

EAST AREA PLANNING COMMITTEE

Tuesday 24 September 2013

COUNCILLORS PRESENT: Councillors Darke (Chair), Clarkson, Coulter, Curran, Lloyd-Shogbesan, Cook, Gotch, Wilkinson and Williams.

OFFICERS PRESENT: Murray Hancock (City Development), Nick Worledge (City Development), Michael Crofton-Briggs (Head of City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

67. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Hollick (substitute Councillor Williams), Councillor Paule (substitute Councillor Cook), Councillor Altaf-Khan (substitute Councillor Gotch) and Councillor Rundle (substitute Councillor Wilkinson).

68. DECLARATIONS OF INTEREST

There were no declarations of interest made.

69. FILMING OF THE MEETING

The Chair received a request from a member of the public to film the meeting.

The Committee resolved NOT to allow the meeting to be filmed as the Council was still discussing whether filming committee meetings was appropriate.

70. LAND WEST OF BARTON NORTH OF A40 AND SOUTH OF BOUNDARY BROOK: 13/01383/OUT

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning 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.

In accordance with the criteria for public speaking, Frank Chesman, Nigel Gibson, Betty Fletcher, Elaine Bennett and Councillor Mick Haines spoke against the application, and County Councillor Glynis Phillips and Edward Skeates (Barton Oxford LLP) spoke in favour of it.

The Committee resolved 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, legal agreement and informative.

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 protection plan.
13. Landscape management plan.
14. Dimensions to sports pitches
15. Withdrawal of householder permitted development rights.
16. Lifetime homes standards.
17. Car parking standards.
18. Cycle parking signage.
19. Servicing and deliveries.
20. Access.
21. Highways: Travel Plans.
22. Public transport provision.
23. Construction Environmental Management Plan.
24. Sustainability and energy strategy through district heating system.
25. Site wide surface water drainage, to include SUDs.
26. Phased surface water drainage scheme.
27. Foul water drainage scheme.
28. Flooding.
29. Ground contamination and remediation.
30. Air quality: monitoring.
31. Piling.
32. Petrol / oil interceptors.
33. Noise and vibration: attenuation.

34. Mechanical plant.
35. Cooking smells.
36. Protection of Sidlings Copse
37. Grassland mitigation.
38. Training and employment strategy.
39. Repeat ecological surveys.
40. Habitat creation.
41. Archaeology.
42. Linear park
43. 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 for other highways works to the value of: 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.

Informative

To encourage further investigation into self-build plots on the development

The Committee thanked the Officers for the work put into the application, the development will be a significant boost to the housing stock in Oxford.

71. MINUTES

The Committee resolved to APPROVE the minutes of the meeting held on 4 September 2013 as a true and accurate record.

The Committee resolved to APPROVE the minutes of the meeting held on 9 September 2013 as a true and accurate record.

Officers tabled a report which further outlined Planning Officers' responses to the questions asked at the meeting held on 12 September 2013.

The Committee resolved to APPROVE the minutes of the meeting held on 12 September 2013 as a true and accurate record including the additional officers' comments.

72. DATES OF FUTURE MEETINGS

The Committee resolved to NOTE the next meeting would be held on Wednesday 2 October 2013.

The meeting started at 6.00 pm and ended at 7.45 pm

East Area Planning Committee, 24th September 2013.

Planning Application No. 13/01383/FUL: Land East of Barton, Oxford.

Officer Comment on Draft Minutes of 12th September Meeting of Committee.

Built Environment etc.

- **Q.** Why only 40% affordable housing? **A.** Abnormal development costs.
- **Q.** Why Hotel not housing? **A.** Hotel might provide facilities available to community if included. More likely that residential will come forward.
- **Q.** Why low density housing near allotments? **A.** Relates better to existing streets in Barton which it adjoins.
- **Q.** Will there be better links with Barton, Risinghurst, Northway? **A.** A new at grade crossing of A.40 to Northway is proposed for buses, emergency vehicles, pedestrians and cyclists.
- **Q.** Were BOBMK views about Garden suburb taken on board? **A.** BOBMK were involved on two occasions and their views taken into account in the illustrative Masterplan
- **Q.** Covenant on Northway land? **A.** Not a material Planning consideration for Committee.
- **Q.** Will tree belt to A40 be removed? **A.** There would be some selective removal (eg at new junction) but otherwise retained and improved.

Community Assets.

- **Q.** Will community be able to use school? **A.** A joint use agreement will give access to community facilities within the school buildings, some of them during school hours as well as in the evenings, at weekends and holiday periods. Similarly for the sports pitches.
- **Q.** What is size of MUGA? **A.** 29m x 26m. See paragraph 82 of the report to 12th September 2013.
- **Q.** Will cycling be promoted? **A.** Residential streets will be designed for low speeds to encourage cycling, with additional cycle routes created along the southern and northern sides of the development.
- **Q.** Why no pedestrian bridge? **A.** Prohibitive costs and difficult levels along Stoke Place route.
- **Q.** Will more accidents occur on A40 due to development? **A.** The detailed design of the junction would be agreed by the Highway Authority and would incorporate pedestrian phasing. A speed limit of 50 MPH is proposed to the A.40 at this point.
- **Q.** Improved bus service to city centre? **A.** A dialogue has been entered into with the bus companies with bus services subsidised during the early phases of development to ensure services are available for new residents.

- **Q.** Will there be more traffic on Fettiplace Rd? **A.** The modelling undertaken forecasts only a very small increase in traffic. The primary route linking with Fettiplace Road would be designed for low speeds only.

Water Resources etc.

- **Q.** Why is TWU scheme indicative? **A.** A fully detailed scheme incorporating the features indicated and to Thames Water's requirements will come forward in due course.
- **Q.** Is ground water run-off fit for purpose? **A.** An extensive hydrological analysis has been undertaken, with a detailed scheme to follow accordingly. Subject to appropriate conditions on these details, the Environment Agency is raising no objection to the planning application.
- **Q.** Thames Water have reduced foul water storage capacity since original scheme. Why? **A.** A detailed scheme has yet to be designed, but will include the features referred to.
- **Q.** Does Environment Agency have concerns about the scheme? **A.** The Environment Agency are not raising an objection. Their comments are summarised in the report to committee of 12th September 2013.
- **Q.** Is rainwater harvesting adequate? **A.** Harvesting / use of grey water can be costly and ineffective. Other sustainable drainage techniques are included such as the use of water butts, green roofs, swales, etc.
- **Q.** Is there a maintenance plan for surface water mitigation to prevent downstream flooding? **A.** Yes, a condition will secure details in accordance with the Flood Risk assessment produced, which would be required to be agreed with the Environment Agency.

Schools

- **Q.** Why is Cherwell not considered as a secondary school destination? **A.** This is a matter for the County Council as Education Authority, not the City Council as Planning Authority.
- **Q.** Please explain the school design? **A.** As this is an outline application, the school has not been fully designed at this stage, though it is intended to be centrally located

General

- **Q.** Will meeting on 24th Sept. be last word? **A.** All reserved matters will come back to committee later.
- **Q.** Will electricity sub-station be secure from unauthorised entry. **A.** Yes, the applicant will be required to provide appropriate protective fencing.
- **Q.** Will houses have zero carbon footprint? **A.** The development will be required to comply with the changes to Part L of the Building Regulations as they are expected to change in the forthcoming years.
- **Q.** Will trees be removed? **A.** There will be some removals as indicated in the report to committee on 12th September 2013.
- **Q.** Is the housing waiting (c. 6000 HHs) incorrect? **A.** Housing need in the city is beyond dispute.
- **Q.** IS there sufficient POS? **A.** In general conformity with policy.