

Agenda

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East Area Planning Committee Special Meeting West Barton housing application

Date: Tuesday 24 September 2013

Time: 6.00 pm

Place: The Old Library, Town Hall

For any further information please contact:

Sarah Claridge, Democratic Services Officer

Telephone: 01865 252402

Email: sclaridge@oxford.gov.uk

East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Michele Paule	Rose Hill and Iffley;

The quorum for this meeting is five members. Substitutes are permitted.

HOW TO OBTAIN AGENDA

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AGENDA

Pages

1 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

2 **DECLARATIONS OF INTEREST**

3 **LAND WEST OF BARTON NORTH OF A40 AND SOUTH OF BOUNDARY BROOK: 13/01383/OUT**

1 - 10

The Head of City Development has submitted a report which details an outline application (seeking means of access) for the erection of:

- a maximum of 885 residential units (Class C3)
- a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1)
- a maximum of 50 extra care housing units
- a maximum of 7,350 sqm GEA hotel (Class C1)
- a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school)

In development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works.

Please note that the main officers' report on planning application 13/01383/OUT is attached as a supplement.

Officer recommendation: That the Committee resolves to GRANT planning permission subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. 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 is recommended to delegate the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development is not adequately mitigated.

Subject to the following conditions and legal agreement.

Conditions

1. Time limits for commencement.
2. Approved plans and documents
3. Reserved matters applications.
4. Scheme of enabling infrastructure works.
5. Phasing of development.
6. Materials

7. Amendment to Design Code.
8. Design Code Review
9. Restrict non - food sales at supermarket
10. Landscaping / public realm.
11. Landscaping implementation.
12. Tree pits.
13. Tree protection plan.
14. Landscape management plan.
15. Dimensions to sports pitches
16. Withdrawal of householder permitted development rights.
17. Lifetime homes standards.
18. Car parking standards.
19. Cycle parking standards.
20. Servicing and deliveries.
21. Access.
22. Highways: Travel Plans.
23. Public transport provision.
24. Construction Environmental Management Plan.
25. Sustainability and energy strategy through district heating system.
26. Site wide surface water drainage, to include SUDs.
27. Phased surface water drainage scheme.
28. Foul water drainage scheme.
29. Flooding.
30. Access to watercourse for maintenance.
31. Ground contamination and remediation.
32. Air quality: monitoring.
33. Piling.
34. Petrol / oil interceptors.
35. Noise and vibration: attenuation.
36. Mechanical plant.
37. Cooking smells.
38. Protection of Sidlings Copse
39. Grassland mitigation.
40. Training and employment strategy.
41. Procurement of contracts.
42. Repeat ecological surveys.
43. Habitat creation.
44. Archaeology.
45. Public art.
46. Linear park.
47. Adult and school pitches to be constructed and maintained to Sport England guidelines.

Legal Agreement.

A comprehensive legal agreement would accompany the planning application if granted permission. The main elements of the agreement are:

1. Minimum of 40% of all residential units to be affordable housing to rent, with a minimum of 35% affordable in each phase of development.
2. Management of public open spaces by Barton Oxford LLP, (or adoption by local authority).
3. Financial contribution of £7,390,000 to Oxfordshire County Council for the provision of buildings to accommodate 1.5 form entry primary school academy, (or to be delivered direct by applicant).
4. Joint use agreement for use of school buildings and shared use of playing fields as “community hub”.

5. Transfer of 1.48ha. of land to Oxfordshire County Council on 125 year lease for provision of primary school.
6. Financial contributions of up to £519,750 plus £10,000 costs to Oxfordshire County Council for the provision of temporary primary school facilities within the catchment area of the development, plus £220,000 for transport facilities if located outside catchment area.
7. Financial contribution of £3,104,595 to Oxfordshire County Council towards secondary school and sixth form facilities to serve the development.
8. Financial contribution to Oxfordshire County Council of £146,390 towards Special Education Needs (SEN).
9. Provision of "early years" facilities either with the community hub, or as a financial contribution of £69,350 to Oxfordshire County Council.
10. Financial contribution of £88,500 to Oxfordshire County Council for improvements to Headington Library.
11. Provision of day care facilities either within the community hub, or as a financial contribution of £163,500 to Oxfordshire County Council.
12. Financial contribution to Oxfordshire County Council of £38,500 towards waste recycling facilities.
13. Transport improvements to A.40 access and A.40 corridor works to value of £1,867,758.
14. Financial contributions to Oxfordshire County Council for other highways works: noise reduction surfaces, £391,644; A.40 traffic calming, £34,187; improvements to existing Barton underpass, £110,000; access to Barton Village Road, £305,598; access to Harolde Close, £105,133.
15. Financial contribution to Oxfordshire County Council of £82,600 to promote Controlled Parking Zone across site.
16. Financial contribution to Oxfordshire County Council of £3,000 to promote traffic Regulation Order (TRO) for 50mph speed limit to A.40.
17. Financial contribution to Oxfordshire County council of £709,722 for junction improvements at Headley Way / Marston Road / Marsh Lane / Cherwell Drive.
18. Financial contribution to Oxfordshire County Council of £15,727 to amend road markings at Green Road roundabout.
19. Financial contribution to Oxfordshire County Council of up to £850,000 to subsidise new / extended bus services.
20. Financial contribution to Oxfordshire County Council of £30,000 towards bus shelters.
21. Financial contribution of £203,161 to City Council for indoor leisure facilities.
22. Provision of public rights of way (as foot / cycle route) along southern side of development site; along linear park to link to Play Barton; and as diversion of existing right of way east of electricity sub station.
23. Financial contribution of £10,000 to City Council towards link between linear park and Play Barton.
24. Administration and monitoring costs.
25. Management and maintenance responsibilities for synthetic pitch and school pitch.

All sums are index linked and returnable to applicant if not spend within specified time periods.

Recommendation: That the minutes of the meeting held on 4 September 2013 be APPROVED as a true and accurate record.

Recommendation: That the minutes of the meeting held on 9 September 2013 be APPROVED as a true and accurate record.

Please note that the minutes from 12 September will be attached as a supplement.

Recommendation: That the minutes of the meeting held on 12 September 2013 be APPROVED as a true and accurate record.

5 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Wednesday 2 October 2013 (and Thursday 10 October if necessary)

Wednesday 6 November 2013 (and Thursday 14 November if necessary)

Wednesday 4 December 2013 (and Thursday 12 December if necessary)

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". What this means is that 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.

*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..

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES 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.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will 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;

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;

- (d) 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 Officer/s and/or other speaker/s); and
- (e) voting members will debate and determine the application.

4. Members of the public wishing to speak must send an e-mail to [**sclaridge@oxford.gov.uk**](mailto:sclaridge@oxford.gov.uk) giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting.
5. 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.
6. Members of the public are reminded that the recording of the meeting (audio or visual) is not permitted without the consent of the Committee, which should be sought via the Chair.
7. 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 that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Agenda Item 3

**Supplementary Report to:
East Area Planning Committee**

24th September 2013

Application Number: 13/01383/OUT

Decision Due by: 30th August 2013

Proposal: Outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3); a maximum of 2,500 sq m gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sq m gross food store Class A1); a maximum of 50 extra care housing units; a maximum of 7,350 sq m GEA hotel (Class C1); a maximum of 3,000 sq m GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works.

Site Address: Land west of Barton, north of A40 and south of Bayswater Brook, **Appendix 1.**

Ward: Barton and Sandhills

Agent: AECOM

Applicant: Barton Oxford LLP

NB: This report is to be read together with the main officers' report on planning application 13/01383/OUT reproduced as a supplement to this agenda.

Recommendation:

Committee is recommended to resolve to grant planning permission subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. 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 is recommended to delegate the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development is not adequately mitigated.

Reasons for Approval

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.

2. The proposed development is submitted in outline only but with substantial supporting information to demonstrate that the proposed development would possess a scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to nearby residential areas or other interests of acknowledged importance, whilst providing much needed good quality affordable and market housing at a sustainable location. The proposals also provide for a new primary school with facilities shared with the local community, plus additional facilities for secondary education and a new commercial centre to complement existing facilities, all in accordance with the adopted policies of the Oxford Local Plan 2001 to 2016, the Oxford Core Strategy 2026, Oxford Sites and Housing Plan 2011 to 2026 and Barton Area Action Plan 2012.
3. Officers have taken into account the comments made by statutory bodies, interested parties and private individuals, and note also the contents of the three petitions submitted. All are fully acknowledged. However Officers have concluded for the reasons set out in this report that the objections do not amount, individually or collectively, to reasons for refusal of the outline planning application, and that the issues that have been raised can be adequately addressed by the imposition of a range of planning conditions which would fix, amongst other matters, a series of Parameter Plans and a detailed Design Code, and by the completion of an accompanying legal agreement.

Conditions

1. Time limits for commencement.
2. Approved plans and documents
3. Reserved matters applications.
4. Scheme of enabling infrastructure works.
5. Phasing of development.
6. Materials
7. Amendment to Design Code.
8. Design Code Review
9. Restrict non - food sales at supermarket
10. Landscaping / public realm.
11. Landscaping implementation.
12. Tree pits.
13. Tree protection plan.
14. Landscape management plan.
15. Dimensions to sports pitches
16. Withdrawal of householder permitted development rights.
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21. Access.
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Legal Agreement.

A comprehensive legal agreement would accompany the planning application if granted permission. The main elements of the agreement are:

1. Minimum of 40% of all residential units to be affordable housing to rent, with a minimum of 35% affordable in each phase of development.
2. Management of public open spaces by Barton Oxford LLP, (or adoption by local authority).
3. Financial contribution of £7,390,000 to Oxfordshire County Council for the provision of buildings to accommodate 1.5 form entry primary school academy, (or to be delivered direct by applicant).
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9. Provision of “early years” facilities either with the community hub, or as a financial contribution of £69,350 to Oxfordshire County Council.
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25. Management and maintenance responsibilities for synthetic pitch and school pitch.

All sums are index linked and returnable to applicant if not spend within specified time periods.

Background to Report.

1. Since the drafting of the officers’ main report to committee on planning application 13/01383/OUT reproduced elsewhere on this agenda, a dialogue has been maintained with the applicant on a number of detailed points and further information received. This report therefore seeks to update members on:
 - additional comments received;
 - the applicant’s position in relation to the achievement of 20% renewable energy on site;
 - planning conditions; and
 - the accompanying legal agreement.

Additional Comments Received

2. Sport England. At the time of drafting the officers' main report to committee Sport England was unable to support the proposals in the absence of further detail in relation to the recreational facilities to be provided. Appendix 2 of the officers' main report refers. Since that time a dialogue has been maintained with Sport England which has now provided additional comment and suggests the following.
 - Adult Pitch: planning authority should impose a condition that pitch is constructed and maintained in accordance with Sport England guidance.
 - Synthetic Pitch: Sport England would seek assurance that management and maintenance responsibilities are satisfactorily addressed in legal agreement to accompany permission if granted.
 - MUGA: planning authority to impose an informative drawing applicant's attention to Sport England guidance;
 - School Pitch: likely to be acceptable subject to condition that pitch is managed and maintained in accordance with Sport England guidance and assurance that this is satisfactorily addressed in accompanying legal agreement.
 - Pavilion: planning authority to impose informative to draw attention to Sport England guidance.
3. These requirements can be addressed by appropriate conditions and informatives; and by the accompanying legal agreement. On a point of detail, the pavilion is indicated at paragraph 82 of the officers' main report to be constructed to 360 sq m. It should read in the range 300 to 360 sq m.
4. Resident of Western Road. Generally supportive and detailed comments available on website. Main points: primary route should have segregated cycle routes; gradients will affect attractiveness for cycling; A.40 junction needs to be cycle friendly and free of clutter; better connectivity to Northway required; underpass currently inadequate; active frontages to shops required; refuse collection facilities may be inadequate.
5. Friends of Old Headington. Developers would be fully entitled to build to maximum extent indicated in wireline images indicated in documentation; such heights completely unacceptable and would irreparably damage views; development should be no more than 2 storeys at highest point of site; particular objection to up to 4.5 storeys to spine road; concerned at excessive height of retail and hotel blocks; some of lower housing is also on higher ground; detailed computer modelling of real life appearance should be required; development should work with natural features of landscape.

Renewable Energy

6. In the section of the officers main report relating to Sustainability and Energy, (commencing at paragraph 146), it is indicated that a policy requirement of 20% on - site renewable energy would be sought which the applicant indicates at paragraph 149 would be met by a standalone system consisting of photovoltaics(PVs) and high efficiency condensing boilers. Officers had suggested

however that a district heating system should not be ruled out. For its part the applicant insists this would not be appropriate on cost and other grounds.

7. If undertaken the applicant argues that a district heating system would be procured by an Energy Services Company (ESCO). To test viability in this case two ESCOs were invited to tender for such a project. In its return the first ESCO indicated an initial connection charge of £4,800 for each property, (including affordable units), plus a total cost of heat to the customer of between £581 for a 1 bed unit and £971 for 4 bed unit, including an annual service charge per unit of £382. The second estimated a total cost of heat to the customer of £674 for a 1 bed unit, rising to £1,015 for a 4 bed unit, including an annual service charge of £350.
8. Taking these costs into account, an estimate was made of the total annual fuel bills for householders for a district heating system compared to a standalone PV and condensing boiler solution. This indicated that the annual total fuel bills would range between approximately £460 and £690 for PVs and condensing boiler, compared to approximately £1,000 to £1,500 for a district heating system, depending on the size of property. Moreover the latter would tie customers to a 25 to 40 year concession with no ability to change supplier whilst the standalone system was said to be favoured by potential homebuyers and could be achieved at reduced capital cost.
9. For these reasons the applicant has ruled out a district heating system in favour of a standalone PV and condensing boiler system, whilst still meeting the policy requirement of 20% on - site renewables.

Planning Conditions

10. Following further discussion with the applicant, it has been agreed that a number of the conditions listed at the head of the officers' main report can now be deleted, for the reasons indicated below:
 - 9 - Commercial centre to front primary street: covered by Design Code.
 - 11 - Use of commercial units: in the interests of flexibility no need to restrict use of commercial units.
 - 18 - Work to adult football pitch: covered by legal agreement.
 - 19 - Access agreement for additional allotment land: covered by legal agreement.
 - 24 - Cycle parking standards: covered by Travel Plan.
 - 25 - Cycle pedestrian routes: covered by Travel Plan.
 - 26 - Servicing and deliveries: covered by legal agreement.
 - 32 - Foul water drainage: condition listed twice in error.

Legal Agreement

11. Similarly further adjustments are also suggested to the terms of the legal agreement as previously listed in the main officers' report:
 - Item 6 - Contribution to temporary primary school facilities: now to read £519,750.

- Item 13 - Transport improvements to A.40 and A.40 corridor: work to be undertaken by applicant to value of £1,867,758.
- Item 24 – Administrative costs: total figure not known at this stage.

Other Matters

12. On other points, members are asked to note that at paragraph 15 of the main report, the adult football pitch would also be available at other times, and at paragraph 47 that a right turn out from the new development at the new A.40 junction would also be possible.

Conclusion

13. Committee is recommended to support the planning application in accordance with the recommendations at the head of this report.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying legal agreement. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

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 with an accompanying legal agreement, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: Application 13/01383/OUT

Contact Officer: Murray Hancock

Extension: 2153

Date: 16th September 2013.

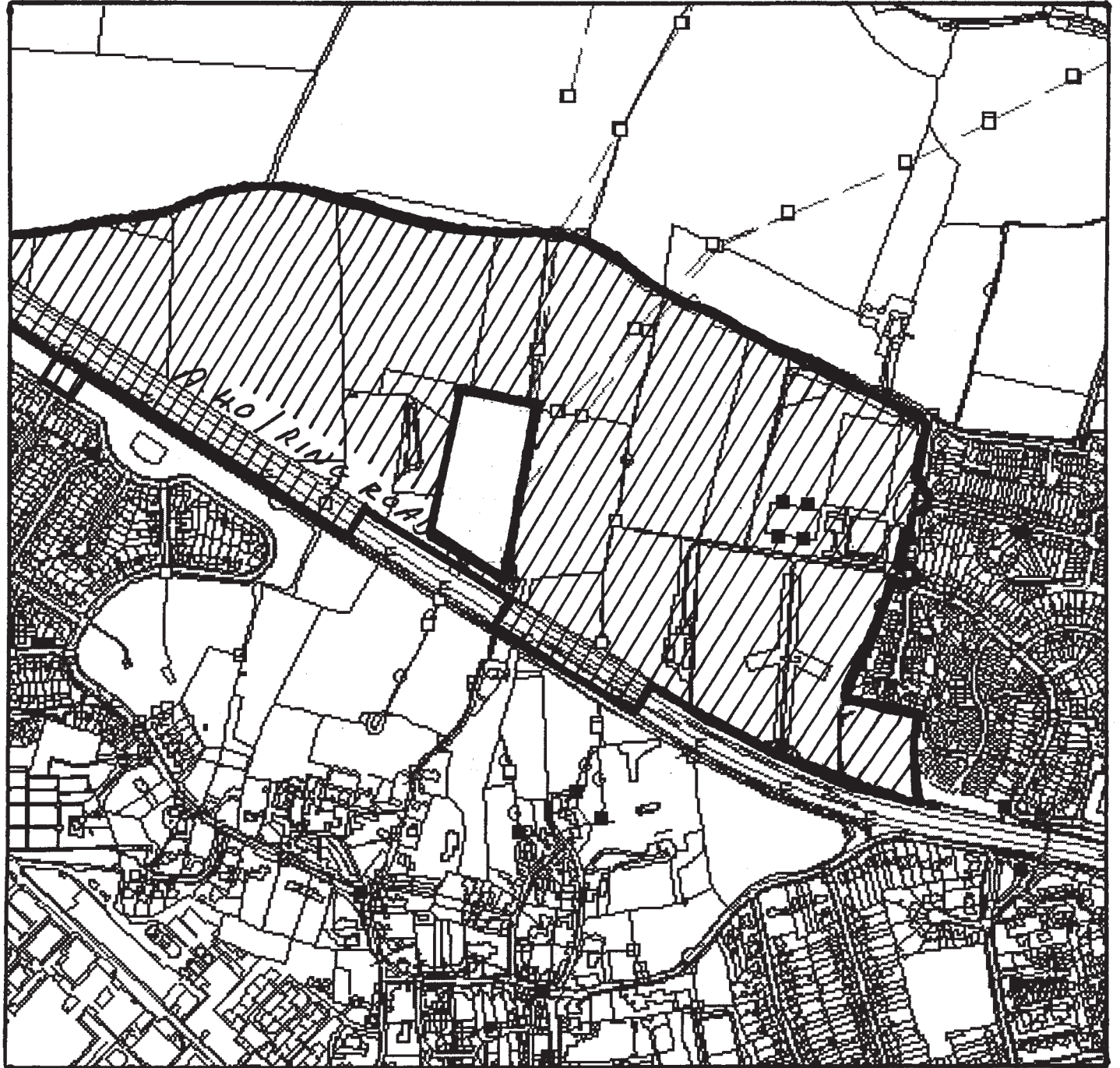
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Appendix 1

13/01383/OUT - Land West Of Barton



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Ordnance Survey 100019348

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EAST AREA PLANNING COMMITTEE

Wednesday 4 September 2013

COUNCILLORS PRESENT: Councillors Darke (Chair), Rundle (Vice-Chair), Clarkson, Hollick, Lloyd-Shogbesan, Paule, O'Hara, Price and Wilkinson.

OFFICERS PRESENT: Andrew Murdoch (City Development), Fiona Bartholomew (City Development), Niko Grigoropoulos (City Development), Oliver de Soissons (City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

38. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Curran (substitute Councillor O'Hara), Councillor Altaf-Khan (substitute Councillor Wilkinson) and Councillor Coulter (substitute Councillor Price).

39. DECLARATIONS OF INTEREST

Councillor Wilkinson declared that she has attended a few meetings on the Parks Depot, Bury Knowle Park: (13/01815/CT3 & 13/01814/CT3) development, but was approaching the application with an open mind.

40. PARKS DEPOT, BURY KNOWLE PARK: 13/01815/CT3 & 13/01814/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application and conservation area consent to:

- erect 2 x 1-bed, 7 x 2-bed and 1 x 3-bed residential units (use class C3) in 3 blocks arranged around central courtyard, together with covered cycle and bin stores, and landscaping(Planning application13/01814/CT3).
- demolish the existing sheds (Conservation Area Consent 13/01815/CT3).

In accordance with the criteria for public speaking, the Committee noted that John Jeffs and Jill Cummings spoke against the application and Antony Harding, Richard Hawkes and Rob Kindon spoke in favour of it.

Officers assured the Committee that the Friend of Bury Knowle Park would be included in the Stakeholders group responsible for making sure the conditions are implemented before work commences.

The Committee resolved to add to the reasons for approval on the decision notice the following point:

“The Committee acknowledge that there is already existing vehicle access along the service road and agree that with the installation of a controlled entrance gate, the proposed development will decrease the traffic on this road.”

The Committee resolved to GRANT planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion, with the following conditions, legal agreement and informatives.

13/01814/CT3:

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Details of Means of Enclosure – to include the height of wall
- 5 Details of Refuse and Cycle Storage
- 6 Landscape plan required
- 7 Landscape carried out by completion
- 8 Landscape hard surface design - tree roots
- 9 Landscape underground services - tree roots
- 10 Tree Protection Plan
- 11 Arboricultural Method Statement
- 12 Construction details of access road and turning area
- 13 Lighting plan for access road
- 14 A Site Management Plan for traffic /access arrangements
- 15 Residents Travel Plan / Information Pack
- 16 Exclusion from residents parking zone
- 17 Construction Traffic Management Plan
- 18 Sustainable Urban Drainage Scheme
- 19 Details of Biodiversity Enhancements
- 20 Details of Sustainability Measures
- 21 Contaminated Land Risk Assessment
22. Details of affordable housing

13/01815/CT3:

Conditions:

- 1 Commencement of works LB/CAC consent
- 2 Architectural Recording
- 3 No demolition before rebuilding contract

Legal Agreement:

Contributions of £64,353 plus the relevant admin fees

Ring fence the play areas spend (£537) to Bury Knowle Park and library spend (£1574) to Headington Library.

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.

Informatives:

1. The stakeholders group to make sure that conditions are implemented correctly and that development does not begin until conditions are in place.
2. An agreement for the protection of the trees in Bury Knowle Park is signed before work commences.

41. GARAGE BLOCK, LEIDEN ROAD: 13/01557/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish a garage block and erect 3 x 3-bed houses (use class C3) with associated parking and bin stores.

In accordance with the criteria for public speaking, the Committee noted that no one spoke on this item.

The Committee resolved to APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of affordable housing
- 5 Means of enclosure
- 6 Provision of refuse and cycle storage
- 7 Landscape Plan
- 8 Landscape carried out by completion
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Details of car parking layout
- 12 Sustainable Urban Drainage
- 13 Design - no additions to dwelling
- 14 Contaminated Land Risk Assessment
- 15 Sustainability measures

**42. LAND TO THE REAR OF 1 AND 3 THOMSON TERRACE:
13/01558/CT3**

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect 3 x 2-bed houses (use class C3). Provision of associated parking, private amenity space and bin stores.

In accordance with the criteria for public speaking, the Committee noted that no one spoke on this item.

The Committee resolved to APPROVE the planning application subject to the following conditions and informative:

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of Materials
- 4 Details of affordable housing
- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Tree Protection Plan (TPP) 2
- 9 SUDS
- 10 Contaminated land
- 11 Sustainability measures
- 12 Biodiversity
- 13 Design - no additions to dwelling
- 14 Amenity no additional windows east and west,
- 15 Vision splays
- 16 Pedestrian vision splays

Informative:

Look into the possibility of improving the bin store for the middle unit through the provision of a passageway to the rear of the unit, by using land to the side of one of the other units.

43. LAND AT CARDINAL CLOSE: 13/01603/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect 3 x 2-bed units. Provision of parking and bin storage

In accordance with the criteria for public speaking, the Committee noted that no one spoke on this item.

The Committee resolved to APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of affordable housing
- 5 Means of enclosure
- 6 Details of refuse and cycle storage
- 7 Landscape plan required
- 8 Landscape carry out by completion
- 9 Tree Protection Plan (TPP) 2
- 10 Ground resurfacing - SUDS compliant
- 11 Contaminated land risk assessment
- 12 Design - no additions to dwelling
- 13 Sustainability measures
- 14 Utilities are not laid in the way of tree roots

44. LAND EAST OF WARREN CRESCENT: 13/01555/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath.

In accordance with the criteria for public speaking, the Committee noted that Judy Webb, Roslyn Rogers, Jane Alexander, Robin Gill and Mary Gill spoke against the application and Antony Harding and Andy Robertson spoke in favour of it.

The Committee resolved to DEFER the planning application so that more information could be submitted on:

1. Tractor access to the allotment with a clear response from the Council's Leisure and Parks department on delivery options.
2. The long term viability of the proposed drainage scheme and protection of the SSSI. Specifically the possibility of any long term damage to the fen, underlying ground water and aquifers from the proposed development. The Committee would also like to see evidence of where such schemes have worked at sensitive locations.
3. The issue of future council tenants seeking to exercise Right to Buy of their dwellings and how leaseholds would be considered, in order to ensure long-term responsibility and protection of the SSSI and the on-going maintenance costs of the SUDD scheme.

The Committee wished to concentrate solely on these three outstanding issues when the proposal is reconsidered at a future meeting, it being satisfied that the scheme met other requirements and issues from the planning officer report.

45. ALICE SMITH HOUSE, ALICE SMITH SQUARE: 13/01592/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish Alice Smith House. Erection of 3 x 2-bed and 8 x 3-bed houses (Use Class C3). Provision of 11 car parking spaces, cycle and bin stores.

The Committee resolved to GRANT planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Subject to the following conditions and legal agreement:

Conditions:

- 1 Development begun within time limit
- 2 Deemed in accordance with approved plans
- 3 Samples of materials
- 4 Sustainability design/construction
- 5 Design - no additions to dwelling
- 6 Amenity no additional windows side,

- 7 Boundary details before commencement
- 8 Cycle parking details required
- 9 Details of bin stores
- 10 Drainage details - SUDS
- 11 Vision splays
- 12 Pedestrian Awareness Vision Splays
- 13 Contaminated land risk assessment
- 14 Landscape plan required
- 15 Landscape carry out after completion
- 16 Archaeology – mitigation 2 Roman remains,
- 17 Biodiversity
- 18 Construction Traffic Management Plan
- 19 Car/cycle parking provision before use
- 20 Secured by Design
- 21 Provision of Affordable Housing
- 22 Amendment of TRO
- 23 Householder Travel Information Packs

Legal Agreement:

City requirements:

Indoor sport	£2,424
Open space/Ecology	£6,429
Play Areas	£1,376
Sports Ground	£1,728
Allotments	£ 112
Total Contribution	£12,069 plus 5% admin fee £603

County requirements:

Transport	£28,350
Traffic management/highway safety	£ 3,000
Primary schools	£43,944
Secondary schools	£37,853
SEN schools	£ 3,065
Library	£ 2,248
Waste infrastructure	£ 1,044
Museums Resource Centre	£ 131
Total contribution	£119,635 plus admin fee £1500

It is important to note that the Councils' Community Infrastructure Levy Charging [CIL] Schedule is to be put to Full Council for adoption on the 30th September 2013. The formal implementation of CIL would have an impact upon the level of contributions sought for this scheme, as Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges. The introduction of CIL will apply to any applications where S106 agreements have not been agreed before this comes into effect and therefore given the timeframes for this decision it is likely that these contributions will have to be recalculated.

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 adequately to mitigate its impacts.

46. EAST MINCHERY ALLOTMENTS, GRENOBLE ROAD: 13/01610/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect 48 residential units (4 x 1-bed flats, 8 x 2-bed flats, 4 x 2-bed houses, 26 x 3-bed houses and 6 x 4-bed houses) (use class C3), 102 car parking spaces, public open space, retained allotments and access road, together with diverted right of way, landscaping and cycle and bin stores.

The Committee resolved to GRANT planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion, subject to the following conditions, informative and legal agreement.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of Affordable Housing
- 5 Details of all means of enclosure
- 6 Details of refuse and cycle storage
- 7 Landscape plan required
- 8 Landscape carries out by completion
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Landscape hard surface design - tree roots
- 12 Landscape underground services - tree roots
- 13 Landscape management plan
- 14 The provision of the open space / allotments
- 15 Secure by Design Principles
- 16 Details of access road and parking areas
- 17 Amendments to the Controlled Parking Zone
- 18 Construction Traffic Management Plan
- 19 Biodiversity recommendation carried out
- 20 Sustainable Urban Drainage Scheme & Strategy - Investigate capacity of drainage scheme.
- 21 Archaeology
- 22 Noise Survey Recommendations
- 23 Contaminated Land Assessment
- 24 Removal of Permitted Development Rights
- 25 Details of external lighting

Informative:

Materials used should be robust to block out environmental noise - samples required.

Legal Agreement:

- Secure the provision of the open space and allotments

- Financial contributions of £539,799 plus the relevant admin fees (as set out in report)
- Ring fence any library spend to Littlemore Library

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 adequately to mitigate its impacts.

47. DATES OF FUTURE MEETINGS

The Committee NOTED that the next meeting will be held on Monday 9 September 2013.

The meeting started at 6.00 pm and ended at 8.50 pm

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:-

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

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