

## PLANNING REVIEW COMMITTEE

**Wednesday 27 July 2011**

**COUNCILLORS PRESENT:** Councillors Brett (Chair), Altaf-Khan, Rowley, Young, Brundin, Coulter, Seamons and Van Nooijen.

**OFFICERS PRESENT:** Lois Stock (Democratic Services Officer), Niko Grigoropoulos (City Development), Murray Hancock (City Development) and Daniel Smith (Law and Governance)

### **7. APOLOGIES FOR ABSENCE**

Apologies were received from:

Councillor Antonia Bance – Councillor Oscar Van Nooijen substituted;  
Councillor Alan Armitage – Councillor Clark Brundin substituted;  
Councillor Laurence Baxter – Councillor Scott Seamons substituted;  
Councillor Ed Turner – Councillor Van Coulter substituted;  
Councillor Mark Lygo.

### **8. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

- (1) Councillor Oscar van Nooijen - personal interest in the planning application for 17-41 Mill Street (minute 9 refers), as he had chaired the West Area Planning Committee from which this item had been called in.
- (2) Councillor Mike Rowley – personal interest in the planning application for 17-41 Mill Street (minute 9 refers), as a member of the Civic Society which had made representations about the application.

It was noted that several Councillors had attended a site inspection on Monday 25<sup>th</sup> July, accompanied by officers, the applicant's agent and local residents.

### **9. REAR OF 17 - 41 MILL STREET, OXFORD - 11/00927/FUL**

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

*17-41 Mill Street – Application for the erection of a 3 storey building to accommodate 74 student rooms and wardens accommodation. Cycling facilities, bin store and landscaping.*

West Area Planning Committee had resolved to support the development in principle, but to defer the application in order to complete an accompanying legal agreement, and delegate to officers the issuing of the planning permission

subject to conditions outlined in the planning officer's report. The application was subsequently called in to the Planning Review Committee.

Murray Hancock (Planning) presented the report to the Committee and explained the background. The Chair, Councillor Brett, explained that he would allow 10 minutes for objectors to speak, and 10 minutes for those in favour to speak.

#### Speaking against the application

Mike Magee, John Rolfe, Brendan Carter, Andrew Sheridan, Gervaise Wood and Dr Jordan spoke against the application and made the following points:-

- The proposed building was monolithic and uninspiring, visually unattractive;
- Concern about loss of light;
- The site was unsuitable, being narrow and next to the railway;
- The proposal was overbearing and too high;
- Concern about loss of amenity and loss of privacy for residents of Mill Street;
- The proposal was an overdevelopment – it would lead to students outnumbering residents and affect the balance of the neighbourhood;
- Concern that the students would cause noise and disturbance at unsociable hours;
- Not convinced that this site is, or was, a brown field site;
- Concern at the lack of consultation with residents by the applicant – would like a full consultation to be carried out;
- Concern about students potentially parking cars in the area;
- Applicant's comments about the building helping to lessen noise from the railway should be disregarded – noise during the 1940's to 1960's when there was more railway activity was never a concern;
- Concern about wildlife on the site – breeding hedgehogs have been found;
- The flats in Abbey Walk are much closer to the proposed building than the 21m specified by the Council's guidelines, and the plans/drawings used in the presentation had omitted windows directly facing the proposed development that would be only 17.5 m from it.

#### Speaking in favour of the application

Nik Lyzba (Agent for the Applicant) and Adrian James (Architect) spoke in favour of the application and made the following points:-

- The site was a railway siding in the past and has been a developed plot;
- This is the sort of site that the Government encourages to be developed, and this is reflected in Oxford's Core Strategy;
- All the students who would occupy the building would be international students in the 16-19 age range; it was not expected that any would have cars, and in any case many would be too young to drive;
- The site is adjacent to the campus that it would serve and within the defined central area of the city for transport purposes;

- Some trees would be removed but 6 would be retained;
- A bio-diversity survey had been carried out, and no bats, badgers or reptiles had been recorded;
- The Environment Agency had not raised any issues of concern;
- The proposal met all the Council's standards for sunlight and daylight;
- The rear of the Mill Street properties are between 30 and 40 metres away from the proposed building; it would not be overbearing and there would be no direct overlooking;
- It was an efficient use of the land;
- The design met the Council's standards and policies and the architect had tried to take into account local concerns;
- The building would help block out any noise from the railway, it was lower and smaller than some of the houses backing onto it;
- There would be a 4m wide strip of dense planting along the boundary with the Mill Street gardens.

The following issues were clarified, in response to questions from members of the Committee;

- The height of the building was 10.1m and the distance from the nearest Abbey Walk flat was 17.5m;
- Conditions imposed by the West Area Planning Committee were outlined in the agenda papers;
- It was intended to have photovoltaic panels on the roof and a full energy report had been submitted;
- There would be one communal "amenity room" for every cluster of 6 or 7 student study bedrooms
- If permission was granted, the applicant would have to submit details of how the site was to be managed – the applicant would have a duty of care to the students who would reside there;
- Approaches had been made to Network Rail about making the footbridge over the railway line and car park more wheelchair /cycle friendly, but it indications were that this was unlikely to be acceptable to the company;
- Similarly, the possible increase in rail traffic was beyond the remit of the Committee.

Councillors present then debated the issue and **RESOLVED:-**

To **REFUSE** the planning application on the grounds of:-

- (1) Loss of visual amenity to residents of Mill Street;
- (2) Overdevelopment of the site;
- (3) The size and bulk of the building meant that it would be overbearing and have an unacceptable impact on neighbouring properties;
- (4) Detrimental social impact on the neighbourhood caused by too great a proportion of the local population being students;
- (5) That the design of the development failed to relate to its context, contrary to policy CP8 of the Oxford Local Plan;
- (6) The window to window distance between the proposed building and the Abbey Walk flats was only 17.5m, which was less than the usual 21m guidance.

Councillor Van Nooijen added that he deplored some of the personal attacks that had been made by email upon the Council's planning officers by some objectors; finding them to be unhelpful and unjust attacks on hard working staff.

#### **10. MINUTES**

Resolved to confirm as a correct record the minutes of the meeting held on 2<sup>nd</sup> June 2011.

#### **11. DATES AND TIMES OF FUTURE MEETINGS**

Resolved to note the following dates of future meetings:-

31<sup>st</sup> August  
28<sup>th</sup> September  
26<sup>th</sup> October  
30<sup>th</sup> November  
22<sup>nd</sup> December  
25<sup>th</sup> January 2012  
29<sup>th</sup> February  
28<sup>th</sup> March  
25<sup>th</sup> April

**The meeting started at 6.00 pm and ended at 7.21 pm**