

Minutes of a meeting of the West Area Planning Committee on Tuesday 7 July 2020

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Committee members present:

Councillor Cook (Chair)

Councillor Corais

Councillor Iley-Williamson

Councillor Upton

Councillor Wade (for Councillor Harris)

Councillor Gotch (Vice-Chair)

Councillor Hollingsworth

Councillor Tidball

Councillor Azad (for Councillor Howlett)

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services

Robert Fowler, Planning Team Leader

Andrew Murdoch, Development Management Service Manager

Gill Butter, Conservation and Urban Design Officer

Sally Fleming, Planning Lawyer

Felicity Byrne, Principal Planner

Catherine Phythian, Committee and Member Services Officer

John Mitchell, Committee and Member Services Officer

Apologies:

Councillor(s) Harris and Howlett sent apologies.

Substitutes are shown above.

11. 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. He said that 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.

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. She said that 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 Wade stated that 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 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.

12. 20/00116/FUL: Fairfield, 115 Banbury Road, Oxford, OX2 6LA

The Committee considered an application (20/00116/FUL) for planning permission for the erection of 7 x three storey buildings and internal and external alterations to old Fairfield House (115 Banbury Road) to form new student bedrooms/flats, with ancillary facilities following demolition of the modern western and southern extensions to Fairfield House (115 Banbury Road). Change of use internal and external alterations and single storey extension of Garden House (to rear of 98 Woodstock Road), to form children's nursery. Part demolition of existing boundary walls; demolition of modern extension to Redcliffe-Maud House and cycle sheds. Modification to existing internal access arrangements within the site and associated car and cycle parking, footways and new pedestrian accesses to Banbury Road, and associated landscaping.

The Planning Officer presented the report and summarised the comments which had been received in the period between the publication of the report and the close of the public consultation on 4 July 2020, the majority of which re-iterated previous concerns which had been addressed in the report. Expanding on the details contained in the report and in response to recent public comments the Planning Officer made the following points:

Biodiversity: the biodiversity calculations submitted by the applicant followed the accepted DEFRA metrics. The biodiversity spreadsheet submitted by an objector used out of date methodology. Moreover the biodiversity calculator was only one of the tools with which to assess the impact of the development. The City Council ecologist had reviewed the application and was satisfied that the measures proposed would lead to an improvement in the biodiversity of the location and an overall net gain. The application was compliant with Policy G2 of the Local Plan.

Trees: 132 out of 323 trees would be removed from the site, many of which are of low quality. Some of these trees have been, or will be, removed under the conservation area consent. The tree planting and landscaping proposals provided for 78 varieties of replacement trees as well as other habitats (shrubs, ponds) which would increase the overall quality and diversity of tree planting of the site, improve the tree canopy cover in the longer term and positive enhancement of the overall landscaping of the site.

Transport and parking issues relating to the proposed nursery: the Statutory Consultees were satisfied with the proposals and had raised no objections.

Environmental Impact Assessment (EIA): The application falls within Schedule 2 of the EIA regulations, and as such, the planning officers had previously considered, pursuant to a screening opinion, whether it would be likely to have significant effects on the environment and were satisfied that the impact could be considered as part of the overall application and that it did not meet the screening thresholds for a separate EIA.

Stephen Page, Sir David Madden, Marcus Simmons and Evelyn Sanderson spoke against the application.

Andrew Grant, representing the applicant, spoke in favour of the application and Angela Unsworth, Níall McLaughlin and Tilo Guenther answered questions from the Committee.

A motion to defer the application pending the provision of further information regarding flooding in the surrounding area; safety concerns due to traffic from the nursery; overshadowing on the Fairfield Residential Home; the impact on the conservation area of the breaches in the walls; the completion of an Environmental Impact Assessment; and publication of a public report on biodiversity was proposed. The planning officers and legal adviser stated that all of these issues had been fully addressed in the officer report and presentation or would be secured by condition. Furthermore, it was confirmed that the statutory consultees had raised no objections to the proposal in relation to drainage. Consequently there were no reasonable grounds for deferral. The motion was not seconded.

The Committee discussion included, but was not limited to, the following points:

Nursery (Conditions 38, 39 and 40): the Committee expressed concern about the potential impact of the nursery drop-off / collection arrangements on the safety of the cycle route and felt that this would need to be clearly addressed in the conditions. They agreed that the Chair of the Committee should be consulted on the final wording of condition 38 that related to an Operation and Management Plan for the nursery.

Construction Environmental Management Plan (Condition 4): there were safety concerns about the proposed phase 2 traffic flow and it was agreed that it would be desirable for the applicant and planning officers to consult with ward councillors on the details submitted pursuant to this condition.

Accessible accommodation: the development would provide a total of 7 accessible accommodation units and although this was an improvement on the current situation, (no accessible accommodation units), the Committee agreed to add an informative to encourage the applicant to explore opportunities to further increase the provision of accessible accommodation.

In reaching its decision, the Committee considered all the information put before it and acknowledged the concerns raised by the objectors but were satisfied that, on balance, the potential harm would be outweighed by the public benefits provided by the development: contributing towards the provision of housing, providing student accommodation on College land thereby releasing housing to the general market, high quality architecture, a unique multi-generational community, positive enhancements to the conservation area through re-instatement of front gardens, good quality and mixed variety of replacement tree planting and removal of poor quality architecture.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application with the inclusion of an informative on the provision of accessible accommodation and the requirement that the Chair of the committee be consulted upon the final wording of Condition 38.

The West Area 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 the inclusion of an informative on the provision of accessible accommodation and grant planning permission subject to:
 - the satisfactory completion of a legal agreement or unilateral undertaking 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 subject to consulting the Chair of the Committee on the final wording of Condition 38.
- finalise the recommended legal agreement or unilateral undertaking 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 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 Services considers reasonably necessary; and
- complete the section 106 legal agreement or unilateral undertaking referred to above and issue the planning permission.

Cllr Corais joined the meeting during the consideration of this item and as such took no part in the discussion or determination of the application.

13. 20/00182/VAR: Oxford Railway Station, Park End Street, OX1 1HS

The Committee considered an application (20/00182/VAR) for planning permission for the removal of condition 7 (Time limit of 6 years from occupation) of planning permission 15/03087/VAR (Variation of condition 7 (Time limit of 3 years) of prior approval 15/00096/PA18 (Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.)) to allow the approved TOC accommodation building to remain permanently.

The application was before the Committee because the previous decision to grant planning permission for the building was approved at Committee (15/00096/PA11) and this proposal represents a significant amendment to that application.

The Planning Officer presented the report.

Lisa Bullock, representing Network Rail was present for the discussion.

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

14. Minutes

The Committee resolved to approve the minutes of the meeting held on 9 June 2020 as a true and accurate record.

15. Forthcoming applications

The Committee noted the list of forthcoming applications.

16. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 3.00 pm and ended at 5.30 pm

Chair
2020

Date: Tuesday 11 August

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.

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