

Agenda

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West Area Planning Committee

Date: **Tuesday 9 July 2013**

Time: **6.30 pm**

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

For any further information please contact:

Sarah Claridge, Democratic Services Officer

Telephone: 01865 252402

Email: democraticservices@oxford.gov.uk

West Area Planning Committee

Membership

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

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

HOW TO OBTAIN AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

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

3 STUDENT ACCOMMODATION AT CASTLE MILL, ROGER DUDMAN WAY:11/02881/FUL

The Head of City Development will provide a verbal update on progress made on student accommodation at Castle Mill, Roger Dudman Way 11/02881/FUL

Officer recommendation: That the Committee NOTE the report.

4 TOWN HALL: 13/01350/CT3

1 - 6

The Head of City Development has submitted a report which details a planning application for a change of use from ancillary residential dwelling to independent dwelling (use class C3)

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Bin and cycle storage

5 7 BOUNDARY BROOK ROAD: 13/000813/FUL

7 - 14

The Head of City Development has submitted a report which details a planning application to erect a single storey front extension.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching

6 41 LECKFORD ROAD: 13/01038/FUL

15 - 22

The Head of City Development has submitted a report which details a

planning application to erect a single storey rear extension at basement level. Erection of canopy to side elevation to create covered pathway.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 SUDs

7 PLANNING APPEALS

23 - 28

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

The Committee is asked to note this information.

8 MINUTES

29 - 32

Minutes from 11 June 2013

Recommendation: That the minutes of the meeting held on 11 June 2013 be APPROVED as a true and accurate record.

9 FORTHCOMING APPLICATIONS

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

1. Worcester College: 13/01425/LBD & 13/01424/FUL: Kitchen extension.
2. Former Ruskin college, Walton St: 13/01074/FUL & 13/01075/LBD: Educational and student accommodation.
3. New Road / Tidmarsh Lane: 13/00843/FUL & 13/0844/CAC: Science innovation centre.
4. 49 – 51 Jeune Street: 13/00614/FUL: Extension to car showroom.
5. Avis Site, Abbey Road: 13/01376/FUL: 9 houses.
6. Part Former Travis Perkins Builders Yard, Collins Street: 13/01215/FUL: Student accommodation.
7. 30 Plantation Road 13/01354/FUL
8. Queen's Lane Coffee House, High Street: 13/01182/FUL Outside pavement seating.
9. 333 Banbury Road 13/01319/FUL
10. 17 Lathbury Road: 13/01313/VAR
11. Roger Dudman Way Progress report

10 DATE OF NEXT MEETING

The Committee NOTES the following future meeting dates:

Tuesday 13 August 2013 (and Thursday 15 August if necessary)
Tuesday 10 September 2013 (and Thursday 12 September if necessary)
Tuesday 8 October 2013 (and Thursday 10 October if necessary)
Tuesday 12 November 2013 (and Thursday 14 November if necessary)
Tuesday 10 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.

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WEST AREA PLANNING COMMITTEE

9th July 2013

Application Number: 13/01350/CT3

Decision Due by: 29th July 2013

Proposal: Change of use of ancillary residential dwelling to independent dwelling (use class C3)

Site Address: The Flat, Town Hall, St Aldates - **Appendix 1**

Ward: Holywell Ward

Agent: N/A

Applicant: Oxford City Council

This application is required to be determined at Committee as the applicant is Oxford City Council.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed flat is considered to provide a reasonable standard of accommodation in a sustainable location that makes more efficient use of a redundant part of the Town Hall. Consequently the proposal is considered to accord with policies CP1, CP6, CP10, CS19 and CP21 of the Oxford Local Plan 2001-2016 as well as policies HP2, HP12, HP13, HP14, HP15 and HP16 of the Sites and Housing Plan.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Bin and cycle storage

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP10 - Siting Development to Meet Functional Needs

Sites and Housing Plan

HP2 - Accessible and Adaptable Homes

HP11 - Low Carbon Homes

HP12 - Indoor Space

HP13 - Outdoor Space

HP14 - Privacy and Daylight

HP15 - Residential cycle parking

HP16 - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- The application site lies within the Central Conservation Area.

Statutory and Other Consultations:

No comments received at the time of writing this report though Committee will be updated verbally if any late comments are received.

Officers' Assessment:

Site Description

1. The application site consists of a former caretaker's two bedroom flat above the Museum of Oxford within the Town Hall building. The flat is located on the second floor which is accessed from a side door to a spiral staircase located off the main Museum floor at first floor level.

Description of Proposal

2. The application seeks consent for the change of use of the caretaker's flat from an ancillary dwelling to a separate self-contained flat. Access would be through the museum entrance with bin and cycle storage provided within the Town Hall's yard located off Blue Boar Street. No external works are proposed.

3. Officers' consider the principle determining issues in this case to be:

- Principle of a self-contained flat within the Town Hall; and
- The amenity of future occupiers.

Principle

4. The existing caretaker's flat has been empty for approximately two years though was formerly used ancillary to the functioning of the Town Hall and Museum. There is no longer a dedicated caretaker for the Town Hall and is maintained by a number

of staff that live away from the premises. Its loss to a separate and independent dwelling would not there result in the loss of any employment space. Furthermore it would provide additional sustainably located residential accommodation and make more efficient use of the building to the benefit of the vitality of the city centre. Consequently officers have no objection, in principle, to the loss of this part of the Town Hall to an independent dwelling.

Amenity of Future Occupiers

5. The flat provides two relatively generously sized bedrooms and an open well-lit living room as well as an adequately sized kitchen and bathroom. Each main room also enjoys a reasonable quality outlook and usable layout. The flat would comfortably exceed the minimum size threshold (39 sq m) set out in policy HP12 of the Sites and Housing Plan.

6. Whilst the access arrangements are a little unusual in that occupiers would gain access through the Museum public entrance, this is considered to be acceptable and not a particular disturbance to future occupiers particularly given that the Museum is closed outside normal daytime hours. Occasional noise disturbance could stem from functions within the Town Hall. However the flat is located away from the main hall and previously did not give rise to any disturbance to previous caretakers.

7. Cycle storage would be within the Town Hall yard with access to it approximately 50m further down Blue Boar Street where the Council typically stores its own bins and bikes. Refuse storage would also take place here and, whilst it is not necessarily desirable for future occupiers to have to bring their rubbish this far, the arrangement is not dissimilar from that experienced at upper floor flats in flat developments all across the City. A condition requiring enclosed bin and secure cycle storage is recommended to be imposed by officers.

8. Policy HP13 of the Sites and Housing Plan sets out that a balcony providing access to outdoor amenity space would be expected for one and two bedroom flats. In this case such outdoor amenity space cannot feasibly be provided and, in any event, the Town Hall building is listed and such external alterations would not be desirable in order to preserve the historic integrity of the building. However, the flat would be located in the city centre with access to a whole range of amenities including outdoor space only a short distance away at Christchurch Meadow. Officers therefore consider the quality of accommodation provided by the flat to be adequate in the circumstances.

Conclusion:

9. The proposals are considered to make more efficient use of a sustainably located site within the city centre that would provide a reasonable standard of living accommodation. Consequently Committee is recommended to approve the application subject to the conditions listed at the beginning of this report.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 13/01350/CT3

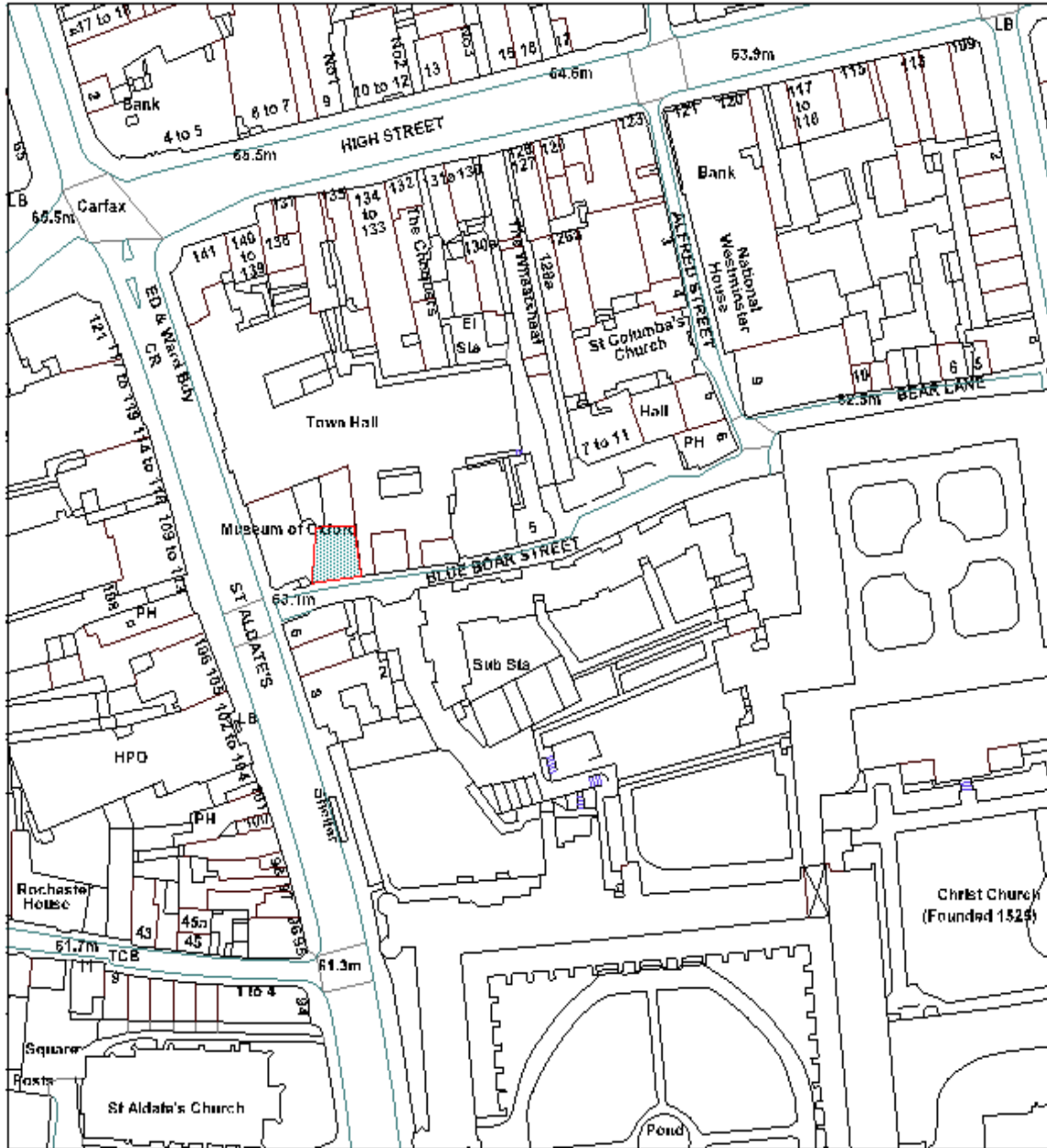
Contact Officer: Matthew Parry

Extension: 2160

Date: 27th June 2013

Appendix 1

The Flat, Town Hall



Scale: 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	13/01350/CT3
Date	20 June 2013
SLA Number	Not Set

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West Area Planning Committee

-9th July 2013

Application Number: 13/00813/CT3

Decision Due by: 31st May 2013

Proposal: Erection of single storey front extension.

Site Address: 7 Boundary Brook Road Oxford Oxfordshire OX4 4AJ
(Location plan – Appendix 1)

Ward: Iffley Fields Ward

Agent: Mr Chris Ridges

Applicant: Oxford City Council

The applicant is Oxford City Council and therefore determination my elected members at Committee is required.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

1. The development is considered to form an acceptable visual relationship with the existing building and local area, is unlikely to have a significant effect on the current and future occupants of adjacent properties and the loss of on-site parking is considered acceptable in this sustainable location. The proposals therefore comply with Policies CP1, CP8, CP10 and CP13 of the adopted Oxford Local Plan 2001 – 2016, Policy CS18 of the Core Strategy and Policies HP9, HP14 and HS16 of the Sites and Housing Plan.
- 2 No objections have been received and comments and recommendations that have been made are addressed in the officers' report.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

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

3 Materials - matching

**Main Local Plan Policies:
Oxford Local Plan 2001-2016 (OLP)**

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

Core Strategy

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan (SHP)

MP1 - Model Policy

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

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

Relevant Site History:

None relevant

Representations Received:

No comments received

Statutory and Internal Consultees:

Drainage Team Manager: No comment

Local Highway Authority: No objection, but suggests submission of further matters to demonstrate no harm to highway safety.

Thames Water: No objection, but refers to legal situation regarding sewers

Issues:

Visual appearance

Effect on adjacent occupiers

Parking

Officers Assessment:

Site description and proposal

2. 7 Boundary Brook Road is a terraced house with a front outrigger housing a single garage and entrance porch.
3. Permission is sought to provide an extended and enclosed porch and convert the back of the garage to a fourth bedroom, retaining a smaller storage area to the front part, with access via the existing garage door. Officers have seen evidence indicating that the ground floor sleeping accommodation is required for a member of the family with special medical needs.
4. Officers note that the conversion of the garage would be Permitted Development under the GPDO, were it not for the inclusion of a porch that would not be Permitted Development. Several other houses in the area have converted their garages to living accommodation.

Visual appearance

5. Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.
6. The visual impact of the proposed development will be modest, with the external changes limited to the porch extension. Due to the run of garage outriggers to properties along the terrace, views of the porch will be limited and it is not considered unacceptably incongruous in its position on the house or the terrace.
7. Subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

Effect on adjacent occupiers

8. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
9. The proposal complies with the 45-degree guidance, is considered unlikely to have a material effect on adjacent occupiers, and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

Parking

10. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of parking. The Sites and Housing Plan makes it clear that different levels of parking will be suited to different areas, and that developers should have regard to current best practice. Oxfordshire County Council has published “Car parking standards for new residential developments” (parking standards) which includes detailed technical guidance on parking space dimensions and visibility, along with a guide to maximum parking provision in Appendix A.
11. Appendix A of the above parking standards suggests that a maximum of two parking spaces should be provided for a house of more than one bedroom.
12. The house currently provides one parking space in the garage that would be lost. Officers note that with a minimum width of 2.3m, the existing garage is narrower than the 3.0m required in the above document and bearing in mind the lack of pressure on on-street parking in the area, the highly sustainable location of the site close to local shops and regular bus services and in light of the special requirements of the occupiers, the loss of the garage is considered acceptable in view of the special circumstances of the occupants.

Access and Highway Safety

13. Policy CP1 of the OLP requires new development to be acceptable in terms of access and highway safety, and to provide suitable access arrangements and facilities for use by all members of the community with special access needs. This is supported by policies CP10 and CP13 which state that access to the site should be practical and that permission will only be granted for development which makes reasonable provision for access by all members of the community, including people with children, elderly people and people with disabilities.
14. The Local Highway Authority raises no objection but suggests the submission of further details to demonstrate that a replacement parking space can be provided in an effort to prevent vehicles being parked in front of the former garage and obstructing the highway. In view of the special circumstances of the occupants, and the absence of parking pressures in the area, Planning officers do not feel this suggestion needs to be pursued at this time.

Conclusion:

15. The development is considered to form an acceptable visual relationship with the existing building and local area, is unlikely to have a significant effect on the current and future occupants of adjacent properties and the loss of on-site

parking is considered acceptable in this sustainable location in view of the circumstances of the occupants.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 13/00813/CT3

Contact Officer: Tim Hunter

Extension: 2154

Date: 27th June 2013

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Appendix 1

13/00813/CT3 - 7 Boundary Brook Road



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Ordnance Survey 100019348

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West Area Planning Committee

9th July 2013

Application Number: 13/01038/FUL

Decision Due by: 26th June 2013

Proposal: Erection of single storey rear extension at basement level.
Erection of canopy to side elevation to create covered pathway.

Site Address: 41 Leckford Road, **Appendix 1.**

Ward: North Ward

Agent: Roland Huggins Architect

Applicant: Mr And Mrs M Jennings

Application called-in by Councillors Fry, Van Nooijen, Fooks and Wilkinson due to overdevelopment and local concerns.

Recommendation: Approve

For the following reasons:

- 1 The proposal is considered to respect the character and appearance of the area, uses materials of a quality appropriate to the nature of the development, the site and its surroundings, will not have a detrimental impact on the special character and appearance of the conservation area and will not impact on the neighbours in a detrimental way.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 SUDs

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
- HE7 - Conservation Areas
- CP10 - Siting Development to Meet Functional Needs

Core Strategy

- CS18 - Urban design, town character, historic environment

Sites and Housing Plan

- HP9 - Design, Character and Context
- HP14 - Privacy and Daylight
- MP1 - Model Policy

Other Material Considerations:

- National Planning Policy Framework
- Application is within the North Oxford Victorian Suburb Conservation Area.

Relevant Site History:

- 13/00274/FUL - Erection of single storey rear extension at basement level and first floor and roof level rear extension. Erection of canopy to side elevation to create covered pathway. Withdrawn.
- 05/00341/PDC - Alterations to kitchen/utility room. Permitted development.
- 03/00068/FUL - First floor rear extension. Approved.
- 02/00055/FUL - Garden shed in rear garden. Approved.
- 01/01636/P – Erection of shed. Permitted development.
- 91/00672/NFH - Rear extension at upper ground floor level and external alterations to existing lower ground floor kitchen at rear. Approved.

Public Consultation

Statutory Consultees:

County Drainage Team Manager – Extension to drain using SUDs methods.

Third Party Comments Received:

5 letters of objections were received from 40, 42, 43, 44 & 45 Leckford Road

The following comments were raised:

- Overdevelopment
- Too large
- Effect on character of the area
- Would set a negative precedent for future extensions
- Plans are contradictory, inaccuracies on size of extension shown.

Determining Issues:

- Design

- Residential amenity

Officers Assessment:

Site:

1. The application site lies on the north side of Leckford Road. The property is in use as a residential house as part of a pair of semi-detached, 3-storey Victorian Oxford yellow brick properties.

Design:

2. Policy CS18 of the Core Strategy (OCS) states that planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the Oxford Local Plan (OLP) and HP9 of the Sites and Housing Plan (SHDPD). Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 suggests that siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area.
3. The application site lies within the North Oxford Victorian Suburb Conservation Area where policy HE7 of the OLP applies. This states that planning permission will only granted for development that preserves or enhances the special character and appearance of the conservation area and its setting.
4. The proposal is a revised design of the previously withdrawn planning application under reference number 13/00274/FUL. The first floor and roof level extensions have been removed entirely and the rear basement extension has been reduced in length.
5. The proposed single storey rear basement extension would extend the entire width of the house and would be 4.0m from the existing kitchen wall to the new proposed bay window. It would be constructed of matching brickwork and extend to 3.4m in height with a flat roof. The roof would have a glazed roof lantern adding a further 0.20m in height overall. There is a brick boundary wall with trellis fencing above between properties 40 and 41, and 41 and 42 Leckford Road.
6. The application also proposes a new side covered passage starting above the existing side gate. The passage would be 7.6m in length, 1.25m wide and 2.9m high with a lean to roof. The covered passage would consist of timber strutting with natural slates on the lean to roof. Officers consider the covered timber framed side passage forms an appropriate visual relationship with the existing housing and surrounding area.
7. The only other alteration is the removal of the rear door at ground floor

level to be replaced with a window.

8. Several comments have been received with regard to the design of the proposed extension having a detrimental impact upon the character and appearance of the conservation area, especially in terms of overdevelopment of the site given the already previous extensions that have been allowed.
9. There are a few houses along the north side of Leckford Road have been altered and extended, including no.40 which has an extension that mirrors no.41's. These alterations over time have as a result, changed the character of these properties at their rears, both individually and collectively, when viewed together. Whilst the proposed rear basement extension would increase the footprint of no. 41 further than those along the north side, the basement extension is considered to form an appropriate visual relationship with the existing dwelling, and officers consider that this does not create any material harm to the appearance of the building. The proposal will create a large footprint at basement level. However it is not considered that this will be harmful to the character of the area, as stated above, and the rear elevation of these houses are not visible from the public realm. They would therefore have no adverse impact upon the character and appearance of the conservation area in terms of public perception, other than where there are glimpses of the property from neighbouring houses.
10. As submitted there were however some inconsistencies in the application drawings with the size of the proposed basement extension differing on the floor plans and the elevations plans. Amended plans have been received however correcting the error, and which have not changed officers' assessment of the case. The amended plans show that the length of the proposed basement extension to be 3.9m in length from the kitchen rear wall to the new bay window.
11. Officers consider that the proposal respects the character and appearance of the area, uses materials of a quality appropriate to the nature of the development, the site and its surroundings. The proposal retains the important 'gap' between the houses and is considered to preserve the special character and appearance of the conservation area and therefore complies to policies CP1, CP6, HE7 and CP8 of the OLP; HP9 of the SHPDPD and CS18 of the OCS.

Residential Amenity

12. Policies HP.14 of the SHPDPD and CP.10 of the OLP require the appropriate siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties. Proposals are assessed in terms of potential for overlooking into habitable rooms or private open space. The proposal is considered not to give rise to any issues of overlooking of or loss of privacy as the basement extension is

located below natural ground level. It is noted that letters of comment to not refer to this aspect of the proposals.

13. Policy HP.14 of the SHPDPD also sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45 degree code of practice, detailed in Appendix 7 of the OLP.

14. Again, as the proposed extension is below ground level it would not cause any breach of the 45/25 lines and therefore cause no loss of sunlight / daylight to the neighbouring properties.

15. Officers consider that the application complies with the aims and objectives of Policy HP14 of the SHP and CP10 of the OLP, which seeks to safeguard the amenities of adjoining properties and is therefore considered acceptable in this regard.

Conclusion: Officers have concluded that the proposals have responded to the concerns surrounding the withdrawn planning application of earlier this year and can be supported accordingly.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 13/01038/FUL

Contact Officer: Davina Sarac

Date: 26th June 2013

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Appendix 1

13/01038/FUL - 41 Leckford Road



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Agenda Item 7

Monthly Planning Appeals Performance Update – May 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 31 May 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 31 May 2013.

Table A. BV204 Rolling annual performance (to 31 May 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	(33%)	4 (40%)	12 (32%)
Dismissed	32	67%	6 (60%)	26 (68%)
<i>Total BV204 appeals</i>	48		10	38

Table B. BV204: Current Business plan year performance (1 April to 31 May 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	2	(22%)	1(33%)	1 (17%)
Dismissed	7	78%	2 (67%)	5 (63%)
<i>Total BV204 appeals</i>	9		3	19

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

Table C. All planning appeals (not just BV204 appeals): Rolling year to 31 May 2013

	Appeals	Percentage performance
Allowed	19	(34%)
Dismissed	36	66%
All appeals decided	55	
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 May 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 May 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 1/5/13 And 31/5/13

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
12/01394/FUL	12/00048/REFUSE	DELCOM	PER	DIS	08/05/2013	SUMMTN	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT	Erection of 2x2 bedroom dwellings. Provision of cycle parking, bin stores and private amenity
12/02459/FUL	13/00003/REFUSE	DELCOM	PER	ALC	08/05/2013	SUMMTN	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT	Erection of 2x2 bedroom semi-detached dwellings (Class C3).
12/02089/FUL	12/00051/REFUSE	DEL	REF	DIS	15/05/2013	QUARIS	42 Collinwood Road Oxford Oxfordshire OX3 8HJ	Erection of two storey side extension. Conversion of existing dwelling to provide 2 x1 bed flats and provision of replacement 3 bed dwelling house in extension. Provision of bin and cycle stores and forecourt parking
12/02146/FUL	13/00001/REFUSE	DEL	SPL	DIS	15/05/2013	CHURCH	11 Old Road Headington Oxford Oxfordshire OX3 7JY	Erection of a single storey rear extension and rear dormer window (retrospective)
12/01926/FUL house	12/00052/REFUSE	DEL	REF	DIS	22/05/2013	HEAD	7 Stephen Road Headington Oxford OX3 9AY	Erection of two storey two bedroom dwelling (Use Class C3).

Total Decided: 5

Table E Appeals Received Between 1/5/13 And 31/5/13

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
12/01970/FUL	13/00018/REFUSE	COMM	REF	I	44 St Thomas Street Oxford Oxfordshire OX1 1JP	CARFAX	Alterations and conversion of existing building to provide 6 x 1 bedroom dwellings (Amended plans)
12/02914/ADV	13/00021/REFUSE	DEL	REF	W	146 Cowley Road Oxford Oxfordshire OX4 1JJ	STMARY	Installation of 1 x illuminated fascia sign to the front elevation. (Retrospective)
12/03159/FUL	13/00019/REFUSE	DEL	REF	W	78B St Clement's Street Oxford Oxfordshire OX4 1AW	STCLEM	Erection of three storey rear extension and internal alterations to create enlarged 8-bedroom HMO (Sui Generis). Insertion of basement level door to front elevation and 4 x windows to rear elevation.
12/03277/FUL	13/00020/REFUSE	DEL	REF	H	14 Bainton Road Oxford Oxfordshire OX2 7AF	STMAR	Extension to create 3rd storey on existing 2 storey dwelling
13/00127/FUL	13/00024/REFUSE	DEL	REF	W	33 William Street Marston Oxford OX3 0ES	MARST	Erection of 1 x 2 bedroom dwelling (Use Class C3) in rear garden of no.33 William Street. Provision of 1 parking space. (Amended plans)
13/00706/FUL	13/00025/REFUSE	DEL	REF	W	62 Kennett Road Oxford Oxfordshire	HEAD	Erection of single storey side and rear extension to existing subdivided building to create 1 x 1 bed flat (Class C3) with access from Bateman Street. Alterations to vehicle parking, cycle parking, bin storage and amenity space.

(Table E continued overleaf)

Total 6

Enforcement Appeals Received Between 1/5/13 And 31/5/13

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

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00544/ENF	13/00023/ENFORC	I	Cedar House 2B Bladon Close Oxford Oxfordshire OX2 8AD	WOLVER	Alleged new dwelling not built in accordance with approved plans (planning permission reference: 11/01398/FUL)
12/00600/ENF	13/00026/ENFORC	W	29 Harcourt Terrace Oxford Oxfordshire OX3 7QF	CHURCH	Alleged erection of rear dormer without planning permission

Total 2

WEST AREA PLANNING COMMITTEE

Tuesday 11 June 2013

COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Gotch (Vice-Chair), Benjamin, Canning, Clack, Goddard, Khan and Paule.

OFFICERS PRESENT: Lois Stock (Democratic and Electoral Services Officer), Michael Morgan (Law and Governance), Katharine Owen (Conservation Officer), Chris Leyland (Tree Officer), Murray Hancock (City Development) and Clare Golden (City Development)

1. ELECTION OF CHAIR FOR THE COUNCIL YEAR 2013/14

Resolved to elect Councillor Oscar Van Nooijen as Chair for the Council Year 2013/14

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

Resolved to elect Councillor Mike Gotch as Vice Chair for the Council Year 2013/14

3. START TIME OF MEETINGS

Resolved that West Area Planning Committee meetings will start at 6.30pm during the Council Year 2013/14.

4. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The following apologies for absence were received:-

Councillor Cook - Councillor Khan substituted;
Councillor Jones – Councillor Goddard substituted;
Councillor Tanner – Councillor Paule substituted;

5. DECLARATIONS OF INTEREST

None

6. FOUR PILLARS HOTEL, ABINGDON ROAD: 12/03100/FUL

This application was withdrawn by the applicant before the meeting.

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

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the removal of two lime trees and their replacement with four *fastigiata beech* trees at Lady Margaret Hall, Norham Gardens (application number 06/01796/CND3).

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

Resolved to REFUSE the application for reasons set out in the planning officer's report.

8. PLANNING APPEALS

Resolved to note the report on planning appeals received and determined during April 2013.

9. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 8th May 2013.

10. FORTHCOMING APPLICATIONS

Resolved to note the following list of forthcoming applications:-

- 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

Resolved to note 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 10 September 2013 (and Thursday 12 September if necessary)
Tuesday 8 October 2013 (and Thursday 10 October if necessary)
Tuesday 12 November 2013 (and Thursday 14 November if necessary)
Tuesday 10 December 2013 (and Thursday 12 December if necessary)

The meeting started at 6.00 pm and ended at 6.16 pm

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