

Agenda

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West Area Planning Committee

Remote meeting due to COVID-19 pandemic
Information about viewing the online meeting will be available when the agenda is published

This meeting will be held on:

Date: **Tuesday 19 May 2020**

Time: **3.00 pm**

Place: **Zoom - Remote meeting**

For further information please contact:

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

📞 01865 252402

✉️ democraticservices@oxford.gov.uk

Members of the public can attend to observe this meeting and.

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

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All public papers are available from the calendar link to this meeting once published

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered **and** the Head of Planning Services has issued the formal decision notice.*

Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

Committee Membership

Councillors: Membership 9: Quorum 5: substitutes are permitted.

Councillor Colin Cook (Chair)	Jericho and Osney;
Councillor Michael Gotch (Vice-Chair)	Summertown;
Councillor Tiago Corais	Littlemore;
Councillor Alex Donnelly	Hinksey Park;
Councillor Paul Harris	St. Margaret's;
Councillor Alex Hollingsworth	Carfax;
Councillor Dan Iley-Williamson	Holywell;
Councillor Louise Upton	North;
Councillor Dick Wolff	St. Mary's;

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

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Agenda

Pages

The link to view the remote meeting will be displayed above this comment shortly before the meeting starts

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the search box.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.

Public access to this meeting and members of the public speaking

Remote meetings will be held on Zoom.

Public access to remote meetings

1. You can watch the meeting remotely by clicking on the link on the webpage with the agenda for the meeting. This will show under 'media' sited just above the agenda items.
2. The link will appear before the meeting starts. This will launch a YouTube video of the live meeting.

Registering to speaking

3. Members of the public can register to speak at a meeting in accordance with the Procedure Rule within Council's Constitutions.
4. **For this committee you must register to speak before noon on the working day before the meeting**, giving the application name/number and whether you are supporting or objecting. You must also supply an email address and phone number.

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5. **Members of the public registering to speak are recommended to submit their contribution in writing to democraticservices@oxford.gov.uk not less than 24 hours before the meeting is due to start.** This will ensure that their contribution can be taken into account and, where necessary, responded to, in the event that the connection is poor or they are otherwise unable to join the meeting. Members of the public who register to speak will be advised of any word limit for their written submission.

Public attendance and speaking at remote meetings

6. Members of the public viewing the meeting should do this through the weblink to the live stream as above.
7. Members of the public may register to speak at the meeting in accordance with the procedure rules (see 4 and the notes at the end of the agenda frontsheet)
8. Those registering to speak will be provided with joining instructions and guidance on public participation in remote meetings by the Committee and Member Services Team.
9. When the meeting starts, or during the agenda item before the one they are speaking on, they should follow these instructions and join the meeting. When joining a meeting members of the public with a right to speak must ensure that they can be identified as a registered speaker otherwise their access to the meeting will be blocked.
10. They will be held in a virtual “Waiting Room” until the Meeting Host admits them to the meeting for the start of the agenda item they have registered to speak on. They will not be able to observe the meeting from the Waiting Room but may do so by accessing the live stream accessed via a link on the Council’s [meetings webpages](#).
11. When admitted to the meeting, they will be able to view and hear the meeting but must not speak until they are invited to do so by the Meeting Host, at which point they will have their microphone enabled.
12. The member of the public may remain in the meeting to hear the remainder of the agenda item. Once their contribution has been heard the Meeting Host will mute their microphone and it will remain muted for the remainder of the meeting unless the Chair invites them to speak again, at which point the microphone will be enabled again.
13. At the end of the agenda item, the Chair will ask all members of the

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public to disconnect from the remote meeting. If they fail to do so, the Meeting Host will remove their access to the meeting. Members of the public may continue to observe the meeting by watching the live stream accessed via a link on the Council's [meetings webpages](#).

14. If a member of the public exercising their right to speak at a remote meeting loses connectivity during their contribution, they should immediately dial back in to the meeting using the telephone number provided in the joining instructions.
15. If a member of the public exercising their right to speak at a remote meeting loses connectivity and is unable to re-join the meeting their written contribution will be considered (it will be read out by an officer who will keep strictly to the allocated time limit). If no written contribution has been submitted the meeting will proceed without considering their contribution.

Press access to remote meetings

16. Journalists wishing to attend a remote meeting are advised to inform pressoffice@oxford.gov.uk not less than 24 hours before the meeting is due to start to be issued with joining instructions.
17. Journalists in remote attendance are asked to keep their microphone muted and their video camera turned off.
18. Alternatively journalists can access meetings by viewing the live stream as set out in 1 and 2 above.

1 Apologies for absence and substitutions

2 Declarations of interest

3 20/00616/VAR: Bardwell Court, Bardwell Road, Oxford,OX2 6SX

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Site address: Bardwell Court, Bardwell Road, Oxford, OX2 6SX

Proposal: Variation of condition 2 (Conservation Areas) and 13 (Privacy screen) of planning permission 19/00168/VAR (Variation of condition 2(Develop in accordance with approved plans) of planning permission 17/02109/FUL (Partial demolition of existing building,

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alteration and extension to create a new link, rear extension and provision of bin and cycle stores. Removal of trees and landscaping. (amended plans) to allow improvements to access, brickwork and circulation around the building.)) to lower the first floor terrace screens to 19 Bardwell Road.

Reason at Committee This application entails the agreeing of significant amendments to an application (17/02109/FUL) originally called into, and determined at, planning committee.

Recommendation:

The West Area Planning Committee is recommended to:

1. Refuse the application for the reasons given below and finalise the recommended reason for refusing the application as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
 - a. Having had regard to the views that would be possible into and out of the terraced area which the privacy screens in question serve as well as to the context of the site, the proposed development would introduce an unacceptable loss of privacy through overlooking between the first floor terraced area of Unit 2 at 19 Bardwell Road and neighbours. As a result of these impacts the proposed development has not been designed in a manner that would protect the residential amenities of the adjoining properties which would be contrary to Policy CP1 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan.

4 19/02366/OUT: 472-474 Banbury Road, Oxford, OX2 7RG

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Site address: 472-474 Banbury Road, Oxford, OX2 7RG

Proposal: Outline application with all matters reserved apart from access for the demolition of two existing dwellings and erection of one four storey building and one two storey building for school boarding accommodation (use class C2) and associated parking, cycle and bin

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storage and closure of existing access onto A40.

Recommendation:

The West Area Planning Committee is recommended to:

1. refuse the application for the reasons considered fully in the report; and
2. agree to delegate authority to the Head of Planning Services to:
3. finalise the recommended reasons for refusing the application as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The reasons for refusal are as follows:

1. The proposed development would result in a loss of two residential dwelling houses (use class C3) in conflict with adopted Policy HP1 of the Sites and Housing Plan 2013 and emerging Policy H5 of the Oxford Local Plan 2036.
2. The indicative floorspace of each of the warden's flats, intended as permanent residence's, measures approximately 24sq. m. which falls below the minimum space standard for either a single or family dwelling
 1. and therefore the proposal conflicts with Policy HP12 of the Sites and Housing Plan 2013.
 2. The proposed warden's flats would cause an unacceptable loss of privacy to the occupants of no. 470 Banbury Road due to their proximity to the boundary and location of the first floor window overlooking the rear garden of no. 470. The proposed development would therefore conflict with Policies CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan 2013.
 3. The proposed undercroft vehicular parking would create hiding places and make vehicles, property and people vulnerable in term of safety as they are unsecured and therefore the proposed location and design of the proposed parking does not comply with policies CS18 and CS19 of the Core Strategy.
 4. Insufficient information has been submitted, in particular the application is deficient in its failure to provide a Surface Water Management Strategy to enable the Local Planning Authority to fully assess the drainage proposals for this major development. The application therefore does not therefore

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conform to the requirements of the 'Oxfordshire County Council Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire 2018' and emerging Policy RE4 of the Oxford Local Plan 2036.

5. Insufficient information has been submitted, in particular the application is deficient in its failure to provide an Air Quality Assessment to enable the Local Planning Authority to fully assess the potential air quality impacts that may occur from the development's operational and construction phases. The application does not therefore comply with adopted Policy CP23 of the Oxford Local Plan 2001-2016, Policy ENS4 of the Summertown and St Margaret's Neighbourhood Plan and emerging Policy RE6 of the Oxford Local Plan 2036.
6. Insufficient information has been submitted, in particular the application is deficient in its failure to provide an Energy Statement to enable the Local Planning Authority to fully assess whether sustainable design and construction principles have been incorporated into the development. The application therefore does not conform to the requirements of emerging Policy RE1 of the Oxford Local Plan 2036 and Policy ENC2 of the Summertown and St Margaret's Neighbourhood Plan.

5 Minutes

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Recommendation: to approve the minutes of the meeting held on 10 March 2020 as a true and accurate record.

6 Forthcoming applications

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

7 Dates of future meetings

Future meetings of the Committee are scheduled on:

2020	2021	
	8 September	19 January
9 June	13 October	9 February

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7 July	10 November	9 March
11 August	8 December	13 April

These may be remote meetings: start times and arrangements will be confirmed nearer the meeting date.

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Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt 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, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors 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". 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.

Procedure 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. Advice on bias, predetermination and declarations of interests is available from the Monitoring Officer.

The following minimum standards of practice will be followed:

1. All members of the Committee will have pre-read the officers' report. Committee members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful. (In accordance with the guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may 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. In determining an application Committee 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 overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; 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.

Public requests to speak

Members of the public wishing to speak must notify the Committee Services Officer by noon on the working day before the meeting, 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 Committee Services Officer (details are on the front of the Committee agenda).

Written statements from the public

Any written statement that members of the public or Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to give 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. Any such material will not be displayed or shown at the meeting.

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 Committee Services Officer of their intention by noon two working days before the start of the meeting so that members can be notified.

Recording meetings

This is covered in the general information above.

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.

This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in January 2020.