

Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 17 September 2024

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Committee members present:

Councillor Fouweather (Vice-Chair, in the Chair)	Councillor Chapman
Councillor Henwood	Councillor Hollingsworth
Councillor Rawle	Councillor Regisford
Councillor Snowton (for Councillor Altaf-Khan)	Councillor Upton

Officers present for all or part of the meeting:

Ross Chambers, Planning Lawyer
Jennifer Coppock, Principal Planning Officer
Natalie Dobraszczyk, Development Management Team Leader
Hayley Jeffery, Development Management Team Leader (East)
Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager

Apologies:

Councillors Clarkson, Altaf-Khan, Coyne and Hunt sent apologies.
Substitutes are shown above.

27. Declarations of interest

General

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

24/00318/FUL

Councillor Hollingsworth stated that whilst the principle of development at the site had been established by the Local Plan, he had been the Cabinet Member with direct responsibility for Oxford City Housing Ltd (OCHL) at the point at which a report was taken to Cabinet setting out the acquisition of the site by OCHL in the event of planning permission being obtained. Councillor Hollingsworth declared that he would therefore withdraw from the meeting room whilst the application was considered and would not participate in determining it.

Councillor Chapman stated that his portfolio as Cabinet Member for Citizen Focused Services and Council Companies included responsibility for OXPlace. Councillor

Chapman declared that he would therefore withdraw from the meeting room whilst the application was considered and would not participate in determining it.

Councillor Upton stated that she been present at the meeting when Cabinet had considered the acquisition of the site by OCHL in the event of planning permission being obtained. However, she 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.

28. 24/00690/FUL: Beaver House and 39-42A Hythe Bridge Street, Oxford OX1 2ET

The Committee considered an application (24/00690/FUL) for the demolition of Beaver House and 39-42 Hythe Bridge Street and construction of a new 5 storey building (Class E) with basement; removal of modern extensions to 42A Hythe Bridge Street; refurbishment and change of use to a flexible use including Classes E and F; further associated alterations to the site layout to include revised access, creation of a community garden and hard and soft landscaping and infrastructure works at Beaver House and 39-42A Hythe Bridge Street, Oxford.

The Planning Officer gave a presentation and provided the following updates and clarifications:

- The report had included some inconsistencies about the number of car parking spaces. The Planning Officer clarified that there would be a total net reduction of 63 spaces arising from the scheme.
- Clarification was provided in relation to paragraph 1.152 that the scheme would deliver an increase in the habitat biodiversity value of approximately 512.36% and in the watercourse biodiversity value of approximately 20.8%.
- An additional representation from the Oxford Civic Society had been received since the report was published. This had expressed concerns around the design, massing, material palette, impact on views, and sustainability of the building and included a comment that the public garden and café could include more landscaping and trees.
- The proposed development at the Boatman's Chapel included retrofitting the building for flexible community use and the creation of a community garden, which would be an enhancement and a positive use for the non-designated heritage asset. Whilst the proposals included a significant proportion of demolition, this would largely involve the unsympathetic modern additions to the rear, and the land would be utilised for the community garden space which would be a positive element of the scheme. Community access would be secured in the S106 agreement, and conditions were to be included to ensure the high quality of the design and appropriate materials and fenestration.
- The building which was proposed to replace Beaver House would include a mix of lab stores, an entrance lobby and a loading bay on the ground floor. The café would occupy a section on the ground floor alongside Hythe Bridge Street on the corner of Frideswide Square. The proposal would result in the loss of a single retail unit as well as two restaurants. Whilst the loss of the retail unit would be

contrary to Policy V2, it was considered that there were material circumstances which justified departure from the policy as set out in the report.

- Despite the comprehensive energy efficiency measures which were proposed, the development would fail to achieve the 40% reduction in carbon emissions required by Policy RE1. Instead, it would achieve a 34% reduction when compared to the 2022 building regulations. The proposal would therefore be contrary to Policy RE1; however, it was considered that there were material circumstances which justified the departure from this policy in this instance. The issues which prevented the policy compliance of the scheme included the high energy demand of research and development laboratories, and the site-specific constraints associated with the development. The site was located both within and immediately adjacent to the Conservation Area, in close proximity to a number of listed buildings, and within the more constrained urban city centre environment. Overall, officers were satisfied that the proposals maximised the opportunity for energy efficiency and carbon reduction given the constraints of the site, as well as delivering a range of other significant generation benefits as outlined in the report.
- Several areas proposed within the scheme would impact on the historic environment: namely the impact on the proposed views, the demolition of the non-designated heritage assets, and the impact on the character and appearance of the Conservation Area. Cumulatively, it was considered that these would equate to a medium level of less than substantial harm. However, there were significant public benefits associated with the scheme (including economic benefits, regeneration benefits, the delivery of community use, and biodiversity net gain) which were considered to outweigh the medium level of less than substantial harm.
- In conclusion, officers considered that the proposal would deliver significant benefits, would represent high quality design, and would contribute towards improvements in the public realm. Biodiversity net gain requirements would be exceeded, and car parking would also be significantly reduced. The application was therefore recommended for approval subject to the conditions and obligations set out in the officers' report as well as the submission of an acceptable draft habitat management and monitoring plan; and additional obligations within the S106 agreement which had been agreed with the applicant following publication of the report. The latter comprised a voluntary £20,000 contribution towards local carbon offsetting projects which had been agreed with the Council's Sustainability Team; securing of the biodiversity net gain; and an operational management and maintenance plan for the community garden. Additional conditions were also to be included to cover details of fenestration and materials for the Boatman's Chapel, a green roof management plan, and amendment to condition 30 to specify the hours of use of the community garden as 07:00 to 23:00.

Will Rohleder (for the applicant) and Timothy Price (agent) spoke in favour of the application.

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

- The proposal involved a balance between heritage and environment concerns;

- The benefits offered by the development were significant, and it offered the opportunity for transformation of the corner elevation into Frideswide Square;
- Bringing the Boatman's Chapel back into public use was welcome, and offered the opportunity for an attractive new public space with the community garden;
- The development would provide 810 jobs in a location which was very sustainable, being in very close proximity to the train and bus stations.

The Oxford City Planning Committee resolved to:

1. **approve the application** for the reasons given in the report, subject to: (i) the required planning conditions set out in section 12 of the report and (ii) the inclusion of additional conditions to cover details of fenestration and materials for the Boatman's Chapel, a green roof management plan, and amendment to condition 30 to specify the hours of use of the community garden as 07:00 to 23:00 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 (i) set out in the report and (ii) additional obligations which include: a £20,000 contribution towards local carbon offsetting projects; securing of the biodiversity net gain; and an operational management and maintenance plan for the community garden; and
 - the submission of an acceptable draft Habitat Management and Monitoring Plan; and
2. **delegate authority** to the Head of Planning and Regulatory 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 and Regulatory 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 (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 and Regulatory Services considers reasonably necessary; and
 - complete the section 106 legal agreement referred to above and issue the planning permission.

29. 24/00318/FUL: Land to the North of Goose Green Close, Oxford

Councillors Chapman and Hollingsworth left the meeting room.

The Committee considered an application (24/00318/FUL) for the erection of 24 dwellings on Land North of Goose Green Close, Oxford.

The Planning Officer gave a presentation and provided the following updates and clarifications:

- An additional obligation would be included within the section 106 agreement to secure the public open space.
- Paragraphs 2.6 and 10.26 mentioned paragraph 136 of the NPPF, although these should refer to paragraph 152.
- The application was for a residential development consisting of 24 dwellings, vehicle and pedestrian access, and the provision of public open space. The site location comprised undeveloped greenfield land, in the south west corner of the Oxford North site as defined in the Northern Gateway Area Action Plan.
- The development site and adjoining land at Oxford North was not allocated within the Local Plan but fell within the parameters of the Oxford Northern Gateway Area Action Plan (AAP). The quantum of homes proposed would be four dwellings higher than the quantum permitted under Policy NG2 of the AAP. The departure from policy was considered acceptable in this instance as the additional four dwellings would not have a harmful impact in terms of wider environmental effects or any other negative effects such as heritage or amenity impacts.
- 50% of the proposed dwellings would be affordable, split into 9 social rented and 3 First Homes, which was considered acceptable. The overall housing mix was also considered acceptable.
- To negotiate the difference in land levels between the northern and southern section of the site, a combination of stepped and ramped accesses was proposed which would provide a level access and a DDA compliant pedestrian and cycle connection between the site and Wolvercote.
- The proposals included an extension of the Canalside park, with c 53% of the total site area given over to public space.
- Officers considered that the landscape design for the space would be an attractive asset for existing and future residents and that the proposals would comply with Local Plan policies in this regard.
- Officers considered that the proposed layouts of the house types would be compliant with national minimum space standards and would be acceptable in terms of the overall designs and layouts. The design, scale and setting of the layout would have no detrimental impact on the amenity of existing occupiers nor on future occupiers within the Canalside development.
- A total of 18 allocated car parking spaces and 2 visitor spaces would be provided. In plots 1-12 the parking would be provided within integral garages and for the remaining houses parking would be provided in bays adjoining the street through the site. 160 cycle parking spaces were also proposed.
- The development would lead to a very low level of less than substantial harm to the heritage asset of the setting of the Conservation Area. The public benefits of the proposal would be the provision of 24 new homes and 12 affordable homes, the provision of high quality public space, enhancements to pedestrian and cycle connectivity, and delivery of a 5% biodiversity net gain. Officers considered that

the public benefits of the development would outweigh the very low level of less than substantial harm.

- The proposal was recommended for approval subject to the conditions set out in the report and the completion of a legal agreement as set out in the report and with an additional obligation to secure the public open space.

Vicky Trietline and Laurence Kendrick (joint applicants) spoke in favour of the application.

The Committee asked questions about the detail of the report which were responded to by the applicants and the agent. The Committee's discussions included, but were not limited to:

- It would have been desirable to have less segregation between the housing tenure types and the distribution of parking spaces between the affordable and open market housing.
- The benefits of the affordable housing to be provided were significant.

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 an additional obligation to secure the public open space; and
2. **delegate authority** to the Head of Planning and Regulatory 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 and Regulatory 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 (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 and Regulatory Services considers reasonably necessary; and
 - complete the section 106 legal agreement referred to above and issue the planning permission.

30. 24/01302/FUL: 5000 John Smith Drive, Oxford OX4 2BH

Councillor Hollingsworth re-joined the meeting. Councillor Chapman did not return to the meeting.

The Committee considered an application (24/01302/FUL) for demolition of the existing office building and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial and amenity space (Use Class E); provision of new access, motor vehicle parking, cycle parking, services infrastructure and landscaping including new amenity space and pedestrian/cycle connection at Plot 5000, John Smith Drive, Oxford.

The Planning Officer gave a presentation and provided the following updates and clarifications:

- The report had referred to an initial car mode share of 35% of staff on site at any one time. The correct percentage was 40%, which would then be reduced down to 31% once the Cowley Branch Line was operational. This arrangement was acceptable and in line with the Highway Authority's assessment.
- The report had omitted that 10 additional Sheffield stands would be located along the connector, in addition to the internal and external provision within Plot 5000 detailed in the report.
- The report set out that 2 habitat units would need to be compensated for, which should have read 1.15 units.
- An additional condition would need to be attached to the permission in relation to required improvements to the sewage treatment works. The condition would restrict occupation of the development until either all sewage works upgrades required to accommodate additional flows were completed, or a development and infrastructure phasing plan had been agreed with the Local Planning Authority.
- The proposal involved the demolition of the existing three storey building, and replacement with a five storey CL2 laboratory and office building. Three ancillary single storey buildings would be located along the eastern and south-eastern boundaries of the site to house generators, sub-stations and gasses.
- Parking spaces would be reduced by one bay; 11 motorcycle parking spaces would be provided; and 103 cycle parking spaces would be provided internally with 16 spaces externally and a further 10 Sheffield stands along the connector.
- The waterside gardens would be focused around the existing ponds to the north west of the Plot 5000 building, and would form an area of public realm, linking to the enhanced connector.
- The site's location within the southern suburbs of the city was considered appropriate for the additional building height given its relatively unconstrained nature in planning policy terms, with the scale of the building justified through the high standard of design quality.
- The proposed landscape plan mitigated the loss of 33 category B-U trees by planting 71 new semi-mature trees. The proposal would provide a net gain in canopy cover of 14% over 25 years.
- It was considered that the development would cause a low level of less than substantial harm to the setting of the conservation area and the setting of the

Grade II* Town Hall. In accordance with paragraph 206 of the NPPF it was considered that the pressing need for high quality lab-enabled office space within this part of the 'golden triangle' provided clear and convincing justification for the heritage harm caused. Further, in line with paragraph 208 of the NPPF, the public benefits of the development (which included the economic uplift, a commitment to employ a proportion of local residents, enhancements to the pedestrian and cycle infrastructure in the park and the addition of visitor cycle parking, a 10% net gain in biodiversity through offsetting, a 14% net gain in tree canopy cover and a 40.25% reduction in carbon emissions) would collectively outweigh the low level of less than substantial harm to the setting of the central conservation area and the Town Hall.

- Officers considered that the proposed development would respond appropriately to the site context, the Oxford Business Park site allocation, and the Local Plan as a whole. The application was therefore recommended for approval subject to the conditions set out in the report, the additional condition relating to sewage treatment works, and a Section 106 legal agreement.

Stephen Sensecall (agent) spoke in favour of the application.

The Committee asked questions about the detail of the application which were responded to by officers and the agent.

The Committee's discussion included, but were not limited to:

- The modernisation of the site within the broader development of the business park was welcomed. The proposal was considered to represent a significant enhancement, particularly in relation to the new connector and the link to the Cowley Branch Line;
- The financial contribution towards the Cowley Branch Line was recognised as a benefit of the scheme;
- The proposed wording of the condition relating to requiring upgrades to the sewage treatment works to have been completed, or an infrastructure phasing plan to have been agreed with the Local Planning Authority before occupation, was considered acceptable.

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 13 of the report and an additional condition requiring upgrades to the sewage treatment works to have been completed, or an infrastructure phasing plan to have been agreed with the Local Planning Authority before occupation, 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 and Regulatory 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 and Regulatory 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 (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 and Regulatory Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

31. 22/02880/RES: Plot 2000, John Smith Drive, Oxford

The Committee considered a reserved matters application (22/02880/RES) for erection of 1no. laboratory enabled office building for research and development with ancillary commercial space (all within use class E); erection of 1no. building to accommodate motor vehicles, cycles and end of journey facilities; provision of new access, external visitor cycle parking, landscaping and services infrastructure; approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to planning permission 12/01424/EXT (amended description, plans and documents) at Plot 2000, John Smith Drive, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The site location was an undeveloped plot off John Smith's Drive, extending to approximately 1.13ha, located on a Category 1 employment site. The application proposed the erection of an eight-storey Category 2 laboratory and office building, and a four-storey multi-storey car park with showers, changing and drying rooms, mechanical plant and refuse storage. The separation of the laboratory building and the multi-storey car park, with a 13m gap, allowed for sufficient site permeability and further opportunity for tree, shrub and green wall planting. It also served to minimise the negative impact of cumulative development on key views out of the city centre.
- The proposal included the planting of 44 new native trees, in addition to off-site planting along a section of John Smith's Drive and roundabout. This would result in a 16% net gain in tree canopy cover over 25 years.
- The multi-storey car park would accommodate 302 car parking bays, 18 motorcycle bays and 213 cycle bays in addition to the end-of-journey facilities. 22 cycle parking stands would be located externally for visitors.
- The site's location in the southern suburbs of the city was considered appropriate for the additional height, given its relatively unconstrained nature in planning policy terms. In addition, the site's position within the park acted as a gateway from the eastern bypass, making it a suitable location for a 'marker' building.
- The proposed development, although large, had been carefully designed to mitigate its harmful impact to the local and wider site context.

- Officers had concluded that the proposal would cause a low level of less than substantial harm to the setting of the central conservation area, the Grade II* listed Town Hall and the setting of the Grade I listed Lincoln College library spire. It was considered that the pressing need for lab-enabled office space provided clear and convincing justification for the heritage harm caused and that the public benefits (which included the local economic uplift, a commitment to employ a proportion of local residents, a 5.28% net gain in biodiversity within ARC Oxford, a 16% net gain in tree canopy cover, and a 43.3% reduction in carbon emissions) would outweigh the low level of less than substantial harm.
- Officers considered that the proposed development would respond appropriately to the site context, the Oxford Business Park site allocation and the Local Plan policies as a whole. The application was therefore recommended for approval subject to a section 106 legal agreement and the finalisation of conditions.

Stephen Sensecall (agent) spoke in favour of the application.

The Committee asked questions about the details of the application which were responded to by officers and the agent.

The Committee's discussions included, but were not limited to:

- The site was an important one in the context of East Oxford, and the plot had remained empty for a significant period of time. The proposal therefore represented an opportunity to create an impressive development which would generate a significant number of jobs.

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 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 and Regulatory 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 and Regulatory 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 (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 and Regulatory Services considers reasonably necessary; and
 - complete the section 106 legal agreement referred to above and issue the

planning permission.

32. 24/01356/FUL: 145 Howard Street, Oxford OX4 3AZ

The Committee considered an application (24/01356/FUL) for the demolition of a garage and rear extension; erection of a part single, part two storey side and rear extension with integral garage; formation of rear dormer and raising of existing ridgeline in association with a loft conversion; insertion of rooflights and PV panels to front roof slope and an air source heat pump; alterations to fenestration (amended description and plans) at 145 Howard Street, Oxford.

The application was before the Committee as the applicant was a member of staff of Oxford City Council.

The Planning Officer gave a presentation outlining the details of the site location and the proposal. This included site photos and existing and proposed elevations and plans.

The officers' report had considered design and amenity issues, drainage and ecology, and heritage and highways considerations. All were considered to be acceptable, and the application was recommended for approval subject to the planning conditions set out in the report.

The Committee asked questions about the detail of the application which were responded to by officers.

A Committee Member drew attention to changes that had been made to the application on the advice of planning officers as part of the application process. This had involved amending the design of the front fenestration and solar panels, resulting in a reduced area of solar panelling thus reducing the amount of green energy which could be generated. The Committee Member expressed the opinion that the original design had represented a more efficient use of the roof space and that this had been compromised in favour of design considerations.

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 and Regulatory 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 and Regulatory Services considers reasonably necessary.

33. 24/01468/FUL: 8 Dunstan Road, Oxford OX3 9BY

The Committee considered an application for erection of a single storey rear infill extension; removal of 1no. window and 1no. door; insertion of 4no. windows and formation of stone thresholds to the rear elevation at 8 Dunstan Road, Oxford.

The application was before the Committee as one of the applicants was an Oxford City Councillor.

The Planning Officer gave a presentation outlining the details of the site location and the proposal. This included site photos and existing and proposed elevations and plans.

All relevant issues had been considered within the officers' report and the application was recommended for approval, subject to planning conditions.

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 and Regulatory 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 and Regulatory Services considers reasonably necessary.

34. Minutes

The Committee resolved to approve the minutes of the meeting held on 20 August 2024 as a true and accurate record.

35. Forthcoming applications

The Committee noted the list of forthcoming applications.

36. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.31 pm

Chair

Date: Tuesday 15 October 2024

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.