

Agenda

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East Area Planning Committee

Date: **Thursday 7 March 2013**

Time: **6.00 pm**

Place: **Oxford Town Hall**

For any further information please contact:

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East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Dee Sinclair	Quarry and Risinghurst;

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AGENDA

Pages

1 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

2 **DECLARATIONS OF INTEREST**

Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.

3 **FORMER LORD NUFFIELD CLUB: 12/02935/FUL**

1 - 30

The Head of City Development has submitted a report which details a planning application for a change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping.

Officer recommendation: Committee is recommended to SUPPORT the proposals in principle but defer the application in order to draw up an accompanying legal agreement securing a community access package to the school's facilities, and to delegate to officers the issuing of the Notice of Planning Permission on its completion.

To support subject to the following conditions,

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Landscape plan required
- 5 Landscape - carry out after completion
- 6 Boundary details before commencement first occupation,
- 7 SUDS for car parking area
- 8 Parking and vehicle manoeuvring areas
- 9 Cycle parking details required
- 10 Provision of bin stores
- 11 Travel Plan and detailed SRTS
- 12 School Rolls - Travel Plan
- 13 School Rolls - traffic impact
- 14 Traffic Management Plans
- 15 Amenity no additional windows: west, south or east elevations
- 16 Noise
- 17 Cooking odours
- 18 Biodiversity enhancements
- 19 Archaeology - Implementation of programme medieval and post-medieval remains

**4 PARKING AREA AND PART SPORTS FIELD, WILLIAM MORRIS
CLOSE: 12/02967/FUL**

31 - 56

The Head of City Development has submitted a report which details a planning application for the construction of two all weather playing pitches, plus a new residential development consisting of 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc accessed off Barracks Lane.

Officer recommendation: That the Committee REFUSE the application for the following reasons:

1. The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a need in the City. The replacement sports facilities in the form of all-weather mini-pitches with restricted community access are not equal to or better than retaining the potential of the site to provide for open air sport and recreation. Further it is not essential that the all-weather mini-pitches are provided on this particular site to satisfy local need. For these reasons the proposal does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan.
2. The site meets the requirements of the NPPF as a local green space, valued local amenity which will be lost by developing housing on part of the site and diminished on the mini-pitches part of the site. The all-weather mini-pitches do not form an acceptable alternative to retention of this green space. This is contrary to guidance in the NPPF and Policies CS21 of the Core Strategy and SR2 of the Oxford Local Plan.
3. The development is contrary to Policy CS2 of the Core Strategy in that the site is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. There are no other balancing reasons or mitigating circumstances why housing should be allowed on this site. It is not essential that the housing or all-weather mini-pitch developments are developed on this particular site which it is preferable to retain as open space for the well-being of the community it serves.
4. The proposed number of dwellings constitutes an overdevelopment of the site in that it restricts the opportunity to create a high quality housing layout. The largely rectilinear disposition of buildings, the scale, bulk and massing of the block encompassing plots 26-43, and the absence of landmark buildings or features would fail to create a strong sense of place. The public realm would not be a visually attractive environment as it would be dominated by on-street parking with few front gardens, very little green space and no opportunities for landmark or focal-point planting/features. The gardens to plots 26, 27, 32, 33, 38 and 39 which include family units would be too restricted in size. Bin and cycle storage provision would be inadequate and not always conveniently located for use by all occupants of the houses or flats, and there would be inadequate room at the front of the houses/flats to make up these deficiencies. For these reasons the proposal does not accord with

guidance on the design of development set out in the NPPF, Policies CP1, CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policies HP9, HP13 and HP15 of the Sites and Housing DPD.

- 5 The proposed layout would result in a loss of amenity to some existing properties adjacent to the site boundary namely: inter-visibility between plot 2 and number 11 Crescent Close; overlooking the garden area of 11 Crescent Close from plots 6, 7, and 10 to 13; and noise and light disturbance to properties in Beresford Place arising from the location of the access road near to north facing habitable rooms. For these reasons the proposal does not accord with guidance on the design of development set out in Policies CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policies HP9 and HP14 of the Sites and Housing DPD.
- 6 Although the layout is unlikely directly to affect the viability of the important amenity trees on the site periphery, there are concerns that the trees will come under pressure for reduction due to overshadowing the gardens to plots 26, 27, 32, 33, 38 and 39; and reducing the daylight available to plots 26 to 43. The tree work that will be necessary to significantly improve the light situation is likely to have a significant harmful effect on amenity in the area. For these reasons the proposal does not accord with guidance on the design of development set out in Policies CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policy HP9 of the Sites and Housing DPD.
- 7 The proposed development fails to comply with the guidance of the NPPF concerning using natural resources prudently, minimising waste and pollution, adapting to climate change and moving to a low carbon economy; and fails to meet the standards of resource efficiency required by the Council's adopted planning policies on energy, natural resources, waste and recycling, namely Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan Policies CP17 and CP18.

5 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Tuesday 16th April 2013 (and Tuesday 23rd April if necessary)

Tuesday 7th May 2013 (and Thursday 9th May if necessary)

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". What this means is that 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..

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 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.