

# Agenda

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## West Area Planning Committee

This meeting will be held on:

Date: **Tuesday 19 January 2021**

Time: **3.00 pm**

Place: **Zoom - Remote meeting**

**For further information** please contact:

Catherine Phythian, Committee and Member Services Officer, Committee Services Officer

📞 01865 252402

✉️ [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)

**Members of the public can attend to observe this meeting and.**

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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*All public papers are available from the calendar link to this meeting once published*

## Committee Membership

Councillors: Membership 9: Quorum 5: substitutes are permitted.

Councillor Colin Cook (Chair)	Jericho and Osney;
Councillor Michael Gotch (Vice-Chair)	Summertown;
Councillor Tiago Corais	Littlemore;
Councillor Alex Hollingsworth	Carfax;
Councillor Richard Howlett	Carfax;
Councillor Dan Iley-Williamson	Holywell;
Councillor Richard Tarver	Iffley Fields;
Councillor Louise Upton	North;
Councillor Elizabeth Wade	Wolvercote;

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

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# Agenda

		Pages
	<p><b>Planning applications - background papers and additional information</b></p> <p>To see representations, full plans, and supplementary information relating to applications on the agenda, please <a href="#">click here</a> and enter the relevant Planning Reference number in the <input type="text"/> box.</p> <p>Any additional information received following the publication of this agenda will be reported and summarised at the meeting.</p>	
<b>1</b>	<b>Apologies for absence and substitutions</b>	
<b>2</b>	<b>Declarations of interest</b>	
<b>3</b>	<p><b>20/02471/FUL: Tinbergen Building, South Parks Road, Oxford, OX1 3PS</b></p> <p><b>Site address:</b> Tinbergen Building, South Parks Road, Oxford, OX1 3PS</p> <p><b>Proposal:</b> Erection of research and teaching building (Use Class F.1) over five storeys plus basement level including associated café, offices, laboratories and roof level greenhouses, plant, PV panels and flues. Creation of new public open space with basement level access. Hard and soft landscaping works, installation of cycle and car parking, alterations to existing access points and service road, creation of new pedestrian and cycle access, installation of electricity substation and ancillary works.</p> <p><b>Recommendation:</b></p> <p><b>The West Area Planning Committee is recommended to:</b></p> <p>1. <b>approve the application</b> for the reasons given in the report and subject to the required planning conditions set out in section 12 of</p>	17 - 62

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the report and grant planning permission subject to:

- the satisfactory completion of a unilateral undertaking or 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 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 Head of Planning Services considers reasonably necessary; and
- ensure completion of the recommended unilateral undertaking or legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers with the County Council to secure the obligations 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 Head of Planning Services considers reasonably necessary; and
- complete the unilateral undertaking or section 106 legal agreement referred to above and issue the planning permission.

**4      20/02480/FUL: Boswells, 1-5 Broad Street and 31 Cornmarket Street, Oxford, OX1 3AG**

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**Site address:**                      1 – 5 Broad Street and 31 Cornmarket Street, Oxford, OX1 3AG

**Proposal:**                              Change of use from mixed use retail (Use Class A1) and educational use (Use Class D1) to Hotel (Use Class C1) with associated facilities, including bar, restaurant and roof lounge.

**Recommendation:**

**The West Area Planning Committee is recommended to:**

1. **Approve the application** for the reasons given in the report and

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subject to the required planning conditions set out in section 12 of the report 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;

2. **Agree to delegate authority** to the 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 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 Head of Planning Services considers reasonably necessary; and
- Complete the section 106 legal agreement referred to above and issue the planning permission.

**5      20/02303/FUL: Peacock House, Baynhams Drive, Oxford, OX2 8FN**

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**Site address:**              Peacock House, Baynhams Drive, Oxford, OX2 8FN

**Proposal:**                  Change of use of ground floor of Block C of the Wolvercote Paper Mill development from GP surgery and business use to residential use (Use Class C3) comprising 5 x 2 bedroom flats and 2 x 1 bedroom flats. Alterations to fenestration at ground floor. Insertion of 3no. doors to north elevation and 4no. doors to south elevation. (Amended plans and additional information)

**Recommendation:**

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**The West Area Planning Committee is recommended to:**

1. **approve** the application for the reasons given in the report, subject to the required planning conditions set out in section 12 of the report and grant planning permission, subject to:
  - the receipt of a formal response from the Environment Agency raising no objection to the application;
  - 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 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 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 Head of Planning Services considers reasonably necessary; and
  - complete the section 106 legal agreement referred to above and issue the planning permission.

**6      20/02938/FUL: 45 Richmond Rd, Oxford, OX1 2JJ**

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**Site address:**                      45 Richmond Rd, Oxford, OX1 2JJ

**Proposal:**                          Temporary installation of PV Solar Panels to front and rear roofslopes for 5 year period.

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**Reason at Committee:** This application was called in by Councillors Pressel, Turner, Clarkson, Fry, Tanner and Kennedy following concerns that this application should be determined by councillors due to the number of comments received.

**Recommendation:**

**The West Area Planning Committee is recommended to:**

1. **refuse the application** for the reasons given in paragraph 1.1.2 of the report and delegate authority to the Head of Planning Services to:
  - finalise the reasons for refusal including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The recommended reasons for refusal are as follows:

1. The solar panels, by reason of their design, siting, size and projection above the original roof surface appear incongruous, obtrusive interventions that cover a substantial area of the building's roof slopes, a building that by virtue of its type makes a significant contribution to the special character and appearance of the Jericho Conservation Area. The design of the panels and the installation fails to comply with policies DH1 and DH3 of the Oxford Local Plan 2036 and paragraph 192 of the NPPF. The installation causes less than substantial harm to the architectural and historical significance of the heritage asset that is the Jericho Conservation Area. The harm has not been clearly or convincingly justified and therefore the proposal to retain the panels fails to comply with paragraph 194 of the NPPF. The proposal also fails to comply with policy 196 of the NPPF and would be contrary to policy DH3 of the Oxford Local Plan 2036 in that it offers insufficient public benefits to outweigh the high level of less than substantial harm that the solar panels cause and the solar panels are not required to retain the building in an optimum viable use.
2. The solar panels are considered to cause less-than-substantial harm to the significance of the Jericho Conservation Area and this harm is not outweighed by the public benefits attributed to the development which would be contrary to the requirements of Paragraph 196 of the NPPF and Policies DH1 and DH3 of the Oxford Local Plan 2036. The retention of these solar panels for a temporary period would not mitigate this identified less-than-

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substantial harm, which has been established as a result of their installation, and will not be altered over the lifetime of the temporary permission. In accordance with the advice set out within the National Planning Practice Guidance, there would be no justification to grant a temporary period to assess the effect of the development on the conservation area over this period given the effect of this harm will not change over the temporary period, and given it is clearly contrary to national and local plan planning policy, which is also not expected to change by the end of that period, and as concluded in the recent appeal decision.

## 7 Minutes

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**Recommendation:** to approve the minutes of the meeting held on 8 December 2020 as a true and accurate record.

## 8 Forthcoming applications

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

19/02815/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	Called in
19/02816/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	Called in
20/00549/LBC: Town Hall, St Aldate's, Oxford, OX1 1BX	Committee decision
20/01276/FUL: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	Committee decision
20/01277/LBC: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	Committee decision

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20/02434/VAR: Dragon School, Bardwell Road, Oxford, OX2 6SS	Committee decision
20/02651/FUL: 152 Godstow Road, Oxford, OX2 8PG	Committee decision
20/02884/VAR: Site Of Oxford University Science Area, South Parks Road, Oxford	Committee decision
20/02417/FUL: Development of 76 & 78 Banbury Road, Oxford, OX2 6JT	Called in
20/01898/FUL: The Irving Building, Hertford Street, Oxford, OX4 3AJ	Committee decision

## 9 Dates of future meetings

Future meetings of the Committee are scheduled via Zoom at 3.00pm on:

2021
9 February
9 March
13 April

## aaPublic access to this meeting and members of the public speaking

**Remote meetings will be held on Zoom.**

### Public access to remote meetings

1. You can watch the meeting remotely by clicking on the link in the comments section or under 'media' sited just above the agenda items.
2. The live link will appear on this page just as the meeting starts. This

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will launch a YouTube video of the live meeting. If it does not, then follow the link to the council's YouTube channel where the video will be playing.

### **Registering to speaking**

3. Members of the public can register to speak at a meeting in accordance with the Procedure Rule within Council's Constitutions.
4. **For this committee you must register to speak before noon on the working day before the meeting**, giving the application name/number and whether you are supporting or objecting. You must also supply an email address and phone number.
5. **Members of the public registering to speak are recommended to submit their contribution in writing to [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk) not less than 24 hours before the meeting is due to start.** This will ensure that their contribution can be taken into account and, where necessary, responded to, in the event that the connection is poor or they are otherwise unable to join the meeting. Members of the public who register to speak will be advised of any word limit for their written submission.

### **Public attendance and speaking at remote meetings**

6. Members of the public viewing the meeting should do this through the weblink to the live stream as above.
7. Members of the public may register to speak at the meeting in accordance with the procedure rules (see 4 and the notes at the end of the agenda frontsheet)
8. Those registering to speak will be provided with joining instructions and guidance on public participation in remote meetings by the Committee and Member Services Team.
9. When the meeting starts, or during the agenda item before the one they are speaking on, they should follow these instructions and join the meeting. When joining a meeting members of the public with a right to speak must ensure that they can be identified as a registered speaker otherwise their access to the meeting will be blocked.
10. They will be held as an 'attendee' and be able to see and hear the meeting but not take part.
11. The Meeting Host will 'enable' their microphone when they are called to speak, or may admit them to the meeting. They must not speak until are invited to do so by the Chair. Speeches are timed from the first words of the speech: there is no penalty for delays

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caused by the technology.

12. The member of the public may remain as an attendee or in the meeting to hear the remainder of the agenda item. Once their contribution has been heard the Meeting Host will mute their microphone and it must remain muted for the remainder of the meeting unless the Chair invites them to speak again, at which point the microphone will be enabled again.
13. At the end of the agenda item, the Chair may ask speakers attending for that item to disconnect from the remote meeting and the Meeting Host may remove their access to the meeting. Members of the public may continue to observe the meeting by watching the live stream accessed via a link on the Council's [meetings webpages](#).
14. If a member of the public exercising their right to speak at a remote meeting loses connectivity during their contribution, they should immediately dial back in to the meeting using the telephone number provided in the joining instructions.
15. If a member of the public exercising their right to speak at a remote meeting loses connectivity and is unable to re-join the meeting their previously submitted written contribution will be considered (it will be read out by an officer who will keep strictly to the allocated time limit). If no written contribution has been submitted the meeting will proceed without considering their contribution.

#### **Press access to remote meetings**

16. Journalists wishing to attend a remote meeting are advised to inform [pressoffice@oxford.gov.uk](mailto:pressoffice@oxford.gov.uk) not less than 24 hours before the meeting is due to start to be issued with joining instructions.
17. Journalists in remote attendance are asked to keep their microphone muted and their video camera turned off.
18. Alternatively journalists can access meetings by viewing the live stream as set out in 1 and 2 above.

### **Information for those attending regulatory committees - Remote meetings guidelines**

Regulations passed in April 2020 enable the Council to hold meetings without some or all Members being physically present together in a room. To ensure the smooth running of remote meetings the Council has agreed a Protocol for Remote Meetings and everyone is asked to

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follow these guidelines which are based on that Protocol.

### **Attendance at remote meetings**

Members (councillors) are “in attendance” provided that they can hear and be heard by the other participants. Any loss of visual connection does not give rise to non-attendance but a loss of audio connection does.

Should you lose connection to the meeting try to reconnect immediately. If you cannot immediately re-join the meeting by video link, please dial in to the meeting using the telephone number provided in the joining instructions.

If a Councillor loses connectivity to this meeting they will be prohibited from participating in the debate and voting on that agenda item unless the discussion is paused for the period of their non-attendance.

If other participants lose connection, this does not affect the debate or vote.

### **Remote meetings etiquette**

All participants are asked to:

- Stay visible on camera while your video feed is on. Turn the camera off if you stand up or leave your seat.
- Keep your microphone muted unless speaking. Un-mute / mute your own microphone before and after speaking.
- Use the “raise hand” icon to indicate a wish to speak. This is located in the “Participants” tab. Please be patient, the Chair will call you to speak and has absolute discretion to determine the order in which participants speak. Please lower your virtual hand after speaking.
- Not speak over other participants.
- Keep contributions relevant and concise.
- Councillors and officers must use the Chat function only to assist with the smooth administration of the meeting, e.g. to alert officers to a loss of audio connectivity.

### **Voting at remote meetings**

When determining an application the voting will be by a roll call.

When called by the Clerk, Councillors are asked to state how they are voting on the proposal (e.g. “for”, “against” or “abstain”). Any Member who has not been in attendance to hear the full presentation and debate on an agenda item will be required to abstain from voting on that matter.

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## **Information for those attending**

### **Recording and reporting on meetings held in public**

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

### **Councillors 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". 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.

## **Procedure 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. Advice on bias, predetermination and declarations of interests is available from the Monitoring Officer.

### **The following minimum standards of practice will be followed:**

1. All members of the Committee will have pre-read the officers' report. Committee members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful. (In accordance with the guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may 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;
  - (d) 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;
  - (e) 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 officers and/or other speakers); and
  - (f) voting members will debate and determine the application.
4. In determining an application Committee 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 overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; or
  - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

### **Public requests to speak**

**Members of the public wishing to speak must notify the Committee Services Officer by noon on the working day before the meeting**, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Committee Services Officer (details are on the front of the Committee agenda).

### **Written statements from the public**

**Any written statement that members of the public or Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting.** Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

### **Exhibiting model and displays at the meeting**

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Committee Services Officer of their intention by noon two working days before the start of the meeting so that members can be notified.

### **Recording meetings**

This is covered in the general information above.

### **Meeting Etiquette**

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.

**This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in January 2020.**