

# Agenda

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## West Area Planning Committee

Date: **Tuesday 14 June 2016**

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Time: **6.00 pm**

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

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For any further information please contact:

**Catherine Phythian, Committee and Member Services Officer**

Telephone: 01865 252402

Email: [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)

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

# West Area Planning Committee

## Membership

<b>Chair</b>	Councillor Louise Upton	North;
<b>Vice-Chair</b>	Councillor Tom Landell Mills	St. Margaret's;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Jean Fooks	Summertown;
	Councillor Andrew Gant	Summertown;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Michele Paule	Rose Hill and Iffley;
	Councillor Jennifer Pegg	Northfield Brook;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;
	Councillor Marie Tidball	Hinksey Park;

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

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# AGENDA

## Pages

### 1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

### 2 DECLARATIONS OF INTEREST

### 3 29 APSLEY ROAD, OX2 7QX: 16/00809/FUL

9 - 18

**Site Address:** 29 Apsley Road Oxford OX2 7QX.

**Proposal:** Demolition of an existing house. Erection of 2 x 4bed dwellinghouses (Use Class C3). Provision of car parking spaces, private amenity space and bin storage (amended plans).

**Officer recommendation:** to approve the application subject to the following conditions:

- 1 Development begun within time limit.
- 2 Develop in accordance with approved plans.
- 3 Samples.
- 4 Landscape plan required.
- 5 Landscape carry out by completion.
- 6 Tree Protection Plan (TPP) 1.
- 7 Car/cycle parking provision before use.
- 8 Bin stores provided before occupation.
- 9 Design - no additions to dwelling.
- 10 Amenity no additional windows.
- 11 Amenity windows obscure glass first and second floor side elevations.
- 12 Boundary details before commencement.
- 13 Details of solar panels.
- 14 SUDS.
- 15 Variation of Road Traffic Order North Summertown Controlled Parking Zone.
- 16 Vision splays.
- 17 Biodiversity enhancement.

### 4 PLANNING APPEALS

19 - 24

Summary information on planning appeals received and determined during April 2016.

The Committee is asked to note this information.

### 5 MINUTES

25 - 32

Minutes from the meetings of 25 May 2016

**Recommendation:** That the minutes of the meeting held on 25 May 2016 are approved as a true and accurate record.

### 6 FORTHCOMING APPLICATIONS

Applications for consideration by the committee at future meetings are listed

for information. They are not for discussion at this meeting. This is not a definitive list: applications may be added to or deleted from this list.

26 Norham Gardens: 15/01601/FUL

18 Hawkswell Gardens: 15/02352/FUL

Oxford Spires Four Pillars Hotel, Abingdon Road: 15/03524/FUL

24 Rosamund Road 16/00391/FUL

1 Richmond Road: 16/00791/FUL

Old School, Upper Wolvercote: 16/00684/FUL

1A Cranham Street 16/00470/FUL

Grove House, Iffley Turn 16/00068/FUL 16/00069/LBC

135 - 137 Botley Road 16/00882/FUL

9 Chalfont Road 16/00752/FUL

97 Kingston Road 16/00596/FUL

8 Jersey Road 16/01213/FUL

30 Warnborough Road 16/01046/FUL

118 Southfield Road 16/01026/FUL

## **7 DATES OF FUTURE MEETINGS**

The Committee will meet at 6.00pm on the following dates:

12 Jul 2016

2 Aug 2016

13 Sep 2016

11 Oct 2016

8 Nov 2016

13 Dec 2016

## **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 Committee and Member Services Officer before the meeting starts 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 Committee and Member 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 Committee and Member Services Officer written statements to circulate to committee members, and the planning officer prior to the meeting. Statements are accepted and circulated by noon, two working days 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 Committee and Member 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 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](#)

## 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; or
- (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

-14th June 2016

**Application Number:** 16/00809/FUL

**Decision Due by:** 18th May 2016

**Proposal:** Demolition of an existing house. Erection of 2 x 4bed dwellinghouses (Use Class C3). Provision of car parking spaces, private amenity space and bin storage.(amended plans)

**Site Address:** 29 Apsley Road Oxford Oxfordshire OX2 7QX (**site plan: appendix 1**)

**Ward:** Summertown Ward

**Agent:** Mr Neil Clarke

**Applicant:** Mrs Mary Channer

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### Recommendation:

West Area Planning Committee is recommended to approve for the following reasons and subject to the conditions listed below.

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the site and surrounding development and will not detract from the character and appearance of the area. The proposal will not have a detrimental impact on the residential amenities enjoyed by adjacent properties, nor on vehicle or pedestrian movements. The proposal complies with adopted policies contained in the Core Strategy 2026, the Oxford Local Plan 2011-2016, and the Sites and Housing Plan 2011-2026.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the 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, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Landscape plan required
- 5 Landscape carry out by completion
- 6 Tree Protection Plan (TPP) 1
- 7 Car/cycle parking provision before use

- 8 Bin stores provided before occupation
- 9 Design - no additions to dwelling
- 10 Amenity no additional windows
- 11 Amenity windows obscure glass first and second floor side elevations
- 12 Boundary details before commencement
- 13 Details of solar panels
- 14 SUDS
- 15 Variation of Road Traffic Order North Summertown Controlled Parking Zone
- 16 Vision splays
- 17 Biodiversity enhancement

### **Main Local Plan Policies:**

#### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs

#### **Core Strategy**

- CS9** - Energy and natural resources
- CS10** - Waste and recycling
- CS12** - Biodiversity
- CS18** - Urban design, town character, historic environment
- CS22** - Level of housing growth

#### **Sites and Housing Plan**

- HP2** - Accessible and Adaptable Homes
- HP9** - Design, Character and Context
- HP10** - Developing on residential gardens
- HP11** - Low Carbon Homes
- HP12** - Indoor Space
- HP13** - Outdoor Space
- HP14** - Privacy and Daylight
- HP15** - Residential cycle parking
- HP16** - Residential car parking
- MP1** - Model Policy

### **Other Material Considerations:**

National Planning Policy Framework  
Planning Practice Guidance

### **Relevant Site History:**

None

### **Representations Received:**

The responses below were made in relation to the originally submitted plans. The plans were revised to revise car parking arrangements and move the entrance doors to the front. An additional two week consultation was carried out on the revised proposals.

Three objection letters have been received from:

- 38 Templar Road

- 27 Apsley Road
- Apsley Road

The objections raise concern regarding the following:

- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on privacy
- Effect on traffic
- Height of proposal
- Local ecology, biodiversity
- Local plan policies
- Noise and disturbance
- On-street parking
- Open space provision
- Parking provision
- Public transport provision/accessibility

**Statutory and Internal Consultees:**

Thames Water: Have no objections regarding water infrastructure capacity or sewerage infrastructure capacity.

Highways: Objection (in relation to the originally submitted plans)

Oxfordshire Highways recommend objection to the proposed development due to the loss of on street parking bays.

Following a review of the application documents, it appears that the proposed vehicle access and dropped kerb would result in a loss of on street parking bays. The provision of off-street parking remains the same (2 spaces) therefore, there is estimated to be a net loss in parking provision with the current proposal. The site is located in the North Summerton (NS) CPZ which experiences high parking demand.

The proposals for the relocation of the dropped kerb should be amended to minimise the impact on parking provision.

**Issues:**

- Demolition of the existing property
- Impact on the street scene
- Impact on neighbouring properties
- Trees
- Biodiversity
- Highway Matters

**Officers Assessment:**

The Site and Surroundings

1. The application site is a detached house on the south side of Apsley Road.
2. Apsley Road is a straight road running some 300m east to west from its junction with Banbury Road. At the Banbury Road end there is a mix of uses with student

accommodation adjacent to Summertown House and the Remont Oxford Hotel in the southern corner of the junction.

3. The main length of the residential part of the road within which number 29 is located is characterised by detached houses with the exception of former 17 which has been demolished and replaced with a pair of semi-detached houses (application reference 14/02833/FUL), similar to those being considered as part of this application.
4. The properties on the south side of Apsley Road are generally set on a building line approximately 8m back from the back of the footway creating good sized front gardens most of which accommodate one or in some cases two off-street parking spaces. Low brick walls or fences with hedging define the front gardens, which are characterised by planting, lawns, hard landscaping, and some trees. There is some variation in the architectural style and external details and materials between properties, but overall there is a general uniformity in the street scene. Many properties have been extended sideways and rearwards but gaps remain between them.
5. 29 Apsley Road has a side attached single garage with room over. It has a hipped pitched tiled roof, a curved front gable with tiled roof detail to the ground floor front window, and decorative timber in the roof gable. The elevations are of red brick construction.
6. The front garden is laid to lawn with small borders, and there is an access drive for up to two cars. At the rear, the garden is divided in two parts. Closest to the house it is laid to lawn with borders and to the rear is a vegetable patch.

### The Proposal

7. The application seeks planning permission for demolition of the existing house and the erection of two 4 bedroom semi-detached houses each with an off-street car parking space in the front garden from individual access points. Amendments to the scheme as originally submitted have been secured including moving the main access doors so the primary access is from the front rather than from the side, and the parking arrangements have been revised to seek to limit the impact upon on street parking provision.
8. The scale and mass of the proposal emulates that approved at No. 17 Apsley Road. The proposed houses are located on a similar building line as the house to be demolished. Gaps are retained at the side boundaries with the adjacent houses which themselves are set in from the boundaries retaining meaningful gaps between the properties on both sides.
9. The proposed houses have a main 2 storey range built on the existing rear building line. A second floor is created in the roof with side-facing gables to accommodate a staircase. The proposals include 4.3m single storey rear projections with basements under the back half of the property and proposed single storey rear additions. Internally the proposed properties have front living rooms and rear dining/kitchen/family rooms with full width glazed doors to the gardens. On the first and second floors there is an en-suite bedroom; 3 other bedrooms; a study and 2 family bathrooms.
10. The roof height replicates the ridge heights of the 2 adjacent properties. An area of flat roof is created on which sloping Solar PV units are proposed.

11. The front elevation incorporates a hipped pitched roof with eaves to match the adjacent properties, 2 rounded bays with roof gables over, 2 small dormer windows in the roof slope and semi-circular brick entrance arches.
12. To the rear elevation dormers are set into the rear roof slope of a scale which is subservient to the roof and not dominating or overbearing in the view from adjacent gardens; and of a design which will be in keeping with the proposed rear elevation. The single storey rear projections are proposed to have flat roofs.
13. Enclosed bin stores are proposed in the front garden and secure cycle storage is proposed in the rear garden.

#### Demolition of the Existing Property

14. Whilst the existing house is attractive, it is not of sufficient quality to be listed nor is it in a conservation area. No controls are therefore available to the Council to resist its demolition or to insist on its retention within a development scheme for the site.

#### Principle of 2 Semi-detached Houses

15. Policy HP10 of the Sites and Housing Plan allows for suitably designed development on residential gardens provided that any biodiversity losses are avoided or mitigated. Policy CP6 of the Oxford Local Plan states that suitably designed development proposals should make maximum and appropriate use of land and best use of a site's capacity in a manner that does not compromise the character of the surrounding area. The aim of Policy CS23 of the Core Strategy and the Balance of Dwellings SPD (BoDs) is to provide for a range of housing types and sizes across the city.
16. The site is an existing residential plot and there is therefore no 'in principle' objection to its residential redevelopment subject to the development being acceptable in all other terms. Rather, it is considered that 2 semi-detached houses on this site would make good use of the site's capacity and create an additional family house in compliance with Policy CP6 of the Oxford Local Plan, Policy CS23 of the Core Strategy, and BoDs.

#### Impact on the Street Scene

17. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing DPD in combination require that development proposals incorporate high standards of design and respect local character.
18. It is considered that by virtue of their bulk and massing the proposed dwellings will result in an increase in the amount of development on this site and impact upon the character of the street scene by adding another pair of semi detached properties on a street originally characterised by detached dwellings. However by virtue of the small gaps retained between properties and the design incorporating features that promote subservience it is not considered that this will detract significantly enough to warrant refusal.
19. The proposed houses will not protrude into or dominate the street scene. The front elevation has been designed to draw on existing features in the street scene: front gables and windows that draw on the proportions and positions of fenestration

elsewhere in the street, a semi-circular brick arch to the front doors, and materials to match existing properties.

20. In the front garden the scheme proposes the creation of 2 off-street parking spaces (1 for each property), and bin stores, with planting, and landscaping. Some other properties in Apsley Road have hard landscaped areas in their front gardens used for off-street car parking which, over the years have become softened by matured planting, hedging and trees. The limited planting possible in the front garden of the proposed scheme would, over time serve to soften the impact of the proposed parking and re-integrate the site into the street scene. Landscaping and boundary treatment can be required by condition and their suitability will be judged against adopted policy.
21. Sloping, roof mounted solar PV panels are proposed and concern has been raised about their potential visual impact in the street scene. It is considered that they will be visible to a limited extent but will not be significantly obvious or jarring in the street scene because they are to be set back at an angle and in a position on the roof to minimize their visibility. They bring sustainability and energy efficiency benefits which outweigh any limited visual harm that they may create.
22. Overall the external appearance largely reflects the scale and architectural style of the existing houses in the street. It is therefore concluded that the proposed development will not dominate this part of Apsley Road nor appear cramped between its neighbours. Its front elevation is acceptable in that it draws on the character and context of the street scene in this part of Apsley Road.

#### Impact on Neighbouring Properties

23. Policy HP14 of the Sites and Housing Plan requires that reasonable privacy and daylight are allowed for occupants of existing and new homes.
24. The proposed main range replicates the existing dwelling and broadly lines up with the rear walls of the adjacent properties. The applicant has demonstrated that the single storey rear extension from the main range would breach the 45 degree test when measured from the adjacent principal windows to habitable rooms at 29 and 31 Apsley Road but would not breach the 25 degree test as shown in Appendix 7 of the Sites and Housing Plan. The rear of these properties are also south facing and would therefore retain good levels of natural light. Given the configuration of windows and rooms at the two neighbouring properties it also is judged that the proposal will not unduly overbear either property or unacceptably enclose the outlook from the rear of those properties. Proposed side facing windows at first and second floor serve bathrooms and stairwells and can be conditioned to be obscure glazed therefore maintaining the neighbours' privacy.
25. It is therefore judged that the daylight, sunlight, privacy and outlook currently enjoyed at the adjacent properties would not be unduly affected by the new development particularly given the southerly aspect.

#### Garden Space and Residential Amenities

26. Policy CP10 of the Oxford Local Plan; and Policies HP 2, 10, 12, 13, 15 and 16 of the Sites and Housing Plan set out the functional requirements for residential developments.

27. The proposed new dwellings will have a deeper footprint and therefore higher site coverage than the existing building. The proposed gardens in the final set of amended drawings replicate the footprints of the proposed houses and meet policy requirements. Their size is significantly smaller than other garden sizes in Apsley Road but it is not considered that the reduced garden area will adversely affect the character and quality of the public realm.
28. All other functional requirements such as for cycle parking, indoor space and waste storage are met. The applicant has submitted a statement indicating that the proposal meets the Lifetime Homes Standard and exceeds Part L of Building Regulations and this is judged to be satisfactory.

### Trees

29. Policy NE15 of the Oxford Local Plan specifically refers to the retention of trees, hedgerows and other landscape features where their removal would adversely impact upon public amenity or ecological interest.
30. The proposals require the removal of two small cotoneaster trees from the front garden and several rear garden trees including 2 apple trees and a Judas tree. These are considered to be low quality and value trees and any detrimental impact upon public amenity resulting from their removal can be adequately remediated by new tree planting.
31. The proposals provide an opportunity to secure the planting of two medium-large growing trees of an appropriate species in the front garden which will benefit the character and appearance of the area.
32. It is recommended that if planning permission is granted, this should be subject to the receipt and approval of a landscape plan, a landscape implementation plan and a tree protection plan secure through appropriately worded planning conditions.

### Biodiversity

33. Policy CS12 of the Core Strategy states that development will not be permitted that result in a net loss of sites and species of ecological value and where there is an opportunity, development will be expected to enhance Oxford's biodiversity.
34. The site has been assessed for its biodiversity value. It is considered that there is not a reasonable likelihood of protected species or habitats being impacted by the proposals. It is however considered appropriate to recommend a condition is included, if minded to approve, in order to secure enhancements measures.

### Highway and Drainage Matters

35. Each new property would be provided with an off-street parking space in the front garden. The Local Highway Authority initially objected to the proposals on the basis of loss of one on street parking provision. The applicant has since amended their plans to change the access arrangements from the highway and decrease the loss of on street parking. Given the road layout as shown on the plans, the applicant has now demonstrated that there will be no net loss of a viable parking space as a result of this proposal.

36. It is considered that it is appropriate to require the CPZ to be amended to prevent occupiers of the new property gaining access to a parking permit to prevent increased pressure with regard to on street parking provision.
37. The proposal to use a Sustainable Urban Drainage System and rainwater harvesting is welcome. A condition is recommended requiring submission of details of soakage tests and the size of the SUDs system that would be appropriate and for hard landscaping to be porous and SUDS compliant.

**Sustainability:**

38. Policy CS9 of the Core Strategy 2026 and HP11 of the Sites and Housing Plan encourage the use of renewable energy sources and the promotion of energy efficiency.
39. The Energy Statement indicates that this proposal is to use a form of construction and energy management system which will create high levels of sustainability and energy efficiency through efficiency in design, a rainwater harvesting system, a mechanical ventilation system and solar panels on the roof.
40. Further, the site is already developed and its redevelopment will help make efficient use of land in accordance with Policy CS2 of the Core Strategy and CP6 of the Oxford Local Plan. It is in a sustainable location close to local services and transport links.

**Conclusion:** West Area Planning Committee is recommended to approve subject to the conditions listed above.

**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: 16/00809/FUL**

**Contact Officer:** Sarah Jones

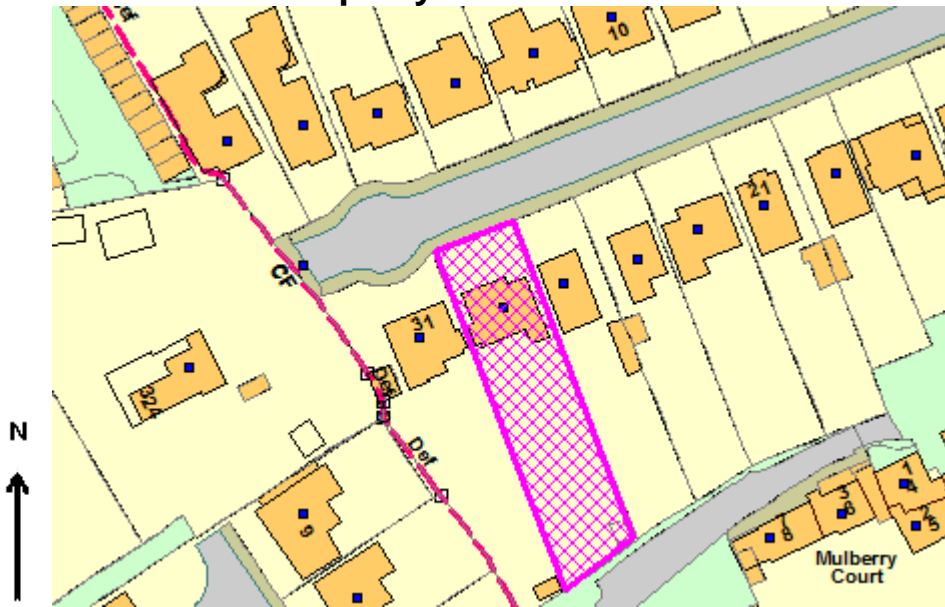
**Extension:** 2186

**Date:** 25th May 2016



# Appendix 1

## 16/00809/FUL - 29 Apsley Road



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Ordnance Survey 100019348

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## Monthly Planning Appeals Performance Update – April 2016

Contact: Head of Service City Development: Patsy Dell

Tel 01865 252356

1. The purpose of this report is two-fold:
  - i. To provide an update on the Council's planning appeal performance; and
  - ii. To list those appeal cases that were decided and also those received during the specified month.

### Best Value Performance Indicator BV204

2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 April 2016, while Table B does the same for the current business plan year, ie. 1 April 2016 to 30 April 2016.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	17	37.78%	4	13
Dismissed	28	62.22%	6	22
Total BV204 appeals	45	100%	10	35

**Table A. BV204 Rolling annual performance  
(1 May 2015 to 30 April 2016)**

Table B	Council performance		Appeals arising from Committee against officer recommendation	Appeals arising from Committee with officer recommendation	Appeals arising from delegated refusal
	No	%	No.		No.
Allowed	2	28.57	0	0	2 (28.57%)
Dismissed	5	71.43	0	0	5 (71.43%)
Total BV204 appeals	7	100	0	0	7

**Table B. BV204: Current business plan year performance  
(1 April 2016 to 30 April 2016)**

## All Appeal Types

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.

<b>Table C</b>	<b>Appeals</b>	<b>Performance</b>
Allowed	30	41.67%
Dismissed	42	58.33%
All appeals decided	72	100%
Withdrawn	3	

**Table C. All planning appeals (not just BV204 appeals)  
Rolling year 1 May 2015 to 30 April 2016**

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to the committee chairs and ward councillors. If the case is significant, the case officer also subsequently circulates committee members with a commentary on the appeal decision. Table D, appended below, shows a breakdown of appeal decisions received during April 2016.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. The relevant ward members also receive a copy of this notification letter. Table E, appended below, is a breakdown of all appeals started during April 2016. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

## Table D

### Appeals Decided Between 01/04/2016 And 30/04/2016

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	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
15/00759/FUL	15/00060/REFUSE	DEL	SPL	ALC	06/04/2016	NORTH	11 Winchester Road Oxford Oxfordshire OX2 6NA	Change of use from large House in Multiple Occupation to Student Accommodation. Replacement and alterations to windows and doors, construction of side door porch and formation of ramped access. (Amended description)(Amended plans).
15/02343/FUL	15/00066/REFUSE	DEL	REF	ALC	08/04/2016	BBLEYS	23 Blackbird Leys Road Oxford Oxfordshire OX4 6HH	Erection of two storey side extension.
15/01896/FUL	16/00010/REFUSE	DEL	REF	DIS	11/04/2016	LITTM	12 Kelburne Road Oxford Oxfordshire OX4 3SJ	Conversion of garage into 1 x 2-bed dwelling (Use Class C3).
15/02381/FUL	16/00009/REFUSE	DEL	REF	DIS	11/04/2016	LYEVAL	87 Oliver Road Oxford Oxfordshire OX4 2JH	Erection of outbuilding. (Retrospective)
15/02579/FUL	16/00011/REFUSE	DEL	REF	DIS	19/04/2016	RHIFF	57 Church Hill Road Oxford Oxfordshire OX4 3SG	Demolition of existing conservatory and garage. Erection of two storey side extension to create 1 x 3 bed dwellinghouse (Use Class C3). Erection of part single, part two storey rear extension. Formation of new vehicular access off Wykeham Crescent with provision of parking, bin and cycle store.
15/02485/FUL	16/00012/REFUSE	DEL	REF	DIS	26/04/2016	NORBRK	32 Kestrel Crescent Oxford OX4 6DY	Erection of 1 x 1-bed dwelling (Use Class C3). Provision of car parking and bin/cycle storage.
15/03201/FUL	16/00014/REFUSE	DEL	REF	DIS	28/04/2016	COWLEY	52A Rymers Lane Oxford Oxfordshire OX4 3LB	Erection of first floor rear extension and alterations to create mono pitched roof at existing ground floor.

**Total Decided: 7**

## **Table E**

### **Enforcement Appeals Decided Between 01/04/2016 And 30/04/2016**

**APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS - Dismissed**

<b>EN CASE</b>	<b>AP CASE NO.</b>	<b>APP DEC</b>	<b>DECIDED</b>	<b>ADDRESS</b>	<b>WARD:</b>	<b>DESCRIPTION</b>
14//0050/7/ENF	15/00042/ENFORC	ALLOW	12/04/2016	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Appeal against alleged unauthorised outbuilding
15//0041/4/ENF	16/00001/ENFORC	DISMIS	25/04/2016	6 Radcliffe Road Oxford Oxfordshire OX4 4BX	IFFLDS	Appeal against enforcement notice against development of a boundary fence over two meters high adjacent to highway
15//0008/1/ENF	15/00028/ENFORC	DISMIS	28/04/2016	18 Gaisford Road Oxford Oxfordshire OX4 3LQ	COWLEY	Appeal against unauthorised residential outbuilding

**Total Decided: 3**

## **Table F**

### **Appeals Received Between 01/04/2016 And 30/04/2016**

**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

<b>DC CASE</b>	<b>AP CASE NO.</b>	<b>DEC TYPE</b>	<b>RECM</b>	<b>TYPE</b>	<b>ADDRESS</b>	<b>WARD:</b>	<b>DESCRIPTION</b>
15/02903/FUL	16/00015/REFUSE	DEL	REF	W	67 Sandfield Road Oxford Oxfordshire OX3 7RW	HEAD	Erection of wooden wall in rear garden. (Retrospective)

**Total Received: 1**

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## MINUTES OF THE WEST AREA PLANNING COMMITTEE

Wednesday 25 May 2016



**COUNCILLORS PRESENT:** Councillors Upton (Chair), Cook, Coulter, Fooks, Hollingsworth, Pegg, Price, Tidball and Wade.

**OFFICERS PRESENT:** Michael Morgan (Lawyer), Mehdi Rezaie (Planning Team Leader), Sarah Stevens (Planning Service Transformation Consultant) and Jennifer Thompson (Committee and Members Services Officer)

### 1. ELECTION OF CHAIR FOR THE 2016/17 MUNICIPAL YEAR

Councillor Louise Upton was elected as Chair for the 2016/17 municipal year.

### 2. ELECTION OF VICE CHAIR FOR THE 2016/17 MUNICIPAL YEAR

Councillor Tom Landell Mills was elected as Vice Chair for the 2016/17 municipal year.

### 3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillors Landell Mills and Tanner submitted apologies and Councillors Wade and Coulter respectively substituted for them.

### 4. DECLARATIONS OF INTEREST

There were no declarations.

### 5. 31 CHARLBURY ROAD 15/03586/FUL

Councillor Wade stepped down from the committee and left the room for the duration of this item because although she did not have a declarable interest she had previously expressed definite views on the proposals and wished to avoid any perception of bias in the making of the decision.

The Committee considered an application for planning permission for the demolition of the existing dwellinghouse and erection of 1 x 5 bedroom dwellinghouse (Use Class C3) with provision of private amenity space, car parking and bin and cycle store (amended plans) at 31 Charlbury Road, Oxford, OX2 6UU.

Margaret Shannon, local resident, spoke objecting to the application.

Anthony Crean, the applicant, spoke in support of the application.

The Committee asked questions of the officers and speakers to clarify details of the application. They decided, given concerns over the safety of pedestrians and cyclists passing this corner site and the proximity of the school, and with the agreement of the applicant, to include a condition to prevent the construction of any additional vehicular access onto or off the site apart from those in current use.

**The Committee resolved** to grant planning permission for application 15/03586/FUL subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Development in accordance with specified materials.
4. Detailing to match existing.
5. Landscape plan required.
6. Landscape hard surface design - tree roots
7. Landscape underground services - tree roots.
8. Tree Protection Plan (TPP) 1.
9. Arboricultural Method Statement (AMS).
10. Cycle and bin storage.
11. No additional vehicular access to be created.

## **6. 54 ST JOHN STREET OX1 2LQ: 15/01676/FUL AND 15/01677/LBC**

The Committee considered applications for:

- planning permission for the erection of a single storey rear extension and replacement of rear first floor roof; extension and alterations to existing rear outbuilding to form garage/studio; formation of dormer window and insertion of 2 rooflights to rear roofslope and alterations to existing front dormer; alterations to windows; and formation of patio with associated landscaping (amended plans);
- and listed building consent for the erection of a single storey rear extension and addition of pitched roof on the existing rear two storey extension; formation of dormer window and insertion of 2 rooflights on rear roofslope and alterations to existing front dormer; window alterations; various internal alterations including creation of openings, removal and addition of walls; and

extension and alterations to existing rear outbuilding to form garage/studio (amended plans)

both at 54 St John Street, Oxford, OX1 2LQ.

Margaret Booth and Penelope Lenon, local residents and representing the residents' association, spoke objecting to the applications.

Neil Warner, the agent for the applicant, spoke in support of the applications.

The Committee asked questions of the officer and the speakers to clarify details of the application. They agreed to add two further conditions to the planning permission: to specify that the outbuilding remain ancillary to the main dwelling; and to require a construction management plan because the combined effect of the works proposed for this and 58 John Street could create significant disruption for residents.

**The Committee resolved** to grant planning permission for application 15/01676/FUL subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Arch - Implementation of programme.
4. External material samples (dwelling).
5. Sample panels (dwelling).
6. Reuse bricks + samples (boundary wall).
7. Sample panel (boundary wall).
8. External material samples (outbuilding).
9. Sample panels (outbuilding).
10. Construction management plan.
11. Use of outbuilding to be ancillary to main dwelling: no independent use.

**The Committee resolved** to grant Listed Building Consent for application 15/01677/LBC subject to conditions:

1. Commencement of works LB/CAC consent.
2. LBC approved plans.
3. Works in accordance with letter.
4. Making good damage.
5. Internal features.
6. Reuse of features.
7. Preservation of unknown features.
8. External material samples (dwelling).
9. Sample panels (dwelling).
10. Further details (dwelling).
11. Reuse bricks + samples (boundary wall) .
12. Sample panel (boundary wall).
13. External material samples (outbuilding).
14. Sample panels (outbuilding).
15. Further details (outbuilding).

**7. 58 ST JOHN STREET, OXFORD, OX1 2LQ: 15/01674/FUL AND 15/01675/LBC**

The Committee considered applications for:

- planning permission for the erection of a single storey rear extension and two-storey first floor extension; alterations to front and rear dormer windows and insertion of a rear rooflight; and formation of patio with associated landscaping (amended plans);
- and listed building consent for the replacement of rear extensions with single storey ground floor extension and two-storey first floor extension; alterations and enlargement of front and rear dormers and addition of a rear rooflight; and various internal alterations including removal of walls and creation of openings (amended plans)

both at 58 St John Street, Oxford, OX1 2LQ.

The Committee asked questions of the officer and the speakers to clarify details of the application. They agreed to include a further condition to require a construction management plan because the combined effect of the works proposed for this and 54 John Street could create significant disruption for residents.

**The Committee resolved** to grant planning permission for application 15/01674/FUL subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area.
4. Arch - Implementation of programme.
5. Construction management plan.

**The Committee resolved** to grant Listed Building Consent for application 15/01675/LBC subject to conditions:

1. Commencement of works LB/CAC consent.
2. LBC approved plans.
3. Works in accordance with letter.
4. Rooflight omitted.
5. Making good damage.
6. Internal features.
7. Reuse of features.
8. Preservation of unknown features.
9. External material samples.
10. Further details.
11. Cornice in F02.

## **8. LAND ADJACENT TO 30A UNION ST: 15/03633/FUL**

The Committee considered an application for the erection of a 2 storey side extension to No. 30A Union Street to create one 3-bed semi-detached dwellinghouse (Use Class C3); and provision of private amenity space, bin and cycle store on land adjacent to 30A Union Street, Oxford.

The Committee accepted the recommendation of the legal adviser to amend the resolution by removing reference to CIL and inserting reference to a legal agreement to secure an affordable housing contribution.

Mike Rant, representing the applicant, spoke in support of the application and explained how the relevant East Oxford Traffic Regulation Order applied to and impacted on this development.

The Committee decided to modify condition 9 to include a requirement for suitable planting to improve the appearance of the front of the property and reduce the likelihood of this being used as a regular parking space.

**The Committee resolved** to grant planning permission for application 15/03633/FUL subject to conditions and the prior completion of a legal agreement to secure an appropriate contribution for affordable housing:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Development in accordance with specified materials.
4. Further details on bin storage.
5. Further details on cycle parking.
6. Boundary details before commencement.
7. Ground resurfacing - SUDS compliant.
8. Variation of road traffic order.
9. Bollards (and suitable accompanying planting).
10. Construction Travel Plan.
11. Street lighting.
12. No additional windows.

## **9. REDBRIDGE PARK AND RIDE, ABINGDON ROAD: 16/00142/CT3**

The Committee considered an application for planning permission for the provision of new pavement surface and hard standing at Redbridge Temporary Coach Park, Abingdon Road, Oxford.

**The Committee resolved** to grant planning permission subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Maintenance and Monitoring Plan.
4. Sustainable Urban Drainage Systems.

**10. 6-8 SHIP STREET OXFORD OX1 3DA: 16/00563/CT3 AND 15/02791/LBC**

The Committee considered applications for:

- planning permission for the removal of existing external rear staircase and construction of external rear steel staircase (amended description);
- and listed building consent for the removal of existing external rear staircase, making good and constructing of new external rear steel staircase; alterations to rear door; re glazing of 2 rear windows; and replacement of temporary basement post with permanent support post

both at 6-8 Ship Street, Oxford, OX1 3DA

**The Committee resolved** to grant planning permission for application 16/00563/CT3 subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Development in accordance with specified materials.
4. Staircase detail.
5. Surfacing details.

**The Committee resolved** to grant Listed Building Consent for application 15/02791/LBC subject to conditions:

1. Commencement of works LB/CAC consent.
2. LBC approved plans.
3. Staircase details.
4. Window details.
5. Details of surfacing.
6. Making good damage and samples.
7. Internal and external features.

**11. ODD 39 TO 65, PREACHERS LANE: 15/03760/CT3**

The Committee considered an application for planning permission for the installation of new entrance at ground floor level and insertion of one gate at second floor level at Odd 39 to 65 Preachers Lane, Oxford.

**The Committee resolved** to grant planning permission for application 15/03760/CT3 subject to conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Illumination.

## **12. PLANNING APPEALS**

The Committee noted the report on planning appeals received and determined during March 2016 and for the year April 2015 to March 2016.

## **13. MINUTES**

The Committee resolved to approve the minutes of the meetings held on 12 April and 3 May 2016 as a true and accurate record.

## **14. FORTHCOMING APPLICATIONS**

The Committee noted the list of forthcoming applications and that the application for 31 Glebelands 16/00194/FUL had been withdrawn.

## **15. DATES OF FUTURE MEETINGS**

The Committee agreed a start time for its meetings of 6.00pm and noted the dates of its meetings.

**The meeting started at 6.00 pm and ended at 7.40 pm**

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