

Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 12 November 2019



Committee members:

Councillor Cook (Chair)	Councillor Gotch (Vice-Chair)
Councillor Corais	Councillor Donnelly
Councillor Upton	Councillor Wolff
Councillor Azad (for Councillor Hollingsworth)	Councillor Howlett (for Councillor Iley-Williamson)
Councillor Landell Mills (for Councillor Harris)	

Officers:

Andrew Murdoch, Development Management Service Manager
Sally Fleming, Planning Lawyer
Robert Fowler, Planning Team Leader
Gill Butter, Conservation and Urban Design Officer
Mike Kemp, Senior Planning Officer
Nadia Robinson, Principal Planning Officer
Catherine Phythian, Committee Services Officer

Apologies:

Councillor(s) Harris, Hollingsworth and Iley-Williamson sent apologies.

52. Declarations of interest

Councillor Cook stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that he 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.

Councillor Upton stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, she had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that although she had supported the call-in of some of the applications she was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Gotch stated that as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that although he had supported the call-in of item 3 (18/02644/FUL) on the agenda he was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

53. 18/02644/FUL: Site Of Millway Close, Oxford, OX2 8BJ

The Committee considered an application (18/02644/FUL) for planning permission for the erection of 4 x 1 bed flats (Use Class C3) to first and second floor infills between existing block gable ends; provision of bike storage and retention of all car parking spaces, garages and refuse stores.

The application had been called into the Committee at the request of Councillors Goddard, Gotch, Harris, Garden and Smith due to concerns relating to the impact on existing residents and parking issues.

The Planning Officer presented the report and made the following observations in relation to transport and parking:

- The proposed development was not “car free” as defined in the Local Plan but there was no allocated parking associated with the development
- The parking survey undertaken by the applicant indicated that there was adequate capacity for any additional parking demands resulting from the proposed development.

Natasha Robinson, representing the Millway Close Leaseholders Association, spoke against the application.

James Gillies, representing the applicant, spoke in favour of the application.

The Committee asked questions of the officers and speakers and raised a number of concerns about the proposal. These included the lack of details relating to the proposed location and design of the cycle parking which should be covered and not prominent in the amenity space; the potential for an increase in anti-social behaviour by the enclosure of the existing “bin and cycle” areas.

The Committee was especially concerned by the assertion of the local leasehold residents that they had not been consulted by the applicant on the proposed development.

The Planning Lawyer confirmed that the applicant was required to serve notice of the application on anyone with a leasehold interest that exceeds 7 years. The certificate of ownership submitted with the application stated that the applicant was the sole owner of the site. Mr Gillies, speaking on behalf of the applicant, indicated that this was because his client owned the freehold of the refuse stores where the flats were to be located. The Planning Lawyer confirmed that the red line plan submitted with the application covered the whole site rather than just the refuse stores and therefore the

correct certificate of ownership had not been issued. Accordingly she recommended that the Committee should defer consideration of the application to allow for notice to be served on the leaseholders and for the correct certificate to be submitted.

A motion to defer the decision to allow this to be undertaken was proposed which also requested further details and revised locations for the cycle stores and confirmation from Thames Valley Police with respect to the concerns raised about the access arrangement alongside the refuse stores.

On being seconded and put to the vote the Committee agreed to defer the application for the reason given above.

The West Area Planning Committee resolved to defer the decision on this application to allow the required notices to be served, the correct certificate to be submitted and to enable the Head of Planning Services to bring the application to a future meeting with further information on the points set out above to allow the Committee to reach a decision.

Councillor Azad joined the meeting during the officer presentation and so took no part in the debate on or the decision to defer the application.

54. 19/02685/RES: Wolvercote Paper Mill , Mill Road, Wolvercote

The Committee considered an application (19/02685/RES) for approval of the reserved matters (landscaping) for the removal of 58 trees and the planting of 132 replacement trees along Home Close boundary pursuant to outline permission 13/01861/OUT.

The application was before the Committee as it constituted a significant amendment to the landscape proposals approved pursuant to the reserved matters application (18/00966/RES).

The Planning Officer presented the report and advised that since the agenda was published:

- Thames Water had confirmed that they had no objections to the application;
- The Wolvercote Commoners Committee had written with comments regarding notification of the dates of the proposed work and arrangements for “wheel-washing”. Wheel washing is dealt with under the existing conditions. Officers did not consider a condition to be necessary with regard to notifying the neighbours as they understand that the applicant proactively communicates with local residents in any event;
- A further condition to require an updated assessment of all trees for roosting bats before the trees are removed was proposed.

Paul Comerford and Vikki Roe, representing the applicant, spoke in favour of the application.

The Committee noted the reasons for the tree removal and land remediation set out in the report and agreed that this was an opportunity to improve the quality of the local landscape with the introduction of native species.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application subject to the addition of a further condition requiring a bat roost assessment report prior to tree removal.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 3 required planning conditions set out in section 12 of the report and the additional condition requiring a bat roost assessment and grant approval of the reserved matters; and
2. **agree to delegate authority** to the Head of Planning Services to:
 - consider and deal with any new material planning considerations that may be raised through public consultation up to 18 November 2019 including deciding whether it is necessary to refer the application back to the committee prior to issuing the approval;
 - 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; and
 - issue the reserved matters approval

55. 19/01456/FUL: The Eagle And Child, St Giles', Oxford, OX1 3LU

The Committee considered an application (19/01456/FUL) for planning permission for the demolition of part ground floor and first floor rear extensions. Change of use of ground floor and first floor of 50 St Giles from Cafe (Use Class A3) to Hotel reception and accommodation (Use Class C1). Conversion of upper floors at 49-51 St Giles for use as hotel accommodation (Use Class C1). Erection of single storey rear extension, formation of new entrance off Wellington Place through boundary wall, alterations to north and south boundary walls, installation of ventilation equipment to rear and alterations to fenestration (amended plans and information).

The application had been called in by Cllrs Hollingsworth, Tanner, Fry, Turner and Rowley because of concerns about the impact on the historic buildings and streetscape in St Giles, and the potential impact on trees in the adjoining street at Wellington Place.

The Planning Officer's presentation addressed the proposals set out in both the full planning application and the application for listed building consent.

In reaching its decision, the Committee considered all the information put before it and was satisfied that the application before them addressed previous concerns about the potential impact on the heritage and the environs of the site. They concluded that the proposed scheme was sensitive to the site constraints, would ensure the longevity of

the designated heritage assets and that the demolition of the miscellany of existing extensions and outbuildings was to be welcomed.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

On being put to the vote the Committee agreed the resolution as set out below.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 17 required planning conditions and 3 informatives 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:
 - 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 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.

56. 19/01457/LBC: The Eagle And Child, 49-51 St Giles', Oxford

The Committee considered an application (19/01457/LBC) for listed building consent for the demolition of part ground and first floor rear extensions and internal openings and doorways. Extension and alterations to form enlarged public house restaurant on the ground floor to the rear of 49-51 St Giles, conversion and change of use of first and second floors to form hotel bedroom accommodation above 49-51 St Giles and change of use of 50 St Giles from Café/Delicatessen to Hotel reception. New services to be installed in the basement and alterations to fenestration and signage. (amended plans and information).

The application was before the Committee because the associated full planning application had been called-in.

In reaching its decision, the Committee considered all the information put before it and was satisfied that the application before them would have a low level of less than substantial harm on the architectural and historic significance of the listed buildings,

including their settings. Whilst great weight had been given to the conservation of these designated heritage assets, it was considered that the harm had been clearly and convincingly justified by the applicant and that the level of harm was outweighed by the identified public benefits that would arise from the development which were, a reduced risk of harm through loss of important building fabric, bringing vacant spaces back into use, and increased energy efficiency of the buildings through improved construction.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

On being put to the vote the Committee agreed the resolution as set out below.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 9 required conditions set out in section 11 of the report and grant listed building consent for the works as proposed; 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
 - issue the listed building consent.

57. 19/01205/FUL: 327 Woodstock Road, Oxford, OX2 7NX

The Committee considered an application (19/01205/FUL) for planning permission for the demolition of existing dwelling. Erection of a three storey building to create 3 x 2-bed, 2 x 3-bed and 2 x 1-bed flats (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage. Creation of new dropped kerb and new vehicular access. (Amended description) (Amended plans).

The Planning Officer presented the report.

Chris Shelley, neighbour, spoke against the application.

Huw Mellor and Adrian James, representing the applicant, spoke in favour of the application.

The Committee asked questions of the officers about the details of the application with particular reference to the concerns expressed by the neighbour about the impact of the proposed development on the ground floor extension of his property. The Planning Officers confirmed that the assessment set out in the report was correct as the ground floor extension in the neighbouring property to the north was too distant to be impacted. There would be no unacceptable loss of light in the context of Policy HP14 of the Sites and Housing Plan (2013) and the 45/25 degree code set out in that policy.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to planning conditions for the matters set out in section 12 of the report and the 2 informatives set out in that section grant planning permission;
2. **delegate authority** to the Head of Planning Services to:
 - finalise the wording of the recommended conditions referred to in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary
 - issue the planning permission.

58. 19/01696/FUL: Unit 1 Toys R Us And Car Park, 219 Botley Road, Oxford, OX2 0HA

The Committee considered an application (19/01696/FUL) for planning permission for the refurbishment of existing retail unit (Class A1). Installation of new shop front; revised car parking; and associated works (Amended plans and description; Additional information).

The Planning Officer's presentation covered both the planning application for the refurbishment of the retail unit and the proposed variation to 2 conditions on the existing planning permission. He advised that since the agenda was published the landscaping details required under Condition 5 for 19/01696/FUL had been submitted and were considered acceptable.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

On being put to the vote the Committee agreed the resolution as set out below.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 10 required planning conditions and 2 informatives 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 the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

59. 19/01704/VAR: Unit 1 Toys R Us And Car Park, 219 Botley Road, Oxford, OX2 0HA

The Committee considered an application (19/01704/VAR) for planning permission for the removal of condition 8 (Servicing Hours) and 13 (Sale of Food) of planning permission 87/00762/NOY (Demolition of garage & showroom. 124,728 sq. ft of non-food retail, including garden centre of 4,200 sq. ft, with 550 car spaces & access to Botley Rd. Extension of light industrial premises by 800 sq. ft (duplicate application, revised).

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the nine required planning conditions and 1 informative 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 the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

60. 19/02089/FUL: 31 Charlbury Road, Oxford, OX2 6UU

The Committee considered an application (19/02089/FUL) for planning permission for the erection of outbuilding for use as ancillary accommodation (amended plans).

The application was called in by the Head of Planning Services following concerns made by the applicant about the determination of the application.

The Planning Officer presented the report.

Andrew Daly, neighbour, spoke against the application.

Tom Watson (Riach Architects), representing the applicant, spoke in favour of the application.

The Committee discussion included, but was not limited to, the treatment of the glazing in the gable end on the eastern elevation. The Committee questioned why the glazing had not been located in the western elevation given it faced into the applicants' property and not directly towards the neighbour so as to remove the concerns over neighbour impact. The Committee felt that this would have an unreasonable impact on the amenity of the neighbouring property (31A Charlbury Road) in terms of nuisance caused by light spill and loss of privacy to the bedroom window. Similarly the Committee was not persuaded by the arguments set out in the officer's report and

considered that the proposed development would have a harmful impact on the potential and perceived privacy of the neighbouring property.

In reaching its decision, the Committee considered all the information put before it, including the planning officer's recommendation for approval and was mindful of the permitted development rights pertaining to the application site.

After debate and on being proposed, seconded and put to the vote, the Committee agreed the resolution as set out below.

The West Area Planning Committee resolved to refuse planning application (19/02089/FUL) on the following grounds with the precise wording of the reasons for refusal being delegated to the Head of Planning Services to determine:

- 1. The glazing in the gable end facing 31a Charlbury Road would impact and create light pollution to the adjoining property contrary to policies CP10 and CP20 of the Oxford Local Plan**
- 2. The glazing in the gable end as a result of proximity to the boundary, and the adjoining property at 31a Charlbury Road would result in a loss of privacy contrary to Policy CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.**

61. Minutes

The Committee resolved to approve the minutes of the meeting held on 8 October 2019 as a true and accurate record.

62. Forthcoming applications

The Committee noted the list of forthcoming applications.

63. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.30 pm

Chair

Date: Wednesday 27 November 2019

This page is intentionally left blank