

# Agenda

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## West Area Planning Committee

Date: **Thursday 13 September 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 Sarah Claridge, Democratic and Electoral Services Officer on 01865 252402 or email [sclaridge@oxford.gov.uk](mailto:sclaridge@oxford.gov.uk) in advance of the meeting.

# West Area Planning Committee

## Membership

<b>Chair</b>	<b>Councillor Oscar Van Nooijen</b>	Hinksey Park;
<b>Vice-Chair</b>	<b>Councillor John Goddard</b>	Wolvercote;
	<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 Graham Jones</b>	St. Clement's;
	<b>Councillor Shah Khan</b>	Cowley;
	<b>Councillor John Tanner</b>	Littlemore;

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# AGENDA

	<b>Pages</b>
<b>1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS</b>	
<b>2 DECLARATIONS OF INTEREST</b>	
<p>Councillors serving on the Committee are asked to declare any personal or personal prejudicial interests they may have in any of the following agenda items.</p>	
<b>3 71 HILL TOP ROAD- 12/01853/FUL</b>	1 - 12
<p>The Head of City Development has submitted a report which details a planning application to demolish an existing dwelling house. Erection of 3 storey terrace (including basement) building to provide 2x4 bed semi-detached dwelling houses with car parking, bin and cycle stores (amended plans).</p> <p>Officer recommendation: Approve the application subject to the conditions listed in the Planning Officer's report.</p>	
<b>4 46 STRATFIELD ROAD: 12/01789/FUL</b>	13 - 20
<p>The Head of City Development has submitted a report which details a planning application to erect a part single, part storey rear extension to form side entrance and front gable end (amended description and plans)</p> <p>Officer recommendation: Approve the application subject to the conditions listed in the Planning Officer's report.</p>	
<b>5 68 ABINGDON ROAD - 2/01798/FUL</b>	21 - 28
<p>The Head of City Development has submitted a report which details a planning application to modify the rear extension approved under 09/02587/FUL comprising the introduction of 3 windows and 1 door on ground floor</p> <p>Officer recommendation: To Approve the application subject to the conditions listed in the Planning Officer's report.</p>	
<b>6 RECEIPT AND EXPENDITURE OF DEVELOPER CONTRIBUTIONS</b>	29 - 46
<p>The Head of City Development has submitted a report that summarises the receipt and expenditure of developer contributions in the last financial year (2011/12)</p> <p>Officer recommendation: That the West Area Planning Committee notes the</p>	

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

## **7 PLANNING APPEALS**

47 - 50

To receive information on planning appeals received and determined during July 2012.

The Committee is asked to note this information.

## **8 FORTHCOMING APPLICATIONS**

The following items are listed for information. They are not for discussion at this meeting.

- Worcester College: 12/02141/FUL & 12/01810/LBD: Lecture theatre and kitchen
- 43 Donnington Bridge Road: 12/02141/FUL: 2 flats
- 251 Cowley Road: 12/01924/FUL: Part change of use from estate agent to radio station
- University Science Area: Masterplan

## **9 FORTHCOMING DATES OF COMMITTEE MEETING**

Wednesday 10 October 2012 (and Thursday 18 October 2012 if needed)

Wednesday 7 November 2012 (and Wednesday 14 November 2012 if needed)

Wednesday 12 December 2012 (and Thursday 14 December 2012 if needed)

## **10 MINUTES**

51 - 60

Minutes of the meetings held on 15 and 23 August 2012

## **DECLARING INTERESTS**

### **General duty**

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

### **What is a disclosable pecuniary interest?**

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

### **Declaring an interest**

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

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

### **Members' Code of Conduct and public perception**

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

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

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

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

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

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

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

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

WEST AREA PLANNING COMMITTEE

13<sup>th</sup> September 2012

**Application Number:** 12/01853/FUL

**Decision Due by:** 12th September 2012

**Proposal:** Demolition of existing dwelling house. Erection of 3 storey terrace (including basement) building to provide 2x4 bed semi-detached dwelling houses (Class C3) with car parking, bin and cycle stores. (Amended plans)

**Site Address:** 71 Hill Top Road Oxford (Appendix 1)

**Ward:** St Clement's Ward

**Agent:** Kemp And Kemp

**Applicant:** VO Properties

This application is required to be determined by Committee as it has been called in by Councillors Clack, Rowley, Kennedy, Lloyd-Shogbesan and Van Nooijen on the grounds it involves the creation of a new dwelling and should therefore be considered in public.

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed new houses are considered to be make more efficient use of an appropriate and sustainably located site to create development that is visually commensurate with its surroundings given that it responds to the character and appearance of the area. The proposals are further considered to adequately safeguard neighbouring residential amenity and provide adequate car and cycle parking such that the proposals will not materially harm highway safety. Consequently the proposals are considered to accord with policies CP1, CP6, CP8, CP9, CP10, HS19, HS21, TR3 and TR4 of the Oxford Local Plan 2001-2016, policies CS2 and CS18 of the Oxford Core Strategy 2026 as well as emerging policies HP9, HP10, HP12, HP13, HP14, HP15 and HP16 of the Sites and Housing Plan Submission Document.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Removal of PD rights to extend dwellings
- 5 Obscurely glazed and fixed shut windows in north-west elevation only
- 6 Foul and surface water drainage details
- 7 Cycle/Car parking laid out prior to use
- 8 SuDS compliant surfacing
- 9 Construction Traffic Management Plan required prior to commencement
- 10 Vision Splays required
- 11 Bin storage to be laid out prior to use
- 12 Details of boundary treatment required prior to commencement
- 13 Phased contamination risk assessment required prior to commencement
- 14 Archaeology – Written scheme of investigation required prior to commencement

### **Main Local Plan Policies:**

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

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

### **Core Strategy**

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



**CS18\_** - Urb design, town character, historic env

### **Sites and Housing Plan - Submission**

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

**HP10\_** - Developing on residential gardens

**HP12\_** - Indoor Space

**HP13\_** - Outdoor Space

**HP14\_** - Privacy and Daylight

**HP15\_** - Residential cycle parking

**HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework

### **Relevant Site History:**

61/11487/A\_H - 71/73 Hill Top Road - Erection of two cedar wood houses with car ports and stores. Permitted 28th November 1961.

92/00993/NF - Demolition of existing dwelling. Erection of 2 storey dwelling to provide accommodation for 4 disabled people. Allowed on appeal 24th March 1993.

12/00903/FUL - Demolition of existing dwelling house. Erection of 3 storey terrace (including basement) building to provide 3x4 bed semi-detached dwelling houses with car parking, bin and cycle stores. Withdrawn 24th May 2012.

### **Representations Received:**

One third party objection has been received from No. 69 Hill Top Road citing the following concerns:

- Reducing the green space on the plot would have an adverse impact on biodiversity given the proximity of the site to Warneford Meadow;
- Insufficient off-street parking proposed;
- Proposals will result in the loss of a hedgerow between 69 and 71 Hill Top Road which is owned by 69 Hill Top;
- A tree survey has not been submitted yet there is a large conifer tree on the opposite side of the road to the site frontage which could be harmed;
- The houses will block out light to the side windows of 69 Hill Top Road which will be harmful to the enjoyment of the main living areas of the house including kitchen/diner at ground floor level and first floor bedroom;
- No other houses in the road have basements or dormer windows so the proposals are out of character with the area;
- The proposals involve the removal of a boundary hedgerow which may not be within the site ownership;
- There are restrictive covenants covering the application site that affect development on the site;
- The developer has not sought to consult any neighbours who would be

affected by the proposed development.

**Statutory and Internal Consultees:**

Oxfordshire County Council Drainage Officer – All surfacing should be permeable with surface water addressed on site.

Highway Authority – No objection subject to conditions including the requirement for a Construction Traffic Management Plan, vision splays to be provided, no surface water to drain onto the highway and cycle/bin storage facilities to be provided.

Environmental Health – No objection subject to a condition being imposed requiring a phased contamination risk assessment to be carried out prior to commencement of the development.

Thames Water Plc – The applicant should incorporate within their proposal protection to the properties a non-return valve or other suitable device to avoid the risk of backflow at a later date on the assumption that the sewerage network may surcharge to ground water level during storm conditions.

Tree Officer – Comments incorporated into report

Biodiversity Officer – Comments incorporated into report

**Officers' Assessment:**

Site Description

1. The application site relates to a corner plot comprising an existing detached timber clad house built in the early 1960s along with its associated garden area. The site lies at the north-eastern end of Hill Top Road on the juncture between where the road ends and leads on to Southfield Golf Club and Jack Howarth House beyond. Whilst the main road continues around the side of the site it should be noted that the front boundary between Nos. 69 and 71 Hill Top Road marks the end of the adopted public highway and as such, the site is only accessible from a private road which is owned and maintained by Magdalen College.

2. The existing house is sited, unusually for Hill Top Road, towards the rear of the plot and well back from the road frontage. The vast majority of other houses along the road are semi-detached pairs which are sited and orientated in a uniform fashion, facing towards the road and set back similar distances from the road frontage with small front gardens. The existing house is generally well screened from the road by rather overgrown boundary vegetation and both the site and house have evidently lacked regular upkeep such that the house has fallen into disrepair. Only the existing boundary hedging is preventing the existing house from being clearly visible from the street and therefore something of an eyesore.

3. Hill Top Road is overwhelmingly residential in nature with the majority of houses being relatively large, three storey properties of conventional, town house appearance occupying plots of mostly similar sizes characterised by their longer

depth and comparatively narrow width.

### The Proposal

4. The application seeks consent for the removal of the existing, detached dwelling and its replacement by a pair of three storey, four bedroom semi-detached houses along with associated car parking, bin and cycle storage. Off-street parking is proposed to be created and accessed from the privately owned section of Hill Top Road opposite the entrance to the golf course.

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

- Principle
- Design
- Amenity
- Impact on Neighbouring Amenity
- Trees
- Parking/Highway Implications

### Principle

6. The site comprises an existing house and a carport though, in the main, the new development will take place on currently undeveloped garden land. Residential garden land is no longer defined as previously developed land in Government guidance thus the principle of developing the site must be considered. However, the site is not considered to be of significant environmental value such that, providing a development responds to the wider residential and public environment, the requirement to make more efficient use of land within a sustainable location should outweigh the desire to retain the existing residential garden. Policy CS2 of the Core Strategy and policy CP6 of the Local Plan reflect Government guidance by seeking to concentrate development on sustainably located land and encourage the efficient use of sites provided proposals are appropriate to sites and their context in order to prevent undue pressure on less sustainably located sites or those of greater environmental value. Consequently, officers consider the principle of further residential development on the site to be acceptable in line with development plan policy and national guidance.

### Design

7. The existing building on the site is in a poor state of repair. It is in many ways an anomaly within the street in that it sits on a disproportionately large plot, sits well back from the road and, as result of its orientation and distance from the front, does not have an active street frontage. In addition, given its condition and anomalous construction materials it is not in keeping with the prevailing streetscene and the site's context. The demolition of the existing house and its replacement is therefore welcomed.

8. Policies CP1 and CP8 of the Local Plan require development proposals to integrate well with the surrounding area and respond to local character. These requirements are reflected in policy CS18 of the Core Strategy. In addition, policy HP10 of the emerging Sites and Housing Plan has a specific policy relating to residential development on garden land. This policy states that planning permission will be granted for such developments provided: the size of the plot to be developed is of an appropriate size and shape to satisfactorily accommodate

the proposal, the proposal responds to the character and appearance of the area including views from streets, and that any biodiversity value on the site is mitigated. Whilst policy HP10 has not been formally adopted it is being given weight in decision making by the Council in accordance with Government guidance.

9. The proposed site layout results in two plots that reflect the general plot layout along the majority of Hill Top Road in that they are relatively deep but somewhat narrow. The buildings are three stories in height, of traditional townhouse appearance and match the scale of the majority of nearby houses. Whilst the proposed houses also have a basement level this does not visibly affect the scale of the buildings from the street and would therefore not result in them appearing in any way out of character. In addition, the two storey front bay features, the gabled form of the roofs and the general vertical emphasis of the buildings ensure that they are in keeping with the vernacular architectural style. Furthermore the dormer windows proposed are of relatively traditional form and proportion that help accentuate the verticality of the proposed townhouses. The houses are proposed to be constructed using facing bricks and yellow ochre plain clay tiles which takes reference from a number of other properties within the street and is therefore considered to be appropriate.

10. Consequently, with respect to the grain, form, scale and materials of the development proposed, officers consider that the new houses would form an appropriate visual relationship with their surroundings.

#### Amenity

11. Policy HS21 of the Local Plan and policy HP13 of the emerging Sites and Housing Plan require new family sized dwellings to be served by private amenity spaces of reasonable quality and of a size proportionate to the dwelling. Policy HS21 specifically requires private garden lengths of at least 10m.

12. The private amenity areas of the two proposed houses comfortably exceed the policy requirements in terms of the amount of space provided and are of a sensible layout such that they represent genuinely usable space. The houses would be able to be overlooked by each other and 69 Hill Top Road in terms of first and second floor windows views however this is common to almost all of the other properties within the street.

13. Policy HP12 requires new family sized dwellings such as those proposed to be at least 75 sq m in floor space. The proposed houses are considerably larger than this minimum requirement and thus comply with this policy requirement

13. In line with the requirements of policies CP10 and TR4 of the Local Plan the houses are proposed to be served by enclosed bin storage facilities and secure cycle parking which allow easy access via the sides of the houses to the road at the front.

#### Impact on Neighbouring Amenity

14. Policies CP1, CP10 and HS19 of the Local Plan require proposals to adequately safeguard neighbouring amenity with respect to privacy, outlook and

light amongst other things.

15. The site is bounded on only one side by an existing residential property. To the northwest lies 69 Hill Top Road, one of a pair of semi-detached houses built circa 1915. The proposed houses are similar in height and depth to the adjacent property so that they do not project past existing front or rear walls and thus do not materially harm the outlook or light enjoyed from the rear garden or front/rear facing habitable rooms of the neighbouring house.

16. The side wall of No. 69 does however contain a number of windows and has habitable rooms with their sole windows facing towards the application site. This arrangement has evolved due to the fact that, unlike other houses in the street, there has never been a building immediately to the side of it and thus has rooms with windows that have always faced out towards the garden of No. 71.

17. Following concerns raised by officers in relation to the now withdrawn previous application, the current application has resulted in the proposed houses being re-sited such that they are a minimum of 5.2m from the side wall of No. 69.

18. At ground floor level, No. 69 has a kitchen-diner with four double sash and casement windows located approximately half to two-thirds of the way towards the rearmost wall of the house. The room therefore benefits from quite a significant amount of fenestration such that, despite a now significant boundary hedgerow just outside the window, it still enjoys reasonable levels of light.

19. The proposed development involves the significant pruning of the boundary hedge (which has predominantly grown at an angle onto the application site with the exception of the stems) such that it will, in all likelihood, be unlikely to survive in anyway meaningful way. Such pruning/lopping works on the application site can of course take place at any time without the benefit of planning. The removal of this boundary hedge, which contributes little to public amenity since it is not immediately visible from the street, will allow a materially greater amount of light into the ground floor side windows of No. 69. Whilst the proposed houses, by virtue of their proximity and height, will result in a reduction in daylight and sunlight being received into the neighbouring house, the comparatively generous distance between the two pairs of houses is considered to be sufficient to allow reasonable levels of diffuse daylight to enter the windows through the gap between the houses. Such levels of daylight will only be increased by the partial/total loss of the boundary hedging. It is also worthy of note that, other than the boundary hedge, there are no trees close to the ground floor side windows to block out daylight such that the remaining sunlight/daylight received through the gap between the houses would be uninterrupted. Officers consider that it should be recognised that the proposed gap between the houses is generous in the context of gaps in the rest of the street and that, whilst it would affect the amount of light received in to the ground floor kitchen windows, this would not amount to significant harm to the extent that the application should be refused on these grounds.

20. In addition to the impact on light, the presence of a building adjacent to No. 69 will, to an extent, affect the outlook from its side windows. However, for similar

reasons as stated above, the gap between the houses is generous in the context of the street and considered to be more than adequate to prevent significant harm to the enjoyment of side facing habitable rooms.

21. Bedrooms at first and second floor level face towards the proposed development. In the case of the second floor bedroom this also enjoys a window in the front elevation and thus good levels of light enter into the room from more than one source. Any loss of light or harm to the outlook from the side window is therefore considered to be insignificant. At first floor level a bedroom window faces the proposed houses and, whilst it is acknowledged that there will be some loss of light into the window and the pleasant outlook from it, a reasonable amount of light will enter the window above the top of the adjacent house and through the reasonable sized gap between the two houses as well as from an existing secondary rear facing window.

22. Officers have assessed the proposals in the context of the daylight/sunlight guidance set out in Appendix 6 of the Local Plan. With respect to the ground floor side windows officers consider there to be a minor contravention of this guidance given that typically a building should not intersect a virtual line drawn straight out from the window at 45 degrees in the vertical plane. In fact, in this case, it is approximately a 50 degree angle that it necessary to extend above the height of the proposed buildings. However, it should be noted that the details in the appendix are only guidance and specifically references the need to take account of other relevant factors. In this case the reduction in boundary hedging, the significant levels of fenestration in the room and the generous gap between the houses in the context of the street are considered to be sufficient to consider the development acceptable in this regard.

23. With respect to first and second floor bedroom windows, the proposals comply with the daylight guidance set out in the Local Plan which further confirms the development's acceptability in amenity terms.

24. Windows are proposed to be inserted in the side of proposed unit 71a though all of these are proposed to be obscurely glazed. Consequently there will be no loss of privacy by those using side facing rooms of No. 69. A condition is recommended to be imposed preventing the insertion of further windows without consent from the Council to ensure neighbouring amenity is safeguarded. In addition, a further condition is recommended to be imposed removing permitted development rights for future owners of the proposed houses to construct extensions to the property to ensure that consideration can be given to the merits of any development in light of the need to safeguard the amenity enjoyed by occupiers of No. 69.

#### Trees

25. There is only one tree on the application site, a conifer, though this is considered to be of low public amenity value and therefore officers have no objection to its loss. This tree is actually however located on land outside the ownership/control of the applicant and thus consent to remove the tree will be required from the landowner, presumed to be Magdalen College. The existing boundary hedge that runs along the edge of Hill Top Road is proposed to be

removed and, given its limited contribution to public amenity, officers do not consider this objectionable. The boundary hedge between No. 69 and the application site is also proposed to be removed. Whilst it seems clear that the hedgerow is planted outside the application site they have grown at an angle such that the main body of it is on the application site. Therefore, it is proposed to be removed from the development site to facilitate the proposals which will, in all likelihood, result in the long-term loss of the hedgerow. However, given that hedge simply serves as a soft boundary between residential properties and does contribute in any meaningful way to public amenity, this is not considered to be objectionable.

26. A large conifer tree lies outside the site on the opposite side of Hill Top Road on the corner of Southfield Golf Club. Whilst this tree does make something of a positive contribution to visual amenity, the development proposed is located well outside the root protection area of this tree such that no harm is considered likely to occur.

#### Parking/Highway Implications

27. The new houses are proposed to be served by two off-street parking spaces each with use of a turning space at the rear of the site utilising the existing access point. This level of parking accords with the standards for four bedroom houses as set out in policy TR3 of the Local Plan. Hill Top Road suffers from exceptional parking pressure, particularly during university term-time and by the end of September 2012 will be covered by a new controlled parking zone (CPZ). This controlled parking zone will extend up to the end of the adopted highway (the boundary between No. 69 and No. 71 Hill Top Road) with only those properties within the CPZ being eligible for parking permits. Consequently there will be no opportunity for any on-street parking associated with the new houses from the date of the formal imposition of the CPZ. Consequently, the level and accessibility of off-street parking proposed is considered acceptable and the development would not lead to an increase in on-street parking such that highway safety and the functioning of the highway will not be compromised. Indeed the Highway Authority has additionally not objected to the scheme. A condition has been recommended to be imposed however requiring relevant vision splays to be provided prior to occupation of the houses so that highway safety is not affected by the movement of vehicles into and out of the parking spaces.

#### Other Matters

28. The site lies within a landscape of a Roman field system and pottery manufacturing areas associated with the nationally important Oxford pottery industry. Whilst the nearest recorded pottery manufacturing sites are some distance away at the Churchill Hospital, recent investigations at Southfield Golf Course have produced some evidence for late prehistoric or early Roman metal working 90m to the south of the application site. Consequently, a condition is recommended to be imposed requiring a written scheme of investigation to be produced by a qualified Archaeologist and agreed by the Council prior to the commencement of the development.

29. A third party objection has stated that the application site has some

environmental value in the form of biodiversity given that it is adjacent to Warneford Meadow. Officers however are not aware of any evidence to support the assertion that the site specifically provides a habitat for protected species or been given cause to investigate any recordings of protected species in the immediate vicinity of the site. Consequently officers do not consider it reasonable to object to the proposals on these grounds.

30. Despite concerns raised by a third party there is no statutory requirement for applicants/developers to consult stakeholders on small scale proposals such as those proposed though officers would always recommend this as good practice. Additionally, any legal restrictions/covenants relating to the application site are not a planning matter and the grant of planning permission would not discharge the applicant from their responsibilities to otherwise development the site lawfully.

**Conclusion:**

31. The proposals are considered to make more efficient use of a site in a way that is appropriate to the site and its context without resulting in unacceptable harm to neighbouring amenity. Consequently officers recommend Committee approve the application subject to the conditions suggested.

**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:** 61/11487/A\_H, 92/00993/NF and 12/00903/FUL

**Contact Officer:** Matthew Parry

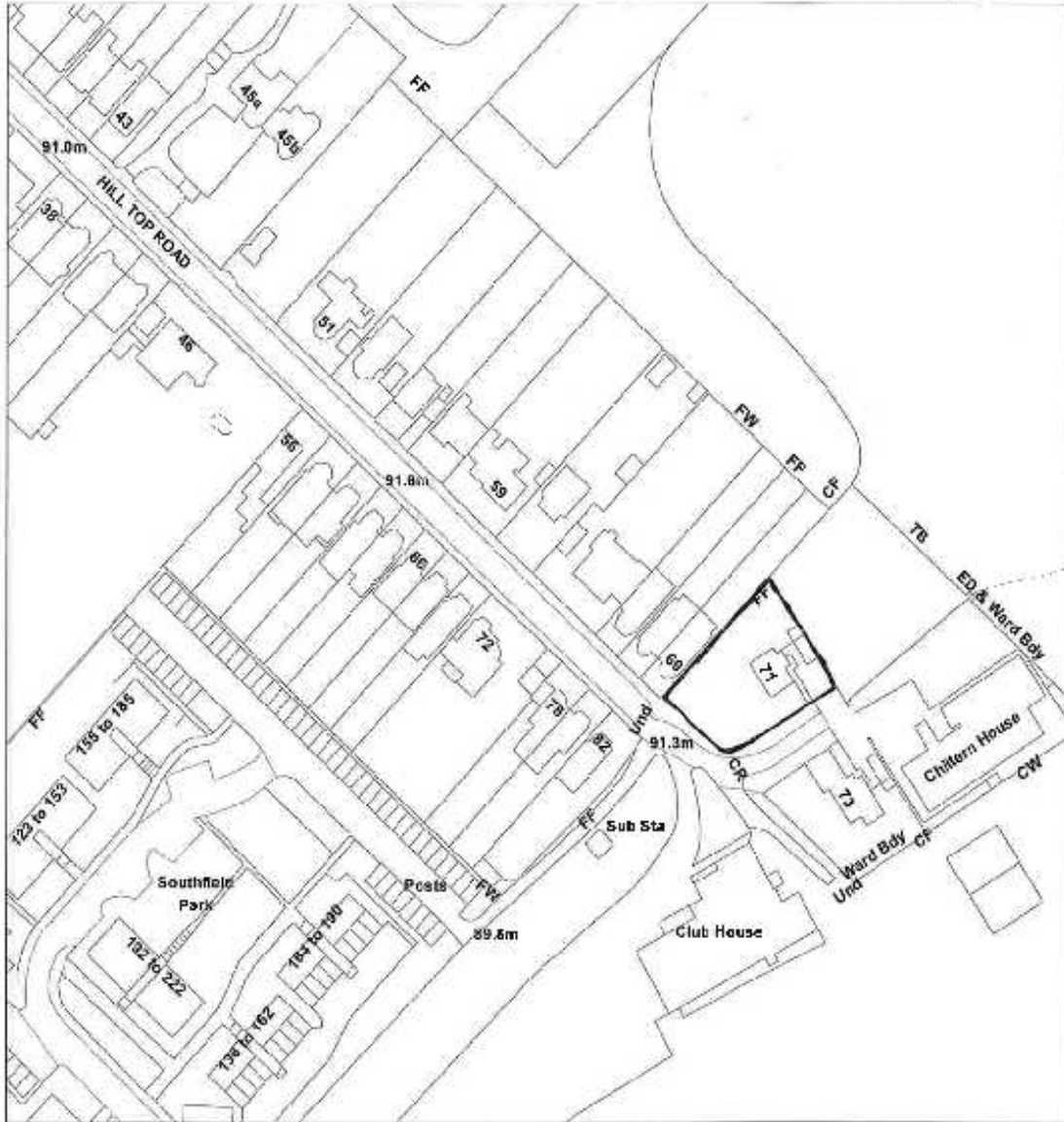
**Extension:** 2160

**Date:** 3<sup>rd</sup> September 2012



# Appendix 1

## 71 Hill Top Road



Scale : 1:1250

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<b>Organisation</b>	Oxford City Council
<b>Department</b>	City Development
<b>Comments</b>	12/01833/FUL
<b>Date</b>	31 August 2012
<b>SLA Number</b>	Vol. 641

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West Area Planning Committee

13<sup>th</sup> September 2012

**Application Number:** 12/01789/FUL

**Decision Due by:** 10th September 2012

**Proposal:** Erection of part single, part two storey rear extensions.  
Erection of single storey side extension to form side entrance and front gable end (amended description and plans)

**Site Address:** 46 Stratfield Road, **Appendix 1**

**Ward:** Summertown Ward

**Agent:** Mr Nick Turner

**Applicant:** Dr C Bass

Application called in by Councillors Fooks, Campbell, McCready, Gotch and Jones due to concerns about possible overshadowing of neighbouring properties and overdevelopment of the site.

---

**Recommendation:** Approve

For the following reasons:

- 1 The proposal is acceptable in terms of design and is considered to be in keeping with the site and surrounding area. It will not impact on the amenity of neighbours in a significant way. The proposal therefore complies with policies CP1, CP6, CP8, CP10, HS19, HS 20 and HS21 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy 2026 and Policy HP9 and HP14 of the Sites and Housing Plan
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

Subject to the following conditions:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Obscure glazed window

#### **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
- HS20 - Local Residential Environment
- HS21 - Private Open Space

#### **Core Strategy**

- CS18 - Urban design, town character, historic environment

#### **Sites and Housing Plan - Submission**

- HP9 - Design, Character and Context
- HP14 - Privacy and Daylight

#### **Other Material Considerations:**

- National Planning Policy Framework

#### **Relevant Site History:**

- 12/02070/CPU – Rear dormer including Juliette balcony. Pending consideration

#### **Representations Received:**

44 Stratfield Road: Objection - Overbearing development, privacy, effect on adjoining neighbours, length of ground floor extension, effect on character of the area.

48 Stratfield Road: Neither objecting or supporting – Access, amount of the development, effect on adjoining properties, effect on character of area, light-daylight/sunlight.

Oxford Civic Society: Objection to gable in front elevation.

#### **Statutory Consultees:**

Highways Authority: No objection.

#### **Issues:**

Design and Appearance  
Residential Amenity

#### **Officers Assessment:**

#### **Site Description**

1. The application site comprises a two storey semi-detached property to the east side of Stratfield Road. The street is characterised by two storey houses

with small front gardens. There are a variety of detached, semi-detached and terrace houses in the street which is aligned north - south, parallel to the retail premises fronting Banbury Road within the Summertown District Shopping Centre. The property enjoys a good length rear garden backing onto those commercial premises. **Appendix 1** refers.

## **Proposal**

2. The application is seeking permission to extend the property through a side extension to create a utility room; a part single storey rear extension to enlarge the kitchen area; a part first floor extension to provide an en suite to a bedroom; and a new front gable feature.
3. During the course of processing the planning application revised drawings were requested and submitted. These omitted a rear dormer window for which planning permission is not required. At the request of officers the amended drawings also modified the ground floor element of the extensions to improve the relationship to the neighbouring property to the north, no. 48 Stratfield Road. The revisions now indicate the eaves being reduced by 200mm and a change in the pitch of the roof to minimise the impact on the neighbouring property.

## **Design and Appearance**

4. In terms of the various elements to the application, the proposed ground floor extension will extend the entire width of the house and would be 4 m longer than the existing ground floor extension, bringing it in line with the door of the adjoining neighbouring conservatory at the property to the south, no. 44. The first floor extension extends out by 1.8m and would come in line with that property's first floor extension and would include an obscurely glazed window in the east elevation serving a bathroom. The side utility extension would extend to the boundary of No 48 and would comprise a lean to roof with an eaves height of 2.2m. The front gable would be set in line with the front façade of the house and provide a window to a bedroom set within the roofspace.
5. Policy CP1 and CP8 of the adopted Oxford Local Plan states that planning permission will only be granted for development which shows a high standard of design that respects the character and appearance of an area and uses materials appropriate to the site and surroundings. Policy CP8 states that development will only be permitted where new development creates an appropriate relationship with the surrounding area. It also states that building design is specific to the site and should respect without necessarily replicating its surroundings. These policies are supported by those of the recently adopted Core Strategy which at policy CS18 which indicates that planning permission will only be granted for development that demonstrates high quality urban design and responds appropriately to the site and its surroundings.
6. In this case the position of the side extension would mean that it would be

visible from the street in the gap between properties but as it is set well back it would not be prominent or have a detrimental effect on its surroundings. It would possess a lean - to roof which would further minimise any impact on the street scene. Similarly the ground floor rear extension would be subservient to the main dwelling and has been designed to maximise use and outlook of the garden by including bi - fold doors. Comments have been received by both neighbours regarding the size of the extension and its impact on the garden. Although the extension is large, officers consider the garden to be extensive enough to accommodate the extension without affecting the amenity of the occupiers.

7. The first floor extension would line up with that of the adjoining property to the south. The first floor element would integrate well with the surrounding area and would create an acceptable visual relationship with the adjoining properties.
8. Lastly the proposed front gable is considered to create an appropriate visual relationship to the existing site and its surroundings. The Civic Society comment however that it would mean the semi detached house would lose its symmetry with its attached neighbour. Although officers acknowledge that this would be the case, the gable is relatively small and there is not such a level of uniformity in the streetscene that small changes such as this would amount to unacceptable visual harm. Consequently, the addition of the gable is not considered to have a detrimental affect on the street scene and can be supported. Roof lights are also proposed for the roof allowing maximum natural light.

### **Residential Amenity**

9. Policy HS19 of the Oxford Local Plan and HP14 of the emerging Sites and Housing Plan set out guidelines for assessing development in terms of whether it would allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. These policies refer to a 45 / 25-degree code of practice which acts as a guideline for assessing these relationships. In most cases, no development should intrude over a line drawn at an angle of 45° in the horizontal plane from the midpoint of the nearest window of a habitable room and rising at an angle of 25° in the vertical plane from the sill.
10. With regard to No 48 Stratfield Road, the proposed single storey extension does breach the 45° line but complies with the 25° uplift line in relation to the nearest door on the east elevation that property. The extension therefore satisfies Policy HS19 and HP14 and can be supported in these terms.
11. The extension to the northern side has an eaves height of 2.2 m and the boundary treatment between the application site and No. 48 consists of a standard 1.8 metre high fence. Moreover, the applicants could erect a 2 metre high fence at this point without requiring planning permission. Officers consider that the additional height of the eaves over that which could be constructed, and for a relatively short length, indicates that any additional harm would only have a minimal impact upon the amenities of that property.

12. Policies HS19 and CP10 of the Oxford Local Plan also require that the siting of new development should protect the privacy of the proposed or existing neighbouring residential properties and proposals that would be assessed in terms of potential for overlooking into habitable rooms or private open space. The occupiers of No 44 Stratfield Road to the south have objected to the planning application on the basis that the proposal would have an overbearing impact as a result of the first floor extension, expressing their concern about the loss of light to their conservatory and potential loss of privacy by the inclusion of a window on the rear elevation at first floor.
13. With regard to No 44 the extension at first floor level would come in line with their extension eliminating any potential for overbearing. Minimising the potential for overshadowing has also been addressed by reducing the overall height of the ground floor extension. It would also come in line with the door of the brick built conservatory at No 44. As such it would not breach the 45 / 25 degree guideline and is considered acceptable.
14. The existing first floor extension at the application site currently has a rear facing window in the east elevation overlooking the rear garden. In these proposals the extended first floor includes an obscurely glazed window as it serves a bathroom. Officers acknowledge the fact that the conservatory at No 44 has a glazed roof and therefore the extension and window would be visible from No 44 but it is not considered that the new obscure glazed window would impinge on the neighbour's privacy or add to any issues of overlooking.

### **Sustainability**

15. The site lies in a sustainable location within easy access of shops, services and public transport links. The proposal would make more efficient use of an existing brownfield site. The development would use modern materials that will provide thermal insulation whilst glazed sealed window units will provide good thermal properties. The development also includes areas of patent glazing to allow for maximum natural daylight.

### **Conclusion.**

16. The proposal is acceptable in terms of design and is considered to be in keeping with the site and surrounding area. It will not impact on the amenity of neighbours in a significantly detrimental way. The proposal therefore complies with policies CP1, CP6, CP8, CP10, HS19, HS20 and HS21 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy 2026 and Policy HP9 and HP14 of the Sites and Housing Plan

### **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 for approval officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 12/01789/FUL, 12/02070/CPU

**Contact Officer:** Sarah Nicklin

**Extension:** 2186

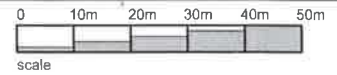
**Date:** 31st August 2012



# APPENDIX 1

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## PLANNING

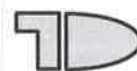


**PROPOSED REAR EXTENSION & ALTERATIONS TO DWELLING**

46 STRATFIELD ROAD  
OXFORD  
OXON.

**EXISTING:  
LOCATION PLAN**

scale	date	drawn by
1:1250@A4	JUL 12	NT
project	dwg. no.	rev.
12.46	S1.01	



Turner Designs +  
Chartered Architect

2 Fernhill Road  
Begbroke  
Oxon, OX5 1RP

t: 01865 373264  
e: info@turnerdesigns.co.uk

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**West Area Planning Committee**

13th September 2012

**Application Number:** 12/01798/FUL

**Decision Due by:** 12th September 2012

**Proposal:** Modifications to rear extension approved under 09/02587/FUL comprising the introduction of 3 windows and 1 door on ground floor

**Site Address:** 68 Abingdon Road, Oxford [Appendix 1]

**Ward:** Hinksey Park

**Agent:** N/A

**Applicant:** Mrs Khan

Called in by Councillors Price, Seamons, Humblestone, Tanner, Rowley, Canning and Van Noojen on grounds of overlooking and inappropriate design for a sensitive corner site.

---

## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the host building and the surrounding development and would not detract from the amenities enjoyed by the occupiers of neighbouring properties. The proposal therefore complies with adopted policies contained in both the Core Strategy 2026 and the Oxford Local Plan 2001 - 2016. No objections have been received from third parties or statutory consultees.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Amenity windows obscure glass - 2 first floor west end windows,

- 2 Cycle parking details required
- 3 Develop in accordance with approved plans
- 4 Amenity no additional windows - rear west end elevation or south elevation,
- 5 Materials - matching

### **Main Local Plan Policies:**

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

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

#### **Core Strategy**

- CS2\_** - Previously developed and greenfield land
- CS9\_** - Energy and natural resources
- CS10\_** - Waste and recycling
- CS11\_** - Flooding
- CS18\_** - Urban design, town character, historic environment

#### **Sites and Housing Plan**

- HP9\_** - Design, Character and Context
- HP13\_** - Outdoor Space
- HP14\_** - Privacy and Daylight

#### **Other Material Considerations:**

National Planning Policy Framework

#### **Relevant Site History:**

01/01152/NF: Change of use from retail [A1] to hot food takeaway [A5]. Refused and dismissed on appeal

02/01657/FUL: Change of use from retail [A1] to office [A2]. Approved

05/01632/FUL: Demolition of garage and car port. Erection of two storey rear extension with accommodation in the roof space and alterations to existing two storey rear extension to provide 1 x 1 bedroom flat and 1 x 3 bedroom maisonette. Refused for reasons of overdevelopment, excessive scale of front gable, impact on neighbours and lack of private amenity space.

05/01637/FUL: Change of use from retail [A1] to hot food outlet for delivery only. Refused

06/00242/FUL: Demolition of existing garage and car port. Erection of 2/3 storey extension to form 2 flats [1 x 2 bedroom and 1 x 1 bedroom]. Refused on grounds of excessive size and scale, overbearing impact on neighbours, lack of amenity space and lack of a Flood Risk Assessment.

08/01537/FUL: Change of use from financial and professional services [A2] to café [A3]. Erection of two storey extension to provide an extra bedroom and enlarged kitchen. Erection of two storey extension fronting Kineton Road to provide a 2 bedroom flat. Refused on grounds of lack of amenity space, additional parking pressure from a café use, lack of information regarding mechanical extraction system for cooking smells, excessive size and scale of the extensions and overbearing impact on neighbours.

09/02587/FUL: Demolition of existing garage. Erection of two storey extension to provide enlarged shop on the ground floor and enlarged flat with new entrance on first floor. Provision of amenity space, bin stores and cycle parking. Approved.

11/00027/FUL: Construction of rear dormer window and raising of the roof height [part retrospective]. Refused on grounds of size and bulk and adverse impact on the street scene. An enforcement notice was issued in respect of the unauthorised works and this was subsequently complied with.

11/00923/FUL: Loft conversion and alterations to existing roof including a flat roofed rear dormer window. Refused on grounds of the prominence of the dormer window and its intrusive and overbearing nature. Appeal dismissed.

12/01268/FUL: Modifications to extensions approved under 09/02587/FUL comprising the re-positioning of 2 external doors and 2 windows, the addition of a first floor window and the retrospective change of roofing materials from slate to smooth grey tiles. Refused on grounds of lack of ground floor openings fronting Kineton Road would result in a stark and bulky form of development that would be out of keeping with the street scene.

12/02587/NMA: Change of roofing material from slate to grey smooth tiles. Approved.

**Representations Received:**

None

**Statutory and Internal Consultees:**

No comments received

**Issues:**

- The extant 2010 permission
- Proposed alterations to the extant permission

## **Officers Assessment:**

### Site location and description

1. The application site lies on the south side of Kinton Road at its junction with Abingdon Road and comprises 68 Abingdon Road, a ground floor retail unit with an office, kitchen and WC and 68a Abingdon Road, a three bedroom first and second floor flat with its own separate entrance. A two storey extension to provide an enlarged shop on the ground floor and an enlarged flat on the first floor has been partly constructed following the grant of planning permission in 2010; however work ceased in mid May of this year when the applicant was made aware that the work was not being carried out in accordance with the approved plans and was unauthorised.
2. The area is characterised by traditional, terraced and semi-detached Victorian dwellings which front onto the street. 66 Abingdon Road which lies opposite the application site, has been substantially extended at the rear.

### The Proposal

3. The application seeks planning permission to modify certain details of the two storey extension approved under planning permission 09/02587/FUL namely the positioning of doors and windows on the north elevation facing Kinton Road and on the west elevation facing towards number 1 Kinton Road. The size and height of the extension, which has been erected up to first floor level, remains as per the approved plans.
4. The approved plans granted in 2010 include two doors and two small windows on the ground floor in the north elevation facing Kinton Road. The doors serve a bin store and the first floor flat and the windows serve a ground floor kitchen and WC. No ground floor doors or windows are shown on the west elevation.
5. The current proposal seeks to reintroduce a single door and 3 small ground floor windows in the north elevation facing Kinton Road. The door would provide access for staff to the rear of the shop and the windows would serve a small kitchen and WC for use by the shop.
6. The west elevation facing towards 1 Kinton Road would contain two ground floor doors, one leading to the rear of the shop and the other giving access to the first floor flat.

### The extant permission

7. Planning permission was granted in 2010 for a two storey extension to enlarge the existing shop and flat. This permission follows a large number of refusals of planning permission as set out earlier in this report and is the result of pre-application discussions that emphasised the need to significantly reduce the size and bulk of any extension in order to provide a

form of development that would appear sympathetic to the street scene and not adversely impact upon neighbouring occupiers.

8. The most prominent elevation is the north elevation that faces towards Kinton Road. The approved plans incorporate openings in the ground and first floor of this elevation that ensure that this building front is 'active', allowing people to go in and out and look in and out with entrances and windows next to public streets. This is a requirement of policy CP9 of the adopted Oxford Local Plan.
9. For this reason, a previous application [12/01268/FUL] that sought planning permission to retain the extension as built with no ground floor openings in this elevation fronting Kinton Road was refused. Officers take the view that a substantial extension devoid of any ground floor openings on its principal elevation would appear stark and overbearing and would detract from the character of the area.

#### Proposed alterations to the extant permission

10. The current proposal seeks to reintroduce a door and window openings in the ground floor of the north elevation in an effort to secure an acceptable form of development. The proposals are broadly similar to the plans approved in 2010 although there are two new doors in the south elevation. However officers do not have any serious concerns regarding the re-positioning of the entrance to the first floor flat from the north to the south elevation.
11. Given that the extension accords with the approved plans in all other respects, it is considered that the revised door and window details are now acceptable and ensure that the new extension would have an acceptable relationship with the street scene and the character of the area.

#### **Conclusion:**

12. The proposal forms an appropriate visual relationship with the host building and the surrounding development and would not adversely impact upon the amenities enjoyed by neighbouring occupiers. The proposal therefore complies with adopted policies contained in both the Core Strategy 2026 and the Oxford Local Plan 2001 – 2016. No objections have been received from statutory consultees or third parties.

#### 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:**

01/01152/NF  
02/01657/FUL  
05/01632/FUL  
05/01637/FUL  
06/00242/FUL  
06/00244/FUL  
09/02587/FUL  
11/00027/FUL  
11/00923/FUL  
09/02587/NMA  
12/01798/FUL

**Contact Officer:** Angela Fettiplace

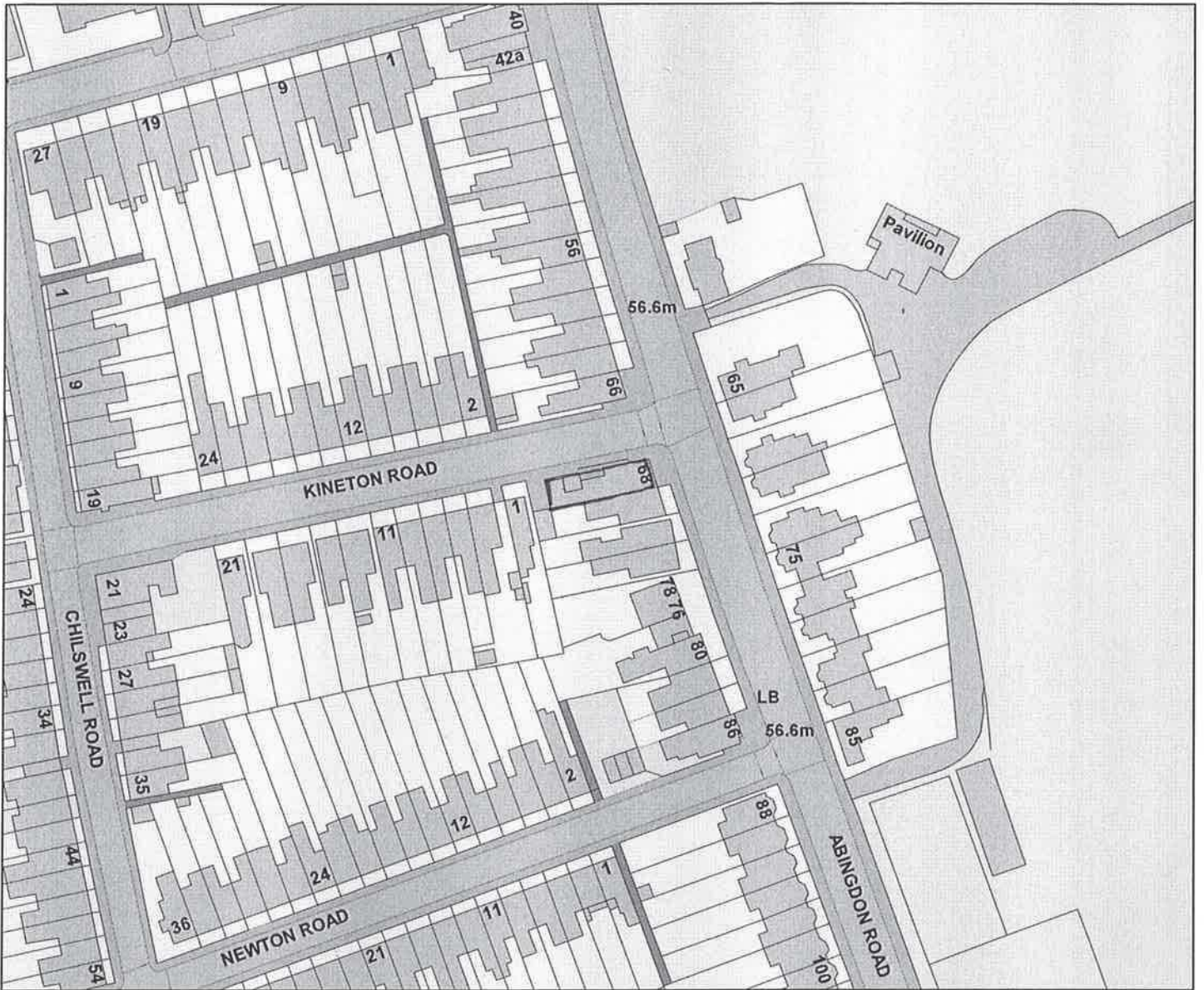
**Extension:** 2445

**Date:** 23rd August 2012



# Appendix 1

## 68 Abingdon Road



Legend	
<b>Scale:</b>	1:1250



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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	
<b>Date</b>	23 August 2012
<b>SLA Number</b>	Not Set

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**To: West Area Planning Committee**

**Date: 13<sup>th</sup> September 2012**

**Item No:**

**Report of: Head of City Development**

**Title of Report: Receipt and Expenditure of Developer Contributions**

## Summary and Recommendations

**Purpose of report:** This report summarises the receipt and expenditure of developer contributions in the last financial year (11/12)

**Report Approved by:**

**Finance: David Watt or Jonathan Marks?**

**Legal: Daniel Smith or Michael Morgan?**

**Policy Framework:**

Oxford City Council corporate priorities:

- Meeting Housing Needs
- Strong Active Communities
- Cleaner, Greener Oxford

Local Development Framework

- Planning Obligations SPD

Core Strategy 2026

- Policy CS17 Infrastructure and developer contributions
- Policy CS24 Affordable housing

**Recommendation(s):** This report asks the West Area Planning Committee to note the receipt and expenditure of developer contributions in the last financial year (2011/12) and the proposed expenditure of developer contributions for 2012/13 plus future years.

## Summary

1. The report summarises the receipt and expenditure of developer contributions in the last financial year (11/12) and reviews progress to date of schemes in the Capital Programme for 2012/13 and future

years. The report also lists legal agreements where the contributions are yet to be triggered and draft legal agreements yet to be finalised. Previously this report went annually to each of the six area committees, but will now go to the East and West Area Planning Committees.

## Introduction

2. Developer contributions are sought to mitigate the impact of development, compensate for loss or damage caused by a development and overcome what would otherwise be a potential reason to refuse a planning application. The contributions are received under the terms of legally binding planning agreements that restrict the purpose for which the contributions can be used. The expenditure of the contribution can only be used on schemes that cover the purpose for which the contribution was received.

## Summary of all Council Expenditure

3. In 11/12 £542k of developer contributions held by the City Council was been spent and 9 schemes were completed. The main expenditure has been on the following types of scheme:

Leisure/City Development	Highway/County	Housing/Community Facilities
£353,132	£88,798	£100,000

4. At the start of this financial year there was £2,184,725 of developer funding held by the City Council, which is due for expenditure (subject to Council approval) as set out below on the following types of scheme (the figures for years of expenditure are only approximate and may change due to slippage or early completion of schemes):

Year for expenditure	12/13	13/14 forward
Affordable Housing/Community	£ 21,169	£ 392,135
Highway	£ 270,923	£ 164,633
Leisure	£ 171,447	£ 424,635
West End Infrastructure/Other	£ 292,281	£ 447,502
<b>Total</b>	<b>£ 755,820</b>	<b>£ 1,428,905</b>

## ***City Council Schemes for West Area Planning Committee Area***

5. In this Area Committee area a scheme for improvements to recreational facilities was completed which included:
  - St Barnabus – Goal End plus all weather surfacing for goal end and further expenditure on the extension to the goal end.
  - Trim Trail surface, Trim Trail Structure and seating
  - Jericho Youth Club - Equipment and running costs.
  - The Spinney facilities (Benches, table, dog bin, litter bin)
  - Cantilever swing in Aristotle Recreation Ground
6. **Appendix 1** sets out the schemes in the Capital Programme for the West Area Planning Committee area funded by developer contributions according to type of scheme, approximate year of implementation and explains the current position on schemes to be implemented by the City Council. There is currently £1,018,218 of developer contribution funds held specifically to be used in this area committee area.
7. **Appendix 2** sets out the agreements that:
  - require a contribution to be paid to the Council under a sealed agreement but the trigger to receive the contribution (such as commencement of development) has not yet occurred; plus
  - do not require a financial contribution but require the developer to provide on-site measures with which the Committee may have future involvement such as work of art, community facilities, travel plan details etc;
  - sets out on-site affordable housing to be provided within the development.
8. **Appendix 3** lists the proposed legal agreement that have been reported to Area Committee but the legal agreements have not yet been sealed.

### **County Contributions**

9. **Appendix 4** sets out the contributions received, spent and held by the County Council between 1<sup>st</sup> April 2009 and 31<sup>st</sup> March 2010. The list is set out by County Council Members responsibility. The County currently hold £6,032,080 of developer contributions.
10. List of appendices:
  - Appendix 1 – Developer funded schemes included in Capital Programme with current position and contributions not as yet allocated to a scheme.
  - Appendix 2 - List of legal agreements completed but the clauses in the agreement have not been triggered.
  - Appendix 3 - List of planning applications approved subject to legal agreements which have not yet been completed.
  - Appendix 4 - Contributions paid or payable to the County Council.

**Name and contact details of author:**

Lorraine Freeman 252178 lfreeman@oxford.gov.uk

**Background papers:**

Legal Agreements for the developer contributions listed, copies of which are held in Planning Policy – (THESE ARE DOCUMENTS IN THE PUBLIC DOMAIN AND SO DO NOT NEED TO BE STATED TO BE BACKGROUND PAPERS).

## ALLOCATED TO SCHEMES

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
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## CITY DEVELOPMENT - HIGHWAY SCHEMES

Bridge over Fiddlers Stream	F1323	12/13	Jericho & Osney CSW	391,567.15	Land at North End Yard north of Cripsey Road	Landsdown Ltd & British Rail	Towards improvements to pedestrian cycle and bus access measures or other transport infrastructure measures in the vicinity of the land		Scheme commenced. Rodger Dudman Way lighting completed 10th May 2012
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## TOTAL CITY DEVELOPMENT - HIGHWAY SCHEMES

391,567.15

## COMMUNITY HOUSING &amp; DEVELOPMENT

St Lukes Church, Canning Crescent - community facilities	Z3718	12/13	Hinksey Park CSW	16,361.61	Rivermead Rehabilitation Centre, Abingdon Road	Linden Homes Chiltern Ltd	Towards additional accommodation & upgrading of the existing community facilities at St Lukes Church in Canning Cres.	5.9.2014	New building/extn at St Lukes. Approx cost £500k to be completed Sept 2013. Match finding of £100k from Veolia. £10,240 to be spent from S106 funds for match funding.(July 12)
Jericho Community Centre - New Building	F6016	13/14	Jericho & Osney and North	100,000.00	Eagle Works, Walton Well Road	Berkeley Homes	Provision of and/or improved community centre facilities in the vicinity of the land	26.5.2010 (extended until 2012)	Richard Hawkes emailed Michael 3/4/12 - allocated to Jericho Project in capital programme (agreed at corporate assets management group 27/3/12).

## TOTAL COMMUNITY HOUSING &amp; DEVELOPMENT

116,361.61

## CITY LEISURE CONTRIBUTIONS RECEIVED BUT NOT YET ALLOCATED TO A SCHEME

Ferry Centre - Provision or enhancement of facilities	F6001	12/13	Headington & Northway	11,017.53	Land at junction of Marston Rd and John Garne Way	Brookes University	Towards provision or enhancement of indoor sports facilities in the vicinity of the land and which relates to the development.	26.2.2020	CEB report Oct 11 - improvements to entrance and soft play area. Spend this financial year.
			Holywell	720.00	Rhodes Bldg, Oriel College	Oriel College	Towards indoor/outdoor sports facilities		
			St. Margarets	575.00	145-147 Woodstock Rd	The Notre Dame Trustee Co Ltd &	Towards indoor sport		
				12,312.53					
Ice Rink - improvements of facilities	F7014	12/13	Carfax	4,080.00	Former Radcliffe Infirmary (Somerville College)	Somerville College	Towards the provision of indoor sports facilities		CEB report - improvements to entrance and external surrounds
			North (N)	2,100.00	123 to 127 Walton Street and 32 & 32a Little Clarendon Street	Shirehall Properties Ltd	Towards indoor sports provision		

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
			Jericho & Osney CSW	2,880.00	Telecom Compound on the corner of Roger Dudman Way and Venneit Close	Crown Estates UK Ltd	Towards the cost of the provision or enhancement of indoor sports facilities in the vicinity of the site.		
			Carfax	540.00	1 Woodbine Place	Karim Easterbrook	Towards indoor sport		
			Jericho & Osney CSW	360.00	123 to 127 Walton Street and 32 & 32a Little Clarendon St	Shirehall Properties Ltd	Towards indoor sport		
			Carfax	1,740.00	12a Friars Entry	Eckersley Oxford Ltd	Towards indoor sport		
				<b>11,700.00</b>					
Sunnymeade Park - enhancement of play area facilities	F6006	13/14	Summertown N	1,829.62	Sunnymeade Court 55 Jackson Road	Cherwell Housing Trust	For the provision or enhancement of play area facilities at Sunnymeade Park in the vicinity of the land.	11.09.18	Developer agreed that contribution could be used towards new play area ay Wyatt Rd – but ctte would need to find further funding.
<b>Total</b>				<b>25,842.15</b>					

**CITY LEISURE & CITY DEVELOPMENT - CULTURE CONTRIBUTIONS RECEIVED BUT NOT YET ALLOCATED TO A SCHEME**

34			St Margarets	3,780.00	St Hugh's College, St. Margaret's Road	St Hugh's College	Towards indoor sport		Towards improvements to Ferry Pool
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**TOTAL UNALLOCATED**

**3780.00**

**ENVIRONMENTAL IMPROVEMENT MEASURES**

Lamarsh Road landscaping	F7008	12/13	Jericho & Osney	10,212.44	Land South of Lamarsh Road	Kingerlee Holdings Ltd	For provision of landscaping and tree planting in the vicinity of the land	08.03.2021	stewert thorp to deal with landscaping scheme
			Jericho & Osney	3,229.00	Land South of Lamarsh Road,	Kingerlee Holdings Ltd	Infrastructure measures		
				<b>13,441.44</b>					

**CITY DEVELOPMENT - Work of Art**

WOA - Frideswide	F7010		Jericho & Osney (CSW)	50,000.00	Said Business School, Park End Street	University of Oxford	Towards WOA		Possibly use in conjunction with re-development of Frideswide Square
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**Total 50,000.00**

**WEST END INFRASTRUCTURE MEASURES**

West End Infrastructure	F1332			6,250.00	Albion Place Car Park	Internal payment	Infrastructure measures	N/A	Expenditure of contributions to be discussed in partnership with the County Council once further contributions are received.
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CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
35				200.00	Offices 3 & 4, first floor 9 Park End Street	Kheiron School of English	Infrastructure measures		
				11,000.00	King Charles House, Park End Street	Poyry Energy (Ox.) Ltd	Infrastructure measures		
				150,000.00	Said Business School. Park End St	Chancellors, Masters, Scholars University of Oxford	Frideswide Square		
				3,088.00	4 Gloucester Street	Jamies Italian Ltd	Infrastructure measures		
				1,732.50	39-42 Hythe Bridge St	The Dialogue Group	Infrastructure measures		
				33,512.00	61 St. Aldates	Quoin Estates & Development Ltd	Infrastructure measures		
				1,623.00	28-32 St. Michael's Street	Bike Zone Oxford	Infrastructure measures		
				2,150.00	1st Floor Office, No 9 Park End Street	Kheiron School of English	Infrastructure measures		
				24,626.00	Land at 50 New Inn Hall Street	Touchload Ltd	Infrastructure measures		
				78,990.00	Land at Campion Place,	Pembroke College	Infrastructure measures		
				39,495.00	Land at Campion Place,	Pembroke College	Infrastructure measures		
				12,110.00	28-31 St Ebbes Street	Pan Albion LLP	Infrastructure measures		
				4,610.00	Salvation Army Hall, Albion Place	Hogrefe Ltd	Infrastructure measures		
				1,197.00	23 Park End Street	Mr J Dearing	Infrastructure measures		
			33,512.00	61 St Aldates	QED Property	Infrastructure measures			

404,095.50

WEST END INFRASTRUCTURE MEASURES - CONTRIBUTIONS RECEIVED BUT NOT YET INCLUDED IN CAPITAL PROGRAMME

CAPITAL PROGRAMME SCHEME	CAPITAL PROG. REF.	YEAR SCHEME TO BE IMPLEMENTED	WARD	SCHEME FUNDING (due to be updated with interest)	SITE	DEVELOPER	REASON FOR CONTRIBUTION	DATE WHEN CONTRIBUTION NEEDS SPENDING	COMMENTS
				13,130.00	Salvation Army Hall, Albion Place	Hogrefe Ltd	Infrastructure measures		
<b>TOTAL WESTEND INFRASTRUCTURE MEASURES</b>				<b>417,225.50</b>					
<b>TOTAL FUNDING FOR AREA COMMITTEE AREA</b>				<b>1,018,217.85</b>					

(financial contributions payable to the City Council on-site affordable housing and on-site measures on which there will be future committee consultation)

Planning Permission	Application No	Contributor	Date of Agreement	Date pl. perm. Expires	Ward	Amount	Trigger for Clause	Purpose	Comment
Westgate Centre - Mixed use development	06/01211/FUL	Westgate Oxford Investment Ltd	08.03.07	3 years	Carfax CSW	£500,000	To be paid no later than 1 month after written notification from the Council that it has let a contract for carrying out the Bonn Square Improvements	Improvements to Bonn Square in accordance with planning permission 06/00487/FUL	Not triggered (new application in 10/00454/EXT)
						£18,000	Not to cause or permit any part of the main retail area to be occupied until the Wayfinding Contribution has been paid	Towards the provision of directional signing to the development or elements thereof in the vicinity of the development. To be spent within 2 years after receipt.	
						£10,000	Not to cause or permit any part of the main retail area to be occupied until the Play Equipment Contribution has been paid	Towards provision of play equipment at Friar's Wharf. To be spent within 5 years after receipt of payment.	
						£75,000	Prior to commencement of the development.	Towards installing secondary glazing to Tennyson Lodge and/or in carrying out such other work to mitigate against the adverse noise impact on the occupiers of Tennyson Lodge of changes to traffic patterns associated with the development. To be spent within 2 years after receipt of payment.	
						£33,000	Not to cause or permit any part of the main retail area to be occupied until the Police Monitoring Contribution has been paid	Towards costs incurred in providing or improving police monitoring required as a result of the development. To be spent within 5 years after receipt of payment.	

Planning Permission	Application No	Contributor	Date of Agreement	Date pl. perm. Expires	Ward	Amount	Trigger for Clause	Purpose	Comment
						64 units	<p>No legal completion of more than 50% of open market units until the Affordable Housing Units have been fully constructed and are finished ready for immediate occupation</p> <p>No part of the main retail area will be occupied until Permissive Paths have been constructed to a specification previously approved by the Council</p> <p>Practical completion of development.</p> <p>Prior to commencement of the development.</p> <p>Period of 2 years from practical completion to find an operator to lease the Cycle Shop on commercial terms.</p> <p>Period of 2 years from practical completion to find an operator to lease the Supervised Play Facility on commercial terms.</p>	<p>Affordable Housing Units - 32 for Rent 32 Shared Ownership</p> <p>Permissive Paths available for public use as a through route at all times</p> <p>Car Club - To make 4 vehicle parking spaces within multi-storey car park available for the purpose of a vehicle pool for a period of 5 years</p> <p>Training and Employment Strategy to be implemented and submitted and approved in writing by the Council prior to implementation.</p> <p>Cycle Shop within the development for a minimum of 2 years</p> <p>Supervised Play Facility within the development for a minimum period of 2 years</p>	

Planning Permission	Application No	Contributor	Date of Agreement	Date pl. perm. Expires	Ward	Amount	Trigger for Clause	Purpose	Comment
						2x2 Key Worker	Prior to 70% occupation of private dwellings	Key worker housing	
							Completion of Development	To allow during daylight hours members of the public to have access along the pedestrian route shown with a dotted black line on Plan 2.	
Land south of 18 Lamarsh Road - 6x3 bed houses, 2x4 bed houses, 9x2 bed flats  69	02/01416/OUT (06/01032/RES)	Lamarsh Development Ltd	22.5.03	5 years (or 2 years from approval of last reserved matter)	Jericho & Osney CSW	5 units	Not to commence development until applicant entered into a contract with a registered social landlord	Affordable housing units - 30%	Not triggered
Hernes House, 3 Hernes Crescent	10/02605/FUL	Grange Mill Development	23.01.12	3 yrs	Summertown	£600,000	£200,000 commencement £200,000 1st anniversary of commencement £200,000 2nd anniversary of commencement	Affordable housing	Not triggered
Land at rear of 17-41 Mill Street	11/02382/FUL	W E Black Ltd	14.02.12	3 Yrs	Jericho & Osney CSW	£30,000	Prior to occupation	For environmental improvements to the Public Realm Improvement Area	Not triggered
						Indoor Sport £3,425	Prior to commencement of development	For the provision and enhancement of indoor sport in the vicinity of the land which relates to the Development	Not triggered
Land at rear of Cantay House, Park End Street	11/02447/FUL	Cantay Investments Ltd	08.02.11	3 Yrs	CSW	£172,845	Prior to occupation	For the provision of affordable housing in the City of Oxford	Not triggered
						£49,984	50% Prior to Commencement, 50% prior occupation	Towards infrastructure improvements in the West End of Oxford City.	

Planning Permission	Application No	Contributor	Date of Agreement	Date pl. perm. Expires	Ward	Amount	Trigger for Clause	Purpose	Comment
The Clarendon Centre Cornmarket Street - Demolition of existing Curry's Unit, reconfiguration of existing office entrance and construction of new three storey retail (use class A1) unit over part of existing Shoe Lane Mall to incorporate existing retail space on first and second floors	11/00317/FUL	Clarendon LP GP Ltd And Clarendon Nominees Limited	13.12.11	3 yrs	Carfax (CSW)	£182,322	Commencement	Towards infrastructure measures created by development in the WE of the city which may include wayfinding	Awaiting payment

Planning reference	Address	Proposal	Obligation / value (and comments on agreements prior to 05 permissions)
12/00371/FUL	Oxford University Press Great Clarendon St	Erection of office building on 3 floors plus basement, linked to existing buildings fronting Walton Street. Creation of landscaped courtyard.	£40k for highway measures - payable to County
12/00239/FUL	Summertown House, Banbury Road	Refurbishment of eastern block of student accommodation including recladding 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	£400 for cycle measures - payable to County

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**Notes**

The contribution types incorporate various infrastructure and service provisions such as:

Adult Care	Day care centres, Resource centres & transport provision
Adult Learning	Facilities
C/side Service	The Countryside Service delivering improved access to Rights of Way, and to the Windrush Valley Project
Education	Primary schools, Secondary schools and Special Educational Needs provision
Fire	Fire hydrant provision where not secured by condition
Library	Static and mobile library services including bookstock provision
Minerals	Aftercare and site monitoring of minerals extraction proposals
Museums	Museum Resource Centre at Standlake
Transport	Highway infrastructure (roads, crossings etc.), Bus service support & rail infrastructure
Waste	Strategic waste reception and recycling centres

**Table 1 - County Contributions Received, Spent and Held Shown by County Member Division and Types of Proposed Use**

	Contribution Type	Opening Balance	Income	Interest	Expenditure	Closing Balance
<b>County Member Division</b> Barton & Churchill	Adult Care	- 15,303.92	-	- 612.16	-	15,916.08
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 105,920.71	-	- 3,437.31	39,976.15	69,381.87
	Fire	-	-	-	-	-
	Library	- 57,508.20	-	- 2,299.70	31.42	59,776.48
	Minerals	-	-	-	-	-
	Museums	-	-	-	-	-
	Transport	- 811,147.60	- 257,718.00	- 34,548.23	164,533.27	938,880.56
Waste	- 7,023.31	-	- 280.93	-	7,304.24	
<b>Total</b>		<b>- 996,903.74</b>	<b>- 257,718.00</b>	<b>- 41,178.33</b>	<b>204,540.84</b>	<b>- 1,091,259.23</b>
<b>County Member Division</b> Cowley & Littlemore	Adult Care	- 2,173.67	- 6,257.00	- 212.09	-	8,642.76
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 79,194.48	- 124,756.00	- 5,662.89	-	209,613.37
	Fire	-	-	-	-	-
	Library	- 8,640.35	- 6,845.00	- 418.69	3,191.62	12,712.42
	Minerals	-	-	-	-	-
	Museums	-	- 398.00	- 7.96	-	405.96
	Transport	- 489,690.60	- 172,009.55	- 23,027.83	-	684,727.98
Waste	- 3,535.07	- 3,400.00	- 209.41	-	7,144.48	
<b>Total</b>		<b>- 583,234.17</b>	<b>- 313,665.55</b>	<b>- 29,538.87</b>	<b>3,191.62</b>	<b>- 923,246.97</b>
<b>County Member Division</b> East Oxford	Adult Care	- 1,429.95	-	- 57.20	-	1,487.15
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 91,411.22	-	- 3,656.45	-	95,067.67
	Fire	-	-	-	-	-
	Library	- 2,742.38	- 3,654.00	- 87.61	4,757.85	1,726.14
	Minerals	-	-	-	-	-
	Museums	- 97.29	-	- 3.89	-	101.18
	Transport	- 152,508.28	- 8,004.00	- 6,270.59	-	166,782.87
Waste	- 1,518.28	-	- 60.73	-	1,579.01	
<b>Total</b>		<b>- 249,707.40</b>	<b>- 11,658.00</b>	<b>- 10,136.47</b>	<b>4,757.85</b>	<b>- 266,744.02</b>
<b>County Member Division</b> Headington & Marston	Adult Care	-	-	-	-	-
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 53,109.02	-	- 2,124.36	-	55,233.38
	Fire	-	-	-	-	-
	Library	- 50,698.21	- 28,822.50	- 2,591.31	7,805.31	74,306.71
	Minerals	-	-	-	-	-
	Museums	-	-	-	-	-
	Transport	- 1,087,894.39	- 145,202.16	- 34,883.43	266,629.31	1,001,350.67
Waste	-	-	-	-	-	
<b>Total</b>		<b>- 1,191,701.62</b>	<b>- 174,024.66</b>	<b>- 39,599.10</b>	<b>274,434.62</b>	<b>- 1,130,890.76</b>
<b>County Member Division</b> Isis	Adult Care	- 421.49	-	- 16.86	-	438.35
	Adult Learning	-	-	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 9,967.70	-	- 398.71	-	10,366.41
	Fire	- 94.39	-	- 3.78	-	98.17
	Library	- 743.99	-	- 14.87	743.99	14.87
	Minerals	-	-	-	-	-
	Museums	- 0.05	-	-	-	0.05
	Transport	- 1,358,612.64	- 10,754.20	- 54,559.57	380,256.63	1,043,669.78
Waste	- 1,734.14	-	- 69.37	-	1,803.51	
<b>Total</b>		<b>- 1,371,574.40</b>	<b>- 10,754.20</b>	<b>- 55,063.16</b>	<b>381,000.62</b>	<b>- 1,056,391.14</b>
<b>Cluster</b>	<b>Contribution Type</b>	<b>Opening Balance</b>	<b>Income</b>	<b>Interest</b>	<b>Expenditure</b>	<b>Closing Balance</b>
<b>County Member</b>	Adult Care	-	-	-	-	-
	Adult Learning	-	43	-	-	-
	C/side Service	-	-	-	-	-
	Education	- 0.32	-	0.01	-	0.33

County member Division Leys & Lye.	Fire	-	-	-	-	-
	Library	- 29,176.88	- 1,315.00	- 1,167.08	1,315.00	- 30,343.96
	Minerals	-	-	-	-	-
	Museums	-	-	-	-	-
	Transport	- 218,346.38	- 2,622.00	- 8,786.29	1,300.62	- 228,454.05
	Waste	-	-	-	-	-
	<b>Total</b>	<b>- 247,523.58</b>	<b>- 3,937.00</b>	<b>- 9,953.38</b>	<b>2,615.62</b>	<b>- 258,798.34</b>
County Member Division Summertown & Wolvercote	Adult Care	- 7,520.84	-	- 300.83	-	- 7,821.67
	Adult Learning C/side Service	-	-	-	-	-
	Education	- 46,791.31	-	- 1,591.78	11,000.00	- 37,383.09
	Fire	- 67.51	-	- 2.70	-	- 70.21
	Library	- 40,825.23	- 3,969.00	- 895.88	40,825.23	- 4,864.88
	Minerals	-	-	-	-	-
	Museums	- 0.07	-	-	-	- 0.07
	Transport	- 238,482.29	- 9,414.00	- 8,827.58	82,107.38	- 174,616.49
	Waste	- 5,635.79	-	- 225.44	-	- 5,861.23
<b>Total</b>	<b>- 339,323.04</b>	<b>- 13,383.00</b>	<b>- 11,844.21</b>	<b>133,932.61</b>	<b>- 230,617.64</b>	
County Member Division West Central Oxford	Adult Care	- 1,142.87	-	- 45.71	-	- 1,188.58
	Adult Learning C/side Service	-	-	-	-	-
	Education	- 95,583.55	-	- 3,823.35	-	- 99,406.90
	Fire	-	-	-	-	-
	Library	- 1,470.48	- 7,933.09	- 84.75	6,631.57	- 2,856.75
	Minerals	-	-	-	-	-
	Museums	- 0.06	-	-	-	- 0.06
	Transport	- 1,413,041.66	- 101,380.72	- 50,909.96	636,930.44	- 928,401.90
	Waste	- 1,431.60	-	- 57.26	-	- 1,488.86
<b>Total</b>	<b>- 1,512,670.22</b>	<b>- 109,313.81</b>	<b>- 54,921.03</b>	<b>643,562.01</b>	<b>- 1,033,343.05</b>	
Non Division Specific - Interest	Transport	- 39,220.01	-	- 1,568.80	-	- 40,788.81
<b>Oxford Total</b>		<b>- 6,531,858.18</b>	<b>- 894,454.22</b>	<b>- 253,803.35</b>	<b>1,648,035.79</b>	<b>- 6,032,079.96</b>

Table 2 - Details of Expenditure by County Member Division and Expenditure Type

County Council Division	Contribution Type	Amount	Scheme
Barton & Churchill	Education	39,976.15	Wood Farm School
	Library	31.42	RFID - Tagging Bookstock
	Transport	13,624.23	Divinity & Magdalen Road area CPZs
		3,785.74	Enhancements to Route 13
		19,123.20	Old Road/Windmill Road Cycle Lane
		128,000.00	Horspath Driftway/The Slade Crossing Improvements
<b>Total</b>	<b>204,540.74</b>		
Cowley & Littlemore	Library	3,191.62	RFID - Cowley & Central Library Equipment & Tagging of Bookstock
<b>Total</b>	<b>3,191.62</b>		
East Oxford	Library	4,757.85	RFID - Cowley & Central Library Equipment & Tagging of Bookstock
<b>Total</b>	<b>4,757.85</b>		
Headington & Marston	Library	7,805.31	RFID - Central Library Equipment & Tagging of Bookstock
	Transport	68,000.00	Highfield Area Traffic Management
		13,313.18	Jack Straws Lane Cycle Measures
		71,876.80	Old Rd/Windmill Road Cycle Lane
		29,000.00	Peat Moors Girdlestone Road Cycle Link
		3,688.05	Marston Road Cycle Lane Improvements
80,751.28	Public Transport - P&R Route to JR		
<b>Total</b>	<b>274,434.62</b>		
Isis	Library	743.99	RFID - Central Library Equipment & Tagging of Bookstock
	Transport	380,256.63	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
<b>Total</b>	<b>381,000.62</b>		
Leys & Lye.	Library	1,315.00	RFID - Cowley Library Equipment
	Transport	1,300.62	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
<b>Total</b>	<b>2,615.62</b>		
Summertown & Wolvercote	Education	11,000.00	Philip & James School
	Library	40,825.23	RFID - Summertown & Central Library Equipment
	Transport	65,071.17	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
		17,036.21	Summertown Entry Treatments
<b>Total</b>	<b>133,932.61</b>		
West Central Oxford	Library	6,631.57	RFID - Central Library Equipment & Tagging of Bookstock
	Transport	291,112.46	Park and Ride - Money Transferred Back to City on the Transfer of P&R's
		344,905.19	Money Transferred to City for Schemes (Fiddlers Island, Sheepwash Channel & Station Yard etc)
		912.79	Fairfax Rd/Purcell Rd Cycle Link
<b>Total</b>	<b>643,562.01</b>		
<b>Oxford Total</b>		<b>1,648,035.69</b>	



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# Agenda Item 7

## Monthly Planning Appeals Performance Update – July 2012

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

1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 31 July 2012, while Table B does the same for the current business plan year, ie. 1 April 2012 to 31 July 2012.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	(38%)	4 (57%)	9 (33%)
Dismissed	21	62%	3 (43%)	18 (67%)
<i>Total BV204 appeals</i>	34		7	27

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	4	(40%)	1 (33%)	3 (43%)
Dismissed	6	60%	2 (67%)	4 (57%)
<i>Total BV204 appeals</i>	10		3	7

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

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

	Appeals	Percentage performance
Allowed	16	(41%)
Dismissed	23	59%
All appeals decided	39	
Withdrawn	3	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during July 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 July 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 1/7/12 and 31/7/12

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
11/00641/VAR	12/00001/COND	DEL	PER	ALC	03/07/2012	SUMMTN	Land To The Rear Of 19 Islip Road Oxford Oxfordshire OX2 7SN	Appeal against imposition of condition 1 of planning application 11/00641/VAR
11/03352/FUL	12/00018/REFUSE	DEL	SPL	DIS	03/07/2012	NORTH	111 Kingston Road Oxford Oxfordshire OX2 6RN	Proposed single storey rear extension, and rear 2nd floor dormer extension. Formation of basement lightwell to front, and insertion of rooflights to side and rear elevations (amended plan)
11/02416/FUL	12/00004/REFUSE	DEL	REF	DIS	24/07/2012	QUARIS	226 London Road Headington Oxford Oxfordshire OX3 9EG	Erection of single storey building for use as annexe to main house

Total Decided: 3

## TABLE E Appeals Received Between 1/7/12 and 31/7/12

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
11/02994/FUL	12/00027/REFUSE	DEL	REF	W	Land Rear Of 82, 84 And 86 Windmill Road Oxford Oxfordshire	HEAD	Erection of two storey building (with accommodation in roof space) comprising of 2 x 2-bed and 2 x 3-bed houses and 1 x 1-bed flat. Provision of bin and cycle storage.
11/03335/FUL	12/00025/REFUSE	DEL	REF	W	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT	SUMMTN	Retention of 3 storey building to former Grove House Club and conversion to 1x4 bedroom house Erection of detached 4 bedroom house.
12/00236/FUL	12/00024/REFUSE	DEL	REF	H	5 Boults Lane Oxford Oxfordshire OX3 0PW	MARST	Erection of two storey side extension following the demolition of existing extension
12/00660/FUL	12/00026/REFUSE	DELCOM	PER	W	Land Rear Of 82, 84 And 86 Windmill Road Oxford Oxfordshire	HEAD	Erection of 2x3 bed dwellings and 1x2 bed dwelling in terraced block, with associated refuse and cycle storage.
12/00764/FUL	12/00023/REFUSE	DEL	REF	W	120 Bulan Road Oxford Oxfordshire OX3 7HX	LYEVAL	Erection of single storey storage building to rear garden

**Total Received: 5**



## WEST AREA PLANNING COMMITTEE

**Wednesday 15 August 2012**

**COUNCILLORS PRESENT:** Councillors Van Nooijen (Chair), Goddard (Vice-Chair), Canning, Clack, Cook, Jones, Williams, Smith and Coulter.

**OFFICERS PRESENT:** Murray Hancock (City Development), Michael Morgan (Law and Governance), Nick Worledge (City Development), Andrew Murdoch (City Development) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

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

Apologies were received from Councillor Elise Benjamin (Councillor David Williams attended as a substitute), Councillor Shah Khan (Councillor Val Smith attended as a substitute) and Councillor John Tanner (Councillor Van Coulter attended as a substitute).

### **38. DECLARATIONS OF INTEREST**

Councillor Cook declared a personal interest in item 3 (St Clement's car park, Oxford 12/01369/FUL & 12/01370/CAC) (minute 39 refers) as he is a member of Queens College and a former member of Oxford University but was keeping an open mind regarding the application.

The Chair declared a personal interest in item 3 (St Clement's car park, Oxford 12/01369/FUL & 12/01370/CAC) (minute 39 refers) as he is a member of Queens College but was keeping an open mind regarding the application.

### **39. ST CLEMENTS CAR PARK - 12/01369/FUL & 12/01370/CAC**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the redevelopment of St Clement's car park to provide 140 student study rooms in two blocks on 3, 4, and 5 floors. Replacement car park with 80 spaces, public toilet, landscaping and ancillary works.

In accordance with the criteria for public speaking, the Committee noted Clinton Pugh, Tom Ashley, Tony Joyce, Anna Skinner, Graham Jones, Diana Hutcheson and Leatrice Beeson spoke against the application and Roger Smith, Stephen Hodder and Kaivin Wong spoke for the application.

The Committee considered all submissions both written and oral and agreed to REFUSE planning permission because the development fails to provide satisfactory car park facilities as required by policy DS82 and TR11 of the Oxford Local Plan 2001- 2016. The number of proposed car parking spaces on site, and

the location of the proposed temporary replacement car park do not represent a satisfactory replacement for the current parking provision at the development site. The application is contrary to policy DS82 and TR11 of the Oxford Local Plan 2001-2016.

#### **40. FORMER TRAVIS PERKINS SITE - CHAPEL STREET - 12/01388/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the demolition of existing buildings on site and erection of 190 student study rooms in two blocks on 3 and 4 levels together with 2 bedrooms in gatehouse buildings. The development to also include 5 car parking spaces, 100 cycle parking spaces, landscaping and ancillary works.

In accordance with the criteria for public speaking, the Committee noted Chris Honeywell spoke against the application and Nik Lyzba and Gerry Walker spoke for the application.

The Committee considered all submissions both written and oral and agreed to grant planning permission subject to the six conditions as detailed in the Planning Officer's report.

#### **41. LUTHER COURT - 12/01228/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the demolition of the existing Luther Court housing, and the erection of new buildings fronting Thames Street comprising 42 self contained flats (13x1 bed, 29x2 bed) and 82 student study rooms on 5 and 6 storeys. The development would also include cycle parking, bin storage and shared amenity areas and would involve the closure of the footpath linking Luther Street to Butterwyke Place

The Committee agreed to DEFER this application on the following grounds:

- The colour scheme of the development needs to be toned down so that the development fits in with its natural surroundings
- The size of the windows needs to be enlarged
- An 18+ age limit needs to be put on the residents of the development.

#### **42. 220 & 222 COWLEY ROAD 12-01383-FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the demolition of existing building and the erection of a 3 storey building comprising retail shop and Class B1 offices on ground floor and 18 student study rooms on upper floors. The development would also provide cycle parks and bin stores.

In accordance with the criteria for public speaking, the Committee noted Sietske Boeles spoke against the application and Nik Lyzba and Andrew Spurring spoke for the application.

The Committee considered all submissions both written and oral and agreed to refuse the planning permission due to the reasons as detailed in the Planning Officer's report.

**43. RADCLIFFE CAMERA, RADCLIFFE SQUARE - 12/01737/LBC & 12/01736/FUL**

The Committee agreed to defer this item till the meeting on 23 August 2012

**44. FORMER RADCLIFFE INFIRMARY, WOODSTOCK ROAD - 12/01508/FUL**

The Committee agreed to defer this item till the meeting on 23 August 2012

**The meeting started at 6.00 pm and ended at 9.00 pm**

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# WEST AREA PLANNING COMMITTEE

**Thursday 23 August 2012**

**COUNCILLORS PRESENT:** Councillors Van Nooijen (Chair), Goddard (Vice-Chair), Benjamin, Canning, Clack, Jones, Khan, Coulter and Bance.

**OFFICERS PRESENT:** Murray Hancock (City Development), Sarah Billam (Conservation Officer), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

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

Apologies for absence were received from Councillor Cook (Councillor Bance attending as substitute) and Councillor Tanner (Councillor Coulter attending as substitute).

## **46. DECLARATIONS OF INTEREST**

Councillor Benjamin declared she know the objector for item 9 (33 Leckford Road – 12/01383/FUL), but was keeping an open mind regarding the application. (minute 49 refers).

## **47. RADCLIFFE CAMERA, RADCLIFFE SQUARE - 12/01737/LBC & 12/01736/FUL**

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

(i): 12/01737/LBC External alterations to provide new access point and internal alterations to provide librarian space, draught lobby and access and security controls to Radcliffe Camera

(ii): 12/01736/FUL Construction of new pedestrian access path steps and doorway to Radcliffe Camera and including new partitions on the first floor of the Old Bodleian

In accordance with the criteria for public speaking, the Committee noted Professor Gill Evans and Dr Hilary Turner spoke against the application and Sarah Thomas spoke for the application.

The Committee considered all submissions both written and oral and agreed to APPROVE the application subject to the 10 conditions listed for application 12/01737/LBC; and the 6 conditions listed for application 12/01736/FUL in the Planning Officer's report.

**48. FORMER RADCLIFFE INFIRMARY, WOODSTOCK ROAD - 12/01508/FUL**

The Head of City Development submitted a report (previously circulated now appended) which details a planning application for the replacement of existing Triton statue with new Coade stone statue. (Existing to be salvaged and displayed in alternative location)

In accordance with the criteria for public speaking, the Committee noted Isobel Hughes spoke in favour of the application.

The Committee considered all submissions both written and oral and agreed to GRANT listed building consent subject to the 8 conditions listed in the Planning Officer's report

**49. 33 LECKFORD ROAD - 12/01085/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of side extension at lower and upper ground floor levels. (Amended plans)

In accordance with the criteria for public speaking, the Committee noted Taube Marks and Adrian Arbib spoke against the application and the architect of the design spoke for the application.

The Committee considered all submissions both written and oral and agreed to REFUSE planning permission because the proposed application

1. The large size and prominence of the development with its large areas of glazing would relate poorly to neighbouring properties and would be detrimental to their visual amenities.
2. The form, scale and appearance of the development would not preserve the character and appearance of the North Oxford Victorian Suburb Conservation Area, contrary to policies CP1, CP8, CP9, CP10, HE7, HS19 and HS21 of the Oxford Local Plan, policies HP9 and HP14 of the Sites and housing plan and policy CS18 of the Oxford Core Strategy.

**50. GROVE HOUSE CLUB, GROVE STREET - 12/01394/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of a 2x2 bedroom dwellings. Provision of cycle parking, bin stores and private amenity

In accordance with the criteria for public speaking, the Committee noted Laura Campbell and James Panton spoke against the application and Neil Warner spoke for the application.

The Committee considered all submissions both written and oral and agreed to REFUSE planning permission because the proposal would result in a loss of privacy to neighbouring properties as a consequence of overlooking, in particular from the proposed dwellings' balconies which would over look the skylight in the

kitchen extension of 23 Grove Street. In addition the proposed houses would possess insufficient garden or external amenity space to serve them.

#### **51. 32 VICTORIA ROAD - 12/01287/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for the erection of a 4 bedroomed detached house on 3 floors. Provision of 2 car parking spaces to frontage.

In accordance with the criteria for public speaking, the Committee noted Susie Street spoke against the application and Patrick Russell spoke for the application.

The Committee considered all submissions both written and oral and agreed to APPROVE the application subject to the 7 conditions listed in the Planning Officer's report and the following additional condition:

- That permeable materials be used for the car parking spaces to the frontage

And informative:

- That the air source heat pump proposed be located such as not to cause a noise nuisance to neighbouring properties

#### **52. 38 LINKSIDE AVENUE - 12/01390/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application for a first floor rear extension (amended plans)

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

The Committee considered all submissions and agreed to APPROVE the application subject to the 5 conditions listed in the Planning Officer's report.

#### **53. 28 WALTON STREET - 12/01494/FUL**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning for the erection of bin and cycle stores, insertion of replacement/new doors, windows and conservation roof lights. The proposal also includes the erection of replacement roof and south rear wall (retrospective).

In accordance with the criteria for public speaking, the Committee noted Tim Price spoke against the application and no one spoke for the application.

The Committee considered all submissions both written and oral and agreed to APPROVE the application subject to the 3 conditions listed in the Planning Officer's report and the following condition:

- Obscure glass is used for the two windows closest to the neighbouring property to increase privacy of the neighbouring property to the south.

#### **54. 410 - 448 BANBURY ROAD - 12/1194/CT3**

The Head of City Development submitted a report (previously circulated, now appended) which detailed a planning application to install wood link fencing behind hedge line at the same height as the existing hedge. To install a wood link gates at 5 access points from roadside onto external communal area of the flats.

In accordance with the criteria for public speaking, the Committee noted Kay Wyatt spoke against the application and no one spoke for the application.

The Committee considered all submissions both written and oral and agreed to APPROVE the application subject to the 3 conditions listed in the Planning Officer's report.

#### **55. PLANNING APPEALS**

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

The Committee noted the report

#### **56. FORTHCOMING APPLICATIONS**

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

- University Science Area: Masterplan (not a planning application).
- 68 Abingdon Road - 2/01798/FUL
- Worcester College - 12/01809/FUL and 12/01810/LBD - substantial alterations - including new buildings and demolitions to the city centre buildings.
- 251 Cowley Road - 12/01924/FUL – proposed change of use

#### **57. MINUTES**

The Committee resolved to approve as a correct record the minutes of the meeting held on 11 July 2012.

#### **58. DATES OF FUTURE MEETINGS**

The Committee noted the forthcoming meeting dates:



Thursday 13 September 2012 (new date from original schedule)  
Wednesday 10 October 2012 (Provisional: Thursday 18 October)  
Wednesday 7 November 2012 (Provisional: Wednesday 14 November)  
Wednesday 12 December 2012 (Provisional: Thursday 13 December)

**The meeting started at 6.00 pm and ended at 8.25 pm**

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