

# Agenda

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## Planning Review Committee

Date: **Thursday 22 December 2011**

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Time: **6.00 pm**

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Place: **The Old Library, Town Hall**

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For any further information please contact:

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If you would like help to understand this document please call Lois Stock, Democratic Services Officer on or email [lstock@oxford.gov.uk](mailto:lstock@oxford.gov.uk) in advance of the meeting.

# Planning Review Committee

## Membership

<b>Chair</b>	<b>Councillor Tony Brett</b>	Carfax;
<b>Vice-Chair</b>	<b>Councillor Antonia Bance</b>	Rose Hill and Iffley;
	<b>Councillor Mohammed Altaf-Khan</b>	Headington Hill and Northway;
	<b>Councillor Alan Armitage</b>	North;
	<b>Councillor Laurence Baxter</b>	Quarry and Risinghurst;
	<b>Councillor Mark Lygo</b>	Churchill;
	<b>Councillor Mike Rowley</b>	Barton and Sandhills;
	<b>Councillor Ed Turner</b>	Rose Hill and Iffley;
	<b>Councillor Nuala Young</b>	St. Clement's;

### **HOW TO OBTAIN AGENDA**

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# AGENDA

## Pages

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any item on the agenda.

**3 PLANNING APPLICATION 11/02446/FUL - CANTAY HOUSE, 36-39 PARK END STREET**

1 - 14

The Head of City Development submitted to West Area Planning Committee on 8<sup>th</sup> December 2011 a report which detailed a planning application for the demolition of rearmost building, erection of 5 storey building consisting of 9x2 bed flats with cycle parking, bin stores and landscaping.

The officer recommendation was to approve subject to conditions.

West Area Planning Committee discussed the item as follows:-

*The Planning Officer reported that the comments made by Oxford Civic Society had subsequently been withdrawn, and that the figure of £19,738 to be sought by planning agreement for library facilities was included in error and should be deleted as the West End contribution also indicated represented an all inclusive figure for contributions from the development.*

*In accordance with the criteria for public speaking Nik Lyzba, the applicant's agent, spoke in support of the application.*

*The Committee considered all submissions both written and oral and it was:*

*Resolved to*

*(1) Support the development in principle, subject to the conditions in the officer's reports, but defer the application in order to complete an accompanying legal agreement as outlined in the offers' report and to delegate to officers the issuing of the notice of planning permission on its completion.*

*(2) Add the additional Informatives as follows:*

- i. To encourage the use of solar PVT panels where possible*
- ii. Grey water*
- iii. To make provision to encourage the nesting of Kingfisher and Sand martin varieties of bird.*

The application was subsequently called in to Planning Review Committee by

Councillor Cook, supported by Councillors Sinclair, Turner, Coulter, Hazell, Rowley, McManners, Wilkinson, Humberstone, Jones, Brown and Pressel; for the following reason:-

*This proposal for 9 number two-bed flats i.e. one flat short of triggering a social housing requirement. It is my contention that this site is perfectly capable of taking 10no. flats and that the developers have deliberately under-developed this site in order to avoid making a contribution to social housing contrary to policy CP.6 in the Affordable Housing SPD.*

#### **4 PLANNING APPLICATION 11/02032/FUL - UNIT 1, JOHN ALLEN CENTRE.**

15 - 48

The Head of City Development submitted to the East Area Planning Committee on 6<sup>th</sup> December 2011 a report which detailed a planning application for the refurbishment of Unit 1, John Allen Centre, comprising:

- External alterations to the eastern elevations of the building to match the rest of the shopping park to create 4 units, additional glazing and new frontage louvers; (Additional information);
- Mezzanine floor space within retail units 1A, 1B and 1C;
- Alterations to the pedestrian and parking areas to front of the retail building and replacement compound/new plant area within the service area (all as a variation on previous approval), and out of hours deliveries within the car park;
- Formation of three Class A3 café-restaurants as a change of use and extension of the south western part of the existing retail building and enhancement of the open space to the south;
- Demolition of part of the rear of existing building and redevelopment of that area and the adjoining garden centre to provide four dwelling houses with related access and car parking. (Additional information) (Amended plans):

The Officer recommendation was to approve subject to conditions.

The East Area Planning Committee agreed the following (extract from the unconfirmed minutes)-

#### **71. UNIT 1, TEMPLARS SHOPPING PARK, OXFORD - 11/02032/FUL**

*The Committee considered all submissions, both written and oral and agreed:*

- To support the proposals in principle and subject to the 22 conditions as laid out in the Planning Officers report with an additional condition (23) to remove Permitted Development Rights which would have allowed a change of use from café/restaurants to retail shops without the need for planning permission and to allow servicing of the food store at Unit 1A from the rear yard on Sundays and Bank Holidays and from the car park area overnight;*
- To defer the application to allow a "Deed of Variation" to be drawn up and to delegate to Officers the issuing of the Notice of Planning Permission on its completion.*

The application was subsequently called in to Planning Review Committee by Councillor Shah Khan, supported by Councillors Rowley, Cook, Turner, Price, Sinclair, Tanner, Timbs, Lloyd-Shogbesan, Darke, Humberstone, Van Nooijen and Baxter for the following reasons:-

*Issues of significant public concern regarding public safety and lighting were not considered in the report and so were not addressed at East Area Planning. Local Plan policies CP9 (j) and (k) are relevant*

## **5 DATES OF FUTURE MEETINGS**

Meetings are scheduled for the following dates, starting at 6pm:-

25<sup>th</sup> January 2012  
29<sup>th</sup> February  
28<sup>th</sup> March  
25<sup>th</sup> April

## **DECLARING INTERESTS**

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

### **What do I need to do if I have a personal interest?**

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

### **What is a prejudicial interest?**

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

### **What do I need to do if I have a prejudicial interest?**

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

## **CODE OF PRACTICE 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.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will 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;

(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;

  - (d) 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 Officer/s and/or other speaker/s); and
  - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to [planningcommittee@oxford.gov.uk](mailto:planningcommittee@oxford.gov.uk) before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application(or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. 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,
6. 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 that decision have been formulated; and
  - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.