

# **WEST AREA PLANNING COMMITTEE**

**Tuesday 10 February 2015**

**COUNCILLORS PRESENT:** Councillors Van Nooijen (Chair), Gotch (Vice-Chair), Cook, Gant, Price, Henwood, Coulter and Pressel.

**OFFICERS PRESENT:** Michael Crofton-Briggs (Head of City Development), Felicity Byrne (City Development), Nick Worlledge (City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Committee Services Officer)

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

Apologies for absence were received from Councillor Clack (substitute Councillor Henwood), Councillor Hollingsworth (substitute Councillor Pressel), Councillor Tanner (substitute Councillor Coulter) and Councillor Benjamin.

## **107. DECLARATIONS OF INTEREST**

No declarations of interest were received.

## **108. LAND AT JERICHO CANAL SIDE: 14/01441/FUL**

The Head of City Development submitted a report (previously circulated now appended) which detailed an application to demolish various structures including former garages and workshops. Erection of 23 residential units (consisting of 13 x 3 bed and 1 x 4 bed house, plus 5 x 1 bed and 4 x 2 bed flats), together with new community centre, restaurant, boatyard, public square, winding hole and public bridge across the Oxford Canal. Demolition of existing rear extension and erection of two storey extension to Vicarage at 15 St. Barnabas Street and ramped access to church entrance.

The Planning Officer presented the report, she outlined the four further letters of representation received.

- Correspondence from the Jericho Wharf trust (JWT) who were seeking deferral until all the elements of the s106 agreement had been clarified;
- Agreement from the Canal and River Trust (CRT), as land owners, for the site of the proposed bridge.
- A letter from Price Waterhouse Copper on behalf of Spring Residential (in administration) in support of the proposal and
- A letter from St Barnabas PCC who confirmed their enthusiasm for the proposal and if their concerns regarding the bridge were allayed then they would support the proposal; they noted the officers' report regarding the level of affordable housing.

Dr Phyllis Starkey (Chair, Jericho Wharf Trust), Charlotte Christie (Chair, Jericho Community Association), Bruce Heagerty (Director, Jericho Community Boatyard), Henry Gibbon (St Barnabas Parochial Church Council), Adrian Arbib, Rukhsana Ali Moughal and Edward Surridge spoke against the application.

Johnny Sandelson (the applicant) spoke in favour of the application. The applicant had offered a unilateral contribution of £150,000 towards the fund raising to assist with the construction of the new community centre. The email confirming this contribution will be added to the planning portal on the council's website.

In answer to a Member question, Allison Blakeway (Evolution PDR Ltd) spoke on the viability issues of the site. No direct comparisons could be made as the canal site is quite unique however comparing a 'similar' residential development she had concluded that an indicative price would be between £430- 860 per sqft.

In answer to a Member question, Mr Sandelson confirmed his commitment to building the entirety of the boatyard and the chandlery building.

Officers were asked to negotiate with the applicant to seek a reduction in the height of the chandlery to mitigate the impact of excessive overshadowing and overbearing to the gardens of 7 and 9 Coombe Road; and to arrange a meeting between St Barnabas Parochial Church Council and the Canal and River Trust to discuss the bridge location.

The Committee requested a further report to agree the full completed legal agreement to include the following matters as changes to the draft terms of the s106 agreement:

**Legal Agreement: Indicative S106 Heads of Terms:**

City:

1. Affordable Housing: 40% all social rent (9 flats);
2. Bridge & maintenance: Exact figures to be confirmed. Bridge fully automated with a call out mechanism in the event of mechanical failure, in conjunction with CRT as Landowner;
3. Canal works (bank and winding hole (and boatyard docks)) in conjunction with CRT;
4. Transfer of land to Community Body to receive £150,000 unilateral contribution from applicant, with cascade mechanisms to ensure community facilities provision. Jericho Wharf Trust to be preferred receiving body for unencumbered title to the land.
5. Public open space works, details of hard surfacing and street furniture and maintenance use and management strategy: by Applicant;
6. Moorings: Replacement moorings will need to be created on the canal bank to the north of the Mount Place Bridge on the Western bank as a result of the new bridge, at Applicant's expense (which has been agreed);
7. Dog bin and Sign: Contribution towards provision of dog litter bins and an information board at the Walton Well Road entrance to Port Meadow in order to comply with the Habitat Regulations and to mitigate the impact of the development. Applicant agreed, sum to be confirmed (indicative £1000);
8. Triggers for construction/ phasing of the development; residential units not occupied until the construction of the public open space, works to the Canal, docks/ boatyard etc. has been completed.
9. Restaurant site to revert to social affordable housing if restaurant usage fails.

County:

1. Monitoring fees of £1240 for the Framework Travel Plan - other elements of

the scheme may trigger additional fees if they are large enough to require individual travel plans;

2. £1,000 for a new pole/flag/information case unit at the Canal Street Bus Stop (if required to be relocated);
3. £5,000 to amend the existing Traffic Regulation Order (TRO) - to include changes to existing short stay parking bays in the area and the exclusion of the residential dwellings from parking permit eligibility.

The Committee requested this report to also provide further information on:

- Outcome of talks with applicant over the chandlery design
- Outcome of meeting between St Barnabas Parochial Church Council and the Canal and River Trust

The Committee also requested the details under the compliance application for Condition 28 – Landscape Management Plan is put to Committee for determination when submitted.

The Committee resolved to:

1. NOTE the additional information in the addendum report
2. SUPPORT the proposal in principle subject to and including the conditions listed below, and subject to the s106 agreement being agreed by the Committee and only once agreed to defer to Offices to issue the permission.

If a legal agreement is not completed then Committee authorises Officers to refuse the planning application.

### **Conditions**

1. Time – outline / reserved matters.
2. Plans – in accordance with approved plans.
3. Materials – samples agree prior to construction.
4. Contamination, phased risk assessment – prior to construction.
5. Strategy for control of dust and dirt from demolition and construction; prior to demolition.
6. Drainage Strategy & SUDS Strategy– Implement in accordance with DS & SUDS S. Further SUDs details required.
7. Biodiversity - 6 integrated bat roosting devices.
8. Biodiversity - A lighting scheme designed to minimise disturbance to foraging bats.
9. Biodiversity - Vegetation clearance will only take place outside of the bird nesting season or following an inspection from a suitably qualified ecologist and under guidance arising from that inspection.
10. Archaeology – Watching Brief - Prior to demolition/ Construction.
11. Public open Space; no parking; access only except in exceptional circumstances (e.g. deliveries, emergency services/ in conjunction with events).
12. Parking -Residents exclude from CPZ.
13. Parking layout in accordance with plan; for Church and disabled use only.
14. Deliveries Strategy for Community Centre/ Nursery/ Boatyard and Restaurant.
15. Construction Traffic Management Plan – details prior to construction.
16. Restaurant – Restrict opening hours: 09:00hrs to 22:30hrs Mon-Fri; 09:00hrs to 23:00hrs Saturday only; 09:00hrs to 22:00hrs Sundays.

17. Cycle & bin storage – further details.
18. Windows – obscure glazing, as on approved plans; at all times.
19. PD rights removed – houses.
20. NRA – build in accordance with; provide further details of PV's (size, location), CHP prior to that phase of construction of development.
21. Details of boundary treatment prior to occupation inc. pre-school railings.
22. Vicarage – construct rear extension prior to restaurant/flats.
23. Vicarage – rear extension: first floor bathroom window obscure glazed, revised details of sitting room window to avoid overlooking.
24. Landscape plan – details required prior to substantial completion.
25. Landscape carried out.
26. Landscape Management Plan
27. Trees- hard surfaces –tree roots.
28. Trees -underground services –tree roots.
29. Trees - tree protection plan Prior Demolition.
30. Trees -Arboricultural Method statement – to include details of the suspended, cantilevered floor slab for the house at the southern end of the site which is required to ensure that roots of trees that stand adjacent to the site within the ground of Worcester College are not damaged during construction.
31. Noise- details of air conditioning.
32. Noise- mechanical ventilation or associated plant.
33. Noise- restriction on noise in relation to neighbouring residential properties.
34. Noise- details of a scheme for treating cooking odours.
35. Noise - details of a management plan for the boatyard including how noise from operational procedures will be mitigated in practice.
36. Flooding -Implement in accordance with revised FRA Rev C
37. Phased contamination risk assessment and remediation
38. Details of scheme to dispose of surface water
39. Heritage - programme of architectural recording of the buildings and structures on the site by measurement, drawing and photography before work commences.
40. Heritage -architectural features and structures exposed by demolition and/or during the progress of the works shall be preserved in situ or relocated in accordance with submitted details, prior to demolition.
41. Heritage- a written scheme of investigation, details of architectural salvage prior to demolition.
42. Heritage - details of a scheme for protection of heritage assets during demolition and construction (hoarding etc) prior to demolition.
43. Details of visual improvements to the existing metal enclosure of the sub station
44. Detail of trellises on the south and western wall of 9 Coombe Road

#### Community Infrastructure Levy requirements

The CIL contribution will be £272,978.79.

#### **109. LAND AT JERICHO CANAL SIDE: 14/01442/LBD**

The Head of City Development submitted a report (previously circulated now appended) detailing a listed building consent for the demolition of boundary walls on north and west elevations as part of the re-development of canal site (14/01441/FUL) and involving provision of ramped access to south entrance of church.

The Committee resolved to APPROVE listed building consent subject to conditions listed below:

1. Commencement of works LB consent.
  2. LB consent - works as approved only.
  3. 7 days' notice to LPA.
  4. LB notice of completion.
  5. Repair of damage after works.
  6. Recording.
  7. Re-use of stone and brick.
  8. Metal finish.
  9. Handrail and posts iron.
- Paint colour.

#### **110. ARISTOTLE LANE: 14/01348/FUL**

The Head of City Development submitted a report (previously circulated now appended) detailing an application for planning permission to demolish the existing footbridge and erection of replacement footbridge with ramped approaches and new stepped access. Provision of 12 car parking spaces and change of use of part of land adjacent to railway lines for educational purposes as part of SS Phillip and James School.

Emma Dadson, Ian Salisbury and Dr Tim King spoke against the application.

Colin Field (Network Rail) and Corinna Redman (Head of Governors at St Philip and St James School) spoke in favour of the application.

The Committee resolved to DEFER the application so that more detailed information could be sought from the applicant regarding the handrails, wall, tree treatment and design of bridges.

#### **111. 8 CHARLBURY ROAD:14/03198/FUL**

The Head of City Development submitted a report (previously circulated now appended) detailing an application for planning permission for the erection of single storey rear extension and formation of a basement. Raising roof height, hip to gable extension to allow formation of second floor. Installation of solar panels.

Steve Harris (applicant) spoke in favour of the application.

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 Materials
- 4 SUDs

## **112. PLANNING APPEALS**

Cllr Price noted that appeals against the Committee were increasing. He urged Committee to be more mindful of the reasons for going against officer recommendations, especially when relying on reasons that are subjective such as impact on streetscape.

The Committee NOTED the report on planning appeals received and determined during January 2015.

## **113. MINUTES**

The Committee resolved to APPROVE the minutes of the meeting held on 13 January 2015 as a true and accurate record.

## **114. FORTHCOMING APPLICATIONS**

The Committee noted the list of forthcoming applications.

## **115. DATE OF NEXT MEETING**

The Chair gave his apologies for the next meeting.

The Committee noted that the next meeting would be held on 10 March 2015.

**The meeting started at 6.30 pm and ended at 9.21 pm**