

Minutes of a meeting of the Planning Review Committee on Thursday 11 November 2021

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Committee members present:

Councillor Munkonge (Chair)	Councillor Thomas (Vice-Chair)
Councillor Coyne	Councillor Linda Smith
Councillor Waite	Councillor Wolff
Councillor Snowton (for Councillor Roz Smith)	Councillor Miles (for Councillor Goddard)
Councillor Fry (for Councillor Turner)	

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services
Andrew Murdoch, Development Management Service Manager
Clare Gray, Principal Planner
Gill Butter, Principal Heritage Officer
Sally Fleming, Planning Lawyer
Catherine Phythian, Committee and Member Services Officer

Also present:

Apologies:

Councillor(s) Goddard, Roz Smith and Turner sent apologies.
Substitutes are shown above.

7. Declarations of Interest

Councillor Munkonge stated that he was a graduate of Oxford Brookes University and that he had also called the application in to committee. He said that he had expressed no view on the application and had not made his mind up on the matter and approached it with an open mind.

Councillor Fry stated that he had called the application in to committee but he had expressed no view on the application and had not made his mind up on the matter and approached it with an open mind.

Councillor Snowton stated that he was a member of the campaigning group Oxford YIMBY, but was not aware that the group had taken any stance on the application and he was approaching the application with an open mind.

Councillor Coyne stated that she was the ward councillor for Headington Hill and Northway and although she had been in contact with local residents regarding the

application she had not made her mind up on the matter and approached it with an open mind.

Councillor Miles stated that she was a member of Cyclox, an organisation which had commented on the application but that she had taken no part in the organisation's discussions or decision making regarding the application before the Committee. She said that she 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.

8. 21/01185/FUL: Site Of Blocks C F G H J K L And M, Clive Booth Hall, John Garne Way, Oxford, OX3 0FN

The Committee considered an application (21/01185/FUL) for planning permission for the demolition of twelve buildings (including main accommodation Blocks C, F, G, H, J, K, L and M) and the erection of twelve buildings to provide student accommodation, with ancillary communal and social facilities and associated administrative building (Class C2) and the erection of children's nursery (Class E). Alterations to car parking, installation of cycle parking structures and associated landscaping works, including reorganisation of existing footpaths and cycle ways, drainage features and ancillary development. Installation of a waste compactor unit and alterations to an existing road to enable access.

The application was before the Committee as it had been called in by 13 councillors following the decision of the Oxford City Planning Committee to refuse the application on 12 October 2021.

The Planning Officers presented the report and referenced the following typographical amendments:

- Recommendation 1 – there was a sentence missing; the correct recommendation should read:
 1. **Resolve to 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, subject to:
 - *the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and*
- Para 2.3 – delete “*Having voted to refuse the application,*” so that; sentence reads “*Members debated the reasons for refusal of the application*”.
- Para 9.1 Human Rights Act – first sentence should read “*in reaching a recommendation to **approve** this application...*”
- Para 10.1 Section 17 of the Crime and Disorder Act 1988 – final sentence should read “*In reaching a recommendation to **grant** planning permission,*”

The Planning Officer highlighted the main differences between the current application (21/01185/FUL) and the previous application (18/02587/FUL):

- the reduction in the net gain of student beds from 615 to 573.
- the reduction in the height of the flatted buildings on the western part of the site from 6/7 storeys to 5/6 storeys to reduce the bulk and mass of the development.

- The movement of buildings away from the northern boundary of the site in the vicinity of the John Garne Way allotments and from the boundary with residential properties on Pullens Field
- the reduction in the height of buildings 3 and 6 to two storeys nearest to the boundary with John Garne Way allotments to reduce overshadowing of the allotments.
- changes to the footprint and position of the buildings to allow for the retention of a greater number of higher quality trees and to retain a greater number of trees, with the greatest life expectancy, especially those that are necessary around the boundary and for layering through the site in filtering views in the locality.
- a revised design approach to the building's façade through a change in a materiality and greater articulation.

The Planning Officer advised the Committee that these changes between the two applications were as a result of extensive pre-application discussion between the applicant and planning officers; review of the application by ODRP and two rounds of public consultation with the local community and stakeholders. Those changes proposed were sufficient to address the reasons for refusal of the previous refused proposal in 2019.

Moreover, a further and significant change is the adoption of the Oxford Local Plan 2036 in June 2020. The Plan allocates the Clive Booth Student Village site for development, including student accommodation under Policy SP17, and this is required to be given full weight in the decision making process.

The Planning Officer further reminded the Committee of the relevance of Policy H9 of the Oxford Local Plan. That policy links the delivery of new/redeveloped and refurbished university academic facilities to the delivery of university provided residential accommodation, and ensures that provision of academic/administrative facilities for Oxford Brookes does not result in an increase in student numbers or the number of students living in Oxford in non-university accommodation does not exceed 4000 students. Further officers flagged that the policy states that this threshold of 4000 students shall be increased to 4500 students by 1 April 2023 if a scheme for a minimum of 500 student bedrooms has not been developed at Clive Booth Student Village.

The Planning Officer advised the Committee of the less than substantial harm to the significance of Headington Hill Conservation Area and views out of Central Conservation Area as well as the impact on trees and biodiversity as a result of the initial loss of trees. Officers had regard to paragraph 202 of the NPPF and regard to the public benefits that can be considered where there is less than substantial harm to the designated heritage assets. Officers advised that there are a number of public benefits that should be taken into account including the release of houses back to the private market therefore releasing pressure on Oxford's housing market and addressing Oxford's housing needs; students living on a University owned site enables the University to meet its own needs, thereby making accommodation more affordable for students and providing pastoral care in a way they can't manage when students are off site; placing students on one large campus within walking distance of the University's main academic facilities is more sustainable; the provision of a direct and safer connection to Headington Hill Campus through securing public realm improvements via

a S106 agreement making cross campus connections easier and safer and the provision of a nursery on site.

Roy Darke (representing local residents associations) spoke against the application and Alan Cooper (representing John Garne Way Allotments) was present to answer questions.

Astrid Schloerscheidt and Jerry Woods, (Oxford Brookes University) spoke in favour of the application. The following representatives from the university and its advisers were present to answer questions: Brendan Casey, Rob Linnell, Jon Alsop, James Roach and Dafydd Warburton.

The Committee asked questions of the officers and public speakers about the details of the application. The Committee noted the following responses from officers and the applicant:

- The electric vehicle charging infrastructure would be designed to allow the expansion of the number of charging points in the future and would cover both motor vehicles and bicycles.
- The type and location of cycle provision around the nursery
- The design provided fully accessible accommodation at all levels in all buildings; communal areas and all rooms could be remodelled to accommodate a variety of needs (e.g. hearing or sight)
- The concerns about the safety implications of the proposals in regard to the lack of cycle segregation on John Garne Way and the need to restrict left turns by construction and HGV traffic onto Headington Hill Road from Marston Road were a matter for the Highways Authority

The Committee's discussion centred on, but was not limited to, the following issues:

Trees and ecology

The Committee noted the arguments presented in the report regarding the quality and lifespan of the existing tree canopy and acknowledged that the replacement tree canopy would not offer full mitigation until about 2051. Nevertheless, they felt that this was not sufficient to reject the application. The Committee suggested that the ecological enhancements referenced in Condition 29 should take account of the importance of ensuring "permeability" to allow wildlife to move throughout the site.

Design – height and massing

The Committee noted the objections put forward by the public speakers but felt that overall the application, which kept close to the existing footprint, was acceptable given the constraints and topography of the site.

Unit (bed) numbers

The Committee noted the concerns raised with regards to the validity of the government ratio for calculating the release of homes into the private sector as a result of new developments for student accommodation. Nevertheless they accepted that this was the calculation set by central Government in the Housing Delivery Test. Further they accepted that the allocation of a minimum of 500 was set by the Planning

Inspector in the Local Plan. Although they accepted that there was a dispute between officer and objectors to the exact numerical formula for the release of private homes onto the general market on balance the Committee was persuaded that there was a wider public benefit in ensuring that some 500 students would be housed in modern, sustainable, fit for purpose and affordable accommodation on a dedicated campus and not in private sector properties across the city.

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

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application, as revised above and subject to the following amendments and additions:

- Condition 29 – revised wording to make reference to site permeability for wildlife
- Condition 33 – clarification to include electric bikes
- Informative – on the desirability of cycle segregation on John Garne Way
- Informative – on the safety implications of restricting left turn for construction traffic and HGVs
- Informative – to advise tree removal should not be undertaken during the bird nesting season

The Planning Review 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 as amended above and the inclusion of the informatives detailed above and grant planning permission, subject to:
 - the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and
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;
 - complete the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
 - issue the planning permission.

9. Minutes

The Committee resolved to approve the minutes of the meeting held on 12 October 2021 as a true and accurate record.

10. Dates of future meetings

The Committee noted the provisional dates of future meetings.

The meeting started at 6.00 pm and ended at 8.00 pm

Chair

Date: Thursday 9 December 2021

When decisions take effect:

Cabinet: after the call-in and review period has expired

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

All other committees: immediately.

Details are in the Council's Constitution.