

Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 21 March 2023

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Committee members present:

Councillor Clarkson (Chair)	Councillor Upton (Vice-Chair)
Councillor Aziz	Councillor Chapman
Councillor Fouweather	Councillor Hollingsworth
Councillor Kerr (for Councillor Pegg)	Councillor Malik
Councillor Rehman	Councillor Sandelson (for Councillor Altaf-Khan)

Officers present for all or part of the meeting:

David Butler, Head of Planning Services
Jennifer Coppock, Principal Planning Officer
Mike Kemp, Principal Planning Officer
Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Planning Manager
Louise Greene, Planning Lawyer

Apologies:

Councillors Altaf-Khan, Hunt and Pegg sent apologies.

Substitutes are shown above.

67. Declarations of interest

General

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 any of 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.

22/02661/FUL

Councillor Sandelson declared a personal interest as her son attended D'Overbroecks College.

Councillor Hollingsworth stated that his parents-in-law lived close to the application site; however, he had not discussed the application with them and was approaching the application with an open mind, and would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

22/03042/RES

Councillor Sandelson left the meeting room for this item, save for addressing the Committee as a public speaker, and did not participate in determining the application.

68. 22/03042/RES: Oxford North Northern Gateway Land Adjacent A44 A40 A34 And Wolvercote Roundabout A40, Section From Cherwell District Council Boundary To Wolvercote Roundabout, Oxford

The Committee considered an application (22/03042/RES) for erection of a commercial building (revised design of approved Red Hall) and immediate hard landscaping at Oxford North Northern Gateway land adjacent A44 A40 A34 and Wolvercote Roundabout, A40 section from Cherwell District Council boundary to Wolvercote Roundabout, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The Red Hall building, alongside two employment buildings, had been approved as part of the detailed hybrid planning permission 18/02065/OUTFUL. It was intended to function as a striking landmark centrepiece for the site with retail and café units on the ground floor and office space on the upper floors, and was to be clad in distinctive red powder-coated aluminium. The application sought reserved matters approval for an enlarged Red Hall building, including a three storey side extension to the approved building.
- The application related to development on land which fell within both the full and outline permissions covered under planning application 18/02065/OUTFUL. As it crossed the boundaries of the areas defined on the approved plans as being the subject of both the detailed and the outline permission, it had been considered necessary for the relevant plans accompanying the hybrid permission to be amended to reflect the changes being sought under the reserved matters application: principally, amendment to the plan for the full application such that the entirety of the Red Hall application fell outside of it. Officers considered that, procedurally, an application would need to be made under Section 96A of the Town and Country Planning Act before the reserved matters application could be determined, with consent being subject to the prior approval of the Section 96A application. The proposed changes were considered to be non-material in the context of the wider masterplan.
- The enlarged building would allow for a greater amount of floor space at ground floor level for use as café, retail and community space and improved functioning of the building. This had been achieved by moving the core of the building, including internal stairs, lifts and cycle storage. Enlivening of the north elevation of the building would also result in a better relationship with the public realm as compared to the approved scheme.
- One comment from a member of the public had been received since publication of the report. This had expressed objection to the red colour of the building, its height, and general scale in relation to the character of the surrounding area.
- Officers considered that the extension would be subservient to the main section of the building and that it was acceptable in design terms and harmonised appropriately with the approved design. The height of the main building would be

unchanged from the approved plans, and sat within the Heights Parameter Plan for Oxford North. The amendments would allow the building to function more effectively as a social hub for the site by providing more space for communal, retail and café use and by enlivening the frontages across all elevations of the building and the external spaces surrounding it. It was considered acceptable when assessed against the relevant policies in the Local Plan, the Wolvercote Neighbourhood Plan and the NPPF. The application was therefore recommended for approval for the reasons outlined in the report, subject to the application under Section 96A of the Town and Country Planning Act as noted above.

Paul Buckley (Chair of the Wolvercote Neighbourhood Forum) and Councillor Jo Sandelson spoke against the application.

Ron German (for the applicant) spoke in favour of the application.

The Committee asked questions about the details of the application, which were responded to by officers. The Committee's discussions included, but were not limited to:

- The proposal did not fulfil the criteria for Class D community use required by the hybrid application. This would therefore need to be provided elsewhere on the site.
- A temporary car park, including temporary cycle parking, had been approved under the detailed element of the planning permission. Additional temporary cycle parking for the building would be delivered across the site as conditioned and set out in the report. A more dedicated area of permanent cycle parking to the north of the building would be brought forward in a future reserved matters application.
- The larger building would encroach into an area of public space, and it was intended that this would be replaced within a forthcoming reserved matters application relating to the area to the north of Red Hall. Officers would therefore consider the merits of the standard of public realm to be provided as part of that process. It was noted that the total area of public space to be provided had been agreed within the hybrid application.
- The building design and colour was subjective; however, this had been considered and approved as part of the hybrid application.

Councillor Aziz, having arrived at the meeting after the conclusion of the officer's presentation, did not participate in determining the application. Councillor Sandelson left the meeting room for the duration of the item, save for speaking in the public speaking slot, and did not participate in determining the application.

On being proposed, seconded and put to the vote the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the required planning conditions set out in the report and approval of an application made under Section 96A of the Town and Country Planning Act 1990 to secure the necessary changes to planning permission 18/02065/OUTFUL to allow the development to proceed.

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 reserved

matters approval subject to the approval of an application made under Section 96A of the Town and Country Planning Act 1990 to secure the necessary changes to planning permission 18/02065/OUTFUL to allow the development the subject of this reserved matters application to proceed; 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
- determine the application should the necessary changes to planning permission 18/02065/OUTFUL not be approved under the application made under Section 96A of the Town and Country Planning Act 1990 referred to in 1 above.

69. 22/02799/FUL: Wolfson College, Linton Road, Oxford OX2 6UD

The Committee considered an application (22/02799/FUL) for the erection of a three storey student accommodation building (Use Class C2) and provision of vehicular parking and soft landscaping at Wolfson College, Linton Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The application sought approval for a three storey student accommodation building with ensuite bathrooms, kitchen and living rooms within the Wolfson College campus on a site comprising an existing ground level, hard surfaced and impermeable car park. The proposal would accommodate 50 students who were currently displaced within the city's private housing market, and would enable approximately 70% of Wolfson College students to live on site.
- Following publication of the committee report, a comment had been received from a resident of Linton Road relating to the increase in traffic and pollution which they considered would arise from the development. The Planning Officer responded that students would not be permitted to park on site and that the proposal resulted in a substantial reduction in parking spaces (from 36 to 3). The 3 spaces would comprise 2 accessible spaces and 1 drop-off. A full travel plan statement and residential travel information pack, to be approved by the Highways Authority, would be conditioned if permission were granted. This would ensure that sustainable modes of transport were encouraged. It was therefore considered that the proposal was acceptable in this regard.
- The building would not be physically linked to the existing Grade II listed College campus buildings, but would be linked visually with its entrance in line with the adjacent walkway to Block B. It would largely sit on the footprint of the existing car park. The 3 car parking spaces would be sited on an area of lawn to the west of the proposed building.
- It was not considered that the proposal would impact the amenity of neighbours, nor that it would be overbearing given the distance between the two buildings and the existing and proposed intervening vegetation.

- The proposal would result in a 7.53% increase in biodiversity net gain on site and a 46% reduction in carbon emissions when set against the 2021 building regulations. Compliance with the approved energy statement would be conditioned.
- The report before the committee had summarised that the scheme could potentially impact upon a number of protected species including bats, birds, reptiles and badgers. All of the necessary conditions which would be attached to the planning permission had been listed. However, details of the relevant legislation relating to each species had been omitted. The Planning Officer therefore showed a slide which detailed the Local Planning Authority's duties under the relevant legislation, and how officers considered those duties had been met as they had sought to mitigate the potential impacts. This had also been circulated to Committee Members prior to the meeting.
- Officers considered that the proposed development would respond appropriately to the site context, and accord with the overall aims of the Oxford Local Plan policies. It was therefore recommended for approval, subject to the conditions set out at section 12 of the report.

Natasha Robinson, a local resident, spoke against the application.

The Committee asked questions about the detail of the application, which were responded to by officers. The Committee's discussions included, but were not limited to the following:

- A Committee Member highlighted that whilst a condition relating to the noise levels of plant, machinery and equipment had been included, there was no similar condition relating to the noise level of the new foul water pumping station.
- The officers' assessment was that there was no harm to the setting of the listed buildings or to the wider conservation area arising from the proposal.
- A Committee Member commented that the reduction in car parking was to be welcomed, as reducing available car parking space was linked to a reduction in car journeys. Another Committee Member commented that the travel plan which had been conditioned should focus on active travel.
- The Local Plan set the threshold for the maximum number of students which the Oxford universities could have without provision for their accommodation. The proposal therefore responded to an ongoing programme of ensuring that the University of Oxford and its colleges provided more accommodation for their students.
- The public benefits of the scheme in terms of a more efficient use of the site; providing student accommodation; releasing the private accommodation currently being used by students; balancing out the site; and providing landscaping improvements outweighed any negative arising from the loss of the car park.

On being proposed, seconded and put to the vote the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report

and subject to the required planning conditions set out in the report and an additional condition relating to noise levels for the foul water pumping station.

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 an additional condition relating to noise levels for the foul water pumping station 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.
 - resolve any outstanding comments and objections from the Lead Local Flood Authority (LLFA) and finalise recommended conditions.

70. 22/02661/FUL: 472-474 Banbury Road, Oxford OX2 7RG

The Committee considered an application (22/02661/FUL) for demolition of 2 no. semi-detached dwellings and erection of a 4 storey school boarding house (Use Class C2) with associated cycle and refuse storage; erection of 2 no. 3 bed semi-detached dwellings (Use Class C3) with associated refuse and cycle storage; closure of existing vehicular access to North Way (A40) and creation of new pedestrian access to Banbury Road at 472-474 Banbury Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- Since the publication of the committee report, the Lead Local Flood Authority had formally removed its objection to the application and had recommended two conditions requiring compliance with the approved drainage strategy, and recording of the installed SuDS and site wide drainage scheme.
- It was considered that the proposal had successfully avoided the over-development, overlooking and overshadowing issues of the scheme previously proposed in 2021. It now stepped back from Banbury Road, and its footprint was set further away from the mature horse chestnut tree. During consideration of the application amendments had been made to soften and pull back the building line fronting the roundabout and further articulate the stair tower, which had resulted in a reduction of four bedrooms. Public and private spaces were clearly separated.
- The residential dwellings would be car free, with space within the site enabling drop-off and pick-up in relation to the boarding house. To enforce the car-free nature of the site, collapsible bollards would be installed at the entrance. Sufficient cycle parking would be provided both externally and within the basement.
- The proposal gradually transitioned in height from the neighbouring semi-detached dwellings on Banbury Road. The proposed dwellings bridged the height difference between the existing Banbury Road dwellings and the boarding house, and featured a high quality materials palette representing a modern interpretation of the existing dwellings along Banbury Road.

- Officers considered that the proposed development to provide a boarding house and two dwelling houses would respond appropriately to the site context and comply with the Oxford Local Plan 2036. The application was therefore recommended for approval, subject to the conditions set out within the report and a legal agreement between the applicant and the County Council as the highways authority.

The Committee asked questions about the detail of the application, which were responded to by officers. The Committee's discussions included, but were not limited to:

- The amenity space for the boarding house would be within the courtyard to the front; students would also be able to use the facilities at nearby Cutteslowe Park. There was no Local Plan policy to require outdoor amenity space, and the proposal was therefore policy compliant in this respect.
- A Committee Member commented that there was scope for illegal parking just outside the application site. Officers responded that this would be difficult to control using planning mechanisms, if highways land. Occupants would be excluded by the Highways Authority from eligibility for resident's parking permits, and if the land was owned by the applicant then there may be potential for a Section 106 obligation to require control.
- In relation to the proposed pedestrian safety enhancement measures along Banbury Road to be provided through the legal agreement, the Planning Officer reported that the Highways Officer had proposed the provision of Copenhagen Crossings across Carlton Road.
- In response to a question as to how pupils would travel between the boarding house and the school's other sites, the Planning Officer responded that it was intended that they would walk or cycle. A student management plan, detailing how drop-offs and pick-ups would be managed had been conditioned, and the applicant had advised that there was no intention for multiple bus journeys to and from the site.
- Several Committee Members drew attention to transport issues: the proximity of the proposed development to the busy Banbury Road and Cutteslowe Roundabout, and the need for pupils to use these routes when travelling between school sites and accessing Cutteslowe Park. Financial contributions would be made towards upgrading pedestrian infrastructure and a student management plan would be conditioned to mitigate any potential impact. Several Committee Members also commented on the lack of on-site amenity space given the age range of the pupils, notwithstanding that the proposal was policy compliant in this respect.

On being proposed, seconded and put to the vote the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the required planning conditions set out in section 12 and the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990.

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 this report; and
2. **delegate authority** to the Head of Planning Services to:
 - add the conditions requested by the Lead Local Flood Authority (LLFA); and
 - finalise the recommended conditions as set out in the report, and those received from the LLFA, 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 this 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.

71. Minutes

The Committee resolved to approve the minutes of the meeting held on 21 February 2023 as a true and accurate record.

72. Forthcoming applications

The Committee noted the list of forthcoming applications.

73. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 7.48 pm

Chair

Date: Tuesday 18 April 2023

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.