

# Agenda

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## Planning Review Committee

Date: **Wednesday 5 October 2016**

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Time: **6.00 pm**

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

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For any further information please contact:

**Catherine Phythian, Committee and Member Services  
Officer**

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As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

# Planning Review Committee

## Membership

<b>Chair</b>	Councillor James Fry	North
<b>Vice-Chair</b>	Councillor Chewe Munkonge	Quarry and Risinghurst;
	Councillor Farida Anwar	Headington Hill and Northway;
	Councillor Ruthi Brandt	Carfax;
	Councillor Stephen Goddard	Wolvercote;
	Councillor Pat Kennedy	Lye Valley;
	Councillor Sajjad Malik	Cowley Marsh;
	Councillor Dee Sinclair	Quarry and Risinghurst;
	Councillor Ed Turner	Rose Hill and Iffley;
	Councillor Elizabeth Wade	St. Margaret's;

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

### **HOW TO OBTAIN A COPY OF THE AGENDA**

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A copy of the agenda may be:-

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# AGENDA

Pages

1 **APOLOGIES FOR ABSENCE**

2 **DECLARATIONS OF INTEREST**

3 **EAST WEST RAIL PHASE 1 - NOISE MONITORING (2 APPLICATIONS) AND VIBRATION MONITORING ON ROUTE SECTIONS H AND I-1 ( 3 APPLICATIONS)**

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The following five applications were considered and determined by the West Area Planning Committee on 13 September 2016.

These five applications have been called-in to the Planning Review Committee by the Head of Planning and Regulatory Services who considers that a review is appropriate to ensure consistency in decision making for similar types of applications/development.

4 **16/01410/VAR: VIBRATION MONITORING ON PLAIN LINE, ROUTE SECTION H (RE - 13/03202/CND, CONDITION 3)**

**Site address:** Chiltern Railway From Oxford To Bicester  
Appendix 1 – route sections H and I-1

**Proposal:** Applications under Section 73 of the Town and Country Planning Act, 1990 to vary conditions in relation to noise and vibration monitoring in route sections H and I-1.

**Officer recommendation:**

Planning Review Committee is recommended to approve this application 16/01410/VAR for the following reasons and subject to and including:

- the conditions listed below and
- conclusion of a Unilateral Undertaking (to monitor vibration for four days at 3 properties close to the line in route section H) the decision upon which to be delegated to the Head of Planning and Regulatory Services in consultation with the Chair of Planning Review Committee

**Reasons for Approval**

- 1 The proposed monitoring makes satisfactory provision to help secure a reasonable level of mitigation of the noise and vibration impacts of the scheme on local residents.

- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

### **Conditions**

- 1 Development in accordance with application documents
- 2 Monitoring in accordance with submitted scheme

## **5 16/01411/VAR: VIBRATION MONITORING AT SWITCHES AND CROSSINGS, ROUTE SECTION H (RE - 14/00232/CND, CONDITION 3)**

**Site address:** Chiltern Railway From Oxford To Bicester  
Appendix 1 – route sections H and I-1

**Proposal:** Applications under Section 73 of the Town and Country Planning Act, 1990 to vary conditions in relation to noise and vibration monitoring in route sections H and I-1.

### **Officer recommendation:**

Planning Review Committee is recommended to approve this application 16/01411/VAR for the following reasons and subject to and including:

- the conditions listed below

### **Reasons for Approval**

- 1 The proposed monitoring makes satisfactory provision to help secure a reasonable level of mitigation of the noise and vibration impacts of the scheme on local residents.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

### **Conditions**

1. Development in accordance with application documents

**6 16/01406/VAR: NOISE MONITORING ROUTE SECTION H (RE - 15/00956/CND, CONDITION 4)**

**Site address:** Chiltern Railway From Oxford To Bicester  
Appendix 1 – route sections H and I-1

**Proposal:** Applications under Section 73 of the Town and Country Planning Act, 1990 to vary conditions in relation to noise and vibration monitoring in route sections H and I-1.

**Officer recommendation:**

Planning Review Committee is recommended to approve this application 16/01406/VAR for the following reasons and subject to and including:

- the conditions listed below

**Reasons for Approval**

- 1 The proposed monitoring makes satisfactory provision to help secure a reasonable level of mitigation of the noise and vibration impacts of the scheme on local residents.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

**Conditions**

1. Development in accordance with application documents
2. Implementation of SilentTrack
3. Monitoring in accordance with submitted scheme

**7 16/01412/VAR: VIBRATION MONITORING ON PLAIN LINE, ROUTE SECTION I-1(RE - 15/03587/CND, CONDITION 3)**

**Site address:** Chiltern Railway From Oxford To Bicester  
Appendix 1 – route sections H and I-1

**Proposal:** Applications under Section 73 of the Town and Country Planning Act, 1990 to vary conditions in relation to noise and vibration monitoring in route sections H and I-1.

**Officer recommendation:**

Planning Review Committee is recommended to approve this

application 16/01412/VAR for the following reasons and subject to and including:

- the conditions listed below

### **Reasons for Approval**

- 1 The proposed monitoring makes satisfactory provision to help secure a reasonable level of mitigation of the noise and vibration impacts of the scheme on local residents.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

### **Conditions**

1. Development in accordance with application documents

### **8 16/01409/VAR: NOISE MONITORING ROUTE SECTION I-1 (RE - 15/03503/CND, CONDITION 4)**

**Site address:** Chiltern Railway From Oxford To Bicester  
Appendix 1 – route sections H and I-1

**Proposal:** Applications under Section 73 of the Town and Country Planning Act, 1990 to vary conditions in relation to noise and vibration monitoring in route sections H and I-1.

### **Officer recommendation:**

Planning Review Committee is recommended to approve this application 16/01409/VAR for the following reasons and subject to and including:

- the conditions listed below

### **Reasons for Approval**

- 1 The proposed monitoring makes satisfactory provision to help secure a reasonable level of mitigation of the noise and vibration impacts of the scheme on local residents.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and

that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

### **Conditions**

1. Development in accordance with application documents
2. Implementation of SilentTrack
3. Monitoring in accordance with submitted scheme

## **9 MINUTES**

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The Committee is asked to approve the minutes of the last meeting held on 22 June 2016 as a true and correct record.

## **10 DATE OF FUTURE MEETINGS**

The following dates are scheduled for meetings of this Committee (if required):

### **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

## **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.

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;
  - (d) 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;
  - (e) 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 Officers and/or other speakers); and
  - (f) voting members will debate and determine the application.
4. Preparation of Planning Policy documents – Public Meetings

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.
5. Public requests to speak

Members of the public wishing to speak must notify the Democratic Services Officer before the meeting starts giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda) or given in person before the meeting starts.
6. Written statements from the public

Members of the public and councillors can send the Democratic Services Officer written statements to circulate to committee members, and the planning officer prior to the meeting. Statements are accepted and circulated by noon, two working days before the start of the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising.
7. Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention at least 24 hours before the start of the meeting so that members can be notified.

## 8. Recording meetings

Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best plan to record. You are not allowed to disturb the meeting and the Chair will stop the meeting if they feel a recording is disruptive.

The Council asks those recording the meeting:

- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
- To avoid recording members of the public present unless they are addressing the meeting.

For more information on recording at meetings please refer to the Council's [Protocol for Recording at Public Meetings](#)

## 9. Meeting Etiquette

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.

## 10. 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; or
- (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

a)

b)

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