

Agenda

www.oxford.gov.uk



West Area Planning Committee

Date: **Tuesday 11 March 2014**

Time: **6.30 pm**

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

For any further information please contact:

Sarah Claridge, Democratic Services Officer

Telephone: 01865 252402

Email: sclaridge@oxford.gov.uk

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor Michael Gotch	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Anne-Marie Canning	Carfax;
	Councillor Bev Clack	St. Clement's;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Graham Jones	St. Clement's;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;

The quorum for this meeting is five members. Substitutes are permitted.

HOW TO OBTAIN AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

A copy of the agenda may be:-

- Viewed on our website – mycouncil.oxford.gov.uk
- Downloaded from our website
- Subscribed to electronically by registering online at mycouncil.oxford.gov.uk
- Sent to you in hard copy form upon payment of an annual subscription.

AGENDA

	Pages
1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2 DECLARATIONS OF INTEREST	
3 WESTGATE CENTRE: 13/02557/OUT	11 - 76

The Head of City Development has submitted a report which details a planning application to demolish southern part of Westgate Centre, 1-14 Abbey Place and multi-storey car park, retention of library, refurbishment of remainder of the existing Westgate Centre and construction of a retail-led mixed use development together providing A1 (retail), A2 (finance and professional services) and/or A3 (restaurants and cafes) and/or A4 (public house, etc.) and/or A5 (hot food takeaways) uses, C3 (residential) use and D2 (amenity and leisure) uses, public toilets, associated car and cycle parking, shop-mobility facility, servicing and access arrangements together with alterations to the public highway.

Officer recommendation: That the Committee

- i. support the application subject to the conditions and legal obligations listed below, but to notify the Secretary of State for Communities and Local Government accordingly under the requirements of Section 77 of the Town and Country Planning Act 1990, and the Town and Country Planning (Consultation) (England) Direction 2009; and
- ii. upon the planning application not being recovered by the Secretary of State for his own determination, to delegate to officers the issuing of the Notice of Outline Planning Permission subject to conditions and completion of an accompanying legal agreement.

Subject to the following planning conditions and legal obligations:

Planning Conditions:

1. Time limits for commencement.
2. Approved drawings and documents.
3. Reserved matters applications.
4. Materials.
5. Landscaping / public realm.
6. Tree protection.
7. Tree pits.
8. Landscape implementation.

9. Landscape management plan.
10. No subdivision of department store.
11. Maximum amount of non - retail floorspace.
12. Shop front guide.
13. Wayfinding / pedestrian signage within application site
14. Lifetime homes standards for residential.
15. Temporary car and coach parking available on commencement.
16. Public car parking (minimum no. of spaces).
17. Public car park management plan.
18. Development to meet SBD and Park Mark standard for accreditation.
19. CCTV to be integrated with city centre system.
20. Licence for construction under highway before occupation.
21. Provision of cycle parking before occupation.
22. Provision of cycle hub
23. Servicing and delivery arrangements and timings.
24. Provision of public transport facilities.
25. Learning and Skills Strategy.
26. Provision of taxi drop off / pick up on occupation.
27. Highways: Travel Plans.
28. Demolition and construction management plan.
29. Construction Environmental Management Plan.
30. Construction Travel Plan.
31. Real time information within centre.
32. Sustainability and Energy Strategy.
33. Development in accordance with flood risk assessment.
34. Residential development above flood levels.
35. Details of operation of flood mitigation measures.
36. Sustainable drainage principles (SUDs).
37. Maintenance access to Castle Mill Stream.
38. Lighting scheme to Castle Mill Stream corridor.
39. Details of Trill Mill Stream diversion.
40. Groundwater monitoring.
41. Groundwater dewatering.
42. Foul drainage strategy.
43. Ground contamination and remediation.
44. Unidentified contamination.
45. Waste management strategy.
46. Piling details.
47. Petrol / oil interceptors.
48. Cooking smells and odours.
49. Mechanical plant.
50. Employment and Skills Strategy.
51. Procurement of contracts.
52. Archaeology.
53. Relocation of Roger Bacon plaque.
54. Photographic record.
55. Repeat ecological survey.
56. Habitat enhancement and creation.
57. Public art strategy.

Legal Obligations:

Community Infrastructure Levy

Matters for which suitable mitigation could be made from CIL contribution of £4,336,506.33:-

1. Primary and special educational needs.
2. Park and Ride facilities.
3. Public realm enhancement outside application site, (which could include Bonn Square, Pennyfarthing Place etc).
4. Off - site cycle parking.
5. Traffic management measures (eg bus stops / real time bus information outside application site; possible junction alterations).
6. Variable message signing.
7. Contribution towards Oxpens / Grandpont cycle and pedestrian bridge.
8. Wayfinding / pedestrian signage outside application site.

S.106 Obligations

Provision of affordable housing off - site in accordance with formula at Appendix 2 to the Sites and Housing Plan, (ie 15% of sales value of residential units), subject to viability.

1. Permissive pedestrian rights to 18 and 24 hour thoroughfares and squares.
2. Provision of bus shelters and passenger waiting facilities within development site.
3. Provision of real time bus information for new stops within development site.
4. Air quality monitoring: £49,500.
5. Tennyson Lodge and Paradise Square mitigation: Circa £70,000, subject to negotiation.
6. Contribution towards freight consolidation feasibility study: £10,000.
7. Link to West End Combined Heat and Power (CHP) system (if it proceeds).

S.278 Schedule of Highways Works

To include:

1. Thames Street junctions.
2. Oxpens Road coach stops.
3. Abbey Place fronting Tennyson Lodge.
4. Removal of subway to Castle Street and remodelling.
5. Speedwell Street / Old Greyfriars Street junction.
6. Oxpens pedestrian crossing.
7. Alteration to, and creation of, new sections of public highway between and adjacent to various new blocks of development.

Appendices to the report will be published separately.

The Head of City Development has submitted a report which details a planning application to demolish existing buildings, reconfiguration and expansion of existing car/coach park to provide additional surface level car parking, and construction of a single deck car park, new temporary buildings to accommodate replacement public toilets, office and workshop associated with car/coach park management, and relocated shop-mobility facility, associated servicing and access arrangements together with alterations to the public highway, lighting and landscaping for a temporary period (4 years from completion of development) (further information)

Officer recommendation: That the Committee SUPPORT the proposals in principle but defer the planning application and delegate to officers the issuing of the notice of planning permission, to be simultaneous with that for planning application 13/02557/OUT for the refurbishment and extension of the Westgate Centre if that application is permitted. In the event that that application is refused planning permission, committee is recommended to delegate to officers the issuing of a notice of refusal of planning permission as the application would then be contrary to policy TR11 of the adopted Oxford Local Plan which seeks to restrict city centre public car parking, and policy CP25 of the Local Plan which permits temporary buildings and structures for clearly demonstrated short term needs only.

Subject to the following planning conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Temporary period of 4 years
- 4 Phasing of enabling applications and reinstatement of facilities
- 5 Installation of Surface Level Deck
- 6 Park Mark Award Measures
- 7 Lighting / CCTV Scheme
- 8 Parking Management Plan
- 9 Details of Ice Rink Servicing
- 10 Construction Traffic Management Plan
- 11 Retention of pedestrian links to city centre
- 12 Details of all signage / markings for car park
- 13 Surface Water Drainage Scheme
- 14 Construction Environmental Management Plan
- 15 Landscape and Ecological Management Plan (including timeframe for completion of landscaping)
- 16 Contaminated Land Risk Assessment
- 17 Unsuspected contamination

planning application to reconfigure part of existing Redbridge Park and Ride Site to accommodate for a temporary period (4 years from completion of development) coach and HGV parking, and associated fencing) (further information)

Officer recommendation: That the Committee SUPPORT the proposals in principle but defer the planning application and delegate to officers the issuing of the notice of planning permission, to be simultaneous with that for planning application 13/02557/OUT for the refurbishment and extension of the Westgate Centre if that application is permitted. In the event that that application is refused planning permission, committee is recommended to delegate to officers the issuing of a notice of refusal of planning permission as the application would then be contrary to policy TR9 of the adopted Oxford Local Plan which seeks to protect Redbridge for park and ride purposes only.

Subject to the following planning conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Temporary period of 4 years
- 4 Phasing of enabling applications and reinstatement of facilities

- 5 Park Mark Award Measures
- 6 Lighting / CCTV Scheme
- 7 Parking Management Plan – to include visitor coach management, car park management, and priority arrangements for overflow car / coach parking
- 8 Surface Water Drainage Scheme
- 9 Construction Environmental Management Plan
- 10 Landscape and Ecological Management Plan
- 11 Construction Traffic Management Plan
- 12 Details of all signage / markings
- 13 Alterations to the public highway
- 14 Land Contamination
- 15 Gas monitoring

6 DATE OF NEXT MEETING

The Committee NOTES the following future meeting dates:

Tuesday 18 March 2014

Tuesday 8 April and (Thursday 10 April if necessary)

Wednesday 7 May and (Friday 9 May if necessary)

Tuesday 24 June and (Wednesday 25 June 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 sclaridge@oxford.gov.uk 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 of the public are reminded that the recording of the meeting (audio or visual) is not permitted without the consent of the Committee, which should be sought via the Chair
7. 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.