



Minutes

OF A MEETING OF THE

Planning Committee

HELD ON WEDNESDAY 13 JANUARY 2021 AT 6.00 PM

A VIRTUAL MEETING

Present:

Ian Snowdon (Chairman)

Peter Dragonetti (Vice Chair), Ken Arlett, David Bretherton, Sarah Gray, Kate Gregory, Lorraine Hillier, George Levy, Jo Robb, Ian White and Celia Wilson

Apologies:

None.

Officers:

Paul Bateman, Emma Bowerman, Sharon Crawford, Steve Culliford, Trevor Dean, Paula Fox, Caitlin Phillpotts, Cathie Scotting and Bertie Smith

Also present:

Councillor Lynn Lloyd and Councillor Anna Badcock

90 Chair's announcements

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

91 Minutes of the previous meetings

RESOLVED: to approve the minutes of the meeting held on Wednesday 2 December 2020 at 2.00pm as a correct record and agree that the Chairman sign these as such, subject to the minute 77 at the paragraph commencing 'the committee expressed concerns...' omitting the finishing words, 'lack of parking amenity', to be substituted by the words, 'lack of off street parking spaces'.

92 Declarations of interest

Councillor David Bretherton declared an interest in item 8, application P20/S2355/FUL, Land adjacent to Kiln Avenue, Chinnor. He was a member of The Chinnor and Princes Risborough Railway but did not hold any position of pecuniary advantage.

93 Urgent business

There was no urgent business.

94 Proposals for site visits

There were no proposals for site visits.

95 Public participation

The list showing members of the public who had registered to speak had been sent to the committee prior to the meeting. Statements received from the public were circulated to the committee prior to the meeting.

96 P20/S2355/FUL - Land adjacent to Kiln Avenue, Chinnor

Councillor David Bretherton declared an interest in this application. He was a member of The Chinnor and Princes Risborough Railway (CPRR) but did not hold any position of pecuniary advantage.

Owing to telecommunication difficulties, Councillor Jo Robb, who was present at the commencement of the discussion of this application, did not hear full debate following a motion to give planning permission and therefore did not vote on a subsequent motion to refuse the application.

The committee considered application P20/S2355/FUL for the erection of a fence along the boundary of Kiln Avenue (as per minor amendment to the block plan submitted 9 September 2020, correcting proposed height of fence to correlate with the elevations and acoustic report provided) on land adjacent to Kiln Avenue, Chinnor.

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.

The planning officer reported that a site visit had been held in respect of this application by members of the committee on Monday 14 December 2020. The South Oxfordshire Local Plan 2035 had been adopted since the submission of this application and henceforth carried full weight. A requirement of the original planning permission for the development of the cement works, to mitigate the noise from the railway, and to minimise any conflict between the operations of the existing railway and the new residents, was to install an acoustic barrier. The approved acoustic barrier had not been provided. This application aimed to resolve this planning breach by seeking planning permission for the establishment of an acoustic fence comparable to that previously approved.

The planning officer also reported that the council's environmental protection officer had reviewed the application documents, including an acoustic report, and was satisfied that the proposed fence met the requirements required for the acoustic fencing and recommended that it be installed in accordance with the plans and supporting documents which had been submitted.

Councillor Gordon Archer, a representative of Chinnor Parish Council, spoke objecting to the application.

Mr. Andrew Walker, a representative a representative of Chinnor and Princes Risborough Railway, spoke objecting to the application. He provided the committee with a 'sound propagation level indicator', which was a computerised simulation of likely noise levels for different heights of fencing, coupled with distances to residential properties('source' to 'receiver').

Ms. Donna Palmer the agent, spoke in support of the application.

Councillor Lynn Lloyd, a local ward councillor, spoke objecting to the application.

In response to a question regarding the number of complaints of noise nuisance from residents of Kiln Avenue, the environmental health officer reported that this number was small, but that upon investigation a statutory noise nuisance was not being created by the activities of the CPRR. The planning officer advised the committee that contrary to a popular view, noise measurements in respect of nuisance complaints were not taken from the outside of a property's front door but from inside a house and at its rear.

The planning officer confirmed that originally, the intention was for the acoustic fence to be built on top of a bund. The present proposal did not feature a bund. The committee were concerned that that the proposed acoustic fencing would not sufficiently mitigate noise transmission from diesel engines to the adjoining residential dwellings. As a result, the amenity of local residents would be adversely affected. The committee also considered that the proposed fencing was inferior to the original scheme and would negatively affect the future operations and viability of the CPRR.

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

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

RESOLVED: to refuse planning permission for application P20/S2355/FUL for the following reasons:

1. Having to the height of proposed acoustic fence, the committee was not satisfied that it would provide suitable mitigation for the residents of Kiln Avenue from the noise and disturbance associated with the operation of Chinnor and Princes Risborough Railway.
2. Without suitable acoustic mitigation as required under planning permission P09/E0145/O, the noise from the longstanding railway and its diesel engines, would continue to have an adverse impact on the residential amenity of local residents.
3. The lack of suitable acoustic mitigation could have the potential to impact on the continued operation of the Railway, which was a valuable heritage and tourist asset.

97 P19/S0058/FUL - Land to the south of Creek End, Abingdon Road, Burcot, OX14 3DJ

The committee considered application P19/S0058/FUL for the proposed erection of a detached five-bedroom dwelling and a detached double garage. (As amended by revised site plan revised FRA and drainage strategy received on 5 October 2020 and as revised and clarified by site layout drawing S2-P-02D amended to show trees on northern boundary received on 30 October 2020) on land to the south of Creek End, Abingdon Road, Burcot.

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.

The planning officer reported on updates to the report resulting from the adoption of the South Oxfordshire Local Plan 2035. Under the heading Policy and Guidance, - Development Plan Policies at paragraph 5.1, 'South Oxfordshire Emerging Local Plan' should read South Oxfordshire 'Adopted' Local Plan

Mr. Adrian Gould, the agent, spoke in support of the application.

The committee considered that it was important to secure electric vehicle (EV) facilities, prior to occupation, through an additional condition.

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 P19/S0058/FUL subject to the following conditions:

Standard conditions;

1. Commencement three years - Full Planning Permission
2. Approved plans

Pre commencement conditions;

3. Construction Traffic Management (details required)
4. Survey of road and required repairs (prior to commencement)
5. Site Planting Scheme
6. Tree Protection (Detailed)
7. SW Drainage details required
8. Foul drainage works (details required)

Compliance conditions;

9. Approved plans
10. External Materials
11. Parking and Turning

Additional condition regarding electric vehicle points prior to occupation

98 P19/S1927/O - Land west of Pyrton Lane, Watlington

Part way through the consideration of this application, members took a vote prior to the meeting guillotine of 8:30pm to continue consideration of this application and application

P19/S1928/O (land off Cuxham Road, Watlington) in view of the fact that the applications were interrelated and that all the speakers were present.

The committee considered application P19/S1927/O for outline planning permission for up to 60 homes with associated open space and sustainable drainage with all matters reserved. As amended/clarified by plans and information received 17 September 2020, on land west of Pyrton Lane, Watlington.

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.

The planning officer reported that the application sought permission for a residential development of up to 60 homes and associated open space and drainage. The application was submitted in outline, with all matters reserved. The matters of layout, scale, appearance, landscaping and access would be considered later under a 'reserved matters' application, if outline planning permission was granted. It was also reported that the government's Planning Casework Unit (PCU) had received a request from a third party to call-in the application. In the event of the committee approving the application, a referral to the PCU would be necessary.

The planning officer also reported that the site did not fall within any areas of special designation. The Chilterns Area of Outstanding Beauty (AONB) was located around the south and east of Watlington. Pyrton Conservation Area lay to the north and adjoined the northeast boundary of the application site. This neighbouring land was associated with the Grade II* listed Pyrton Manor. There were several other listed buildings within Pyrton Conservation Area.

The planning officer advised the committee that Watlington Parish Council had a "made" Neighbourhood Development Plan (W NDP). Pyrton Parish Council also had a "made" neighbourhood plan. The W NDP aimed to provide a minimum of 238 new homes and included an indicative route for a re-aligned B4009 to the north and west of the town, in order to reduce congestion in Watlington town centre, to improve air quality, afford a less hostile pedestrian environment and provide a route for some through traffic. The application site was thus allocated for development in the W NDP. The site-specific policy (Site C) supported proposals for residential development on this site and required the proposal to comply with several amenity and environmental criteria.

The committee's attention was drawn to appendix B of the report, which was an illustrative layout depicting the route of the edge road, as shown in the W NDP. On the basis of the indicative plan, the planning officer was satisfied that this site could accommodate 60 homes. The layout showed adequate open space and pockets of green space, with room for tree planting. This also would provide for a green buffer between the housing units and listed building Pyrton Manor. The planning officer reported that she had encouraged the applicant and neighbouring landowner to work together to find appropriate sensitive solutions for the boundary. It was also reported that the conservation officer had no objection to the application, but had commented that the development was likely to result in low level harm to the setting of heritage assets, but that this would be outweighed by the public benefits which would result.

The planning officer reported that at the request of Oxfordshire County Council (OCC), the applicant had submitted an alternative illustrative layout plan. This was due to the exact route of the edge road not being finalised at this time. The plans showed that, in combination, the application site and the neighbouring development site (Site B) could

deliver the edge road along either of the two options identified for the possible route of the road.

To illustrate the possible routes of the edge road, the committee was advised that the plans attached as appendix C in the report showed the indicative layout with an alternative route for the edge road, utilising the existing roundabout serving Willow Close. This route was not shown in the WNDP, but was the alternative option being explored by OCC and was shown as safeguarded in the South Oxfordshire Local Plan (SOLP) 2035. OCC were carrying out an 'optioneering' exercise to determine the best route for the edge road, but had not yet issued an outcome.

The planning officer also reported that as the application had been submitted in outline, with access as a reserved matter, the access point was not a matter to be considered under this application.

The planning officer reported a recent occurrence of relevance to this application; an appeal scheme on site A allowed in 2020 was now being implemented, as building works has started on site. That application had shown the edge road. The planning officer had held discussions with the developer of site A, who was a willing to withdraw undetermined application which proposed utilisation of the Willow Close roundabout for the edge road. Therefore, this route, effectively the OCC's route, would no longer be available.

The planning officer also reported that as part of the Oxfordshire Housing and Growth Deal, Oxfordshire County Council (OCC) had secured funding to forward fund delivery of parts of the edge road beyond the identified development sites along it. OCC was preparing a planning application for the road and that council's ambition was to deliver the road by late 2023/early 2024. The planning officer reported that the contributions/obligations which had been secured by OCC to mitigate the impact of the development were incorrectly stated at paragraph 6.70 of the report; instead of a £7,000 per dwelling contribution towards Watlington edge road, this figure should read £7,400. The applicant was aware of this correction and had agreed the amounts.

The planning officer clarified that the comments made by the highways officer about two 4 by 4s being able to pass each other along Pyrton Lane was only in reference to the part of Pyrton Lane that was to the north of where the edge road would meet Pyrton Lane. The edge road through this site and the neighbouring site would by-pass the southern part of Pyrton Lane, including the tight 's' bends and house frontages, where there was considerable safety concern. The county council comments added that the edge road within the two sites would be required prior to first occupation of the sites so that no occupants would need to travel through the part of Pyrton Lane where the 's' bends were. The highways officer had confirmed that this would be secured through the provision of the legal agreement that would need to be completed before planning permission was granted.

The planning officer informed the committee that under the new local plan a new housing tenure mix had been proposed, as detailed in paragraphs 6.6 to 6.10 of the report. Policy H9 of the SOLP 2035 required a tenure mix of 40 per cent affordable rented, 35 per cent rented and 25 per cent other affordable routes to home ownership. The council's housing development team would be preparing new comments on the application based on the requirements of SOLP 2035 policy H9.

The planning officer reported that an additional condition 28 would be recommended, which would be in addition to recommended condition 22 (air quality mitigation measures). To maintain control over all of housing, there would be a requirement for on plot electric vehicle charging points for all housing, communal parking and on street parking. These measures could be secured through a s106 agreement. The developer had anticipated these proposals and had agreed to them.

Councillor Andrew McAuley, Chair of Watlington Parish Council Planning Committee, spoke in support of the application. His statement had been circulated to the committee prior to the meeting by the democratic services officer. He wished to make it clear that he also supported P19/S1928/O.

Mr. Ian Goldsmith, Chair of Cuxham with Easington Parish Meeting spoke objecting to the application. He wished to make clear that he also objected to application P19/S1928/O.

Mr. Jack Spence a representative of Shirburn Parish Meeting spoke objecting to the application. The parish meeting's statement had been circulated to the committee prior to the meeting by the democratic services officer. Mr. Spence wished to make clear that he also objected to application P19/S1928/O.

Mr. Dominic Mahoney of Glebe Farm spoke objecting to the application. His statement had been circulated to the committee prior to the meeting by the democratic services officer.

Mr. Wayne Burt, the occupier/custodian of Pyrton Manor spoke objecting to the application.

Mr. Jeremy Bell representing Marlbrook Estate residents, spoke objecting to the application. His statement had been circulated to the committee prior to the meeting by the democratic services officer.

Mr. Robert Wickham, the agent spoke in support of the application. His statement had been circulated to the committee prior to the meeting by the democratic services officer.

Councillor Anna Badcock, the local ward councillor, spoke to the application.

In response to a question, regarding the timing and ordering of housing development and of roads, the planning officer confirmed that the edge road and access details would be considered at reserved matters stage. It was probable that any future edge road would not now use the Willow Close roundabout. The applicant was required to agree phasing within the application site, which would give the council some control over timing. However, decisions regarding the surrounding roads would not be forthcoming until later in 2021. Also in response to a question, regarding use of school and college land to improve the footpaths network and access to local fields, the planning office responded that this would also be dealt with at reserved matters stage and only land within the site's boundary could be considered.

The committee considered that recommended extra condition 28 on electric vehicle charging points should be supported and requested officers to urge OCC to decide upon the edge road route without further delay.

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

RESOLVED: to grant outline planning permission for application P19/S1927/O subject to the following conditions:

Referral to the National Casework Unit;

ii) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above, and

iii) The following conditions:

Reserved matters (inc. details to be submitted), time limit and approved plans

1. Submission of reserved matters
2. Reserved matters to be submitted within three years
3. Commencement
4. Approved plans
5. No more than 60 dwellings
6. Market mix
7. Details to be submitted with condition 1:
 - energy statement
 - details of roads, accesses, footpaths and services
 - schedule of external materials
 - vehicle and cycle parking facilities
 - waste and recycling facilities
 - boundary treatments
 - details of all street furniture
 - existing and proposed ground levels
 - maintenance schedule and long-term management plan for soft landscaping

Pre-commencement

8. Phasing plan
9. Details of off-site highway works
10. Construction Traffic Management Plan
11. Green Travel Plan
12. Lighting plan
13. Environmental Management Plan for Biodiversity
14. Biodiversity Enhancement Plan
15. Tree and hedge protection
16. Surface water drainage scheme
17. Foul water drainage scheme (including Thames Waters requirements)
18. Noise from Edge Road and any necessary mitigation

Prior to Occupation

19. Access provision
20. Pedestrian, cycle and vehicular access
21. Details of play areas and timetable for implementation
22. Air quality mitigation measures
23. Superfast broadband connectivity

Compliance conditions

24. Hours of construction
25. At least 15% of market housing to meet Part M (4) Category 2
26. At least 5% of affordable housing to meet Part M (4) Category 3
27. All affordable housing and 1 and 2 bed market housing to meet Nationally Described Space Standards

Additional condition 28 on electric vehicle charging points

99 P19/S1928/O - Land off Cuxham Road, Watlington

The committee considered application P19/S1928/O for outline planning permission for up to 70 homes with associated open space and sustainable drainage with all matters reserved. As amended/clarified by plans and information received 17 September 2020, on land off Cuxham Road, Watlington.

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.

The planning officer reminded the committee that as this was an outline application, all matters were reserved. Layout, scale, appearance, landscaping and access would be considered later under a 'reserved matters' application, if outline planning permission were granted. Planning officers were satisfied that the site could accommodate 70 homes and deliver an edge road.

The planning officer also reported that appendix C of the report depicted an indicative layout of the housing and roads, utilising the existing roundabout at Willow Close for the edge road. This route was not shown in the Watlington Neighbourhood Development Plan, but was the alternative option being explored by Oxfordshire County Council (OCC) and was shown as safeguarded in the South Oxfordshire Local Plan 2035. OCC had yet to determine the line of the edge road.

The report contained updated comments from council officers regarding the housing mix. The council's housing development team had commented on this application prior to the adoption of the South Oxfordshire Local Plan (SOLP) 2035, and had suggested a mix which accorded with the affordable housing policy in the South Oxfordshire Core Strategy (SOCS). The SOCS policy (policy CSH3) required a tenure mix of 75 per cent social rented and 25 per cent shared ownership. New council Policy H9 of the SOLP 2035 required a tenure mix of 40 per cent affordable rented, 35 per cent social rented and 25 per cent other affordable routes to home ownership. The affordable homes would be secured through the provisions of a section 106 legal agreement.

The planning officer reported that an additional condition 28 would be recommended, which would be in addition to recommended condition 22 (air quality mitigation measures). There would be a requirement for on plot electric vehicle charging points for all housing, communal parking and on street parking. These measures could be secured through a s.106 agreement. The developer had anticipated these proposals and had agreed to them.

The planning officer reported that the contributions/obligations which had been secured by OCC to mitigate the impact of the development were incorrectly stated at paragraph 6.70 of the report; instead of a £7,000 per dwelling contribution towards Watlington edge road,

this figure should read £7,400. The applicant was aware of this correction and had agreed the amounts.

The planning officer was also reported that the government's Planning Casework Unit (PCU) had received a request from a third party to call-in the application. In the event of the committee approving the application, a referral to the PCU would be necessary.

Cllr. Andrew McAuley, Chair of the Watlington Parish Council Planning Committee in support of the application. The democratic services officer had submitted his statement to the committee prior to the meeting.

Councillor Ian Goldsmith, Chair of Cuxham with Easington parish meeting spoke objecting to the application. He wished to make clear that he also objected to application P19/S1927/O.

Mr. Jeremy Bell representing Marlbrook Estate residents spoke objecting to the application. The democratic services officer had submitted his statement to the committee prior to the meeting.

Mr. Dominic Mahoney of Glebe Farm spoke objecting to the application. The democratic services officer had submitted his statement to the committee prior to the meeting.

Mr. Robert Wickham, the agent spoke in support of the application. The democratic services officer had submitted his statement to the committee prior to the meeting.

Councillor Anna Badcock, the local ward councillor, spoke to the application.

The committee considered that recommended extra condition 28 on electric vehicle charging points should be supported, and requested officers to urge OCC to decide upon the edge road route without further delay.

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

RESOLVED: to grant outline planning permission for application P19/S1928/O subject to the following conditions:

- i) Referral to the National Casework Unit;
- ii) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above, and
- iii) The following conditions:

Reserved matters (including details to be submitted), time limit and approved plans

1. Submission of reserved matters
2. Reserved matters to be submitted within three years
3. Commencement
4. Approved plans
5. No more than 70 dwellings
6. Market mix
7. Details to be submitted with condition 1:
 - energy statement

- details of roads, accesses, footpaths and services
- schedule of external materials
- vehicle and cycle parking facilities
- waste and recycling facilities
- boundary treatments
- details of all street furniture
- existing and proposed ground levels
- maintenance schedule and long-term management plan for soft landscaping

Pre-commencement

8. Phasing plan
9. Details of off-site highway works
10. Construction Traffic Management Plan
11. Green Travel Plan
12. Lighting plan
13. Environmental Management Plan for Biodiversity
14. Biodiversity Enhancement Plan
15. Tree and hedge protection
16. Surface water drainage scheme
17. Foul water drainage scheme (including Thames Waters requirements)
18. Noise from Edge Road and any necessary mitigation

Prior to Occupation

19. Access provision
20. Pedestrian, cycle and vehicular access
21. Details of play areas and timetable for implementation
22. Air quality mitigation measures
23. Superfast broadband connectivity

Compliance conditions

24. Hours of construction
25. At least 15% of market housing to meet Part M (4) Category 2
26. At least 5% of affordable housing to meet Part M (4) Category 3
27. All affordable housing and 1 and 2 bed market housing to meet Nationally Described Space Standards

Additional condition 28 on electric vehicle charging points

The meeting closed at 9.10 pm

Chairman

Date

This page is intentionally left blank