

Agenda

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West Area Planning Committee

Date: **Tuesday 24 June 2014**

Time: **6.30 pm**

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

For any further information please contact:

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West Area Planning Committee

Membership

Chair

Vice-Chair

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

The quorum for this Committee is 5 members.

HOW TO OBTAIN AGENDA

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AGENDA

Pages

1 ELECTION OF CHAIR FOR THE COUNCIL YEAR 2014/15

Election of Chair for the Council Year 2014/15

2 ELECTION OF VICE-CHAIR FOR THE COUNCIL YEAR 2014/15

Election of Vice-Chair for the Council Year 2014/15

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4 DECLARATIONS OF INTEREST

5 32 LITTLE CLARENDON STREET AND 126 AND 127 WALTON STREET - 14/00450/FUL

17 - 30

The Head of City Development has submitted a report which details a planning application for a change of use from Use Class A1 (Shops) to Use Class A3 (Restaurants and cafes).

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) Hours of use
- (4) Removal of PD rights to change from A3 to A2
- (5) Details of extraction equipment required
- (6) Details of refuse storage and its management required

6 3-9 ELSFIELD WAY AND LAND AT REAR OF 478 AND 480 BANBURY ROAD- 14/00429/FUL

31 - 50

The Head of City Development has submitted a report which details a planning application for the demolition of existing houses at 3 to 9 Elsfeld Way. Erection of 4 x 1-bed and 18 x 2-bed flats to frontage with 6 x 4-bed houses to rear. Provision of 40 car parking spaces, amenity space together with bin and cycle stores. New vehicular access and slip roads from Elsfeld Way (A40). (Amended plans) (Amended description)

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

- (1) The development proposed would result in a significant intensification of a substandard vehicular access onto a high speed dual carriageway that would result in a substantial increase in difficult and

dangerous manoeuvres into and out of the site to the detriment of the safety of users of the highway and the free flow of the highway network, contrary to the requirements of policy CP1 of the Oxford Local Plan 2001-2016 as well as guidance set out in the National Planning Policy Framework.

- (2) The proposals would involve alterations to the public highway to include vehicular entry and exit slipways to the site. These alterations would adversely affect the future operation and deliverability of a fully committed and funded scheme by the Local Highway Authority to carry out major alterations to the Cutteslowe Roundabout to improve traffic flows and congestion on the A40. Consequently the proposals would have unacceptable impacts on wider traffic generation and vehicular movements through the city contrary to the requirements of policy CP1 of the Oxford Local Plan 2001-2016 as well as guidance set out in the National Planning Policy Framework.
- (3) The development fails to provide on-site provision of affordable housing without robust justification for a number of assumptions, costs and land values included within the submitted viability appraisal justifying this approach, and as such the proposals fail to make the necessary contribution towards affordable housing in the City to the detriment of the mix and balance of the local community contrary to the requirements of policy HP3 of the Sites and Housing Plan 2011-2026 as well as policy CS24 of the Oxford Core Strategy 2026 and guidance contained within the National Planning Policy Framework.
- (4) The development fails to provide an adequate mix of dwellings on the site to meet the identified future housing needs of the community of Oxford contrary to the requirements of policy CS23 of the Oxford Core Strategy 2026 and guidance set out in the National Planning Policy Framework.
- (5) The proposed development represents a significant and unacceptable overdevelopment of the site which fails to respect the layout, density, greenery and open space provision that characterises its suburban residential context. As a result the proposals fail to accord with the requirements of policies CP1, CP6, CP8, CP9, CP10 and CP11 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9 and HP10 of the Sites and Housing Plan 2011-2026.
- (6) The outdoor amenity spaces proposed to serve the proposed dwellings are considered to be unacceptable in quality and quantity to the detriment of the quality of living of future occupiers of the dwellings contrary to the requirements of policy CP10 of the Oxford Local Plan 2001-2016 as well as policies HP13 and HP14 of the Sites and Housing Plan 2011-2026.
- (7) Having regard to its close proximity to the road in combination with its significant overall mass, height and bulk, the building proposed at the front of the site would be obtrusively large and prominent within the streetscene and therefore out of character with its more spacious suburban setting evident in the relationship between the majority of existing surrounding buildings and the road frontage. As a consequence the development would fail to successfully integrate

within its context which would be exacerbated by its highly prominent location, contrary to the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policy HP9 of the Sites and Housing Plan 2011-2026.

- (8) The development involves the creation of a new access road outside a controlled parking zone. As a result of the lack of unallocated parking spaces to serve future residents and their visitors, the site would be likely to be subject to significant internal parking congestion adversely affecting vehicle manoeuvring within the site as well as the amenity enjoyed by future occupiers of the dwellings. Parking congestion within the site would also be likely to give rise to pressure for overspill parking. As a consequence the proposals fail to accord with the requirements of policy CP1 of the Oxford Local Plan 2001-2016 as well as policy HP16 of the Sites and Housing Plan 2011-2026.
- (9) The development proposes the loss of a substantial number of existing trees on the site. The excessively close proximity of the proposed front building to the site frontage prevents meaningful compensatory soft landscaping and precludes the planting of trees without creating a poor spatial relationship with the south elevation of the building. As a result the development fails to adequately mitigate lost trees and soft landscape features on the site and does not provide an appropriate balance between the natural and built environment to the detriment of the character and appearance of the area and the streetscene, contrary to the requirements of policies CP1, CP11, NE15 and NE16 of the Oxford Local Plan 2001-2016.
- (10) The development proposes dwellings within close proximity of the A40 with the result that future occupiers of the development would experience significant noise disturbance and, in the absence of any form of noise assessment, the local planning authority cannot conclude that the living conditions of future occupiers would be of an acceptable standard. Consequently the proposals fail to accord with the requirements of policies CP1 and CP21 of the Oxford Local Plan 2001-2016 in this respect.

7 COVERED MARKET, HIGH STREET, OXFORD - 14/01212/CT3 AND 14/011213/CT3

51 - 58

The Head of City Development has submitted a report which details planning applications as follows:

- (a) Application 14/01212/CT3 – Removal of flat roofs and erection of roofs with roof lights. Replacement of plastic cladding with grilles, new pentice roof at Avenue 2 and other works.
- (b) Application 14/01213/CT3 – Listed Building Consent for removal of flat roofs and erection of roofs with roof lights. Replacement of plastic cladding with grilles, new pentice roof at Avenue 2 and other works.

Officer recommendation:

(a) That application 14/01212/CT3 be APPROVED subject to the following conditions:

- (1) Development begun within time limit
- (2) Develop in accordance with approved plans
- (3) Samples in Conservation Area
- (4) Archaeology: Implementation of programme

(b) That application 14/01213/CT3 has no objections to it subject to the following conditions:

- (1) Commencement of works/LB/CAC consent
- (2) LB consent – works as approved only
- (3) 7 days' notice LPA
- (4) LB notice of completion
- (5) Further works – fabric of LB – fire regulations
- (6) Repair of damage after works
- (7) Materials - samples

8 PUBLIC CONVENIENCES - SPEEDWELL STREET, OXFORD - 14/00763/CT3

59 - 64

The Head of City Development has submitted a report which details a planning application for the erection of a single storey front extension and insertion of timber doors to side elevation.

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 as approved, brickwork to match the existing, metal sheet faced timber doors painted Oxford Blue, BDC3965/07

9 ST. ANDREW'S CHURCH, LINTON ROAD, OXFORD - 14/00953/VAR

65 - 72

The Head of City Development has submitted a report which details a planning application for the variation of condition 2 (Develop in accordance with approved plans) of planning permission 13/02966/VAR (Variation of condition 2 (Develop in accordance with approved plans) of planning permission 12/00565/FUL (Proposed single and two storey side extension) to allow increase the size of a kitchen and insertion of two louvres to form basement. (Retrospective)

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

- 1 Development begun within time limit
- 2 In accordance with approved plans
- 3 Materials
- 4 Landscape plan required
- 5 Landscape carry out after completion

- 6 Landscape underground services - tree roots
- 7 Tree Protection Plan (TPP) 1
- 8 Construction Travel Plan
- 9 SUDS
- 10 Glazing on southern elevation
- 11 Cycle Parking facilities
- 12 Details of buggy store
- 13 Sustainability design/construction
- 14 Boundary details before commencement
- 15 Details photovoltaics
- 16 Architectural recording
- 17 Mortar
- 18 Stability of heritage fabric
- 19 Details of bin store
- 20 Details of cooking scheme etc.
- 21 Noise restriction

10 46 HYTHE BRIDGE STREET - 14/00651/FUL

73 - 84

The Head of City Development has submitted a report which details a planning application for the conversion of existing building to form 6x1 bedroom flats (Use Class C3)

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

- (1) The flats proposed fail to provide an acceptable internal living environment in that they do not meet the Lifetime Homes standard and no evidence has been adduced to justify a departure from that standard. The scheme therefore fails to meet the requirements of Policy HP2 of the adopted Sites and Housing Plan 2011-2026;
- (2) The scheme fails to provide flats 2 and 3 with adequate daylight, outlook and privacy due to their orientation, position within the block and the proximity of cycle parking. The scheme therefore fails to meet the requirements of Policies HP12 and HP14 of the adopted Sites and Housing Plan 2011-2016;
- (3) The location and design of the bin store will detract from the external appearance of the building, the street scene and the conservation area. Moreover it will not provide safe, discrete or convenient refuse storage for residents of the development and will interfere with the functioning of the local area. The proposal therefore fails to comply with Policy HP13 of the adopted Sites and Housing Plan 2011-2016;
- (4) By failing to provide an Energy Statement with the application, the proposal fails to demonstrate how the scheme will assist in moving towards a low carbon future. The scheme therefore fails to meet the requirements of Policy CS9 of the adopted Core Strategy 2026 and Policy HP11 of the adopted Sites and Housing Plan 2011-2026;
- (5) A contribution towards affordable housing elsewhere in Oxford is not proposed as part of the application, nor has a financial viability study been submitted to demonstrate why this policy should be set aside in this case contrary to Policy CS24 of the adopted Core Strategy 2026

or Policy HP4 of the adopted Sites and Housing Plan 2011-2026.

11 40 MARSTON STREET, OXFORD - 14/01054/FUL

85 - 92

The Head of City Development has submitted a report which details a planning application for the erection of a part single, part two storey rear 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

12 5 CANNING CRESCENT - 14/00209/FUL AND 14/00215/FUL

93 - 102

The Head of City Development has submitted a report which details a planning application for Erection of a two storey extension to the rear elevations Ref: PD2)

Officer recommendation:

(a) That application 14/00209/FUL be REFUSED for the following reasons:

(1) By reason of its size, scale and bulk, the extensions proposed would form an incongruous and disproportionate development that would unacceptably erode the form and detailing of the existing house and therefore be harmful to the suburban character of the surrounding development and adversely affect views from Weirs Mill Stream footbridge and Weirs Mill Stream contrary to policies CP1, CP6, CP8, CP9 and CP10 of the Oxford Local Plan and CS18 of the Core Strategy.

(2) Having regard to the scale and significant massing of the proposed buildings as extended, as well as the amount of fenestration at the first floor level, the proposed development would have a visually intrusive appearance when experienced from rear gardens of 3 and 7 Canning Crescent which would significantly reduce the actual and perceived privacy that occupiers of neighbouring properties currently enjoy. Consequently the proposals fail to adequately safeguard established residential amenity contrary to the requirements of policies CP1 and CP10 of the Oxford Local Plan 2001-2016 as well as policy HP14 of the Sites and Housing Plan 2011-2026.

(b) That application 14/00215/FUL be REFUSED for the following reasons:

(1) By reason of its size, scale and bulk, the extensions proposed would form an incongruous and disproportionate development that would unacceptably erode the form and detailing of the existing house and therefore be harmful to the suburban

character of the surrounding development and adversely affect views from Weirs Mill Stream footbridge and Weirs Mill Stream, contrary to policies CP1, CP6, CP8, CP9 and CP10 of the Oxford Local Plan and CS18 of the Core Strategy.

- (2) Having regard to the scale and significant massing of the proposed buildings as extended, as well as the amount of fenestration at the first floor level, the proposed development would have a visually intrusive appearance when experienced from rear gardens of 3 and 7 Canning Crescent which would significantly reduce the actual and perceived privacy that occupiers of neighbouring properties currently enjoy. Consequently the proposals fail to adequately safeguard established residential amenity contrary to the requirements of policies CP1 and CP10 of the Oxford Local Plan 2001-2016 as well as policy HP14 of the Sites and Housing Plan 2011-2026.

13 9 FYFIELD ROAD - 14/00910/FUL

103 - 112

The Head of City Development has submitted a report which details a planning application for the erection of single storey extension to rear elevation, with basement below and 2 no. lightwells. Erection of four storey extension to side elevation including insertion of new dormer window to side roof slope and 1 no. velux window. Provision of new cast iron railings to site frontage.

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) Sample Panel
- (4) Obscure glass
- (5) Railings – Further details
- (6) Tree Protection Plan (TPP)2
- (7) Landscaping
- (8) Arch – Implementation of programme prehistoric remains

14 66 CARDIGAN STREET, OXFORD - 14/00961/FUL

113 - 120

The Head of City Development has submitted a report which details a planning application for the erection of a part single, part two storey rear 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 as specified
- 4 Ground resurfacing - SUDS compliant
- 5 Flooding: floor levels

15	48 PLANTATION ROAD, OXFORD - 14/01235/FUL	121 - 130
	<p>The Head of City Development has submitted a report which details a planning application for the demolition of Existing garage. Erection of part-single, part-two storey extension to side elevation and two storey extension to rear elevation. Extension to existing basement.</p> <p>Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions:</p> <ol style="list-style-type: none">(1) Development begun within time limit(2) Develop in accordance with approved plans(3) Samples in Conservation Area Walton Manor(4) Amenity no additional windows to side(5) Archaeology – implementation of programme(6) Landscaping(7) Tree Protection Plan	
16	PLANNING APPEALS	131 - 142
	<p>To receive information on planning appeals received and determined during April and May 2014.</p> <p>The Committee is asked to note this information.</p>	
17	MINUTES	143 - 148
	<p>Minutes of the meeting held on 7th May 2014</p>	
18	FORTHCOMING APPLICATIONS	
	<p>The following items are listed for information. They are not for discussion at this meeting.</p> <ul style="list-style-type: none">• 16 Crick Road, Oxford – 14/00962/FUL – Extensions• Elsfeld Way, Oxford – 13/03454/CT3 – Residential• Former Builders Yard, Collins Street, Oxford – 14/01273/OUT – Employment and residential• Former Filling Station, Abingdon Road, Oxford – 13/02638/FUL – Residential• Former Paper Mill, Mill Street, Wolvercote, Oxford – 13/01861/OUT – Residential• Becket Street – 14/01160/FUL – Temporary car park• 125 Harefiels – 14/01255/CEU – Lawful Development Certificate• 12-15 Bath Street – 14/01272/FUL - Extensions	
19	DATE OF NEXT MEETING	
	<p>The Committee will meet on the following dates:</p>	

2014

Tuesday 22nd July (Wednesday 23rd July if necessary)
Tuesday 12th August (Thursday 14th August if necessary)
Tuesday 9th September (Thursday 11th September if necessary)
Wednesday 8th October (Thursday 9th October if necessary)
Wednesday 12th November (Thursday 13th November if necessary)
Wednesday 10th December (Thursday 11th December if necessary)

2015

Tuesday 13th January (Thursday 15th January if necessary)
Tuesday 10th February (Thursday 12th February if necessary)
Tuesday 10th March (Thursday 19th March if necessary)
Tuesday 14th April (Thursday 16th April if necessary)
Tuesday 12th May (Thursday 14th May 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.

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;
 - (d) 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;
 - (e) 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 Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

4. Preparation of Planning Policy documents – Public Meetings

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

5. Public requests to speak

Members of the public wishing to speak must notify the Chair or the Democratic Services Officer before the beginning of the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda) or given in person before the meeting starts.

6. Written statements from the public

Members of the public and councillors can send the Democratic Services Officer written statements to circulate to committee members, and the planning officer prior to the meeting. Statements are accepted and circulated up to 24 hours before the start of the meeting.

Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising.

7. Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention at least 24 hours before the start of the meeting so that members can be notified.

8. Recording meetings

Members of the public are reminded that the recording of the meeting (audio or visual) is not permitted without the consent of the Committee, which should be sought via the Chair.

9. Meeting Etiquette

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.

10. 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.