

EAST AREA PLANNING COMMITTEE

Monday 9 September 2013

COUNCILLORS PRESENT: Councillors Darke (Chair), Rundle (Vice-Chair), Clarkson, Coulter, Curran, Hollick, Lloyd-Shogbesan and Mills.

OFFICERS PRESENT: Lois Stock (Democratic and Electoral Services Officer), Martin Armstrong (City Development), Fiona Bartholomew (City Development), Rona Knott (Planning Officer) and Michael Morgan (Law and Governance)

48. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Altaf Khan (Councillor Mills substituted)

49. DECLARATIONS OF INTEREST

None

50. AFFORDABLE HOUSING APPLICATIONS FROM MEETING HELD ON 4 SEPTEMBER 2013

All applications listed had been considered at the meeting held on 4th September, therefore nothing further was required.

51. LAWN UPTON HOUSE, SANDFORD ROAD, LITTLEMORE: 13/00739/FUL AND 13/00740/CAC

The Head of City Development submitted a report (previously circulated now appended) which detailed the following planning application:-

(i) 13/00740/CAC: Conservation Area Consent for demolition of existing buildings on site

(ii) 13/00639/FUL: Erection of 22 residential units consisting of 5 x 1-bed, 9 x 2-bed and 8 x 3-bed flats. Provision of 29 car parking spaces, cycle parking and landscaping. (Amended plans and description and additional information) to erect 24 residential units consisting of 5 x 1-bed, 9 x 2-bed and 10 x 3-bed flats. Provision of 34 car parking spaces, 58 cycle parking spaces and landscaping and demolition of existing buildings.

Rona Knott (Planning Officer) presented the report to the Committee and provided some background and context.

After taking all submissions into account, both written and oral, the Committee resolved to APPROVE the application, with the following conditions:-

Conservation Area Consent 13/00740/CAC

Condition

- 1 Commencement of works LB/CAC consent

Planning application 13/00639/FUL

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials for all exterior surfaces to be approved
- 4 Archaeological investigation
- 5 Phased Risk Assessment for land contamination
- 6 Ground resurfacing - SUDS compliant
- 7 Car and cycle parking to be laid out prior to use of buildings
- 8 First floor window in northern elevation of block C and first floor window in south-western elevation of block A to be obscure glazed and fixed shut below 1.7 metres
- 9 Details of all boundary treatments required
- 10 Level access to communal entrances to be provided
- 11 Details of posts to prevent parking on the open spaces
- 12 Details of footpath – surfacing
- 13 Vehicle and pedestrian access laid out before occupation
- 14 Highway improvement works to be carried out before occupation of flats
- 15 Details of a Construction Traffic Management Plan to be approved
- 16 Landscape plan to be approved
- 17 Landscape proposals to be carried out upon completion of development
- 18 Landscape Management Plan to be approved
- 19 Details of design of all new hard surfaces and a method statement for their construction
- 20 Details of the location of all underground services and soakaways, taking account of the need to avoid tree roots
- 21 Tree Protection Plan
- 22 Arboricultural Method Statement
- 23 Details of balconies and screening
- 24 Details to be submitted showing how ‘Secured by Design’ principles have been incorporated
- 25 A further wildlife survey to be carried out if development not commenced within 12 months
- 26 Details of street lighting
- 27 Design and method statement for ground works that could have an impact on archaeology
- 28 No felling/lopping/chopping of retained trees
- 29 Replacement planting in the event that any trees/hedges are removed/damaged
- 30 ADDITIONAL CONDITION: Further details of compliance with polices related to on-site energy provision.

Legal Agreement:

- Provision of 11 units of affordable housing
- Financial contributions totalling £191,299, broken down as follows:

Education (County Council) - £119,341
Community Infrastructure (City Council) - £5,908
Transport (County Council) –
£5,000 for traffic management
£10,000 for a new bus shelter
£51,050 for transport
£5,908 split between libraries, museums and waste

Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts.

52. LAND TO THE REAR OF WILLIAM MORRIS CLOSE: 13/01096/FUL

The Head of City Development submitted a report (previously circulated now appended) concerning a planning application for two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane.

Fiona Bartholomew (Planning Officer) presented the report to the Committee and provided some background and context. She informed the Committee that an additional sum of £250,000 had been offered to fund alternative leisure provision, with the possible removal of the all-weather pitches to leave an open space. However this would need separate discussion and the Committee was required to judge the application that was before it.

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

After taking all submissions into account, both written and oral, the Committee resolved to REFUSE the planning application for the following reasons:-

- 1 The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a need in the City. The replacement sports facilities in the form of all-weather mini-pitches with restricted community access are not equal to or better than retaining the potential of the site to provide for open air sport and recreation. Further it is not essential that the all-weather mini-pitches are provided on this particular site to satisfy local need. For these reasons the proposal does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan.

- 2 The site meets the requirements of the NPPF as a local green space, a valued local amenity which will be lost by developing housing on part of the site and diminished on the mini-pitches part of the site. The all-weather mini-pitches do not form an acceptable alternative to retention of this green space. This is contrary to guidance in the NPPF and Policies CS21 of the Core Strategy and SR2 of the Oxford Local Plan.
- 3 The development is contrary to Policy CS2 of the Core Strategy in that the site is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. There are no other balancing reasons or mitigating circumstances why housing should be allowed on this site. It is not essential that the housing or all-weather mini-pitch developments are developed on his particular site which it is preferable to retain as open space for the well-being of the community it serves.
- 4 The proposed development fails properly to demonstrate how the renewable energy element of the NRIA SPD will be complied with, and as such fails to meet the standards of resource efficiency required by the Council's adopted planning policies on energy, natural resources, waste and recycling, namely Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan Policies CP17 and CP18

53. FORMER DHL SITE, SANDY LANE: 13/01119/FUL

The Head of City Development submitted a report (previously circulated now appended) concerning a planning application to erect 3 units providing 3509sqm of accommodation for Class B1 (Business), Class B2 (General Industrial) or Class B8 (Storage or Distribution) use. Provision of 31 car parking spaces and 15 cycle parking spaces.

Martin Armstrong (Planning Officer) presented the report to the Committee and provided some background and context.

In accordance with the criteria for public speaking, Alan Kimber, Tina Hill and Margaret Parle spoke against the application, and Philip Brown spoke in favour of it. (Mr Kimber specifically asked that his concern about potential fire risk to nearby cottages be recorded).

After taking all submissions into account, both written and oral, the Committee resolved to GRANT the planning application subject to the following conditions:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Drainage details - sustainable drainage to be in place before construction completed
- 5 No soakaway in contaminated ground
- 6 Soakaway depth
- 7 Landscaping/Biodiversity
- 8 Public Art
- 9 fixed plant and machinery noise
- 10 No external operations

- 11 Doors and windows closed at night
- 12 Night time internal noise
- 13 Noise barrier
- 14 ADDITIONAL CONDITION: Further details of compliance with policies related to on-site energy provision in relation to NRA
- 15 ADDITIONAL CONDITION: Construction traffic management plan.

INFORMATIVE: to join the Considerate Contractor Scheme.

Legal Agreement

Financial contributions are sought for the following:

Affordable Housing: £54,472

Highways: £9,975

Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts.

54. 51 LITTLEMORE ROAD: 13/01516/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish the existing garage structures. Erection of 1 x 3 bedroom dwelling with associated off street parking, cycle storage and bin stores.

Martin Armstrong (Planning Officer) presented the report to the Committee and provided some background and context

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

After taking all submissions into account, both written and oral, the Committee resolved to APPROVE the planning application subject to the following conditions, and that the Head of City development be authorised to issue the notice of permission:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Vision splays
- 5 SUDS
- 6 Remove outbuildings
- 7 Cycle parking details required
- 8 Design - no additions to dwelling
- 9 Amenity no additional windows side and rear,
- 10 No outbuildings at No. 51

55. 28 QUARRY HIGH STREET: 12-01340-CND

The Head of City Development submitted a report (previously circulated now appended) submitted a report which detailed the pre-commencement conditions for planning permission 12/01340/FUL. Details submitted in accordance with conditions 3 (exterior materials), 4 (sample panel), 5 (existing stone), 8 (landscape plan), 10 (boundary details), 11 (new boundary wall), 12 (highway specifications), 14 (construction travel plan), 15 (permeable parking and driveway areas), 16 (desktop survey), 17 (cycle parking details), 18 (SAP calculations), 20 (provision of bat boxes) and 21 (omit bin store).

Martin Armstrong (Planning Officer) presented this to the Committee and provided some background and context.

In accordance with the criteria for public speaking, Laurence Kelly (Friends of Quarry) and Roselyn Rogers spoke against the application.

After taking all submissions into account, both written and oral, the Committee resolved to APPROVE the details submitted pursuant to the above listed conditions, **and:-**

- (1) The Committee delegates to officers the approval of the stone, the mortar mix and the sample panel conditions 4 [sample panel], 5 [existing stone to be used in new front wall] and 11 [new boundary wall];
- (2) The Committee delegates to officers to check that the Highways officer is satisfied with arrangements for wheelie bin collection;
- (3) Planning officers are asked to confirm that the Conservation officer was satisfied with arrangements for boundary treatment; and upon receipt of a satisfactory answer, discharge that condition.

56. RECEIPT AND EXPENDITURE ON S106 CONTRIBUTIONS FOR THE YEAR 2012-13

The Head of City Development submitted a report (previously circulated now appended) concerning the receipt and expenditure of developer contributions in the financial year 2012/13.

Resolved to NOTE the receipt and expenditure of developer contributions in the last financial year (2012/13), and the proposed expenditure of developer contributions for 2013/14 plus future years.

57. PLANNING APPEALS

The Committee resolved to NOTE the report on planning appeals received and determined during July 2013.

58. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 3rd July and 7th August 2013.

59. FORTHCOMING APPLICATIONS

Resolved to note the forthcoming applications as listed.

60. DATES OF FUTURE MEETINGS

Resolved to note the following dates:-

12 September – Q&A session - Barton application;
16 September (provisional Spill-over meeting);
24 September- Special meeting - Barton application;
2 October 2013 (and Thursday 10 October if necessary).

The meeting started at 6.00 pm and ended at 8.23 pm