

Minutes of a meeting of the PLANNING REVIEW COMMITTEE on Wednesday 15 February 2017



Committee members:

Councillor Fry (Chair)
Councillor Anwar
Councillor Goddard
Councillor Sinclair

Councillor Munkonge (Vice-Chair)
Councillor Brandt
Councillor Kennedy

Officers:

Michael Morgan, Lawyer
Adrian Arnold, Development Management Service Manager
Sian Saadeh, Development Management Team Leader
Catherine Phythian, Committee Services Officer

Apologies:

Councillor(s) Turner sent apologies.

20. Declarations of Interest

There were no declarations of interest.

21. 16/01726/FUL: Unit 5, Ashville Way, Oxford, OX4 6TU

The Committee considered a report detailing an application for planning permission for a change of use from Storage and Distribution (Use Class B8) to Assemble and Leisure (Use Class D2) on the ground floor and offices (Use Class B1a) on first floor and provision of additional car parking, bin and cycle store at Unit 5, Ashville Way, Oxford, OX4 6TU.

The Committee noted that the application had been called-in to the Planning Review Committee on the grounds that:

“East Area Planning Committee have now both allowed and refused the application and, in the interest of ensuring consistency in decision making it would be sensible for Planning Review Committee to look again at all the issues before a final decision is made”.

The Committee noted the East Area Planning Committee decision to a) approve the application on 12 October 2016 and b) refuse the application on 11 January 2017.

The Planning Officer presented the report and drew the Committee's attention to the following matters:

- There was an erroneous reference to an Appendix 4 in the addendum report submitted in January 2017 – no appendix 4 was attached to that report.
- There was an erroneous reference to CS8 in para. 8 of the original report submitted in October 2016 – the reference should have been to CS28.
- Member of the Committee and officers who had undertaken a site visit had seen the permanent equipment and long vault run which the applicant had drawn attention to in their submissions

Cameron Thompson, representing Mayfield Press, spoke against the application. He made the following points:

- Mayfield Press had been at the Ashville Way location since 2002
- The majority of employees were local
- One third of the business was local
- The need to expand to Unit 5 was immediate due to an acquisition in December 2016 and a further acquisition which was pending
- The business would have to move if there was no possibility of expansion
- There were no other suitable locations in the city

Councillor Linda Smith (ward councillor and Leisure portfolio holder) and Michael Crofton Briggs (agent), Sarah Fry, Rob English and Denise Brown spoke in support of the application from Cherwell Gym Club. They made the following points:

- The Council's leisure team had been working with Cherwell Gym Club for some time but they had been unable to identify suitable alternative premises
- The Cherwell Gym Club met many of the Council's corporate aspirations, to promote healthy lifestyles and social inclusion, provide a range of leisure opportunities and encourage young women to participate in sport
- The success of other gym clubs in neighbouring counties was testimony to the demand for such facilities and their commercial viability
- The application would provide employment opportunities in classes D2 and B1a

In conclusion the applicant asked the Committee to consider granting temporary planning permission for a period of three years to allow the Cherwell Gym Club to find alternative premises.

The Committee considered the officers report, presentation and the address of the public speakers and asked questions to clarify the material planning issues. In particular they noted that:

- the weight given to CS28 should be significant

- the circumstances of any potential occupant of the premises was not a material consideration
- granting a temporary change of use would not be reasonable as it would still cause harm through the loss (temporary) of a key protected employment site

After debate and on being put to the vote the Committee agreed unanimously with the officer recommendation.

In reaching this decision to refuse the planning application the Committee expressed their sympathy for the difficulties facing the applicant in identifying suitable premises within the city. They were pleased to note the portfolio holder's commitment that officers from the Council's leisure team would continue to provide assistance to the applicant in securing an alternative location.

They also noted officer comments that, should the application be refused, any enforcement action would be reasonable, proportionate and would take account of the circumstances of those involved.

The Committee further noted that the Local Plan had, in this instance, constrained the Council's decision making process with regard to the addressing of specific leisure land use needs and asked that officers use the current review of the Local Plan to address this.

The Committee resolved to refuse application 16/01726/FUL at Unit 5, Ashville Way, Oxford, OX4 6TU for the following reason:

The proposed development would result in the loss of a key protected employment site, which would be harmful to the range of job opportunities in the city and contrary to Policy CS28 of the Oxford Core Strategy 2026.

22. Minutes

The Committee resolved to **approve** the minutes of the meeting held on 18 January 2017.

23. Date of Future Meetings

The Committee noted the dates for future meetings (if required).

The meeting started at 6.00 pm and ended at 7.15 pm

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