

Minutes

of a meeting of the

Planning Committee



held on Wednesday, 31 January 2024
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), Stefan Gawrysiak, Ali Gordon-Creed, Sam James-Lawrie, Katharine Keats-Rohan, Axel Macdonald and Ed Sadler

Officers: Emily Barry (Democratic Services Officer), Adrian Duffield (Head of Planning), Caitlin Phillpotts (Planning Officer), Marc Pullen (Planning Officer), Davina Sarac (Planning Officer) and Tom Wyatt (Planning Officer).

Remote attendance:

Officers: Bertie Smith (Broadcasting Officer)

149 Chair's announcements

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

150 Apologies for absence

Apologies for absence was received from Councillors Ben Manning, who was substituted for Councillor Zia Mohammed, Tim Bearder, who was substituted for Councillor Alexandrine Kantor, Ken Arlett, who was substituted for Councillor Stefan Gawrysiak, and Sam Casey-Rerhaye.

151 Minutes of the previous meeting

RESOLVED: to approve the minutes of the meetings held on 10 January 2024 and 20 December 2023 as correct records and agree that the Chair sign these as such.

152 Declarations of interest

Councillor David Bretherton advised that he was familiar with the property which was the subject of item 9 on the agenda and had carried out research in the property but

that this did not relate to the application before the committee (applications P23/S2462/FUL, P23/S2463/LB and minute 157 refer).

153 Urgent business

There was no urgent business.

154 Public participation

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

155 P22/S4346/FUL - Timbers, Goring Heath Road, Whitchurch Hill, RG8 7NU

Councillor Mohammed was not present for the start of this item and therefore did not participate in the debate or vote on this application.

The committee considered planning application P22/S4346/FUL for the demolition of existing dwelling and erection of replacement 5 bed dwelling with detached garage. (Amended plans received 10 May 2023 showing new dwelling of new design repositioned in the plot closer to the north-east corner of the site with the vehicle access from Goring Heath Road. Bat Scoping Report and Preliminary Ecological Appraisal also submitted and amended plans received 21 June 2023 and 5 July 2023), on land at Timbers, Goring Heath Road, Whitchurch Hill.

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 had been referred to committee as the parish council had objected to the application. The local ward member had also referred the application on the basis the positioning of the replacement dwelling had a more adverse impact on the character of the area.

The planning officer informed the committee that the application was for the erection of a detached chalet style bungalow. The site was located on the south western edge of the built up limits of Whitchurch Hill. She informed the committee that the site fell within the Chilterns National Landscape. The planning officer went on to advise that the site benefitted from two existing accesses and that the access from Goring Heath Road would be used as the main access should permission be granted.

The planning officer informed the committee that the proposal constituted a replacement dwelling on the site under Policy H18 of the adopted local plan. Replacement dwellings outside of the built up limits were supported under this policy provided the existing dwelling was not abandoned, it was not the subject of a time limited permission, that the proposal was not materially larger in the Green Belt and that satisfactory vehicular access and parking, and amenity space could be demonstrated. The planning officer advised that abandonment in planning terms was difficult to prove and referenced an appeal decision where four factors had been set out for establishing if a property has been abandoned. These related to the period of non-use, the physical condition of the property, any intervening use, and the owner's intention. The planning officer went on to inform the committee that the length of non-

use of the property was unknown, there had been no intervening use of the property, it was not in such poor condition that it would need to be rebuilt and the purchase in 2022 indicated the owner's intention to continue to use the site for residential purposes.

The planning officer advised the committee that the existing building could be restored without major building works and without the need for planning permission.

The planning officer informed the committee that two additional conditions were proposed since the publication of the agenda requiring that the existing property was demolished prior to commencement of development and that the access on Bozdown Drive was closed.

Amanda Holland spoke on behalf of Goring Heath Parish Council, objecting to the application.

Alan Johnson spoke objecting to the application.

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

Councillor Peter Dragonetti, a local ward councillor, spoke on the application.

The committee asked the planning officer to confirm why the definition of abandonment was important to the consideration of the application. The planning officer confirmed that it was a requirement of Policy HS18 that the property had not been abandoned in order for development to be compliant. The planning officer went on to advise that abandonment was not defined in the Local Plan. The committee further enquired as to what relevance the existing dwelling had on building another larger dwelling elsewhere on the site. The Head of Planning advised that the residential use applied to the site as a whole, not just the existing building.

The committee asked the officer if the appeal decision for a previous application on the site for two additional four bedroom dwellings had been taken into consideration. The planning officer advised the previous application was very different to the one before the committee. The historic application retained Timbers and sought the erection of two additional dwellings on the site. In addition to this the planning officer advised that a different local plan would have been relevant at the time and each application has to be assessed on its own merits.

The committee asked to see the houses surrounding the site and for clarification on the proposed screening. The planning officer showed these and advised that the details of the proposed screening had been secured by condition.

A motion, moved and seconded, to approve the application with additional conditions in relation to demolition of the existing building and access, was carried on being put to the vote.

The committee reflected that they did not see how a derelict building was of benefit to the village and that the proposal would be an improvement.

Members were also concerned about the loss of bio-diversity and felt that the design of the house did not enhance the natural beauty it was replacing.

The committee reflected that an inhabited house was better than an abandoned house and that the land had never been intended to be used as a public space.

RESOLVED: to approve planning application P22/S4346/FUL, subject to the following conditions:

1. Commencement to begin within 3 years - Full Planning Permission
2. Development to be constructed in accordance with the Approved plans
3. Schedule of Materials to be approved in writing
4. Demolish existing building
5. Surface water drainage works details to be submitted and approved in writing
6. UNIQUE - Great Crested Newt 1
7. UNIQUE - Great Crested Newt 2
8. UNIQUE - Great Crested Newt 3
9. Landscaping Scheme to be submitted and approved in writing
10. Glass coating details to be submitted and approved in writing
11. External lighting scheme to be submitted and approved in writing
12. Tree protection (implementation as approved)
13. Energy Statement Verification details to be submitted
14. Close existing access
15. Wildlife Protection (mitigation as approved)
16. Existing vehicular access
17. Vision splay protection
18. Parking & Manoeuvring Areas Retained
19. No Surface Water Drainage to Highway
20. Electric Vehicle charging point to be provided

156 P23/S1793/FUL - 99 Reading Road, Henley-on-Thames, RG9 1BY

The committee considered planning application P23/S1793/FUL for the removal of conifer trees and chain link fence along southern boundary and replace with timber fence. (New ecological and landscaping information submitted 28th November 2023, proposing biodiversity net gain through replacement tree and hedge planting), on land at 99 Reading Road, 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 officer's recommendation conflicted with the views of Henley Town Council. The local ward member had also exercised their right to call the application in.

The planning officer informed the committee that the site was an existing builders merchant and did not fall in any designated areas but was adjacent to the Henley Reading Road Conservation Area.

The planning officer informed the committee that in 1986 planning permission had been granted to allow the expansion of trade facilities on the site and this permission included a landscaping condition. The officer went on to advise that there was no evidence this condition had been discharged or that any enforcement action had been taken. The planning officer went on to inform the committee that any breach would

now be immune from enforcement action and did not form a material consideration in the assessment of the application. The trees which were proposed to be removed could be removed without the need for planning permission.

The planning officer informed the committee the application sought to remove a chain link fence, conifer trees and hedges and replace with a three metre closed board acoustic fence. The proposed fence had limited visibility from any public vantage points. The planning officer advised that the forestry officer raised no objections subject to the proposed conditions. She informed the committee that the submitted ecological report demonstrated a 10 percent bio-diversity net gain and that the ecology officer had confirmed this and raised no objections subject to conditions to secure the proposed planting.

The planning officer confirmed that the site was not in a flood zone and officers were satisfied that the proposal would have no impact on flood risk compared to works which could be carried out without planning permission. The planning officer advised that the wording of proposed condition four should be amended to require implementation within the first planting season instead of prior to first occupation as the site was already occupied. The application was therefore recommended for approval subject to the proposed conditions.

Tom Buckley spoke on behalf of Henley-on-Thames Town Council, objecting to the application.

Roy Collinson (Jewson), the applicant, spoke in support of the application.

Councillor Stefan Gawrysiak, a local ward councillor, spoke on the application.

The committee asked the planning officer to confirm that the trees to be removed were of no arboricultural value. The planning officer confirmed that the overall view was they did not have value worth preserving. She reiterated that the 1986 landscaping condition was not discharged and they therefore did not form part of any agreed landscaping plan. They were now immune from enforcement action and even if the condition had been discharged the requirement was only to maintain the trees for a period of three years which had now passed.

The committee asked if it was possible to change the tree types being planted to evergreen's. The planning officer advised that a landscaping condition placed on the planning permission would need to mitigate some harm in order to be reasonable. She went on to advise that the additional mitigation measures which had been secured were a huge benefit when compared with the works which could be implemented without planning permission.

The committee asked if any measures had been taken to protect the proposed planting within the site. The planning officer confirmed that the landscaping condition had a duty to maintain for a five year period after completion. The planning officer advised that there was no condition requiring submission of a landscape plan as this had already been submitted.

A motion, moved and seconded, to approve the application with the suggested change of wording to condition four and an informative seeking laurel planting and an increased number of trees was carried on being put to the vote.

The committee noted that the proposal would deliver a bio-diversity net gain in the long term and hoped that the installation of the fence would be adequate to protect the neighbourhood from noise. Whilst it was regrettable that the trees would not be as high and the planting was inside the fence, the motivation for the application was understood.

RESOLVED: to approve planning application P23/S1793/FUL, subject to the following conditions, together with an informative suggesting additional evergreen planting:

1. Commencement 3 years - Full Planning Permission

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved plans

That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 414021, 414025, 414021, 414 022A and 414 022B, except as controlled or modified by conditions of this permission.

Reason: To secure the proper planning of the area in accordance with Development Plan policies.

3. Tree Protection (General)

Prior to the commencement of any site works (including tree removal or fence clearance) or site clearance) a methodology for the protection of all existing trees which are shown to be retained, and which complies with the current edition of BS 5837: "Trees in relation to design, demolition and construction" shall first have been submitted to, and approved in writing by, the Local Planning Authority. The agreed measures shall be kept in place during the entire course of development.

Reason: To safeguard trees which are visually important and in order to demonstrate an appropriate biodiversity net gain within the site, in accordance with Policies ENV1, ENV3, DES1 and DES2 of the South Oxfordshire Local Plan 2035.

4. Landscaping implementation

The landscaping scheme as shown on the approved plan (APPENDIX 4 PROPOSED LANDSCAPE PLAN by Scarp, Ref. SC-01 B) shall be implemented within the first planting season and thereafter be maintained in accordance with the approved scheme. In the event of any of the soft landscaping so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, replacement planting, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.

Reason: To help to assimilate the development into its surroundings and in order to demonstrate an appropriate biodiversity net gain within the site, in accordance with Policies ENV1, ENV3, DES1 and DES2 of the South Oxfordshire Local Plan 2035.

Informatives

5. All wild birds and their nests receive protection under the Wildlife and Countryside Act 1981 (as amended) which makes it illegal to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. Therefore in order to avoid contravention of this legislation any site works likely to affect potential bird nesting habitat should be timed to avoid the main bird nesting season which runs from March to August. If this is not possible, a check should be carried out prior to any clearance works to ensure there are no active nests present.

6. The applicant is advised to consider the provision of additional evergreen planting along the boundary to supplement the approved landscaping.

7. Joint Henley & Harpsden Neighbourhood Plan policies

SD3: Local Character

ENV3: Trees

ENV2: Biodiversity

157 P23/S2462/FUL and P23/S2463/LB - 34 Upper High Street, Thame, OX9 2DN

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

The committee considered planning application P23/S2462/FUL and listed building consent application P23/S2463/LB for the erection of a two storey extension to accommodate office space connected to the existing building, and the change of use of part of the existing listed building from commercial to one residential dwelling. (Amended location plan received 31st August 2023, omitting neighbour's garage from the site area. Further statement received 27th October 2023, together with revised plans altering the proposed rear extension and showing the proposed drainage arrangement.), on land at 34 Upper High Street, Thame.

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 before the committee due to the objection of Thame Town Council on the grounds the proposed development would be an unjustified loss of office space.

The planning officer informed the committee that the proposal would result in a 26 per cent loss in office space but would provide office space more suited to modern standards and requirements. The application would also restore the building back into its original residential use. He informed the committee there were no highways, heritage officer, drainage or archaeology concerns subject to conditions. The planning officer advised the committee that the impact on neighbours was not adverse. With regards to the provision of amenity space the planning officer informed the committee that the site was located close to local amenities and that officers were of the view the space provided and proximity to the recreation ground was sufficient. The application was therefore recommended for approval.

Martin Baines spoke on behalf of Thame Town Council, objecting to the application.

Michael Holliday, the agent representing the applicant, spoke in support of the application.

The committee enquired as to the comments from Oxfordshire Architectural Society which stated there was insufficient fire and acoustic detail submitted in relation to No. 35. The planning officer advised there were no works proposed to this area and any works affecting this would need separate listed building consent. He went on to advise that the heritage officer was content subject to the proposed conditions.

The committee asked for confirmation that the plans indicated the dwelling would be a two storey property with one bedroom. The planning officer advised the plans indicated a two storey property with two bedrooms.

The committee asked for confirmation of the reduction in office space. The planning officer confirmed that the existing building provided 300 square metres of office space and the proposal comprised 218 square metres of office space and a 141 square metre residential unit. Whilst this was a reduction in office floorspace the configuration would be better fitted to modern usage and more efficient use could be made of the space as the original dwelling was old and comprised small cell units. The committee went on to ask how many people currently used the office space. The planning officer did not have this information.

Motions, moved and seconded, to approve the planning application and listed building consent application were carried on being put to the vote.

The committee reflected that they appreciated whilst the office space was smaller it was more useable and better suited to modern life. Additional benefit of the provision of a smaller dwelling in Thame.

RESOLVED: to approve planning application P23/S2462/FUL, subject to the following conditions:

1. Commencement 3 years - Full Planning Permission

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved plans

That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, PL130, PL131, PL210 Rev C, PL211 Rev B, PL113 Rev B, PL110 Rev E, PL111 Rev E, EX 103 RevA, EX 90 RevA, PL 95 RevA, EX 200 RevA, EX 201 RevA, EX 100 RevA, EX 101 RevA, PL 121 RevB and PL 120 RevA, except as controlled or modified by conditions of this permission.

Reason: To secure the proper planning of the area in accordance with Development Plan policies.

3. Office to be implemented prior to first occupation of house

The approved additional office extension shall be completed and occupied prior to first occupation of the dwelling hereby approved.

Reason: In order to ensure that an adequate level of employment provision is retained within the site, in accordance with Policy EMP3 of the South Oxfordshire Local Plan 2035 and Policy WS7 of the Thame Neighbourhood Plan

4. Schedule of Materials

No development above slab level shall take place until a photographic schedule of all materials to be used in the external construction and finishes of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.

5. Surface Water Drainage

Prior to the commencement of development, with the exception of any demolition, a full surface water drainage scheme, shall be submitted to, and approved in writing by, the Local Planning Authority. The design of the surface water drainage system will be in accordance with the non statutory technical standards for sustainable drainage systems, including details of BRE 365 soakage testing, levels, size, position and construction of drainage works. The drainage scheme shall be sized to accommodate a minimum of the worst case 1 in 30 year storm, with evidence to demonstrate that the site can accommodate the worst case 1:100 year storm + 40% Climate Change storm, without any flows exiting up to this storm event and any storage on site not causing a nuisance or flooding to property. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of the development hereby approved.

Reason: To ensure the proper provision of surface water drainage in accordance with Policy EP4 of the South Oxfordshire Local Plan 2035.

6. Archaeological Watching Brief

The applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any groundworks taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF (2023).

7. Archaeological Archive

Following the approval of the Written Scheme of Investigation referred to in condition

6. No development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Local Planning Authority, as agreed in the Written Scheme of Investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the

Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the National Planning Policy Framework (NPPF) (2023).

8. Parking & Manoeuvring Areas Retained

Prior to the first occupation of the development hereby approved, the parking and turning areas shall be provided in accordance with the approved plan PL 110 E and shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times.

Reason: In the interests of highway safety and in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.

9. Cycle Parking Facilities

Prior to the construction of the development hereby approved above slab level, details of cycle parking facilities for the offices and the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented prior to first use of the development and thereafter retained in accordance with the approved details.

Reason: To encourage the use of cycles as a means of transport in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.

10. First Floor Link

The glazing to the north west elevation of the first floor link shall be glazed in obscured glazing with a minimum of level 3 obscurity and shall be fixed shut prior to the first occupation of the associated part of the development, and it shall be retained as such thereafter.

Reason: To ensure that the development is not unneighbourly in accordance with Policy DES6 of the South Oxfordshire Local Plan 2035.

11. Withdrawal of Permitted Development

Notwithstanding the provisions of the Town and Country (General Permitted Development Order) 2015 (or any Order revoking or re-enacting that Order), no part of the commercial space hereby approved shall be converted to residential use without obtaining planning permission from the Local Planning Authority.

Reason: The specific circumstances of this site warrant the Local Planning Authority having control over conversion to residential use to safeguard the employment use of the site in accordance with Policy EMP3 of the South Oxfordshire Local Plan 2035.

RESOLVED: to approve listed building consent application P23/S2463/LB, subject to the following conditions:

1. Commencement 3 years – Listed Building Consent

The works hereby permitted shall be begun not later than three years from the date of this consent.

Reason: To comply with the provisions of section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved plans (listed building)

That the works hereby approved shall be carried out in accordance with the details shown on the following approved plans, PL 131, PL 130, PL 210 RevC, PL 211 RevB, PL 111 RevE, PL 110 RevE, PL 113 RevB, EX 103 RevA, EX 90 RevA, PL 95 RevA, EX 200 RevA, EX 201 RevA, EX 100 RevA, EX 101 RevA, PL 121 RevB and PL 120 RevA, except as controlled or modified by conditions of this consent.

Reason: To secure the proper planning of the historic environment in accordance with Development Plan policies.

3. Partition Walls

Prior to commencement of the relevant part of the works details of the construction of the partition wall, including section drawings, between the dwelling and office hereby approved shall be agreed in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.

Reason: To safeguard the special architectural or historic interest of the listed building in accordance with Policy ENV7 of the South Oxfordshire Local Plan 2035.

4. Schedule of Materials

A photographic schedule of all materials to be used in the external construction and finishes of the works hereby permitted shall be first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the special architectural or historic interest of the listed building in accordance with Policy ENV7 of the South Oxfordshire Local Plan 2035.

158 P23/S2067/HH - Oakdown, Chalkhouse Green Road, Kidmore End, RG4 9AU

As the meeting time had expired, the application was deferred to the next meeting.

The meeting closed at 8.37 pm
