

Minutes of a meeting of the Oxford City Planning Committee on Wednesday 26 May 2021

www.oxford.gov.uk



Committee members present:

Councillor Altaf-Khan	Councillor Chapman
Councillor Cook	Councillor Diggins
Councillor Hollingsworth	Councillor Hunt
Councillor Pegg	Councillor Rehman
Councillor Upton	Councillor Clarkson (for Councillor Abrishami)
Councillor Wade (for Councillor Fouweather)	

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services
Andrew Murdoch, Development Management Service Manager
Hayley Jeffery, Development Management Team Leader
Sarah Chesshyre, Senior Planner
Mike Kemp, Principal Planning Officer
Sally Fleming, Planning Lawyer
Catherine Phythian, Committee and Member Services Officer

Also present:

Rashid Bbosa, Senior Highways Officer, Oxfordshire County Council

Apologies:

Councillor(s) Abrishami and Fouweather sent apologies.

Substitutes are shown above.

1. Election of Chair for the Council Year 2021-22

Councillor Colin Cook was elected Chair for the Council year 2021-22.

2. Election of Vice Chair for the Council Year 2021-22

Councillor Nigel Chapman was elected Chair for the Council year 2021-22.

3. 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 Wade stated that 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.

20/03034/FUL

Councillor Upton stated that as a Council appointed trustee for the Oxford Preservation Trust, she had been involved in discussions regarding the application before the Committee. Consequently she would leave the meeting and take no part in the determination of the application.

Councillor Clarkson stated that, as stated on her Register of Interests, she owned a property at 23A Mill Lane but that she did not consider it to be close enough to be impacted by the application and she had listened to the concerns of local residents when campaigning for the election. She said that she had not made her mind up on the matter, and approached it with an open mind.

Councillor Pegg stated that she worked for The Wildlife Trusts and that, whilst she was aware that BBOWT (Berks, Bucks and Oxon Wildlife Trust) had made a submission to the consultation, she had not been involved in that and she had not made her mind up on the matter, and approached it with an open mind.

Councillor Diggins stated that she worked for the MP for Oxford East and that she was aware of the application from that role and the recent election campaigning but she had not made her mind up on the matter, and approached it with an open mind.

Councillor Altaf-Khan stated that he knew the applicant as an acquaintance and also attended the same mosque but that he had not made his mind up on the matter, and approached it with an open mind.

Councillor Rehman stated that he knew the applicant as an acquaintance and also attended the same mosque but that he had not made his mind up on the matter, and approached it with an open mind.

21/00792/FUL

Cllr Chapman stated that although he had called in this application he had not made his mind up on the matter, and approached it with an open mind.

Councillor Upton left the meeting for the next item.

4. 20/03034/FUL: Hill View Farm, Mill Lane, Marston, Oxford OX3 0QG

The Planning Officer presented the report and referred to submissions received after the publication of the report made by the Oxford Preservation Trust, the Friends of Old Marston, CTC Consulting and BDB Pitmans.

In response to the letters received from CTC Consulting, officers provided further feedback to members of the committee relating to the three letters received, this covered the following matters:

Distance to facilities

- Planning Officers had checked the relative distances involved as applied from the midpoint of the development and advised that the distance to local shops specified in point 10.95 in the report would be 1.8km as opposed to 1.6m as quoted and the distance to the bus stops in Elsfeld Road referenced in point 10.96 should be revised from 620 metres to 820 metres.
- However, any undercounting of distances to local services would have no bearing on the recommendations or analysis undertaken within the report.
- The reference in Policy M3 of the Oxford Local Plan, which was the reference to distance being calculated from the 'mid-point' of the development. This policy related to car parking standards. It was clearly acknowledged that a level of parking would be required and the reasons for this were outlined in the report, again this would be unaffected by an undercounting of distances to bus services or facilities.
- The site was allocated for residential development in the adopted Oxford Local Plan which was an acknowledgement that the site was in a location which was, or could be made sustainable.

Parking provision

- The parking provision was below the Council's maximum parking standards. It was acknowledged that residential development cannot always be sited within controlled parking zones or within 400 metres of a bus stop. This was why the Oxford Local Plan makes provision for parking on more peripheral sites. This did not mean that the site was 'unsustainable' under the provisions of the NPPF.

Bus Service

- It was understood that the local Bus Company had indicated that it would not be possible to extend the 14a bus service to serve Mill Lane.

Parking and traffic

- The submissions referenced a section of the subtext of Policy SP25 of the Oxford Local Plan which stated that localised improvements would be required to demonstrate that two vehicles could pass along Mill Lane. It was claimed that the presence of parked cars would not make this possible. Discussion with the Council's Policy team had clarified that this wording in the preamble to Policy SP25 was added in relation to road widths and geometry in lower sections of Mill Lane, namely the "S" bend. The upper sections of Mill Lane where on street parking occurs were wide enough for two vehicles to pass. The implementation of the Cycle Street and presence of parking controls would prevent informal parking.

Cycle Street

- Claims that it would not be possible to implement the cycle street. This was not correct as provision would exist for this within the Section 106 agreement with on street parking controlled through a Traffic Regulation Order.

- Claims that Oxford Road and Mill Lane were unsafe for cyclists was disputed as this was a 20mph section of urban road. Nevertheless the upgrade of Back Lane would offer an alternative albeit that the use of this would be limited to daylight hours. There was continuous pedestrian footpath access between the site, public transport links and local services. Use of Mill Lane and Oxford Road would not be prevented for any specific road users.
- References to the road safety impact of larger vehicles using Mill Lane, in particular the narrower sections of the road. As stated in the report this would be managed through a Construction Traffic Management Plan. During the operation phase incidences of larger vehicles meeting each other on the tighter sections of the road would be rare. Refuse collections were to be once a week so there would not be multiple larger vehicles circulating.
- In terms of scoping for junctions applicants are asked to include any junction that demonstrated a 5% increase of traffic flows on any arm of the junction. It was established that this, and any further junctions besides the Mill Lane/Elsfield Road junction, did not need to be tested as the development traffic would not meet the 5% increase threshold.

Co-determination of applications

- It had been requested that the application be determined alongside the recently submitted application on the adjoining allocated site (Land West of Mill Lane). In planning terms the cumulative highways impact of both developments should be considered, this was accounted for in the Transport Assessment. However, it was made clear that both of these sites were separate planning applications and had to be determined on their own merits. This would not represent a reason in itself to defer determination of the application.

The following spoke against the application:

- Dr Peter Williams, representing Marston Parish Council
- Charlotte Vinnicombe, Chair of the Elsfield Road and Oxford Road, Old Marston Residents' Association
- Zanna Waddington, representing The Friends of Old Marston

Mr R Gillespie and Mr B Farmery, representing the applicant, spoke in favour of the application.

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

In discussion the Committee considered various issues including: traffic flows, road safety and parking measures; the provision of local and affordable amenities; biodiversity net gain; flooding and surface water drainage.

The Committee explored in some detail the Oxfordshire County Council's proposals for the Mill Lane Cycle Street and improvements to Back Lane bridleway which would be secured through the legal agreement. The Committee noted that these were the preferred options and if, as a result of detailed planning, it was established that it was not possible to deliver these specific proposals then alternatives could be considered. Planning Officers and the Planning Lawyer confirmed that it would be possible and reasonable for the section 106 legal agreement to be worded with sufficient flexibility to allow the funding to be re-allocated to alternative schemes which met the aim of

improving active travel to and from the development and which provided localised improvements to pedestrian and cycle infrastructure.

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

A proposal to defer the application was moved and seconded.

A proposal to approve the officer's recommendation with the wording of the section 106 legal agreement to provide for the Mill Lane Cycle Street funding and the Back Lane bridleway improvement funding to be re-allocated if necessary to alternative schemes as referred to above was moved and seconded. This motion was voted on first as an amendment to the proposed deferral.

On being put to the vote this amendment was carried and became the substantive motion before the Committee.

On being put to the vote, the Committee agreed the substantive motion to approve the application, in line with the officer's recommendation, subject to the revision of the wording of the section 106 legal agreement as referred to above.

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 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 subject to the amendment detailed above.
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 the report and as amended at the committee and referred to above (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.

Councillor Upton re-joined the meeting.

5. 21/00792/FUL: 75 Headley Way, Oxford, OX3 7SR

The Committee considered an application (21/00792/FUL) for planning permission for the demolition of the existing single storey garage and the erection of a two storey side extension to create 2 x 2 bed flats; provision of amenity space, bin and cycle stores.

The application had been “called in” for reasons of parking, access and scale of development.

The Planning Officer presented the report.

Andrew Smith, applicant spoke in favour of the application.

The Committee noted that the concerns over parking and access would be addressed by Condition 4: boundary treatment, Condition 7: removal of permitted development rights and Condition 8: Variation to Road Traffic Order. Planning Officers confirmed that the development would be excluded from eligibility for parking permits for the Lakes Controlled Parking Zone (CPZ).

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.

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 required informatives set in section 13 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.

6. Minutes

The Committee resolved to approve the minutes of the East and West Planning Committee meetings held in April 2021 as a true and accurate record.

7. Forthcoming applications

The Committee noted the list of forthcoming applications.

8. Dates of future meetings

The Committee noted the dates and times of future meetings.

The meeting started at 6.00 pm and ended at 8.30 pm

Chair

Date: Tuesday 15 June 2021