

# Minutes

of a meeting of the

## Planning Committee

held on Wednesday, 3 December 2014 at

6.30 pm

in the Abbey Hall, The Guildhall, Abingdon



**Open to the public, including the press**

### Present:

Members: Councillors Robert Sharp (Chairman), Sandy Lovatt (Vice-Chairman), Anthony Hayward, Bill Jones, Sue Marchant, Jerry Patterson, Janet Shelley, Catherine Webber, Richard Webber, John Woodford, John Amys (In place of Roger Cox), Jenny Hannaby (In place of Bob Johnston) and Mike Badcock (In place of Margaret Turner)

Officers: Steven Corrigan, Adrian Duffield, Susan Harbour, Ian Price and Stuart Walker

Also present: Councillor Debby Hallett, Councillor Dudley Hoddinott and Councillor Judy Roberts. Two representatives from Oxfordshire County Council Highways Department.

Number of members of the public: 350 (approximately)

### PI.50 CHAIRMAN'S ANNOUNCEMENTS

The chairman explained the format of the meeting and the fact that the meeting would be recorded by the media, in accordance with the legislation.

### PI.51 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

As recorded above.

### PI.52 DECLARATIONS OF PECUNIARY INTERESTS AND OTHER DECLARATIONS

There were no declarations.

### PI.53 URGENT BUSINESS

There was no urgent business.

## **PI.54 STATEMENTS AND PETITIONS FROM THE PUBLIC ON PLANNING APPLICATIONS**

The public speakers to this item, spoke after the application had been presented and are recorded with the minute for that item.

## **PI.55 STATEMENTS, PETITIONS AND QUESTIONS FROM THE PUBLIC ON OTHER MATTERS**

None.

## **PI.56 P13/V2733/FUL - BOTLEY DISTRICT CENTRE, WEST WAY, BOTLEY**

The application before the committee was for the demolition of a mix of existing buildings and the erection of mixed use development comprising retail, restaurants and cafes, offices/business starter units, hotel, student accommodation and ancillary facilities, 50 apartments, library, place of worship (Baptist Church), community hall, crèche, cinema, gymnasium, covered car parking and access, public square, landscaping and associated works, supported by an Environmental Impact Assessment, amended plans and further information.

The officer introduced this item, showing plans, aerial views, designs, elevations and artists' impressions of the proposed site.

The following updates applied:

- 16 additional letters of objection were received from local residents reiterating concerns outlined in the report.
- A letter of objection was received from the tenant of West Way House, stating they will lose the ability to convert the building to 14 flats.
- Four additional letters of support were received, together with a further 50 representations via the applicant's website supporting the application.
- A letter of support was received from the owners of Elms Court who state the building is at the end of its useful life and without regeneration the building is likely to deteriorate further.
- Sovereign Housing had now withdrawn its objection, subject to a planning condition on phasing to ensure the impact on their residents is kept to a minimum.
- A letter of receipt was received from Botley Baptist Church.
- Members of the committee had also received a variety of representations

The committee was reminded of the relevant core polices, the National Planning Policy Framework and the "presumption in favour of sustainable development", with its three dimensions: economic, social and environmental.

The proposed development would bring a "step change" from the existing local character of the area, but possible harm would be mitigated by the application design. There would be a limited impact on the wider Oxford skyline.

Elms parade is a non-designated heritage asset and its loss would be compensated by the advantages of the scheme.

Highways:

Oxfordshire County Council considers that there would be an adverse effect on the local road network, but that it is not severe in the light of the NPPF. The highways department also has serious concerns regarding car parking overspill onto the surrounding streets. The student accommodation is to be car free and a restrictive covenant will be in place with penalties attached for breach.

### **Public Speakers**

Vale of White Horse District Councillor Dudley Hoddinott spoke, in accordance with standing order 17 of the constitution. He objected to the development and his concerns included the following:

- Scale and massing.
- Environmental impact.
- The 49 material conditions attached to the recommendation in order to make the development work.
- The tallest building would be ten metres higher than existing buildings.
- It was out of character with the existing area.
- Implications for road safety.

Vale of White Horse District Councillor Judy Roberts spoke, in accordance with standing order 17 of the constitution. She objected to the development and her concerns included the following:

- Unacceptable traffic and environmental problems
- Harm to function, character and appearance of the area
- 10000 residents will be affected
- Massing and over-dominance
- Traffic increase
- Unacceptable risk of overspill parking
- Will necessitate the use of Compulsory Purchase Orders

Representatives of North Hinksey Parish Council, Andrew Pritchard and David Kay spoke objecting to the application; they raised the following issues:

- West Way Botley does require investment, but not on the scale put forward in this application as it would have a negative impact on the area
- West Way Botley is a local service centre and not a district centre
- Car parking and access were not adequately mitigated
- The proposed student accommodation would be excessive
- The parish council considered that the changes proposed by the applicant to the scheme were positive but that it still objective to the overall scheme.
- The design was not of high enough quality or of an inclusive design
- The parish council raised concerns regarding the integrity and robustness of the data used in relation the transport report
- They also raised concerns about the retail survey which they considered used insignificant numbers of people and was not demographically representative.

Oxfordshire County Councillor Janet Godden spoke objecting to the application as she considered that it had been imposed onto the community against their will.

Nicola Blackwood MP, spoke objecting to the application. She raised the following concerns:

- There was widespread local opposition to the application; this was backed up by her own local survey.
- Scale, density and height.
- What was being proposed would be a destination development, not a local service centre.
- Flooding risk.
- Traffic.
- Uncertainty for vulnerable Field House Residents.
- Possible negative impact on independent retailers.

Riki Theriviel, a sustainability consultant, spoke objecting the application on grounds of its inappropriate scale, traffic issues and noise. She did not consider the application to be socially, economically or environmentally sustainable.

The below also registered to speak in objection to the application. Their objections were broadly the same as those listed above, but the record of the detailed nature of their objections was destroyed in the fire at the councils' offices. Two of the speakers were unable to speak as they ran out of time.

- Dr Caroline Potter - West Way Community Concern.
- Huw Mellor - on behalf of The Midcounties Co-operative.
- Dr John Deech - resident and on behalf of Baroness Deech of Cumnor
- Peter Twemlow - on behalf of Elms Parade Trustees.
- The Revd Clare Sykes - Anglican parish of North Hinksey with Botley.
- Jane Baldwin - Oxford Preservation Trust.
- Anthony Barnett – resident.
- Dr Kathryn Davies - West Way Community Concern.
- Layla Moran - Parliamentary spokesperson.

The following people spoke in favour of the application. They explained how the application was compliant with policy, and in the best interests of developing and rejuvenating the local area. They presented their case to mitigate the objections raised above. Unfortunately, the detailed records were destroyed.

- Tony Wyatt - +Plus UD.
- Del Tester – Transport Consultant.
- Ken Mannering – Resident.
- Adam Rankin – Resident.
- David Grover – Mace.
- Simon Hillcox – Doric.

Ward member Eric Batts spoke supporting the application.

Ward member Debby Hallet spoke objecting to the application.

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The committee discussed this application at length: raising the issues which are outlined below in its decision.

The recommendation in the officer's report was as follows:

To grant planning permission, subject to the following

1: Referral to National Casework Unit.

2: A section 106 Agreement to deliver the infrastructure package under the following broad headings (more details in appendix 14):

- i. Highways and transportation
- ii. Community infrastructure
- iii. Green infrastructure
- iv. Local economic development support
- v. Phasing
- vi. Delivery / monitoring costs

3. Conditions

The committee voted unanimously to reject this proposal

**The committee proposed and seconded a motion to refuse the application**, as submitted, on the following grounds:

In the opinion of the local planning authority, the proposed development is not considered a sustainable development as it would result in a visually harmful and unneighbourly scheme, which is not compatible with or sympathetic to the character of the surrounding residential area by reason of the size, bulk, scale, height and massing of the proposed buildings. Furthermore the proposed development would adversely impact on views into and out of Oxford City by reason of its size, bulk, scale, height and massing. As such the proposal is contrary to policies DC1, DC9, NE8 and S1 of the adopted Vale of White Horse Local Plan 2011 and to core policies 11, 28, 32, 37 and 44 of the emerging Local Plan 2031 Part 1 and to advice contained in the National Planning Policy Framework.

The proposed development would be harmful to highway safety and operation due to its associated traffic generation, and inadequate on site parking. In the opinion of the local planning authority, the local highway network cannot accommodate the additional vehicles without causing safety, congestion and environmental problems. As such, the proposal is contrary to Policies S1, DC5 and TR5 of the adopted Vale of White Horse Local Plan 2011 and to core policies 11, 28, 33 and 37 of the emerging Local Plan 2031 Part 1 and to advice contained in National Planning Policy Framework.

The proposed development would result in the loss of open market housing and older person's supported accommodation, which would have an impact on the local authority's supply of deliverable housing land. Therefore the proposal is contrary to advice contained in National Planning Policy Framework, which seeks to boost the supply of housing.

Without the secured financial contributions to mitigate the impacts of the proposed development, the proposal would result in a detrimental impact on existing services and social infrastructure. Thus, the proposal is contrary to Policy DC8 of the adopted Vale of

White Horse Local Plan 2011 and core policy 7 of the emerging Local Plan 2031 Part 1 and advice contained in the National Planning Policy Framework.

**The committee voted unanimously to accept this proposal.**

**Therefore, the application was not granted.**

The meeting closed at 10.15 pm