole or a material part of a heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. In light of this officers would recommend that a condition be imposed to secure a programme of archaeological work prior to demolition.

## **Car Parking**

46. It is proposed that the development would be car free, with the exception of Application C which provides one car per house. The site is within the Transport Central Area (TCA) which the Local Plan considers to be a highly sustainable given its excellent availability of shops, services and public transport. In the TCA the Local Plan states that residential proposals that are car free will be treated favourably. In this regard officers consider the principle of a car free housing scheme to be acceptable. It is recommended however that the development be excluded entitlement to parking permits in order to prevent any undue pressure to on street parking. A condition is suggested accordingly.

## **Sustainability**

47. The application site lies within a sustainable location with excellent access to shops, services and public transport nodes. The proposal will make efficient use of this brownfield site.
48. Policy CS9 states that all applications for development are expected to minimise carbon emissions by incorporating sustainable design and construction methods into the development. The Building Regulations, in particular Part G (Sanitation, Hot Water Safety and Water Efficiency) and Part L (Conservation of fuel and power), aim to help reduce carbon emissions and protect the environment.
49. Notwithstanding the requirements of the Building Regulations, officers would recommend that if the Committee is minded to grant planning permission a condition be attached requiring details of how sustainable design and construction methods would be incorporated into the new and refurbished structures and how energy efficiency has been optimised through design and by utilising technology that helps achieve Zero Carbon Development.

## **Conclusion:**

The applications make a more efficient use of a previously developed site in a manner which would be sympathetic to the character and appearance of the conservation area. The loss of trees and shrubs on site can be adequately mitigated by a comprehensive replacement planting scheme. The development would not adversely affect the living conditions of neighbouring properties and would create a much improved residential environment. Some refinements are required to details of the development, but these can be secured by the imposition of appropriate conditions.

## **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers

of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

### **Section 17 of the Crime and Disorder Act 1998**

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

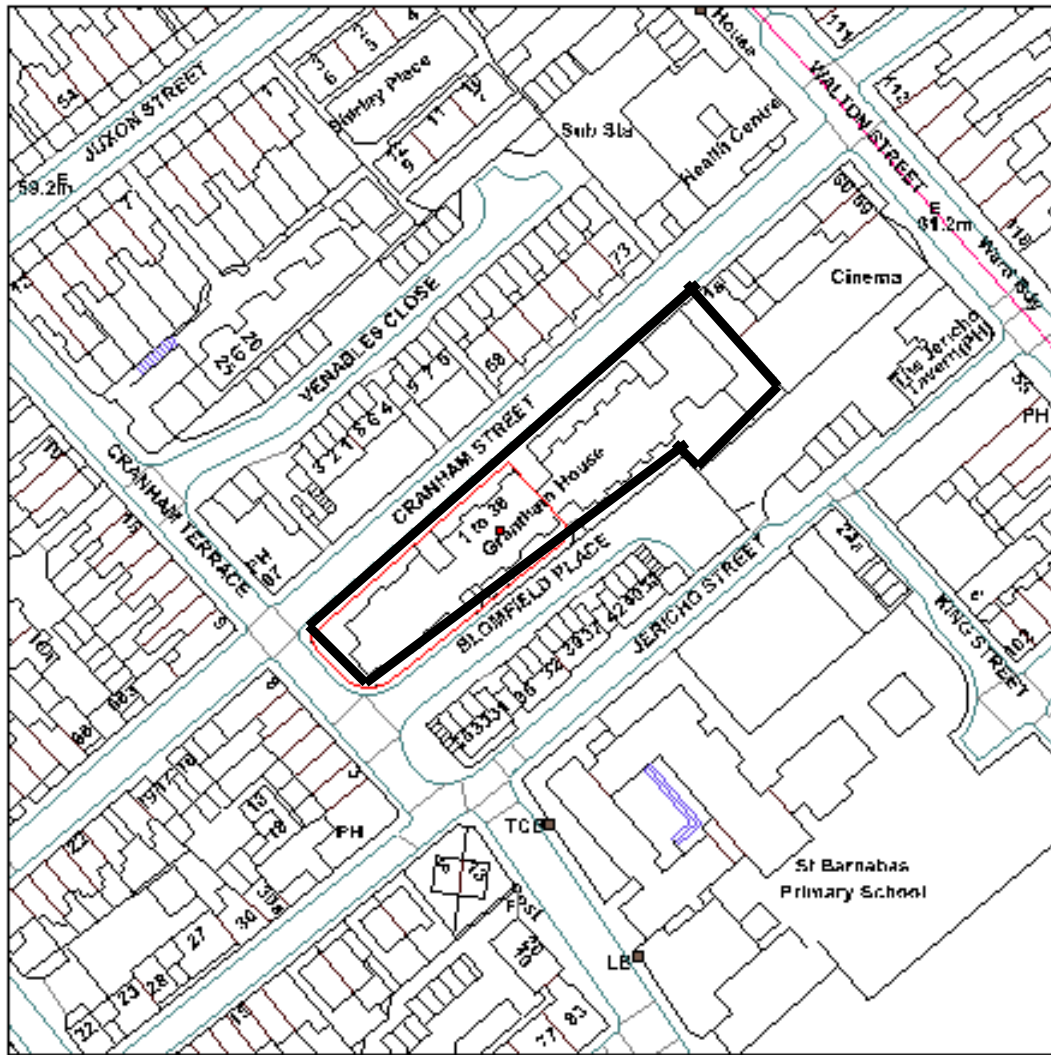
**Background Papers:** 11/03272/CAC, 11/03269/FUL, 11/03271/FUL, 11/03273/FUL

**Contact Officer:** Steven Roberts

**Extension:** 2221

**Date:** 2<sup>nd</sup> March 2012

# Appendix 1



## WEST AREA COMMITTEE

30<sup>th</sup> May 2012

**Application Number:** 1. 12/00459/FUL  
2. 12/00460/LBC

**Decision Due by:** 19th April 2012

**Proposal:**

1. Extension to existing library to provide book storage, reading rooms, staff accommodation, seminar rooms, landscaping to quadrangle and provision of level access and bicycle storage facilities.
2. External and internal alterations and extension to library involving removal of inserted floor and staircase, insertion of new staircase, lift to provide book storage, reading rooms, staff accommodation and seminar space

**Site Address:** Magdalen College, [Appendix 1]

**Ward:** Holywell Ward

**Agent:** Wright And Wright Architects      **Applicant:**  
Applications called in by Councillors, Mills, Benjamin, Wolff, Wilkinson, Price, Jones and Gotch on grounds that they involve substantial changes to a grade II listed building.

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### Recommendation:

12/00459/FUL

### Reasons for Approval.

- 1 The proposal forms an appropriate visual relationship with the existing listed building and the surrounding development which lies within the Central City and University Conservation Area and would appear sympathetic and in keeping with the street scene. The proposal includes the provision of new cycle facilities and the planting of a substantial tree to replace the two birch trees that are to be removed. The proposal complies with adopted policies contained in both the Oxford Core Strategy 2026 and the Oxford Local Plan 2001 - 2016.
- 2 Objections to the proposal have been received from The Victorian Group of the Oxfordshire Architectural and Historical Society and the The Victorian Society and comments have been received from English Heritage. All the views received have been given careful consideration. However the Council take the view that the comments made, either individually or cumulatively, do not constitute sustainable reasons for refusing the application and that the imposition of appropriate conditions on the planning permission will ensure the

delivery of a high quality development that will not detract from the historic interest of the building.

- 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 Sample panel on site
- 5 Landscape plan required
- 6 Landscape carry out by completion
- 7 Construction Travel Plan
- 8 Cycle parking details required
- 9 Permeable surface
- 10 Replacement tree
- 11 Archaeology - mitigation
- 12 Archaeology - Design & method statement
- 13 Details of railings

12/00460/LBC

### **Reasons for Approval**

1. The Council considers that the proposal accords with the policies of the Development plan and Government advice on the management of the Historic environment as summarised below. It has taken into consideration all other material matters including matters raised in response to consultation and publicity. Any harm to the heritage assets that the works would otherwise give rise to can be justified and mitigated by detailed design, which the conditions imposed would control.
2. The proposals have evolved through informed analysis of the architectural and historic interest of the buildings and through pre-application discussions with officers and English Heritage and in consultation with local groups. Whilst there will be some impacts on the heritage assets it is considered that these impacts have been minimised by design and mitigated by proposals for recording and salvage. Overall the benefits that will be delivered, ensuring the buildings continual use and regeneration, allowing improved access for staff, students and visitors to the College and encouraging the public's understanding and enjoyment of the heritage assets, justify granting listed building consent.



## Conditions

1. LB/CAC consent – approved plans
2. 7 days notice to LPA
3. LB notice of completion
4. Further works – fabric of LB – fire regulations
5. Repair of damage after works
6. Materials – samples
7. Internal features – panelling, staircase, fireplaces, cornices etc
8. Further details – secondary glazing, external balustrading, entrance doors etc
9. Archaeological building recording
10. Extraction/fumes
11. Internal lighting
12. Boundary treatment – railing design and fixing
13. Retain historic doors – entrance doors

## Principal Planning Policies:

### Oxford Local Plan 2001-2016

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

**TR4** - Pedestrian & Cycle Facilities

**HE2** - Archaeology

**HE3** - Listed Buildings and Their Setting

**HE7** - Conservation Areas

**NE15** - Loss of Trees and Hedgerows

**NE16** - Protected Trees

**HE8** - Important Parks & Gardens

### Oxford Core Strategy 2026

**CS2\_** - Previously developed and greenfield land

**CS9\_** - Energy and natural resources

**CS10\_** - Waste and recycling

**CS11\_** - Flooding

**CS18\_** - Urban design, town character, historic environment

**CS29\_** - The universities

### Other Material Considerations

National Planning Policy Framework March 2012

This application is within the Central Conservation Area and affects Grade I, II and II\* Listed Buildings.

## Relevant Site History:

A number of applications for listed building consent for various works. No relevant planning applications relating to extensions and alterations to the library building.

## **Public Consultation:**

### Statutory Consultees:

Highway Authority: No objection. Conditions should be attached regarding the submission and approval of a Construction Travel Plan and the need to ensure that all new hard surfaces are permeable and SUDS compliant.

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

### Third Party Comments:

The Victorian Group of the Oxfordshire Architectural and Historical Society: Objection: Concern raised over the effects of the proposal on the grade II\* library built in 1849-51 by John Chessell Buckler as a school room and the loss of all of Sir Giles Gilbert Scott's work. In particular the proposal will:

- destroy the carefully landscaped approach to the building and its relationship with Longwall Quad
- 'clash' with the Buckler library in terms of design
- obliterate an important phase in the building's history by removing all of the interventions designed by Scott
- result in irreplaceable damage to the historic fabric of the Buckler building by destroying the interior of the Buckler porch and schoolroom above
- a less damaging solution to the needs of the college in terms of improving the library facilities would be to build a larger new building in the Quad.

The Victorian Society: Objection:

- the proposed library extension would destroy the vertical character of the building
- it would destroy Buckler's well balanced composition
- it would destroy Scott's work
- a new larger building would be far less damaging
- Buckler's building is particularly fine even in the context of Oxford's extraordinary rich historic environment and the proposal would damage its setting and special historic interest to too great a degree

Ancient Monuments Society: No comments

English Heritage: English Heritage is satisfied that a case has been submitted to justify the remodelling of the Scott interior and to create a new wing along Longwall. E.H also accept that there is a need to improve access to the building. However the justification submitted for the extension to the basement of the grade II\* Buckler building is weak and there is no evidence to substantiate the expressed need. E.H recommend that the local authority satisfy itself that the real benefits of the scheme outweigh the harm.

## **Officers Assessment:**

### **Site Description**

1. Magdalen College lies on the north side of High Street and Longwall Quad occupies a corner location at the junction of Longwall Street and High Street. The New Library building is listed grade II\* and lies at the southern end of Longwall Quad with its rear elevation facing towards High Street. [Appendix 1 refers].
2. The New Library began life as a schoolroom for Magdalen College School. It was designed by John Chessell Buckler and built between 1849 and 1851. The space to the north, now occupied by Longwall Quad, was its playground; in 1863 a new chemistry laboratory was built in the north east corner of the playground, in 1871 a new classroom was added to the north side of the schoolroom and in 1895 a new chapel was built in the north west corner of the playground. The school vacated the site in 1928 and the site became part of the College. Between 1928 and 1931 Sir Giles Gilbert Scott demolished all the ancillary school buildings and extended the College's St. Swithun's buildings [designed by Bodley & Garner in 1880 – 1884] around the north of the playground to create the new Longwall Quadrangle. He landscaped this in a conventional fashion and converted the School into the New Library, excavating the basement and introducing a first floor which cuts across the windows to the north and south. He also raised the sills of the windows to the east and west and inserted a new staircase to the west of the main entrance. New oak bookcases were inserted to accommodate books. The Longwall Quad remains largely as Scott left it although the Library has seen a number of post-war alterations such as the introduction of rolling shelving in the basement.
3. The New Library forms part of a group of highly graded designated heritage assets located in Longwall Quad. The surrounding buildings are mostly grade II but Longwall wall is grade II\* and all of the buildings and structures lie within the grade I registered Park and Garden. The library building and Longwall also occupy a prominent location in the Central City and University Conservation Area and help to tunnel the view along Longwall Street and provide a point of reference on the corner of High Street and Longwall Street. Longwall is also the historic western boundary of Magdalen College, although much of it was rebuilt in the 19<sup>th</sup> century.

### **Heritage Significance**

4. The New Library is listed grade II\* and has high architectural, aesthetic and historical significance. It was built as a schoolroom for Magdalen College School to the designs of JC Buckler and was subsequently converted into a library by GG Scott for Magdalen College. Much of Buckler's original schoolroom survives including its timber roof and large square-headed tracery windows to the north and south. In addition, four-centred, arched, perpendicular windows remain to the east and west and

some internal panelling survives on the ground floor up to dado height. On the north side of the building a two storey projecting porch and bell turret topped with a crocketed spirelet remains complete with a spiral staircase leading up to the Master's study above.

5. The later interventions by GG Scott, including the insertion of a new first floor and the excavation of a basement, are not well executed but are from conscious design and demonstrate the reuse and evaluation of the building from schoolroom to library for Magdalen College. The fact that the first floor has a somewhat unsatisfactory arrangement with the windows is illustrative of the story of the buildings association with Magdalen College and is of architectural value. The involvement of Scott as an architect of considerable significance is also of historic interest.
6. The New Library provides physical evidence of the earlier school on the site and is part of the history of development of the College. It is not as originally designed but the building retains characteristics and features that help the understanding of Victorian values and ideals about education in the 19<sup>th</sup> century. Its aesthetic value lies in its accomplished Neo-Gothic design which fits comfortably with the rest of the College buildings.
7. Scott's landscaping of the quad changed the hard landscaped character of the playground and stable yard to that of a more verdant college quad, assisting its successful integration as part of the College's collegiate plan form.

## **The Proposal**

8. The applications seek planning permission and listed building consent for extensions to the existing library to provide book storage, reading rooms, staff accommodation, seminar rooms, landscaping, provision of level access and bicycle storage facilities together with internal and external alterations to the existing library building.
9. In support of the application the agent states that the New Library is at the heart of the academic and communal life of the College but is no longer big enough or in a suitable condition to meet the needs of its users. The agent goes on to say that reader spaces and librarians' accommodation are limited and there is no access for disabled people.
10. The proposal involves the erection of a new freestanding structure within the existing Library, set into the void of the existing hall. In addition a new, single storey extension is proposed that would take the form of an L shaped building, partly attached to the front of the existing New Library and with a contemporary appearance. The new extension would sit alongside a sunken landscaped garden and a remodelled Quad which would provide natural pathways and areas for study.
11. The proposal also involves the provision of a large new, covered cycle parking area at the north end of the Quad, the provision of new cast iron

railings to High Street and the repair of those parts of Longwall that are in a poor state of repair

12. The application is supported by reports that indicate that the proposals have been informed by analysis and an understanding of the heritage assets. A number of pre-application meetings were carried out to secure a number of changes to address the concerns raised by officers and consultees.
13. Officers consider the principle determining issues in these cases to be:
  - Planning policy
  - Impact on Heritage assets
  - Trees
  - Archaeology

## **Planning Policy**

14. Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. With the issuing of the National Planning Policy Framework [NPPF] in March of this year, the Government has re-affirmed its aim that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. The NPPF sets out a presumption in favour of sustainable development and explains that the purpose of the planning system is to contribute to the achievement of this. For development to be sustainable, it must, amongst other things, perform an environmental role, contributing to protecting and enhancing our natural, built and historic environment, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
15. The NPPF states in paragraphs 131 – 132 that in determining planning applications, local planning authorities should take account of:
  - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability
  - the desirability of new development making a positive contribution to local character and distinctiveness
16. The NPPF is supported by a Practice Guide that gives advice on the application of the historic environment policies. Paragraph 78 of the guide explains the expected outcomes and states that there are a number of potential heritage benefits that could weigh in favour of a proposed scheme as follows:
  - it sustains or enhances the significance of a heritage asset and the contribution of its setting
  - it reduces or removes risks to a heritage asset

- it secures the optimum viable use of a heritage asset in support of its long term conservation
  - it makes a positive contribution to economic vitality and sustainable communities
  - it is an appropriate design for its context and makes a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment
  - it better reveals the significance of a heritage asset and therefore enhances our enjoyment of it and the sense of place
17. In relation to development affecting a designated heritage asset, the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

### **Impact on Heritage Assets**

18. The College has provided evidence with the application to demonstrate that the current library accommodation and facilities fall short of acceptable standards and that additional accommodation and improved facilities are necessary. To achieve this requires adaptation of the building. This presents the opportunity to unpick elements of the Scott interventions that are unsatisfactory for heritage and/or functional reasons.
19. The proposals include the removal of the Scott interior including the first floor, staircase and bookcases in order to insert a new, two storey, freestanding structure with a new staircase and book lift to provide much need flexible study space and book storage for the college. The new structure would have a more positive relationship with the host building than later insertions in that it would better reveal the original open plan character of the Buckler schoolroom and views of the timber roof and large tracery windows at either end of the building will be opened up.
20. The new staircase would also comply with fire safety requirements to allow the continual use of the building, something that the current Scott building cannot achieve without alteration and enclosure. The formation of a new opening between the stair tower and library at first and second floor levels is the minimum required and ensures the retention of the small spiral staircase in the south east corner of the bell turret. These alterations to the existing fabric of the building will allow full and more effective use of the space compliant with current fire and safety requirements. The works involve the removal of the inserted staircase [Scott fabric] and the modern bookcases and roller racking bookcases. Earlier bookcases will be retained for re-use in the library and elsewhere in the college. There is only a small amount of panelling surviving on the

ground floor which will have a limited value and relationship as part of the proposed layout.

21. The works to improve the building's environmental performance have been carefully considered to ensure minimum intervention to the historic fabric. The use of the spiral staircase as a ventilation duct is an innovative use of existing fabric. English Heritage agrees that these works of remodelling are justified.
22. The additional accommodation proposed is achieved by extending the basement level out into the quad and involves remodelling the plinth around the building and remodelling and re-landscaping the quad. Critical issues that have been raised in pre-application discussions and from consultees is the loss of the functioning library 'front door', the impact on the vertical characteristics of the library [the loss of a plinth] and the impact of the landscape proposals on the setting of the library.
23. The provision of the new entrance will not detract from the original entrance and doors which will be retained as an emergency exit. The new access will improve circulation and security and will provide disabled access.
24. The scale of the extensions to the north and west of the library provide a fourth side to the quad which will not be visible over the Longwall, are considered appropriate and will not obscure or harm existing features of value. The basement level extension in front of the library on the quad side is an element of the scheme which English Heritage considers harms the setting of the New Library as a result of the loss of the plinth that was part of the Buckler design. Although the plinth is an important feature of the original Buckler design adding to the sense of verticality associated with neo-Gothic design, its significance has since been eroded by subsequent windows added by Scott to provide natural light to the basement and obscured to the north by the raised pathways. Scott also re-landscaped the quad to provide a 'raised terrace' in front of the library building.
25. It is this concept of a terrace that has informed the design for this part of the scheme with the design intent that the basement extension reads as part of the landscaped quad and new terrace and not as part of the library building. The design for the new extension is disciplined, like the library building but in a different architectural language with the intention of not competing with the gothic proportions and detailing of the library. The juxtaposition of old and new is a familiar feature in many colleges and part of the story of the colleges adapting, extending and using their buildings to meet changing needs.
26. The proposal involves change that will alter the character of the quad and how the Library is experienced. Officers conclude that the works will create a form of buildings that will be experienced as a 'sunken' quad, framed by the new basement level external walls with the extended

terrace above providing a new, albeit different, plinth for the library above. Taken with other aspects of the scheme that produce heritage benefits [the re-ordered interior and the re-instatement of railings along the High Street frontage] officers have come to a different conclusion to English Heritage and consider that the scheme will sustain the heritage significance of the site.

27. The new extensions to the north and west of the library building into Longwall Quad are of a contemporary design and respond well to the garden landscape of the quad. The new building abutting Longwall would not be visible from Longwall Street and will provide a sense of enclosure to the 3 sided quad. The new basement extension to the north of the library building would not harm views of the building from the quad and there is the potential that an appropriate scheme of landscaping would better reveal the gothic qualities of the existing building.
28. Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. The proposed extensions and internal alterations to the library have been designed to minimise the impact on the special character and appearance of the listed building and, subject to conditions, officers consider that the proposals will preserve this special character and historic interest.

## **Trees**

29. The proposal involves the removal of two existing, mature, silver birch trees presently standing in the grass of Longwall Quad and these losses are a direct result of the proposal to erect an extension to the New Library. However these trees are at an advanced age and as they are relatively short lived, they have a limited future contribution to make to public amenity and views from Longwall Street.
30. The existing trees are nevertheless an important landscape feature which present large canopies to the public realm along Longwall Street in an area with little other tree cover. From the south, apart from the two birches, only a very large mature lime tree located within the Grove Building Auditorium, punctuates a view otherwise devoid of tree cover until canopies in the deer park spill out into the street at the north end of the road.
31. The proposal therefore has significant aboricultural implications involving a substantial and immediate harmful impact to the existing street scene, the character and appearance of the conservation area and to the public visual amenity provided by the birch trees. The application includes a strong element of hard and soft landscaping within the Quad; however as originally submitted the proposal did not include any new tree planting that would mitigate the loss of the two birch trees.
32. Lengthy discussions have taken place between officers and the agent with a view to agreeing suitable mitigation measures. It has been agreed



that a single, significant replacement tree to be planted in close proximity to the existing tree that lies outside the footprint of the new extension would be acceptable in principle. A single replacement tree would also assist in terms of the archaeological sensitivity of the site and the need to minimise any harmful excavations. However officers are of the view that, to satisfactorily mitigate against the loss of the two existing trees, any replacement tree must be sufficiently robust and have a long life expectancy. In detail the replacement tree must:

- be capable of reaching a top height of at least 20 metres
  - have a life expectancy of at least 150 years
  - have a track record of success in Oxford conditions
  - be deciduous
  - not have a fastigiated form
33. Whilst it has not proved possible to agree an exact tree species it is considered that a detailed condition including all the above requirements for a suitable replacement tree, which would need to be planted upon substantial completion of the development, would be appropriate and ensure the planting of a suitable replacement tree that would contribute to public amenity in an acceptable manner.
34. The proposed remodelling of the Quad and the associated hard and soft landscaping is intended to allow a fuller integration of the Longwall Quad and the New Library building and to elevate the status of the Quad to that of a social and communal heart of the college. The new garden will be an intimate space for private use by the College with plenty of outdoor sitting spaces and lawns interspersed by footpaths and artwork. The new garden will not be visible from outside the Quad and whilst the proposed landscaping will no doubt improve visual amenity for users of the Quad, it will have no direct impact on public amenity.

## Archaeology

35. The application is of interest because it involves significant ground works within the historic core of Oxford in an area with potential for significant late Saxon, medieval, post-medieval and modern remains. A desk based assessment has been undertaken for this site by Oxford Archaeology and subsequent fieldwork has encompassed evaluation trenching, magnetometer survey, resistivity survey, radar survey and a watching brief during geotechnical test pits. Additional documentary research has been undertaken by the college archivist.
36. The archaeological investigation has demonstrated the presence of medieval and/or post-medieval rubbish/cess pits and stone built cellars below and to the north of the New Library. These relate to the tenements that occupied this location fronting onto High Street [formerly Bridge Street] from perhaps the 12<sup>th</sup> century until the 1840's when the College school expanded into the area. The tenements were acquired by the Hospital of St. John in the 13<sup>th</sup> and 14<sup>th</sup> centuries and are known to have

been rebuilt and extended in the 15<sup>th</sup> century. By the 19<sup>th</sup> century the tenement buildings were being described as 'spacious and very respectable' and housed amongst others the college Manciple. A post medieval inn known as 'The Greyhound' was located on the corner of Gravel Walk and Longwall Street until the 19<sup>th</sup> century and a number of period illustrations from the 19<sup>th</sup> century provide details of its north, south and eastern aspects. Investigations to the south of the New Library have identified the remains of the medieval and post-medieval approach to the college known as Gravel Walk.

37. Investigations in the middle of Longwall Quad have produced evidence for a well preserved medieval cemetery in use between the 12<sup>th</sup> and 15<sup>th</sup> centuries and likely to be associated with both the 1<sup>st</sup> and 2<sup>nd</sup> sites of the Hospital of St John the Baptist. The documentary research, geophysical survey and trial trenching results point to the historic presence of a rectangular plot in the northern part of Longwall Quad that may represent the extent of this cemetery or a plot within which it was located. The current application has been amended to secure the preservation-in-situ of the burials identified in the evaluation and the bulk of the northern quad under the designed garden. Nevertheless, the proposed ground works in the northern part of the quad are likely to encounter a significant number of burials. On balance, the available evidence suggests that the proposed works are unlikely to result in the substantive removal of the cemetery.
38. In addition, other archaeological features of interest [buried steps] belonging to the New Library have been discovered together with the buried remains of Victorian structures associated with the original site of Magdalen College School.
39. Archaeological conditions are recommended that would require an archaeological investigation [encompassing open area excavation, building recording and watching brief] and these need to be carried out by a professionally qualified archaeologist working to a brief issued by the City Council. The developer should note the extent and complexity of the archaeology identified by the evaluation process and allow adequate provision within the development timescale to secure appropriate investigation. The applicant and contractor should also make appropriate provision for public archaeology [for example site notices and occasional site tours for local interest groups]. The method statement for foundation design, landscaping and ground works should ensure that firstly, that the tracking of heavy plant over sensitive areas is avoided or effectively mitigated, secondly the preservation of the known burial within the quad and thirdly that building works within the New Library are undertaken in such a manner as to allow meaningful archaeological recording.

## **Conclusion:**

40. The proposal forms an appropriate visual relationship with the existing listed building and the surrounding development which lies within the Central City and University Conservation Area and would appear

sympathetic and in keeping with the street scene. The proposal includes the provision of a substantial area of new cycling parking and the planting of a significant tree to replace the two birch trees that are to be removed. The proposal complies with adopted policies contained within both the Oxford Local Plan 2001 – 2016 and the Core Strategy 2026.

#### Human Rights Act 1998

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

#### **Background Papers:**

12/00459/FUL  
12/00460/LBC

**Contact Officer:** Angela Fettiplace

**Extension:** 2445

**Date:** 14th May 2012

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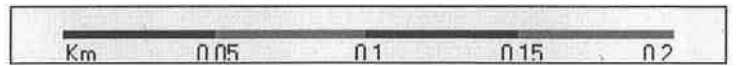
# Appendix 1

## Magdalen College, High Street, Oxford



**Legend**

Scale: 1:2500



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Organisation	Not Set
Department	Not Set
Comments	
Date	15 May 2012
SLA Number	Not Set

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## WEST AREA PLANNING COMMITTEE

30<sup>th</sup> May 2012

**Application Number:** 12/00862/FUL

**Decision Due by:** 29<sup>th</sup> May 2012

**Proposal:** Change of use from A1 (retail) to A2 (financial and professional services)

**Site Address:** 115 Walton Street, **Appendix 1**

**Ward:** North Ward

**Agent:** Kemp And Kemp

**Applicant:** Premier Letting & Management

This application has been called-in to the West Area Planning Committee by Councillors Turner, Bance, Smith, Coulter, Price and Khan to allow Members to weight up the potential advantages of having more letting agents in the Jericho against any harm caused to the street.

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**Recommendation:** APPLICATION BE REFUSED

### **Reason for Refusal**

- 1 The proposed development would result in the loss of a retail shop within an area specifically identified in the adopted Oxford Local Plan where policy RC.6 seeks to maintain the particular local character of the street by requiring 50% of ground floor units to be retained in retail use. In the absence of any evidence to justify a departure from Development Plan policy, the proposal would therefore be contrary to policies CP1 and RC6 of the Oxford Local Plan 2001-2016.

### **Oxford Local Plan 2001-2016**

CP1 - Development Proposals  
RC6 - Street Specific Controls  
RC9 - Neighbourhood Shops

### **Other Material Considerations:**

National Planning Policy Framework (NPPF)

### **Relevant Site History:**

75/00646/A\_H - Change of use from shop to café and snack bar to take away food shop - Refused 13.08.1975

## **Public Consultation**

### **Statutory Consultees:**

No comments received

### **Other Representations Received:**

Two objections received from 28 and 69 Walton Street raising the following concerns:

- There are already too many estate agents in the immediate area;
- The Walton Street area has fewer than 50% of its ground floor units as shops and there should be no further loss of retail shops as it would harm the vitality and distinctive character of the street;
- The applicant has provided no evidence at all to support the assertion that retail occupiers of the premises cannot be found at realistic rental levels and on reasonable tenancy terms;
- The proposal is clearly contrary to policy RC6 of the Local Plan which is fully consistent with Government guidance set out in the new National Planning Policy Framework.

### **Officers' Assessment:**

#### **Site Description**

1. The application site relates to 115 Walton Street, a currently empty retail premises (A1 use class) that was, until mid 2011 used as an independent clothes shop. The site lies towards the northern end of Walton Street approximately opposite to the Phoenix Picture House.

#### **Description of Proposal**

2. The application seeks consent to change the use of the premises from its current A1 (retail) use to a property lettings agency which falls within A2 use class.

3. Officers consider the determining issue in this case to be the balance between retail shops and other uses in Walton Street.

#### **Balance of Uses in Walton Street**

4. Walton Street has an interesting and distinct character which marks it out from other more typical local level shopping/commercial centres. Historically it featured a greater proportion of shops than it does today, both convenience and specialist in nature, and in more recent years it has seen a rise in the number of different types of restaurants. The threat of the loss of shops in the Walton Street area (mainly to restaurants, bars and take-aways) led directly to the adoption of a street specific control policy within the Local Plan which seeks to prevent change of use away from shops unless greater than 50% of the total number of ground



floor units remain in retail (A1) use.

5. The proposed change of use of the premises from A1 to A2 use would result in the number of shop units at ground floor level within the street falling to 15 out of a total of 35 units. This is clearly less than the minimum level (50%) set out within policy RC6 of the Local Plan. With the level of shops in the street falling even further below half of all units, Officers consider that it would further degrade the shop based character of the street and threaten the historically local and specialist retail character of the area.

6. The applicant has asserted that the current premises has been empty for nearly a year and, having marketed the premises, no retail occupiers can be found. This assertion is however not evidenced in the application's supporting documentation and it is therefore not clear whether the property has indeed been extensively marketed on the basis of a reasonable rental level or under realistic tenancy terms. The absence of such evidence as a material consideration is sufficient to justify the refusal of the application in terms of policy RC6.

7. Whilst it is recognised that, in the short term, a change of use of the premises to a property lettings/management agents would allow commercial use of the building this should be balanced against the overall harm that the long term loss of a shop would have on the character of the street. In this regard, Officers consider that in the absence of substantial evidence, little weight should be given to the applicant's assertion that a retail occupier cannot be found.

8. The application was called-in to Committee referencing the potential benefits of having more letting agents operating in the Jericho area of Oxford and the increased competition that this would bring. It should be noted however that such considerations are not supported by the policy context. In addition, it should be recognised that the application seeks a general change of use to A2 which also includes banks, building societies, employment agencies, betting offices etc. Consequently, the grant of planning permission would not necessarily ensure occupation as a letting agency without the imposition of an appropriately worded condition.

### **Conclusion:**

9. The proposed change of use would result in the loss of a retail premises to the detriment of both the distinct character and long term vitality of the Walton Street area contrary to policies CP1 and RC6 of the Local Plan. As such, Committee is recommended to refuse the application for the reason set out at the beginning of the report.

### **Human Rights Act 1998**

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

## **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 refuse officers consider that the proposal will not undermine crime prevention and the promotion of community safety.

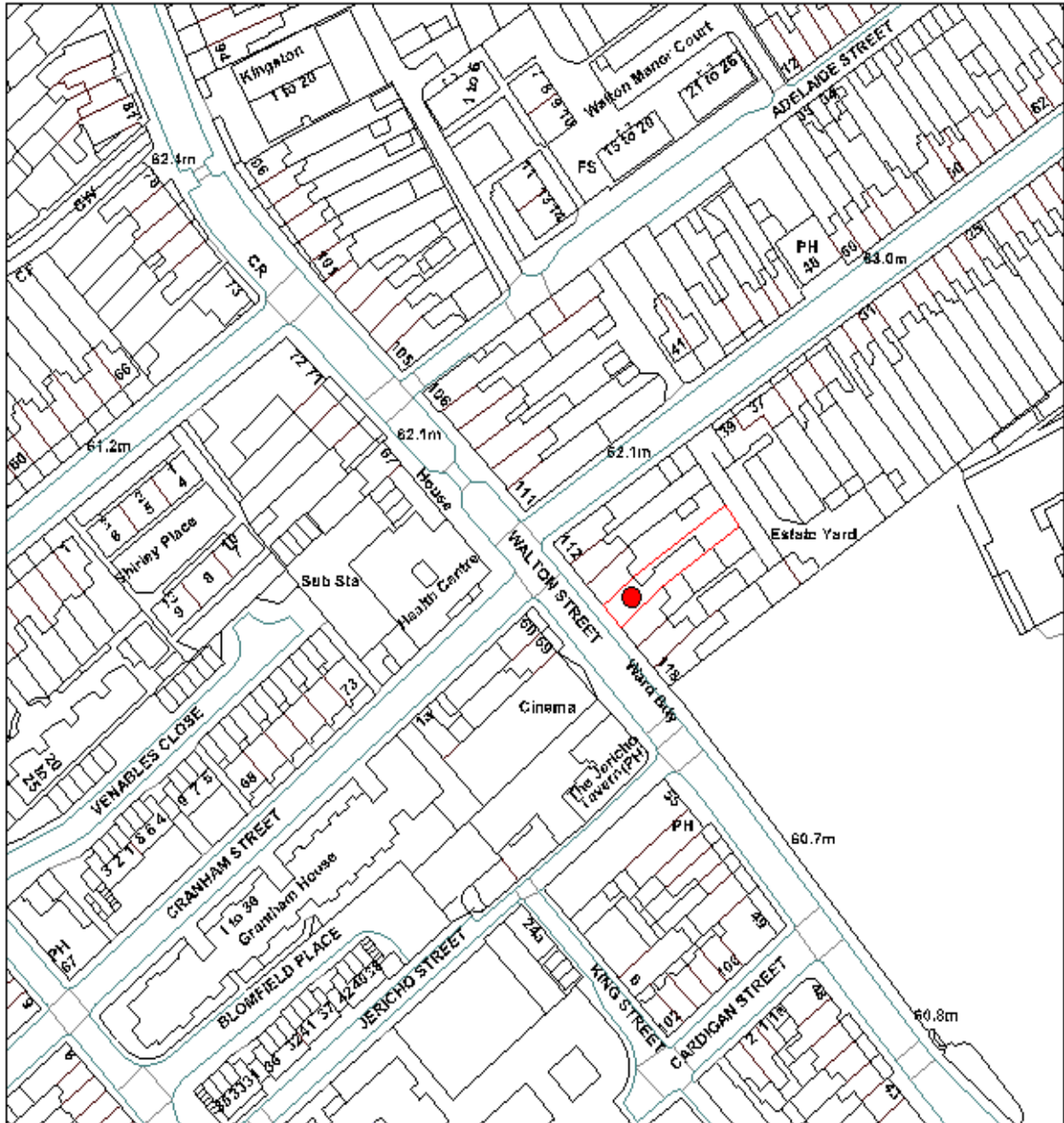
**Background Papers:** 75/00646/AH & 12/00862/FUL

**Contact Officer:** Matthew Parry

**Extension:** 2160

# Appendix 1

115 Walton Street, Oxford



Scale: 1:1250

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<b>Organisation</b>	Oxford City Council
<b>Department</b>	City Development
<b>Comments</b>	12/00062/FUL
<b>Date</b>	08 May 2012
<b>SLA Number</b>	Not Set

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West Area Planning Committee

- 30<sup>th</sup> May 2012

**Application Number:** 12/00721/CT3

**Decision Due by:** 31st May 2012

**Proposal:** Change of use from sui generis HMO (House in Multiple Occupancy) to Class C4 HMO.

**Site Address:** 56 St Clement's Street Oxford **Appendix 1**

**Ward:** St Clement's Ward

**Agent:** N/A

**Applicant:** Oxford City Council

The City Council is the applicant and the Monitoring Officer has seen the officers report and file and confirms that the application has been assessed according to protocol.

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**Recommendation:** Application to be **approved**.

**Reasons for Approval:**

- 1 The principle of the property being used as a House in Multiple Occupation was established in 1991 when the original planning permission was granted to convert the property into a Sui Generis 11 person HMO. The proposal to change the property into a C4 HMO is therefore reasonable and not contrary to Local Plan policy HS15 or emerging Sites and Housing Development Plan Document policy HP7 as the HMO is extant. Details such as bin and cycle storage can be secured by condition.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

**Conditions:**

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Bin and cycle storage
- 4 Removal of permitted development rights
- 5 Removal of parking permit entitlement

## **Principal Planning Policies:**

### Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals  
CP10 - Siting Development to Meet Functional Needs  
HS15 - Housing in Multiple Occupation  
HS19 - Privacy & Amenity  
HS20 - Local Residential Environment  
HS21 - Private Open Space  
TR3 - Car Parking Standards  
TR4 - Pedestrian & Cycle Facilities

### Oxford Core Strategy 2026

CS23 - Mix of housing

### Site and Housing DPD – Proposed Submission

HP7 - Houses in Multiple Occupation

## **Other Material Considerations:**

- This application is in the St. Clement's And Iffley Road Conservation Area.
- National Planning Policy Framework
- St Clements and Iffley Road Conservation Area Appraisal

## **Relevant Site History:**

90/01147/GFH - Change of Use to a shared house with staff support – Approved  
91/00776/VFH - Variation of condition 6 of planning permission GFH/1147/90, to increase permitted occupants to eleven - Approved

**Representations Received:** No third party representations have been received.

## **Statutory and Internal Consultees:**

Highways And Traffic – No objection subject to the property being excluded entitlement for parking permits.

## **Officers Assessment:**

### **Site Description and Proposal**

1. The application site comprises No 56 St Clements Street, a three storey terrace property which is presently vacant. The authorised use of the building is as an 11 person House in Multiple Occupation (HMO)(use class Sui Generis).
2. The application proposes the change of use of the Sui Generis HMO into a Class C4 HMO (maximum of 6 persons).
3. Officers consider the determining issue in this case to be the change of use of the property.

### **Change of Use**

4. Adopted Local Plan policy HS15 and emerging Sites and Housing Development Plan Document policy HP7 resists the creation of new HMO's in areas where there is already a profusion of HMO's. The proposal would not result in a new HMO, rather it changes the type of HMO. To this end there is no conflict with adopted or emerging local planning policies. The proposal would improve the adaptability of the building, allowing it to be occupied as a C4 HMO or a C3 dwelling without the need for a further planning consent. Officers consider this to be a benefit of the change of use.

### **Future Residential Amenity**

5. The property is large, providing accommodation over three levels with access to a small private rear garden. It would therefore easily convert into a C4 HMO from a large 11 person Sui Generis HMO. Officers would however recommend a condition removing the permitted development rights of the C4 HMO to prevent any extensions being constructed without planning permission which could further reduce the size of the small garden. The property has no designated bin and cycle storage. Officers would therefore recommend a condition be imposed requiring provision of a bin and cycle storage area.

### **Other Matters**

6. Although no external are changes proposed, the property is presently vacant and therefore its windows and doors have security shutters on them while the front yard is overgrown. The granting of this application will allow the building to be brought back into use which would have a positive visual impact on this part of the street and the conservation area in accordance with Local Plan policy HE7.

### **Car Parking**

7. Currently the property has entitlement to residential parking permits, however the Highway Authority has requested that a condition be imposed to remove this entitlement. The reason for excluding the property is that the authorised use is a HMO for mothers and children and therefore it is not likely that the number to permits would directly relate to he number of persons (11). The proposed C4 HMO is likely to target individuals who may own a vehicle and as such the condition to exclude the property from residential permits would limit the likely pressure these vehicles would bring to the surrounding area.

**Conclusion:** The proposal would not conflict with any of the relevant planning polices and would bring a vacant building back into use which would be of benefit to the visual appearance of the street. Officers would therefore recommend that planning permission be granted subject to the conditions set out above.

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers

of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

**Section 17 of the Crime and Disorder Act 1998**

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

**Background Papers:** 12/00721/CT3

**Contact Officer:** Steven Roberts

**Extension:** 2221

**Date:** 15th May 2012



Appendix 1



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**West Area Planning Committee**

**- 30<sup>th</sup> May 2012**

**Application Number:** 12/00549/FUL

**Decision Due by:** 2nd May 2012

**Proposal:** Two storey side and rear extension (amended plans)

**Site Address:** 49 Meadow Prospect Oxford

**Ward:** Wolvercote Ward

**Agent:** Perioli Man Architects

**Applicant:** Ms Philippa Roberts

**Application Called in** – by Councillors – Goddard, Campbell, Fooks and Brundin.  
**For the following reasons** – impact on views to Port Meadow and beyond; impact on light to no. 51 Meadow Prospect; design out of scale and character.

---

## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension would reduce the gap between no's 47 and 49 Meadow Prospect, however the extension would be set down from the main ridgeline and would be significantly set back from the existing building frontage to reinforce its subservience and to retain the sense of openness. Officers consider that the design is acceptable and that the character and appearance of the area would be preserved. The development would not result in any unacceptable levels of harm to the amenities of neighbouring properties and due to the relatively minor nature of the proposal there would be no increased risk of flooding. Officers consider that the proposal complies with policies CP1, CP6, CP8, CP10, HS19 and HE7 of the Oxford Local Plan 2001-2016 and policies CS11 and CS18 of the Core Strategy 2026.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give

rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as approved
- 4 To be built in compliance with Flood Risk Assessment
- 5 Any grounds resurfacing shall be SUDS compliant (Sustainable Urban Drainage Systems)

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

**HS19** - Privacy & Amenity

**HE7** - Conservation Areas

**Core Strategy**

**CS18\_** - Urban design, town character, historic environment

**CS11\_** - Flooding

**Housing DPD – Proposed Submission**

**HP9\_** - Design, Character and Context

**HP14\_** - Privacy and Daylight

**Other Material Considerations:**

National Planning Policy Framework

**Relevant Site History:**

None

**Representations Received:**

Objections received from: 26, 28, 33, 34, 36, 39 and 55 Meadow Prospect.

Comments can be summarised as follows:

- Loss of view through to Port Meadow and beyond
- Terracing effect being created by in-fill development
- Design out of character with existing building
- Loss of open feeling
- Over development of plot
- Increased risk of flooding
- Glazing and cladding out of character with existing building and surrounding area

**Statutory and Internal Consultees:**

Oxford Civic Society – extension is large and overbearing; object to glazing and gable

Highways Authority – no objection

**Issues:**

Design

Impact on character of area

Impact on neighbours

Flooding

Parking

**Officers Assessment:**

Site

The application site comprises a semi-detached dwelling located on the southern side of Meadow Prospect in Wolvercote. The property backs on to Port Meadow. The property has an existing small single storey extension at the rear and a detached garage to the side. The site is located adjacent to, but not within, the Wolvercote with Godstow Conservation Area.

Proposal

Planning permission is sought for single and two-storey extensions to the side and rear. The development would provide enlarged living accommodation on the ground floor and an additional bedroom with ensuite bathroom on the first floor. The garage would be demolished.

Amended plans have been sought to set the side element further back from the front building line; to change the half hip on the rear gable extension to a full gable; and to use timber cladding only on the single storey element and render on the rest.

Design/Impact on character of area

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

demonstrates high quality urban design and responds appropriately to the site and its surroundings.

The proposed two storey side element as visible from the street would measure 2.1 metres in width; would be set back 4.9 metres from the front building line; and would be set away from the common boundary with no. 47 Meadow Prospect by a minimum of 800mm at its nearest point, but widening deeper into the plot. The roof would be hipped and the roof pitch would match that of the existing roof. The ridge of the extension would be set down 800mm from the main ridgeline.

At the rear, the two storey extension would have a gable end with a large expanse of glazing and at ground floor level there would be a single storey extension to wrap around the two-storey element that would be clad in timber. The proposed gable end would match the gable end of the two-storey extension that has been built at the adjoining dwelling, no. 51 Meadow Prospect. The proposed single storey extension abutting the common boundary with no. 51 Meadow Prospect would be no deeper than the existing single storey extension that currently exists.

The proposals amount to a large extension that extensively increases the footprint of the original dwelling. The dwelling sits in a good sized plot that is large enough to accommodate an extension of this size with a large garden remaining. When viewed from the street the dwelling would not appear significantly altered and it would retain its original character and appearance. At the rear, and when viewed from Port Meadow, the extension would have a contemporary appearance that is achieved through the use of timber cladding on the ground floor and large glazing panels at upper level. Whilst these features are in contrast to the existing building, which is faced in painted render, officers do not consider that they would detract from the character and appearance of the existing building. The two storey element is set down from the main ridge line and so appears subservient to the main house, with the original form of the building remaining the dominant feature; and the roof pitch and use of matching render would ensure the extensions appears in keeping with the existing house. Many other houses in Meadow Prospect have had extensions of varying styles and sizes and officers do not consider that the development would appear out of character in this context.

Due to the angle of the houses at this part of the cul-de-sac and their positions within the plots, there is a larger than average gap between the application site and no. 47 Meadow Prospect, which allows for glimpses through to Port Meadow and beyond and adds to the feeling of openness. The proposal would partly infill this gap at first floor level, as it is already largely in-filled by the garages of both properties at ground floor level. No. 47 Meadow Prospect has not been extended to the side and the proposed side element would measure only 2.1 metres in width and would be set in from the boundary with no. 47. It would not therefore completely infill the gap or result in a terracing effect. Due to the significant set back from the building frontage and the set down from the main ridge, officers are of the view that the extension would not appear overbearing within the streetscene and would not erode the feeling of openness that currently exists.

### Impact on neighbours

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

The OLP sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25 degree code of practice, as detailed in Appendix 6 of the OLP.

The adjoining dwelling no. 51 Meadow Prospect has a single and two-storey extension at the rear. The element of the proposal closest to the boundary is single storey and would project out in line with the single storey extension at no 51. The two storey element would be set away 3 metres from the common boundary which officers consider is adequate to prevent the extension appearing overbearing. The proposal complies with the 45° guidance when measured from the cill of all of the rear facing ground and first floor windows of this property.

No. 47 Meadow is angled away from the application site and due to the separation distance between the two properties, the proposal comfortably complies with the 45° guidance.

Furthermore, the rears of these properties face south and would therefore receive adequate levels of sunlight for much of the day. Officers conclude that the proposal would not result in any unacceptable loss of light or outlook from neighbouring properties.

### Flooding

The application site is located within a flood zone. A Flood Risk Assessment has been submitted as part of the application which satisfies any potential impact on flooding in the area, and incorporates mitigation techniques to ensure the safety of the occupiers. A condition has been imposed to require the application to be carried out in accordance with the details submitted in the FRA.

### Parking

The proposal involves the loss of an existing garage but there is space on the frontage and driveway to provide adequate off-street parking. The Highway Authority does not object to the proposal subject to a condition stipulating that no surface water from the development shall be discharged onto the highway. The application does not include details of any intended treatment to the driveway or area to the front of the property and officers suggest attaching a condition requiring any ground resurfacing to be SUDS (Sustainable Urban Drainage Systems) compliant to prevent any localised flooding.

**Conclusion:** Officers were mindful of objections received but conclude that the proposed extensions are acceptable in design terms and would not be harmful to the character and appearance of the area. Officers are satisfied that there would be no unacceptable levels of harm to the living conditions of local residents as a

result of the development, and that there would be no increased risk of localised flooding. The proposal is considered to comply with policies CP1, CP6, CP8, CP10, HS19 and HE7 of the Oxford Local Plan 2001-2016 and policies CS11 and CS18 of the Core Strategy 2026 and is therefore recommended for approval.

**Sustainability:**

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

**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.

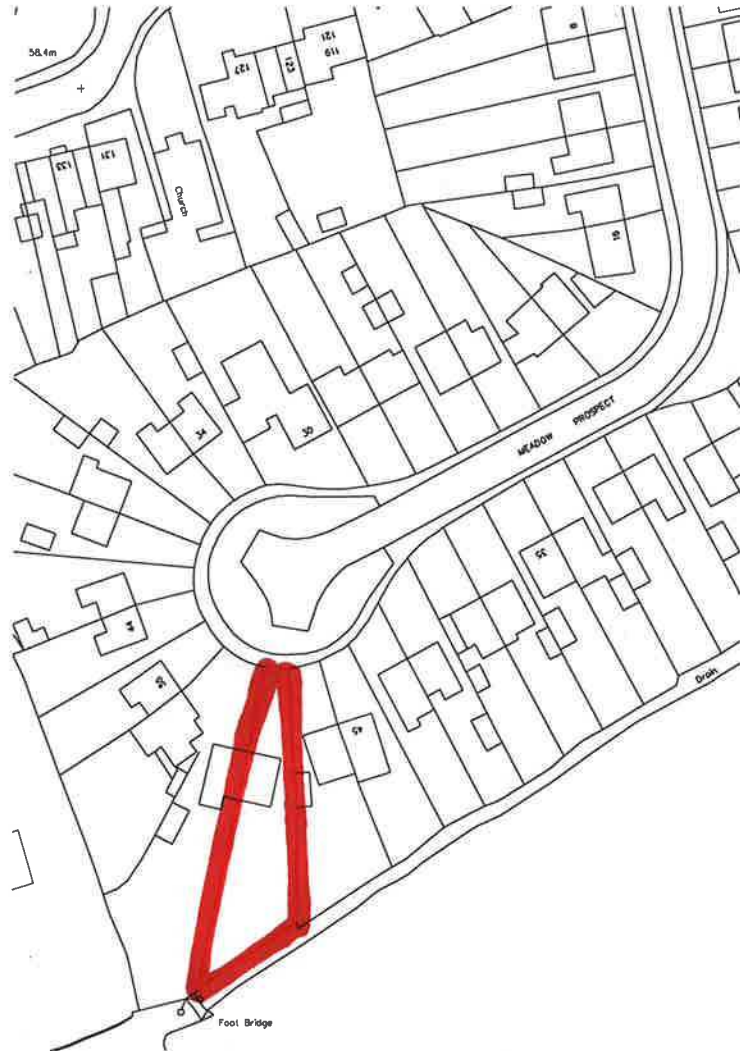
**Background Papers:** 12/00549/FUL

**Contact Officer:** Rona Gregory

**Extension:** 2157

**Date:** 16th May 2012





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Project  
 49 Meadow Prospect  
 Wolvercote

Title  
**SITE LOCATION**

Status	PRELIMINARY
Drawn	SM
Date	Dec 2011
Scale	1:1250 @A4
Job No.	2011/171
Drawing No.	01

**PERIOLI MAN  
 ARCHITECTS**

8 St. Aldates  
 Oxford  
 OX1 1BS

t. 01865 793163  
 f. 01865 790930  
 e. enquiries@perioliman.com  
 w. www.perioliman.com

NOTES: ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT. ALL DIMENSIONS TO BE CHECKED ON SITE. DO NOT SCALE FROM THIS DRAWING.

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**West Area Planning Committee**

30<sup>th</sup> May 2012

**Application Number:** 12/00561/CT3

**Decision Due by:** 27th April 2012

**Proposal:** Replacement of external entrance/exit doors to main entrance.

**Site Address:** Oxford Ice Rink, Oxpens Road (**site plan: appendix 1**)

**Ward:** Carfax Ward

**Agent:** Abbey Design

**Applicant:** Fusion Lifestyle

---

## **Recommendation:**

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

- 1 The proposed alterations would not materially alter the visual appearance of the entrance to the Ice Rink, but would help establish a simple and legible entrance and exit to the facility. The alterations would replace the existing narrow entrance and exit with wider openings that help improve accessibility to the facility for all members of the community. The proposal would therefore accord with the relevant policies of the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

## **Conditions:**

- 1 Development begun within time limit
- 2 Development in accordance with approved plans
- 3 Samples

## **Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

**CP1** - Development Proposals  
**CP9** - Creating Successful New Places  
**CP13** - Accessibility

**Core Strategy**

**CS18\_** - Urban design, town character, historic environment

**Other Material Considerations:**

National Planning Policy Framework

**Relevant Site History:**

85/00945/GF - Alterations to main entrance area: Deemed consent

**Representations Received:**

None

**Statutory and Internal Consultees:**

None

**Issues:**

- Visual Impact
- Accessibility

**Officers Assessment:**

**Site Location and Description:**

1. The Oxford Ice Rink is located on the south-west side of the Oxpens Road, and has a car park to the north-west, and open space to the south-east (**site plan: appendix 1**).
2. The application relates to the main entrance to the Ice Rink, which is set at the top of an access ramp at the south-west end of the building.

**Proposal**

3. Planning permission is sought for the alterations to the main entrance which involves the replacement of the external entrance / exit doors.

**Visual Impact**

4. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design through responding appropriately to the site and surroundings; creating a strong sense of place; and contributing to an attractive public realm.
5. The Oxford Local Plan 2001-2016 makes clear that new development should enhance the quality of the environment, with Policy CP1 central to this purpose.

6. In visual terms the proposed works would simply replace the entrance doors to the main entrance to the facility. The new doors would not have a material impact upon the visual appearance of the main entrance, or the Ice Rink building. In some respects the alterations result in a simple and more legible entrance to the facility which officers consider represents a marked improvement to the entrance.
7. The proposal would accord with the aims and objectives of Policy CS18 of the Oxford Core Strategy 2026 and Policy CP1 of the Oxford Local Plan 2001-2016.

### **Accessibility**

8. Policy CP13 of the Oxford Local Plan recognises the importance of ensuring that developments are designed in a manner that would make them accessible to all members of the community, including people with children, elderly people, and people with disabilities. This is also supported by Policy CP10.
9. The existing entrance and exit to the Ice Rink has narrow doors which are separated by two kiosks. The proposed alterations will provide a wider entrance and exit to the facility which would improve access and egress. The doors would be fitted with electronic push pads to encourage wheelchair access.
10. The proposal would accord with the aims and objectives of Policy CP10 and CP13 of the Oxford Local Plan 2001-2016.

### **Conclusion:**

11. The proposal is considered to be acceptable in terms of the relevant policies of the adopted Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore officer's recommendation to the Members of the West 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 permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

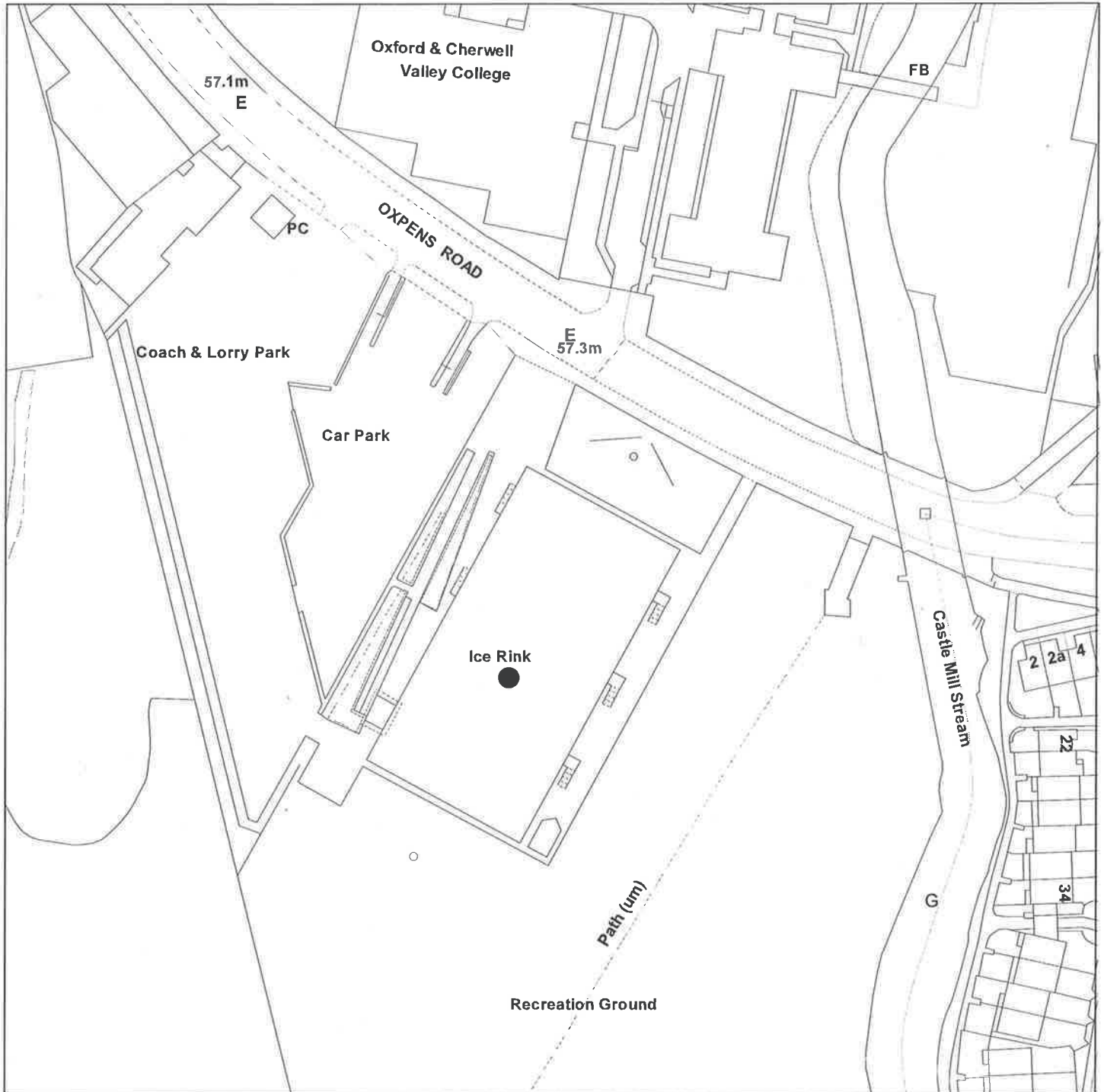
**Contact Officer:** Andrew Murdoch

**Extension:** 2228

**Date:** 18th April 2012

# Appendix 1

Oxford Ice Rink (Ref: 12/00561/CT3)



Scale : 1:1250

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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	
<b>Date</b>	14 May 2012
<b>SLA Number</b>	Not Set

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# Agenda Item 12

## Monthly Planning Appeals Performance Update – April 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 30 April 2012, while Table B does the same for the current business plan year, ie. 1 April 2011 to 30 April 2012.

Table A. BV204 Rolling annual performance (to 30 April 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	12	(35%)	4 (57%)	8 (30%)
Dismissed	22	65%	3 (43%)	19 (70%)
<i>Total BV204 appeals</i>	34		7	27

Table B. BV204: Current Business plan year performance (1 April to 30 April 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	1	(100%)	0	1 (100%)
Dismissed	0	0%	0	0 (0%)
<i>Total BV204 appeals</i>	1			

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

Table C. All planning appeals (not just BV204 appeals): Rolling year to 30 April 2012

	Appeals	Percentage performance
Allowed	13	(33%)
Dismissed	27	67.5%
All appeals decided	40	
Withdrawn	4	

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 April 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 April 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 1/4/12 And 30/4/12

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
11/02648/FUL	12/00007/REFUSE	DEL	REF	ALW	27/04/2012	NORTH	19 Merrivale Square Oxford Oxfordshire OX2 6QX	Loft conversion with rear dormer and rooflights to front and rear.

Total Decided: 1

## TABLE E Appeals Received Between 1/4/12 And 30/4/12

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

DC CASE NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
11/01040/FUL	12/00014/REFUSE	COMM	PER	P	St Clements Car Park And Public Convenience St Clement's Street Oxford Oxfordshire	STCLEM	Demolition of public toilets. Redevelopment of St Clements car park to provide student accommodation (140 bedrooms) and ancillary facilities over 3 blocks. Replacement car park (74 spaces), public toilets and landscaping and ancillary works. (Amended Plans, Additional Information)
11/01044/CAC	12/00015/REFUSE	COMM	PER	P	St Clements Car Park And Public Convenience St Clement's Street Oxford Oxfordshire	STCLEM	Demolition of public toilets.
11/02278/FUL	12/00013/REFUSE	DEL	REF	W	29 Balfour Road Oxford Oxfordshire OX4 6AE	BBLEYS	Erection of 3 bedroom end of terrace house. Provision of 2 car parking spaces to frontage
11/02973/FUL		DEL	REF	W	101 London Road	HEAD	Change of use of first floor from residential flat (use class C3) to office (use class B1).

**Total Received: 4**

## WEST AREA PLANNING COMMITTEE

**Wednesday 11 April 2012**

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

**OFFICERS PRESENT:** Murray Hancock (City Development), Lois Stock (Democratic and Electoral Services Officer) and Michael Morgan (Law and Governance)

### **109. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

None received.

### **110. DECLARATIONS OF INTEREST**

Councillor Colin Cook declared a personal interest in the application for Summertown House (minute 111 refers) as a member of the University of Oxford.

Councillor Oscar Van Nooijen declared a personal interest in the application for Summertown House (minute 111 refers) as a member of the University of Oxford.

Councillor Bob Price declared a personal interest in the application for Park End Street (minute 112 refers) as the applicant was known to him as a fellow Councillor.

### **111. PLANNING APPLICATION FOR DETERMINATION - SUMMERTOWN HOUSE, BANBURY ROAD - 12/00239/FUL**

The Head of City development submitted a report (previously circulated, now appended) for the following application:-

#### **Summertown House – 12/00239/FUL**

**Proposal:** Refurbishment of eastern block of student accommodation including re-cladding of all elevations, internal alterations to stairs, lifts and student flats to create 5 additional residential units. Alterations to central car parking area to create landscaped garden, plus creation of covered cycle store for additional 84 cycles to rear of site, and new car port and store to serve Lodge. (Amended plans) (Amended description)

Murray Hancock (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, Terry Gashe spoke in favour of the application and explained various aspects of it. No-one spoke against.

The Committee considered all submissions, both written and oral, and RESOLVED to support the proposals in principle, but to defer the application in order to receive a Unilateral Undertaking and to delegate to officers the issuing of the notice of planning permission subject to conditions on its receipt.

## **112. PLANNING APPLICATION FOR DETERMINATION - 10 PARK END STREET - 12/00435/VAR**

The Head of City Development submitted a report (previously circulated, now appended) concerning the following application:-

### **10 Park End Street – 12/00435/VAR**

**Proposal:** Variation of condition 2 of application 11/02123/FUL to extend the hours of opening to 10:00am to 3:00am, with last customer entry to the premises at 2:45am.

The application was required to be determined by Planning Committee as the applicant is a Councillor of Oxford City Council.

Murray Hancock (Planning Officer) presented the report to the Committee.

In accordance with the criteria for public speaking, Sergeant Vicky Barry (Thames Valley Police) spoke against the application, outlining the concerns of the Police about public order and dispersal issues in that part of the City. Sajj Malik (Applicant) spoke in favour of the application, explaining that the extension of time was required only for the takeaway side of the business and not for the restaurant.

In answer to a question, Michael Morgan (Legal) explained that it was possible to grant temporary planning permission subject to a condition (for example for a trial period).

The Committee considered all submissions, both written and oral, and RESOLVED to refuse the application for the reasons outlined in the planning officer's report.

## **113. PLANNING APPEALS**

The Head of City Development submitted a report (previously circulated, now appended) giving details of planning appeals received and determined during February 2012.

Resolved to note the report

## **114. FORTHCOMING APPLICATIONS**

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

1. University Press, Great Clarendon St - 12/00371/FUL: Office accommodation;
2. University press, Great Clarendon Street - 12/00416/LBD: Listed building consent;
3. Magdalen College - 12/00459/FUL: Extension to library (Call in)
4. University Science Area - 11/00940/CONSLT: Master plan (Not a planning application).
5. 376 Banbury Road - 11/03008/FUL: 9 flats
6. Land adjacent Redbridge Park & Ride, Abingdon Road - 12/00249/FUL: Travelodge
7. 7 Wentworth Road - 12/00435/FUL: Flat over garage (Call in)
8. 48A Donnington Bridge Road - Variation of conditions to permission for 2 bed house (Call in)
9. 9 & 12 Whitson Place - 12/00147/FUL: Extensions (Call in)
10. 37 Meadow Prospect - 12/00503/FUL: Extensions
11. Grantham House, Cranham Street 11/03271/FUL, 11/03272/FUL, 11/03273/FUL, 11/03269/ FUL - demolition, extensions, erection of dwellings and conversions

#### **115. MINUTES**

Resolved to approve as a correct record the minutes of the meeting held on 14<sup>th</sup> March 2012.

**The meeting started at 6.00 pm and ended at 6.52 pm**

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