

Agenda



Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 20 August 2024**

Time: **6.00 pm**

Place: **Long Room - Oxford Town Hall**

For further information please contact:

Emma Lund, Committee and Members' Services Officer

☎ 01865 252367

✉ DemocraticServices@oxford.gov.uk

Members of the public can attend to observe this meeting and.

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
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Committee Membership

Councillors: Membership 11: Quorum 5: substitutes are permitted.

Councillor Mary Clarkson (Chair)	Marston;
Councillor Laurence Fouweather (Vice-Chair)	Cuttesslowe & Sunnymead;
Councillor Mohammed Altaf-Khan	Headington;
Councillor Nigel Chapman	Headington Hill & Northway;
Councillor Barbara Coyne	Headington Hill & Northway;
Councillor David Henwood	Rose Hill & Iffley;
Councillor Alex Hollingsworth	Carfax & Jericho;
Councillor Jemima Hunt	St Clement's;
Councillor Rosie Rawle	Donnington;
Councillor Dianne Regisford	Holywell;
Councillor Louise Upton	Walton Manor;

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning and Regulatory Services has issued the formal decision notice.*

Agenda

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the search box.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.

1 Apologies for absence and substitutions

An apology for absence has been received from Councillor Nigel Chapman. Councillor Ottino will substitute for Councillor Chapman for this meeting only.

2 Declarations of interest

3 24/00667/FUL: 111 and 113 Wytham Street, Oxford OX1 4TN

11 - 32

Site Address: 111 And 113 Wytham Street, Oxford, Oxfordshire, OX1 4TN

Proposal: Demolition of existing rear extension at 113 Wytham Street. Erection of a part single, part two storey rear and side extension at 113. Erection of a first floor rear extension at 111 Wytham Street. Alterations to roof to form hip to gable. Formation of 2no. rear dormers in association with loft conversions. Formation of front porch to 113. Installation of 2no. solar panels to front elevation of 111. Installation of 2no. solar panels to the front elevation of 113.

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Insertion of 2no. rooflights to the front elevation of 111. Insertion of 3no. rooflights to the front elevation of 113. Alterations to 1no. rooflight to the front elevation of 111. Alterations to front bay window to 111. A severable development where the development at 113 and the development at 111 could be carried out individually (amended description).

Reason at Committee: The application has been submitted on behalf of a member of staff of Oxford City Council.

Recommendation:

The Oxford City Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **delegate authority** to the Head of Planning and Regulatory Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

4 24/00668/FUL: 113 Wytham Street, Oxford OX1 4TN

33 - 48

Site Address: 113 Wytham Street, Oxford, Oxfordshire, OX1 4TN

Proposal: Erection of a detached single storey rear outbuilding. Installation of solar panels to outbuilding roof.

Reason at Committee: The application has been submitted on behalf of a member of staff of Oxford City Council.

Recommendation:

The Oxford City Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **delegate authority** to the Head of Planning and Regulatory

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Services to:

- finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary.

5 Minutes

49 - 56

Recommendation: to approve the minutes of the meeting held on 16 July 2024 as a true and accurate record.

6 Forthcoming applications

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

22/02954/OUT: Land at Oxpens Road, Oxford OX1 1TB	Major
22/02955/FUL: Land at Oxpens Road, Oxford OX1 1TB	Major
23/01001/CT3: Tumbling Bay, Head of Bulstake Stream, Botley Road, Oxford	Called-in
23/02262/FUL: Churchill Hospital, Old Road, Headington, Oxford OX3 7JT	Called-in
24/00318/FUL: Land to the North of Goose Green Close, Oxford	Major
24/00585/VAR: Car Park, Meadow Lane, Oxford OX4 4BJ	Called-in
24/00690/FUL: Beaver House and 39-42A Hythe Bridge Street, Oxford OX1 2ET	Major
24/01104/FUL: 35 Ash Grove, Oxford OX3 9JN	Called-in
24/01302/FUL: 5000 John Smith Drive, Oxford OX4 2BH	Major
24/01225/FUL: 34 Bowness Avenue, Oxford OX3 0AL	Called-in
24/01344/FUL and 24/01345/LBC: Waynflote Building, 1-8 St Clement's Street and 9-13 St Clement's Street, Oxford OX4 1DN	Major

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24/01356/FUL: 145 Howard Street, Oxford OX4 3AZ	Applicant is a member of staff
24/01434/FUL: Stansfield Park, Quarry Road, Oxford	Major
24/01481/FUL: Cinema, George Street, Oxford OX1 2BL	Major
24/01631/FUL: Sandford Gate, Sandy Lane West, Oxford OX4 6LB	Major

7 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on:

17 September 2024

15 October 2024

19 November 2024

10 December 2024

21 January 2025

25 February 2025

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning and Regulatory Services has issued the formal decision notice.*

Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt 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, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors 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". 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.

Members' Code – Other Registrable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing** of one of your Other Registrable Interests*** then you must declare an

interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Members' Code – Non Registrable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests, then you must declare the interest.

You must not take part in any discussion or vote on the matter and must not remain in the room, if you answer in the affirmative to this test:

“Where a matter affects the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest You may speak on the matter only if members of the public are also allowed to speak at the meeting.”

Otherwise, you may stay in the room, take part in the discussion and vote.

*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.

** Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

*** Other Registrable Interests: a) any unpaid directorships b) any Body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any Body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Procedure for dealing with planning applications at the Oxford City Planning Committee 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. Advice on bias, predetermination and declarations of interests is available from the Monitoring Officer.

The following minimum standards of practice will be followed:

1. All members of the Committee will have pre-read the officers' report. Committee members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful. (In accordance with the guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may 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. In determining an application Committee 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 overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; 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.

Public requests to speak

Members of the public wishing to speak must notify the Committee Services Officer by noon on the working day before 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 Committee Services Officer (details are on the front of the Committee agenda).

Written statements from the public

Any written statement that members of the public or Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to give 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. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays of photos and/or pictures at the meeting or a room provided for that purpose as long as they notify the Committee Services Officer of their intention by noon two working days before the start of the meeting so that members can be notified. Applicants or members of the public are not permitted to exhibit photos and/or pictures in any electronic format.

Recording meetings

This is covered in the general information above.

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.

This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in March 2023.

Oxford City Planning Committee

20th August 2024

Application number: 24/00667/FUL

Decision due by 12th June 2024

Extension of time 27th August 2024

Proposal Demolition of existing rear extension at 113 Wytham Street. Erection of a part single, part two storey rear and side extension at 113. Erection of a first floor rear extension at 111 Wytham Street. Alterations to roof to form hip to gable. Formation of 2no. rear dormers in association with loft conversions. Formation of front porch to 113. Installation of 2no. solar panels to front elevation of 111. Installation of 2no. solar panels to the front elevation of 113. Insertion of 2no. rooflights to the front elevation of 111. Insertion of 3no. rooflights to the front elevation of 113. Alterations to 1no. rooflight to the front elevation of 111. Alterations to front bay window to 111. A severable development where the development at 113 and the development at 111 could be carried out individually (amended description).

Site address 111 And 113 Wytham Street, Oxford, Oxfordshire, OX1 4TN – see **Appendix 1** for site plan

Ward Hinksey Park

Case officer Victoria Ashton

Agent: Mr Grahame Elton **Applicant:** Mr & Mrs Sagar and Mrs Masih

Reason at Committee The application has been submitted on behalf of a member of staff of Oxford City Council.

1. RECOMMENDATION

- 1.1. Oxford City Planning Committee is recommended to:
- 1.2. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission
- 1.3. **delegate authority** to the Head of Planning and Regulatory Services to:

finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of

Planning Services considers reasonably necessary

2. EXECUTIVE SUMMARY

- 2.1. This report considers the demolition of the existing rear extension at No. 113 Wytham Street and the erection of a part single, part two storey rear and side extension at No. 113. This report also considers the erection of a first-floor rear extension at No. 111 Wytham Street as well as alterations to the roof to form hip to gable and the formation of 2 no. rear dormers in association with loft conversions at both No. 111 and No. 113. This report also considers the formation of a front porch to No. 113 and the installation of 2 no. solar panels to the front elevation of No. 111 and the installation of 2 no. solar panels to the front elevation of No. 113. Finally, this report considers the insertion of 2 no. rooflights to the front elevation of No. 111, the insertion of 3 no. rooflights to the front elevation of No. 113, alterations to 1 no. rooflight to the front elevation of No. 111 and alterations to the front bay window to No. 111.
- 2.2. Officers conclude that the proposed development is acceptable with regards to its design. The proposal would not cause any detrimental impacts to the amenity of any neighbouring dwellings, subject to the recommended conditions and informatives. The proposal would be acceptable in regard to flood risk and surface water drainage, subject to the recommended conditions. The proposal would be acceptable in regard to ecology and biodiversity, subject to the recommended conditions and informatives. Overall, the proposal is considered to accord with Policies DH1, H14, RE3, RE4 and G2 of the Oxford Local Plan 2036.
- 2.3. This report has been cleared by the Council's monitoring officer.

3. LEGAL AGREEMENT

- 3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. The site is located on the north side of Wytham Street, to the west of Abingdon Road in the south of Oxford. No. 111 and No. 113 are a pair of semi-detached dwellings.
- 5.2. No. 111 is a two-storey, with loft-level, dwelling, finished in white render under a tiled roof. There is an existing large single storey rear extension which was approved in 2007. There is a detached single storey garage in the rear garden. The site is set back from the highway by a large driveway, with parking for two vehicles. The site is bounded by No. 113 to the east and No. 109 to the west.

- 5.3. No. 113 is a two-storey dwelling, finished in peddle dash brown render to the elevations and finished under a tiled roof. There is an existing single storey rear extension, however there is no planning history indicating when this was added. The site is set back from the highway by a large driveway, with parking for two vehicles. To the rear is a large garden. The site is bounded by the rear gardens of No. 338 to No. 348 Abingdon Road to the east, the rear gardens of several properties along Oswestry Road to the north and No. 111 Wytham Street to the west.
- 5.4. Wytham Street is entirely residential in character, although there are various commercial units along Abingdon Road to the west. Neither property lies within a Conservation Area.
- 5.5. Both properties are located within a defined area of high flood risk (Flood Zone 3b).

See block plan below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes the demolition of the existing rear extension at No. 113 and the erection of a part single, part two storey rear and side extension at No. 113. The rear extension at ground floor level would have a depth of 6 metres, a width of 6.8 metres and would be finished under a flat roof with a maximum height of 2.7 metres. The rear extension at first-floor level would have a depth of 6 metres nearest the eastern boundary and a depth of 3.6 metres nearest No. 111. It would have a width of 3.6 metres and would be finished under a flat roof nearest No. 111 with a maximum height of 2.4 metres and a pitched roof nearest the eastern boundary of the site, with an

eaves height of 2.3 metres and a maximum height of 3.3 metres. The proposed side extension would have a depth of 12.8 metres and a width of 1 metre. The side extension would be single storey for a depth of 4 metres from the front elevation, with an eaves height of 2.7 metres and a maximum height of 3.6 metres. The side extension would be two-storey for a depth of 8.7 metres, with an eaves height of 6.5 metres and a maximum height of 7.6 metres for a depth of 2.8 metres and an eaves height of 5 metres and a maximum height of 6 metres for a depth of 6 metres. The extensions would be finished in render under a tiled roof.

- 6.2. The application proposes the erection of a first-floor rear extension at No. 111. The extension would have a depth of 3.6 metres, a width of 5.7 metres and would be finished under a part flat roof nearest No. 113 with a maximum height of 2.4 metres and a pitched roof nearest No. 109 with an eaves height of 2.3 metres and a maximum height of 3.3 metres. The first-floor extension would be finished in render under a tiled roof.
- 6.3. The application proposed alterations to the roof to form hip to gable and the formation of 2 no. rear dormers in association with loft conversions to both No. 111 and No. 113. The rear dormers would be of the same dimensions with a width of 5.5 metres, a depth of 3.6 metres and would be finished under a flat roof with a maximum height of 2.4 metres. The dormers would be faced in matching tiles.
- 6.4. The application proposes the formation of a front porch to No. 113. The porch would have a depth of 1.9 metres, a width of 2.4 metres and would be finished under a pitched roof with an eaves height of 2.4 metres and a maximum height of 3.3 metres. The front porch would be finished in render under a tiled roof.
- 6.5. The application proposes the installation of 2 no. solar panels to front elevation front elevation of No. 111 and No. 113. The application proposes the insertion of 2 no. rooflights to the front elevation of No. 111 and the insertion of 3 no. rooflights to the front elevation of No. 113 as well as alterations to 1 no. rooflight and bay window to the front elevation of No. 111. Finally, the application proposes alterations to the bay window of No. 111.

7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

02/01491/FUL - Single storey rear extension. Conversion of garage to living accommodation. Single storey extension.. PER 1st October 2002.
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07/01143/FUL - Erection of single storey rear extension.. PER 26th July 2007.

23/02136/FUL - Erection of a part single, part two storey rear and side extension at 113 Wytham Street. Erection of a first floor rear extension at 111 Wytham
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Street. Alterations to roof to form hip to gable, formation of 2no. rear dormers, alterations to 1no. rooflight to the front elevation of 111, insertion of 2no. rooflights to the front elevation of 111, installation of 2no. solar panels to front elevation of 111, insertion of 3no. rooflights to the front elevation of 113 and installation of 2 no. solar panels to the front elevation of 111 and 2 no. solar panels to the front elevation of 113 (Amended plans and description). Withdrawn 4th March 2024.

8. RELEVANT PLANNING POLICY

8.1. The following policies in the below table are relevant to the application.

8.2. It should be noted that the proposed submission draft for the Oxford Local Plan 2040 has been submitted for examination on 28th March 2024 and therefore its policies may be afforded some weight but noting that they cannot be given full weight at this stage.

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	117-123, 124-132	DH1: High quality design and placemaking		
Housing	59-76	H14: Privacy, daylight and sunlight		
Environmental	117-121, 148-165, 170-183	RE3: Flood risk management RE4: Sustainable and foul drainage RE7: Managing the impact of development G2: Protection of biodiversity		
Miscellaneous	7-12	S1: Presumption in favour of sustainable development		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 23rd April 2024.

Statutory and non-statutory consultees

South Oxford Community Association

9.2. No comments received at time of writing.

Public representations

9.3. No comments received at time of writing.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- I. Principle of Development
- II. Design
- III. Impact on Neighbouring Amenity
- IV. Flooding and Surface Water Drainage
- V. Ecology

I. Principle of Development

10.2. Policy S1 of the Oxford Local Plan states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This applies to paragraphs 10 and 11 of the NPPF which state that a presumption in favour of sustainable development is at the heart of national planning policy. The Council will work proactively with applicants to find solutions jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with Oxford's Local Plan and national policy will be approved without delay, unless material considerations indicate otherwise.

10.3. Specifically, where this application is concerned, the Council shall support enhancements to people's homes where they accord with the identified requirements of local and national planning policy, in addition to the legislative requirements the Council is required to undertake. In this case, planning permission would be granted without delay subject to the acceptability of the design of the proposal in relation to Policy DH1 of the Oxford Local Plan 2036. The proposal must also not be detrimental upon the amenity of neighbouring occupiers' in accordance with Policies H14 and RE7 of the Oxford Local Plan 2036. This proposal must also not cause any detrimental impacts in regard to drainage and flood risk outlined within Policies RE3 and RE4 of the Oxford Local Plan 2036. Finally, this proposal

must also not have detrimental impacts in regard to ecology in relation to Policy G2 of the Oxford Local Plan 2036.

II. Design

- 10.4. Policy DH1 of the Oxford Local Plan 2036 seeks to ensure that development is of a high-quality design, relates well to the existing house and its surroundings.
- 10.5. The proposed ground floor rear extension to No. 113 would be of a very similar footprint, scale and form to the existing extension, although with an additional depth of 2 metres. The extension would sit to the same depth and height as the existing extension at No. 111. Therefore, it is considered that the extension would not cause harm to the character of the surrounding area, given the similarities in design and scale to other nearby developments. The proposed fenestration, with 1 no. window and bi-fold doors would not be harmful to the character of the property or the surrounding area. The extension would be finished in render under a tiled roof to match the materials of the existing dwelling, as to ensure that the extension would appear as a congruent addition that forms an appropriate visual relationship with the host dwelling and surrounding area. By virtue of the materiality, scale and form, the proposed extension to the ground floor of No. 113 would be considered acceptable in design terms.
- 10.6. Officers note there is the possibility of part of the scheme being implemented at either property (i.e. one property completing the scheme and one property only implementing parts of the scheme). This is possible due to the properties being in different ownership. This would raise a concern in design terms for the party wall between the two existing rear single storey extensions. As the application is a joint application, no elevation of this specific wall has been provided, as the proposal intends to use this as a party wall for both ground floor rear extensions. To ensure that the development would appear as visually satisfactory and high-quality design, a condition has been included which requires further details of the party wall, in terms of finish and material, to be submitted to and approved in writing by the Local Authority, in the instance that the development is partially implemented and would leave this wall visible.
- 10.7. There are several examples of side extensions in the immediate area, although officers note that many of these are single storey, with some wrapping around the front and side of the property, notably No. 134 Wytham Street. As proposed, the side extension would be set back from the principal elevation by approximately 1 metre at ground floor level which is considered appropriate to ensure that the proposals would be read as a subservient addition to the main dwelling and would not have an adverse impact on the street scene. Whilst the side extension would be of a two-storey nature, it is noted that the side extension would only be two-storey set back over 5 metres from the front elevation. As a result, whilst the extension would be of a two-storey nature, given the set back and the staggered single and two-storey construction, the overall scale and

massing of the side extension would be considered acceptable. In addition, the side extension would be narrow, at 1 metre in width, which would also read as a subservient addition to the main dwelling. The use of matching render would ensure that the development gives rise to a cohesive and sympathetic treatment of the principal elevation of the existing dwelling and therefore would have a minimal impact on the street scene. The side extension would therefore be considered acceptable in design terms.

- 10.8. The proposed first-floor rear extensions to No. 111 and No. 113 would be almost identical in scale and symmetrical when viewing southwards from the rear gardens of these properties. The only visual difference would be the extension to No. 113, which would have an additional depth of 2.3 metres nearest the eastern boundary of the site, set away from No. 111. Despite this, the extensions at first-floor level would be sympathetic to the existing dwellings and would sit comfortably within the existing rear elevation. Additionally, there are several examples along Wytham Street of similarly scaled extensions at first-floor level with alike design features and therefore the proposal cannot be said to be out of character with the pattern of development in the area. The extension at first-floor level to No. 111 and No. 113 would be finished in render under a tiled roof to match the materials of the existing dwellings, as to ensure that the extensions would appear as congruent additions that form an appropriate visual relationship with the host dwelling and surrounding area. By virtue of the materiality, scale and form, the proposed extensions at first-floor level would be considered acceptable in design terms.
- 10.9. The proposed hip to gable to No. 111 and No. 113 would be visible in the public realm, however the alterations would not cause harm to the character or appearance of the area. Many other properties along Wytham Street have been similarly extended and therefore the proposal would not be considered out of character within the area.
- 10.10. The proposed box dormer windows to the rear roof slope would sit within the northern roof slope at loft level, providing an additional bedroom and bathroom to both No. 111 and No. 113. Box dormer windows are common in the area, with many examples of rear dormer windows along the south side of Wytham Street in particular. Therefore, the proposed development would not be out of character for the area. Officers consider the proposed design, scale and siting of the proposed rear dormer windows would sit comfortably within the existing roof slope and would represent a proportionate addition to the host dwelling and plot and would not be at odds with the grain of development in the area. The dormer would be finished in hanging tiles to match the existing roof material and therefore would not be considered harmful to the character of the area or the existing dwelling. The dormer windows would appear as congruent and characteristic additions that would form an appropriate visual relationship with the host dwelling and surrounding area.
- 10.11. The proposed front porch to No. 113 would be minimal in size and would have a width of less than half the original front elevation. Front porches are

a common feature of this area, with some examples of front extensions extending the full width of the front elevation, such as No. 134 Wytham Street. It is considered that the front porch to No. 113 would be acceptable in terms of scale and would read as a proportionate addition to the existing dwelling, having also considered the proposed side extension when viewing from the street scene. The front porch would be a sympathetic addition to No. 113 and would not be considered to overwhelm the front of the property. The front porch would be finished in render under a pitched tiled roof, integrating well with the existing dwelling. The front porch would appear as a congruent and characteristic addition that would form an appropriate visual relationship with the host dwelling and surrounding area and would therefore be acceptable in design terms.

- 10.12. The proposed 4 no. solar panels to the front (southern) facing roof slopes of No. 111 and No. 113 (2 no. panels to each property) would be visible in the public realm when viewing northwards from Wytham Street. Whilst solar panels are not a common feature of the area, officers do not consider the installation of solar panels to cause harm to the character of the area. Furthermore, the solar panels would be sited in an organised arrangement on the roof slope, so as not to detract from the character and appearance of the area.
- 10.13. The proposed addition of 2 no. rooflights to the front elevation of No. 111 and 3 no. rooflights to No. 113 would be considered acceptable, as many other properties within the immediate vicinity have also installed rooflights to the front of the property. Finally, it is proposed to alter the front window of No. 111 to reconstruct the bay window. This would sit at the same depth as No. 113 and would therefore be symmetrical in appearance. The alterations would be relatively minor and would be acceptable in design terms.
- 10.14. As a whole, the proposed design of the scheme at No. 111 and No. 113 would be acceptable and would not be considered to cause harm to the character or appearance of the existing dwellings, nor the surrounding area.
- 10.15. Subject to the recommended conditions, the proposal is therefore considered to comply with Policy DH1 of the Oxford Local Plan 2036.

III. Impact on Neighbouring Amenity

- 10.16. Policy H14 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes and does not have an overbearing effect on existing homes. Appendix 3.7 of the Oxford Local Plan sets out guidelines for assessing the loss of sunlight and daylight using the 45/25-degree code.

10.17. Policy RE7 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected.

10.18. Officers have considered the potential impact on neighbouring amenity if one of the properties did not build the proposed development. This is because the two dwellings are in different ownerships and officers consider that the development could be implemented on each property separately and this would give rise to different amenity impacts. For clarity, the below section has been discussed as individual properties.

No. 111

10.19. The proposed first-floor rear extension would pass both the 45/25-degree access to light test, as outlined in Policy H14, to the neighbouring property at No. 113 if the proposals at No. 113 were implemented. If they were not implemented, the first-floor rear extension would fail the 45-degree test but pass the 25-degree test. Therefore, in either instance, the proposal would not materially impact upon the daylight or sunlight received by No. 113. The extension would not be considered overbearing to No. 113, given that the proposals at first-floor level at No. 113 extend further in depth than at No. 111 in any case. If the proposals were not implemented at No. 113, the extension would extend 3 metres in depth from the original rear elevation, although would retain a low eaves height nearest No. 113 of 2.4 metres which would not be considered overbearing for the neighbours at No. 113.

10.20. The proposed first-floor extension to No. 111 would pass the 45/25-degree access to light test to the neighbouring property at No. 109. Given there would be a separation distance of at least 2 metres between the properties, and the low eaves height of the proposed extension, the impact to this neighbour would be acceptable.

10.21. The proposed rear dormer would pass the 45/25-degree access to light test, to No. 113 in both instances, with No. 113 implementing the dormer and not implementing it. The dormers would extend to the same depth, and would therefore not be considered overbearing, however in the instance that No. 113 did not implement the dormer, the proposals at No. 111 would not be considered to cause a harmful overbearing impact to that property.

10.22. The proposed hip to gable would have no impact on neighbouring amenity to No. 113 or No. 109. The proposed solar panels to the front roof slope would also have no impact on the amenity of any neighbouring properties. The alterations to the front bay window would also have no impact in regard to neighbouring amenity. Whilst the front window would be enlarged, the window would be in the same location and therefore would not result in a level of overlooking or loss of privacy to the properties on the south side of Wytham Street over and above what is already possible.

- 10.23. The proposed rooflights to No. 111 would be to the front roof slope and would not overlook any properties on the south side of Wytham Street. As a result, the rooflights would be acceptable in amenity terms.
- 10.24. The windows to the dormer and first-floor rear extension would be rear-facing and would therefore not provide any views into habitable rooms of No. 109 or No. 113. All other properties would be located a sufficient distance away so as to not be impacted. 1 no. side window is proposed at loft-level, facing west towards No. 109 Wytham Street. The window would serve a landing area which would not be considered a habitable room. As a result, the window would not be considered to cause a harmful level of overlooking or loss of privacy to No. 109.

No. 113

- 10.25. The proposed ground floor rear extension would pass the 45/25-degree access to light test, to No. 111, and would therefore not impact upon the daylight or sunlight received by this neighbour. The extension would extend no further in depth than the rear elevation of the existing extension at No. 111. For this reason, the extension would not be considered overbearing. If the extension was not implemented and the existing extension was not demolished, there would be no impact on light or overbearingness to No. 111, given that the existing rear extension at No. 111 extends further in depth into the rear garden, compared with the existing extension at No. 113.
- 10.26. The proposed first-floor rear extension would pass both the 45/25-degree access to light test, as outlined in Policy H14, to the neighbouring property at No. 111 if the proposals at No. 111 were implemented. If they were not implemented, the first-floor rear extension would fail the 45-degree test but pass the 25-degree test. Therefore, in either instance, the proposal would not materially impact upon the daylight or sunlight received by No. 111. The extension would not be considered overbearing to No. 111, given that where the proposals extend further in depth into the garden, this would be located at the eastern boundary of the site, away from the boundary with No. 111. If the proposals were not implemented at No. 111, the extension would extend just over 3 metres in depth from the original rear elevation, nearest No. 111 and 6 metres nearest the properties along Abingdon Road. Whilst this would be large, the deepest part of the extension would be over 3 metres away from the rear elevation of No. 111. For these reasons and given the low eaves and roof height at first-floor level, the proposal would not be considered overbearing in either instance.
- 10.27. The proposed rear dormer would pass the 45/25-degree access to light test, to No. 111 in both instances, with No. 111 implementing the dormer and not implementing it. The dormers would extend to the same depth, and would therefore not be considered overbearing, however in the instance that No. 111 did not implement the dormer, the proposals at No. 113 would not be considered to cause a harmful overbearing impact to that property.

- 10.28. The proposed hip to gable would have no impact on neighbouring amenity to No. 113 or No. 109. The proposed solar panels to the front roof slope would also have no impact on the amenity of any neighbouring properties.
- 10.29. The proposed front porch would pass the 45/25-degree access to light test, to the neighbour at No. 111. The front porch would have a depth of less than 2 metres and would be located over 3 metres away from the boundary with No. 111. As a result, the front porch would not be considered overbearing. No windows to the front porch are proposed.
- 10.30. The proposed rooflights to No. 113 would be to the front roof slope and would not overlook any properties on the south side of Wytham Street. As mentioned in the above section, the rooflights could likely be implemented under permitted development and therefore there is no objection to this addition in any case.
- 10.31. The windows to the dormer and first-floor rear extension would be rear-facing and would therefore not provide any views into habitable rooms of No. 111. All other properties would be located a sufficient distance away so as to not be impacted. 1 no. side window is proposed at loft-level, facing east towards the rear garden of No. 348 Abingdon Road. The window would serve a landing area which would not be considered a habitable room. As a result, the window would not be considered to cause a harmful level of overlooking or loss of privacy to No. 348. Finally, 1 no. side window, at second floor level, also facing No. 348 is proposed to be removed and replaced. Given this would be at the same level in the same location, the window would not provide materially harmful views into the rear garden of this property, over and above what is currently possible under the existing arrangement.
- 10.32. In considering the above, officers have been mindful that if planning permission was only acceptable if both sets of properties implemented their extensions concurrently, then a legal agreement or unilateral undertaking could be secured prior to a decision being issued. This is necessary in instances where there are two different landowner applicants; as each individual landowner is not in a position to ensure that a neighbours extension is built unless a legal agreement is in place to secure it. However, in this case this was not considered necessary as the above clearly sets out that each of the extensions would be acceptable in isolation of the other; considering the possibility that each owner carried out the development on its land without the other.
- 10.33. The proposal is therefore considered to comply with Policy H14 and RE7 of the Oxford Local Plan 2036.

IV. Flooding and Surface Water Drainage

- 10.34. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for

water-compatible uses or essential infrastructure; or where it is on previously developed land, and it will represent an improvement for the existing situation in terms of flood risk. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

- 10.35. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites.
- 10.36. The application site falls within Flood Zone 3b. In accordance with national and local policy, a Flood Risk Assessment (FRA) is required for proposals which fall within Flood Zone 3b. A FRA has been provided as part of the application and the flood risk has been carefully assessed.
- 10.37. Whilst the proposal would fall within Flood Zone 3b, where development is not typically granted unless it falls within the above criteria listed in Policy RE3, consideration must be given to development which could be undertaken through permitted development.
- 10.38. In this case, the relevant section of the GPDO would be Schedule 2, Part 1, Class A. Officers note the relevant parts of the proposal would fall within No. 113, specifically the rear extension at ground floor level and side extension as it is only these elements which would impact flood risk. All other parts of the scheme would be above ground floor level. In regard to the rear extension, this would cover a very similar footprint to the existing rear extension, proposed to be demolished, with an additional 2 metres in depth, with a total depth of 6 metres.
- 10.39. Under Paragraph A.4 of Class A, it would be possible to erect a 6-metre-deep extension under permitted development, subject to neighbour consultation. Officers note that an application for a 6-metre-deep extension was approved at No. 113 in 2023 (23/01719/H42). This permission remains for three years from the date of the decision and the applicants could erect an extension of this size without any flooding resilience measures. Therefore, the total footprint which would be covered as part of this application, would be possible under permitted development, for which the applicants already have approval for. Under Class A, it would also be possible to erect a side extension with a very similar footprint at ground floor level as proposed within this application. Whilst permitted development does not allow two-storey side extensions, the footprint which would be covered would be very similar.
- 10.40. The other relevant section of the GPDO would be Schedule 2, Part 1, Class D, which covers porches. The proposed porch would have a footprint of 4.56m² which would exceed the 3m² outlined in Class D. Whilst officers note that this would be slightly larger than allowed under permitted development, it is not considered that the additional footprint would be a reason for refusal on flooding grounds in this instance, having discussed

the footprint which could be covered under permitted development above. Having taken this into account, it would be unreasonable to refuse the application on flooding grounds.

- 10.41. Given the permitted development fallback position, officers have taken a practical approach in recommending the flood resilience and resistance measures set out in the FRA to be conditioned to reduce flood risk, as opposed to the proposal being carried out under permitted development with no flooding measures. The FRA states that finished floor levels would be set no lower than existing adjacent floor levels, flood proofing of the house would be incorporated as appropriate, and there would be no introduction of additional or separate units or dwellings, no sleeping accommodation on the ground floor, no basements and no increase in flood risk vulnerability post development. In addition, there would be no loss of floodplain storage at 111 Wytham Street and no unacceptable loss of floodplain storage at 113 Wytham Street. Finally, the FRA states that the proposed development fits within the Environment Agency standing advice for domestic extensions.
- 10.42. Officers are satisfied that the flood risk has been carefully assessed and whilst noting the site is within Flood Zone 3b, as illustrated above, proposals under permitted development have the potential to have a much worse outcome on flood risk compared with development which can be conditioned in accordance with site-specific flood resilience and resistance measures, as listed above.
- 10.43. Subject to the conditions recommended, the proposal is therefore considered to comply with Policies RE3 and RE4 of the Oxford Local Plan 2036.

V. Ecology

- 10.44. Policy G2 of the Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity.
- 10.45. The applicant has submitted a Preliminary Roost Assessment (PRA) in support of the application. The existing buildings were assessed to be of negligible suitability for roosting bats and no further surveys were recommended.
- 10.46. The report provides photographs of the buildings, including the internal loft voids, showing an unlined roof space in No. 113. Although the Council's ecology officers disagree with the project ecologist's assessment of the nearby surrounding habitat being unsuitable for foraging bats, officers are satisfied that the potential presence of protected habitats and species has been given due regard.

10.47. The Local Planning Authority, in exercising any of its functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017, which identifies four main offences for development affecting European Protected Species (EPS):

1. Deliberate capture, injuring or killing of an EPS
2. Deliberate disturbance of an EPS, including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young; or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
3. Deliberate taking or destroying the eggs of an EPS
4. Damage or destruction of a breeding site or resting place of an EPS.

10.48. Officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals.

10.49. Subject to the conditions and informatives recommended, the proposal is therefore considered to comply with Policy G2 of the Oxford Local Plan 2036.

11. CONCLUSION

11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material consideration indicate otherwise.

11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.3. Therefore, it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF,

which are inconsistent with the result of the application of the development plan as a whole.

Compliance with development plan policies

- 11.4. In summary, the proposed development would enhance a residential property and is supported by the overall objectives of the Oxford Local Plan 2036 and Policy S1. The proposal would not cause harm to the character or appearance of the surrounding area and would be acceptable in design terms, in compliance with Policy DH1 of the Oxford Local Plan 2036. The proposal would not be detrimental upon any neighbouring occupiers and would comply with Policies H14 and RE7 of the Oxford Local Plan 2036. The proposal would be acceptable in regard to flood risk and would comply with Policies RE3 and RE4 of the Oxford Local Plan 2036. The proposal would be acceptable in regard to ecological impacts and would comply with Policy G2 of the Oxford Local Plan 2036.
- 11.5. Therefore, officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 11.6. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out in the report. Therefore, in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.8. Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 and that there are no material considerations that would outweigh these policies.
- 11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report.

12. CONDITIONS

Time limit

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Development in accordance with approved plans

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings and to comply with Policy DH1 of the Oxford Local Plan 2036.

Materials

3. The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy DH1 of the Oxford Local Plan 2036.

Further Details - Materials

4. In the instance that the development is partially implemented at either property, further details of the material and finish of the party wall at ground floor level shall be submitted to, and approved in writing by, the Local Planning Authority and the works shall be carried out in accordance with the approved details.

Reason: To ensure the development is visually satisfactory and high quality, in accordance with Policy DH1 of the Oxford Local Plan 2036.

Flood Resilience and Resistance Measures

5. Flood resilience and resistance measures should be incorporated into the building, as proposed in the submitted Flood Risk Assessment, and as in accordance with DEFRA/Environment Agency Planning Practice Guidance, and the DCLG publication 'Flood resilient construction of new buildings'.

Reason: To manage flood risk in accordance with the NPPF and Policy RE3 of the Oxford Local Plan 2036.

SuDS

6. All Impermeable areas of the proposed development, including roofs, driveways, and patio areas should be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the runoff rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter

trenches. Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required.

If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations. The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Oxford City Council SuDS Design Guide can be found at www.oxford.gov.uk/floodriskforplanning

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with Policy RE4 of the Oxford Local Plan 2036.

Ecological Enhancements

7. Prior to occupation of the development, details of ecological enhancement measures including at least one bat roosting device or one bird nesting device per dwelling shall be submitted to and approved in writing by the local planning authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development Any new fencing will include holes suitable for the safe passage of hedgehogs. The approved devices and fencing holes shall be maintained and retained in perpetuity unless otherwise approved in writing by the local planning authority.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 174 of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

INFORMATIVES

NPPF

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

Ecology

2. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

All wild birds, their nests and young are protected under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present, then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.

13. APPENDICES

- **Appendix 1 – Site location plan**

14. HUMAN RIGHTS ACT 1998

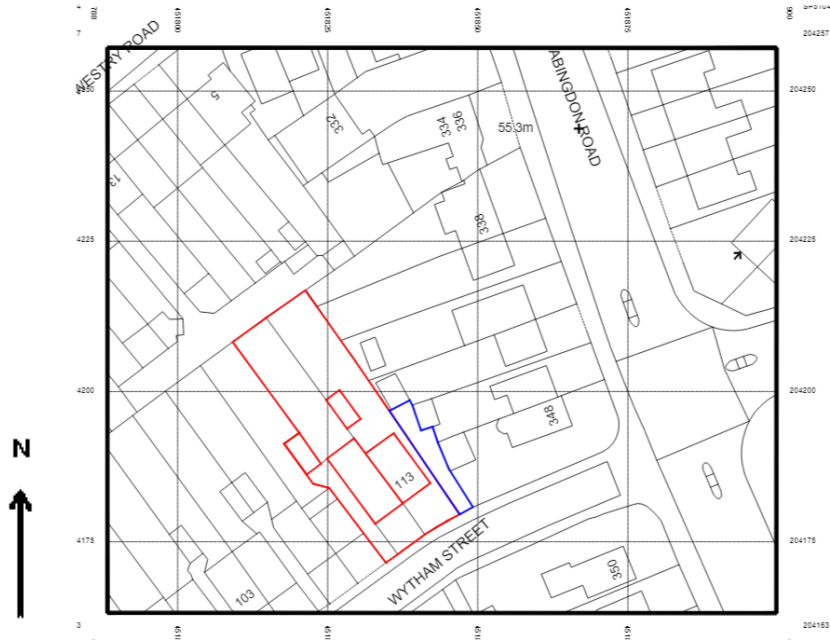
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to [approve/refuse] this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

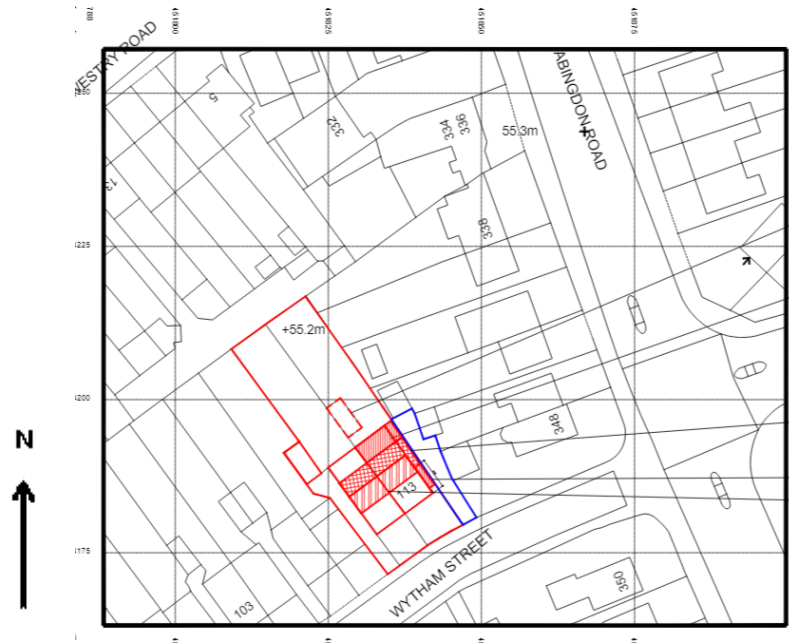
- 15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to [grant/refuse] planning permission,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

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Appendix 1



Existing Site Plan



Proposed Site Plan

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Oxford City Planning Committee

20th August 2024

Application number: 24/00668/FUL

Decision due by 13th May 2024

Extension of time 27th August 2024

Proposal Erection of a detached single storey rear outbuilding.
Installation of solar panels to outbuilding roof.

Site address 113 Wytham Street, Oxford, Oxfordshire, OX1 4TN –
see **Appendix 1** for site plan

Ward Hinksey Park

Case officer Victoria Ashton

Agent: Mr Grahame **Applicant:** Mr and Mrs Sagar
Elton

Reason at Committee The application has been submitted on behalf of a
member of staff of Oxford City Council.

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission

1.1.2. **delegate authority** to the Head of Planning and Regulatory Services to:

finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a detached single storey outbuilding with the installation of solar panels to the southern roof slope of the outbuilding.

2.2 This report considers the following material considerations:

- Principle of Development
- Design

- Impact on Neighbouring Amenity
 - Flooding and Surface Water Drainage
 - Land Contamination
- 2.3. Officers conclude that the proposed development would be acceptable with regards to its design. The proposal would not cause any detrimental impacts to the amenity of any neighbouring dwellings, subject to the recommended conditions and informatives. The proposal would be acceptable in regard to flood risk and surface water drainage, subject to the recommended conditions. The proposal would result in no issues in regard to land contamination. Overall, the proposal is considered to accord with Policies DH1, H14, RE7, RE3, RE4 and RE9 of the Oxford Local Plan 2036.
- 2.4. This report has been cleared by the Council's monitoring officer.

3. LEGAL AGREEMENT

- 3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. The site is located on the north side of Wytham Street, to the west of Abingdon Road in the south of Oxford. The property is a two-storey semi-detached dwelling, finished in peddle dash brown render to the elevations and finished under a tiled roof. There is an existing single storey rear extension, however there is no planning history indicating when this was added, and it is considered this was probably erected under permitted development rights and is now lawful having been in place for a period of four years or longer.
- 5.2. The site is set back from the highway by a large driveway, with parking for two vehicles. To the rear is a large garden. The site is bounded by the rear gardens of No. 338 to No. 348 Abingdon Road to the east and the rear gardens of several properties along Oswestry Road to the north.
- 5.3. Wytham Street is entirely residential in character, although there are various commercial units along Abingdon Road to the west. The site does not lie within a Conservation Area.
- 5.4. The site is located within a defined high flood risk area (Flood Zone 3b)
- 5.5. See site location plan below:



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6. PROPOSAL

- 6.1. The application proposes the erection of a single storey outbuilding to the rear garden. The outbuilding would have a depth of 4.1 metres, a width of 7.3 metres and would be finished under a pitched roof with an eaves height of 2.8 metres and a maximum height of 4.3 metres. 2 no. doors and 2 no. windows are proposed to the front elevation of the outbuilding. The outbuilding would be finished in brick to the elevations under a membrane roof.
- 6.2. The application also proposes the installation of 8 no. solar panels to the southern roof slope of the outbuilding.

7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

<p>23/01719/H42 - Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.00m, for which the maximum height would be 3.50m, and for which the height of the eaves would be 2.40m. 1PA 30th August 2023.</p> <p>23/01870/FUL - Erection of a single storey rear outbuilding. Installation of solar panels to outbuilding roof. (amended plans) (amended description). Withdrawn 4th March 2024.</p>
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23/02136/FUL - Erection of a part single, part two storey rear and side extension at 113 Wytham Street. Erection of a first floor rear extension at 111 Wytham Street. Alterations to roof to form hip to gable, formation of 2no. rear dormers, alterations to 1no. rooflight to the front elevation of 111, insertion of 2no. rooflights to the front elevation of 111, installation of 2no. solar panels to front elevation of 111, insertion of 3no. rooflights to the front elevation of 113 and installation of 2 no. solar panels to the front elevation of 111 and 2 no. solar panels to the front elevation of 113 (Amended plans and description). Withdrawn 4th March 2024.

24/00667/FUL - Demolition of existing rear extension at 113 Wytham Street. Erection of a part single, part two storey rear and side extension at 113. Erection of a first floor rear extension at 111 Wytham Street. Alterations to roof to form hip to gable. Formation of 2no. rear dormers in association with loft conversions. Formation of front porch to 113. Installation of 2no. solar panels to front elevation of 111. Installation of 2no. solar panels to the front elevation of 113. Insertion of 2no. rooflights to the front elevation of 111. Insertion of 3no. rooflights to the front elevation of 113. Alterations to 1no. rooflight to the front elevation of 111. Alterations to front bay window to 111. Pending consideration at planning committee 20th August 2024, officers recommendation for approval.

8. RELEVANT PLANNING POLICY

8.1. The following policies in the below table are relevant to the application.

8.2. It should be noted that the proposed submission draft for the Oxford Local Plan 2040 has been submitted for examination on 28th March 2024 and therefore its policies may be afforded some weight but noting that they cannot be given full weight at this stage.

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	131-141	DH1: High quality design and placemaking	
Housing		H14: Privacy, daylight and sunlight	
Environmental	180	RE3: Flood risk management RE4: Sustainable and foul drainage	

		RE7: Managing the impact of development RE9: Land Quality	
Miscellaneous	7-12	S1: Presumption in favour of sustainable development	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 4th April 2024.

Statutory and non-statutory consultees

South Oxford Community Association

9.2. No comments received at time of writing.

Public representations

9.3. No representations received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- I. Principle of Development
- II. Design
- III. Impact on Neighbouring Amenity
- IV. Flooding and Surface Water Drainage
- V. Land Contamination

I. Principle of Development

10.2. Policy S1 of the Oxford Local Plan 2036 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This applies to paragraphs 10 and 11 of the NPPF which state that a presumption in favour of sustainable development is at the heart of national planning policy. The Council will work proactively with applicants to find solutions jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning

applications that accord with Oxford's Local Plan and national policy will be approved without delay, unless material considerations indicate otherwise.

- 10.3. Specifically, where this application is concerned, the Council shall support enhancements to people's homes where they accord with the identified requirements of local and national planning policy, in addition to the legislative requirements the Council is required to undertake. In this case, planning permission would be granted without delay subject to the acceptability of the design of the proposal in relation to Policy DH1 of the Oxford Local Plan 2036. The proposal must also not be detrimental upon the amenity of neighbouring occupiers' in accordance with Policies H14 and RE7 of the Oxford Local Plan 2036. This proposal must also not cause any detrimental impacts in regard to drainage and flood risk outlined within Policies RE3 and RE4 of the Oxford Local Plan 2036. Finally, this proposed must also not result in any land contamination issues in relation to Policy RE9 of the Oxford Local Plan 2036.

II. Design

- 10.4. Policy DH1 of the Oxford Local Plan 2036 seeks to ensure that development is of a high-quality design and relates well to the existing house and its surroundings.
- 10.5. Having regard to the context of the site where large, detached garages and outbuildings are prevalent within many nearby rear gardens, the proposed outbuilding cannot be said to be out of character with the pattern of development in the area. Whilst the outbuilding would be tall at 4.3 metres in height, given that the eaves height would be low at 2.8 metres, with a pitched roof, sloping away from the neighbouring boundaries, the scale of the outbuilding would be acceptable and would read as a subservient addition to the main dwelling. This is also case given the size of the plot and the large rear garden in which the outbuilding would be sited.
- 10.6. The walls of the outbuilding would be finished in brick. Overall, the materials proposed are considered to be acceptable as they would form a good visual appearance to the host dwelling and would not be out of character with the surrounding area.
- 10.7. The southern roof slope of the proposed outbuilding would feature 8 no. solar panels. These would be sited together as an array and would in total cover 3.44m x 4.4m of the roof slope. Although solar panels are contemporary features and are not commonplace within the surrounding area; it is considered that due to their siting on the southern roof slope which would be screened by properties along Wytham Street and Abingdon Road, that the panels would not appear as prominent additions on the roof slope of the outbuilding and would not cause harm to the character of the area and would therefore be acceptable in design terms.
- 10.8. It is considered that the proposed outbuilding due to its use of matching materials with the host dwelling and its single storey height, would appear as a subservient building and therefore the panels would read within the context

of the overall site which has a contemporary character and appearance. The residual area of garden land would be acceptable having had regard to the size of the building proposed.

- 10.9. The proposal is therefore considered to comply with Policy DH1 of the Oxford Local Plan 2036.

III. Impact on Neighbouring Amenity

- 10.10. Policy H14 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes and does not have an overbearing effect on existing homes. Appendix 3.7 of the Oxford Local Plan sets out guidelines for assessing the loss of sunlight and daylight using the 45/25-degree code.
- 10.11. Policy RE7 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected.
- 10.12. The outbuilding is proposed next to the northern boundary of the site, which is adjacent to a pathway, separating the rear boundary of No. 113 from the rear boundaries of the properties along the south side of Oswestry Road. The pathway is accessed from Oswestry Road and is mainly used for vehicle parking as there are several garages located to the north of No. 113. The outbuilding would be single storey and would be located a sufficient distance away so as not to have an overbearing impact on the rear gardens of the properties along Oswestry Road.
- 10.13. Due to the sitting of the plot of No. 113, the eastern boundary of the site is adjacent to the rear boundaries of properties No. 338 to No. 348 Abingdon Road. The outbuilding would be located closest to the western boundaries of the rear gardens of No. 338 and No. 340. As mentioned above, the outbuilding would be single storey, with a maximum height of 4.3 metres, with an eaves height of 2.8 metres and would not be considered to have an overbearing impact on the rear gardens of these properties along Abingdon Road.
- 10.14. No. 111 Wytham Street to the west of the site also shares a boundary with No. 113. However, given the single storey nature and scale of the outbuilding, the proposal would have no impact upon light or overbearingness to the neighbour at No. 111.
- 10.15. The outbuilding would have 2 no. glazed doors to the front elevation, which would face south towards the rear elevation of No. 113. Therefore, the glazing would have no impact on overlooking or privacy to any neighbouring properties.
- 10.16. In order to protect the amenity of surrounding residential occupiers, it is recommended that a condition is attached to this permission ensuring that the approved development shall only be used for a purpose incidental to the use of the dwellinghouse at No. 113 Wytham Street and shall not be used for

primary living accommodation. In addition, no cooking facilities shall be installed within the outbuilding. This is necessary to ensure that there would be no increased noise and disturbance in an existing backland garden plot.

- 10.17. The proposed solar panels to the front roof slope of the outbuilding would have no impact on neighbouring amenity. All other properties are a sufficient distance away from the site so would not be directly impacted by the proposals.
- 10.18. Subject to the conditions recommended, the proposal is therefore considered to comply with Policy H14 and RE7 of the Oxford Local Plan 2036.

IV. Flooding and Surface Water Drainage

- 10.19. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land, and it will represent an improvement for the existing situation in terms of flood risk. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.20. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites.
- 10.21. The application site falls within Flood Zone 3b. In accordance with national and local policy, a Flood Risk Assessment (FRA) is required for proposals which fall within Flood Zone 3b. A Flood Risk Assessment has been provided as part of the application and the flood risk for the site has been carefully assessed.
- 10.22. Whilst the proposal would fall within Flood Zone 3b, where development is not typically granted unless it falls within the above criteria listed in Policy RE3, consideration must be given to development which could be undertaken through permitted development (General Permitted Development Order 2015) (GPDO) (as amended).
- 10.23. In this case, the relevant section of the GPDO would be Schedule 2, Part 1, Class E. Whilst the proposed dimensions of the outbuilding, specifically in terms of height, would be taller than that allowed under the conditions of Class E, officers have taken a pragmatic approach in considering the total floor area which could be developed under permitted development. Under permitted development Class E, subject to other conditions, it would be possible to erect an outbuilding which covered no more than 50% of the total curtilage of the existing dwelling. The proposed outbuilding would cover approximately less than 20% of the curtilage of the existing dwelling, which is significantly less than that allowed under the conditions of permitted development.
- 10.24. Given the permitted development fallback position, officers have taken a practical approach in recommending the flood resilience and resistance

measures set out in the FRA to be conditioned to reduce flood risk, as opposed to the proposal being carried out under permitted development with no additional flooding measures. The FRA states that finished floor levels would be set no lower than existing adjacent floor levels, flood proofing of the house would be incorporated as appropriate and there would be no unacceptable loss of floodplain storage at the site. Additionally, there would be no introduction of additional or separate units or dwellings, no sleeping accommodation on the ground floor, no basements and no increase in flood risk vulnerability post development.

- 10.25. Officers are satisfied that the flood risk has been carefully assessed and whilst noting the site is within Flood Zone 3b, as illustrated above, proposals under permitted development have the potential to have a much worse outcome on flood risk compared with development which can be conditioned in accordance with site-specific flood resilience and resistance measures.
- 10.26. Subject to the conditions recommended, the proposal is therefore considered to comply with Policies RE3 and RE4 of the Oxford Local Plan 2036.

V. Land Quality

- 10.27. Policy RE9 of the Oxford Local Plan 2036 sets out the requirements for applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. These include details of investigations carried out to assess the nature and extent of contamination and possible impacts on the development and future users, biodiversity, and the natural and built environment, and detailed mitigation measures.
- 10.28. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.
- 10.29. The Councils' internal land quality officer was consulted on the application and stated that the site has not been subject to previous historical contaminative use, according to historical mapping, as the site has always been in residential use. The proposed development is of a small scale with minimal groundworks and is within the existing curtilage of the property. There are no new residential dwellings and no significant landscaping proposed. As a result of the above, the overall contamination risk at the site is considered to be low for the proposed development and no conditions or informatives have been recommended for this application.
- 10.30. The proposal is therefore considered to comply with Policy RE9 of the Oxford Local Plan 2036.

11. CONCLUSION

- 11.1 On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2 In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 11.3 Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

Compliance with development plan policies

- 11.4 In summary, the proposed development would enhance a residential property and is supported by the overall objectives of the Oxford Local Plan 2036 and Policy S1. The proposal would not cause harm to the character or appearance of the surrounding area and would be acceptable in design terms, in compliance with Policy DH1 of the Oxford Local Plan 2036. The proposals would not be detrimental upon any neighbouring occupiers and would comply with Policies H14 and RE7 of the Oxford Local Plan 2036. The proposals would be acceptable in regard to flood risk and would comply with Policies RE3 and RE4 of the Oxford Local Plan 2036. The proposals would be acceptable in regard to land contamination and would comply with Policy RE9 of the Oxford Local Plan 2036.
- 11.5 Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 11.6 The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.7 Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out in the report. Therefore, in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.8 Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 and that there are no material considerations that would outweigh these policies.

11.9 It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report.

12. CONDITIONS

Time limit

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Development in accordance with approved plans

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings and to comply with Policy DH1 of the Oxford Local Plan 2036.

Materials

3. The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy DH1 of the Oxford Local Plan 2036.

Amenity – Incidental Use

4. The approved development shall only be used for a purpose incidental to the use of the dwellinghouse at 113 Wytham Street and shall not be used for primary living accommodation. No cooking facilities shall be installed within the outbuilding.

Reason: In order to protect the amenity of surrounding residential occupiers by ensuring that there would be no increased noise and disturbance in an existing backland garden plot as required by Policy H14 of the Oxford Local Plan 2036.

Flood Resilience and Resistance Measures

5. Flood resilience and resistance measures should be incorporated into the building, as proposed in the submitted Flood Risk Assessment, and as in accordance with DEFRA/Environment Agency Planning Practice Guidance, and the DCLG publication 'Flood resilient construction of new buildings'.

Reason: To manage flood risk in accordance with the NPPF and Policy RE3 of the Oxford Local Plan 2036.

SuDS

6. All impermeable areas of the proposed development, including roofs, driveways, and patio areas should be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the runoff rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches. Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required.

If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations. The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Oxford City Council SuDS Design Guide can be found at www.oxford.gov.uk/floodriskforplanning

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with Policy RE4 of the Oxford Local Plan 2036.

INFORMATIVES

NPPF

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

13.APPENDICES

- **Appendix 1 – Site Plan**

14. HUMAN RIGHTS ACT 1998

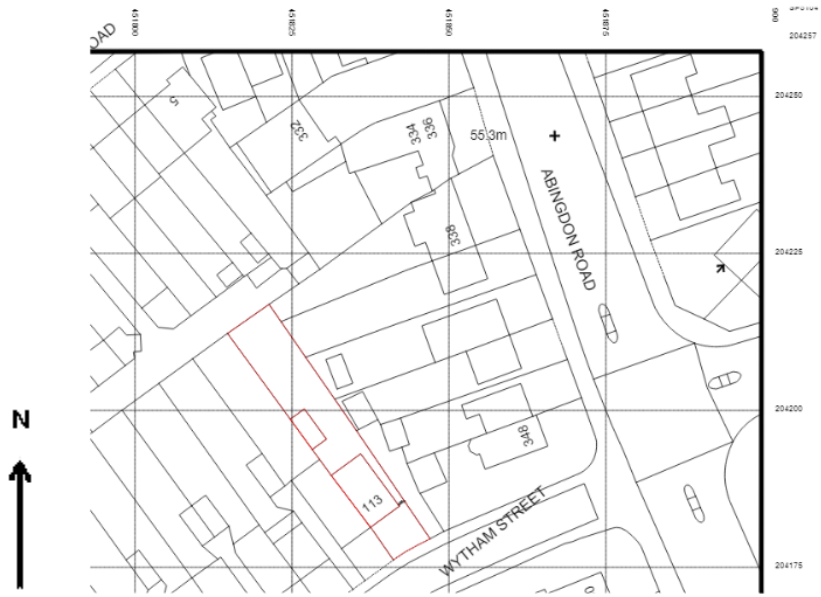
14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

15.1. 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.

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Appendix 1



Existing Site Plan



Proposed Site Plan

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Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 16 July 2024



Committee members present:

Councillor Clarkson (Chair)	Councillor Fouweather (Vice-Chair)
Councillor Altaf-Khan	Councillor Chapman
Councillor Coyne	Councillor Henwood
Councillor Hollingsworth	Councillor Ottino (for Councillor Hunt)
Councillor Rawle	Councillor Regisford
Councillor Upton	

Officers present for all or part of the meeting:

Ross Chambers, Planning Lawyer
Natalie Dobraszczyk, Development Management Team Leader
Mike Kemp, Principal Planning Officer
Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager

Apologies:

Councillor Hunt sent apologies.
The substitute is shown above.

15. Declarations of interest

General

Councillor Upton declared that as a member and trustee of the Oxford Preservation Trust she had taken no part in that organisation's discussions regarding any of the applications before the Committee. Councillor Upton stated that she was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

23/02411/FUL

Councillors Henwood, Upton and Clarkson each declared that they were a member of Cyclox, which had commented on the application. These Councillors each declared that they had had no discussion with Cyclox relating to the application or the comments submitted.

16. 23/02411/FUL: Land North of Charlbury Road, Oxford, Oxfordshire

The Committee considered an application (23/02411/FUL) for the erection of accommodation for boarding pupils to include access, landscaping, associated bin/recycling stage, cycle storage and associated development at land north of Charlbury Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- A further representation had been received following the publication of the officer's report which had been circulated to committee members. This had covered matters relating to the statutory consultation period carried out on amended plans; the drainage strategy; flood risk assessment; and consultation with the Environment Agency.
- The Planning Officer clarified that amendment had been made to the red line site location plan and the site plan and this had been re-advertised for a period of 21 days starting on 10 June. The consultation period had therefore now expired. Amendments were made to other statutory reports on 28 June; however, these changes were only to correct the red line plan on technical reports such as the drainage strategy. They were therefore considered to be immaterial when considering the merits of the application. Officers were satisfied that no development was proposed outside of the red line area and that all parties had been given appropriate notice.
- The drainage strategy did not rely on drainage into the western ditch, which was not within the red line area of the site. Fencing could be provided within the application site to provide separation between the development site and the adjoining Cherwell School. Officers were satisfied that the development would not increase the risk of flooding elsewhere, and this view was shared by the County Council as the Lead Local Flood Authority. The Environment Agency had also been consulted on the application but had chosen not to issue formal comments, referring instead to its standing guidance.
- The application proposed removal of the existing tennis courts and development of three buildings to provide pupil boarding accommodation for 120 pupils within 81 rooms for use by Wychwood School. The accommodation would include a mix of shared and single rooms. Three staff flats (one two-bedroomed flat in each building) were also proposed. Parking would be provided for 7 vehicles, with access from Charlbury Road to the south. The applicant had agreed to a financial contribution of £150,000, to be secured by a Section 106 agreement, to mitigate the loss of the tennis courts: this would be directed to existing publicly accessible tennis provision in north Oxford at either Cutteslowe Park or Alexandra Park. This was considered to be an enhancement in terms of wider sports provision relative to the existing tennis courts at the site which were under the private ownership of the school and was therefore considered to be in accordance with Policy G5 of the Oxford Local Plan and Policy HCS3 of the Summertown and St Margaret's Neighbourhood Plan.

- A site management plan would be secured by legal agreement. This would be a key document in managing the potential impact on residential amenity, including management of the use of outside spaces and use of the accommodation in the interest of managing noise, pupil behaviour and other associated issues.
- During the application process the access strategy had been revised to exclude pick up and drop off taking place at the boarding accommodation. Instead, this would take place at the main school premises at Banbury Road with luggage being transported via an on-site minibus. Parking provision at the application site would consist of a space for the minibus, three spaces for staff and spaces for servicing and deliveries. Pupils would be expected to walk between the site and the school's main premises each day. Vehicle movements associated with the development were therefore expected to be low, and vehicle speeds on approach to the site were also low at the current time. Off-site vehicular access improvements to increase the awareness by road users of cyclists when entering and exiting the site were proposed: this was important given the spatial proximity of the access to the National Cycle Network. The County Council as Local Highway Authority had raised no objection to the application on highway safety grounds, and officers considered that the application would not have a severe impact on the safety of road users and would therefore not be contrary either to the NPPF or Policies M1 or M2 of the Oxford Local Plan. Management of vehicle movements would be included in the site management plan to be secured by legal agreement.
- A Construction Traffic Management Plan would be secured by condition: the movement of construction vehicles would require careful management and supervision, and the movement of construction vehicles would need to avoid peak commuting and school drop-off times.
- Officers considered that the proposal was acceptable and in compliance with the relevant policy provisions of the NPPF, the Oxford Local Plan and the Summertown and St Margaret's Neighbourhood Plan. It was therefore recommended for approval for the reasons given in the report and subject to the conditions set out in the report and a legal agreement to secure the planning obligations as set out in the report.

Jonathan Bard of the Linton Road Neighbourhood Association spoke against the application.

Jane Evans, Headteacher of Wychwood School, spoke in favour of the application.

The Committee asked questions about the details of the application which were responded to by officers, the applicant and their representatives. The Committee's discussions included, but were not limited to:

- The new buildings were required to be DDA compliant and would be fully accessible for all pupils;
- Catering would not be provided on the site, and so deliveries associated with food were expected to be minimal. However, deliveries of cleaning and laundry supplies would be needed on a regular basis. This was not expected to involve large vehicles. Management of deliveries would be included in the site management plan.

- The operation of the school for summer school students would be the same as for term time, for example summer school students would also be required to pick up and drop off at the main site in Banbury Road. The pupil management plan would restrict the use of cars by pupils, with no pupil cars to be permitted at the site during either holiday periods or term time.
- Paragraph 10.84 of the report set out the County Council's advice that 1 cycle parking space per 2 pupils could be secured by planning condition; however, no condition to require this level of cycle parking had been included. The applicant clarified that pupils would be required to walk between the two school sites and the Wolfson playing fields. Cycling between sites would require pupils to be supervised and it was therefore not permitted. It was considered that there would be no merit in requiring the applicant to provide the additional cycle parking spaces as suggested by the County Council if they would not be used. Officers responded that given that the Oxford Local Plan did not specifically list cycle parking standards for school boarding accommodation, a level of cycle parking based on operation requirements could be justified, i.e. the 20 spaces which were included in the application.
- The applicant had sought within the application to address concerns raised by the neighbouring Cherwell School, for example by reducing the number of, or changing, the windows on the western side; covering the fire stairwell; providing assurance that pupils would not be in the boarding accommodation during the school day; and undertaking to improve the boundary treatment between the two schools.
- The condition relating to the Construction Traffic Management Plan would need to be very carefully worded given the potential risks associated with the proximity of cyclists and large numbers of children to construction traffic at a difficult junction.

On being proposed, seconded and put to the vote the Committee agreed with the officers' recommendation to approve the application for the reasons set out in the report and subject to the conditions set out in the report, the addition of a condition relating to cycle parking to specify that this should be based on operational requirements, and a legal agreement to secure the planning obligations set out in the report.

The Oxford City Planning Committee resolved to:

1. **approve the application** for the reasons given in the report subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to:
 - the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and
2. **delegate authority** to the Head of Planning and Regulatory Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary; and

- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

17. 24/00732/FUL: U Y S Ltd, Garsington Road, Oxford OX4 2BW

The Committee considered an application (24/00732/FUL) for the development of up to 22,375sqm open storage (Use Class B8) together with associated highways works, site-wide hard and soft landscaping works, and boundary treatment at UYS Ltd, Garsington Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The application site was located in the north of the Unipart site, with access only through the Unipart site via Transport Way and Garsington Road.
- The surrounding development consisted of large industrial warehousing and buildings associated with use by Unipart; the nearest residential dwellings were to the northeast at Horspath, over 200m from the site. The surrounding land to the east consisted of open agricultural land. The Northfields residential site allocation, within south Oxfordshire District, lay to the south of the Unipart buildings. Visibility of the site from the surrounding landscape was limited.
- The building had been unused since 2021 when UYS had vacated the premises. Planning permission had previously been granted for a temporary Class B8 storage use: the existing building fell under a Class B2 light industrial use but marketing had indicated a level of interest in use of the building for storage purposes. Permission had also been granted for urgent repair and refurbishment works to the building. Despite this, firm interest in use of the building had not materialised.
- The application before the committee sought temporary planning permission (7 years) for open air storage on the site, to be located on both the existing hardstanding below the former UYS building and on the car parking. The application site fell within the former Unipart employment allocation in the Oxford Local Plan which allowed for Class B8 storage uses on the site, although as noted in the report there was a contradiction with Policy E1 of the Oxford Local Plan which was not permissive of storage and distribution uses on allocated employment sites, apart from where such use was necessary to support existing uses.
- The applicant's intention was to redevelop the site in the longer term, subject to delivering improvements to the existing access arrangements. This application would therefore allow for a 'meanwhile' storage use whilst still retaining potential for long term, more permanent, redevelopment in order to generate employment opportunities. Officers considered that this was preferable to the site remaining vacant for an extended period; the departure in technical terms from Policy E1 of the Oxford Local Plan was therefore considered to be justified, particularly as the

proposal was compliant with the wider provisions of the Oxford Local Plan and the NPPF.

- A total of six car parking and two cycle parking spaces were proposed on the site. The proposal would involve a substantial reduction in forecast vehicle movements and so was considered to be acceptable in terms of access, highway safety and highway amenity terms. It was also likely to have a reduced impact on adjoining properties in terms of noise than the former UYS building.
- Provision had been made in the plans to secure biodiversity net gain of 15.89% and replacement tree planting for the loss of nine small trees in the car park area which would need to be removed.
- For the reasons set out in the report, the application was recommended for approval subject to the required planning conditions set out in the report.

The Committee asked questions about the details of the application which were responded to by officers.

On being proposed, seconded and put to the vote the Committee agreed with the officer's recommendation to approve the application subject to the required planning conditions set out in the report.

The Oxford City Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **delegate authority** to the Head of Planning and Regulatory Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary.

18. Minutes

The Committee resolved to approve the minutes of the meeting held on 25 June 2024 as a true and accurate record.

19. Forthcoming applications

The Committee noted the list of forthcoming applications.

20. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 7.44 pm

Chair

Date: Tuesday 20 August 2024

When decisions take effect:

Cabinet: after the call-in and review period has expired

*Planning Committees: after the call-in and review period has expired and the formal
decision notice is issued*

All other committees: immediately.

Details are in the Council's Constitution.

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