

# Minutes

of a meeting of the

## Planning Committee



held on Wednesday, 15 December  
2021 at 6.00 pm in First Floor  
Meeting Space, 135 Eastern Avenue,  
Milton Park, OX14 4SB

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

### **Present in the meeting room:**

Councillors: David Bretherton (Chair), Peter Dragonetti (Vice-Chair), Ken Arlett, Ian Bearder, Victoria Haval, Elizabeth Gillespie, Lorraine Hillier, Axel Macdonald, Jo Robb, Ian Snowdon and Alan Thompson

Officers: Paul Bateman and Paula Fox

### **Remote attendance:**

Councillors: Sam Casey-Rerhaye, Caroline Newton and Andrea Powell

Officers: Emma Bowerman, Michael Flowers, Amanda Rendell, Susie Royse, Cathie Scotting, Nicola Smith and Tom Wyatt

## **39 Chair's announcements**

The chair welcomed everyone to the meeting, outlined the procedure to be followed in a hybrid broadcast meeting and advised on emergency evacuation arrangements.

## **40 Minutes of previous meetings**

**RESOLVED:** to approve the minutes of the meetings held on Wednesday 22 September and Wednesday 13 October 2021 as a correct record and agree that the Chair sign these as such.

## **41 Declarations of interest**

There were no declarations of interest.

## **42 Urgent business**

There was no urgent business.

## **43 Proposals for site visits**

A motion, moved and seconded, to defer planning permission in respect of application P21/S0047/FUL, Grove Farm, Patemore Lane, Pishill, to enable a site visit to take place was declared carried on being put to the vote. The committee had concerns regarding the effect upon neighbouring properties. The committee considered that a site visit was necessary, in order to have a clearer understanding of the concerns of local residents in the context of the site and its surroundings.

**RESOLVED:** to hold a site visit for application P21/S0047/FUL and defer the consideration of the application until the visit had been completed.

#### **44 Public participation**

The list showing members of the public who had registered to speak was tabled at the meeting. Statements which had been submitted had been sent to the committee some days prior to the meeting.

#### **45 P20/S3245/FUL - Harlesford Farm near Tetsworth**

Councillor Ian Snowdon arrived after the commencement of the presentation and discussion of this application and stood down from voting on the application.

The committee considered planning application P20/S3245/FUL for the construction and operation of a solar photovoltaic farm and associated infrastructure, including inverters, substation compound, security cameras, fencing, access tracks and landscaping, as clarified by information received 26 October 2020, 11 November 2020, 1 February 2021 and 18 November 2021 and amended by drawings received 21 December 2020 and 9 February 2021 at Harlesford Farm, near Tetsworth.

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 the meeting.

The planning officer reported that the application was for a solar farm on a 78 ha. site, situated 850m. from the M40 motorway. The application proposed the construction and operation of a solar photovoltaic farm and associated infrastructure. The panels would generate up to 49.99 megawatts (MW), enough to power approximately 15,000 homes. Also, the site did not fall within any areas of special designation. There was a separation of around 4.5km to the edge of the Chilterns Area of Outstanding Natural Beauty (AONB). On reviewing the initial submission, the council's landscape officer had raised concerns that the proposals would have an unacceptable adverse effect on the application site's character and visual amenity, and that this would adversely affect the wider landscape. Following these comments, the applicant had amended the plans to reduce the landscape impact of the proposals.

The planning officer reported that the conservation officer had considered that the proposed development would represent less than substantial harm to Harlesford Farmhouse, a grade II the listed building and which was outside of the application site. The committee were shown a slide of the indicative layout of the site, depicting the public rights of way crossing the site. Of note was the Oxfordshire Way, a long-distance public right of way, which crossed the eastern edge of the site but which would not be affected by the proposals. A slide was also displayed, indicating the pre-

existing pylons and cables, along with low key overhead lines. A plan showing the application site in zoned areas was displayed; the zones defined where certain infrastructure would be located, with some flexibility in terms of the layout within each zone. The planning officer reported that since the publication of the agenda, all the panels in zone 14 had been removed, thereby reducing the overall impact of the proposed development. It was intended that planting around the substation would mitigate the development's impact and there would also be a screen along the Oxfordshire Way, to obscure the development from it. Additional planting would also feature along the M40 motorway and the Haseley Brook. The amendments to the original proposals also included the addition of a new hedgerow and tree planting around the proposed substation, and hedgerow planting along the access track leading to Stoke Talmage Road. The north east of the site would also have a new hedgerow planted. The existing hedgerows on the site would effectively screen much of the development. Owing to the site's topography, only parts of the development would be viewed at any one time.

The planning officer advised the committee of the value of considering the application in the context of the surrounding area and the cumulative effect of any impact; a slide was displayed showing the site, along with other similar proposals which had received planning permission, or which were pending. On 13 October 2021 the committee had given permission for the construction of a solar photovoltaic farm on land to the north west of Stoke Talmage (planning application P20/S3244/FUL). At its closest point this site was around 400m to the west of the application site.

The committee recalled that the UK Government had committed to meeting a legally binding target of net-zero carbon emissions by 2050. The council had also declared a climate emergency, with a target to be a carbon neutral district by 2030. The proposed solar farm would help to meet national and local objectives for reducing carbon emissions and reducing reliance on fossil fuels.

The committee noted that the South Oxfordshire Local Plan 2035 did not identify suitable areas or specific sites for renewable or low carbon energy projects. Tetsworth Neighbourhood Development Plan also did not allocate any sites for this type of development.

The planning officer concluded by stating that in considering this application, it was a matter of the committee considering the application on its merits and balancing the benefits of the proposal against the acknowledged small level of harm which would result. The site would generate renewable energy, contribute towards reducing carbon emissions, restore landscape structure, create habitat, and increase biodiversity.

Mr. James Hartley-Bond, the architect, spoke in support of the application. A statement by Mr. Hartley-Bond, had been sent to the committee by the democratic services officer prior to the meeting.

Mrs. Sheila Stoakes, the applicant, spoke in support of the application.

Councillor Caroline Newton, the local ward councillor, spoke objecting to the application.

The committee considered that all factors being considered, including the fact that this was a temporary permission, which would return the land to agricultural use after 40 years by planning condition, and also that impact would be minimal and mitigated,

coupled with the benefit that the development would assist in meeting national and local targets of limiting carbon emissions, it was considered to constitute acceptable development.

A motion moved and seconded, to grant planning permission was declared carried on being put to the vote.

**RESOLVED:** to grant planning permission for application P20/S3245/FUL, subject to the following conditions;

**Time limits and approved plans**

1. Commencement within three years.
2. Development in accordance with approved plans.
3. Temporary permission for a period of 40 years.

**Pre-commencement conditions**

4. Submission of final details of layout, design, and scale of equipment to be submitted for approval.
5. Details of hard and soft landscaping to be submitted for approval.
6. Landscape and Ecological Management Plan to be submitted for approval.
7. Tree protection to be submitted for approval.
8. Construction Environmental Management Plan for Biodiversity to be submitted for approval.
9. Biodiversity Enhancement Plan to be submitted for approval.
10. Scheme for provision and management of buffer zone to watercourse to be submitted for approval.
11. Full archaeological field evaluation to be submitted for approval.
12. Archaeological Written Scheme of Investigation to be submitted for approval.
13. Programme of archaeological mitigation to be submitted for approval.
14. Construction Traffic Management Plan to be submitted for approval (including wheel washing facilities).
15. Sustainable drainage scheme to be submitted for approval.

**Compliance conditions**

16. Development to be carried out in accordance with the council's great crested newt licencing scheme.
17. Great crested newt mitigation to be provided.
18. Development to be carried out in accordance with Flood Risk Assessment.
19. No lighting to be installed.

20. Removal of panels if not used continuously for the production of energy for a period of six months.

#### **End of development condition**

21. Decommissioning Method Statement to be submitted for approval and decommissioning to be carried out within 6 months of the expiry of the 40-year planning permission and land returned to agricultural use.

## **46 P20/S4360/FUL - Land to south west of Cowley Substation, Nuneham Courtenay**

The committee considered planning application P20/S4360/FUL for the installation of renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements on land to south west of Cowley Substation, Nuneham Courtenay.

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 the meeting.

The planning officer reported that the report contained an error in listing Councillor Elizabeth Gillespie as one of the local ward members, but this was not the case. The planning officer also reported that this application was wholly located within the Oxford Green Belt, and for this reason would require referral to the secretary of state in the event of planning permission being granted. The planning officer advised the committee of the revised recommendation, which was read out to the meeting. The wording was "to grant planning permission subject to: (i) Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009; and (ii) Subject to the application not being called-in by the Secretary of State for determination, grant planning permission subject to conditions".

The planning officer reported that the site was located to the south of the Oxford Science Park and to the north of Nuneham Courtenay village. The site comprised six arable fields which were of agricultural quality, ranging from very high quality to moderate quality. Most of the land surrounding the site was also in agricultural use. The proposed development would involve taking arable land out of intensive agricultural production and replanting the land with grassland for grazing sheep during the operational phase. It was intended that the permission would last for a period of 35 years. The application had been updated on several occasions during the planning application process, with additional information submitted in relation to heritage, ecology, landscape and archaeology. The application plans were also revised, to increase the buffers to the public footpaths and to remove panels from field 6 due to its status as grade 2 agricultural land. Also, across the whole proposal, a large proportion of land would be retained for agricultural purposes and would help preserve the habitat of nesting skylarks. The area would benefit from a proposed skylark mitigation area.

The planning officer also advised the committee that the proposal would employ relatively new tracking technology, which was described by the applicant as highly efficient, where the panels, aligned on a north-south row, would track the movement of the sun throughout that course of the day. The environmental health officer had confirmed that no discernible noise would emanate from this installation. It was estimated that the proposed development would generate 45 megawatts of renewable electricity, which was estimated to be sufficient power for 11,700 dwellings.

The committee was advised that the site was crossed by two public rights of way, one of which formed part of the Oxford Green Belt Way. The committee were shown a plan, which was an extract of the ordnance survey map, depicting the footpaths. The county archaeologist had agreed that an area be identified as archaeological mitigation to preserve the archaeological interest on the site, and had made recommendations to the council regarding the proposed planning conditions. The committee was also shown a number of slides depicting the site from several directions, which demonstrated its topography and likely visual impact of the proposed development.

The committee noted paragraphs 6.13. and 6.14 of the report regarding 'Green Belt - very special circumstances'. The planning officer reported that council officers had attached significant weight to the fact that the development was inappropriate development in the Green Belt. Further weight was attached to the harm caused by the development to the openness of the landscape, owing to the presence of structures on land that was currently agricultural and free from obstruction. Due to the size and nature of the development, officers considered that the proposal was inappropriate. National and local policy was clear, that for this application to be successful, there must exist very special circumstances to justify the use of Green Belt land for such a proposal. The committee also noted paragraphs 6.13 to 6.15, which stated that in order to outweigh the harm to the openness of the Green Belt, there must be very special circumstances for allowing the proposal. Paragraphs 6.71 to 6.73 concluded by listing the detailed justifications for such a departure, a principal reason being that significant weight would be attributed to the need to provide additional energy from renewable sources and the considerable wider environmental benefits associated with increased production from renewable sources. Other reasons included good screening, limited harm and duration, visual impact mitigated by planting and net gain in biodiversity.

Councillor Stephen Dance, a representative of Baldons Parish Council, spoke objecting to the application. A statement by Baldons Parish Council had been sent to the committee by the democratic services officer prior to the meeting.

Ms. Debbie Dance, a representative of Oxford Preservation Trust, spoke objecting to the application. A statement by the Oxford Preservation Trust had been sent to the committee by the democratic services officer prior to the meeting.

Mr. Simon Wheeler, the agent, spoke in support of the application. In response to a question from the committee regarding the apparent relative low electricity yield of this site, compared with sites of a similar size, Mr. Wheeler replied that more land per panel was required for these mobile panels, but this did allow for simultaneous grazing of livestock.

Councillor Sam Casey-Rerhaye the local ward councillor, spoke objecting to the application.

In response to a question from the committee in respect of the actions to be taken when the permission had expired, the planning officer reported that a condition specifically limited the length of the development to 35 years and the land would be returned to agricultural use thereafter. Non–return of the land would constitute a breach of planning conditions. It was important to note that the returned land would not be classified as brownfield. Also, a decommissioning method statement would be required from the developer, and this was the subject of recommended planning condition 19.

A motion moved and seconded, to refuse planning permission failed on being put to the vote.

A motion moved and seconded, to grant planning permission was declared carried on being put to the vote.

That planning permission for application P20/S4360/FUL is granted subject to the following actions (i) and (ii) and conditions 1 to 19, as set down below:

- (i) Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009; and
- (ii) (ii) Subject to the application not being called-in by the Secretary of State for determination, grant planning permission subject to conditions”.

1. Time Limit for commencement
2. Approved Plans
3. Temporary permission

#### **Pre-commencement**

4. Landscaping details
5. Landscape Management Plan
6. Vehicular access improvements
7. Construction Traffic Management Plan
8. Archaeological watching Brief
9. Implementation of Archaeological works
10. Construction Environmental Management Plan
11. Tree Protection
12. Visibility Splay Details

#### **Prior to first use**

13. Sustainable Drainage Scheme

#### **Compliance**

14. Archaeology protection
15. Flood risk
16. Wildlife Protection measures
17. External lighting
18. Removal of unused panels

#### **End of the temporary period**

## 19. Decommissioning method statement

### **47 P16/S3852/FUL - Land to the south of Newnham Manor, Crowmarsh Gifford**

Councillors Elizabeth Gillespie and Alan Thompson left the meeting prior to the discussion of this item and therefore took no part in the debate or vote on this planning application.

The committee considered planning application P16/S3852/FUL for a hybrid planning application for the erection of 100 new residential dwellings including new access road off the A4074, public open space (full application) and the provision of school land (outline application) at Newnham Manor, Crowmarsh Gifford (as amended by plans submitted 26 November 2019, 18 December 2019, 14 January 2020 and 18 May 2020 and revised Arboricultural Assessment received 5 May 2020 and as amended by plans and information received 30 April 2021) on land to the south of Newnham Manor, Crowmarsh Gifford.

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 the meeting. A statement from Crowmarsh Parish Council had been sent to the committee by the democratic services officer prior to the meeting. The planning officer reported to the committee that the parish council did not object to the application.

The planning officer confirmed that the application site was wholly within the Chilterns Area of Outstanding Natural Beauty (AONB). The planning officer also reported that since 16 January 2018, when the committee had previously resolved to approve the application subject to conditions and completion of a s106 legal agreement, the scheme had been amended to address highway concerns relating to the proposed means of access and there had been several changes which were material to the consideration of the application. These changes were detailed in the report to the committee.

The planning officer also reported that the Oxfordshire County Council (OCC), the highways authority, originally had concerns regarding the proposals as they affected Port Way, particularly the interface with pedestrians. A new access to the site would be created off the A4074 Port Way, which involved remodelling the Port Way itself and included a staggered 'traffic light-controlled' toucan crossing away from the development site/Cox's Lane staggered junction. Details of the access arrangements were listed in paragraph 3.4 of the report. The OCC had no objection.

The planning officer also reported that The Crowmarsh Parish Neighbourhood Plan was now 'made' and would continue to form part of the development plan. The neighbourhood plan recognised this site as preferred for development and acknowledged the benefits of housing at the edge of the AONB, where land was available for school use and for landscaping.

Councillor John Griffin of Crowmarsh Parish Council spoke in support of the application.

Mr. Arron Twamley, the agent, spoke in support of the application.

A statement from the agent had been sent to the committee by the democratic services officer prior to the meeting. In response to a question from the committee regarding the possible installation of heat pumps, the agent replied that this possibility would be investigated. Also in response to a question regarding the ownership of the affordable rented units, the agent responded that they would be in the ownership and management of a housing association.

Councillor Sue Cooper, a local ward councillor, spoke in support of the application.

Councillor Andrea Powell, a local ward councillor, spoke in support of the application.

The committee had concerns regarding the ability of Thames Water's infrastructure to service the development. The planning officer responded that proposed planning conditions dealt with foul drainage, drainage infrastructure and planning. In discussions with Thames Water, that agency had recognised that this catchment was subject to high infiltration flows during certain groundwater conditions. It had advised that the scale of the proposed development did not materially affect the sewer network and no objections were raised. However, Thames Water had advised that care needed to be taken when designing new networks, to ensure that they did not surcharge and cause flooding. In the longer term, Thames Water were working with partners on a strategy to reduce groundwater entering the sewer networks.

In response to a question from the committee regarding the accommodation of the development's school age children in local schools, the senior planning officer reported that Crowmarsh Gifford Church of England Primary School should take the increased numbers and a new school site on the western edge of Wallingford could take any additional pupils and provide for any increase over time.

The committee was concerned about the loss of some trees as a result of the development and asked the planning officer about ensuring the enforcement of good biodiversity standards on the site. The planning officer responded that the impact of the proposed development on local ecology has been assessed and had had regard to council policies; it was considered that the proposals would not have any significant impacts on important habitats or species. The proposed layout had the potential to ensure that the site could deliver a net gain for biodiversity, notably through the planting of native hedgerows and the creation of a wildflower meadow. The scheme was landscape-led, with particular sensitivity to the AONB. Density was at the northern edge of the site and lower density at the southern end, near to the AONB boundary.

In response to a query from the committee regarding this site's contribution to South Oxfordshire's land supply to 31 March 2026, the senior planning officer reported that based on a year by year and site by site trajectory of the expected housing supply in the district, the council could demonstrate a 5.33 year's supply of housing land. It was confirmed that this development would make a small but valuable contribution to the council's housing land supply.

The committee were mindful of the need to ensure that the health of the new population was adequately catered for. It was noted that the Oxfordshire Clinical Commissioning Group (OCCG) had requested a contribution towards surgery alterations or capital projects to support patient services. The planning officer reported that the development would be liable for Community Infrastructure Levy (CIL) and for

this type of development the Council would not seek S106 contributions for health services. In accordance with the Council's CIL Spending Strategy, healthcare infrastructure would be secured under the community infrastructure levy.

The committee noted the infrastructure improvement proposals and supported measures to improve connectivity. It was noted that there was a proposal for the provision of a footpath and cycleway through the site onto The Street via the Old Stables residential development. The senior planning officer advised the committee that a condition would be added to the proposed conditions to ensure that this improvement was carried out in the event of permission being granted.

The committee was in support of the application for the following reasons; the proposed development remained the locally preferred choice of site to meet the housing needs of the area, as stated in the neighbourhood plan. Also, the application made good provision for buses and cyclists and, overall, was a well-planned proposal.

A motion moved and seconded, to grant planning permission was declared carried on being put to the vote.

**RESOLVED:** to grant planning permission for application P16/S3852/FUL, subject to the following;

Delegate to the Head of Planning to grant planning permission subject to completion of a Section 106 agreement to cover the matters set out in the report and the following conditions:

1. Commencement of development – full permission.
2. Commencement of development – outline.
3. Submission of reserved matters application for the school land
4. Approved plans.
5. Sample materials (All).
6. Removal of permitted development rights for extensions.
7. Removal of permitted development rights for outbuildings.
8. No conversion of garage accommodation.
9. Submission of details of landscaping including hard surfacing and boundary treatment.
10. Landscape Management Plan.
11. Detailed tree protection.
12. Hours of operation for construction.
13. Construction Traffic onto A4074 only.
14. Wheel washing facilities.
15. Construction Traffic Management Plan.
16. Travel Plan.
17. Construction Method Statement.
18. Off-site Highway Works.
19. Noise-Acoustic Glazing.
20. External Lighting.
21. Electric Vehicle Charging Points.
22. Efficient Gas Boilers.
23. Ecological Mitigation.
24. Biodiversity Enhancement Plan (BEP).
25. Contamination phased risk assessment.
26. Contamination remediation strategy.

27. Foul drainage works (details required).
28. SUD's compliance report.
29. Sustainable drainage scheme.
30. Adoptable foul drainage scheme.
31. Thames Water Infrastructure and phasing plan.
32. New vehicular access onto A4094 Port Way.
33. Vision Splay Dimensions at Access.
34. Vision Splay Dimensions at Internal junctions.
35. Estate Accesses, driveways and turning areas.
36. Cycle Parking Facilities.
37. Off-site highway works (implementation as approved)
38. Archaeological written scheme of investigation
39. Programme of archaeological evaluation and mitigation

Additional condition; provision of footpath and cycleway onto The Street via the Old Stables.

#### **48 P21/S0047/FUL - Grove Farm, Patemore Lane, Pishill**

Consideration of this application was deferred to facilitate a site visit.

The meeting closed at 8.25 pm

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