

# Minutes of a meeting of the West Area Planning Committee on Tuesday 19 May 2020

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## Committee members present:

Councillor Cook (Chair)	Councillor Gotch (Vice-Chair)
Councillor Corais	Councillor Donnelly
Councillor Hollingsworth	Councillor Iley-Williamson
Councillor Upton	Councillor Wolff
Councillor Wade (for Councillor Harris)	

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

Adrian Arnold, Head of Planning Services  
Robert Fowler, Planning Team Leader  
Andrew Murdoch, Development Management Service Manager  
Anita Bradley, Monitoring Officer  
Sally Fleming, Planning Lawyer  
Catherine Phythian, Committee Services Officer

## Apologies:

Councillor(s) Harris sent apologies.  
Substitutes are shown above.

## Introductory remarks

As this was a remote meeting and for the benefit of anyone following the meeting on audio the Clerk read out the names of the committee members and the substitute who were present and of those officers in attendance.

The Clerk read out a statement on the procedures which would apply to the remote meeting, the main points of which were:

- New regulations have been passed that enable the Council to hold meetings without some or all Committee Members being physically present together in a room. These regulations take precedence over existing legislation and the Council's pre-existing procedure rules.
- To ensure the smooth running of remote meetings under the new regulations, it has been necessary to amend some of the Council's procedure rules. The Chief Executive has done this by using the emergency powers delegated to him in the

Council's Constitution to adopt a protocol for remote meetings. The protocol is intended to replicate the Council's normal meeting procedures as far as possible. It would be formally considered at the Annual Council Meeting on 20 May 2020.

- When determining an application the voting would be by a roll call. Any Members who were not "in attendance" to hear the full presentation and debate on an agenda item are required to abstain from voting on that matter.
- Members are "in attendance" provided that they can hear and be heard by the other participants.

The Planning Lawyer made a statement regarding the status of the Oxford Local Plan 2036, the main points of which were:

- Once adopted, the Oxford Local Plan 2016-2036 will replace the Oxford Local Plan 2001-2016, the Core Strategy 2026 and the Sites and Housing Plan 2011-2026.
- The current stage that the new Local Plan had reached was that following the examination and the consultation on the main modifications in late February to March 2020, the Inspectors' report on the Local Plan was received on 18 May 2020. It has been published on the Council's website and all people on the Council's local plan database were being contacted directly.
- The next stage was for the Local Plan to be adopted by the Council and a report would be going to Cabinet and then to Full Council on 8 June 2020 recommending that it be adopted. Further publicity would then be required to be given following adoption of the plan.
- The weight to be given to the new local plan, in making decisions on planning applications, had been gradually increasing as each stage in the plan's progress was reached. It was for this reason that policies in the new plan have been referred to in committee reports on planning applications as the plan has moved towards adoption although the weight to be given has been assessed against paragraph 48 of the National Planning Policy Framework. Full weight cannot be given to them until adoption of the plan has taken place.
- As the Inspectors' report had now been received, and the new plan has reached an advanced stage, significant weight could now be given to the policies in the new plan which were referred to in each report. The receipt of the Inspectors' report did not, however, alter any of the recommendations in the reports on the agenda.

## **95. Declarations of interest**

Councillor Cook stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that he 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.

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 and that he 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.

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 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..

Cllr Hollingsworth stated that he had relatives who lived opposite the site of application 19/02366/OUT but that they had not commented on the application as part of the public consultation. However, for reasons of transparency he stated that he had no personal interest in the application and that he approached it with a completely open mind and would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

## **96. 20/00616/VAR: Bardwell Court, Bardwell Road, Oxford,OX2 6SX**

The Committee considered an application (20/00616/VAR) for planning permission for the 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, 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.

The Planning Officer presented the report.

In reaching its decision, the Committee considered all the information put before it. The Committee was mindful that the specification for the height of the first floor terrace screens had been an important factor in the determination of the original application and they were not persuaded that there were grounds to support a variation to the original planning permission.

After debate and 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 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.
  - 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.

Andrew Murdoch, Development Management Service Manager, left the meeting at the end of this item.

### **97. 19/02366/OUT: 472-474 Banbury Road, Oxford, OX2 7RG**

The Committee considered an application (19/02366/OUT) for planning permission for an 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 storage and closure of existing access onto A40.

The Planning Officer presented the report and referred the Committee to the fact that the applicant had submitted amended plans and made representations for the Committee to defer determination of the application. He advised the Committee that the request for deferral and the amended plans had not been accepted by planning officers. He confirmed that planning officers did not support a decision to defer the application as the amended plans did not address the issues of concern or overcome the reasons for refusal.

Julian Philcox, accompanied by Oliver McGovern, spoke in favour of the application.

In reaching its decision, the Committee considered all the information put before it, noting that the proposed development would result in a loss of two residential dwelling houses (use class C3) which was in conflict with adopted Policy HP1 of the Sites and Housing Plan 2013 and emerging Policy H5 of the Oxford Local Plan 2036.

After debate and 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 considered fully in the report and listed below; and
2. **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.
3. The reasons for refusal were 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 residences, measures approximately 24sq. m. which falls below the minimum space standard for either a single or family dwelling and therefore the proposal conflicts with Policy HP12 of the Sites and Housing Plan 2013.
  3. 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.

4. 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.
5. 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 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.
6. 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.
7. 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.

## **98. Minutes**

The Committee resolved to approve the minutes of the meeting held on 10 March 2020 as a true and accurate record.

## **99. Forthcoming applications**

The Committee noted the list of forthcoming applications.

## **100. Dates of future meetings**

The Committee noted the scheduled dates for future meetings and agreed that the remote meetings should start at 3pm.

**The meeting started at 3.00 pm and ended at 3.45 pm**

**Chair .....**

**Date: Tuesday 9 June 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.*