

# WEST AREA PLANNING COMMITTEE

**Wednesday 13 June 2012**

**COUNCILLORS PRESENT:** Councillors Benjamin, Canning, Clack, Cook, Goddard (Vice-Chair), Jones, Khan, Tanner, Van Nooijen (Chair) and Williams.

**OFFICERS PRESENT:** Lois Stock (Democratic and Electoral Services Officer), Angela Fettiplace (City Development), Michael Morgan (Law and Governance) and Andrew Murdoch (City Development)

## **15. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

No apologies for absence were received.

Councillor Williams would substitute for Councillor Benjamin on item 4 – Carling Academy.

## **16. DECLARATIONS OF INTEREST**

The following declarations were made:-

- (1) Councillor Benjamin – personal and prejudicial interest in item 4 - Carling Academy (minute 18 refers) on the grounds that she had appeared with residents in an item in the Oxford Mail about this issue.
- (2) Councillor Clack - personal and prejudicial interest in item 4 - Carling Academy (minute 18 refers) on the grounds that she had already made a representation on behalf of residents.

Councillors Benjamin and Clack announced their intention to withdraw from the meeting when this part of the agenda was reached.

- (3) Councillor Van Nooijen – personal interest in item 3 – OUP (minute 17 refers) on the grounds that he knew the architects for the scheme. Also personal interest in item 6 – 75 Southmoor Road (minute 20 refers) on the grounds that one of the objectors had been his tutor previously.

## **17. PLANNING APPLICATION FOR DETERMINATION - UNIVERSITY PRESS, WALTON STREET (12/00416/LBD AND 12/00371/FUL)**

The Head of City Development submitted a report (previously circulated, now appended) concerning the following application:-

1. *Erection of office building on 3 floors plus basement, linked to existing buildings fronting Walton Street. Creation of landscaped courtyard.*
2. *Erection of office building on 3 floors plus basement linked to existing buildings fronting Walton Street, involving demolition of C wing workshop*

*building dated 1895 and demolitions including rear of 35 Walton Street and link blocks.*

Angela Fettiplace presented the report to the Committee.

In accordance with the criteria for public speaking, Stewart Peagum (OUP) and Jon Du Croz (Architects for the Applicant) spoke in favour of the application. No one spoke against it.

The Committee took all submissions into account, both written and oral and RESOLVED to support the application in principle, but to defer the applications to allow an accompanying legal agreement to be drawn up, and to delegate to officers issuing of notices of permission and listed building consent on its completion.

## **18. PLANNING APPLICATION FOR DETERMINATION - CARLING ACADEMY, COWLEY ROAD (12/00683/VAR)**

The Head of City Development submitted a report (previously circulated, now appended) concerning the following application:-

*Application to vary condition 2 of planning permission 05/01355/VAR to enable the premises to be open between the hours of 18:00 - 02:00 Mondays to Thursdays; 18:00 - 04:00 on Fridays and Saturdays; 12:00 - 00:00 on Sundays; 12:00 - 04:00 on Sundays prior to Bank Holidays; and on 30th April each year to be open until 06:00 the following day (May Day)*

In accordance with their declarations of interest, Councillors Benjamin and Clack withdrew from the room whilst this item was considered. Councillor David Williams substituted for Councillor Benjamin during consideration of this item.

Andrew Murdoch presented the report to the Committee.

In accordance with the criteria for public speaking, Sajj Malik spoke against the application. Phil Crier (Solicitor on behalf of the Applicant) and Mr Roberts (Applicant) spoke in favour of it.

The Committee took all submissions into account, both written and oral.

Whilst conscious of and noting the conditions attached to the extant premises licence and the provisions of the licensing regime, particularly with respect to the prevention of crime and disorder and the prevention of nuisance, the Committee formed the view that:-

- (1) The bringing forward of the start of opening hours to 18:00 (and specifically the attracting of a number of people to the premises at that time with the attendant interference with the passage of people going about their normal business) would generate limited but significant noise, disturbance and anti-social behaviour at a time when the normal day time activities of the area (both residential and commercial) would still be underway and would unacceptably conflict with and impact upon those activities and the normal use of residential properties within the area

Contrary to the aims and objectives of Policies CP1, CP19, and CP21 of the Oxford Local Plan 2001-2016, and Policy CS19 of the Oxford Core Strategy

- (2) The extension of the terminal hours on the days sought would also generate limited but significant noise, disturbance and anti-social behaviour at times (between 00:00 and 04:00 (06:00 May Day)) when the impact upon the occupiers of residential properties within the area would be particularly emphasised such that the impact upon the normal use of residential properties within the area would be unacceptable

Contrary to the aims and objectives of Policies CP1, CP19, and CP21 of the Oxford Local Plan 2001-2016, and Policy CS19 of the Oxford Core Strategy

- (3) Both the bringing forward of the opening hours and the extension of the terminal hours and specifically the limited but significant noise, disturbance and anti-social behaviour so effected would conflict with the need to do all that the Council reasonably can to prevent, crime and disorder in its area a need that the Council is required to have due regard to by virtue of s17 of the Crime and Disorder Act 1988

Contrary to the aims and objectives of CP1, CP19, and CP21 of the Oxford Local Plan 2001-2016, and Policy CS19 of the Oxford Core Strategy.

And that therefore the application was REFUSED.

## **19. PLANNING APPLICATION FOR DETERMINATION - 241 BANBURY ROAD (12/00876/FUL)**

The Head of City development submitted a report (previously circulated, now appended) concerning the following application:-

*New first floor rear 2 bedroom apartment with separate ground floor entrance*

Andrew Murdoch presented the report to the Committee.

In accordance with the criteria for public speaking, Emma Hawksworth spoke against the application. Nik Lyzba (on behalf of the Applicant) spoke in favour of it.

The Committee took all submissions into account, both written and oral and RESOLVED:-

- (1) Notwithstanding the views expressed by the Inspector determining Appeal Decision APP/G3110/A/11/2151176 the Committee formed the view that the design of the proposed development is visually incongruous and fails to reflect or respect the identity of local surroundings and materials such that it would not create an appropriate visual relationship with the existing building and the character and appearance of the surrounding area

Contrary to the aims and objectives of Oxford Core Strategy Policy CS18, Oxford Local Plan policies CP1, CP6, CP8, CP9 and CP10, and Policy HP9 of the emerging Sites and Housing Plan

- (2) The Committee formed the view that whilst an improvement upon the scheme that was the subject of Appeal Decision APP/G3110/A/11/2151176, the impact upon the use and amenity of the flat at 241 Banbury Road would be unacceptable on account of the extent of the sense of enclosure and overbearing that would be effected.

Contrary to the aims and objectives of Oxford Local Plan policies CP1, CP10 and HS19 and Policy HP14 of the emerging Sites and Housing Plan.

And that therefore the application was REFUSED.

(Consideration of this item was disrupted by the fire alarm and the meeting was adjourned for approximately 20 minutes from 7.15pm).

## **20. PLANNING APPLICATION FOR DETERMINATION - 75 SOUTHMOOR ROAD (12/00769/FUL )**

The Head of City Development submitted a report (previously circulated, now appended) concerning the following application:-

*Erection of single storey rear extension at lower ground floor level. Removal of existing second floor rear extension, and erection of 3 storey rear extension at ground, 1st and 2nd floor levels*

Andrew Murdoch presented the report to the Committee.

In accordance with the criteria for public speaking, Huw Mellor and Janet Howarth spoke against the application. Nick Turner (Agent for the Applicant) spoke in favour of it.

The Committee took all submissions into account, both written and oral and resolved to APPROVE the application with conditions laid out in the planning officer's report, and the modification of condition 3 to require reuse of such of the current wall material as could be utilised; and that the Head of City Development be authorised to issue the noticed of permission.

## **21. PLANNING APPLICATION FOR DETERMINATION - 9 AND 12 WHITSON PLACE (12/00147/FUL)**

The Head of City Development submitted a report (previously circulated, now appended) concerning the following application:-

*Side and rear two storey extension to 9 Whitson Place. First floor extension to 12 Whitson Place.*

Andrew Murdoch presented the report to the Committee.

In accordance with the criteria for public speaking, Robert Pope spoke in favour of the application. No-one spoke against it.

The Committee took all submissions into account, both written and oral and resolved to APPROVE the application with conditions laid out in the planning officer's report, and an informative advising that the surface of the hard standing be permeable; and that the Head of City Development be authorised to issue the notice of permission.

## **22. FORTHCOMING APPLICATIONS**

Resolved to note the forthcoming planning applications which would be before the Committee at future meetings:-

1. 12/00249/FUL – former Motorworld site, Abingdon Road – Travelodge;
2. 12/00541/VAR – 48A Donnington Bridge Road – extensions/ variation of conditions.
3. 12/00992/FUL – 10 Gordon Street – conversion of social club to residential;
4. 12/00602/FUL – 9 Whitehouse Road – extension;
5. 12/01083/FUL – 18 Weirs Lane – extension;
6. 11/00940/CONSLT – University Science Area, South Parks Road – Master Plan (not a planning application)
7. 12/00888/FUL & 12/00902/CAC – 30 Plantation Road – Garage
8. 12/00182/FUL - 18 Regent Street – extension
9. 12/01169/FUL – 2 Upland Park Road – Two houses.
10. 12/01085/FUL – 33 Leckford Place – Extensions
11. 12/01268/FUL – 68 Abingdon Road – variation to extensions
12. 12/00855/FLT – Park Town/Banbury Road – Telecom equipment
13. 12/01151/CAC and 12/001150/FUL – Linton Lodge Hotel – porch, conservatory.

## **23. PLANNING ENFORCEMENT**

The Head of City Development submitted a report which provided the Committee with an update on the performance and progress of the planning enforcement service for 2011/12.

Resolved to note the report.

**24. DATES AND TIMES OF FUTURE MEETINGS**

Resolved to note the dates of future meetings.

**The meeting started at 6.00 pm and ended at 8.23 pm**