

# Minutes

of a meeting of the

## Planning Committee



held on Wednesday, 23 November  
2022 at 6.00 pm in Meeting Room 1,  
Abbey House, Abbey Close,  
Abingdon, OX14 3JE

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

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

Councillors: David Bretherton (Chair), Peter Dragonetti (Vice-Chair), Ken Arlett, Sam Casey-Rerhaye, Victoria Haval, Elizabeth Gillespie, Lorraine Hillier, Axel Macdonald, and Ian Snowdon

Officers: Darius Zarazel (Democratic Services Officer), Paula Fox (Planning Manager), Paul Bowers (Planning Officer), and Max Gull (Planning Officer)

### **Remote attendance:**

Officers: Susie Royse (Broadcasting Officer), Tom Wyatt (Planning Officer), Paul Lucas (Planning Officer)

## **91 Chair's announcements**

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

The chair then paid his respects to Paul Bateman, former democratic services officer servicing the planning committee, who passed away on 9 November 2022. The committee extended their well wishes to Paul's family and held a moments silence in his memory.

## **92 Apologies for absence**

Apologies for absence were received from Councillor Alan Thompson.

## **93 Minutes of the previous meeting**

**RESOLVED:** to approve the minutes of the meeting held on 2 November 2022 as a correct record and agree that the Chair sign these as such.

## **94 Declarations of interest**

There were no declarations of interest.

## **95 Urgent business**

There was no urgent business.

## **96 Proposals for site visits**

There were no proposals for site visits.

## **97 Public participation**

The list showing members of the public who had registered to speak was tabled at the meeting.

## **98 P22/S0093/FUL - Land adjacent to 5 St Annes Close, Access off Old Greys Lane, Henley-on-Thames, RG9 1XA**

The committee considered planning application P22/S0093/FUL for the construction of a dwelling with parking and associated landscaping (as amplified by transport statement received 11 July 2022 and amended by plans received 20 October 2022 to replace one front dormer with high level rooflight), on land adjacent to 5 St Annes Close, Access off Old Greys Lane, Henley-on-Thames.

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 introduced the report and highlighted that the application was brought to the committee due to the objection of the town council. The site itself was a long strip of land between Deanfield Avenue and St Anne's Close, with most of it being taken up by a single-track lane serving existing properties and a Thames Water pumping station. The application would extend the lane to create the driveway and parking for the proposed development. The existing footpath would not be affected. The dwelling itself was proposed to be a three bedroom house and was considered to be sufficiently separated from 5 St Anne's Close to avoid being overbearing with the window position meaning it would avoid material loss of privacy.

A previous application for a single dwelling on the site was dismissed at appeal as it had unacceptable amenity space, especially regarding the shadowing of the site from the trees to the south. Due to the larger garden area proposed in this application, the planning officer believed that the planning inspectorate's criticism had been addressed.

As there were no objections from technical consultees and the development addressed the concerns by the planning inspectorate on the previously refused application, the planning officer believed that the new application was considered to be acceptable.

Councillor Ken Arlett spoke on behalf of Henley-on-Thames Town Council, objecting to the application.

Chris Keen, the agent representing the applicant, spoke in support of the application.

The committee had conducted a site visit prior to the discussion of the application. The committee raised concerns about the potential loss of the public footpath and agreed that this should be retained. As the agent confirmed that the applicant would be willing to ensure the footpath was retained for public use, and improved, as part of their application, a new condition was agreed by the committee for footpath treatment and associated works on and off the site. In addition, the committee agreed that it would like to see this footpath adopted in the definitive map as a public right of way, therefore, the members also agreed to include an informative on the planning permission indicating the commitment of the agent to work with Oxfordshire County Council, the local highways authority, to make this the case.

On a question about potential flooding issues, the planning officer confirmed that the drainage engineers had not raised concerns. Members also asked about the stability of the bank and the planning officer believed that the retaining wall on the plans would deal with this issue but the committee agreed that it would like to see more detail of this retaining wall and therefore for this to be explicitly required in the conditions.

Ultimately, as the site complied with the local plan policies and addressed the concerns that lead to the previous application being refused on appeal, the committee did not see any material planning reasons for refusal. Therefore, it was agreed that the application was considered acceptable subject to a new condition about footpath and associated works on and off site, inclusion of detail about the retaining wall in the boundary treatment condition, and an informative about the importance of ensuring the footpath would be adopted as a public right of way.

A motion, moved and seconded, to approve the application was carried on being put to the vote.

**RESOLVED:** to approve planning application P22/S0093/FUL, subject to the following conditions:

1. Commencement of development within 3 years
2. Implement development in accordance with approved plans
3. Schedule of Materials to be agreed in writing
4. Proposed levels to be agreed
5. Rooflight serving bedroom 1 along the north elevation to be set at least 1.7 metres in height
6. Landscaping schedule (including hardsurfacing, boundary treatment and details of retaining walls) to be agreed in writing
7. Surface water drainage works (details required) to be agreed in writing
8. Foul drainage works (details required) to be agreed in writing
8. Vision splay dimensions to be agreed
10. Turning Area & Car Parking to be implemented as per plan and remain unobstructed
11. Contaminated Land – phased risk assessment
12. Contaminated Land – remediation strategy
13. Unsuspected Contaminated Land to be reported and mitigation agreed in writing
14. Wildlife Protection measures to be implemented as per recommendations in supporting Ecological Appraisal

15. Biodiversity Enhancement features as recommended in Ecological Appraisal to be submitted to and approved in writing
16. Biodiversity Offsetting –certificate confirming the agreement of an Offsetting Provider to deliver a Biodiversity Offsetting Scheme to be agreed
17. External Lighting – details to be agreed if proposed
18. Withdrawal of permitted development rights for roof additions and alterations (Class B and Class C) to the front elevation
19. Withdrawal of permitted development rights for outbuildings (Class E)
20. Details of the realigned steps between Henley-on-Thames public footpath 6 and Makins Recreation Ground to be agreed and implemented prior to construction of the dwelling above slab level

Informative – The applicant is advised to explore the possibility with Oxfordshire County Council of adding the existing path between Henley-on-Thames public footpath 6 and Makins Recreation Ground to the Definitive Rights of Way Map.

## **99 P22/S0903/FUL - Poachers Cottage, Mays Green, RG9 4AL**

The committee considered planning application P22/S0903/FUL for the conversion of redundant barn to 1 x dwellinghouse (retention of existing portal frame as shown on amended floor plan received 5th August 2022 and additional structural information received 13 October 2022), on land at Poachers Cottage, Mays Green.

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 introduced the report and highlighted that the application was brought to the committee due to the objection of the parish council. The application was for the conversion of a barn to a one bed dwelling with the key issues of lighting and biodiversity net gain controlled through the proposed conditions. As the conservation officer believed that the distance between the proposed dwelling and the near grade 2 listed building was sufficient to avoid it detracting for its character, and highways also having no objection, the planning officer recommended that permission for the application be granted.

A statement was read out on behalf of Councillor Kester George of Harpsden Parish Council, objecting to the application, as they were absent from the meeting.

Charles Jamieson spoke objecting to the application.

Paul Chaston, the agent representing the applicant, spoke in support of the application.

The committee had conducted a site visit prior to the discussion of the application. The committee raised concerns about the plans for the conversion of the rarely used barn into a dwelling. Based on the site visit and the applicants' submitted plans, members believed that there would need to be very extensive works done to make the barn habitable.

The committee asked the planning officer about the definition of a conversion as they believed that very minimal material would be retained through the development. The officer confirmed that as the proposal would retain the frame of building it was considered a conversion, only if this was demolished would it be considered a new development. When asked, the planning officer also confirmed that if the applicant did need to demolish or remove the frame it would invalidate the planning permission as it would not be a conversion. As only the frame of the barn building was proposed to be retained, the committee still believed that the extent of the work necessary to convert it to a habitable dwelling would be excessive.

The Neighbourhood Plan was also raised by members as it was believed that the application did not meet several policies in the document, primarily about the proposed development not being in character of the area. As this plan carries significant weight in planning terms, members mentioned this as supporting the case for refusing the application. The access onto the road and turning of the existing field into a garden were also raised as concerns as it was believed that the effect of the change from agricultural to residential would have a substantial effect.

Overall, having regard to extent of works and alteration required, there was a concern about the impact this would have on the character and appearance of the area and that it would negatively effect the Chilterns Area of Outstanding Natural Beauty.

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

**RESOLVED:** to refuse planning application P22/S0903/FUL, for the following reasons:

The proposed development, through the extent of the works required to convert the building and the impact of the introduction of a separate residential use onto the site, would detract from the character of this part of the Chilterns AONB. As such, the proposal would fail to provide the landscape enhancement required by Policy H1 of the South Oxfordshire Local Plan 2035 and would also conflict with Policies DES1, DES2 and ENV1 and Policy SD3 of the Joint Henley and Harpsden Neighbourhood Plan.

## **100 P22/S2574/FUL - Lower Cross Farm Blewbury Road East Hagbourne, OX11 9LF**

In advance of this item, the committee adjourned for five minutes in order to take a short break.

The committee then considered planning application P22/S2574/FUL for the erection of detached dwelling, with associated garage, access and turning space and landscaping (as amplified by additional energy information received 26 July 2022, archaeology information received the 29 July 2022 and ecological information submitted on the 21 October 2022 and amended by drawings altering the rear elevation, site area and amplified by arboricultural information accompanying email from agent received 27 September 2022) on land at Lower Cross Farm, Blewbury Road, East Hagbourne.

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 introduced the report and highlighted that the application was brought to the committee due to the objection of the parish council. The planning officer informed the committee that the site sat within the confines of the village, was surrounded on three sides by properties to the north, east, and west, and therefore fell within the definition of an infill site. Based on this, the planning officer was satisfied that the principle of the development was acceptable.

The planning officer noted that the application was in a conservation area and that the conservation officer has been involved throughout the process and has no objection subject to a condition about the approval of materials. In addition, the highways authority did not object, subject to parking being retained within the site and the widening of the road leading to the dwelling to allow for two cars to pass.

As the planning officer did not believe the development would be harmful to character or appearance of the surrounding area, nor cause material harm to the amenity of surrounding residents, and as there were no objections from technical consultees subject to conditions, the planning officer considered the application acceptable and recommended it for approval.

Councillor Derek Button spoke on behalf of East Hagbourne Parish Council, objecting to the application.

Robert Ainger spoke objecting to the application.

Peter Crozier, the agent representing the applicant, spoke in support of the application.

The committee asked about the proposed condition for the widening of the access at the point it joined the main road and agreed that it would like to see this condition moved from prior to occupation to prior to commencement. The reason mentioned for this change was that the widening would be very useful during the construction phase in order to allow for heavy vehicles to more easily enter the access road. The agent confirmed that this was acceptable.

In addition, the members sought confirmation that the boundary on the south side would be retained as a hedge and that a fence would not be erected. The planning officer mentioned that this could be included in the proposed condition relating to landscaping and the agent for the application confirmed that they would be open to conditions about site boundaries and landscaping.

The committee agreed with the planning officer's recommendations that this would be considered an infill as it was surrounded on three sides, and that it was of no material harm to the surrounding area. Therefore, the committee agreed that the application should be approved, subject to conditions and the moving of the access widening condition to prior to commencement of works and for more detailed wording on the landscaping condition relating to the south boundary.

A motion, moved and seconded, to approve the application was carried on being put to the vote.

**RESOLVED:** to approve planning application P22/S2574/FUL, subject to the following conditions:

Standard Conditions:

1. Commencement 3 years - Full Planning Permission
2. Approved plans

Prior to commencement conditions:

3. Landscaping Scheme (trees and shrubs and boundary treatments)
4. Tree Protection (Detailed)
5. Archaeological Watching Brief
6. Archaeology (Submission and implementation of Written Scheme of Investigation)
7. Construction zone – grass land
8. Surface water drainage works (details required)
9. Foul drainage works (details required)
10. Access widening

Prior to the relevant works being carried out conditions:

11. Submission of material details

Prior to occupation conditions:

12. Energy Statement verification
13. Wildlife protection (mitigation as approved)
14. Biodiversity enhancements
15. Parking & Manoeuvring Areas Retained
16. Electric Vehicles Charging Point

Compliance conditions:

17. Withdrawal of Permitted Development right (Part 1 Class E) - no outbuildings etc
18. Obscure glazing first floor side windows

## **101 P22/S2552/FUL - 4 Barncroft Wallingford, OX10 8HN**

During this agenda item, the meeting length had reached almost two and a half hours. In accordance with the council's Constitution, the committee agreed to extend the meeting in order to finish this item.

The committee considered planning application P22/S2552/FUL for the sui generis change of use of the existing six person House in Multiple Occupation (HMO) (use class C4) to a seven person HMO (retrospective), on land at 4 Barncroft, Wallingford.

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 introduced the report and highlighted that this was brought to the committee as the applicant was a member of the council. The planning officer recommended that the application be refused due to the inadequate provision of off-street parking.

The planning officer informed the committee that the dwelling was converted into a 'house in multiple occupation' (HMO) via permitted development rights. The applicant then received a licence for seven people to live in the home and a resident had since moved in. As the applicant did not get planning permission for the increase from a six to seven person HMO, this application was considered to be retrospective.

The newly revised parking standards, adopted by the highway's authority on 18 October 2022, required 0.5 on-plot spaces per bedroom, meaning seven bedrooms would need 3.5 parking spaces. Based on this, and the known traffic problems in the area based on the site's proximity to Wallingford school and additional parking restrictions along St Georges Road, the two spaces currently provided was considered inadequate off-street parking and led the planning officer to recommend that the application be refused.

Richard Harding, speaking on behalf of the applicant, spoke in support of the application.

The committee noted that the highways authority had no objection to the application and some members believed that the local public transport routes might provide sufficient special circumstances to overturn the officer recommendation and approve the application. Some members also mentioned that on street parking could be used as there were no restrictions on Bancroft and that parking issues might only occur during specific parts of the day, such as during the school run.

However, the majority of members believed that the current six person HMO would not be approved if it required planning permission due to the property not being able to meet the correct parking standards for six occupants, and therefore that the application for increasing this to seven should be refused.

A motion, moved and seconded, to approve the application was not passed on being put to the vote with the chair exercising his casting vote.

The committee expressed concerns with the precedent of approving this application for the increase from a six to seven person HMO as the dwelling did not meet the required parking standard. Ultimately, based on this reason, the committee agreed that the application should be refused.

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

**RESOLVED:** to refuse planning application P22/S2552/FUL, for the following reason:

The site provides inadequate parking facilities for cars and will lead to indiscriminate/obstructive parking on the surrounding road network where parking restrictions are in place. The adjacent highway network is subject to high levels of on-street parking pressure which would be further exacerbated by the proposal, resulting in increased physical and visual obstruction of the carriageway and pedestrian routes. The additional accommodation on the site would increase the risk to highway safety

and to users of the highway contrary to policy TRANS5 and H17 of the adopted South Oxfordshire Local Plan 2035, Policy MC5 of the made Wallingford Neighbourhood Plan and the NPPF.

The meeting closed at 8.40 pm

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