

Minutes of a meeting of the PLANNING REVIEW COMMITTEE on Monday 16 December 2019

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Committee members:

Councillor Fry (Chair)	Councillor Munkonge (Vice-Chair)
Councillor Azad	Councillor Altaf-Khan
Councillor Curran	Councillor Lygo
Councillor Linda Smith	Councillor Roz Smith (for Councillor Goddard)
Councillor Taylor (for Councillor McManners)	

Officers:

Adrian Arnold, Head of Planning Services
Anita Bradley, Monitoring Officer
Gill Butter, Conservation and Urban Design Officer
Andrew Murdoch, Development Management Service Manager
Nadia Robinson, Principal Planning Officer
Jennifer Thompson, Committee and Members Services Officer

Also present:

Stephen Ashworth, Dentons, Legal Adviser
Hannah Battye, Oxfordshire County Council
Oliver Eden, Oxfordshire County Council
Nigel Simkin, JLL viability adviser

Apologies:

Councillors Goddard and McManners sent apologies. Substitutes are noted above.

Councillor Goddard had made representations on the application and so was not able to take part in the deliberations on this matter.

5. Declarations of Interest

Councillors Altaf Khan and Roz Smith stated that although they were signatories to the call-in of this application they were 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.

6. Election of Vice-Chair

Councillor Munkonge was elected as Vice-Chair of the committee for the remainder of the municipal year.

7. 18/02065/OUTFUL: Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout, Northern By-Pass Road, Wolvercote, Oxford, OX2 8JR

The Committee considered a hybrid planning application for the site at Oxford North (Northern Gateway) Land Adjacent to A44, A40, A34 and Wolvercote Roundabout, Northern By-Pass Road comprising:

- (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 m² (GIA) of employment space (Use Class B1), up to 550 m² (GIA) of community space (Use Class D1), up to 2,500 m² (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site;
- (ii) Full application for part of Phase 1A comprising 15,850 m² (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received)

The Planning Officer introduced the report. She reminded the Committee that the application had been debated at the West Area Planning Committee meetings on 24 September and on 27 November 2019.

The application was unusual in that it was a hybrid application. Approval would be in full for the detailed element and for the principle of development and access to the outline part of the site. If approved, detailed proposals for parts of the site would come forward as reserved matters applications in the usual way. Northern Gateway was allocated as a strategic employment-led site in the Core Strategy. The Northern Gateway Area Action Plan (AAP) was subsequently developed and adopted by the Council in 2015. The AAP sets out the vision and policies for the area to support this strategic site coming forward.

In her presentation of the application the Planning Officer reported updates following publication of the agenda:

- Receipt of a joint comment from the Wolvercote Neighbourhood Forum and the Wolvercote Commoners explaining their opposition to the current planning application (circulated to councillors and the planning case officer by the Forum's Chair);

- The draft minutes of the 27 November 2019 West Area Planning Committee were included in Appendix 12. The final minutes are published on the website;
- She reminded the committee that Appendix 7 (the report to West Area Planning Committee on 24 September) included minor factual corrections which did not impact the recommendations.
- She noted that the application included three of the viewpoints in the Council's View Cones Study but that the development was not visible or barely visible in these viewpoints.

County Councillor Paul Buckley, Bob Colenutt (local resident, and Ben Saward (Merton College student and associate at St John's associate) spoke against the application

David Jackson (Savills) and Andrew Parker (St John's College) spoke in favour of the application. Other representatives of the applicant were present to answer questions.

The Committee sought clarification and/or confirmation about a number of matters from officers and other representatives at the table and covered many of the points included in the minutes of the West Area Planning Committee meeting of 27 November.

Matters discussed included but were not limited to the following:

- the design and use of the link road through the site in particular in relation to cycle and heavy goods vehicle movements;
- the impacts on the A40/A44/A34 around the site as a result of both the development and junction and road improvements;
- the approach taken to calculate the viability, a reasonable profit margin for this development, and the percentage and tenure mix of the required affordable housing.

The Committee confirmed with officers that:

- Applications dealing with reserved matters would come before the appropriate Planning Committee, in accordance with the Council's agreed procedures;
- Granting of permission and completing the S106 agreement would secure 35% affordable housing provision for the development as set out in the report, and this would not be reduced during negotiations;
- The review mechanism only permitted the contribution of 35% affordable housing to increase: there was no mechanism to decrease this.

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

The Planning Review Committee resolved to:

- 1. approve the application** for the reasons given in the report and subject to the required planning conditions set out in **appendix 3** 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 are set out in **appendices 4** and **10** of the report;
 - the agreement of appropriate arrangements with Oxfordshire County Council and the applicant about the use of Community Infrastructure Levy payments; and

- 2. agree to delegate authority to the Head of Planning Services to:**
 - finalise the recommended conditions as set out in **appendix 3** of 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 **appendices 4** and **10** of 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;
 - complete the Section 106 legal agreement referred to above; and
 - issue the planning permission.

8. Minutes

The Committee resolved to approve the minutes of the meeting of 28 November 2019 as a true and correct record.

9. Date of Future Meetings

The Committee noted that future meetings are scheduled at 6.00pm on

2020

30 January	12 March
26 February	9 April

Meetings will be cancelled if not required, or may be rearranged.

The meeting started at 6.00 pm and ended at 7.30 pm

Chair

Date: