

# **Oxford City Council**

## **Development Management User Group Meeting**

### **9 November 2010**

Notes by John Rawson (prepared from longhand notes taken at the meeting - this document is likely to contain errors - my apologies). Comments and explanatory notes by JR are shown *[thus]*.

*[The city council runs a meeting, held at approximately six-monthly intervals, for all those organisations that have continuing contact with the Development Control department - the Planning system. It is attended by architects, estate agents, developers, social groups, local amenity groups, etc. - representatives of any organisation that is seriously interested. Senior officers from relevant departments attend, discuss issues current and future, and answer questions from participants. Discussion is frank and open. It is chaired by Niko Grigoropoulos, Development Performance Manager - normally known as "Niko".]*

## **1. Building Control.**

The Building Control department *[which controls how you build buildings, aspects of legality, stability and safety etc.]* is distinct from the Development Control department, *[which controls what you can build where, and what you can do in it.]*

*[Builders and Developers are required by the Building Regulations and legislation contained in the Building Act 1984 to obtain building control approval. This is an independent check that the Building Regulations have been complied with.]*

Co-ordination between the two departments is not as close as it might be, and concern was expressed that it should be closer. Building Control officers do not automatically check that what is being built is in accordance with a planning approval. If they happen to notice that it isn't, they will draw this to the attention of Development Control, but as they do not automatically have the approved drawings to hand they may not notice.

If a developer builds something that is not in accordance with an approval, it risks completing the building work and then having it demolished by enforcement officers.

There is a discontinuity here between the two departments. Making it closer, which would be desirable, could put more work on Building Control officers, and they are short of staff and money as it is. *[There is an issue with the privatisation of building control inspectors. Developers can opt to have their buildings inspected by specialist outside firms rather than by the council. So the council's inspectors are in a competitive commercial situation.]*

BREEAM assessments are also done by Building Control officers. The council supports it but cannot yet enforce it. The government is pushing for much higher standards of air-tightness and thermal insulation in new buildings.

*[BREEAM (Building Research Establishment Environmental Assessment Method) is the leading and most widely used environmental assessment method for buildings. It sets the standard for best practice in sustainable design and has become the de facto measure used to describe a building's environmental performance.]*

Small housing developments may be inspected by NHBC inspectors, rather than building control officers. *[NHBC, the National House-Building Council, is the standard-setting body and leading warranty and insurance provider for new and newly converted homes in the UK].*

## **2. E-Planning**

The council is in the process of trying to eliminate paper from its offices. It is hoping to have everything on its new web site by January. There should be better and easier public access, and it should be easier to track the situation of any application.

One member questioned whether this would create a disadvantaged class of people - those with no access to the internet, but was assured that anyone could still visit the office, where reception staff could assist them with web site access.

Another member asked if this proposal was legal. He said that in court cases original plans etc have to be produced.

And another said that print-outs from electronic files were always to small sizes and therefore not to scale. It was essential to be able to scale details on drawings (even though drawings routinely have "Do not scale this drawing" written on them).

It was agreed that the council would probably maintain, in the future, paper files for original plans - if for nothing else. Niko will investigate further and report back.

### 3. Heritage Update.

Robert Lloyd-Sweet (new in July) reported on the current scene.

- The Heritage Plan, a revision to the Draft Core Strategy, is under way.
- The Oxford Landscape Characteristics survey is under way.
- The Oxford View Cone survey is being updated. Views of Oxford from various points are supposed to be protected from being obscured by new developments. However, many of the viewpoints are not under the jurisdiction of the city council.
- The West Oxford Historic Preservation Study is being progressed, with some funding from English Heritage.
- Conservation Area Assessments are under way for:
  - Beauchamp Lane
  - a new Conservation Area (CA) is proposed for Jericho
  - the Old Headington CA assessment is being written up, for consultation in late November.
  - there should be an Old Marston CA assessment by January
  - the North Oxford assessment was in draft but had lapsed following a staff change. This is now under way again. The Civic Society and the Victorian Society are involved.
  - there is to be an assessment for Walton Manor.
  - next year they want to do the city centre, but that has five areas and will need external financial resources.
- There is now an Oxford Character Assessment Toolkit. This is a DIY set of survey forms etc. which can be used anywhere, not necessarily in CAs [*There are many notable buildings outside CAs*].
- A tree study is under way. It will either cover North Oxford or, if possible, the whole city.
- There is an East Oxford Archaeological Project under way, covering a large area south of the London Road.
- The key goals of the Heritage Plan involve consultation with the public and major bodies such as the university, county council etc.

*[The meeting clapped RLSs presentation, which is very unusual]*

*[ For the documents mentioned above see the Planning Dept website:*

*<http://www.oxford.gov.uk/PageRender/decP/Planning.htm> ]*

A member asked about people who are outside CAs, and who might be forgotten. RLS said the council wanted to look hard at those areas - many were of considerable interest, or had individual interesting buildings in them.

RLS noted that Marston CA has traffic issues, and North Oxford CA had a problem with infilling in large gardens.

Niko said that revising all the old CA Assessments will not be done until work on the new ones is completed.

- There is a list of Buildings of Local Historic Importance, but it has not yet been put out to consultation. They are buildings which could do with protection. It is under discussion.

### 4. Planning Policy Update

- The Hearings on the Core Strategy Update were completed in November. It is currently with the government and the report will soon be published.

A member asked whether the Inspector could make mandatory changes, and if so did the council have to accept them. The answer was yes, he could, and the council had to accept them, but it was in its power (if it felt sufficiently strongly) to then not accept its own revised report.

- Barton AAP. Initial consultations had been held, and they are now going through the responses. They are working on an Options document.

It is a slightly odd development situation, as it is on council land, the council's asset management department is involved, and it is under the control of the council's planning department.

- There have been public workshops and drop-in sessions on the council's list of 100 minor development sites. These are smaller than "strategic sites" of over 10 hectares, such as Peartree, Barton and West End. An Option document by is expected by spring.
- There are a number of other live issues: houses in multiple occupation, student accommodation, affordable housing, residential design, developments on gardens, etc.
- When the Core Strategy report is published they are expecting a new work programme, (including Barton AAP)
- An East Oxford Residents Associations Forum has been set up. This began with St Clements, St Mary's and few others. It is hoped to pull them all together so that the planners can hold meetings with them all. The meeting was assured that membership of the Forum would not remove the voice of any individual association - it could still make its own views known to the council.

## 5. HMOs

Housing in Multiple Occupation (HMOs) are much in the news. *[They are defined as houses containing three to six occupants sharing facilities. Common for students in university towns.]*

- On 6 April 2010 a new national provision came in separating the C3 Use Class into C3 (dwelling houses) and C4 (HMOs). Landlords can change from C4 to C3, but not from C3 to C4 without permission. The classification of any individual property depends on its use on that day. No survey was carried out, applicants have to prove their case.
- In June the council tried to beef-up its actions and to discourage new HMOs pending new policies.
- Two days after the new provisions came in the housing minister indicated that a partial reverse was intended, in that people could get Permitted Development Rights to change from C3 to C4. The Royal Town Planning Institute objected to this. The landlords supported it. The university and the city supported the RTPI.
- Oxford and Newcastle, cities with many HMOs, instituted a legal challenge, but the High Court refused to hear it. A further request was put in last week, as the city needs a resolution.
- The government says that the city can apply an Article 4 Direction to prevent a change from C3 to C4 (but Article 4 has never been used before in that way - it has been used to control appearance of buildings, but not their use). The council will consider in December whether to go for Article 4 Directions. These can be Immediate, or Non-Immediate (applying in 12 months time). However with Immediate directions there is a compensation issue, which could be up to £30,000 or so per house for loss of rent etc. Bournemouth and Portsmouth are intending to use 12-month directions. The council hopes to get control in place by the end of February 2011.
- There have been no surveys done. 3,500 houses have applied for licences, but it is estimated that there may be 5,000 HMOs. The city is watching closely.
- It would be possible to put a blanket Condition on new planning permissions for houses that they should not be used as an HMO. But this can only affect new-build.

## 6. Pre-Application advice.

The city is providing this for non-household, and for enforcement issues. For household applications they are surveying what the situation is, and what applicants feel about the process.

## 7. Performance update

The city is still approving 80% of applications within 8 weeks. But some big developments take longer, by agreement with the developer.

37% of planning appeals have been allowed. *[By the Planning Inspectorate in Bristol]*.  
So far this year no costs have been paid under appeals, but one case is pending.

## **8. Staff changes**

The Planning department has about 20% turnover each year. The current staff is as follows:  
Development Performance Manager - Niko Grigoropoulos. Under him there are four team leaders:

(i) Chief Principle Planner - Murray Hancock.

(ii) Building Control Team Leader - Huw Davies, with under him:

- Senior BC Surveyor: Cleo Hooper.

- BC Surveyors: David Clayton, Michael Collett, Martin Hobley, Campbell Kidd, Nigel Morris, Emily Pinching.

(iii) Development Control Team Leader - Martin Armstrong, with under him:

- Principal Planners: Felicity Byrne, Angela Fettiplace, Steven Roberts, Andrew Murdoch.

- Senior Planners: Amanda Rendall, Lisa Green, Amy Winch.

- Planners: Davina Sarac, Tim Hunter.

- Enforcement Officers: Paul Townsend, Rona Gregory, Martin Spragg.

(iv) Heritage and Special Services Team Leader: Nick Worledge

- Principle Conservation Officer: Kathryn Owen.

- Archaeologist: David Radford.

- Senior Conservation Officer: Sarah Billern, Robert Lloyd-Sweet.

- Tree Officer: Kevin Caldicott, Chris Leyland.

- CO (Special Projects): Dan Clarkson, Ruth Beckley.

- Planning Technician (Appeals and Projects): Oliver DeSoissons.

The next meeting will be in April 2011