

WEST AREA PLANNING COMMITTEE

Wednesday 13 March 2013

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

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

130. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Cook – Councillor Coulter substituted.

131. DECLARATIONS OF INTEREST

None

132. HINKSEY RAILWAY FOOTBRIDGE: 12/023282/PA11

The Head of City Development submitted a report (previously circulated now appended) concerning prior approval for development comprising demolition of existing and erection of replacement footbridge under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

Murray Hancock presented the report to the Committee. He emphasised that this application was for “prior approval” and was not a planning application in the normal way, and refusal could only be on limited grounds.

In accordance with the criteria for public speaking, Gill Garratt and Diego Vargas spoke against the application and made the following points:-

- Existing bridge is not fit for purpose and this one is worse;
- No level access in this area;
- A better, more accessible (for people with prams, people in wheelchairs, people with disabilities) bridge should be built, one that is fit for now and the future.

Ian Wheaton (on behalf of Network Rail) spoke in favour of the application. He confirmed that this was part of the programme of electrification of the line, and that Network Rail wished to proceed with the application for the bridge as applied for (i.e., without any current disabled access). He had no information on any difference in costs between the bridge as applied for and one which would more accessible for the disabled etc. The following additional information was provided by officers in response to questions from Councillors:-

- The submission was not for planning permission but for “prior approval” and the scope for refusal or imposing conditions was limited;

- Despite recent disability legislation, Network Rail is not required in this case to provide full disabled access;
- If prior approval was not granted, the applicant could appeal or request a Judicial Review;
- When considering possible injury to the amenity of the neighbourhood, the scope is normally restricted to how the structure would appear, its design and external appearance;
- Prior approval relates to the erection of the new bridge and not the removal of the existing one. Prior approval is not needed for the removal of the existing bridge, but it is for one to be put in its place;
- The proposal would permit disabled access to be added at a later date and Oxfordshire County Council might contribute accordingly. However it had not responded to consultation on the proposal and the representative of Network Rail indicated that it (Network Rail) it would not be providing disabled access.

Having considered all submissions, both written and oral, and having considered all advice from officers, the Committee resolved to REFUSE prior approval for development on the grounds that the Committee was satisfied that the design of the bridge would injure the amenity of the neighbourhood and would injure fair and equal access across the bridge for people with disabilities.

133. 190 IFFLEY ROAD: 12/03016/EXT & 12/03122/EXT

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

- (1) 12/03121/EXT: Application to extend the time limit for implementation of planning permission 09/01036/FUL (Rehabilitation of 190 Iffley Road and erection of 3 storey side and rear extensions. Conversion of extended building to form student hall of residence with 27 study bedrooms, re-landscaping of forecourt. Cycle parking and refuse storage to rear).
- (2) 12/03122/EXT: Application to extend the time limit for implementation of conservation area consent 09/01035/CAC, (Demolition of 190A Iffley Road, service wing attached to 190 Iffley Road and garden building

Nick Worlledge presented the report to the Committee.

In accordance with the criteria for public speaking Sarah Wendon and Sarah Wild spoke against the application. No-one spoke in favour.

Having taken all submissions into account, both written and oral, it was resolved to REFUSE the application on the following grounds:-

- (1) The proposed development has an unacceptable impact upon the character and setting of a significant heritage asset, and an adverse impact upon the Conservation Area contrary to the Oxford Local Plan policies HE6 (Buildings of Local Interest) and Sites and Housing Plan policy HP9 (Design, character and context).
- (2) The effect upon the amenity and privacy of the proposed development is not acceptable contrary to the Oxford Local Plan Policies HS19 (Privacy

and amenity), HS20 (Local residential environment) and Oxford Core Strategy policy number HP14 (Privacy and daylight).

134. 229 - 233 COWLEY ROAD: 12/03269/FUL

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

Change of use of 229 Cowley Road from dwelling house (Class C3) to student accommodation. Erection of building to rear of 229, 231 and 233 Cowley Road to provide 2 x 3 bed flats (Class C3) with associated vehicle parking and amenity space.

Murray Hancock presented the report to the Committee.

In accordance with the criteria for public speaking Steve Pickles (on behalf of the Applicant) spoke in favour of the application. No-one spoke against it.

Having taken all submissions into account, both written and oral, it was resolved to REFUSE the application on the following grounds:-

- (1) The proposed development would result in the net loss of a self contained residential dwelling from the East Oxford Neighbourhood Area which is an area identified as having an intense pressure to safeguard new family dwellings and to achieve a higher proportion of family dwellings as part of the mix of new residential developments. Furthermore the flats proposed as replacement self-contained accommodation would not constitute good quality self-contained homes in comparison to the dwelling that they are replacing. This would be contrary to Policy HP1, HP12, HP13 and Hp14 of the Sites and Housing Plan
- (2) That the proposed flats would fail to provide good quality accommodation for the future occupiers of these family dwellings. This would be because their overall layout would be cramped and congested, with small rooms that would not allow reasonable furnishings, circulation space, natural light and outlook that would have an impact upon the quality of the accommodation. Furthermore the proposed gardens for the flats would have limited amenity value as they would be enclosed spaces, and in the case of the first floor flat in a divorced and impractical location so as to make them usable for their potential occupants which could include children. Therefore the proposal would fail to create adequate internal and external living conditions for the future occupiers of the dwellings, contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan 2001-2016, and Policies HP12, HP13, and HP14 of the Sites and Housing Plan.
- (3) The proposed building would be of a size and scale that would fail to create an appropriate visual relationship with the infill nature of the site, and the character and appearance of Bartlemas Road and wider residential area. Furthermore the overall layout of the dwellings would fail to provide any active frontage to the property or increase natural surveillance of the street scene which would also not reflect the prevailing character of the street. As a result the proposal would be contrary to the

aims and objectives of Policy CS18 of the Oxford Core Strategy 2026, Policies CP1, CP6, CP8, CP9, and CP10 of the Oxford Local Plan 2001-2016, and Policy HP9 of the Sites and Housing Plan.

135. ADJ. 385 WOODSTOCK ROAD: 12/03138/FUL

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

Erection of a 1 x 6-bedroom dwelling (Class C3).

Murray Hancock presented the application to the Committee.

In accordance with the criteria for public speaking, Nik Lyzba spoke in favour of the application. No-one spoke against it.

Having taken all submissions into account, both written and oral, it was resolved to APPROVE the application with conditions laid out in the Planning Officer's report, and that the Head of City Development be authorised to issue the notice of permission.

136. 7 NORHAM GARDENS: 12/02636/FUL & 12/02537/LBD

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

(1) 12/02637/LBD – Demolition of existing conservatory. Toilet block and garage. Erection of two storey extension, porch and conservatory, new garage and garden studio. New timber and metal gates, railings and piers. Internal alterations including new openings, removal of existing walls and partitions and staircase. Insertion of new staircases, new partitions and lift.

(2) 12/02636/FUL – Change of use from education establishment (use class D1) to single dwelling house (use class C3). Erection of part single storey, part two storey, detached garage, garden studio, new timber and metal gates, railings and piers. Provision of private amenity space, car parking and bin and cycle stores

Nick Worlledge presented the application to the Committee.

In accordance with the criteria for public speaking, Nik Lyzba and Chris Mealand (on behalf of the Applicant) spoke in favour of the application. No-one spoke against it.

The Committee considered all submissions both written and oral.

Resolved to APPROVE **both** applications with conditions set out in the Planning Officers' report, and that the Head of City Development be authorised to issue the notice of permission.

137. 30 PLANTATION ROAD: 12/03264/FUL & 12/03265/CAC

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

(i): 12/03265/CAC: Conservation Area Consent for demolition of 2 storey hipped roof side extension and detached pitched roof double garage.

(ii): 12/03264/FUL: Demolition of 2 storey hipped roof side extension and detached pitched roof double garage. Erection of two storey side and rear and single storey front extension at lower-ground and ground floor levels with integral garage. Erection of low level stone wall, piers and sliding gates to front garden / driveway.

Nick Worlledge presented the application to the Committee.

In accordance with the criteria for public speaking, Phyllis Ferguson spoke against the application and spoke in favour of it. Neil Perry (on behalf of the Applicant) spoke in favour.

Having taken all submissions into account, both written and oral, the Committee resolved to REFUSE application 12/03265/FUL on the following grounds:-

- (1) The extension to the property would overwhelm the existing building and the neighbouring properties and harm the character and appearance of the Conservation Area and harm the amenity of the neighbouring properties contrary to the Oxford Local Plan 2001-2016 policies HE7 (Conservation area), CP1 (Development proposals) and CP8 (Design development to relate to its context); also policy CS18 (Urban design, town character and the historic environment) of the Core Strategy.
- (2) The impact of the proposed wall and gate at the end of the road adds to the overbearing nature of the proposed development and is damaging to the streetscape;
- (3) The existing driveway provides an important gap in the street frontage and the loss of it would be harmful to the character and appearance of the Conservation Area contrary to the Oxford Local Plan 2001-2016 policies HE7 (Conservation area),

The Committee resolved to APPROVE application 12/03265/CAC (Conservation Area consent for demolition).

138. DEFERRED ITEMS

The Committee resolved to defer consideration of the remaining items on the agenda to a deferred meeting on 14th March 2013.

The meeting adjourned at 9.00pm.

RECONVENED MEETING

The meeting reconvened at 6pm, Thursday 14 March in the Council Chambers.

COUNCILLORS PRESENT: Councillors Goddard (Vice-Chair, in the Chair), Benjamin, Clack, Jones, Khan, Tanner and Coulter.

OFFICERS PRESENT: Martin Armstrong (City Development), Nick Worledge (City Development), David Radford (City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

139. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Oscar Van Nooijen (Councillor Van Coulter substituted), Councillor Colin Cook and Councillor Anne-Marie Canning.

140. DECLARATIONS OF INTEREST

None

141. 81 WYTHAM STREET: 12/03016/FUL

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

The Planning Officer explained that the application is going to appeal due to non-determination because the statutory time limit has expired. However, the Committee is asked to express how they would have voted, had the application not been going to appeal.

The Committee noted that no one wished to speak on the application.

The Committee resolved (by 7 votes to 0) to REFUSE the planning application on the following grounds:

As a result of a combination of its excessive depth and height, proximity to the boundary and bland side elevation, the proposed extension represents poor quality design that fails to respect the prominence of the corner plot on which it is located detrimental to the Wytham Street and Oswestry Road streetscenes contrary to policies CP1, CP8, CP9 and CP10 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policy HP9 of the Sites and Housing Plan.

142. 36 MORRELL AVENUE: 12/02829/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for details a change of use from class C3 dwelling house to C4 House in Multiple Occupation.

The Committee noted that no one wished to speak on this application.

The Committee resolved (by 7 votes to 0) to REFUSE the application because:

- 1 The proposed development would result in an over concentration of Houses in Multiple Occupation within Morrell Avenue, the wider local area and the HMO Registration Area which would have a detrimental impact upon the balance and mix of dwelling types within the surrounding area failing to contribute to the objective of balanced and mixed communities. This would be contrary to Policy HS15 of the adopted Oxford Local Plan 2001-2016, Policy CS23 of the Core Strategy and Policy HP7 of the emerging Sites and Housing Plan.
- 2 The application fails to demonstrate that the development could provide good quality internal living environments capable of accommodating the likely number of occupants within the house (House in Multiple Occupation) and as a result would have a detrimental impact upon the living conditions for the future occupants. This would be contrary to Policy HS15 of the Oxford Local Plan 2001-2016 and Policy HP7 of the emerging Sites and Housing Plan.

**143. EAST OXFORD COMMUNITY CENTRE, PRINCES STREET:
13/00242/CT3**

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to replace existing crittal windows with double glazed powder coated aluminium windows

The Committee noted that no one wished to speak on the application.

The Committee resolved (by 7 votes to 0) to APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified slim profile,
- 4 Transom and mullions to remain unaltered on windows.

144. OXFORD ARCHAEOLOGICAL ACTION PLAN

The Head of City Development has submitted a report which describes the work involved in the completion of the Oxford Archaeological Plan (OAP) project and the production of an Oxford Archaeological Action Plan.

The Head of Heritage presented the report to the Committee.

With funding received from English Heritage in 2008 the Heritage and Specialist service team has been recording and collating the archaeology in Oxford. The OAP is designed to:

- Signpost the results of the assessment and characterisations projects online.

- Provide a short overview of the city's historical development.
- Flag up strategic issues regarding long term archaeological asset management.
- Provide a framework of encouragement for larger developers and land owners to protect archaeology in the city.
- Improve the quality and scope of the Urban Archaeological Database and seek to improve public access to this information.

The project has focused on the city centre and the pressure of development on the city's archaeology.

The Committee resolved to NOTE the completion of the Oxford Archaeological Plan and the production of the Oxford Archaeological Action Plan.

The Committee congratulated the officers for the Archaeological Action Plan and the background work they have been doing. They recognised the challenges highlighted in the report and endorsed the council's commitment to

- developing high quality evidence base on the historic environment and
- providing effective archaeological development control advice.

The Committee made the following comments/ questions on the proposed action plan:

1. How are you going to further engage the public?

The Council is going to proactively work with external partners ie universities, conservation trusts, Oxfordshire County Council and museums to better engage with public.

2. If a developer ignores the archaeological condition of the site how do we ensure that conditions are observed?

These cases are very rare. The Heritage team hopes that open communication between developers and officers to identify any archaeology at a site at an early stage would reduce the chances of this happening.

3. The archaeological strategy creates a sense of place within estates. It should inspire designers to create innovative architectural designs to reflect and incorporate the archaeological remains at a site. If the city does this well, we can promote it to increase tourism.

The archaeologist agreed, some colleges are incorporating archaeology into their designs. However we need to know which sites have archaeological remains early to incorporate into developers design.

4. Increasing educational awareness can we persuade other places in the city to use strategy?

The Council has uploaded a lot of documents onto the Heritage Gateway website to increase educational awareness of the archaeology of Oxford.

5. The report says this project has no financial implications but other funding streams are about to expire what are you doing about it?

An Oxford Conservation fund is being set up between universities, councils, local businesses to assist with continued work.

There are also grants available from English Heritage and the National Trust, as officers, we are confident that funding can be found.

145. PLANNING APPEALS

The Committee NOTED the report on planning appeals received and determined during January 2013, with the following amendments -
Arithmetic in table C: All planning appeals (not just BV204 appeals): Rolling year to 31 January 2013 to be corrected.

146. MINUTES

The following amendments were made:

Minute 119 – Roger Dudman Way, 11/02881/FUL

- Speakers' affiliations to be added to minutes

A suggestion was made that more details of the discussion be minuted when the Committee considers applications with a large public interest.

The Committee resolved (by 7 votes to 0) to APPROVE the amended minutes of the meeting held on 7 February 2013 as a true and accurate record.

147. FORTHCOMING APPLICATIONS

The Committee NOTED the list of forthcoming applications.

148. DATES OF FUTURE MEETINGS

The Committee NOTED the next meeting will be held on Wednesday 17 April 2013.

The meeting started at 6.00 pm and ended at 7.00 pm