

Agenda

www.oxford.gov.uk



Planning Review Committee

Date: **Wednesday 29 October 2014**

Time: **6.00 pm**

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

For any further information please contact:

Sarah Claridge, Committee and Member Services Officer

Telephone: 01865 252402

Email: sclaridge@oxford.gov.uk

As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

Planning Review Committee

Membership

Chair	Councillor James Fry	North;
Vice-Chair	Councillor Jean Fooks	Summertown;
	Councillor Stephen Goddard	Wolvercote;
	Councillor David Henwood	Cowley;
	Councillor Sam Hollick	Holywell;
	Councillor Pat Kennedy	Lye Valley;
	Councillor Mark Lygo	Churchill;
	Councillor Dee Sinclair	Quarry and Risinghurst;
	Councillor Ed Turner	Rose Hill and Iffley;

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

HOW TO OBTAIN A COPY OF THE 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

A copy of the agenda may be:-

- Viewed on our website – mycouncil.oxford.gov.uk
- Downloaded from our website
- Subscribed to electronically by registering online at mycouncil.oxford.gov.uk
- Sent to you in hard copy form upon payment of an annual subscription.

AGENDA

Pages

1 APOLOGIES FOR ABSENCE

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.

3 117 FAIRACRES RD - 14/01012/FUL

1 - 10

The Head of City Development has submitted a report which details a planning application for a two storey rear extension, two velux style roof lights to side roof slope and porch to front door (Amended description)

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 Amenity - no windows to side
- 5 Sustainable drainage
- 6 Details excluded submit revised plans
- 7 Flood proofing
- 8 Floor levels

4 MINUTES

11 - 12

Minutes from 9 July 2014

Recommendation: That the minutes of the meeting held on 9 July 2014 be APPROVED as a true and accurate record.

5 DATES OF FUTURE MEETINGS

The following dates are scheduled for meetings of this Committee:-

25 November 2014
30 January 2014

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.

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.

4. 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.

5. 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.

6. 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.

7. Recording meetings

Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best plan to record. You are not allowed to disturb the meeting and the Chair will stop the meeting if they feel a recording is disruptive.

The Council asks those recording the meeting:

- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
- To avoid recording members of the public present unless they are addressing the meeting.

For more information on recording at meetings please refer to the Council's [Protocol for Recording at Public Meetings](#)

8. 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.

9. 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.

Planning Review Committee

29 October 2014

Application Number: 14/01012/FUL

Decision Due by: 5th June 2014

Proposal: Two storey rear extension, two velux style roof lights to side roof slope and porch to front door (Amended description)

Site Address: 117 Fairacres Road Oxford, Oxfordshire

Ward: Iffley Fields

Agent: Mr Steve Palmer

Applicant: Lumar Developments Ltd

Application Called in – Called in by Councillor Benjamin and supported by Cllrs Brandt, Simmons, Goddard, Thomas, Wilkinson, Fooks, Wade, Tarver, van Nooijen, Fry, Kennedy, Malik, Clarkson and Hollingsworth,

Because of Highways Authority concerns about the lack of detail of parking arrangements, parking access issues, and the size and impact of the extension in relation to neighbouring properties.

1. This report should be read in conjunction with the officers' report to the West Area Planning Committee 2nd October 2013 attached as **Appendix 2**. The following paragraphs should be read as an addendum to that report. As set out above, Members are concerned about parking and access, as well as the proposed extension. The acceptability of the extension is set out in the attached original report and officers do not have anything to add to that. Further comments have been received from the Local Highway Authority (LHA), are copied in **Appendix 1** and discussed below.
2. As can be seen from the emails from the LHA set out below, the LHA has confirmed that their Holding Objection no longer stands, because this issue has been addressed by the removal of parking to the front corner of the curtilage. The LHA further confirm that they have no objection to the extension and renovation works going ahead without any additional frontage parking; that outstanding details of the "driveway/parking" proposal could be dealt with by a condition (details to be submitted and approved etc.) and that there would be no other objection to the proposal.
3. The LHA has also accepted the presence of the garage and gates to the site pre-2013 and those "rights of way" issues would not be a problem for the applicant. Your officers consider that this access issue is one for the applicant to address, is not a planning issue and are advised by the applicant that they are confident of this right of access. Officers advise that the relevant section of Meadow Lane is not obstructed by bollards when approached from Fairacres Road, and that access is currently at least physically possible by motor car.

4. Officers believe that the impact of the extension on neighbouring properties was dealt with in the officers' report attached below.

Recommendation

5. Given that there are no outstanding Highway Safety issues from the LHA and the extension complies with the Council's policies, your officers' recommendation is that planning permission be **GRANTED** subject to the conditions set out in the attached report.

Background Papers: 13/01929/FUL

Contact Officer: Tim Hunter

Extension: 2164

Date: 21st October 2014

Emails from the LHA.

Email of 20th October 2014 at 11.26: The revised drawing (0254/3/F) removes the previously proposed front curtilage parking (that Kerry was seeking further details of) and replaces it as 'driveway/parking' in the area of what was originally to be the 'vacant plot'. Kerry's holding objection has been addressed and no longer stands.

It is clear that the extension and renovation works to 117 Fairacres Road will go ahead without any additional frontage parking and there are no objections to that.

No details of the 'driveway/parking' proposal have been presented but this could be a condition (details to be submitted and approved etc.) if necessary.

I understand that this section of Meadow Lane is a busy private road that is closed to vehicular traffic and is used by cyclists and pedestrians (including schoolchildren)...

Email of 20th October 2014 at 13.11: The presence of the garage and gates in 2013 would seem to indicate that 'rights of way' issues would not be a problem for the applicant.

Removing the parking references from the latest drawing would be fine by me but I'd be quite happy to leave these references and have a couple of conditions (parking details to be submitted and approved prior to commencement; and details of the works to be carried out in Meadow Lane to be submitted and approved prior to commencement).

Either way I would have no objection to the proposal.

West Area Planning Committee

8th October 2014

Application Number: 14/01012/FUL

Decision Due by: 5th June 2014

Proposal: Two storey rear extension, two velux style roof lights to side roof slope and porch to front door (Amended description)

Site Address: 117 Fairacres Road Oxford Oxfordshire; **Appendix 1**

Ward: Iffley Fields Ward

Agent: Mr Steve Palmer

Applicant: Lumar Developments Ltd

Application Called in – by Councillors – Benjamin, Williams, Hollick and Simmons

for the following reasons - so that it can be decided in public.

Recommendation: West Area planning Committee is recommended to approve the application for the following reasons and subject to and including conditions listed below.

Reasons:

- 1 The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding, parking and overlooking can be dealt with by condition and the proposals therefore comply with Policies CP1, CP8 and CP10 of the adopted Oxford Local Plan 2001 – 2016, Policies CS11 and CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan.
- 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Amenity - no windows to side
- 5 Sustainable drainage
- 6 Details excluded submit revised plans
- 7 Flood proofing
- 8 Floor levels

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 (CS)

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan (SHP)

MP1 - Model Policy

HP9_ - Design, Character and Context

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Oxford City Council Planning Design Guide 1 – Corner Site Extensions
(Design Guide1)

Relevant Site History:

74/00788/A_H - Erection of garage and two storey extension to existing dwelling house. PER 6th September 1974.

13/01122/FUL - Erection of a two storey rear extension. Demolition of existing single storey rear garage and erection of 2 storey garage with accommodation ancillary to the dwelling house.. WDN 19th August 2013.

Representations Received:

A considerable number of comments and objections have been received. Many of these relate to the proposed subdivision of the plot and parking to the front corner of the site (elements that have now been removed from the current plans), as well as design considerations, problems of access and parking, flooding, neighbour amenity, boundary treatment and possible future use.

Statutory and Internal Consultees:

Local Highways Authority: Holding objection pending submission of parking plan.

Environment Agency: Refer to Standing Advice – should not have been consulted.

Issues:

The main issues are considered to be:

- Visual impact
- Effect on adjacent occupiers
- Flooding
- Parking

Officers Assessment:

Site description and Proposal

1. 117 Fairacres Road is a detached property on a corner plot, siding onto Meadow Lane, a pedestrian and cycle route with limited vehicular access. A former garage to the rear of the plot has been demolished and the vehicular access to Meadow Lane is currently blocked and unpractical, although it would appear that this could be brought back into use without the need for consent from the Local Planning Authority.
2. The application as originally submitted showed extensions to the house, along with a subdivision of the plot and replacement parking to the front corner of the plot.
3. The subdivision of the plot and replacement parking have now been removed from the proposed plans, as has a double garage shown at the rear of the plot that was shown on one of the amended plans. The form of the extension has also been revised, with a marginally smaller footprint (now set back some 200mm further from Meadow Lane) and fully pitched roof instead of the pitched/flat roof in the original plans.

Visual impact

4. 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 existing building and local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.
5. Oxford City Council Planning Design Guide 1 – Corner Site Extensions seeks to ensure that houses on corner sites are not unbalanced by excessively wide side extensions that dominate the existing houses.
6. The proposed extensions would be easily visible from the public domain. The porch is relatively small in scale and the pitched roof element reflects the roof of the main house. The two storey rear extension (side extension when viewed from Meadow Lane) is set in from both flank walls and whilst somewhat bulky is considered to preserve an acceptable visual relationship with the existing house and area and to adequately reflect the aims of Design Guide 1.
7. Officers consider that the pitched roof design, whilst higher, is preferable to the semi flat roof approach originally submitted. Overall, and 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 is therefore in accordance 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.
9. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
10. The proposal complies with the 45-degree guidance and subject to a condition to prevent an unacceptable increase in overlooking of 115 Fairacres Road by the formation of any new side facing windows, will not have an unacceptable effect on adjacent properties and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

Flooding

11. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk, floodwater flows and flood water storage, and require a flood risk assessment to be prepared for applications in areas of low lying land.

12. The application site is within an area of low-lying land and no flood risk assessment (FRA) has been supplied. However, bearing in mind that this would have taken the form contained within the Environment Agencies Standing Advice and related only to floor levels and consideration of flood proofing measures, it is considered that this issue can be adequately dealt with by conditions of any grant of planning permission.
13. The development will also add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, it is considered that the proposals will not result in an unacceptable risk of flooding in accordance with Policy CS11 of the Core Strategy.

Parking

14. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. The Sites and Housing Plan makes it clear that different levels of parking will be suited to different areas, the design of car parking spaces is vitally important to the success of development, 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.
15. Appendix A of the above parking standards suggests that a maximum of two parking should be provided for a house of more than one bedroom. Most of the houses on Fairacres Road provide no parking on site and the pressure for on street parking is therefore considerable. 117 has the opportunity to provide parking adjacent to Meadow Lane in the area of the previous garage and bearing in mind the proposed increase to the level of accommodation to the existing house, it is considered reasonable for any grant of planning permission to be conditional on this parking area being brought back into use.
16. The current proposal shows an amended access to the rear of the plot. This change was consulted on for an additional period of 14 days. However, it does not show the exact layout of the parking and for this reason, it is considered reasonable to require the submission of further details relating to parking provision to ensure these details comply with Policy CP1 of the OLP and HP 16 of the Sites and Housing Plan.

Conclusion:

It is considered that the development would form an acceptable visual relationship with the existing building and local area and would not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding, parking and overlooking can be dealt with by condition West Area Planning

Committee is therefore recommended to approve the application.
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: 14/01012/FUL

Contact Officer: Tim Hunter

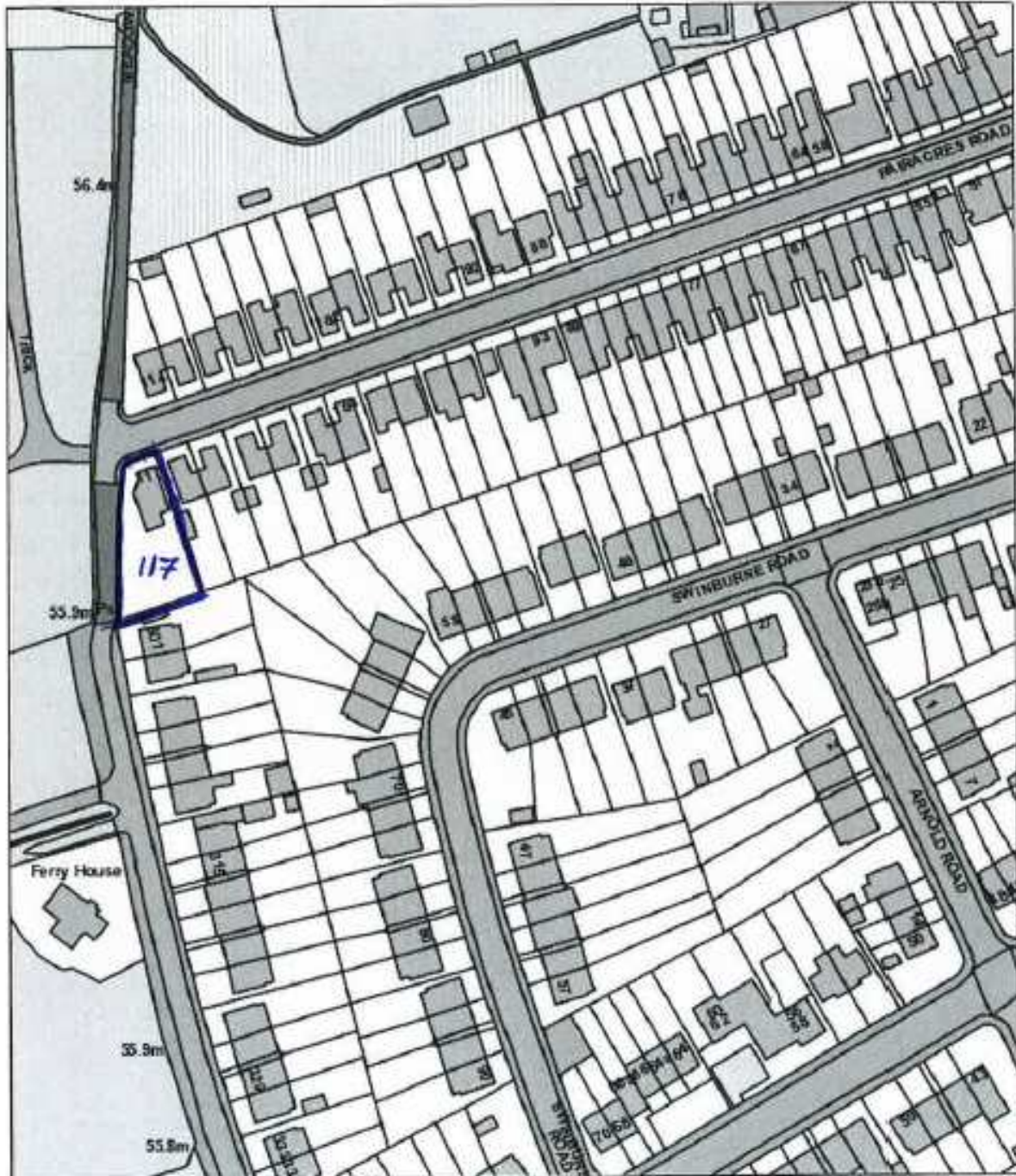
Extension: 2154

Date: 29th August 2014

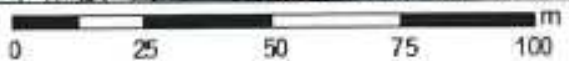
Appendix 1

117 Fairacres Road

14/01012/FUL



© Crown Copyright and database right 2014.
Ordnance Survey 100019348.



Not Set

Oxford City Council

Scale: 1:1,250 (printed to A4)

City Development

PLANNING REVIEW COMMITTEE

Wednesday 9 July 2014

COUNCILLORS PRESENT: Councillors Fry (Chair), Fooks (Vice-Chair), Baxter, Kennedy, Lygo, Sinclair, Benjamin, Coulter and Gotch.

OFFICERS PRESENT: Robert Fowler (City Development), Clare Golden (City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Committee and Member Services Officer)

1. ELECTION OF CHAIR FOR THE COUNCIL YEAR 2014/15

The Planning Review Committee elected Councillor Fry to be the Chair for the Council Year 2014/15.

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

The Planning Review Committee elected Councillor Fooks to be the Vice Chair for the Council Year 2014/15.

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Goddard (substitute Councillor Gotch), Councillor Hollick (substitute Councillor Benjamin) and Councillor Turner (substitute Councillor Coulter).

Apologies for lateness were received from Councillor Baxter

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. 157 GREEN RIDGES, 08/05/2014

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect a boundary fence and change of use of amenity land to private garden land (retrospective).

The Planning Officer presented the report.

Cllr Baxter arrived after the presentation had started and subsequently did not take part in the determination of this application.

In accordance with the criteria for public speaking, the Committee noted that Evelene Everett spoke against the application and David Moore spoke in favour of it.

Cllr Fry asked what the status of a consultation submission received after the deadline was? It's the quality of the submission rather than it's timeliness that is more important. However late submissions risk not being considered before a decision is made.

Cllr Lygo asked who owned the amenity land and was informed that the deeds of the property showed the applicant did. The County Council owns the amenity land on the other side of the footpath.

Cllr Sinclair asked if the Police had commented on the application. The Planning Officer did not consult the Police as the applicant had provided a Police statement when they submitted the application which recommended the construction of a fence to improve security. It was felt that no additional information was needed.

Cllr Coulter stated that planning advice on the estate regarding the building of fences had been inconsistent. The Planning Officer admitted that other applications for security fences had been received, but each application had to be considered on its own merit. There is a right of appeal process for people that feel an unfair decision has been made.

The Committee resolved to APPROVE the planning application subject to the following conditions:

1. Landscaping by end of next planting season
2. Maintenance scheme be agreed for the future maintenance of the amenity land.
3. Remove Permitted Development Rights to prevent enclosure of any more amenity land.

6. MINUTES

The Committee resolved to APPROVE the minutes of the meeting held on 30 October 2013 as a true and accurate record.

7. FORTHCOMING MEETING DATES

The following provisional dates for the Committee have been set:

4 Aug 2014 6.00 pm - PROVISIONAL
27 Aug 2014 6.00 pm - PROVISIONAL
24 Sep 2014 6.00 pm - PROVISIONAL
29 Oct 2014 6.00 pm - PROVISIONAL
25 Nov 2014 6.00 pm - PROVISIONAL
23 Dec 2014 6.00 pm - PROVISIONAL

The meeting started at 6.00 pm and ended at 6.50 pm