

**On Behalf of:** Dr P Sidgwick  
C/o Mr Josh Lambert  
JPPC Chartered Town Planners  
Bagley Croft  
Hinksey Hill  
Oxford  
OX1 5BD

### APPLICATION FOR PLANNING PERMISSION

Town and Country Planning Act 1990

DECISION DATE: 4th March 2021

PROPOSAL: Erection of a single storey rear extension, conversion of garage to habitable space with insertion of window to front elevation, erection of covered cycle shelter to side elevation with 6no. bicycle stands and provision of bin storage.

AT: 65A St Mary's Road Oxford OX4 1PN

### NOTICE OF GRANT OF PLANNING PERMISSION

**21/00119/FUL**

Following consideration of the application in respect of the proposal outlined above, it was resolved to **GRANT PLANNING PERMISSION** for the following reasons:-

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to following conditions, which have been imposed for the reasons stated:-

#### CONDITIONS:

- 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.

- 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 in accordance with policy DH1 of the Oxford Local Plan 2036.

- 3 The materials to be used in the new 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 the satisfactory visual appearance of the new development in accordance with policy DH1 of the Oxford Local Plan 2036.

- 4 The garage conversion hereby permitted shall not be used other than for purposes incidental to the enjoyment of 65A St Mary's Road, and shall not be used as a separate dwelling or any business, commercial or industrial purposes, and no cooking facilities shall be installed within the garage.

Reason: To ensure that the development does not give rise to an adverse impact on the amenity of surrounding occupiers as required by Policy H14 of the Oxford Local Plan 2036.

- 5 Prior to commencement of the development, details of the bin store shown on drawing PL.06 'Proposed GF and FF Plans' including means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved bin store shall be installed prior to future occupation of the approved development. The base of the bins store shall be designed to avoid excavation which will be harmful to the adjacent birch tree which shall be retained.

Reason: To promote recycling and ensure sufficient provision of waste removal and protect existing tree roots in accordance with policy DH7 and G7 of the Oxford Local Plan 2036.

#### INFORMATIVES :-

- 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.
- 2 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

PLEASE NOTE All local plan policies and proposals which are relevant to this decision are specified in the list below which forms part of this decision notice.

**S1** - Oxford Local Plan 2036

S1- Presumption in favour of sustainable development

**DH1** - Oxford Local Plan 2036

DH1 - High quality design and placemaking

**RE2** - Oxford Local Plan 2036

Oxford Local Plan 2036

Policy RE2 - Efficient use of land

**RE7** - Oxford Local Plan 2036

RE7 - Managing the impact of development

**H14** - Oxford Local Plan 2036

H14 - Privacy, daylight and sunlight

**M5** - Oxford Local Plan 2036

M5 - Bicycle Parking

**RE9** - Oxford Local Plan 2036

RE9 - Land Quality

## **APPROVED PLANS**

<b>Reference Number</b>	<b>Version</b>	<b>Description</b>
PL.00		Location Plan
PL.06		Floor Plans - Proposed
PL.07		Floor Plans - Proposed
PL.08		Elevations - Proposed
PL.09		Elevations - Proposed



**Adrian Arnold**

Head of Planning Services

**Please quote reference number 21/00119/FUL in all communications**

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000. Any planning application which involves alterations to the kerb and construction of a vehicle crossing in the highway (including the footway and/or verge) will require a separate written application to be made to Oxfordshire County Council (Highways), County Hall, New Road, Oxford, OX1 1ND (<http://www.oxfordshire.gov.uk/business/licences-and-permits/dropped-kerbs>).

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE**

## **GUIDANCE NOTES FOR APPLICANTS WHERE AN APPLICATION HAS BEEN APPROVED**

### **1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.**

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. With regard to approved applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk). The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

It may be that planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment; but you, as the landowner, claim that the land is no longer fit for reasonably beneficial use in its existing state and you cannot make it fit for such use by carrying out the permitted development. If so, you may serve a purchase notice on Oxford City Council requiring the Council to buy your interest in the land. You can do this under Section 137 of the Town and Country Planning Act 1980 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.

You may claim compensation against the Local Planning Authority if the Secretary of State has refused or granted permission subject to conditions, either on appeal or when the application was referred to her or him.

Compensation is payable in the circumstances set out in:

(a) Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990; or (b) Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings.

### **2. ADDITIONAL NOTES ON LISTED BUILDING CONSENT**

- 1 If you wish to modify the development referred to in your application or to vary it in any way, you must make another application.
- 2 This notice refers only to the grant of listed building consent and does not entitle you to assume that the City Council has granted its consent for all purposes:
  - (a) If you have applied for planning permission under Section 57(1) of the Town and Country Planning Act 1990, we will send you a separate notice of decision;
  - (b) We will send you a separate notice about plans you have submitted under the Building Regulations 2000;
  - (c) If the development for which listed building consent has been granted includes putting up a building for which you have to submit plans under the Building Regulations 2000, you should not do any work connected with erecting that building until you have satisfied yourself that you have complied with Section 219 of the Highways Act 1980 or that they do not apply to this building.
- 3 Even if you have gained listed building consent, you must comply with any restrictive covenants that affect the land referred to in the application.

### **3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS**

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)).

