

Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 10 August 2021

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Committee members present:

Councillor Cook (Chair)	Councillor Abrishami
Councillor Diggins	Councillor Fouweather
Councillor Hollingsworth	Councillor Pegg
Councillor Rehman	Councillor Mundy (for Councillor Hunt)
Councillor Coyne (for Councillor Chapman)	Councillor Fry (for Councillor Upton)
Councillor Roz Smith (for Councillor Altaf-Khan)	

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services
Robert Fowler, Development Management Team Leader (West)
Mike Kemp, Principal Planning Officer
Tim Hunter, Planning Officer
Louise Greene, Planning Lawyer
Catherine Phythian, Committee and Member Services Officer

Apologies:

Councillor(s) Chapman, Altaf-Khan, Hunt and Upton sent apologies.
Substitutes are shown above.

22. 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 Abrishami stated that she was employed by the NHS and based at the Warneford Hospital which was adjacent to the application site and that she had no knowledge of, and had taken no part in, any discussions or decision making by her employer 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.

23. 21/01053/RES: Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout, Northern By-Pass Road, Wolvercote, Oxford, OX2 8JR

The Committee considered an application (21/01053/RES) for reserved matters approval for earthworks, attenuation ponds, substations, services and areas of permanent and temporary landscaping (18/02065/OUTFUL).

The Planning Officer presented the report and informed the Committee of one change to the recommendations published in the report and agenda:

- 1.1.2: Remove “*Defer*” and replace with “*Delegate*”

Rob Linnell, agent spoke in favour of the application and Paul Knight was available to answer technical questions from the Committee.

In response to questions from the Committee the Planning Officer confirmed that the landscaping proposals for the Canalside Park would be the subject of a future reserved matters application and the desirability of including native species, such as blackthorn, could be addressed at that time. The applicant’s agent said that the gradient of that area had been designed to ensure that it would be fully accessible for pedestrian and cycle access.

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 Oxford City 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 the approval of details pursuant to the following conditions relating to planning application 18/02065/OUTFUL, as submitted under application reference 18/02065/CND, to the Head of Planning Services separately from this application:**
 - Conditions 4a and 32 – Construction Traffic Management Plan (CTMP) relating to the earthworks and construction of the link road.
 - Condition 20a and 48 – Construction Environmental Management Plan (CEMP) relating to the construction of the link road and the works comprised as part of this application.
 - Condition 40 – Soil resource plan relating to the works comprised as part of this application.
 - Condition 44 – Surface water drainage scheme relating to the construction of the link road and the works comprised as part of this application.
 - Condition 56 – Phase 3 risk assessment for contamination relating to the construction of the link road and the works comprised as part of this application.

3. **Agree to 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 informatives to be attached to the planning permission as the Head of Planning Services considers reasonably necessary and;
- Approve the reserved matters application; and
- Defer the approval of details of required by condition under application 18/02065/CND.

24. 21/01495/FUL: 65 Owens Way, Oxford, OX4 2GG

The Committee considered an application (21/01495/FUL) for planning permission for the formation of 1no rear dormer in association with a loft conversion and insertion of 3no rooflights 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 Oxford City 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;
2. **agree to 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.

25. 19/02816/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire

The Committee considered an application (19/02816/FUL) for planning permission for the demolition of existing garage and erection of 1 x 4-bed dwelling and 1 x 5-bed dwelling (Use Class C3); provision of amenity space, car parking and bin and cycle stores; associated landscaping and boundary treatments (amended plans).

The application was previously considered at West Area Planning Committee on 9 February 2021 where the Committee resolved to grant planning permission subject to a legal agreement. The application was brought back to committee as the applicant has not provided an acceptable legal agreement or undertaking, and has not provided a costs undertaking in respect of the Council's legal costs associated with the said agreement or undertaking. .

The Planning Officer presented the report and apologised for the fact that an incorrect version of Appendix 2 (Report to the West Area Planning Committee 9 February 2021)

had been included in the agenda. This Appendix was for reference only and a correct version had been circulated to the Committee in advance of the meeting.

The Committee noted that the application had previously been presented to the West Area Planning Committee in February 2021 with a recommendation to grant planning permission on the basis that the applicant would enter into a legal agreement with the Council which would preclude them from implementing both the extant permission and the permission associated with these proposals. However, following discussions with the Council planning and legal officers the applicant had subsequently failed to provide an acceptable unilateral undertaking or legal agreement and the associated legal costs undertaking.

In reaching its decision, the Committee considered all the information put before it and noted that their decision would supersede the previous decision taken in February 2021.

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

The Oxford City Planning Committee resolved to:

1. **refuse the application** for the reason given in paragraph 1.1.2 of the report and set out below and to delegate authority to the Head of Planning Services to:
 - finalise the reason for refusal including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The recommended reason for refusal is as follows:

The application site is already subject to an extant permission for the erection of a single dwellinghouse (19/02817/FUL), which, if implemented, would be located to the rear of the site. The two dwellings proposed as part of this application would be located to the front of the site and therefore the implementation of this permission would mean that it would not be impossible to implement permission 19/02817/FUL. Therefore, although the proposed development would be acceptable if implemented on its own, the Council has no way to prevent all three dwellings associated with the planning permissions 19/02816/FUL and 19/02817/FUL; the implementation of both permissions would give rise to an unacceptable arrangement on the site which would include an adverse impact on residential amenity and an overdevelopment of the site and failing to accord with Policies RE1, DH1, H14 and H16 of the Oxford Local Plan 2036 or paragraph 127 of the NPPF. The applicant has refused to enter a legal agreement where they agree to only implement one permission and therefore this application must be refused.

26. Minutes

The Committee resolved to approve the minutes of the meeting held on Tuesday 13 July as a true and accurate record.

27. Forthcoming applications

The Committee noted the list of forthcoming applications.

The Planning Officer confirmed that the newly adopted Neighbourhood Plan would form part of the consideration for application 21/00672/FUL: 4 Bladon Close, Oxford, OX2 8AD.

28. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 6.50 pm

Chair

Date: Tuesday 7 September 2021

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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