

Minutes of a meeting of the West Area Planning Committee on Tuesday 11 August 2020

www.oxford.gov.uk



Committee members present:

Councillor Cook (Chair)

Councillor Corais

Councillor Iley-Williamson

Councillor Wade

Councillor Gotch (Vice-Chair)

Councillor Hollingsworth

Councillor Upton

Councillor Taylor (for Councillor Tarver)

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services

Robert Fowler, Planning Team Leader

Sally Fleming, Planning Lawyer

Catherine Phythian, Committee and Member Services Officer

Felicity Byrne, Principal Planner

Jennifer Coppock, Senior Planner

Amy Ridding, Senior Conservation Officer

Apologies:

Councillors Tarver sent apologies.

Substitutes are shown above.

17. 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 and of the Oxford Architectural and Historical 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.

19/03013/FUL: Councillor Hollingsworth stated that as Ward Councillor he had been contacted by an objector to Agenda item 6 regarding issues of planning process. He had raised the procedural matter with planning officers but had not discussed the merits of the application. He was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

20/00259/FUL: Councillor Taylor stated that she was resident in the ward but was not the Ward Councillor. She had been approached by a local resident but had not discussed the merits of the application. She was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

18. 20/00166/FUL: Rhodes House, South Parks Road, Oxford, OX1 3RG

The Committee considered an application (20/00166/FUL) for planning permission for the demolition of Lodge buildings, garden works buildings, existing hard landscaping on Ramparts and internal elements. Refurbishment, alteration and extension of existing building, including external glazing over internal courtyards, insertion of ensuite bathrooms and lifts, and extension to existing basement to provide residential, teaching and office accommodation with associated structural works. Erection of replacement Lodges and single storey garden room. Creation of underground accommodation and sunken courtyard within the grounds (east) to provide additional residential ensuite bedrooms. Erection of a single storey glazed pavilion building (with new basement) within the grounds (west) to provide additional teaching and office accommodation. Erection of new gardener's outbuildings. New landscaping of garden and Ramparts; removal and re-instatement of boundary walls; and provision of cycle parking.

The Planning Officers presented the report and gave the following verbal updates:

- Public benefits: officers have agreed with the Applicant to secure the public benefits (Public Access and Public Art Strategy) via a legal agreement and therefore condition 29 was not needed. The Legal Officer said that this legal agreement would apply to both the planning application and the application for listed building consent.
- Condition 23 Biodiversity: officers believe that improvements in the biodiversity for the location could be delivered to achieve a 5% net gain and that the condition could be re-worded accordingly.

Dr Elizabeth Kiss, representing the applicant, spoke in favour of the application.

The Committee asked questions of the officers about the details of the application.

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

- **Rotunda staircase** – it was noted that the officer report presented a clear justification for the proposed Rotunda staircase as the least harmful way to ensure the optimum viable use of the building. In view of the fact that the Rotunda has a very high level of both architectural and historic significance the Committee considered whether the decision on the detailed design of the staircase should be referred back to the committee. On balance the Committee

concluded that this should be the responsibility of Planning Officers in consultation with Historic England and that only if they could not reach agreement should the matter be brought back to the Committee (Condition 25).

- **Cycle parking** – it was noted that the Highways Authority (HA) had raised an objection to the development on the basis of the proposed amount of cycle parking, which is below the requirement in the Local Plan, and on the fact that there were no delivery areas shown which may result in deliveries occurring on street which would not be acceptable in this location. Planning Officers confirmed that this objection remained and that the options to increase the cycle parking on site were constrained by the listed status of the buildings and gardens. The Committee expressed serious reservations about this shortfall and failure to comply with the Local Plan. In response Planning Officers undertook to work with the Applicant and the Highways Authority to try to seek a balanced solution which would deliver an increase in the amount of cycle parking without compromising the listed status of the site, but stated that there was no guarantee that the final level of cycle parking would be policy compliant.

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 and with the Chair exercising his casting vote, the Committee agreed with the officer's recommendation, as amended above, 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 as amended above (inclusion of a 5% biodiversity target in condition 23 and the removal of condition 29), 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 given in the oral presentation; 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 to decide whether to refer the discharge of condition 25 to the Committee if Officers in consultation with Historic England consider this to be necessary;
 - liaise with the Applicant to seek a greater quantum of cycle parking on the site if this is considered by the Head of Planning Services to be both possible and appropriate;
 - 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 oral presentation, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the oral presentation (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.

19. 20/00167/LBC: Rhodes House, South Parks Road, Oxford, OX1 3RG

The Committee considered an application (20/00167/LBC) for planning permission for the demolition of Lodge buildings, garden works buildings, existing hard landscaping on Ramparts and internal elements. Refurbishment, alteration and extension of existing building, including external glazing over internal courtyards, insertion of ensuite bathrooms and lifts, and extension to existing basement to provide residential, teaching and office accommodation with associated structural works. Erection of replacement Lodges and single storey garden room. Creation of underground accommodation and sunken courtyard within the grounds (east) to provide additional residential en suite bedrooms. Erection of a single storey glazed pavilion building (with new basement) within the grounds (west) to provide additional teaching and office accommodation. Erection of new gardeners outbuildings. New landscaping of garden and Ramparts; removal and re-instatement of boundary walls; removal and reinstatement of front ramps; and provision of cycle parking.

The officer presentation and Committee discussion of this application for listed building consent was taken as part of the previous item.

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, as amended to include a legal agreement, 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 conditions and 2 informatives set out in section 12 of the report and grant listed building consent 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 set out in the recommended heads of terms given in the oral presentation; 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 to decide whether to refer the discharge of condition 18 to the Committee if Officers in consultation with Historic England consider this to be necessary;
 - 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 oral presentation, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the oral presentation (including to dovetail with and where appropriate, reinforce

the final conditions and informatives to be attached to the listed building consent) as the Head of Planning Services considers reasonably necessary; and

- complete the section 106 legal agreement referred to above and issue the listed building consent.

20. 20/00259/FUL: 33-37 Offices, Stockmore Street, Oxford, OX4 1JT

The Committee considered an application (20/00259/FUL) for planning permission for the demolition of plumber's merchants on Stockmore Street (Mixed Use Classes B8/B1a); Redevelopment of site between Stockmore Street and Temple Street to provide new office development (Use Class B1a); and provision of bin and cycle storage.

The Planning Officer presented the report and gave the following verbal updates:

- **Condition 11:** a Health Impact Assessment had been submitted by the applicant following the publication of the committee report and it was considered by Officers to be satisfactory and that any potential relevant impacts caused by the development would be mitigated by the conditions already recommended in relation to land quality, air quality, noise and light pollution, highway measures, drainage and renewable energy. Therefore, recommended condition 11 could be removed.
- **Condition 18:** the applicant had submitted an updated energy statement which assessed the scheme against the requirements of policy RE1 of the new Local Plan. However, the amended statement lacked clarity and sufficient detail, therefore, recommended condition no.18, requiring an updated energy statement to be submitted and approved prior to the commencement of development should remain.
- During the determination process, plans were amended to address concerns raised by the Officer and local residents including, setting the building line back along Stockmore Street so that it would align with adjoining properties, re-designing the roof fronting Stockmore Street, reducing the size of the basement and restricting the use of the terrace fronting Stockmore Street.

Neil Warner, on behalf of the applicant, spoke in favour of the application.

The Committee asked questions of the officers about the details of the application but were concerned in particular about the scale and treatment of the elevations on Stockmore Street and Temple Street and the measures proposed to mitigate the impact of the increase in height on the streetscene.

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 the resolution as set out below.

The West Area Planning Committee resolved to:

Refuse the application on the following grounds: that the design of the street elevations are not well considered and would be harsh within their surroundings and that the development would be overbearing; the precise wording of the

reason for refusal being delegated to the Head of Planning Services to determine as he considers appropriate.

21. 19/03013/FUL: 8 Hollybush Row, Oxford,OX1 1JH

The Committee considered an application (19/03013/FUL) for planning permission for the demolition of existing building; erection of a four storey building to create 5 x 2 bed flats and 2 x 1 bed flats; and provision of amenity space, bin and bicycle storage.

The Planning Officer presented the report and gave the following verbal updates:

- Officers proposed to add a new condition to limit construction hours to between 8am – 5pm on Monday to Friday
- Local Plan Policy RE1 (Sustainable Design and Construction): the applicant had submitted an energy statement which demonstrated compliance with the policy requirement
- Public Consultation: The Planning Officer referred the Committee to paragraph 9.1 of the officer report which set out that public consultation on the application had been carried out in accordance with the statutory requirements. A concern had been raised by a member of the public that some comments made in relation to the public consultation for this application were not available on the City Council's planning consultation portal and that the officer report only referred to three of the four comments. The Planning Officer confirmed that the fourth comment was received after the publication of the officer report but that all of the issues raised had been fully considered and addressed and did not alter the recommendation in the report. That same public objection also raised concerns that the building could be used for short-stay accommodation; officers raised this matter with the applicant and it was understood that the proposals were for dwellings in use Class C3 and not for short-term lets. No other additional comments were sent by objectors directly to officers. Copies of all four public consultation responses that were sent to officers had been circulated to the Committee in advance of the meeting.
- Castle Mews Freeholder: The Planning Officer said that earlier that afternoon he had received an email, forwarded by a member of the West Area Planning Committee, from the freeholder of Castle Mews flats. This email was not sent to Planning Officers but only to members of the Committee. The comments made by the freeholder endorsed the comments which had been already received and considered by officers as part of the application. Planning Officers were satisfied that all the points raised in objection had been addressed and that the late objections raised did not alter the officer recommendation set out in the report.

Ms Malcomson (representing local residents) and Ms Wooley (representing the Oxfordshire Architectural and Historical Society) spoke against the application.

Neil Warner, on behalf of the applicant, spoke in favour of the application.

The Committee asked questions of the officers about the details of the application.

In discussion the Committee noted the following points:

- the application was a resubmission of the scheme approved under planning consent 16/03189/FUL and differed from the approved application only in that it sought to remove the planning obligation for affordable housing contributions

which were previously required in accordance with Sites and Housing Plan Policy HP4.

- the 'fallback position' attributed by previous planning permissions was a material planning consideration in the determination of the new application.

The Committee noted the challenge made by one of the objectors concerning the accuracy of the measurements of the distance between the proposed buildings and the existing buildings at Castle Mews and asked Planning Officers to clarify the position. The Planning Officer referred the Committee to a site plan in the presentation and confirmed that the measurements on the application plans were as stated in paragraphs 10.46 – 10.52 of the officer report. Officers were satisfied that due to the siting of the proposed building in relation to the Castle Mews development, i.e. to the north, and the sun path, the proposal was unlikely to significantly impact on the amount of sunlight available for the Castle Mews blocks or external space.

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, as amended above, 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 and two informatives set out in section 12 of the report and as amended above to include a further condition on construction hours; 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.

22. 20/01587/FUL: Car Park To The Rear Of Littlemead Business Park, Ferry Hinksey Road, Oxford, OX2 0ES

The Committee considered an application (20/01587/FUL) for planning permission for the demolition of existing buildings and erection of two storey building to provide office space (Use Class B1a); and provision of amenity space, car parking and bin and cycle stores with associated landscaping. The Planning Officer presented the report and advised the Committee that the Council's flood mitigation officer had raised concerns about the level of information provided with the application indicating that, notwithstanding the previous grant of planning permission on the site, a new Flood Risk Assessment (FRA) would be required prior to granting planning permission. As a result, planning officers were now recommending that the West Area Planning Committee delegate authority to the Head of Planning Services to either:

- approve the application subject to the submission of a revised FRA and this being found acceptable by the Council's flood mitigation officer prior to a decision being issued; or
- refuse the application if no FRA is forthcoming or the FRA that is submitted is considered to be unsatisfactory.

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

The West Area Planning Committee resolved to:

1. **Delegate authority** to approve the application to the Head of Planning Services subject to the submission of a revised Flood Risk Assessment (FRA) which is acceptable to the Council's flood mitigation officer and to the required planning conditions set out in section 12 (with condition 9 being amended to require a new flood risk assessment) and grant planning permission OR if a revised FRA is not submitted or is deemed unsatisfactory that authority to refuse the application be delegated to the Head of Planning Services for reasons he considers appropriate; and

2. **If the application is to be approved to delegate authority** to the Head of Planning Services to:

- Finalise the recommended conditions as set out in this report (with condition 9 being amended as indicated above) including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

23. Minutes

The Committee resolved to approve the minutes of the meeting held on 7 July 2020 as a true and accurate record.

24. Forthcoming applications

The Committee noted the list of forthcoming applications.

25. Dates of future meetings

The Committee noted the dates of future meetings and agreed that the meeting on 8 September 2020 would be held via Zoom starting at 3pm.

The Chair said that he would consult members of the Committee and officers on alternative start times for subsequent meetings.

The meeting started at 3.00 pm and ended at 5.20 pm

Chair

Date: Tuesday 8 September 2020