

## Remote meeting

### Minutes of a meeting of the East Area Planning Committee on Wednesday 7 April 2021

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#### **Committee members present:**

Councillor Taylor (Chair)

Councillor Tanner (Vice-Chair)

Councillor Altaf-Khan

Councillor Chapman

Councillor Clarkson

Councillor Lloyd-Shogbesan

Councillor Simm

Councillor Roz Smith

#### **Officers present for all or part of the meeting:**

Adrian Arnold, Head of Planning Services

Andrew Murdoch, Development Management Service Manager

Hayley Jeffery, Development Management Team Leader

Clare Gray, Principal Planner

Mike Kemp, Principal Planning Officer

Amy Ridding, Principal Heritage Officer

Sally Fleming, Planning Lawyer

Catherine Phythian, Committee and Member Services Officer

#### **Apologies:**

No apologies were received.

#### **62. Declarations of interest**

**20/00688/LBC and 18/03405/FUL:** Cllr Taylor stated that as ward councillor she had been involved in discussions within the community regarding these applications and did not feel that she could approach the items with an open mind. Consequently she would leave the meeting and take no part in the determination of the applications.

**21/00216/FUL:** Cllr Chapman stated that he was the ward councillor but that he had taken no part in any community discussions regarding the application 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.

**21/00216/FUL:** Cllr R Smith stated the application site was in her County Councillor division but she had taken no part in any community discussions regarding the application 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.

The Chair proposed a change to the order of the published agenda: item 6 (20/02672/FUL: SAE Institute) would be the third application to be considered.

Councillor Taylor left the meeting.

Councillor Tanner, the Vice-Chair, took the chair.

### **63. 20/00688/LBC: Holy Family Church, 1 Cuddesdon Way, Oxford, OX4 6JH**

The Committee considered an application (20/00688/LBC) for the demolition of The Church of the Holy Family in association with erection of replacement Church, 21 residential units, and community facilities.

The Planning Officers gave a joint presentation which addressed the reports for both the listed building consent application and the full planning application.

Reverend Heather Carter (applicant) spoke in support of the application and answered questions from the Committee. Hugo Llewelyn (agent) and Richard Peats (Historic England) were also present and answered questions from the Committee.

In reaching its decision, the Committee considered all the information put before it and noted the officer's conclusions that, although the demolition of the grade II listed church would result in the total loss of a designated heritage asset, there was a clear and convincing justification for this loss. This being that the repair or renewal of the roof would be considered unfeasible due to the inability to rule out failures in the original roof design which would lead to longer term future maintenance issues. Furthermore, the replacement of the roof with an alternative structure would cause substantial harm to the listed building, which together with the limitations of the building to meet the functional requirements of the church and its wider community, would result in an unviable heritage asset. It was therefore considered that the substantial public benefits associated with the linked planning application would outweigh the substantial harm caused by the loss of the listed building.

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

#### **The East Area Planning Committee resolved to:**

1. **approve the application**, subject to the concurrence of the Secretary of State and subject to the prior completion of an agreement made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations which were referred to in the report and subject also to the required listed building conditions set out in section 12 of the report and **delegate authority** to the Head of Planning Services to:
  - refer the application to the Secretary of State and, subject to him not directing refusal of the application;
  - 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;

- finalise the recommended legal agreement 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 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: or
2. **delegate authority** to the Head of Planning Services to refuse listed building consent should the Secretary of State recommend that the application be refused for such reasons as the Head of Planning Services considers reasonably necessary.

#### **64. 18/03405/FUL: Holy Family Church , 1 Cuddesdon Way, Oxford, OX4 6JH**

The Committee considered an application (18/03405/FUL) for the redevelopment of existing Church to provide new Church building, community facilities and 21 residential units (10 x 1 bed and 10 x 2 bed flats, and 1 x 4 bed house).

The Planning Officers gave a joint presentation which addressed the reports for both the listed building consent application and the full planning application.

The Planning Officer referred the Committee to the contents of the corrigendum (published on 6 April 2021), specifically:

- a policy update regarding the principle of the development;
- the Local Lead Flood Authority (LLFA) had confirmed that they had no objection to the application, and considered the application complied with policy RE4 of the Local Plan in that regard

The Planning Officer also reported a correction to the revised recommendation set out in the corrigendum: the bullet point shown at Recommendation (2) should be moved to form the final bullet point at Recommendation (1).

Reverend Heather Carter (applicant) spoke in support of the application and answered questions from the Committee. Hugo Llewelyn (agent) and Richard Peats (Historic England) were also present and answered questions from the Committee.

In reaching its decision, the Committee considered all the information put before it. The Committee considered that redevelopment of the church, with the provision of a new church, community café, meeting hall, incubator units and residential units was acceptable in respect of the overarching sustainable development objectives and policies of the Local Plan.

The Committee considered that the total loss of the Listed Building was justified and the provision of public benefits comprising the reinstatement of an ecumenical church; the provision of new community facilities; and the addition of 20 new homes, outweighed the substantial harm and total loss of the grade II listed church. The Committee considered the replacement church and community facilities would deliver a high

quality civic building and that the residential building would be acceptable within the heart of the District Centre.

The Committee considered the impacts of the development on the community in respect of amenity/noise; transport; flooding and drainage; biodiversity; trees; green infrastructure and energy efficiency. Further, whilst an initial Health Impact Assessment had been received, a further more detailed Health Impact Assessment was required and receipt of satisfactory comments were awaited.

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

**The East Area Planning Committee resolved to:**

2. **approve the application** subject to the concurrence of the Secretary of State, and subject to the satisfactory receipt of a further Health Impact Assessment and subject to the prior completion of an agreement made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations which were referred to in the report and subject also to the required planning conditions set out in section 12 of the report and **delegate authority** to the Head of Planning Services to:

- refer the application to the Secretary of State and, subject to him not directing refusal of the application:
- 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 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 referred to above and issue the planning permission; and
- decide whether to refer the application back to Committee if the satisfactory receipt of a revised Health Impact Assessment hasn't been received, or,

2. **delegate authority** to the Head of Planning Services to refuse planning permission should the Secretary of State recommend that the application be refused for such reasons as the Head of Planning Services considers reasonably necessary.

Councillor Taylor re-joined the meeting and took the chair at the end of this item.

**65. 20/02672/FUL: SAE Institute Oxford, Littlemore Park, Armstrong Road, Oxford, OX4 4FY**

The Committee considered this application next.

The Committee considered an application (20/02672/FUL) for the erection of two 2-storey buildings to provide 3,500 sqm (GIA) of flexible commercial floorspace (Use Class E) with associated car and cycle parking; hard and soft landscaping and public realm works; ancillary structures including refuse stores, substation building and vehicular access via existing entrance from Armstrong Road.

The Planning Officer presented the report and advised the Committee that:

- Paragraph 9.3 should read: Oxfordshire County Council (Flooding) **No** objection.
- Paragraph 10.59: Officers had confirmed that the BREEAM Pre-assessment rating was Excellent.

Tom Hesp (applicant) and Ben Peirson (agent) spoke in support of the application and answered questions from the Committee.

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 East 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; 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 were 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;
  - 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 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 referred to above and issue the planning permission.

**66. 21/00216/FUL: 5-7, Jack Straw's Lane, Oxford, OX3 0DL**

The Committee considered an application (21/00216/FUL) for the proposed demolition of existing light industrial buildings; zero-emission housing comprising the erection of 4 pairs of semi-detached dwellings, providing 4no 3-bed and 4no 4-bed dwellings along

with private gardens; and an upgrade to existing vehicular access onto Jack Straw's Lane.

The Planning Officer presented the report and advised the Committee that there were no objections to the proposed design of the houses, however, the reasons for refusal were detailed in the report. Firstly this related to the failure to make optimum and efficient use of a site for housing, which also resulted in the delivery of no affordable homes on the site on a site where provision of affordable housing could be achieved. Secondly the proposed development would not be car free and the site was situated within an area where only car free development could be supported.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application for the reasons given in the report.

**The East Area Planning Committee resolved to:**

**Refuse planning permission** for the reasons given in the report and **delegate authority** to the Head of Planning Services to finalise the recommended reasons for refusing the application as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The reasons for refusal were:

1. The development would include the provision of on-site parking for residential uses in a location whereby only car free development would be considered permissible in line with the Council's parking standards outlined in Appendix 7.3 of the Oxford Local Plan 2016-2036 and therefore fails to prioritise sustainable modes of travel contrary to Policies M1 and M3 of the Oxford Local Plan 2016-2036 and the provisions of the NPPF, in particular Paragraph 110.
2. The proposed layout and development form fails to make an optimum and efficient use of a site, which offers capacity to provide higher density development comprising a greater number of dwellings thereby ensuring the delivery of on-site affordable housing. The development would be contrary to Policies RE2 and H2 of the Oxford Local Plan 2016-2036 and Paragraphs 117, 122 and 123 of the NPPF.

## **67. 20/03072/FUL: 16 Lytton Road Oxford OX4 3PB**

The Committee considered an application (20/03072/FUL) for the erection of a part single part two storey rear extension and alteration to one door to front elevation.

The Planning Officer presented the report.

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 East 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.

## **68. Minutes**

The Committee resolved to approve the minutes of the meeting held on 3 March 2021 as a true and accurate record.

## **69. Forthcoming applications**

The Committee noted the list of forthcoming applications.

## **70. Dates of future meetings**

The Committee noted that this was the last meeting of the East Area Planning Committee. After Annual Council on 19 May 2021 the two area planning committees would be replaced by the Oxford City Planning Committee.

**The meeting started at 3.00 pm and ended at 5.00 pm**

**Chair .....**

**Date:**

*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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