

**Planning Committee**  
**Wednesday 15 June 2016**

**Addendum Report**

## Item 8 – P16/V0246/FUL – Botley Centre, West Way, Botley ,Oxford

### Consultation Updates

#### Highway England

No objection.

#### Environmental Health Protection Team

Clarification on details for servicing & delivery times

*I have thought about the hours of deliveries further and consider that the best way to prevent disturbance to residents from deliveries to the site would be that no deliveries are made to and collections made from the site between the hours of 22:00 and 07:00 each day of the week. And that a scheme for the management and use of the service areas should be submitted and approved by the LPA. I would envisage that this could be covered by suitably worded planning conditions.*

#### Oxford Preservation Trust

Maintain an objection to the amended plans and consider the reductions in height do not go anyway near far enough to addressing the negative impact on the Oxford skyline and views.

#### Local residents

A further 11 letters of objection have been received raising issues covered in the original committee report.

#### Nicola Blackwood MP

A letter has been received from the MP and is **attached** at appendix 1 of this addendum.

#### West Way Community Concern

A further letter has been received raising various issues on the content of the original report. The full letter is **attached** at appendix 2 of this addendum. Your officers' response is set out below.

*Issue: apparent bias in the presentation of comments.*

WWCC consider the officer report is selective in the comments presented and allege it is therefore presenting an unbalanced comment which may limit the planning committee member's ability to make an informed and objective assessment.

#### Officer response

The report provides a summary of responses received and draws attention at paragraph 4.1 that all responses are available to view online.

The report draws attention to the overall objectives for the Botley SPD in paragraph 6.4 and highlights the key development principles.

The design panel's full comments are appended to the original report.

In response to non-compliance with all of the SPD principles, the SPD is guidance that offers a framework for development to support the emerging policy.

Overall, officers consider planning committee members have sufficient information to make an informed and objective assessment on the proposal.

*Issue: Economic benefits*

The economic benefits which would result from this development are not fully articulated in your report... There will be a lower level of economic activity than would be from the existing uses (mixed retail and offices)... The impact on existing businesses will be significant.

Officer response

This is considered to be addressed in the original report at paragraph 7.11.

*Issue: weight given to draft local plan*

The Inspector has now released his interim report on the draft Local Plan 2031 and ask whether the Inspector's report has any bearing on the comments made in the original report

Officer response

The inspector's report is interim guidance and therefore holds limited weight for the consideration of this application.

*Issue: retail impact*

The data used within this section are erroneous. The figures in 7.15 appear to have been drawn from different and incompatible sources, and the figure for additional retail floor space is derived from taking a difference between GEA and NIA figures.

Officer response

The 5,000sqm floor space figure in paragraph 2.3 is gross external area and includes the floor space of Elms Parade and storage areas.

The floor space figures in paragraph 7.15 are net internal areas.

*Issue: Referring back to the previous application*

Officer response

The previous application is a material consideration.

## **Report clarifications**

### *Paragraph 3.12*

The proposed parking across the site is as follows:

Lower deck – 100 (8 accessible)

Upper deck – 94 (0 accessible)

Block A – 34 (2 accessible)

Block D – 2 (2 accessible)

Elms parade / block E – 58 (2 accessible)

Block F – 33 (2 accessible)

Total: 321 (16 accessible)

### *Appendix 4*

West Way Community Concern have confirmed there is a typo in paragraph 2 of their Introduction

The line which reads: *.....meeting on 11<sup>th</sup> March 2016 (ca. 00 attendees) and comments received via email and personal communications*, should read.....meeting on 11<sup>th</sup> March 2016 (ca. 200 attendees) and comments received via email and personal communications.

## **Report Update**

### **Affordable Housing**

The applicant's agent has written to confirm agreement to a financial contribution of £2 million in lieu of providing any affordable housing on site.

By accepting a commuted sum, there will no longer be any starter homes on site and all 140 residential units will be general market properties.

The proposed £2 million commuted sum payment, equates to 13 affordable units (9% provision as opposed to 49 units at 35%). This is based on the property prices provided by the developer and will provide 11 rented units and two shared ownership units.

As the commuted sum will provide less than the policy requirement, officers consider an overage clause is required to capture any significant uplift in sales values / profits from that stated in the viability report.

The applicant has confirmed they do not accept such a clause is necessary or justified as the scheme is currently unviable and will be delivered over a relatively short period.

Notwithstanding, your officers consider, should committee recommend the application for approval, an overage clause is included in the S106 agreement to aid further delivery of affordable housing should the financial situation improve.

## Contributions

The applicant has confirmed acceptance of the S106 Contributions requested in the original report and states:

*We accept that these contributions meet the tests set out in the Act in that they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.*