

# Minutes of a meeting of the West Area Planning Committee on Tuesday 8 September 2020

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## Committee members present:

Councillor Cook (Chair)

Councillor Gotch (Vice-Chair)

Councillor Hollingsworth

Councillor Howlett

Councillor Tarver

Councillor Upton

Councillor Wade

## Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services

Andrew Murdoch, Development Management Service Manager

Robert Fowler, Planning Team Leader

Catherine Phythian, Committee and Member Services Officer

Anita Bradley, Monitoring Officer

Mike Kemp, Senior Planning Officer

James Paterson, Senior Planning Officer

## Apologies:

Councillors Corais and Iley-Williamson sent apologies.

## 26. Declarations of interest

Councillor Cook stated that he was a Council appointed trustee for the Oxford Preservation Trust and a Council appointed representative for the Oxford Architectural and Historical Society and a member of the Oxford Civic Society. Accordingly he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee. He said that he was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Gotch stated that as a member of the Oxford Preservation Trust and of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee. He said that he was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Upton stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, she had taken no part in those

organisations' discussions or decision making regarding the applications before the Committee. She said that she was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Wade stated that as a member of the Oxford Civic Society and of the Oxford Architectural and Historical Society, she had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

**18/02989/FUL:** Councillor Tarver stated that an unsolicited email had been sent by a member of the public to members of the Committee which contained the assertion that he would not be participating in the determination of the application. He said that this was erroneous and that he was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

**20/01632/VAR:** Councillor Cook stated that as the application site was in the ward where he resided he would take no part in the determination of the application and would leave the meeting at that point.

## **27. 18/02989/FUL: 269 Cowley Road, Oxford, OX4 2AJ**

The Committee considered an application (18/02989/FUL) for planning permission for the redevelopment of Bartlemas Nursery Site including the removal of the existing nursery buildings and their replacement with a two and a half storey building to provide graduate students accommodation and warden's flat. The proposal includes 21 student rooms with communal kitchen/diner and 9 self-contained 1 or 2 bed units. Provision of 2 disabled parking bays, bicycle and bin storage and communal amenity space. (Amended description)(Amended plans)(Additional information).

The Planning Officer presented the report.

Nick Welch, representing the Divinity Road Residents Association, spoke against the application.

Wilf Stephenson (Treasurer, Oriel College), Iona Foster (Architect) and Simon Sharp (agent) spoke in favour of the application.

The Committee considered a number of points of detail on the application, including but not limited to, access via Evelyn Court, the landscaping plans and treatment of the stone wall boundary and the appropriateness of the design of the building. The Committee discussion focussed on the impact of the proposed development on the significance of the Conservation Area and surrounding heritage assets. The Committee also considered that the application would be a departure from the newly adopted Local Plan, as the siting of the student accommodation did not accord with the locational requirements of Policy H8 of the Oxford Local Plan.

The Committee acknowledged the advice of the planning officers and of the conservation officer, as detailed in the report, that having given great weight to the

conservation of the designated heritage assets, the public benefits of the proposed development would outweigh the less than substantial harm caused to significance of the Conservation Area and the setting of the Grade II\* listed Bartlemas Farmhouse and Bartlemas House. Notwithstanding this advice the Committee concluded that the decision in regard to the conservation of the application site was finely balanced but this was not proposed as a reason for refusal.

The Committee noted that in the adopted Oxford Local Plan 2036 Policy H8 (*provision of new student accommodation*) stated that planning permission will only be granted for student accommodation in specific types of location such as in the city centre or a district centre; or on a site which is allocated in the development plan to potentially include student accommodation. The Committee was not persuaded by the arguments and reasons presented by the planning officers to depart from the provisions of Policy H8 of the adopted Oxford Local Plan 2036 in relation to this application.

In reaching its decision, the Committee considered all the information put before it, including the planning officer's recommendation for approval and the application site's existing use under the amended Town and Country Planning (Use Classes) Order 1987 (effective from 1 September 2020) which would mean that the site could be used for a diverse range of other purposes which would not require the consent of the planning authority.

A proposal to approve the application in accordance with the officer recommendation set out in the report was moved and seconded. On being put to the vote the proposal was lost.

Councillor Tarver lost connectivity at this point in the meeting and was unable to participate in this vote to approve the application.

A proposal to refuse the application for the following reason was moved and seconded:

*The failure to accord with Policy H8 of the Local Plan: due to the location of this site on an arterial road; and the fact that the site was specifically excluded during the plan making process.*

Councillor Tarver's connectivity was restored at this point in the meeting and he was able to participate in the vote to refuse the application.

On being put to the vote the Committee agreed the resolution as set out below.

**The West Area Planning Committee resolved to refuse planning application 18/02989/FUL on the following grounds with the precise wording of the reasons for refusal being delegated to the Head of Planning Services to determine:**

**The failure to accord with Policy H8 of the adopted Oxford Local Plan 2036: due to the location of the application site on an arterial road; and the fact that the site was specifically excluded during the plan making process.**

## **28. 19/02578/OUT: Land Forming The Site Of Former Cold Arbour Filling Station, 281 Abingdon Road, Oxford, OX1 4US**

The Committee considered an application (19/02578/OUT) for planning permission for an outline application (Seeking the approval Access/Appearance/Layout/Scale) for the redevelopment of site to provide residential building containing 9 apartments, including parking, access and associated works.

The Planning Officer presented the report.

In reaching its decision, the Committee considered all the information put before it.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application.

### **The West Area Planning Committee resolved to:**

1. **Refuse the application** for the reasons given in the report and agree to delegate authority to the Head of Planning Services to:
  - Finalise the recommended reasons for refusing the application as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The reasons for refusal were:

1. The development comprises more vulnerable development within an area designed as falling within Flood Zone 3b (functional flood plain). The proposed development would place future occupiers at an unacceptable risk of flooding and would result in a reduction in flood storage, which would increase the existing risk of flooding. The development would be contrary to Policies RE3 and RE4 of the Oxford Local Plan; the provisions of the NPPF, particularly Paragraphs 155 and 163; and relevant National Planning Practice Guidance relating to Flood Risk.
2. The submitted application does not include sufficient detail outlining sustainable design measures to be incorporated into the new building and evidence has not been provided to demonstrate that the development would achieve a 40% reduction in carbon emissions from a 2013 building regulations compliant base. The development would therefore fail to comply with the requirements of Policy RE1 of the Oxford Local Plan and Paragraph 153 of the NPPF.

## **29. 20-01139-FUL: Cherwell House, Osney Lane, Oxford, OX1 1BZ**

The Head of Planning Services withdrew this application from the agenda in advance of the meeting in order to re-advertise the application and run a further public consultation.

The reason for the withdrawal was that the Planning Officers established that the application description omitted an aspect of the development; specifically the copper cladding of the existing east elevation.

### **30. 20/01597/FUL: 225-229 Banbury Road, Oxford, OX2 7HQ**

The Committee considered an application (20/01597/FUL) for planning permission for the partial demolition of single storey extension to rear of no. 227 Banbury Road. Erection of two storey building to create 7 x 1-Bed flats. (Use Class C3). Provision of private amenity space, bin and cycle stores.

The Planning Officer presented the report.

Councillor Howlett lost connectivity during the planning officer's presentation and accordingly took no further part in the deliberation or determination of this application.

Simon Sharp and Neil Perry, representing the applicant, spoke in favour of the application and answered questions from the Committee.

In reaching its decision, the Committee noted that the principle of development on the site had been established by the granting of planning permission for the previous application and welcomed the current application as a model for back-land housing developments.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

#### **The West Area Planning Committee resolved to:**

1. **approve** the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission.
2. **delegate authority** to the Head of Planning Services to:
  - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

*Councillor Cook left the meeting at the end of this item. Councillor Gotch took the Chair.*

### **31. 20/01632/VAR: 110 - 120 Botley Road, Oxford, OX2 0HH**

The Committee considered an application (20/01632/VAR) for planning permission for the variation of condition 28 (Hours of opening) and condition 29 (Delivery and servicing plan) of planning permission 14/00067/FUL (Demolition of existing retail store. Redevelopment of site with replacement retail store, together with 148 car parking spaces, remodelled access arrangements, cycle parking, landscaping and boundary treatment. (Revised vehicular access arrangements including re-modelling of cycle/pedestrian paths) (Amended Description) (Amended Plans: relocated bus shelter)) to extend the permitted delivery hours for HGVS throughout the week and the hours for e-commerce home delivery vans and browsing on Sundays and bank holiday with amendment of the approved servicing and delivery management plan at Waitrose foodstore.

The Planning Officer presented the report and confirmed that the Council's Environmental Health Officers had raised no objections to the extended opening and delivery hours.

Shane Stevens, representing the applicant, spoke in favour of the application.

In reaching its decision, the Committee noted the concerns raised during the public consultation about potential noise nuisance and the absence of any data on current noise levels due to the COVID-19 restrictions. The Committee accepted the assurances given by the planning officers that the Council's Environmental Health officers were satisfied with the noise modelling projections and that if in the future there was an alleged noise nuisance this would be dealt with by other regulatory bodies.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

**The West Area Planning Committee resolved to:**

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission.
2. **delegate authority** to the Head of Planning Services to:
  - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

**32. Minutes**

The Committee resolved to approve the minutes of the meeting held on 11 August 2020 as a true and accurate record.

**33. Forthcoming applications**

The Committee noted the list of forthcoming applications.

**34. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 3.00 pm and ended at 5.12 pm**

**Chair .....**

**Date: Tuesday 13 October 2020**

*When decisions take effect:*

*Planning Committees: after the call-in and review period has expired and the formal decision notice is issued*

*Details are in the Council's Constitution.*