

Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 15 June 2021

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Committee members present:

Councillor Cook (Chair)	Councillor Chapman (Vice-Chair)
Councillor Abrishami	Councillor Diggins
Councillor Fouweather	Councillor Hollingsworth
Councillor Hunt	Councillor Pegg
Councillor Rehman	Councillor Smowton (for Councillor Altaf-Khan)
Councillor Upton	

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services
Felicity Byrne, Principal Planner
Sarah Chesshyre, Senior Planner
Sally Fleming, Planning Lawyer
Robert Fowler, Planning Team Leader

Apologies:

Councillor Altaf-Khan sent apologies.

9. Declarations of interest

General

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 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.

Cllr Snowton stated that he was a member of the campaigning group Oxford YIMBY, but was not aware that the group had taken any stances on these applications and he was approaching the applications with an open mind.

21/00317/FUL

Councillor Diggins stated that her place of work was close to the site but she did not consider it to be close enough to be impacted by the application, she had not made her mind up on the matter and approached it with an open mind.

Councillor Hollingsworth stated that he rented an office in a building on Transport Way mentioned in the report but he did not consider it to be close enough to be impacted by the application, he had not made his mind up on the matter and approached it with an open mind.

21/01092/FUL

Councillor Hollingsworth stated that he had given general advice to the applicants on the process, and had called the application in to committee but he had expressed no view on the application and had not made his mind up on the matter and approached it with an open mind.

10. 21/00317/FUL: WIC House, Transport Way, Oxford, OX4 6LT

The Committee considered an application (21/00317/FUL) for planning permission for the demolition of existing buildings; erection of a replacement building (part 2 and part 3 storey) to accommodate office and laboratory space including landscaping, stores and car and bicycle parking at WIC House, Transport Way, Oxford, OX4 6LT.

The Planning Officer presented the report.

She reported that discussions were ongoing with the Highways Authority over whether a S278 agreement to secure funding for Watlington Road bus stops was required.

She recommended an amendment to the recommendation to include that any approval of the application would also be subject to the prior completion of an agreement under section 278 of the Highways Act 1980 if deemed necessary by the Highways Authority.

Richard Crossman, representing the applicant, spoke in support of the application.

Members of the Committee asked questions of the officers about the details of the application,

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 orally at the meeting and detailed above.

The Oxford City Planning Committee resolved to:

1. **approve application 21/00317/FUL** for the reasons given in the report subject to
 - the required planning conditions set out in section 12 of the report;
 - the informatives set out in section 13 of this report; and
 - subject to the completion of an agreement under section 278 of the Highways Act 1980 in respect of the highway works referred to in the report if deemed necessary by the Highways Authority;

and **grant planning permission** subject also to:

- the prior completion of an agreement or unilateral undertaking made pursuant to S106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations which are referred to 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 agreement or unilateral undertaking 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
 - issue the planning permission following the completion of the section 106 agreement or Unilateral Undertaking referred to above and if deemed necessary, the completion of a section 278 agreement.

11. 16/03006/FUL: Templars Square, Between Towns Road, Oxford

The Committee considered an application (16/03006/FUL) for planning permission for a mixed use phased development comprising residential (Use Class C3), hotel (Use Class C1), retail (Use Class A1/A3/A4) with associated car parking, demolition of car park, high level walkway and public house, public realm improvements, landscaping, highways and refurbishment of car parks and enhancement to shopping centre entrances (amended information) (amended plans) at Templars Square, Between Towns Road, Oxford.

The Planning Officer presented the report.

She outlined the reasons for the delay in issuing the decision notice granting planning permission. She referred to the recent implementation of the controlled parking zone giving rise to a new material planning consideration, specifically relating to the approved car parking in Site A, triggering the need for Committee to re-confirm the decision to approve the development

She reported receipt of comments from Natural England plus 22 further comments after the agenda publication, and summarised these.

She proposed an additional condition: *Prior to use, machinery, plant or equipment and any extract/ ventilation system and ducting at the development shall be mounted with*

proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such. (Reason: To safeguard the amenities of existing and future occupiers of properties from vibration in accordance with policies DH1, RE7 and RE8 of the Oxford Local Plan 2036)

Jamie Whitfield, representing the applicant, spoke in support of the application and outlined the constraints and benefits of the scheme.

Cllr Andrew Gant, in his capacity as trustee of Ark T, requested assurance that conditions included in the 2017 East Area Planning Committee decision, securing suitable parking arrangements (for example parking permits) for ArkT and the John Bunyan Baptist Church would be included in this decision, and asked that the construction management plan should take account of activities taking place which would be adversely impacted by noise and disturbance and that the two organisations were involved in the detail of the management plan.

The Planning Officer confirmed that Condition 48 Car Parks Management Regime (agreed previously) secured suitable parking arrangements and Condition 7 covered the construction management plan.

Members of the Committee asked questions of the officers about the details of the application, and expressed disappointment with the delays in issuing permission. 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, including the additional condition above, and noting this is subject to concluding the necessary S278 agreement between the applicant and the County Council as Highways Authority.

The Oxford City Planning Committee resolved to:

1. **re-confirm the resolution to grant planning permission for application 16/03006/FUL** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and a further condition controlling vibration from plant and mechanical ventilation 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 the report; and
 - the completion of an agreement under section 278 of the Highways Act 1980 in respect of the highway works referred to 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 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 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

- following completion of the section 106 legal agreement referred to above and the section 278 agreement, issue the planning permission.

12. 21/01092/FUL: 69 Great Clarendon Street, Oxford, OX2 6AU

The Committee considered an application (21/01092/FUL) for planning permission for the formation of one rear dormer in association with a loft extension and insertion of one rooflight to rear elevation at 69 Great Clarendon Street, Oxford, OX2 6AU

The application had been “called in” due to concerns about the scale, size and type of development and its compatibility with the Jericho conservation area.

The Planning Officer presented the report and responded to materials circulated by the applicant to committee members and the planning office.

Clifford Sofield, the applicant, spoke in support of the application.

Members of the Committee asked questions of the officers about the details of the application and considered in detail the impact on the dormer window on the specific part of the conservation area in which the dormer was located. They considered the nature of the conservation area; the characteristics to be protected under that designation; and the character of buildings and roofscapes across the area.

The Planning Officer outlined the tests leading to the recommendation that this proposal would constitute a moderate level of less-than-substantial harm, with no public benefit, and would therefore represent unacceptable development that would harm the special character or appearance and thereby the significance of the heritage asset, the Jericho Conservation Area. This being a finely balanced argument, the Committee were recommended to consider and weigh carefully the proposal and its impact on the conservation area.

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

Notwithstanding the officer’s recommendation of refusal, a motion to approve the application, delegating the granting of planning permission with appropriate conditions to the Head of Planning Services, was proposed and seconded.

The reasons given for proposing approval were:

- comparing this application to the recently approved similar scheme in a different but not dissimilar street (Mount Street) in the conservation area it can be concluded that as with that application, this proposal does not *cause harm*, and with no harm and no public benefit, the NPPF comes out with a different conclusion: that the proposals would be acceptable in terms of their impact.
- it is accepted that in making planning decisions two different bodies may come to different conclusions on the merits of a planning application, and this decision is taken by a different body (committee) to the body which refused the previously submitted identical scheme (taken under delegated powers).
- appropriate conditions should be attached and the setting of these delegated to officers.

After being put to the vote, the Committee agreed the proposed motion.

The Oxford City Planning Committee resolved to:

- **approve application 21/01092/FUL**, and
- **delegate authority to** the Head of Planning Services to grant planning permission with appropriate conditions.

13. Minutes

The Committee resolved to approve the minutes of the meeting held on 26 May 2021 as a true and accurate record.

14. Forthcoming applications

The Committee noted the list of forthcoming applications.

15. Dates of future meetings

The Committee noted the dates and times of future meetings.

The meeting started at 6.00 pm and ended at 8.00 pm

Chair

Date: Tuesday 13 July 2021

When decisions take effect:

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

Details are in the Council's Constitution.