

Minutes

of a meeting of the

Planning Committee

held on Wednesday, 15 June 2016 at 6.30

pm

in the The Ridgeway, The Beacon, Portway,
Wantage, OX12 9BY



Open to the public, including the press

Present:

Members: Councillors Robert Sharp (Chairman), Mike Badcock (in place of Eric Batts), Jenny Hannaby, Anthony Hayward, Bob Johnston, Monica Lovatt (in place of Roger Cox), Chris McCarthy, Ben Mabbett (in place of Stuart Davenport), Chris Palmer (in place of Sandy Lovatt), Janet Shelley, and Catherine Webber

Officers: David Buckle, Steve Culliford, Adrian Duffield, Susan Harbour, Suzanne Malcolm, Ian Price, Stuart Walker, Josh Webley-Smith, Tim Williams, and Hanna Zembrzycka-Kisiel

Also present: Councillor Gervase Duffield, Councillor Emily Smith, Councillor Dudley Hoddinott, Councillor Matthew Barber, Councillor Debby Hallett and Councillor Judy Roberts

Number of members of the public: 85

PI.30 Chairman's announcements

The chairman welcomed everyone to the meeting, outlined the procedure to be followed, and advised on emergency evacuation arrangements.

PI.31 Notification of substitutes and apologies for absence

Councillors Eric Batts, Roger Cox, Stuart Davenport and Sandy Lovatt had all sent their apologies for absence. Councillors Mike Badcock, Monica Lovatt, Ben Mabbett and Chris Palmer respectively attended as their substitutes.

PI.32 Declarations of pecuniary interests and other declarations

Councillor Bob Johnston reported that he was a member of St Peter and Paul Church in North Hinksey but had not discussed the Botley Centre application with the church.

PI.33 Urgent business

None

PI.34 Statements and petitions from the public on planning applications

The chairman referred to the list of speakers tabled at the meeting; 18 members of the public had registered to speak.

PI.35 Statements, petitions and questions from the public on other matters

None

PI.36 Materials

None

PI.37 P16/V0246/FUL - Botley Centre, West Way, North Hinksey

The officer presented the report and addendum on application P16/V0246/FUL for the demolition and redevelopment of the existing shopping centre and adjacent buildings (excluding Elms Parade) for new retail development (Use Classes A1-A5) at ground floor level, with development above comprising 140 residential units (C3), a 123-bedroom hotel (C1), and 261 units of academic residential accommodation for university staff and students (sui generis), a new community building (incorporating library) and replacement Baptist Church (D1), small flexible office space (B1), associated car parking and landscaping, and altered vehicular accesses from West Way, Westminster Way and Arthray Road (as amended by drawings and information accompanying agents letter dated 10 May 2016) at Botley Centre, West Way, North Hinksey.

Consultations, representations, policy and guidance and the site's planning history were detailed in the officer's report which formed part of the agenda pack for this meeting.

A further 11 letters of objection had been received raising matters covered in the officer's report, together with letters sent directly to the committee members. A letter from the local Member of Parliament and a further letter from West Way Community Concern were appended to the addendum. The officer also reported that Highways England had not raised any objection to this application, and that the applicant had agreed to provide a commuted sum of £2 million to provide affordable housing elsewhere in the district, in lieu of providing affordable housing on the site. An overage clause was also required to capture any significant uplift in sales values or profits from that stated in the viability report.

Councillor Dudley Hoddinott, a local member for the neighbouring Cumnor ward, spoke objecting to the application. His concerns included the following:

- The size, bulk, scale and mass of the proposed development were unacceptable
- The square would not provide an attractive place to meet
- The local facilities would not be improved and there would be much less choice
- The proposed development did not satisfy the policies, objectives and requirements of the Local Plan and the Botley Centre Supplementary Planning Document

Councillor Judy Roberts, a local member for the neighbouring Cumnor ward, spoke objecting to the application. Her concerns included the following:

- The scale and mass of the proposed development were too large for this site
- The six storey building would overshadow neighbouring property and the tall buildings and narrow pedestrian shopping street would act as a wind tunnel
- Noise from the A34 would affect residents
- Not all car parking spaces were designated and the number of spaces would be inadequate
- There would be no environmental improvement and the cycle path was no longer included in the section 106 agreement

Andrew Pritchard, representing North Hinksey Parish Council, welcomed the opportunity to co-ordinate development and re-vitalise the site and thanked the developer for discussing the application with the parish council. He hoped that the parish council's concerns could be resolved as follows:

- The developer should use the charter for growth used in Cambridgeshire that had proved to be an effective way to engage stakeholders in large developments
- The development should be re-designed to move some blocks and reduce the height, mass and overshadowing
- The quality and functionality of the public open space was important and he hoped it could be used effectively
- The mature trees should be retained
- There should be car park occupancy indicators to prevent unnecessary circulation of traffic searching for a parking space on the site
- Section 106 monies should be used to create additional controlled parking in the vicinity to protect local residents
- There should be improved, covered cycle parking on site for residents, shoppers and those cycling to work
- There should be designated cycle routes through the site
- Affordable housing provided though the commuted sum should be for North Hinksey residents

Seven members of the public had registered to speak in objection to this application. The chairman offered the public speakers against the application a total of fifteen minutes between them. The public speakers in support of the application were also offered fifteen minutes between them.

County Councillor Janet Godden spoke objecting to the application, her concerns included the following:

- The proposed development was too large for the community, was gross overdevelopment of the site and was not needed
- It was inappropriate in a residential area

Anthony Barnet spoke in objection to the application on behalf of his neighbour Kathryn Davies:

- The proper planning process had not been observed and the council had not followed its own policies
- The development brief had been written to allow this development but did not comply with neither the existing nor the emerging local plan
- This would be overdevelopment of the site

Martin Dowie, a trustee of the Seacourt Hall Management Committee, spoke in objection to the application, his concerns included:

- The proposed community hall did not meet local needs; there should be more meeting rooms, a small office, and dedicated rooms for young people
- What would the rent of the community hall be and were there any additional management charges?

Mary Gill, on behalf of West Way Community Concern, spoke in objection to the application:

- The developer's proposals did not meet West Way Community Concern's aspirations for the site
- The development proposed shared space with delivery vehicles would not work
- The design of the proposed buildings lacked character
- The proposed development should enhance, not spoil, the area
- She urged the committee to refuse the application

Dr Caroline Potter spoke in objection to the application on behalf of West Way Community Centre:

- The proposed development was in some ways better than the previous application as some elements had been removed, including Elms Parade
- However, over 400 people believed the proposed development was not good enough and the amount and mix of services did not meet local needs
- There was more residential and hotel accommodation in this proposal than in the previous application, with a 25 per cent increase in floorspace and a 500 per cent increase on the existing floorspace, representing overdevelopment of the site
- This was a residential led development, rather than retail led, yet it was without sufficient infrastructure
- There would be overshadowing of the pedestrian areas
- She believed that people would shop elsewhere
- She urged the committee to reject this application and work with the local community to produce an acceptable development

Soichiro Watanabe spoke in objection to the application:

- He believed that Botley was not a town, it was a peaceful place
- The height of the proposed buildings was frightening
- He urged the committee to reject the application

Dr John Deech spoke in objection to the application:

- He was dismayed by this application
- The reasons for refusal of the last application on this item were equally as good and should be used to refuse this application
- It would be visually harmful and too large

Huw Griffiths, the development director, spoke in favour of the application:

- The new scheme had been led by the wide public consultation and all stakeholders' comments had been considered
- As a result, Elms Parade and other buildings had been retained
- The proposed development provided a safer route to school, a food store and more retail space in a more useable area, 140 new homes, no cinema, 54 rooms for students or academics, and more parking

- The varying heights of the buildings were inspired by Botley and followed the design parameters in the supplementary planning document
- 91 per cent of the local public had not objected to the application and 84 per cent of the survey respondents to the Oxford Mail wanted this development
- There were highway improvements, additional funds for schools, more homes and money for affordable housing off-site
- This would provide a safe and attractive place to grow up, live in, work and shop
- Oxford Brookes University had confirmed that this would be an appropriate place for student accommodation

The Reverend Kaylan Das of Botley Baptist Church spoke in favour of the application:

- It was time for Botley to move into the 21st Century
- The scheme had been subject to wide consultation and the silent majority wanted this
- It would become the focal point for amenities and community space
- The church was well catered for
- He urged the committee to approve the application

David Kay spoke in favour of the application, on behalf of the Seacourt Hall Management Committee:

- The management committee agreed to the developer's plans late in 2015 and was satisfied that the community building met the hall's needs and improved on its current facilities
- The management committee looked forward to discussing the management structure and fixtures and fittings with the developer

Adam Rankin spoke in favour of the application:

- He believed that the current centre was old, dilapidated and in need of an uplift
- The student accommodation would add to the local economy
- The stepped heights of the buildings was part of the design
- This development would provide appropriate modern facilities

Stewart Moore of CRM Students Limited spoke in favour of the application:

- His company was the largest provider of student accommodation in the country and he believed that this scheme would provide high quality and popular student accommodation
- There would be tenancy agreements controlling the number of cars
- Students would integrate into the community

Richard Holmes of spoke on behalf of the Co-op in favour of the application:

- This scheme would provide a smaller store but one that would meet local needs and would support other shops
- There would be a temporary store during the construction phase

Neil Rowley, David McFarlane, Del Tester and Cara Bamford had all registered to speak in favour of the application but were unable to do so as the fifteen minutes allotted to supporters had expired.

Ward councillor Emily Smith spoke in objection to the application.

- The proposed development was inappropriate and too large for this site

- It was too high and did not comply with the planning policy guidance limit of five storeys
- The buildings proposed were too large and would cause overshadowing
- The pedestrian street was too narrow, and would be a dark, uninviting space
- This was no longer a retail-led development, focussing too much on residential accommodation, yet it provided no affordable housing on site
- Was the scheme financially robust?
- The car parking was insufficient
- This was not a sustainable development and should be refused

Ward councillor Debby Hallett spoke in objection to the application:

- The proposed development secured a capital receipt for the council, supported the developer's need for profit, but did not meet the needs of the local community
- The redevelopment of this site needed to help the local community thrive but the current application did not
- It was dated one week after the supplementary planning document was approved by Cabinet, and was later amended one week after the Design Review Panel's comments had been submitted
- The car parking would be insufficient for the competing uses of the site and spaces had not been allocated for these uses
- The supplementary planning document had specifically required adequate parking on site
- The local plan policy required 40 per cent of the housing stock to be affordable housing but none would be provided on site, nor would there be any starter homes
- The lack of affordable housing on site made the scheme unviable
- The commuted sum to provide affordable housing elsewhere was disappointing; where would these affordable homes be?
- The local Member of Parliament, Nicola Blackwood, had called for the affordable housing viability statement to be made available; Councillor Hallett agreed and asked that it was made public
- She questioned why the hotel, the student accommodation, and the library facilities were at the upper end of what would be needed in Oxford and were likely to require similar returns, but she reminded the committee that this application was in Botley, not Oxford
- The proposal did not make economic sense and would provide only one food store and twenty shops, not thirty
- She was worried about the impact this development would have on her community

Planning officer response:

- The shadows study had been conducted at different times of the day and months of the year, showing that the sun shone on the pedestrian shopping street in the afternoons, more so in summer
- There had been a decrease in the number of shopping units but an increase in shop floorspace to meet the changing demands in the retail industry
- There had been no cycle parking objection from the county council
- The number of car parking spaces on site was sufficient
- The housing needs team was content with the commuted sum to provide affordable housing elsewhere
- The officer had taken a balanced view of the application in terms of the supplementary planning document and the National Planning Policy Framework, and on balance had concluded that the application was acceptable

The committee debated this application:

- Some committee members believed that the application represented inappropriate development for Botley, there would be air quality issues and noise disturbance, and the proposed buildings were too large, too bulky and too high
- Other councillors considered that the application was an improvement on the previous submission refused in December 2014
- The parish council had not objected but had made several suggestions for further improvement
- There were no objections from statutory consultees
- The tallest buildings were at the eastern end of the site nearest the elevated A34
- The applicant had agreed to pay the council a commuted sum to provide affordable housing off-site, allowing the scheme to be viable
- The commuted sum could not be used to provide affordable housing for people only from North Hinksey
- There were competing demands for car parking spaces but these would not all be at the same and could provide more efficient use of parking spaces
- There should be visible indicators of car park occupancy to avoid unnecessary circulation of traffic searching for a parking space on the site
- The overage clause should be included to claw back excess profit
- Swapping the building heights to allow for less overshadowing of the pedestrian shopping street would have an adverse impact on Elms Parade
- There will always be shadows but the afternoon sun would light the pedestrian shopping street
- Although the application showed just one food store on site, other units could be used as food stores
- The Seacourt Hall and Baptist Church were happy with the application
- Officers were asked to check the design of the hotel overhanging the car park to ensure structural stability

A motion, moved and seconded to delegate authority to approve the application was declared carried on being put to the vote, with additional conditions regarding (1) the routing of construction traffic via the A420 and A34, and not via Cumnor Hill, Westminster Way or Eynsham Road, and (2) the maintenance of electric vehicle charging points.

RESOLVED (8 votes in favour, 3 against)

to delegate authority to grant planning permission for application P16/V0246/FUL to the head of planning subject to:

- 1: Highways England confirming no objection;
- 2: Referral to National Casework Unit;
- 3: A section 106 agreement to deliver the infrastructure package under the following broad headings:
 - (i) Highways and transportation
 - (ii) Community infrastructure
 - (iii) Phasing
 - (iv) Student management
 - (v) Car park management
 - (vi) Servicing and delivery management

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- (vii) Commuted sum of £2 million to provide affordable housing
- (viii) Overage clause
- (ix) Delivery and monitoring

4: The following key conditions (others may be added or removed):

1. Time limit
2. Approved drawings and documents.
3. Development carried out in line with the mitigation measures in the Environmental Impact Assessment.
4. Schedule and sample of the materials to be used in the proposed development, including sample panels erected on site.
5. Building detailing and construction details.
6. Shop fronts and fascia details.
7. Hard and soft landscaping scheme for the site.
8. Landscaping scheme for roof gardens and green roofs.
9. Landscape operational management plan to be maintained for 25 years.
10. Boundary treatments.
11. Slab levels.
12. Construction Environmental Management Plan.
13. Hours of construction.
14. Scheme of acoustic insulation.
15. Fixed mechanical plant.
16. Service areas delivery times.
17. Service and delivery management plan.
18. Waste management plan.
19. Details of all external plant and machinery.
20. Details of external lighting.
21. Details of kitchen extract systems to be used on A3, A4 and A5 use premises including noise and odour control.
22. Advert and signage strategy to be submitted and approved.
23. Details of lift overshoots to buildings.
24. Site security management plan.
25. Details of CCTV cameras and automatic number plate recognition to be submitted and approved, including their locations, swept areas covered and design.
26. Archaeological written scheme of investigation submission.
27. Archaeological written scheme of investigation implementation, monitoring and reporting.
28. Site access details.
29. Vision splays.
30. Car parking laid out in accordance with approved drawings.
31. Cycle parking details.
32. Framework travel plan to be agreed prior to occupation.
33. Details of West Way bus stop improvements.
34. Details of Westminster Way bus stop improvements.
35. Details of West Way service access.
36. Drainage details (foul and surface water).
37. Sustainable drainage scheme.
38. Development carried out in line with Flood Risk Assessment.
39. Contaminated land investigation.
40. Employment and Skills Plan.

41. Construction traffic management plan to use the A420 and A34, not Cumnor Hill, Westminster Way or Eynsham Road.
42. Maintenance of electric vehicle charging points.

The meeting closed at 9.15 pm