

Agenda

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West Area Planning Committee

Date: **Tuesday 11 June 2013**

Time: **6.00 pm**

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

For any further information please contact:

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West Area Planning Committee

Membership

Councillor Elise Benjamin	Iffley Fields;
Councillor Anne-Marie Canning	Carfax;
Councillor Bev Clack	St. Clement's;
Councillor Colin Cook	Jericho and Osney;
Councillor Michael Gotch	Wolvercote;
Councillor Graham Jones	St. Clement's;
Councillor Bob Price	Hinksey Park;
Councillor John Tanner	Littlemore;
Councillor Oscar Van Nooijen	Hinksey Park;

The quorum for this meeting is five members. Substitutes are permitted

HOW TO OBTAIN AGENDA

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AGENDA

Pages

1 ELECTION OF CHAIR FOR THE COUNCIL YEAR 2013/14

The West Area Planning Committee appoints Councillor as Chair for the Council year 2013/14.

2 ELECTION OF VICE-CHAIR FOR THE COUNCIL YEAR 2013/14

The West Area Planning Committee appoints Councillor as Vice Chair for the Council year 2013/14.

3 START TIME OF MEETINGS

The Council and Committee programme for the Council years 2013/14 and 2014/15 was agreed by Council on 22 April 2013. The start time for the West Area Planning Committee has been assumed as 6pm.

The Committee confirms the start time of its meetings for the remainder of the Council year 2013/14 will be 6pm.

4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

5 DECLARATIONS OF INTEREST

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

6 FOUR PILLARS HOTEL, ABINGDON ROAD: 12/03100/FUL - ITEM HAS BEEN WITHDRAWN BY APPLICANT

1 - 12

PLEASE NOTE THAT THIS ITEM WAS WITHDRAWN BY THE APPLICANT AFTER THE AGENDA WAS PUBLISHED. AS A RESULT, IT WILL NOT BE HEARD AT THE MEETING

The Head of City Development has submitted a report which details a planning application to erect a new accommodation block for 57 additional bedrooms, new entrance, extension to dining room, covered delivery area, additional 20 car parking spaces and amended access drive.

Officer recommendation: That the Committee REFUSE the planning application for the following reasons:

- 1 As a result of the significant size and scale of the extensions proposed and their consequent prominence within the landscape, the proposals represent an inappropriate form of development within the

Green Belt to the detriment of its long term openness which would only be exacerbated by the loss of existing boundary vegetation. The proposals are therefore unacceptable and fail to comply with the requirements of policy CS4 of the Oxford Core Strategy 2026 as well as policies CP1 and CP8 of the Oxford Local Plan 2001-2016 and Government guidance set out in the National Planning Policy Framework.

- 2 The proposed development would take place within Flood Zone 3a as designated by the Environment Agency. The proposals have not been supported by an adequate Flood Risk Assessment and fails to satisfactorily demonstrate that the proposals would not result in an increased risk of flooding locally or elsewhere. The proposals therefore fail to comply with the requirements of policy CS11 of the Oxford Core Strategy 2026 as well as Government guidance set out in the National Planning Policy Framework.
- 3 The proposed development would result in the direct loss of a mature Goat Willow tree and construction within the root protection areas of a number of other trees along the north-eastern boundary of the site. Whilst the proposals have not been accompanied by an adequate assessment of the arboricultural implications of the development it is clear that existing boundary vegetation along the drainage channel will be significantly harmed with the consequence that the extended hotel complex would be noticeably more prominent within the surrounding landscape. The proposals are therefore considered to be contrary to the requirements of policies CP1, CP11 and NE15 of the Oxford Local Plan 2001-2016 as well as policy CS4 of the Oxford Core Strategy 2026.
- 4 The hotel is located along a main vehicular route into the centre of Oxford relatively close to trunk routes and the bypass of the city. Consequently the majority of guests staying at the hotel arrive by car with the level of car travel considered to be likely to be greater than that expected of a typical hotel within the city and more similar to that to be associated with a hotel or motel at a peripheral location. Consequently, and in the absence of a robust transport assessment to demonstrate otherwise, the level of car parking proposed to serve the extended hotel is considered to be inadequate contrary to policies CP1 and TR3 of the Oxford Local Plan 2001-2016.
5. In the absence of a comprehensive assessment of the impact of the proposals on the highway network and the free-flow of traffic in local roads which already suffer from severe parking pressure, the development proposals are considered to fail to accord with the requirements of policies CP1, TR1 and TR3 of the Oxford Local Plan 2001-2016.

7 LADY MARGARET HALL, NORHAM GARDENS: 06/01796/CND3

13 - 24

The Head of City Development has submitted a report which details a planning application to remove two lime trees and replace with four fastigiate beech trees. Details submitted in accordance with condition 10 (landscaping) of planning permission 06/01796/FUL for student study rooms and

educational accommodation.

Officer recommendation: That the Committee REFUSE the planning application because:

The Council as local planning authority considers that the details submitted in compliance with condition number 10 would not accord with the policies of the Oxford Core Strategy, as it would result in the loss of two specimen lime trees that are an essential component of the north Oxford landscape vernacular within the North Oxford Victorian Suburb Conservation Area; would be replaced by inappropriate species; would not preserve the special character and appearance of the conservation area; and would harm the setting of an adjacent listed building. It would also result in the loss of the views of the lime trees which was a material consideration in the original decision.

8 PLANNING APPEALS

25 - 28

To receive information on planning appeals received and determined during April 2013.

The Committee is asked to NOTE this information.

9 MINUTES

29 - 32

Minutes from 8 May 2013

Recommendation: That the minutes of the meeting held on 8 May 2013 be APPROVED as a true and accurate record.

10 FORTHCOMING APPLICATIONS

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

- New Road / Tidmarsh Lane: 13/00843/FUL & 13/00844/CAC: Science Museum and Innovations Centre.
- 29 Wolvercote Green: 13/00866/FUL: Extensions.
- Former Ruskin College, Walton St: 13/01075/LBD & 12/01074/FUL: Educational & student accommodation.
- Roger Dudman Way: 13/00636/FUL: 9 student study rooms plus footbridge.

11 DATE OF NEXT MEETING

The Committee NOTES the following future meeting dates:

Tuesday 9 July 2013 (and Thursday 11 July if necessary)

Tuesday 13 August 2013 (and Thursday 15 August if necessary)

Tuesday 12 September 2013 (and Thursday 12 September if necessary)

Tuesday 10 October 2013 (and Thursday 10 October if necessary)
Tuesday 12 November 2013 (and Thursday 14 November if necessary)
Tuesday 8 December 2013 (and Thursday 12 December if necessary)

DECLARING INTERESTS

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

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

Members' Code of Conduct and public perception

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

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

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

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

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

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

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

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

11th June 2013

Application Number: 12/03100/FUL

Decision Due by: 24th June 2013

Proposal: Erection of new accommodation block for 57 additional bedrooms, new entrance, extension to dining room, covered delivery area, additional 20 car parking spaces and amended access drive.

Site Address: Oxford Spires Four Pillars Hotel, Abingdon Road –
Appendix 1

Ward: Hinksey Park

Agent: John Hallam Associates

Applicant: Oxford Spires Four Pillars
Hotel

Recommendation: Refuse planning permission.

Reasons for Refusal

- 1 As a result of the significant size and scale of the extensions proposed and their consequent prominence within the landscape, the proposals represent an inappropriate form of development within the Green Belt to the detriment of its long term openness which would only be exacerbated by the loss of existing boundary vegetation. The proposals are therefore unacceptable and fail to comply with the requirements of policy CS4 of the Oxford Core Strategy 2026 as well as policies CP1 and CP8 of the Oxford Local Plan 2001-2016 and Government guidance set out in the National Planning Policy Framework.
- 2 The proposed development would take place within Flood Zone 3a as designated by the Environment Agency. The proposals have not been supported by an adequate Flood Risk Assessment and fails to satisfactorily demonstrate that the proposals would not result in an increased risk of flooding locally or elsewhere. The proposals therefore fail to comply with the requirements of policy CS11 of the Oxford Core Strategy 2026 as well as Government guidance set out in the National Planning Policy Framework.
- 3 The proposed development would result in the direct loss of a mature Goat Willow tree and construction within the root protection areas of a number of other trees along the north-eastern boundary of the site. Whilst the proposals have not been accompanied by an adequate assessment of the arboricultural implications of the development it is clear that existing boundary vegetation along the drainage channel will be significantly harmed with the consequence that the extended hotel complex would be noticeably more prominent within

the surrounding landscape. The proposals are therefore considered to be contrary to the requirements of policies CP1, CP11 and NE15 of the Oxford Local Plan 2001-2016 as well as policy CS4 of the Oxford Core Strategy 2016.

- 4 The hotel is located along a main vehicular route into the centre of Oxford relatively close to trunk routes and the bypass of the city. Consequently the majority of guests staying at the hotel arrive by car with the level of car travel considered to be likely to be greater than that expected of a typical hotel within the city and more similar to that to be associated with a hotel or motel at a peripheral location. Consequently, and in the absence of a robust transport assessment to demonstrate otherwise, the level of car parking proposed to serve the extended hotel is considered to be inadequate contrary to policies CP1 and TR3 of the Oxford Local Plan 2001-2016.
5. In the absence of a comprehensive assessment of the impact of the proposals on the highway network and the free-flow of traffic in local roads which already suffer from severe parking pressure, the development proposals are considered to fail to accord with the requirements of policies CP1, TR1 and TR3 of the Oxford Local Plan 2001-2016.

Main Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Development to Meet Functional Needs
NE15 - Loss of Trees and Hedgerows
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TA4 - Tourist Accommodation
NE21 - Species Protection

Oxford Core Strategy 2016

CS4 - Green Belt
CS2 - Previously developed and greenfield land
CS14 - Supporting city-wide movement
CS17 - Infrastructure and developer contributions
CS18 - Urban design, town character, historic env
CS11 - Flooding
CS12 - Biodiversity
CS9 - Energy and natural resources
CS2 - Previously developed and greenfield land

Other Material Considerations:

- National Planning Policy Framework
- Natural Resource Impact Analysis SPD
- Parking Standards, Transport Assessments and Travel Plans SPD

Relevant Site History:

- A674/82 – Change of use from agriculture to garden centre, construction of garden centre greenhouse, new access road and customer car parking area – Permitted 15th September 1983.
- 98/00072/NF - Demolition of buildings (excluding adjacent farmhouse). Mixed building up to 3 storeys for hotel & ancillary (75 guest beds) & 40x1 bed serviced apartments for rent. Access closed. 115 car spaces with rear access off Abingdon Road – Withdrawn 18th May 1998.
- 98/00778/NF - Demolition excluding adjacent farmhouse. Buildings up to 3 storeys for hotel (75 guest bedrooms) & 40x1 bed serviced apartments for rent. 95 car spaces & cycle parking using access off Abingdon Road. Restored barge on rear terrace - Permitted 7th August 1998.
- 00/00245/NF - Construct walls and piers either side of access onto Abingdon Road - Permitted 23rd August 2000.
- 00/01290/NF - 1) Single storey rear extension to dining room. 2) Retention and extension of footpath from Abingdon Road. Amended plans - Permitted 31st August 2000.
- 08/00994/FUL - Erection of single storey rear extension to provide new lounge bar and function/meeting room areas. New double gates to yard area and erection of new double pitched roof over rear entrance pagoda canopy to rear entrance - Permitted 9th July 2008.
- 11/00630/FUL - Extension to the breakfast room - Permitted 15th April 2011.

Public Consultation.

Statutory and Other Consultees:

- Environmental Development - The site has since been redeveloped and the risk of any significant contamination being present on the site is, therefore, low. No objection is raised though an informative should be added setting out the required procedure in the event that contamination is found on the site during construction works.
- Environment Agency – Objection. The proposals are likely to give rise to an increased risk of flooding by locally and elsewhere. In particular the Flood Risk Assessment submitted does not comply with the requirements of the NPPF and therefore does not provide a suitable basis of assessment to be made of the flood risks arising from the development.
- Highway Authority – The impact of the proposals on the highway network has not been adequately assessed. To mitigate the impact of potential increased parking a contribution of £30,000 should be paid to the LHA to cover the introduction of a CPZ or other enforcement measures. Financial contribution should also be paid to the LHA to fund highway improvements given the increase in peak time traffic that would be travelling into and around the city centre. The LHA would also seek a financial contribution of £10,000 to fund the erection of a bus shelter outside the site on Abingdon Road to encourage guests to use alternative modes of transport.
- Thames Water – No objection.
- Oxfordshire County Council Drainage Officers – Object to the proposed

development as it is likely to give rise to increased risk of flooding in the locality without proper assessment of the effects or sufficient mitigation measures proposed.

- Thames Valley Police – The proposals should have regard to designing to the principles of Secure by Design where appropriate.

Individual Representations Received:

Five third party representations have been received all objecting to the proposals. The following concerns have been raised:

- The site is in the floor plain and neighbouring properties regularly flood. When the hotel was originally approved it was accepted that it should be built only on the footprint of existing built development to prevent additional flood risk. Since then there have been extensions and additional hard surface parking exacerbating the problem;
- The green space between the river and Abingdon Road is part of that juxtaposition of town and countryside which makes Oxford special and deserves protection;
- The area has already suffered two flood episodes in the last winter and the development will only make matters worse;
- The number of parking spaces per bedroom is too low particularly as there seems to be under-provision for the existing conference facilities given that it is the hotel's intention to boost leisure business;
- The proposed 33 bedroom new block brings the hotel building closer to Abingdon Road with the original Eastwyke Farm becoming less significant and the rural aspect of the site will be further diminished;
- No attempt has been made to mitigate the loss of flood storage space that the proposed buildings will cause;
- An additional 20 parking spaces is inadequate compared with the proposed accommodation. In the last few years parking has increased to the extent that hotel guests frequently use the grass area that is now proposed as "additional parking". Previously there has been no attempt to screen and landscape the "existing overflow parking" so that when the hotel is busy the view from Abingdon Road is not in keeping with the surrounding green fields and there is the appearance of a parking lot.

Officers' Assessment:

Site Description.

1. The application site relates to the Oxford Spires Four Pillars Hotel on Abingdon Road. The hotel is set back from Abingdon Road and separated from it by an area of undeveloped paddock land and partially screened by tree coverage. The hotel was constructed on the site of a former farm and farm supermarket in the late 1990s within a finger of Green Belt that extends towards the city centre from the south. The original listed Eastwyke farmhouse was retained as part of the original approved proposals and has more recently been converted to provide additional guest accommodation as part of the hotel site. A number of smaller extensions have also been added to the hotel in recent years to provide improved catering/conferencing facilities and the

hotel now provides 174 bedrooms as well as comprehensive conference and banqueting facilities.

Description of Proposed Development.

2. The application seeks consent for two large 2 ½ storey extensions to the hotel that would project off the existing building complex to match the height, width and general design features of the existing development. These extensions would create a further 57 guest bedrooms. One extension is proposed to the southwest towards Abingdon Road and the other at the rear of the site towards its boundary with the adjacent public footpath that leads down to the River Thames and the University boat house. A number of small additions are also proposed including a single storey extension to the existing dining facility at the rear as well as a covered delivery area, front entrance porch, extended parking area and a re-arrangement of the access driveway.
3. Officers' consider the principal determining issues in this case to be:
 - Principle of increased tourist accommodation;
 - Impact on the Green Belt;
 - Design;
 - Highway implications;
 - Flooding;
 - Trees/Landscape;
 - Energy Efficiency; and
 - Archaeology.

Principle of Increased Tourist Accommodation.

4. Policy TA4 of the Local Plan states that development that maintains, strengthens and diversifies the range of short-stay accommodation within the City will be granted along main thoroughfares (including Abingdon Road) providing the proposals are otherwise acceptable with respect to access, parking and highway safety as well as impact on nearby residents. The proposed development is separated from residential properties by a significant distance across an existing paddock as well as Abingdon Road itself. In this respect the proposal would be unlikely to give rise to any real disturbance for nearby residents and indeed has not been found to do so since its construction. Officers have some concerns about the proposals in highway terms however (which will be discussed later in this report) but, in principle, planning policy is generally supportive of new tourist accommodation in the City along main thoroughfares such as Abingdon Road.

Impact on the Green Belt.

5. Government guidance in the NPPF as well as policy CS4 of the Core Strategy make it clear that the only appropriate forms of development within the Green Belt are: small extensions that do not significantly increase the size of an original building, small scale development to improve access to outdoor recreation and buildings for agricultural/forestry purposes. All other forms of development are generally considered to be inappropriate development and by definition harmful to the long term openness of the Green Belt, its key

characteristic in order to prevent urban sprawl. Government guidance states that harm to the Green Belt should be given very substantial weight in the determination of planning applications and only in very exceptional circumstances should normally inappropriate development be permitted in the Green Belt.

6. The extensions are, both in isolation and in the context of the existing development, significant in scale and would project out from the main building complex. The hotel was approved in 1998 despite being in the Green Belt on the basis that its overall footprint was similar to that of the existing farm buildings as well as that of the footprint of an approved garden centre which had been commenced with preliminary works having been undertaken in 1986/7. These pre-existing buildings were unsightly and in a poor state of repair such that they were detracting from the appearance surrounding landscape within the Green Belt. Consequently, the proposals were considered to result in an improvement to the appearance of the Green Belt as a result of the demolition of the unsightly buildings despite the overall reduction in its openness as the hotel was greater in height and bulk than the former farm buildings. The two main extensions now proposed however would significantly increase the footprint of the hotel well above that of the buildings that it replaced and, in the case of the extension to the south-west and the extended car park, would project into currently undeveloped land and become far more prominent from Abingdon Road to the detriment of the openness of the Green Belt.
7. To the north and east of the site lies a number of University sports grounds and open fields that extend out to the River Thames with the recently constructed replacement University College boat house approximately 200m to the east. A public footway runs along the northern side of the hotel site that leads from Abingdon Road down to the River Thames. These all form part of the character of the Green Belt and the extension to the rear of the application site close to its northern and eastern boundaries would result in the hotel complex being far more conspicuous within the landscape than the existing hardstanding which it is proposed to be built upon. To exacerbate matters the close proximity of this extension to the rear boundary of the site will result in existing boundary vegetation having to be removed, (previously required by condition as part of the approval for the hotel in 1998), or at least being significantly lopped and pruned as well as suffering probable root damage as part of the construction process harming their long term ability to screen the hotel. Further, there would be little space left for effective compensatory soft landscaping and, as such, the building complex would have a materially greater impact on the openness of the Green Belt than the present development.
8. Whilst the scale of the extended dining room and front porch are considered to be minor and of little significance within the landscape, the proposed 2 1/2 storey extensions to the main complex as well as the extended car park would materially increase the scale of the building complex into undeveloped land making the hotel materially more prominent in the landscape and from Abingdon Road. As a consequence the proposals fail to preserve the

openness of the Green Belt, a consideration which is required to be given very substantial weight by Government guidance. This harm to the Green Belt would, in officers' view, significantly outweigh any benefit from additional short stay tourist accommodation within the City. Consequently the proposals are considered to fail to accord with policy CS4 of the Core Strategy or Government guidance in the NPPF and should be refused for this reason accordingly.

Design.

9. Policies CP1 and CP8 of the Local Plan require development proposals to reflect and respond to the form, scale, pattern and general characteristics of a site's context in order to be considered to be acceptable.
10. The application proposes two 2 1/2 storey extensions to the existing hotel complex, one projecting towards Abingdon Road and the other towards the public footpath at the rear of the site. These extensions match the height and width of the existing development utilising similar materials and design detailing. Whilst the design itself is not necessarily objectionable in the context of that approved they do rather add to the overall mass of the hotel building which is taking it further away from the Council's original intentions for the site which was to create a series of buildings of more rustic appearance. The increased building mass of the hotel will, in officers' minds, make it very significant within the landscape particularly during winter time when much of the boundary vegetation and tree planting is no longer in leaf. Whilst in overall design and layout terms the proposal is, in isolation, not considered to be sufficiently out of keeping with their context to justify refusal, the scale of the extensions proposed in combination with the hotel's sensitive location within the landscape contribute towards the proposed development being unacceptable.
11. The proposed front entrance porch, dining room extension and covered delivery area are however considered to be more minor in scale such that they would not have an appreciable impact on the overall appearance of the hotel complex or its perception within the landscape. Officers therefore raise no objection to these elements.

Highway Implications.

12. When approved in 1998 the hotel was considered, for planning policy purposes, to be likely to give rise to a need for on-site parking provision somewhere between that normally expected of a hotel and that expected for a motel. Appendix 2 of the Local Plan sets out the parking standards typically expected for hotels which corresponds to 1 space per two guest bedrooms. In comparison a motel requires provision on a 1:1 basis as greater guest travel is expected by car given the location and nature of the accommodation.
13. When originally approved the hotel provided 75 guest bedrooms and 40 serviced apartments making a total of 115 bedrooms served by 115 parking spaces, with the potential secured by condition to increase that number by 20

if it could be demonstrated that they were required. Since that time 10 additional rooms have been added following the conversion of the Eastwyke farmhouse building to tourist accommodation which was approved by the Council in 2010. However the hotel currently provides 174 bedrooms and officers can only conclude that this figure has been attained through the subsequent subdivision of. Consequently the hotel currently comprises 174 guest bedroom and an additional 57 rooms are now proposed making a total of 231 proposed guest bedrooms. This number of bedrooms is proposed to be served by 115 car parking spaces which includes parking requirements for staff which, according to the submitted Travel Plan, could number as much as 100 employees on certain occasions.

14. Such a level of car parking might be considered to be acceptable for a hotel at many locations, even where there were day visitors making use of the conference and other facilities. Officer knowledge of the site as well as anecdotal reports from local residents suggests that in this case even with the current more generous level of parking provision there are times when there are too many cars for the spaces available with the result that overspill parking occurs on grassed areas around the hotel. Such a situation is considered to be inappropriate whilst failing to preserve the important open, undeveloped space between Abingdon Road and the hotel that helps to reinforce the open qualities of the Green Belt.
15. A reduced level of car parking provision would only exacerbate this undesirable situation as well as put pressure on guests to park in nearby residential side roads which are already subject to severe parking pressure. Officer concerns about the inadequate level of parking are only compounded by the lack of an adequate transport assessment which has not properly considered the impact of the development on peak time traffic flows in surrounding roads. Consequently officers consider the level of parking provision in this case to be insufficient to serve an extended hotel/conference facility of this nature, contrary to the requirements of policy CP1 of the Local Plan. In the event that Committee are minded to approve the application officers would however recommend that the issuing of a decision notice is delegated to officers to allow completion of legal agreements with the County Council to secure funding towards highway improvements to help offset impact on the local highway network.

Flooding.

16. The application site lies within flood zone 3a as defined by the Environment Agency (EA) which indicates that it suffers a greater than 1 in 100 year risk of fluvial flooding. A number of properties in the area have been flooded in recent years though, as of yet, the hotel itself has not yet flooded since its construction though its immediate surroundings and gardens have been subject to flooding on a number of occasions. Given that the site is located within flood zone 3a and the development proposed is of a more vulnerable category as classified by Government guidance, the proposals should be accompanied by a comprehensive flood risk assessment (FRA) which assesses the implications of the development on flood risk. Policy CS11 of the

Core Strategy states that development will not be permitted where it increases the risk of flooding locally or elsewhere and where possible development should seek to reduce the risk of flooding. Unfortunately for a number of reasons the submitted FRA is inadequate as, inter alia, it fails to correctly identify the flood risk zone that the site is located within, does not make allowances for climate change in the assessment and does not set out adequate mitigation measures. Consequently both the EA and the County Council's Drainage Officers have recommended refusal and officers concur with their views in this regard.

Trees and Landscape.

17. The hotel is set within an otherwise green finger of open landscape that extends towards the city centre. To soften the appearance of the hotel within the landscape (and therefore Green Belt) a comprehensive landscaping scheme was agreed when the hotel development was approved by the Council in 1998. This featured a number of trees along the north-eastern boundary adjacent to a drainage ditch some of which are now more mature having been planted approximately 15 years ago. The existing tree coverage helps screen the hotel from the surrounding landscape and soften its appearance from the public footway and fields that runs to the north and east of the site. The extension proposed to the rear of the site would result in the removal of a mature goat willow tree and construction works would take place within the root protection areas of other trees along the north-eastern boundary including two sycamores and two mature field maples. This would prejudice their long term health and survival making it likely that they will in time no longer make a meaningful contribution towards screening the development from the landscape. Consequently the proposals are considered to make the hotel significantly more prominent within the landscape without any attempt at adequate compensatory soft landscaping measures contrary to policies CP1, CP11 and NE15 of the Local Plan.

Energy Efficiency.

18. A development of the scale and nature of that proposed as part of this application should ensure energy efficiency and sustainability measures are incorporated into the scheme with reference made to the Council's Natural Resource Impact Analysis SPD. The proposed development performs well against the NRA checklist and comfortably meets the minimum requirements expected of a development of this nature scoring XX out of a possible 11. The measures to be incorporated include.....Despite officers' recommendation, in the event that Committee were to grant planning permission it is recommended that a condition is imposed requiring the development to be carried out in accordance with the specifications in the submitted Energy Statement.

Archaeology.

19. The site is located in the vicinity of the medieval settlement of Eastwyke and in the vicinity of earthworks that may relate to the Royalist defence of Oxford

during the Civil War or earlier drainage channels that were perhaps reworked by the Royalists. The current farm sits within a rectilinear pattern of ditches, perhaps a moat or drainage system that are poorly understood. No buildings are mentioned when half the manor was conveyed to the Master of University College in 1528 and it remains possible that implied earlier manor buildings were located within the other half of the holding, located on the opposite side of the road, presumably the site known as West Wyke. An earthwork survey has been undertaken archaeological investigation that concludes that the proposed extensions may impact on buried heritage assets. If permission is granted it should include a condition requiring a written scheme of investigation to take place prior to development through archaeological trial trenching followed by further work if required. The work should be undertaken by a professionally qualified archaeologist working to a brief by the City Council.

Conclusion.

20. The proposals are considered to be contrary to the requirements of a number of policies of the development plan as well as national guidance as indicated in this report. Officers are therefore unable to support the proposals.
21. Committee is therefore recommended to refuse the application for the reasons set out at the head of this report.

Human Rights Act 1998

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: A674/82, 98/00072/NF & 98/00778/NF

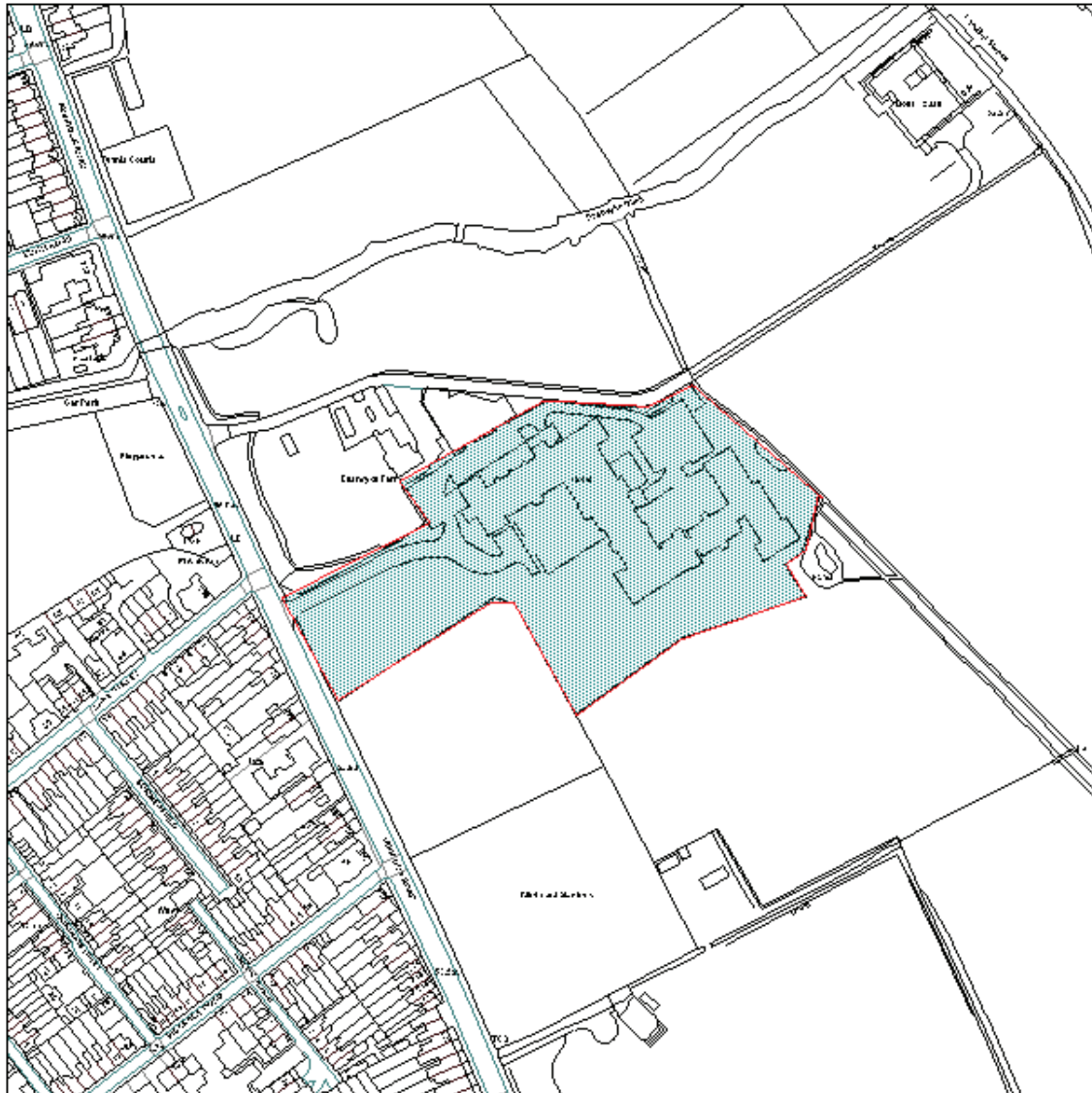
Contact Officer: Matthew Parry

Extension: 2160

Date: 31st May 2013

Appendix 1

Oxford Spires Four Pillars Hotel, Abingdon Road



Scale: 1:2500

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

Organisation	Oxford City Council
Department	City Development
Comments	12/03100/FUL
Date	31 May 2013
SLA Number	Not Set

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WEST AREA PLANNING COMMITTEE

11 JUNE 2013

Application Number: 06/01796/CND3

Decision Due by: 14th June 2013

Proposal: Details submitted in accordance with condition 10 (landscaping) of planning permission 06/01796/FUL for student study rooms and educational accommodation. Proposal to remove two lime trees and replace with four fastigiate beech trees.

Site Address: Lady Margaret Hall, Norham Gardens **Appendix 1.**

Ward: North

Agent: John Simpson Architects

Applicant: The Principal And Fellows
Of Lady Margaret Hall

The details to be determined by condition 10 of the 2006 planning permission have been called into committee by Councillors to consider fully the merits of the proposal to replace the existing trees.

Recommendation: REFUSE

Reason for Refusal

The Council as local planning authority considers that the details submitted in compliance with condition number 10 would not accord with the policies of the Oxford Core Strategy, as it would result in the loss of two specimen lime trees that are an essential component of the north Oxford landscape vernacular within the North Oxford Victorian Suburb Conservation Area; would be replaced by inappropriate species; would not preserve the special character and appearance of the conservation area; and would harm the setting of an adjacent listed building. It would also result in the loss of the views of the lime trees which was a material consideration in the original decision.

Main Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP11- Landscape Design

HE3 - Listed Buildings and their Settings

HE7 - Conservation Areas

NE15 - Loss of Trees and Hedgerows

NE16 – Protected Trees

Oxford Core Strategy 2026.

CS18 - Urban Design, Town Character, Historic Environment

Other Material Considerations:

- National Planning Policy Framework.
- This development to which this report relates lies within the North Oxford Victorian Suburb Conservation Area and affect the setting of a Grade II Listed Building.

Relevant Site History:

06/01796/FUL and 06/01797/CAC. Approved at North Area Committee on 2 November 2006, for-

06/01796/FUL: Erection of new buildings, structures and associated works:

- i) Undergraduate building consisting of 64 student study rooms, lecture theatre, dining room, teaching room and ancillary facilities.
- ii) Graduate Centre consisting of 30 student study rooms, teaching room, music room and ancillary facilities.
- iii) Porter's lodge, 11 student study rooms, gated pavilions and gates etc at entrance to College.
- iv) New arcade in Deneke Quad.
- v) Loggia adjacent to pond and College Chapel.
- vi) Provision of level access routes for the disabled.
- vii) Car parking and cycle storage.
- viii) Landscaping.

Refurbishment, extension and change of use of Mews Building to form gymnasium, kitchen stores, wine store and sub-station.

06/01797/CAC: Conservation area consent for demolition of squash court, bike sheds and Mews Court Building (demolition of parts of Brewers Garage building does not require consent).

Representations Received:

None.

Determining issues:

- Retention of trees; amenity value;
- impact on setting of listed building; and
- impact on character and appearance of conservation area.

Officer Assessment:

1. The location of the two lime trees is to the frontage of the listed 21 Norham Gardens, Appendix 1. The trees are common limes (*Tilia x europaea*) approximately 30m in height.
2. Lady Margaret Hall (LMH) occupies a large site located at the eastern end of Norham Gardens, bounding Fyfield Road and Benson Place to the west and north respectively, University Parks to the south and the River Cherwell to the east.

Norham Gardens serves as its main pedestrian access from Benson Place and Fyfield Road.

History and Character of Site:

3. The site lies within the North Oxford Victorian Suburb Conservation Area. It was designated in 1976 and evolved from the redevelopment of land acquired by St John's College. The area surrounding LMH is characterised by large Victorian detached and semi-detached villas and terraced properties set back from the road frontage and with large gardens. The buildings are mostly three or four storeys in height and the roads grand in scale and design with mature trees contributing to the spacious green setting. Materials include plain and multicoloured bricks, stone window dressings, and high tiled roofs characteristic of the High Victorian manner.
4. LMH was the first women's college in Oxford, founded in 1878 and occupied a building at the east end of Norham Gardens (number 21) that was designed following the gothic traditions of the estate.
5. LMH has evolved since being established in 1878 with strong classical architecture, designed by three prominent architects, Blomfield, Scott and Erith, creating its own distinct character. The buildings are arranged along strong formal lines and are concentrated on the western half of the college site. The classical emphasis culminated in the erection of Raymond Erith's Wolfson Building of the 1960s, to complete the Wolfson quad and provided a new front to the college with central pedimented entrance archway and porter's lodge which is seen from Norham Gardens and currently provides the main entrance to LMH. Erith had intended to erect gate houses to act as a transition to the Victorian suburb and provide an outer open quadrangle. These were never built. The result is that where Norham Gardens ends and LMH begins was unclear. Anomalous to the main architectural emphasis, LMH erected two five-storey contemporary tower blocks by Grillet in the 1970s.
6. The college's location in north Oxford has significance. It is argued that higher education for women emerged from the social conditions of the Victorian middle classes with the concentration of wives and daughters of dons and clergymen in north Oxford was an important factor in the development of late C19th and early C20th development of university education for women. It is no coincidence that all but one of the original women's colleges are located in north Oxford.
7. The character of North Oxford Conservation Area derives from its gothic style villas sitting in substantial plots with generous landscaping. Significantly, it is generally very consistent in character and has survived remarkably well. LMH is partly screened from the public face of Norham Manor and it is Erith's range that addresses Norham Gardens.
8. 21 Norham Gardens is a grade II listed building built in the Gothic style in 1879. 21 Norham Gardens (AKA Old Old Hall [sic]) was the last house to be built in the street, being part of the Norham Manor Estate designed by William Wilkinson.

Approved Development

9. The development approved in 2006 was to provide approximately 105 study bedrooms and ancillary facilities including lecture theatre, teaching and common rooms, dining and kitchen facilities. The architects are John Simpson Architects. More immediately relevant to the trees in question, consent was given also for three new buildings, a graduate centre, porter's lodge and undergraduate building. The graduate centre would face Norham Gardens, adjacent to Old Hall [sic] to the east and bounded by University Parks and the public footpath to the south and west. Also approved was an entrance gate pavilion to the front of one storey, opposite the gate pavilion to the front of the porter's lodge. Together with the new gates these would form the new entrance into the college.
10. The design of the approved 2006 development involves a new building range and opposing gate houses to the front of Lady Margaret Hall (LMH); thus creating an impressive formal entrance quad, enclosing the eastern end of Norham Gardens.
11. As stated in the 2006 report to committee, the removal of a large number of trees was included in the proposals. The group to the south of 1 Fyfield Road, bounding Norham Gardens, was a significant area of trees but it was considered that the collective value of the group was relatively slight due to their low individual merit in terms of form and condition of the constituent trees and the aesthetic incompatibility of the various species present, which collectively failed to create a cohesive visual feature. The loss of this group was therefore considered acceptable and new mitigating planting within the new front quad area to complement the existing mature specimen trees in this area would be provided. The adjacent pine and yew trees were considered to be excellent specimens and have a significant contribution to the character of the conservation area and public views in this location and were retained.
12. The group to the rear of the Fyfield Road properties adjacent to the undergraduate building was a large group of ornamental and self-seeded trees of domestic apple, sycamore, holly, plum and birch and were not considered to contribute significantly to the conservation area and their loss was not considered harmful.
13. The tree group replaced for the graduate centre was mainly self-seeded vegetation and smaller trees. A bird cherry of good form and attractive contributed significantly to views from Norham Gardens and whilst its loss was considered regrettable, it was meant to be mitigated by releasing the two mature lime trees (the subject of this report) to public views.

Current Proposal:

14. The two trees that the college wish to remove now are common limes (*Tilia x europaea*) (measured at approximately 30m in height). The proposals are to replant with four fastigiate beeches (*Fagus sylvatica* 'Dawyck').
15. The matter under consideration now is a detail of the proposed landscape scheme that must be approved under conditions, and which has been called into committee by Members for determination. The landscape proposals involve the removal of two mature lime trees, in order to make way for a formal design

employing four new fastigate trees. Officers accept that the landscape design has a coherent rationale. However, the proposal fails to recognise the value of two existing mature lime trees, to the setting of the listed building they frame, to the Victorian garden suburb conservation area, or to visual amenity in the street scene.

16. The two lime trees are intended to be replaced by four fastigate (ie: tall and narrow, being columnar) beeches (*Fagus sylvatica* 'Dawyck'), creating a formal quadrilateral planting design within grass squares bounded by box hedging; stone sets would surround the planting beds. It is recognised that this design is intended to impose a sense of symmetry to augment that of the built architectural design. The college also sets out additional reasons, ancillary to those of a design nature, in support of replacing the limes. These are included a summary of technical arguments and responses, at the end of the report.
17. The current age of the trees is estimated at around 140 years, as they are believed to have been planted contemporaneously with the completion of the building they frame. Lime is a potentially long-lived species, and in semi-natural conditions such as parkland, may live well in excess of 300 years, although in urban environments life spans could be expected to be considerably shorter. The vitality, current age and height of these trees indicates that conditions are generally favourable so that a conservative estimate of 50 further years is not unreasonable for the limes' future life expectancy. This view is shared by the college's landscape advisor.
18. The original planting in the estate follows the picturesque ('gardenesque') landscape style popular in the Victorian era; the limes would have been deliberately planted in order to frame the house frontage. The house was bought the year it was built in order provide accommodation for the nascent LMH college, but it was originally designed to be a residential home. The setting of a listed building (including its trees; especially if planted contemporaneously as part of an intentional design) can add to a building's character and appearance, and of its significance in the landscape. The architectural style of No. 21, which is quite distinct from adjacent purpose-built college buildings, with its flanking limes, help to provide understanding of the origins of the site as a part of a Victorian garden suburb
19. Officers consider, in isolation, the choice of fastigate beech for the re-modelled entrance quad would be appropriate. However, the cultivar is rigidly formal. This militates against the informal or 'natural' and picturesque qualities of the conservation area, and the Norham Manor Estate particularly, which is punctuated by large mature trees in informal arrangements. Although it includes a wide range of ornamental and 'forest' type trees, native and exotic, both broadleaf and coniferous, there are no examples of fastigate beech anywhere in the conservation area. In contrast, lime is an essential component of the north Oxford landscape vernacular. The limes at No. 21 are a prominent feature in the local vicinity, and they contribute to the vital quality of landscape maturity, which underlies the picturesque character of the conservation area. They also act as an attractive visual foil to the massing and angularity of adjacent buildings and draw the eye to the canopy line of the nearby University Park, contributing significantly

to the (arguably) unique 'gothic jungle' character of Oxford's Victorian conservation area. The limes have very high amenity value.

20. A significant amount of tree cover has already been removed to facilitate the two phases of the development. One of the potential threats to the character and appearance of the North Oxford conservation area is the cumulative effect of gradual losses from the surviving Edwardian and Victorian tree stock. Because many of these trees, which are of similar age and size, will inevitably be lost during the next 40-50 years. Therefore, to maintain the conservation area's characteristic tree cover, it is vitally important to seek to preserve the remaining high quality trees to the full extent of their potential useful life expectancies while new trees develop into maturity.
21. The applicant has produced a photomontage contrasting two different scenarios of the eastern end of the Norham Gardens street scene, as viewed towards LMH, over a 30 year period to demonstrate the effect of doing nothing versus replacement planting as proposed. The images are included in the presentation material accompanying this report and in officers' opinion do not present an accurate scenario as they ignore the powers that the Council as local planning authority has to secure replanting of trees that are removed. Nor do they present an accurate scale for the proposed replacement trees.
22. Officers have concluded that the landscape would not become denuded of trees (as suggested by the applicants), and officers conclude that the proposed replanting would create a highly formal end-point to views along Norham Gardens. This impression would have an influence that is at odds with the relaxed picturesque character of Norham Manor, where informal order, maturity and fecundity are the pre-eminent qualities.
23. The approved planning proposal is already associated with significant numbers of tree removals, which has had a noticeable denuding effect on the street scene. These losses included most of the trees that made up a contiguous tree belt along the boundary of 1 Fyfield Road, and the large mature cherry standing adjacent to the limes.
24. Crucially, the 2006 committee report made specific reference to the retention of the lime trees as a mitigating factor making the tree losses agreed acceptable on balance. Officers are concerned that removal of the limes now would create a stark and austere vista, which the narrow fastigiate beeches could not mitigate.
25. Officers also consider that the fundamental flaw in the college's submission is that the landscaping conditions apply to the development site itself, as identified by the red line in the application details whilst the college's replacement planting proposals along Norham Gardens are outside of the application site, and outside the applicant's (and the local authority's) control to deliver. Implementation of the college's proposals is contingent upon the continuing agreement, over many decades, of different university colleges and the owners of these other properties. This is clearly an unreliable expectation, which the planning authority would have no powers to enforce.

26. Officers consider that the scheme is inward looking, in that it only addresses the design concerns of the college and not the wider public realm issues. The limes are part of the historic setting of the Grade II listed 21 Norham Gardens, articulating its origins as part of the Norham Manor Estate, as a Victorian Gothic house with a picturesque landscape setting.
27. The expansion of LMH is already associated with a significant arboricultural impact in terms of the existing tree losses to facilitate the new buildings. The removal of the two limes represents an additional impact which is both significant and unnecessary. The photomontage presents a false comparison between the 'limes retained' and 'limes removed' scenarios because it suggests that no trees will be replaced in the street unless the college is allowed to remove the limes, whilst in reality the Council has powers to secure replacement planting of trees in the conservation area under tree controls under the planning regime. This is a more certain position than an unenforceable private agreement between different colleges over a period of several decades.
28. A significant number of existing mature trees along Norham Gardens will be lost over the next few decades, a fact that reinforces the importance of retaining trees that can provide an element of landscape maturity into the future, whilst predicted new tree planting replaces canopy that disappears through natural losses. This will set up a more varied age pattern amongst the street's tree population. In contrast, the applicant's proposals would increase the numbers of small, similar aged trees in the street effectively setting up a similar demographic problem as today for future generations to tackle.
29. 21 Norham Gardens, Old Hall, has high historic significance to LMH, being the first building where nine students and the principal moved in when the college was established after many years of opposition to even establish a women's hall or 'Academical House'. The replacement of the historic lime trees associated with the building would harm the setting of the listed building. The trees as heritage assets have high communal, historic and aesthetic value.
30. Appendix 2 sets out in tabular form the applicant's main points to justify the proposals and officers comments.

Conclusions:

31. The proposed removal of the lime trees would have a significantly adverse effect on amenity; the replacement trees would be inappropriate; the setting of the listed building at 21 Norham Gardens would be harmed and the proposals would fail to preserve or enhance the character and appearance of that part of the conservation area. The retention of the lime trees were stated in the 2006 report as being a mitigating factor against other tree losses. As such officers cannot support their removal now.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse the details submitted to discharge the condition number 10. They consider that the interference with the human rights of the applicant under

Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refuse the details submitted to discharge the condition number 10, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Report for 06/01796/FUL and 06/01797/CAC.
PPS5 Practice Note.

Contact Officers: Chris Leyland (Tree Officer) & Katharine Owen (Conservation Officer)

Extension: 2149/2148

Date: 31st May 2013

APPENDIX 2

Summary of Technical Arguments	
Applicant's Arguments	Officer's Comments
<p>Norham Gardens (and Norham Manor) characterised by wide avenues lined with trees.</p>	<p>The description of Norham Manor's wide avenue lined with trees should not be interpreted as describing a formal design style such as neo-classical.</p> <p>Norham Manor layout was conceived by Wilkinson to avoid any straight line formality (practical constraints moderated the final design somewhat), and the trees in their great variety punctuate these approaches rather than line them; design features that articulate a relaxed sense of informal order that is the Picturesque landscape style.</p>
<p>Characteristic tree cover of the street may be lost over next 30 years as there is no replacement planting programme.</p> <p>The college propose a replacement planting strategy based around replacing trees over a 30 year period at various separate University and college sites along the eastern end of Norham Gardens.</p>	<p>The locations identified for replacement planting are all outside of the LMH development (red line) and the Council cannot enforce implementation of any of the proposals.</p> <p>The argument that a programme for succession must be contingent upon LMH's receiving consent for its proposals, and the loss of the 2 mature limes, is false. The Council can secure replacement planting through its existing powers under section 213 of the Town and Country Planning Act.</p> <p>A more strategic programme of replacement planting by the University would be welcome; but removal of the limes is not necessary to its implementation and should not be regarded as a <i>quid pro quo</i> for such a plan.</p>
<p>The limes block light to the building and aphid secretions make the area unusable.</p> <p>The college is said to be also concerned about the safety of the trees after a branch was reported to have fallen from the tree a year ago.</p>	<p>The orientation of the building is such that room on the northern side are bound to be dark; the positions of the trees relative to the building and the arc of the sun indicate that if shading is to occur it would be in the summer evenings only. Additional ambient light could be obtained by modest crown lifting of the limes, away from the building, and by removal of a hawthorn tree, oddly planted between the two limes.</p> <p>Aphid/honey dew can often be a nuisance, although paving can be kept clean by periodical jet washing during the late summer if the problem is particularly bad. Conceding to this argument as a legitimate reason to allow the felling of limes would create a dangerous precedent as it is one of the most abundant species in the city and honey dew is a common complaint. The nuisance caused is not denied but as an issue it has to be balanced against the multiplicity of benefits that trees including limes bring to the urban environment</p> <p>This is the first expression of safety concerns that the Tree</p>

	<p>Officer has been made aware of; neither he nor the University Parks surveyor shares this concern and the useful life expectancy for the trees is estimated by both at 50 years. No information as to the nature of the alleged branch failure was available for scrutiny, whether it was alive or dead is unknown; all trees generate occasional dead wood in their natural development; associated risks can be reasonably managed by routine inspection and action to remove any large diameter dead wood identified.</p>
<p>Removal of the limes and replacement with a quadrilateral planting arrangement of fastigiated beech will amount to less than 'substantial harm in the conservation area', whilst fulfilling the design intention of Raymond Erith's plan for a symmetrical setting for the Grade II listed Wolfson Hall.</p>	<p>The North Oxford conservation area appraisal acknowledges the importance generally of mature trees, which are at risk. The lime trees were planted as a deliberate design to frame No.21 Norham Gardens (aka Old Old Hall), which confers additional individual importance to the trees.</p> <p>Any harm to the character and appearance of the conservation area have to be balanced against public benefits gained; in this case the question of the limes, retention or replacement, does not affect the college's development plans, the trees are not a constraint to development; instead it is a question of public visual amenity, the quality of the conservation area's landscape, as well as the setting of a listed building.</p>

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Agenda Item 8

Monthly Planning Appeals Performance Update – April 2013

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

1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 April 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 April 2013.

Table A. BV204 Rolling annual performance (to 30 April 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	(36%)	4 (44%)	12 (33%)
Dismissed	29	64%	5 (56%)	24 (67%)
<i>Total BV204 appeals</i>	45		9	36

Table B. BV204: Current Business plan year performance (1 April to 30 April 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	1	(25%)	0(0%)	1 (33%)
Dismissed	3	75%	1 (100%)	2 (67%)
<i>Total BV204 appeals</i>	4		1	3

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

Table C. All planning appeals (not just BV204 appeals): Rolling year to 30 April 2013

	Appeals	Percentage performance
Allowed	19	(36%)
Dismissed	33	64%
All appeals decided	52	
Withdrawn	0	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during April 2013.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. If the appeal is against a delegated decision the relevant ward members receive a copy of this notification letter. If the appeal is against a committee decision then all members of the committee receive the notification letter. Table E, appended below, is a breakdown of all appeals started during April 2013. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D Appeals Decided between 1/4/13 and 30/4/13

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/02113/FUL	12/00050/REFUSE	DELCOM	PER	DIS	02/04/2013	WOLVER	37 Meadow Prospect Wolvercote Oxford OX2 8PP	Demolition of existing outbuildings. Erection of part single, part two storey, side and rear extensions and insertion loft rooflights to front and rear roofslopes. (Amended Plans)
12/02084/FUL	13/00002/REFUSE	DEL	SPL	DIS	22/04/2013	STMARY	City Arms 288 Cowley Road Oxford OX4 1UR	Installation of 3 jumbrella's, two external television screens and bamboo fencing to outside seating area. (Retrospective).
12/02964/FUL	13/00010/REFUSE	DEL	REF	DIS	25/04/2013	HINKPK	30 Weirs Lane Oxford Oxfordshire OX1 4US	Provision of dropped kerb for vehicle access from highway.
12/02904/FUL	13/00009/REFUSE	DEL	REF	ALC	25/04/2013	NORBRK	34 Tarragon Drive Oxford Oxfordshire OX4 7XT	Erection of front porch and conversion of existing garage to form gym room.

Total Decided: 4

TABLE E Appeals Received between 1/4/13 and 30/4/13

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

DC CASE NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
12/01978/FUL	13/00016/REFUSE	DEL	REF	W	295-301 London Road Headington Oxford Oxfordshire OX3 9HL	BARTSD	Change of use of existing ground floor office to provide 1x5 bed house of multiple occupancy (Use Class C4 HMO). (Retrospective)
12/02821/FUL	13/00017/REFUSE	DEL	REF	W	66 Cricket Road Oxford Oxfordshire OX4 3DQ	COWLY	Erection of 1-bed detached bungalow (use class C3). Provision of car parking, bin and cycle stores and private amenity space.
12/02935/FUL	13/00014/REFUSE	COMM	PER	I	The Lord Nuffield Club William Morris Close Oxford Oxfordshire OX4 2JX	COWLY	Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping. (Amended plans) (Amended description).
12/03104/FUL	13/00013/REFUSE	DELCOM	REF	W	47 Jeune Street Oxford Oxfordshire OX4 1BN	STCLEM	Change of use from a dwelling house (use class C3) to a House of Multiple Occupation (use class C4)
12/03282/PA11	13/00015/PRIOR	DELCOM	PER	W	Hinksey Lake Footbridge Lake Street Oxford Oxfordshire	HINKPK	Application seeking 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. (Amended plans) (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)

Total 5

Total Received: 3

WEST AREA PLANNING COMMITTEE

Wednesday 8 May 2013

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

OFFICERS PRESENT: Murray Hancock (City Development), Nick Worledge (City Development), Michael Morgan (Law and Governance) and William Reed (Law and Governance).

159. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received from Councillor Tanner. Councillor Price attended as substitute.

160. DECLARATIONS OF INTEREST

There were no declarations of interest.

161. BLAVATNIK SCHOOL OF GOVERNMENT, WALTON STREET: 13/00119/FUL

The Head of City Development submitted a report (previously circulated now appended) concerning a planning application for a School of Government for the University of Oxford in Walton Street (Plot L, Radcliffe Observatory Quarter, Woodstock Road) (Application No. 13/00119/FUL). He said that since the report had been published some further letters of comment had been received as follows:-

- Lord O'Donnell – in support of the application
- Sir Suma Chakrabarti – in support of the application
- Jericho Community Association – against the application
- David Freud and the Jericho Community Association – against the application

In accordance with the criteria for public speaking, the following people spoke in favour of the application and the following people spoke against the application:-

For the application

- Calum Miller (representing the School of Government)
- Chris Meile (Montagu Evans LLP, agent for the University)
- Simon Demeuse (from the scheme architects, Herzog de Meuron)

Against the application

- Peter Trevelyan (on behalf of the Jericho Community Association and David Freud)

- Debbie Dance (from and on behalf of the Oxford Preservation Trust)
- Adrian Arbib
- Councillor Alan Armitage (local councillor)
- David Freud (St Paul's Church / Freud Art Café)

Resolved to support the planning application no 13/00119/FUL, to authorise the Head of City Development to draw up a legal agreement and then to issue notice of planning permission subject to the conditions listed in the report but with an amendment to condition 13 (details of boundary treatment and public realm ground works) to say that such treatment and ground works should not involve the provision of bollards.

162. TRAVIS PERKINS SITE, CHAPEL STREET: 12/02560/VAR

The Head of City Development submitted a report (previously circulated now appended) concerning a planning application relating to the Travis Perkins Site in Chapel Street (Application No. 12/02560/VAR).

Resolved to support the planning application no 12/02560/VAR, to authorise the Head of City Development to draw up a legal agreement and then to issue notice of planning permission subject to the conditions listed in the report.

163. SUMMERTOWN HOUSE, APSLEY ROAD: 13/00217/VAR

The Head of City Development submitted a report (previously circulated now appended) concerning variation of a planning application for Summertown House, Apsley Road (Application No. 13/00217/VAR)

In accordance with the criteria for public speaking, the following people spoke in support of the application and the following people spoke against the application:-

For the application

- Michael Wigg (on behalf of the University of Oxford)
- Ian Durbin (on behalf of the University of Oxford)

Against the application

- Martin Yates (local resident)

Resolved to approve the planning application no 13/00217/VAR subject to the conditions listed in the report.

164. 24 MARLBOROUGH COURT: 13/00760/FUL

The Head of City Development submitted a report (previously circulated now appended) concerning a planning application relating to 24 Marlborough Court (Application No. 13/00760/FUL).

Resolved to approve the planning application no 13/00760/FUL subject to the conditions listed in the report.

165. PLANNING APPEALS

The Head of City Development submitted a report (previously circulated, now appended) giving details of planning appeals received and determined during March 2013. He said that since the report had been published two appeal decisions had been received, both in relation to applications in Grove Street. One appeal had been dismissed and one had been allowed.

Resolved to note the report.

166. MINUTES

Resolved to approve as a correct record the minutes of the meeting held on 17th April 2013.

167. FORTHCOMING APPLICATIONS

Resolved to note the following planning application which would be before the Committee at future meetings:-

- Roger Dudman Way: 13/00636/FUL: 9 student study rooms plus pedestrian footbridge.
- Lady Margaret Hall: 06/01796/FUL: Condition 10 – Removal and replacement of lime trees.
- New Rd / Tidmarsh Lane: 13/00843/FUL & 13/00844/CAC: Science Museum & Innovations Centre.

168. DATES OF FUTURE MEETINGS

Resolved to note that the Committee's next three meetings would be held as follows:-

- Tuesday 11 June 2013 (and Thursday 13 June if necessary)
- Tuesday 9 July 2013 (and Thursday 11 July if necessary)
- Tuesday 13 August 2013 (and Thursday 15 August if necessary)

The meeting started at 6.00 pm and ended at 7.52 pm

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