

Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 21 June 2022

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Committee members present:

Councillor Clarkson (Chair)	Councillor Upton (Vice-Chair)
Councillor Altaf-Khan	Councillor Chapman
Councillor Diggins (for Councillor Aziz)	Councillor Hollingsworth
Councillor Hunt	Councillor Pegg
Councillor Smowton (for Councillor Fouweather)	

Officers present for all or part of the meeting:

Felicity Byrne, Principal Planning Officer
Nia George, Assistant Planner
Louise Greene, Planning Lawyer
Mike Kemp, Principal Planning Officer
Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager

Apologies:

Councillors Aziz, Fouweather, Malik and Rehman sent apologies.
Substitutes are shown above.

10. Declarations of interest

General

Councillor Smowton stated that he was a member of Oxford YIMBY, which campaigned on housing matters. Oxford YIMBY had not commented on the applications before the Committee, and Councillor Smowton stated that he was approaching the applications with an open mind.

Councillor Upton stated that as a member and trustee of the Oxford Preservation Trust, she had taken no part in that organisation's discussions regarding the applications before the Committee. Councillor Upton said 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.

21/01261/FUL

Councillor Upton stated that she held a contract for the delivery of occasional lectures at Christ Church College. Whilst the College had expressed an objection to the application, Councillor Upton stated that she had no interest in, and had taken no part in, the College's discussions relating to the application and that she was approaching the application with an open mind.

22/00679/FUL and 21/03622/VAR

Councillor Hollingsworth stated that he held a zero hours contract with Oxford Brookes University for the delivery of occasional lectures and seminars. The department for which he worked was separate to those which were the subject of the applications, and he was approaching the applications with an open mind.

21/01261/FUL, 22/00679/FUL and 21/03622/VAR

Councillor Chapman stated that as Ward Councillor for Headington Hill and Northway he had had no contact with any of the applicants, nor any objectors to the applications. He stated that he was approaching the applications with an open mind.

11. 21/01261/FUL: St Hilda's College, Cowley Place, Oxford, OX4 1DY

The Committee considered an application (21/01261/FUL) for the demolition of existing Principal's Lodgings and removal of existing gym building, car park and shed / storage units; erection of two new student accommodation buildings (72 rooms) and associated collegiate facilities including replacement gym, health and welfare facilities, and offices; erection of new replacement Principal's Lodgings building and associated landscape improvements and bicycle parking at St Hilda's College, Cowley Place, Oxford OX4 1DY.

The Planning Officer presented the report and visualisations of the development, and drew attention to a number of key points of the scheme:

- The removal of the Principal's Lodge and the addition of the new, larger, buildings would alter the characteristic of the area between the campus and the meadows which was currently transitional in nature. Therefore there would be some harm.
- A request had been made by a third party during the application process to list the Principal's Lodge. Historic England had considered this, and concluded that listing was not merited. Historic England had no objections to the proposal, nor to the loss of the Principal's Lodge. There had also been no objections from the Environment Agency, or the Lead Local Flood Authority, subject to the conditions set out in the report.
- Officers considered that, whilst the proposal would result in a medium level of less than substantial harm, this was outweighed by the public benefits to be derived from the proposal. These included releasing houses back on to the market by accommodating students on site, and improving public access to St Hilda's College and the adjacent meadow when possible.
- There would be no harm to protected species, and net gain in biodiversity would be met on site. The development would be of sustainable design and construction, and exceeding the 40% target for carbon emissions. Although 8 trees would be lost, the canopy assessment showed a 65% canopy increase over the next 30 years as a result of new tree planting proposed;
- There would be a reduction of 18 car parking spaces as part of the proposal, which would contribute towards the aims of reducing traffic, improving air quality, and encouraging alternative forms of transport.

Chris Woods, Bursar of St Hilda's College and Joel Callow, Design Engineer, spoke in favour of the proposal.

The Committee asked questions of officers and the applicant about the details of the application. Clarification was provided on the following points:

- During the process of considering the application, and following comments from Historic England, the full exterior of the Meadow building would be clad with green ceramic tiles;
- It was expected that the improved public access to the meadow would be secured by way of a Public Access Strategy, setting out details such as how many times in a year access would be provided, and in what form (e.g. guided tours, open days);
- A construction environmental management plan would be conditioned as part of the County Council's requirements. Additionally, the College had recent experience of managing construction works at the site, which was in close proximity to The Plain roundabout.

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 (i) the planning conditions set out in the report; (ii) completion of a S106 legal agreement and Unilateral Undertaking; and (iii) delegation to the Head of Planning Services to finalise the recommended conditions and legal agreements.

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 13 of the report and grant planning permission, subject to:
 - the satisfactory completion of a Unilateral Undertaking and 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 report; and
2. **delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in this report including such refinements, amendments, additions, and/or deletions as the Head of Planning Services considers reasonably necessary; and
 - finalise the recommended Unilateral Undertaking and 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

- complete the section 106 legal agreement referred to above and after completion of the Unilateral Undertaking issue the planning permission.

12. 22/00679/FUL: Headington Hill Campus, Oxford Brookes University, Headington Hill, Oxford OX3 0BT

The Committee considered an application (22/00679/FUL) for a proposed engineering building (F1 Class) including landscape, services, cycle parking and associated works at Headington Hill Campus, Oxford Brookes University, Headington Hill, Oxford OX3 0BT.

The Planning Officer provided updates and presented the report and visualisations. The following was noted:

- A letter had been received from Headington Heritage, which had been circulated to committee members prior to the meeting, relating both to this application and application 21/03622/VAR which formed the next agenda item. The letter had raised concerns that the developments would compress and disrupt flows through the natural tufa springs flowing through Headington Hill Park due to the foundation design of the buildings. The letter also sought a full hydrological survey, monitoring of existing and future flows, and a ban on pile foundations within the construction. The letter also stated that it was unclear whether the SUDS proposals were sufficient.
- The Planning Officer responded that the Council's specialist drainage and ecology officers had been consulted and had advised that any requirement to provide a hydrological survey would not be proportionate, given that the site was not adjacent to a local or nationally designated wildlife site. In response to concerns regarding flood risk, both sites had been subject to a drainage strategy which had been assessed as acceptable by Oxfordshire County Council as the local lead flood authority.
- A response from the applicant had also been circulated to committee members in advance of the meeting. This advised that foundations for the Yard Building would be 6.5m above the highest groundwater level recorded, and in the case of the replacement Helena Kennedy Building it would be 7.5m. The consultants had advised that in the case of the Engineering Building and the replacement Helena Kennedy building reinforced pad foundations would be used, and not deeper piled foundations. However, even were piled foundations to be used they would take up less than 2% of the area and would have negligible impact on groundwater flow.
- The Planning Officer also issued a correction to paragraph 10.66 of the report and confirmed that no new parking spaces would be created as part of the development. Therefore there would be no requirement to install EV charging points. The two spaces referred to were existing spaces which were being re-allocated as disabled parking bays.
- The proposal, by virtue of its visibility and presence in public views from Pullens Lane and Cuckoo Lane would result in less than substantial harm towards the setting of the Headington Hill conservation area. This was considered to be towards the lower level of less than substantial harm given the design quality of the building. Officers considered that this would be offset by the public benefits of the

development, including the provision of high quality, purpose-built academic space which would not only benefit the University but also deliver wider economic benefits due to the research activities to be undertaken. It would also incorporate higher standards of sustainability; and would achieve a BREEAM excellent rating as well as a 40% reduction in carbon emissions, in accordance with Policy RE1 of the Oxford Local Plan. The scale and massing was considered to be appropriate and sensitive to the setting of the site and surrounding heritage assets.

Jerry Woods, Director of Estates and Campus Services at Oxford Brookes University and Glen Moses, architect, spoke in favour of the application.

The Committee asked questions of officers about the details of the application, and the following was noted:

- Reference to a new gateway at paragraph 10.28 of the report had been included in error. A new gateway was not included within the proposal;
- The proposal included a loss of 112 car parking bays, which was considered a benefit in terms of achieving a modal shift away from car use at the site. Controls existed in the streets surrounding the site to prevent overspill parking, and the proposed parking arrangements were fully consistent with the policies of the Local Plan. 108 cycle spaces were also included, which was also in line with Local Plan requirements.

In reaching its decision, the Committee considered all of 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 the conditions set out in the report and to delegate authority to the Head of Planning Services to finalise the recommended conditions and informatives.

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;
2. **delegate authority** to the Head of Planning Services to:
 - Finalise the recommended conditions and informatives set out in the report including such refinements, amendments, additions and / or deletions as the Head of Planning Services considers reasonably necessary.

13. 21/03622/VAR: Helena Kennedy Centre, Headington Hill, Headington, Oxford OX3 0BT

The Committee considered an application (21/03622/VAR) for variation of Condition 2 (deemed in accordance with approved plans) of planning permission 18/00872/FUL (demolition of existing Helena Kennedy building and erection of a replacement academic building for the Faculty of Technology, Design and Environment (amended plans)) to allow an additional level within the existing built envelope and without altering the roofline following asbestos excavation; internal and external reconfiguration including on landscape, internal layouts, floorspace, and architecture and associated

operational and design changes at Helena Kennedy Centre, Headington Hill, Headington, Oxford OX3 0BT.

The Planning Officer presented the report and the following was highlighted:

- Planning permission for the removal of the Helena Kennedy Centre had been granted in 2018. During the demolition and site clearance works the need for asbestos removal below the concrete slab at the base of the building had been identified. This had necessitated a greater amount of excavation than planned, leading to a change in levels across the site. Consequently, a revised proposal had been developed to include an extra floor to the building, adding 2852 sqm of floorspace without increasing the height or footprint. However, there were changes to the external appearance, including: fenestration design, changes to the floor layout, addition of a café at the ground floor level, and changes to landscaping and parking.
- The revised scheme included a reduction in parking spaces from 40 to 26, which was considered beneficial in terms of encouraging a modal shift away from private car use. It also included the installation of EV charging points for at least 25% of the proposed spaces, to be secured by planning condition. Increased cycle parking (320 spaces in total) would be required as a result of the increase in floor space which would be delivered by a phased approach.
- No further tree removal was required; however, the new amphitheatre would encroach on the root protection area of one of the retained trees. The Council's Tree Officer had advised that subject to securing an arboricultural method statement ahead of the development, this would not compromise the integrity of the retained tree.
- It was the view of officers that the proposal complied with the Oxford Local Plan, the Headington Neighbourhood Plan and the NPPF, and that the public benefits of the scheme outweighed the less than substantial harm to the setting of the grade II* listed building Headington Hill Hall and to the setting of the conservation area.

Jerry Woods, Director of Estates and Campus Services at Oxford Brookes University and Glen Moses, architect, spoke in favour of the application.

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

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

After being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application subject to the required planning conditions set out in the report.

The Oxford City Council 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 set out in the report including such refinements,

amendments, additions and / or deletions as the Head of Planning Services considers reasonably necessary.

14. 21/03241/FUL: Julianstow Cottage, 10 Harberton Mead, Oxford, OX3 0DB

The Committee considered an application (21/03241/FUL) for demolition of an existing garage and erection of a single storey outbuilding to be used as an ancillary home office and gym (amended plans) at Julianstow Cottage, 10 Harberton Mead, Oxford OX3 0DB.

The Planning Officer reported that the application was brought to the Committee for probity reasons, as the applicant is a member of staff at Oxford City Council.

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

- The main dwellinghouse had recently been built following the demolition of the original dwelling, for which planning permission had been granted a few years previously. The original garage at the south of the site still existed, but was not large enough to accommodate a vehicle, did not meet modern size requirements, and was currently empty and unused. It was also in a poor state of repair;
- The proposed replacement outbuilding was in a like for like siting, but very slightly larger (0.5m wider and 0.5m taller) than the existing garage. Proposed uses were as a home office, gym, storage and associated facilities. It was very similar in form to the existing garage, with a pitched roof and simple form. Solar panels were included on the southern elevation; the outbuilding, including the solar panels, would be largely screened from public view by existing mature trees;
- The proposal was considered to be acceptable in design. Officers were of the view that a low level of less than substantial harm which would be caused to the low density character and appearance of the Headington Hill Conservation Area would be outweighed by the benefits of the scheme. These included benefits to the amenity of the area, and increased renewable energy provision by virtue of the solar panels. The proposal would not cause any detrimental impacts to the amenity of any neighbouring dwellings, nor any impact on vehicle parking or highways safety. It was considered to be acceptable with regards to drainage, biodiversity, trees and land quality.

A committee member drew attention to the wording of condition 8, which specified that the outbuilding '*shall not be used as a separate dwelling or for any business, commercial or industrial purposes, including short term letting*'. Given that the outbuilding's intended use was as a home office, there was concern that this wording might mean the condition could be argued as unreasonable, thus jeopardising the intended protection against using the outbuilding for purposes such as a separate dwelling, a short term let, or for commercial use. The Planning Lawyer responded that the officer recommendations in the report included delegation of authority to the Head of Planning Services to finalise the recommended conditions, and the wording of this condition could be reviewed to ensure the point made was addressed.

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

After being proposed, seconded and put to the vote the Committee agreed with the officer's recommendation to approve the application, subject to review of the wording of condition 8 to better define the permitted uses of the outbuilding.

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 review of the wording of condition 8, and grant the 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.

15. Minutes

The Committee resolved to approve the minutes of the meeting held on 24 May 2022 as a true and accurate record.

16. Forthcoming applications

The Committee noted the list of forthcoming applications.

17. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 7.57 pm

Chair

Date: Tuesday 19 July 2022

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.