

# MINUTES OF THE PLANNING REVIEW COMMITTEE

**Wednesday 30 March 2016**

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**COUNCILLORS PRESENT:** Councillors Fry (Chair), Fooks (Vice-Chair), Kennedy, Lygo, Munkonge, Sinclair, Turner, Wolff and Gotch.

**OFFICERS PRESENT:** Andrew Murdoch (Development Control Team Leader), Michael Morgan (Lawyer), Ian Marshall (Team Leader Design, Heritage and Specialist Services), Alan Wylde (Housing Development & Enabling Manager) and Catherine Phythian (Committee Services Officer)

## **7. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Hollick (substitute Cllr Wolff) and Cllr Goddard (substitute Cllr Gotch).

## **8. DECLARATIONS OF INTEREST**

There were no declarations of interest.

The Committee noted that Cllr Lygo was the member for Churchill Ward, which included the site of the application.

The Chair welcomed the public and speakers to the meeting and explained the procedure that would be followed. He said that in view of the number of requests to speak he would extend the time allowed for public speaking to 20 minutes in total (10 minutes for the objectors and 10 minutes for the supporters). He confirmed that the meeting would be audio recorded by a member of the public.

The Chair reported that the Committee had received two requests for deferral of the application and one request for the application site to be designated a local green space. He asked the legal adviser to clarify the position regarding those requests.

The legal adviser explained that there were no grounds to defer the decision and made the following points:

- 1. Request to defer the decision on the planning application until after the meeting convened by Natural England in May 2016** – Natural England have not objected to the planning application being determined by the grant of permission. Natural England has stated that there should not be a significant impact on the hydrology of the Site of Special Scientific Interest

(SSSI) and no other potential impact has been identified. As such there is no credible belief that the Natural England meeting in May would give rise to outcomes material to the determination of this application.

2. **Request to defer the decision on the planning application until further information on the hydrology is available** – there were no grounds for the Committee to defer the decision on this basis as it would be contrary to the recommendations of the planning officers and Natural England who considered that there was adequate hydrology information to inform the decision.
3. **Local Green Space designation request** – this is not within the powers of the Planning Review Committee. A local green space can only be created through a formally adopted development plan or neighbourhood plan. The Headington Neighbourhood Plan is at an early stage and in any event is required to plan positively and not promote less development than set out in the Local Plan. The Local Plan designates the application site for housing.

## **9. LAND EAST OF WARREN CRESCENT: 13/01555/CT3**

The Committee considered an application for planning permission for the erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage and the diversion of the public footpath on land east of Warren Crescent.

The Committee noted that this application was approved at the East Area Planning Committee on 3 February 2016. It had subsequently been called in on grounds that the approval of the application puts at risk a highly unique Site of Special Scientific Interest (SSSI) reserve.

The Planning Officer presented the report and briefed the Committee on the main developments since the previous consideration of the application:

- amended proposals for access to the allotments had been submitted and these had been “road tested” to confirm that there was adequate turning space for agricultural and delivery vehicles.
- the Council had agreed to fund £8kp.a for a management and maintenance plan for the SUDs. This would be provided in perpetuity. The costs would be offset from rental income and in the event that any of the properties were sold the Council would seek to impose a service charge.

Dr Judy Webb, Dr Helen Gavin and Heather Armitage, representing Friends of Lye Valley, spoke against the application.

Richard Puttock (Developer: Peter Brett Associates) and Anthony Harding (Agent: Turley Associates) spoke in support of the application. Alan Wylde, representing the applicant, came to the table to answer questions.

The Committee asked questions of the officers and speakers to clarify a number of matters including but not limited to the following:

### **Sustainable Urban Drainage Scheme**

The Committee noted the views expressed by the Friends of Lye Valley regarding the hydrology of the site and the potential risks to the SSSI due to the close proximity of the swale, flash flooding and changes to the composition and quality of the surface water run-off.

In discussion the Committee explored alternative measures, such as tree planting or diversion to the brook, to manage the surface water run-off. They were advised that Natural England had made it clear that they wanted a Sustainable Urban Drainage scheme and did not countenance other direct drainage options.

### **Stability of the “made ground”**

The Committee expressed concerns about the stability of the housing development site as it was known to be on “made ground”. The developer gave assurances that this had been addressed in the technical proposals and that the houses were located where the “made ground” was most shallow and the loading of the houses would be through to the natural ground. The planning officer confirmed that this would be a matter for Building Control and that the properties would not receive completion certificates if they did not comply with building regulations.

### **Impact on the SSSI**

On balance the majority of the Committee felt that the concerns about the potential impact on the SSI from accidental pollution by residents, flash flooding or other scenarios were outweighed by the need to provide social housing in the city and recognition of the fact that the statutory consultee had been closely involved in the development of the application, which included a number of measures to mitigate those potential problems.

A motion to approve the application on the terms recommended and with the amendments to the conditions detailed below was carried on being put to the vote.

- amend **Condition 11** as follows:

Sustainable Urban Drainage Scheme including detailed design, construction, *monitoring* and maintenance plan

- insert **Condition 26:**

Prior to the commencement of construction, design of foundations to be submitted for approval to the Local Planning Authority demonstrating that the foundations are anchored below “made ground”.

- insert **Condition 27:**

That the applicant be required to undertake a study into the feasibility of introducing a scheme for rainwater harvesting for domestic purposes and to present the evidence to the Local Planning Authority prior to the commencement of construction.

- include **Informative** relating to Condition 26:  
The Local Planning Authority should consult with Building Control regarding the design of the foundations when submitted for approval.

The Committee resolved to GRANT application 13/01555/CT3 subject to the following conditions and informative:

### **Conditions**

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Samples
4. Details of all means of enclosure for the site including the erection of palisade fencing along the boundary with the SSSI to prevent fly tipping
5. Details of refuse and cycle storage
6. Landscape plan required
7. Landscape carried out by completion
8. No felling lopping cutting
9. Tree Protection Plan (TPP) 1
10. Arboricultural Method Statement (AMS) 1
11. Sustainable Urban Drainage Scheme including detailed design, construction, monitoring and maintenance plan
12. Biodiversity enhancements
13. Method statement for preserving ecology
14. Arch - Implementation of programme
15. Details of the proposed parking areas
16. Details of the allotment access
17. Amendments to the Traffic Regulation Ord
18. Construction Environmental Management Plan including a method statement for preserving ecology during construction
19. A Travel Plan Statement
20. Details of affordable housing
21. Secure by Design Principles
22. Sustainability Measures / NRIA
23. Removal of permitted development rights
24. Scheme of external lighting
25. Phase II Contaminated Land Assessment
26. Prior to the commencement of construction, design of foundations to be submitted for approval to the Local Planning Authority demonstrating that the foundations are anchored below "made ground".
27. Applicant required to undertake a study into the feasibility of introducing a scheme for rainwater harvesting for domestic purposes and to present the evidence to the Local Planning Authority prior to the commencement of construction.

### **Informative**

The Local Planning Authority should consult with Building Control regarding the design of the foundations when submitted for approval.

## **10. MINUTES OF THE MEETING HELD ON 27 JANUARY 2016**

The Committee resolved to APPROVE the minutes of the meeting held on 27 January 2016 as a true and accurate record.

## **11. DATE OF FUTURE MEETINGS**

The Committee noted the dates of future meetings (if required):

### **2016**

27 April 2016

22 June 2016

13 July 2016

10 August 2016

14 September 2016

12 October 2016

9 November 2016

20 December 2016

### **2017**

18 January 2017

15 February 2017

15 March 2017

12 April 2017

24 May 2017

**The meeting started at 6.05 pm and ended at 7.40 pm**