

## Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 9 May 2017



### Committee members:

Councillor Upton (Chair)	Councillor Landell Mills (Vice-Chair)
Councillor Cook	Councillor Curran
Councillor Hollingsworth	Councillor Pegg
Councillor Price	Councillor Gant (for Councillor Fooks)

### Officers:

Philip Devonald, Planning Legal Locum  
Adrian Arnold, Development Management Service Manager  
Robert Fowler, Planning Team Leader  
Catherine Phythian, Committee Services Officer

### Apologies:

Councillor(s) Fooks and Tanner sent apologies.

### 129. Declarations of interest

There were no declarations of interest.

### 130. 16/02689/FUL: Cooper Callas - Unither House, 15 Paradise Street, Oxford, OX1 1LD

The Committee considered a report detailing an application (16/02689/FUL) for planning permission for the demolition of existing building and construction of new hotel building (use class C1), with associated vehicle and cycle parking, landscaping, plant and engineering works at Cooper Callas - Unither House, 15 Paradise Street, Oxford, OX1 1LD.

The Planning Officer presented the report and made the following verbal updates:

- A total of 29 submissions had been received from members of the public after the agenda publication and all of these had been circulated to members of the Committee. None of the submissions raised any new issues and all had been addressed in the officer's report.
- He recommended that the Committee should include an additional condition to deal with Public Art and a condition dealing with Archaeology.

- There was an outstanding technical objection from the Environment Agency regarding the proposed mitigation against extreme flooding events. The Environment Agency, applicant and planning officers were in discussion about this and expected to reach a satisfactory conclusion. This matter would be addressed by the delegated authority to officers detailed in recommendation 2.

The following spoke against the application and answered questions from the Committee: Alan Divall, Helen Wilkinson (for Oxford Preservation Trust), Councillor Brandt, Natasha Williams, Jenny Berrill and David Ish-Horowicz.

Neil Warner (agent), Adrian Stewart and Steven Adams (architects) spoke in favour of the application and answered questions from the Committee.

The Committee discussion included, but was not limited to, the following points:

- Discussions about the impact on light for neighbouring properties; particularly relating to the BRE guidance and the assessment of the proposals against the Council's planning policies
- An acknowledgement of the concerns of local residents about the impact of future traffic movements; the need to prohibit delivery access via the Quaking Bridge and the importance of enforcement of this restriction; and the obligation on the hotel to publicise the property to guests as a car free destination
- Confirmation from the planning officer that there was adequate provision of cycle parking for staff, residents and visitors within the proposed development and in the local area
- That the planting on the "green areas" should be height appropriate and this can be dealt with in the scope of the conditions recommended
- That careful consideration should be given to the public art installation as it would be set against the blank façade of the north elevation of the development
- The impact of the proposal on the heritage assets and conservation area.

The Committee agreed that the discharge of the following conditions should be reserved to the Committee for determination:

- 8 - Travel Plan - draft approved & update required post occupation
- 9 - Travel Information Packs
- 12 - Delivery and Service Management Plan
- 13 - Construction Traffic Management Plan
- 24 - Public Art
- 25 – Archaeology

In reaching their decision, the Committee considered the officer's report, presentation and the views and information provided by the public speakers.

On balance a majority of the Committee concluded that the proposal would meet the need for additional hotel accommodation within the City Centre in a sustainable location and would not harm the setting of the adjacent listed buildings and scheduled monuments. Any perceived harm would be outweighed in this case by the public benefits of the proposal in the form of hotel accommodation, public realm improvements and quality replacement building. There would be no harm to the highway or neighbouring residential amenities.

On being put to the vote the Committee agreed with the officer recommendation.

The West Area Planning Committee resolved:

1. To **approve** in principle the application (16/02689/FUL) for the reasons set out in the report and subject to the amended conditions listed and on the satisfactory completion of a legal agreement to secure a contribution towards affordable housing; and
2. To **delegate** to Head of Planning and Regulatory Services authority to issue the permission subject to the satisfactory resolution of the Environment Agency's technical concerns; additional conditions that are required to address the Environment Agency's concerns can be added to the decision.

### Conditions

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Materials - samples prior to construction (excluding demolition)
4. Revised Landscape plan - including living walls & green roof – as approved
5. Landscape management plan - as approved
6. Landscaping - carry out after completion
7. Cycle parking - further details of on-street cycles required
8. *Travel Plan - draft approved & update required post occupation (discharge reserved to WAPC)*
9. *Travel Information Packs (discharge reserved to WAPC)*
10. Shared Surface – further details to be submitted
11. Traffic Regulation Order – variation required
12. *Delivery and Service Management Plan – as approved (discharge reserved to WAPC)*
13. *Construction Traffic Management Plan required (discharge reserved to WAPC)*
14. Flood Risk Assessment – construct in accordance with
15. SUDs - further details to be submitted
16. SUDs Maintenance Plan - to be submitted
17. Biodiversity - details of bat box and Swift bricks, Prior construction (excluding demolition)
18. Biodiversity - details of external lighting (bats) prior occupation
19. Biodiversity - implementation of the outline Ecology Management Plan
20. Contamination – Revised Phased Risk Assessment
21. Contamination – Validation Report

22. Contamination – Watching Brief
23. Sustainability – further details required
24. *Public Art (discharge reserved to WAPC)*
25. Archaeology

### **131.17/00476/FUL: 278-280 Banbury Road, Oxford, OX2 7ED**

The Committee considered a report detailing an application (17/00476/FUL) for planning permission for the demolition of existing building; the erection of two storey building to provide 4no. retail units (Use Class A1) and provision of car parking and bin and cycle stores at 278-280 Banbury Road, Oxford, OX2 7ED.

The Planning Officer presented the report. He referred the Committee to the comments raised by Cllr Fooks regarding the level of cycle parking and the loss of a residential unit. He explained that the cycle parking arrangements detailed in the report were compliant with Policy TR4 of the Oxford Local Plan 2001-2016 but recommended an additional condition that would ensure that provision was provided as part of the scheme.

In relation to loss of a residential unit he acknowledged that this matter was not addressed in the officer report and needed to be considered in relation to Policy HP1 of the Sites and Housing Plan. He read a statement prepared by the case officer:

*During the course of the application Officers have investigated the presence of an existing residential unit located at first floor level above the Knight Frank offices (known as Unit 2, 280 Banbury Road), and have considered whether the proposal for the redevelopment of the site would be contrary to Sites and Housing Policy HP1 i.e. that it would result in the loss of an existing dwelling.*

*While there appears to be a HMO licence granted for this unit there is no planning history to demonstrate that either a C3 or C4 use on the site is lawful. The applicant has also suggested that Unit 2 has been sub-let without the permission of the landowner. Additionally, while limited information relating to the floorplan of Unit 2 has been provided, it is clear from the site layout that the unit would demonstrate single aspect accommodation and that any occupiers of this unit would not benefit from any external amenity space. Policy HP1 promotes the retention of good quality self-contained homes and Officers do not consider the existing Unit to fall within this definition.*

*Furthermore, as set out in the committee report, the proposed retail units would generate economic benefits within a designated district centre including an increase in employment density which is considered to offset the limited harm arising from the loss of the existing residential use of Unit 2.*

*As such, due to the unlawful nature of the existing residential use, the poor quality accommodation provided and the economic benefits arising from redevelopment of the site, Officers do not consider the proposals to be contrary to the aims of Policy HP1.*

Mr Paul Lancaster, the applicant, was present to answer questions.

The Committee raised some concerns about the proposed parking arrangements and were pleased to note that the applicant had indicated that he would be prepared to work with officers to identify the best workable solution for the car park layout under Condition 4.

In reaching their decision, the Committee considered the officer's report, presentation and the views and information provided by the public speaker.

On being put to the vote the Committee agreed with the officer recommendation.

The West Area Planning Committee resolved to **grant** planning permission (17/00476/FUL) for the reasons set out in the report and subject to the following (amended) conditions:

### **Conditions**

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Samples
4. Car Park Layout Plan
5. Contamination Risk Assessment
6. Remediation
7. Drainage Scheme
8. Drainage Infrastructure
9. Cycle Parking

### **132.17/00569/FUL: 40 Stratford Street Oxford Oxfordshire OX4 1SW**

The Committee considered a report detailing an application (17/00569/FUL) for planning permission for the erection of a single storey rear extension at 40 Stratford Street, Oxford, OX4 1SW.

The Planning Officer presented the report. He referred the Committee to the letter of objection from the neighbours and the supporting comments from Cllr Tarver, who had originated the call-in of the application. He confirmed that all of the points raised had been addressed in the officer report. In particular he explained that although the neighbouring property at number 42 Stratford Street would benefit from the amended plans, there was no improvement in the impact of the development on the property at number 38 Stratford Street. However, overall the impact on both of the neighbouring properties was policy compliant.

Mr Tom Green (neighbour) spoke against the application.

In discussion the Committee noted the following points:

- That the proposed development would be acceptable having had regard to the remaining amount and quality of garden space.
- That the proposed development would have an acceptable impact on the amenity of neighbouring occupiers in terms of the impact on light as set out in Policy HP14 of the Sites and Housing Plan. The proposed development would contravene the 45 degree line in relation to the patio doors at 38 Stratford Street and the ground floor rear window of 42 Stratford Street but would pass on the 25 degree line in both cases. As a result, the impact on neighbouring amenity meets the requirements of the Council's adopted policy.
- Despite the above, some Councillors did express reservations about the impact of the proposed development in terms of light and that it would be unneighbourly.

In reaching their decision, the Committee considered the officer's report, presentation and the views and information provided by the public speaker.

On being put to the vote the Committee agreed with the officer recommendation.

The West Area Planning Committee resolved to **grant** planning permission (17/00569/FUL) for the reasons set out in the report and subject to the following conditions:

**Conditions**

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Materials
4. SUDs Drainage

**133.Minutes**

The Committee resolved to approve the minutes of the meeting held on 11 April 2017 as a true and accurate record.

**134.Forthcoming applications**

The Committee noted the list of forthcoming applications.

**135.Dates of future meetings**

The Committee noted the dates of future meetings.

The meeting started at 6.05 pm and ended at 8.05 pm

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