

Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 8 October 2019

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Committee members:

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| Councillor Cook (Chair) | Councillor Gotch (Vice-Chair) |
| Councillor Corais | Councillor Hollingsworth |
| Councillor Iley-Williamson | Councillor Upton |
| Councillor Wolff | Councillor Taylor (for Councillor Donnelly) |
| Councillor Landell Mills (for Councillor Harris) | |

Officers:

Anita Bradley, Monitoring Officer
Andrew Murdoch, Development Management Service Manager
Robert Fowler, Planning Team Leader
Gill Butter, Conservation and Urban Design Officer
Sarah De La Coze, Planning Officer
James Paterson, Planning Officer
Catherine Phythian, Committee Services Officer

Apologies:

Councillor(s) Donnelly and Harris sent apologies.

42. Declarations of interest

Councillor Cook stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that he was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Upton stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, she had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Gotch stated that as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that he was approaching the applications with an open mind,

would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Wolff stated that as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that he was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

43. 18/03369/FUL: Site Of Gibbs Crescent, Oxford, OX2 0NX

The Committee considered an application (18/03369/FUL) for planning permission for demolition of existing buildings and redevelopment of site to provide 140 dwellings (3x studios, 73 x 1 bed, 60 x 2 beds, and 4 x 3 beds) with associated works. Additional information and amended plans and description.

The Planning Officer presented the report and briefed the Committee on representations received since the agenda had been published.

3 additional representations have been received from properties located in Mill Street, Barrett Street and Gibbs Crescent which referred to

- Fire service access
- Fire safety of the building
- Compliance with building regulations
- planning application was inaccessible on the website for a period of time
- improvements to the public right of way
- involvement of local residents in any future art installation
- inaccuracies in the application
- impact on the right of way due to amendments to the kerb along the access road

Letters of representation were also received from The National Federation of the Blind of the UK and Oxfordshire Association for the Blind objecting to the scheme on highway grounds and the inclusion of a shared space.

The Planning Officer confirmed that all of the issues raised had been addressed in the report and advised that following the above representations the Highway Authority has again commented on the application and proposed that a further planning condition be applied to require a plan detailing the technical details of the access and shared surfaces areas. This would allow officers to look at the technical details and have further regard to its compliance with the Equality Act.

The Planning Officer also corrected an error in Condition 33: "12 months" to be replaced with "5 years".

In conclusion the Planning Officer informed the Committee that the Fire Service had sent a fire engine to the site and had confirmed that they are able to access the whole of the site using the existing road.

Ann McKinley, Rhiannon Ash (local residents) and Peter Monk (representing the National Federation of the Blind) spoke against the application.

Councillor Landell Mills joined the meeting at this point but took no part in the consideration of this application.

Jim Smith and Henry Venners (representing the applicant) spoke in favour of the application.

The Committee asked questions of the officers and public speakers about the details of the application.

The Committee discussion centred on the issues relating to the access to the site and the safety concerns which had been raised by objectors, speaking at the meeting and during the public consultation. The Committee noted the limitations of the current site access and acknowledged that the scheme would deliver improvements through a better delineation between the carriageway and footpath; a reduction in the width of the kerb; and the removal of foliage and other debris from the cemetery.

The Committee were reassured that the inclusion of a robust condition requiring technical details for the access road and shared surface areas would provide the necessary control to ensure that all of the safety concerns are addressed.

The Committee asked for the following informative to be included:

- the applicant should be encouraged to seek to introduce further improvements to the southern footpath to encourage its use as a pedestrian and cycle route to the city centre

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 33 required planning conditions set out in section 12 of the report (and as amended above), the additional condition detailed above and grant planning permission subject to:
 - the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
 - finalise the recommended legal agreement under section 106 of the Town

and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and

complete the section 106 legal agreement referred to above and issue the planning permission.

44. 18/03370/FUL: Simon House, 1 Paradise Street, Oxford, OX1 1LD

The Committee considered an application (18/03370/FUL) for planning permission for the demolition of existing building and construction of 30 apartments (16 x 1 bed, 14 x 2 bed) and associated works.

The Planning Officer presented the report and proposed an additional condition relating to the solar panels. The condition will require the technical specifications of the panels to be provided and approved to ensure that the development continues to comply with the sustainability requirements.

Jim Smith and Henry Venners (representing the applicant) were present to answer questions.

The Committee asked for the following informatives to be included:

- The double stack cycle racks should comply with the Thames Valley Police standards
- The applicant should be encouraged to find an alternative treatment to the existing road-side railings on the front elevation which were not in keeping with a quiet and historic street

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 23 required planning conditions set out in section 12 of the report, the additional condition on solar panels, the 2 informatives detailed above and grant planning permission subject to:
 - the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and
1. **agree to delegate authority** to the Acting Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of

Planning Services considers reasonably necessary; and

- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and

complete the section 106 legal agreement referred to above and issue the planning permission.

45. 19/01821/FUL: 159-161 Cowley Road, Oxford, OX4 1UT

The Committee considered an application (19/01821/FUL) for planning permission for the reconfiguration of existing ground floor and part first floor retail unit (Tesco store to remain in situ) with extensions and alterations to existing building to provide 137 units of purpose-built, managed student accommodation with associated management suite and communal facilities at upper levels.

The Planning Officer presented the report and gave a number of verbal updates on matters that had arisen since publication of the report. The County Council had raised additional concerns in regard to flooding, specifically that:

- the proposal was not aligned with Local or National Standards.
- the discharge rates have not been improved
- there was no consideration of SuDS methodologies

The Planning Officer recommended that a new condition should be added to the application requiring the submission of a revised Drainage Strategy.

One of the ward councillors had also pointed out the proximity of the development to local night clubs and to a local primary school, and expressed concerns about the prevalence of antisocial behaviour, homelessness and drug dealing in the vicinity of the development site.

The Planning Officer advised the Committee that The Bullingdon had raised a concern that future occupiers of the new development may complain about noise from their venue in future. The Planning Officer explained that Paragraph 182 of the NPPF advises that new development should be effectively integrated with existing businesses and community facilities, such as pubs, Churches and music venues.

The Planning Officer proposed three additional conditions to provide suitable noise mitigation before completion of the development. This would meet the requirements of Paragraph 182 of the NPPF and ensure that future occupiers of the development are not adversely impacted by noise from The Bullingdon, which itself would not be unreasonably restricted as a result of the new development. The three additional conditions would require:

- a scheme of noise attenuation measures for the new building;

- a noise control scheme for any proposed mechanical ventilation or associated plant; and
- restrict occupation of the development until approval by the Local Planning Authority of a report on internal noise levels.

The following spoke against the application: Cllr Hayes and Cllr Azad (ward councillors), Graham Jones, Sally Moss and Ross James Clarke (local residents).

Sara Dutfield, Simon Shaw and Nick Roberts (representing the applicant) and Philipp Kukura (local resident) spoke in favour of the application.

The Committee observed that many of the concerns raised by the objectors were not planning matters and should be addressed through other regulatory functions.

The Committee noted the concern expressed by the objectors that the number of student living in area had reached saturation point but considered that the provision of bespoke, dedicated student accommodation in a district centre location was an appropriate solution as it took students out of the private rented sector properties in the heart of residential communities.

The Committee were mindful of safeguarding issues and sought officers' advice as to whether they could expand condition 6 to impose an over-18 age limit for non-term time use. In response officers said that they would need to take further advice on the "reasonableness" of such a restriction and would explore options to amend the condition in order to address the Committee's concerns on this point. If the age restriction could not be added then condition 6 should be amended to limit use to full-time courses in an academic year.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application with the inclusion of the 4 additional conditions detailed above.

The West Area Planning Committee resolved to:

1. **approve** the application for the reasons given in the report and subject to the 20 required planning conditions set out in section 12 of the report and the 4 additional conditions detailed above and subject to:
 - the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report and subject to the completion of a Unilateral Undertaking with the County Council;
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - finalise the recommended conditions as set out in the report, including any amendment to Condition 6 as detailed above, including such refinements,

amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and

- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

46. 19/01005/FUL: 61 Godstow Road, Oxford, OX2 8PE

The Committee considered an application (19/01005/FUL) for retrospective planning permission for the erection of one garden shed.

The application was called in by Councillors Wade, Smith, Harris and Gotch due to concerns about the possible impact of the development proposal on heritage assets.

The Planning Officer presented the report and explained that due to an unusual arrangement the garden associated with the house was technically a front garden, and therefore had limited Permitted Development Rights. The applicant had misunderstood this and erroneously believed the erection of the shed would be permitted development. The planning officer confirmed that at the pre-application process and in consideration of the application, it had been understood by planning officers that the shed was not in the rear garden and that the Council's conservation officers had provided advice on the application.

Amy Godel, local resident, spoke against the application.

The Committee asked questions of the officers about the details of the application.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission.
2. **agree to delegate authority** to the Acting Head of Planning Services to: finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

47. 19/01389/CT3: The Roundabout, The Plain, Oxford

The Committee considered an application (19/01389/CT3) for planning permission for the replacement of five freestanding signs.

The Planning Officer presented the report.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the required conditions set out in section 12 of the report and grant advertisement consent for the replacement signs.
2. **agree to delegate authority** to the Acting Head of Planning Services to: finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

48. Planning Appeals - Summary report October 2019

The Committee noted the report.

49. Minutes

The Committee resolved to approve the minutes of the meeting held on 24 September 2019 as a true and accurate record.

50. Forthcoming applications

The Committee noted the list of forthcoming applications.

51. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.45 pm

Chair

Date: Tuesday 12 November 2019