

## MINUTES OF THE PLANNING REVIEW COMMITTEE

Wednesday 27 January 2016



**COUNCILLORS PRESENT:** Councillors Fry, Fooks, Goddard, Hollick, Kennedy, Munkonge, Rowley, Sinclair and Smith.

**OFFICERS PRESENT:** Michael Morgan (Lawyer), Fiona Bartholomew (Principal Planner) and Catherine Phythian (Committee Services Officer)

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Lygo (substitute Councillor Smith) and Councillor Turner (substitute Councillor Rowley).

### 2. ELECTION OF CHAIR FOR THE REMAINDER OF THE 2015/16 MUNICIPAL YEAR

The Committee elected Councillor Fry to be the Chair for the remainder of the Council Year 2015/16.

### 3. ELECTION OF VICE-CHAIR FOR THE REMAINDER OF THE 2015/16 MUNICIPAL YEAR

The Committee elected Councillor Fooks to be the Vice-Chair for the remainder of the Council Year 2015/16.

Councillor Rowley joined the meeting.

### 4. DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chair welcomed the public and speakers to the meeting and explained the procedure that would be followed. He said that in view of the number of requests to speak he would extend the time allowed for public speaking to 20 minutes in total (10 minutes for the objectors and 10 minutes for the supporters). He confirmed that the meeting would be audio recorded by a member of the public.

On a general point the Chair observed that the initial discussions and debate on this planning application may have benefitted from the use of a "swiss poles" scheme to illustrate the height of the proposed development in relation to the existing buildings and street scene.

## **5. 36, 38 AND 40 LONDON ROAD AND 2 LATIMER ROAD:15/00858/FUL**

The Committee considered an application for planning permission for the demolition of residential houses at 36, 38 and 40 London Road and 2 Latimer Road. Erection of 167 student study rooms and ancillary facilities on 4 and 5 levels plus basement, together with 2 x 2-bed and 2 x 3-bed maisonettes. Provision of 4 car parking spaces, 88 cycle parking spaces, landscaped areas and ancillary works. (Amended description, amended plans and additional information).

The Committee noted that the East Area Planning Committee on 2 December 2015 resolved to refuse planning permission for the following reasons:

1. The height, mass and bulk of the main building is overbearing and does not form an appropriate relationship to the street. The design does not appropriately relate to the context of its surroundings and does not show the high standard required for a building of this size on this prominent key location. The height and design has a significant adverse impact on the privacy, outlook and amenity of neighbouring buildings. This is contrary to policies CP1, CP6, CP8, CP10 and CS18 of the adopted local plan.
2. The development has an unacceptable adverse impact on community safety by reason of overlooking of the adjacent school playground and because of traffic movements and which seriously reduces the safety of pedestrians and cyclists, contrary to policy CS19.

That decision had been called in to this Committee on the grounds that the robustness of the decision in relation to adopted policy needed to be tested.

The Planning Officer presented the report and briefed the Committee on the main developments since the previous submission of the application. She assured the Committee that the majority of the issues and questions raised by the East Area Planning Committee in December 2015 had been addressed by officers and the applicant as detailed at paragraph 5 of the report. In addition she confirmed that the applicant had agreed to provide £5000 towards a barrier at Latimer Grange to be secured through the legal agreement.

She said that with regard to the safeguarding concerns she had visited the development site and the Headington School grounds and buildings and had taken advice from the Oxfordshire Safeguarding Team. She confirmed that the applicant was willing to address this concern through the introduction of some form of screening to the western elevation of the development. However she was concerned about the negative visual impact this might have on the building and also on the light quality in the student rooms. She recommended the inclusion of a further condition for some form of screening or obscured glazing.

Richard Couzens (Headington School), Richard Burden (St Luke's Housing Society), Jeremy Burgess (St Luke's Housing Society), Gareth Jones (resident) and Councillor Ruth Wilkinson (ward councillor and member of East Area Planning Committee) spoke against the application.

Roger Smith (Agent), Sue Holmes (Oxford Brookes University), Jagdeep Bhogal (Unite Student Accommodation) and Mike Mansell (Applicant) spoke in support of the application.

The Committee asked questions of the officers and the speakers to clarify a number of matters.

The Committee noted:

- that the Highway Authority had not raised any objection to the scheme
- that the County as drainage authority was content that the scheme deals adequately with drainage requirements
- that the main access to the development would be from London Road, with service and disabled parking access from Latimer Road
- the concerns about the safety of pedestrians and cyclists due to increased traffic on the existing dual lane pavement, but acknowledged that this was not a valid reason for refusal
- that the suggestion that the site would be better suited to development for key worker housing was not a valid reason for refusal

The main focus of the Committee consideration was the safeguarding concerns about the implications of the study-bedroom windows overlooking Headington Junior School buildings, grounds and playground. The Committee spent some time considering what practical measures could be taken to mitigate this problem.

A motion to refuse the application for the reason set out below was lost on being put to the vote.

- The height mass and bulk of the main building is overbearing and does not form an appropriate relationship to the street. The design does not appropriately relate to the context of its surroundings and does not show the high standard required for a building of this size on this prominent key location. The height and design has a significant adverse impact on the privacy, outlook and amenity of neighbouring buildings. This is contrary to policies CP1, CP6, CP8, CP10 and CS18 of the adopted local plan.

A motion to approve the application on the terms recommended and with the additional conditions set out below was carried on being put to the vote.

- Sustainable Urban Drainage System
- a pre-commencement condition to prevent overlooking of the Headington School grounds and buildings by obscured glazing or screening the western elevation of the development. Such a scheme to be developed in consultation with the applicant, Headington School and the County and City Council safeguarding officers; to consider the inclusion of obscured glazing on the Headington School buildings; to protect the amenity needs of the student residents; and to be approved by Oxford City Council.

The Committee resolved to GRANT application 15/00858/FUL subject to the following conditions and satisfactory completion of a legal agreement; and to delegate to the Head of Planning and Regulatory the issuing of the Notice of Permission upon its completion:

### **Conditions**

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples.
4. Tree Protection Plan.
5. Arboricultural Method Statement.
6. Utilities and Services Plan.
7. Hard Surfaces Plans (sections).
8. Landscape plan.
9. Landscape plan completion.
10. Landscape Management Plan.
11. Travel plans.
12. Students no cars.
13. Construction Travel Plan.
14. Strategy for arrivals and departures.
15. Bin and bike stores.
16. Car/cycle parking provision before use.
17. Variation of Road Traffic Order.
18. Bio-diversity enhancement.
19. Sustainable Urban Drainage System.
20. Scheme to prevent overlooking of the Headington School grounds and buildings by obscured glazing or screening to the western elevation of the development.

### **Legal Agreements and Community Infrastructure Levy (CIL).**

Affordable housing contributions are required in two respects in relation to this proposal:

- Policy CS24 of the Core Strategy and Policy HP6 of the Sites and Housing Plan, supported by the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) which describe the circumstances under which contributions to affordable housing are required from student accommodation. The amount of contribution will be calculated in accordance with Appendix 4 of the Sites and Housing Plan; and
- Policy HP4 of the Sites and Housing Plan, which requires a financial contribution from sites providing between 4 and 9 dwellings towards the provision of affordable housing elsewhere in the City. The amount of contribution will be calculated in accordance with Appendix 2 of the Sites and Housing Plan.

A legal agreement is also required to secure Travel Plan monitoring fees of £1,240.

A legal agreement is also required to secure £5000 towards a barrier at Latimer Grange.

**6. MINUTES OF THE MEETING OF 29 APRIL 2015**

The Committee resolved to APPROVE the minutes of the meeting held on 29 April 2015 as a true and accurate record.

**7. DATE OF FUTURE MEETINGS**

The Committee NOTED the dates of future meetings (if required).

**The meeting started at 6.00 pm and ended at 7.50 pm**

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