

Agenda

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East Area Planning Committee Special Meeting West Barton housing application

Date: Tuesday 24 September 2013

Time: 6.00 pm

Place: The Old Library, 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 Michele Paule	Rose Hill and Iffley;

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
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AGENDA

Pages

1 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

2 **DECLARATIONS OF INTEREST**

3 **LAND WEST OF BARTON NORTH OF A40 AND SOUTH OF BOUNDARY BROOK: 13/01383/OUT**

1 - 10

The Head of City Development has submitted a report which details an outline application (seeking means of access) for the erection of:

- a maximum of 885 residential units (Class C3)
- a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1)
- a maximum of 50 extra care housing units
- a maximum of 7,350 sqm GEA hotel (Class C1)
- a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school)

In development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works.

Please note that the main officers' report on planning application 13/01383/OUT is attached as a supplement.

Officer recommendation: That the Committee resolves to GRANT planning permission subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Should however the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with Regulation 123 of the CIL Regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee is recommended to delegate the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development is not adequately mitigated.

Subject to the following conditions and legal agreement.

Conditions

1. Time limits for commencement.
2. Approved plans and documents
3. Reserved matters applications.
4. Scheme of enabling infrastructure works.
5. Phasing of development.
6. Materials

7. Amendment to Design Code.
8. Design Code Review
9. Restrict non - food sales at supermarket
10. Landscaping / public realm.
11. Landscaping implementation.
12. Tree pits.
13. Tree protection plan.
14. Landscape management plan.
15. Dimensions to sports pitches
16. Withdrawal of householder permitted development rights.
17. Lifetime homes standards.
18. Car parking standards.
19. Cycle parking standards.
20. Servicing and deliveries.
21. Access.
22. Highways: Travel Plans.
23. Public transport provision.
24. Construction Environmental Management Plan.
25. Sustainability and energy strategy through district heating system.
26. Site wide surface water drainage, to include SUDs.
27. Phased surface water drainage scheme.
28. Foul water drainage scheme.
29. Flooding.
30. Access to watercourse for maintenance.
31. Ground contamination and remediation.
32. Air quality: monitoring.
33. Piling.
34. Petrol / oil interceptors.
35. Noise and vibration: attenuation.
36. Mechanical plant.
37. Cooking smells.
38. Protection of Sidlings Copse
39. Grassland mitigation.
40. Training and employment strategy.
41. Procurement of contracts.
42. Repeat ecological surveys.
43. Habitat creation.
44. Archaeology.
45. Public art.
46. Linear park.
47. Adult and school pitches to be constructed and maintained to Sport England guidelines.

Legal Agreement.

A comprehensive legal agreement would accompany the planning application if granted permission. The main elements of the agreement are:

1. Minimum of 40% of all residential units to be affordable housing to rent, with a minimum of 35% affordable in each phase of development.
2. Management of public open spaces by Barton Oxford LLP, (or adoption by local authority).
3. Financial contribution of £7,390,000 to Oxfordshire County Council for the provision of buildings to accommodate 1.5 form entry primary school academy, (or to be delivered direct by applicant).
4. Joint use agreement for use of school buildings and shared use of playing fields as “community hub”.

5. Transfer of 1.48ha. of land to Oxfordshire County Council on 125 year lease for provision of primary school.
6. Financial contributions of up to £519,750 plus £10,000 costs to Oxfordshire County Council for the provision of temporary primary school facilities within the catchment area of the development, plus £220,000 for transport facilities if located outside catchment area.
7. Financial contribution of £3,104,595 to Oxfordshire County Council towards secondary school and sixth form facilities to serve the development.
8. Financial contribution to Oxfordshire County Council of £146,390 towards Special Education Needs (SEN).
9. Provision of "early years" facilities either with the community hub, or as a financial contribution of £69,350 to Oxfordshire County Council.
10. Financial contribution of £88,500 to Oxfordshire County Council for improvements to Headington Library.
11. Provision of day care facilities either within the community hub, or as a financial contribution of £163,500 to Oxfordshire County Council.
12. Financial contribution to Oxfordshire County Council of £38,500 towards waste recycling facilities.
13. Transport improvements to A.40 access and A.40 corridor works to value of £1,867,758.
14. Financial contributions to Oxfordshire County Council for other highways works: noise reduction surfaces, £391,644; A.40 traffic calming, £34,187; improvements to existing Barton underpass, £110,000; access to Barton Village Road, £305,598; access to Harolde Close, £105,133.
15. Financial contribution to Oxfordshire County Council of £82,600 to promote Controlled Parking Zone across site.
16. Financial contribution to Oxfordshire County Council of £3,000 to promote traffic Regulation Order (TRO) for 50mph speed limit to A.40.
17. Financial contribution to Oxfordshire County council of £709,722 for junction improvements at Headley Way / Marston Road / Marsh Lane / Cherwell Drive.
18. Financial contribution to Oxfordshire County Council of £15,727 to amend road markings at Green Road roundabout.
19. Financial contribution to Oxfordshire County Council of up to £850,000 to subsidise new / extended bus services.
20. Financial contribution to Oxfordshire County Council of £30,000 towards bus shelters.
21. Financial contribution of £203,161 to City Council for indoor leisure facilities.
22. Provision of public rights of way (as foot / cycle route) along southern side of development site; along linear park to link to Play Barton; and as diversion of existing right of way east of electricity sub station.
23. Financial contribution of £10,000 to City Council towards link between linear park and Play Barton.
24. Administration and monitoring costs.
25. Management and maintenance responsibilities for synthetic pitch and school pitch.

All sums are index linked and returnable to applicant if not spend within specified time periods.

Recommendation: That the minutes of the meeting held on 4 September 2013 be APPROVED as a true and accurate record.

Recommendation: That the minutes of the meeting held on 9 September 2013 be APPROVED as a true and accurate record.

Please note that the minutes from 12 September will be attached as a supplement.

Recommendation: That the minutes of the meeting held on 12 September 2013 be APPROVED as a true and accurate record.

5 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Wednesday 2 October 2013 (and Thursday 10 October if necessary)

Wednesday 6 November 2013 (and Thursday 14 November if necessary)

Wednesday 4 December 2013 (and Thursday 12 December 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**](mailto: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.