

# Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 15 August 2023

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## Committee members present:

Councillor Clarkson (Chair)	Councillor Hollingsworth (Vice-Chair)
Councillor Fouweather	Councillor Fry (for Councillor Rehman)
Councillor Morris (for Councillor Kerr)	Councillor Mundy
Councillor Pressel (for Councillor Chapman)	Councillor Railton
Councillor Upton	

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

Sarah De La Coze, Principal Planning Officer  
Natalie Dobraszczyk, Development Management Team Leader  
Sally Fleming, Planning Lawyer  
Robert Fowler, Development Management Team Leader (West)  
Nia George, Planning Officer  
Emma Lund, Committee and Member Services Officer  
Tanaka Merralls, Trainee Solicitor  
Andrew Murdoch, Development Management Service Manager

## Apologies:

Councillors Altaf-Khan, Chapman, Kerr, Malik and Rehman sent apologies.

Substitutes are shown above.

## 22. Declarations of interest

### 23/00405/OUTFUL

**Councillor Upton** stated that she was a member of the Cabinet and had been present at a meeting on 14 June 2023 when Cabinet had given approval to advertise the intention to appropriate the site for planning purposes. Whilst Councillor Upton considered that she would be able to approach the application with an open mind, she acknowledged that her participation may give rise to a perception that she had already formed a view. Councillor Upton therefore declared that she would leave the meeting room whilst the application was considered and would not participate in determining it.

**Councillor Hollingsworth** declared that until May 2023 he had been the Cabinet Member for Planning and Housing Delivery. In this capacity he had had partial responsibility for the scheme and held a substantial number of day to day discussions about the details of the scheme, including elements which were within the planning application. As this gave rise to a potential public perception of pre-determination, Councillor Hollingsworth declared that he would leave the meeting room whilst the application was considered and would not participate in determining it.

**Councillor Clarkson** declared that she had been a member of Cabinet in March 2020 and had voted for enabling detailed design plans to be drawn up for the Blackbird Leys site prior to submitting a planning application. However, she had had no involvement with any decision relating to the site or application since that time and had stood down from Cabinet in May 2022. Councillor Clarkson stated that was approaching the application with an open mind and would listen to the presentation, public speakers, and debate before forming a view on the application.

#### **23/00142/FUL**

**Councillor Fouweather** declared that he had visited an exhibition on the development which had been arranged by the developers. However, he had not discussed the application, and had viewed the exhibits and outline drawings only. Councillor Fouweather declared that he was approaching the application with an open mind.

**Councillor Pressel** stated that she lived close to the application site; however, it was not within the same street and was separated by a main road. Councillor Pressel declared that she was approaching the application with an open mind.

**Councillor Fry** declared that he also lived fairly close to the application site but had not been involved in or discussed the application and was approaching it with an open mind.

### **23. 23/00405/OUTFUL: Land at Blackbird Leys Road and Knight's Road, Oxford**

Councillors Hollingsworth and Upton left the meeting and did not participate in determining the application.

The Committee considered a hybrid application (23/00405/OUTFUL) for the redevelopment of Blackbird Leys District Centre and Land off Knights Road, Oxford. Full planning permission was sought for the erection of up to 210 apartments and up to 1300sqm of retail and commercial space (Use Classes E and Sui Generis) across four buildings on Blackbird Leys Road and the erection of up to 84 dwellinghouses at Knights Road, all with associated demolition of existing buildings and the provision of vehicular accesses, highway improvements, public open space and associated necessary infrastructure. Outline planning permission was sought for the provision of a community centre and public open space surrounding the community centre (Use Classes F2 and E) and block A (community square and green) in the District Centre with all matters reserved except for the principal means of access.

The Planning Officer presented the report and provided the following updates:

- Since the publication of the report an additional public comment had been received which had raised concerns about the impacts of the proposal on biodiversity and ecology, specifically: badgers; a lack of representation within the statement of community involvement; and the impact of imposing a Controlled Parking Zone (CPZ) within the area;
- An additional consultee response had been received from the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board which requested a financial contribution of £85,000 to facilitate the conversion of a non-clinical room to a clinical room at Donnington Surgery. This would mitigate the impacts of the increased

population and demand for health services arising from the proposed development. This contribution would be sought as part of the s106 legal agreement;

- A contribution of £116,663 towards Special School education capacity serving the development and a contribution of £27,624 towards the expansion and efficiency of Household Waste Recycling Centres (HWRC) would also be secured through the s106 agreement;
- A further representation had been received from the Oxfordshire Badger Group which had reiterated their strong objection. Their concerns were principally that: they did not consider that the impact on biodiversity and habitats had been thoroughly assessed; the scheme had not been modified at an early stage to save badger setts (circular 06/2005); the 26% loss of biodiversity was not acceptable; the mitigation measures were not robust enough or based on suitable methodology; there should be a 50m buffer to Northfield Brook; and development on the Knights Road site was opposed generally as it is a greenfield space. These issues had been covered in more detail in section E (para 10.243) of the committee report.
- Officers also wished to clarify that: the ward on page 1 should be shown as Northfield Brook Ward and Blackbird Leys Ward; the application was liable for the listed CIL contribution outlined at paragraph 4.1, however it should be noted that there was provision within the legislation for exemptions to be sought on qualifying developments; paragraph 10.116 stated that Block C would be 'up to 5 floors' which should read as '4 storeys'; at paragraph 10.279 'Thames Valley Policy' should read 'Thames Valley Police'; for clarity it was proposed that the existing match day CPZ would be extended to include the Knights Road site (Paragraph 10.287). This would be secured by condition 56.

Officers considered that the proposed development would respond appropriately to the site context, local plan policies and the site allocation policies SP4 and SP15. It would provide significant highway and public realm improvements; community and commercial uses as well as a significant number of affordable homes. The departures from the Development Plan were considered to be justified in this instance. There would be enhanced pedestrian connectivity, improvements to highway transport through financial contributions and no harm to the highway network as a result of the traffic generation. The development, taken across the combined sites, would result in a net gain in tree canopy cover through new and retained soft landscaping. There would be no harm to any identified protected species, and subject to 3.515 habitat units being delivered off-site the proposal would achieve a biodiversity net gain of 5%. The development would be of sustainable design and construction, achieving a 64% reduction in carbon emissions when set against 2021 Part L Regulations and was on track to achieve a BREEAM excellent rating. For these reasons, and the reasons set out in the report the application was therefore recommended for approval, subject to conditions and the relevant legal agreements.

Neil Homer, on behalf of Blackbird Leys Parish Council, spoke against the application.

David Foster (applicant), Sophie Thomas-Lacroix (architect) and Carolyn Ploszynski (Oxford City Council) spoke in favour of the application.

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

- The proposal involved a reduction in community centre space compared to the existing provision, despite an increase in residents. However, officers responded that the existing community centre building was very inefficient in terms of the amount of circulation space it provided. There was potential with the new centre to work more smartly with the building and create a more efficient floor plan which would give an improved quality of space despite a reduction in footprint. The community centre would be coming forward as part of reserved matters, and so consideration would be given to making sure that it met the needs of the community as part of that process. There was also a minimum amount of floor space of 1200sqm which was conditioned;
- The number of car club spaces was considered by officers to be acceptable for the scheme;
- The reason for the financial contribution requested by the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board being made to Donnington Surgery (rather than the closer Leys Surgery) was that the NHS had advised that improvements to The Leys Surgery would be extremely costly. The provision of an additional room at Donnington Surgery, which would enable patient need to be distributed accordingly across the site, had therefore been suggested by the NHS as an acceptable solution;
- A condition was to be included which would require that a Controlled Parking Zone (CPZ) was established for the Knights Road site. This would involve extending the existing match day CPZ restrictions to Knights Road. The Highways Authority had not raised any objection, and the transport assessment indicated that there was adequate capacity on street to accommodate for additional parking;
- It was noted that the bin store at Block D was external, and it was suggested that, if not already included, a condition should be included to ensure that access to it was secure and it was not open to misuse;
- The biodiversity net gain assessment showed that there would be a reduction in habitat units but a gain in hedgerow units. A financial contribution would be used to offset the loss of habitat units via the purchase of units from the Trust for Oxfordshire's Environment.

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, subject to the conditions set out in the report; an additional condition relating to the security of the bin store at Block D, and a legal agreement to secure the planning obligations set out in the report.

**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 the security of the bin store at Block D 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 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.

**24. 23/00142/FUL: Linton Lodge Hotel, 11-13 Linton Road, Oxford OX2 6UJ**

The Committee considered an application (23/00142/FUL) for demolition of the rear accommodation block, conference block and pavilion building; erection of a replacement rear accommodation block, detached villa accommodation and courtyard garden accommodation; extension, alterations and reconfiguration of the hotel (including a remodelled front porch and building front) to provide 36 bedrooms, function space and operational improvements; extensive landscape enhancements, access and parking configuration and associated works at Linton Lodge Hotel, 11-13 Linton Road, Oxford.

The Planning Officer provided the following updates:

- Since publication of the committee report three additional letters of representation had been received relating to: highways and parking; the impact of the development on the Conservation Area; and trees. The issues raised had been addressed in the committee report; additionally the Planning Officer confirmed that the impact on tree T33 (a category A oak tree) had been considered as part of the application. Officers had concluded that the encroachment that the new building would have over the existing Root Protection Area of the tree was an acceptable level of impact: this view had been reached taking account of the fact that it was a relatively young and vital tree and had capacity to absorb and adapt to the site changes which were proposed.
- Paragraph 10.39 should state that there would be no harm to the setting of the neighbouring listed buildings;

- An additional condition would be included requesting details of the glasshouse and pergola to be provided and approved, as well as details, and associated screening, of the proposed condenser units.

The Planning Officer presented the report and highlighted the following:

- The application sought planning permission for the redevelopment of the Linton Lodge Hotel. The redevelopment would include the demolition and replacement of the rear extension block to the main hotel and the introduction of two accommodation blocks: one in the garden located along the boundary the site shared with Northmoor Road, and one on Charlbury Road. The proposal would result in 36 additional hotel bedrooms taking the hotel to 123 bedrooms in total.
- In addition the scheme proposed an expanded and centralised reception, café and bar area; new and improved hotel gardens; 9 car parking spaces (including 3 drop-off spaces, 3 disabled spaces and 3 standard spaces); 60 cycle parking spaces; and a new substation to the front.
- The site lay entirely within the boundary of the North Oxford Victorian Suburb Conservation Area. The proposed development would be in close proximity to two Listed Buildings: No. 7 Linton Road and No. 20 Northmoor Road. The site was also located within the Summertown and St Margarets Neighbourhood Area where a Neighbourhood Plan was in place.
- The buildings had been designed and arranged to limit the harm to the Conservation Area. Amended plans had been received showing the removal of the balconies in order to address concerns relating to overlooking and loss of privacy.
- The report set out the impact of the development on the historic environment. Whilst a low level of less than substantial harm to the Conservation Area had been identified, it was considered that no harm would be caused to the setting of the nearby listed buildings. Great weight had been given to the conservation of these designated heritage assets but the public benefits of the scheme were considered to outweigh the level of harm caused.
- With regard to impact on neighbouring amenity, the development was not considered to have an unacceptable impact with regard to loss of light, outlook, overlooking or overbearing impact. Where potential harm had been identified mitigation measures had been incorporated.
- No technical objections had been received to the application.
- In conclusion officers considered the application to be acceptable in terms of principle, design, impact on neighbouring amenity, highways, heritage, trees, biodiversity and the issues set out in the report. It was therefore recommended for approval subject to conditions and a section 106 agreement to secure a travel plan monitoring fee.



Philip Allen of the Linton Road Neighbourhood Association spoke against the application.

Paul Slater (agent) spoke in favour of the application.

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

- The proposal involved the removal of an Edwardian greenhouse which had fallen into disrepair. Its loss was considered by officers to be acceptable in terms of the scheme, and the applicant advised that it would be replaced by a new greenhouse;
- The proposal comprised both existing buildings and new buildings: heating would therefore be by a mix of gas boilers and air source heat pumps;
- In terms of trip generation, the proposal was expected to result in an increase of total person trips. The focus would be on these being sustainable transport trips. The level of trip generation had been discussed with the County Council as part of the highways impact. No objection had been made to the proposal by Oxfordshire County Council on highways grounds;
- The majority of the extension in Charlbury Road would be in an area where there was already built form;
- A noise policy had been submitted with the application which set out the steps the applicant would take to ensure that noise from the hotel would not become problematic for neighbours;
- A Committee Member suggested that as Charlbury Road was on National Cycle Network 51, and included a significant amount of school traffic, a condition should be included to require construction traffic to travel via Banbury Road and Linton Road only, or, if Charlbury Road could not be avoided, that construction traffic should be permitted to use that route outside of school hours only. Officers advised that a Construction Traffic Management Plan was conditioned and that the County Council, as Highways Authority, would advise on the best routes to be used by construction traffic;
- A Committee Member commented that the scheme presented a number of benefits, including enhancements to the Linton Road frontage and the economic benefits offered by the additional accommodation which would provide an alternative to AirBNB. There were also some harms, such as that to the Charlbury Road frontage. However, on balance he considered that those harms were outweighed by the benefits.

A proposal to refuse the application was moved and seconded. On being put to the vote the proposal was lost.

A proposal to approve the officer's recommendation was moved and seconded. On being put to the vote the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report, subject to the conditions set out in the report and additional conditions concerning a Construction Traffic Management Plan, the replacement of the glass house and pergola and the screening

of the condenser units and the legal agreement to secure the planning obligations set out in the report.

**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 additional conditions regarding a Construction Traffic Management Plan, the replacement of the glass house and pergola and the screening of the condenser units 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
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.
  - 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.

**25. 23/01046/FUL: 75 Langley Close, Oxford, OX3 7DB**

The Committee considered an application (23/01046/FUL) for the demolition of existing garage; erection of a part single, part two storey side extension and front porch; change of use from a house in multiple occupation (Use Class C4) to a larger house in multiple occupation (Sui Generis); and erection of bike storage at 75 Langley Close, Oxford.

The application was before the Committee as the applicant is an Oxford City Councillor.

The Planning Officer presented the report and highlighted the following:

- Planning permission had already been granted for the change of use to a Use Class C4 House in Multiple Occupation (HMO) which allowed occupation by up to 6 occupants. The application sought to allow additional occupants as a sui generis use.
- Planning permission had also already been granted for a part single, part two storey side extension at the property. However, during the course of the application it was noticed that the extension already built on the site was not in accordance with the approved plans, being 0.5m wider to the front of the side extension. There was also a hipped roof on the single storey element rather than a flat roof as approved. Additionally a front porch had been built at the property. The application therefore sought part retrospective approval;



- The development was considered acceptable in principle, complying with the concentration of HMOs allowed in the local area. It was considered that it would not result in a change of character of the area. The proposal would provide a good standard of accommodation which would comply with the City Council's Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation;
- The proposed development was considered to be acceptable in terms of its design, and not to cause any harm to the character or appearance of Langley Close or the dwelling itself;
- The extension would not cause any detrimental impacts on the amenity of any neighbouring dwelling, nor would it cause any impact in respect of drainage, biodiversity or trees subject to the recommended conditions;
- The development would be car-free due to its sustainable location within a Controlled Parking Zone and would be suitable to provide good quality bin storage and bicycle parking subject to conditions including the removal of the existing bin store at the front of the site within three months, as officers deemed it to be unacceptably harmful to the street scene;
- The development would not give rise to any unacceptable impacts in respect of public highways. Overall, the proposal was considered to comply with the policies of the Local Plan, the Headington Neighbourhood Plan and the NPPF.

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 detail and location of the bin store had been conditioned, to be provided prior to occupation;
- A Committee Member recommended that an informative be added to recommend that the distance between adjacent Sheffield stands was 1.2m, in order to ensure that they could accommodate larger bikes or those with panniers, etc. and was compliant with LTN 120.

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, subject to the conditions set out in the report and the inclusion of an informative relating to a recommended distance between bicycle parking stands.

**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 informative relating to a recommended distance between bicycle parking stands 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.

## **26. 23/00990/FUL: Parkway Court, John Smith Drive, Oxford OX4 2JY**

The Committee considered an application (23/00990/FUL) for the erection of security fencing to the perimeter of the site at Parkway Court, John Smith Drive, Oxford.

The Planning Officer presented the report and highlighted the following:

- The application site comprised a group of 5 buildings, known as Parkway Court, within the Oxford Business Park. The site was located on the north eastern side of John Smith Drive and backed onto Garsington Road to the north;
- The proposal involved the erection of 1.5m high security fence situated in between the existing green boundary to the site and the hard landscaping. It would therefore be behind greenery when seen from the road to the north and the south of the site.
- The fence would be open-mesh style, with a width of 60mm.
- The fence would still allow views in and out of site, and officers had recommended a condition for the fence to be of green colour to blend in with its surroundings;
- The proposal was considered to be acceptable in respect of its design and would not cause any detriment or harm to the character or appearance of Parkway Court nor the wider Business Park or surrounding area. The fence would not cause any detrimental impacts on the amenity of any neighbouring occupiers, nor would it cause any impacts with regard to trees or land quality;
- The development would not give rise to any unacceptable impacts in respect of public highways and as such the proposed fence was considered to comply with the relevant policies of the Oxford Local Plan and the NPPF.

Responding to a question from a Committee Member, the Planning Officer confirmed that the fence would not involve the blocking up of any footpaths.

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

### **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 this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

## **27. Minutes**

The Committee resolved to approve the minutes of the meeting held on 18 July 2023 as a true and accurate record.

## **28. Forthcoming applications**

The Committee noted the list of forthcoming applications.

## **29. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 6.00 pm and ended at 9.02 pm**

**Chair .....**

**Date: Tuesday 19 September 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.*