

# Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 25 January 2022

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## Committee members present:

Councillor Cook (Chair)	Councillor Chapman (Vice-Chair)
Councillor Abrishami	Councillor Altaf-Khan
Councillor Corais (for Councillor Diggins)	Councillor Fouweather
Councillor Hollingsworth	Councillor Hunt
Councillor Pegg	Councillor Rehman
Councillor Upton	

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

Gill Butter, Principal Heritage Officer  
Felicity Byrne, Principal Planning Officer  
Jennifer Coppock, Principal Planning Officer  
Sally Fleming, Planning Lawyer  
Andrew Murdoch, Development Management Service Manager  
Emma Lund, Committee and Member Services Officer

## Apologies:

Councillor Diggins sent apologies.  
Substitutes are shown above.

## 60. Declarations of interest

### General

**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. 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.

## **21/01645/FUL**

**Councillor Cook** stated that he had been approached by the agent for the applicant with a request for deferment, which he had passed on to officers.

**Councillor Hollingsworth** stated that the site was located on the opposite side of Banbury Road to a dwelling which was owned and occupied by distant family members, who had made no comment on the application.

## **21/01368/FUL and 21/01369/LBC**

**Councillor Chapman** stated that the application site was located on the edge of his ward, Headington and Northway. However, he had had no discussion with either the applicant or any residents regarding the applications.

## **61. 21/01449/FUL: Land South West Of St Frideswide Farm, Banbury Road, Oxford**

The Committee considered an application 21/01449/FUL for full planning permission for 134 dwellings (use class C3), informal open space including community pavilion, seating and children's play areas, hard and soft landscape and sustainable drainage areas, access, associated roads and infrastructure, car and cycle parking, bin storage, pumping station, substation and associated engineering works at Land South West of St Frideswide Farm, Banbury Road, Oxford.

The Principal Planning Officer presented the report and informed the Committee that:

- The site was located on the boundary with Cherwell District Council and was a recently allocated site for housing in the new Local Plan, having been excluded from the Green Belt as part of that process;
- The eastern boundary of the site was expected to ultimately link in to a Cherwell District Council site surrounding the whole of the remainder of the site. This had been allocated as part of Cherwell's new Local Plan review (PR6a), and would supply approximately 690 units of housing to help support the City's need as a part of an agreed shared partnership. A further 600 houses at the Oxford Golf Club site were also envisaged. Officers from both authorities continued to discuss the delivery and masterplanning of the sites, including connectivity;
- The Government's First Homes policy would become effective in respect of this application from 28 March, and would have implications for this application if not determined by that date;
- Two conditions had been omitted from the report. These were (i) to require further details of the play area, seating and gazebo structures; and (ii) to condition obscured glazing and balustrades in Block A and require a minimum height for the balustrades of 1.2 metres from finished floor level.

Aubrey King and Councillor Liz Wade spoke against the application.

Rebecca Bacon, agent and Richard Kelly, applicant spoke in favour of the application.

Members of the Committee asked questions of officers about the details of the application.

The Committee's discussion included the following points:

- The concerns expressed by Thames Water about the capacity for foul water drainage from the site and the capacity of the water network;
- The connectivity between the site and PR6a, and the nature of the boundary at the eastern side of the site;
- The way in which the fulfilment of the conditions relating to foul water capacity and the water network would be monitored. In the event of approval of the application, officers were asked to keep ward councillors informed about the discharge of conditions 20 and 21;
- The development was considered to be of good quality, met social housing requirements and local policy, and would contribute to meeting the needs of some of the 2,700 households currently on the waiting list for Council housing.

In relation to the boundary enclosure on the eastern side it was agreed that conditions 10 and 24 should be amended to emphasise the importance of the eastern boundary and the connectivity with PR6a.

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

After debate and being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application subject to conditions and the prior completion of a section 106 agreement.

**The Oxford City 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 subject to the amendment of Conditions 10 and 24 as referred to above and the addition of two further conditions relating to the play area, seating and gazebo and the obscured glazing and balustrades to Block A as outlined 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 were 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; and
  - finalise 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 this 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

- complete the section 106 legal agreement referred to above and issue the planning permission.

## **62. 21/01368/FUL: Headington Hill Campus, Oxford Brookes University, Headington Hill, Oxford**

The Committee considered an application (21/01368/FUL) for full planning permission for alterations to footpath, including alterations to boundary wall and railings, new surface treatments and landscaping at Headington Hill Campus, Oxford Brookes University, Headington Hill, Oxford.

The Development Management Service Manager gave a joint presentation covering the application and the related Listed Building Consent application 21/01369/LBC which was the subsequent item on the agenda.

The Committee noted that a representation had been received from Headington Heritage objecting to the proposal, including on the grounds that it would 'remove a large area of attractive green space and railings sympathetic to the Conservation Area and replace it with a concrete paved seating area which would be ugly and urban, destroy a large area of highly visible green space, open up views from Cuckoo Lane to 'hideous 1970s campus concrete blocks' and destroy the iron railings' which were considered to add to the charm of, and be sympathetic with, the Victorian nature of the Park.

Members of the Committee asked questions of officers about the details of the application.

The Committee's discussions included the following points:

- The proposal would result in Cuckoo Lane becoming a safer route by improving visibility and removing a blind entrance onto Cuckoo Lane. The new footpath would also be wheelchair accessible.
- No residents had registered to speak against the proposal.
- The impact of moving the gate would be minimal, and would result in significant benefits in terms of a safer route.

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

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

### **The Oxford City 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; 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; and

- issue the planning permission.

### **63. 21/01369/LBC: Headington Hill Campus, Oxford Brookes University, Headington, Oxford**

The Committee considered an application (21/01369/LBC) for listed building consent for alterations including the blocking of a gateway and the formation of a new gateway at the northern boundary wall to Headington Hill Hall which bounds Cuckoo Lane at Headington Hill Campus, Oxford Brookes University, Headington Hill, Oxford.

The Development Management Service Manager gave a joint presentation covering the application and the related full application 21/01368/FUL which was the previous item on the agenda.

The Principal Heritage Officer reported that 17 consultation responses which had been made to both applications but initially only referred to the full application had now been added to the Listed Building application. However, they raised no issues which were pertinent to the consideration of the Listed Building Consent application.

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

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

#### **The Oxford City Planning Committee resolved to:**

1. **approve the application** for the reasons given in the report subject to the required planning conditions set out in section 12 of the report and grant listed building consent.
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; and
  - issue the listed building consent.

### **64. 21/01645/FUL: 472-474 Banbury Road, Oxford, OX2 7RG**

The Committee considered an application (21/01645/FUL) for the demolition of 2no dwelling houses (use class C3); erection of 1no four storey building to provide school boarding accommodation (use class C2) including a 2-bedroom masters flat, and 1no two storey building to provide 2no 2-bedroom dwelling houses (use class C3); provision of vehicular and cycle parking and bin storage; and closure of existing northern vehicular access onto A40 at 472 – 474 Banbury Road, Oxford.

Julian Philcox, agent and Oliver McGovern, on behalf of the applicant, spoke in favour of the application.

The Principal Planning Officer presented the report. The Committee heard that the applicant's agent had requested that application be deferred to the February Committee in order to allow Councillors and members of the public more time to review the amended plans. Officers did not consider this to be necessary: the amended plans had

been uploaded on 14 January 2022 ahead of the publication of the committee report on 17 January 2022. An extension of time to determine the application, until 2 February, had previously been agreed.

Members of the Committee asked questions of officers about the details of the application.

In discussion the Committee noted that the application represented a very different proposal to that which been granted permission in May 2020. The application now before the Committee was considered to represent over-development which would result in sub-standard dwellings. In response to a suggestion that determination of the application might be deferred to allow time for further information to be provided to mitigate some of the reasons for refusal, such as those relating to air quality, tree damage or the bicycle racks, officers responded that this would not be sufficient to address the principal concerns about the development. Deferral would therefore not be of benefit to the applicant.

In reaching its decision, the Committee considered all the information put before it and noted the reasons for refusal as detailed in the officer report.

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

#### **The Oxford City Planning Committee resolved to:**

1. **refuse the application** for the reasons considered fully in the report and stated to be:-
  1. The application site would be overdeveloped by virtue of the scale, mass and height of the boarding house, proposed to be developed on the same site as 2no. dwellings. Taken cumulatively, the quantum of development on site represents an overdevelopment with two buildings that do not relate appropriately to one another. The proposal fails to make the best and most efficient use of land. The quantum of development and insufficient separation distances between the buildings would lead to an unacceptable level of overlooking, loss of privacy, insufficient daylight and overbearing impact on the occupants of the proposed dwellings and therefore, the proposal would conflict with section 11 of the NPPF and policies RE2, RE7 and H14 of the Oxford Local Plan 2036.
  2. The scheme incorporates constrained two-tier cycle parking which is not considered most practical for less mobile students and staff nor younger school pupils. The proposal therefore fails to comply with policy M5 of the Oxford Local Plan 2036.
  3. The proposed development would lead to air quality levels above current limit values for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and inadequate air quality mitigation measures have been proposed. The application does not therefore comply with policy ENS4 of the Summertown and St Margaret's Neighbourhood Plan and policy RE6 of the Oxford Local Plan 2036.
  4. The proposed drainage route through the Root Protection Area of the adjacent off-site horse chestnut tree would unacceptably impact this tree

and render the drainage strategy infeasible in conflict with policies G7 and RE4 of the Oxford Local Plan 2036.

2. **delegate authority** to the Head of Planning Services to:

- finalise the recommended reasons for refusing the application as set out in the report and above including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

## **65. Minutes**

The Committee resolved to approve the minutes of the meeting held on 7 December 2021 as a true and accurate record.

## **66. Forthcoming applications**

The Committee noted the list of forthcoming applications.

## **67. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 6.00 pm and ended at 8.10 pm**

**Chair .....**

**Date: Tuesday 15 February 2022**