

# Minutes

OF A MEETING OF THE

## Planning Committee

HELD ON TUESDAY 20 JULY 2021 AT 6.00 PM

FIRST FLOOR, 135 EASTERN AVENUE, MILTON PARK, MILTON, OX14 4SB

### Present:

David Bretherton (Chair)

Peter Dragonetti, Ken Arlett, Tim Bearder, Lorraine Hillier, George Levy, Axel Macdonald, Ian Snowdon and Alan Thompson

### Apologies:

Elizabeth Gillespie and Jo Robb tendered apologies.

### Officers:

#### In person

Paul Bateman and Paula Fox

#### Virtual presence

Kim Gould, Phil Moule, Marc Pullen, Cathie Scotting, Bertie Smith and Tom Wyatt

#### Also present (virtual)

Councillor Alexandrine Kantor

### 165 Chair's announcements

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

### 166 Declarations of interest

There were no declarations of interest.

### 167 Urgent business

There was no urgent business.

### 168 Proposals for site visits



Listening Learning Leading

A proposal, moved and seconded, for a site visit in respect of application P19/S0257/FUL, land at Didcot Town Football Club, Bowmont Water, Didcot, was agreed. The committee had concerns regarding car parking, the bulk and massing of the proposed development and its effect upon the character of the area. The committee considered that a site visit was necessary in order to have a clear understanding of the concerns in the context of the site and its surroundings.

**RESOLVED:** to hold a site visit for application P19/S0257/FUL and defer the consideration of the application until the visit had been completed.

## **169 Public participation**

The list showing members of the public who had registered to speak was tabled at the meeting. Statements received from the public had been circulated to the committee prior to the meeting by the democratic services officer.

## **170 P21/S0274/FUL - Land at former Didcot 'A' Power Station, Milton Road, Didcot**

The committee considered application P21/S0274/FUL for a Hybrid planning application consisting of;

a) Full Planning Application for the erection of a single storey 8,692 m<sup>2</sup> Data Centre building (containing data halls, associated electrical and AHU Plant Rooms, loading bay, maintenance and storage space, office administration areas and screened plant at roof level), emergency generators and emission stacks, diesel tanks and filling area, electrical switch room, a water sprinkler pump room and storage tanks, a gate house / security building, MV substation, site access, internal access roads, drainage infrastructure, hard and soft landscaping and

b) Outline Planning Application for the erection of a two storey 20,800 m<sup>2</sup> Data Centre building (containing data halls, associated electrical and AHU Plant Rooms, loading bay, maintenance and storage space, office administration areas and screened plant at roof level), emergency generators and emission stacks, diesel tanks and filling area, electrical switch room, a water sprinkler pump room and storage tanks; details of appearance will be reserved, along with hard landscaping immediately around the building (as amended by plans and documents received 5th May 2021 on Land at the Former Didcot 'A' Power Station, Milton Road, Didcot.

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 committee at its meeting on 30 June 2021 had resolved to defer consideration of this application pending the receipt of further energy-related information and further information on biodiversity net gain, to enable the committee to make a fully informed decision. The committee had received from the democratic services officer prior to the meeting, as appendix 2 of the report, the applicant's technical response to reasons for deferral. The response contained the full energy statement which accompanied the application and provided detailed information on energy consumption in respect of a number specific issues;

1. Anticipated electricity to be used by each data centre unit, and the amount to be supplied by the photo voltaic (PV) panels.
2. Carbon emissions annually for each data centre unit and compliance with council local plan policy DES10.
3. Biodiversity Net Gain and how the calculation of 89 units was arrived at.
4. An estimate of annual energy consumption in MWh of the data centre.
5. An estimate of annual amount 'of Kg of CO<sub>2</sub> emitted' by the proposed data centre.
6. An estimate of annual energy consumption and Kg of CO<sub>2</sub> as in 1 and 2 above but when the site contains the following batteries to manage energy consumption.  
10MW battery, 20MW battery and 30MW battery.

Paragraphs 2.4 to 2.6 of the report provided planning officers' analysis of the outcomes provided by the energy statement and the planning officer reported to the committee that, overall, there would be a diversity enhancement for the whole site. The scheme was compliant with policy ENV3, as the difference in units from that which existed in 2014 (17.3 units) would be secured through the wider Didcot 'A' site's biodiversity strategy, similar to offsetting, whereby the loss would be fully compensated.

The planning officer reported that an additional condition would be recommended to the committee that prior to the usage of unit 1, the biodiversity statement should be submitted to the council for approval. Also, there would be two conditions relating to noise, namely the limitation of the days and times when generators could be tested and also that the council's environmental health section would be informed if back-up generators were used, so that the public could be kept informed.

In response to a question regarding additional conditions and how uniformity in approach between South Oxfordshire DC and its closest neighbouring authority would be ensured, the senior planning officer reported that liaison would be taking place with Vale of White Horse DC planning officers in the event of additional conditions being agreed, in order that it could alter its report to its counterpart planning committee accordingly.

In conclusion to the presentation of the report, the planning officer advised the committee that the application was policy compliant and in fact went beyond the council's diversity requirements.

Camilla Fisher, the agent, spoke in support of the application.

In response to a question regarding the possibility of the council controlling all emissions from the development, the senior planning officer reported that the development was not a power station proposal and as the council could only control 'regulated' emissions, operational usage was non-regulated. The council only had the authority to control the building itself. The building met the excellence targets relating to energy emissions standards stipulated by BREEM (Building Research Establishment Environmental Assessment).

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

**RESOLVED:** that authority to grant planning permission for application P21/S0274/FUL, is delegated to the head of planning subject to:

1. The completion of a S106 legal agreement and

2. The following conditions:
  1. Approved Plans
  2. Submission of Reserved Matters for unit 2
  3. Commencement of full permission
  4. Commencement of outline permission
  5. Materials in accordance with approved plans
  6. Energy statement verification – unit 1
  7. Energy statement submission – unit 2
  8. Energy statement verification – unit 2
  9. Foul and surface water drainage scheme for unit 2 to be agreed
  10. Drainage construction compliance report before occupation
  11. Contaminated land remediation strategy prior to occupation
  12. Revised landscape scheme to be agreed prior to occupation
  13. Community Employment Plan to be agreed prior to occupation
  14. Vehicle and cycle parking provision in accordance with approved plans prior to occupation
  15. Construction Traffic Management Plan
  16. Tree Protection
  17. Lighting in accordance with approved plans
  18. Diesel generator testing
  19. Emergency use of generators
  20. Travel plan implementation
  21. Restricted use – Data centre only
  22. No extra office floor space without permission
  23. Informative – land drainage consent
  24. Informative – contaminated land
  25. Informative – planning obligation

## **171 P20/S4824/FUL - 18 Duke Street, Henley-on-Thames**

The committee considered application P20/S4824/FUL for a change of use of existing first and second floors from previous uses (now vacant) as a bank (Class E(c)(i)) and chiropractic practice (E(e)) to residential (C3) use. Proposed second floor extension over existing two-storey rear extension to create additional new residential (C3) units. In total four new flats; one and two-bedroomed flats, accessed from Tuns Lane. New access to flats on Ground Floor (remainder of Ground floor will remain as a retail unit, approved under P20/S3728/FUL granted 20/11/2020). (As amended by plans received 2021-04-20 to omit third floor projection to the rear and reduction of units from five to four as a result) at 18 Duke Street, 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 this meeting.

The planning officer reported that deferral of this application had been decided by the committee at its meeting on Wednesday 30 June 2021 to facilitate a site visit, which took place on Monday 19 July 2021.

The planning officer reported that the key issues in respect of this application were loss of car parking, effect upon the character of the area and the collection of waste. The site was in a sustainable location and there were no planning reasons to refuse the application. Two unauthorised waste bins had been a problem at Tuns Lane, but a suitable solution had been found; the council's waste team would monitor the situation on a weekly basis

and enforce if necessary. The proposed condition 6, relating to the adherence to a waste statement was therefore now not strictly necessary. Subsequent discussion by the committee, however, determined that this condition should remain.

Councillor Ken Arlett, a representative of Henley Town Council, spoke objecting to the application.

The agent, Ms. Rhian Woods, spoke in support of the application. The democratic services officer had sent a statement by Ms. Woods to the committee prior to the meeting.

The committee discussed the provision of extra bins in the hammerhead area, but the senior planning officer advised the committee that it could not impose conditions upon an area outside the application site. However, the site had a very co-operative applicant and this fact, coupled with the activities of the waste management team, should ensure a well maintained site. Condition 6 could be amended to require a waste statement to be submitted for approval.

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/S4824/FUL subject to the following conditions

- 1 : Development to commence within three years of the date of planning permission.
- 2 : Development to be implemented in strict accordance with approved plans.
- 3 : Schedule of all external materials to be submitted and approved by the Local Planning Authority.
- 4 : Cycle Parking to be implemented and retained as per approved plans.
- 5 : All habitable rooms fronting Duke Street shall be fitted with mechanical ventilation extracting air from the rear of the property – details of mechanical ventilation to be submitted and approved by the Local Planning Authority.
- 6 : Waste Statement to be implemented and adhered to.

## **172 P20/S3719/RM - 31 Acremead Road, Wheatley**

The committee considered application P20/S3719/RM for a reserved matters application following Outline Approval P18/S3781/O for details of the access, appearance, landscaping layout and scale. Demolish existing dwelling and construction of 4 detached dwelling houses with new private access drive. (as amended by site levels plan ref 20-017 P 010A received 14 December 2020 and plan reference 050B, which amends the proposed landscaping scheme received 11 January 2021 and as amended by set of plans received on 3 June.) at 31 Acremead Road, Wheatley

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 In September 2019, outline planning permission had been granted, with all matters reserved, for the demolition of the existing bungalow and the construction of 4 detached dwellings. This outline application was determined prior to the adoption of the South Oxfordshire Local Plan (SOLP) 2035 and the Wheatley Neighbourhood Plan. A site visit had taken place at this site by members of the committee on Monday 19 July 2021.

The planning officer also reported that principal objections had included, overlooking, lack of parking, harm to wildlife and drainage concerns. All council officers had determined that the proposal was satisfactory, although the forestry officer had stated that landscaping needed adjustment to ensure that tree roots were protected with respect to specific trees. The Oxfordshire County Council had no objection. Also, the design of the proposal was in keeping with a mixed housing area.

In response to a question regarding an energy statement, the planning officer reported that the requirement for such a statement had to be made at the outline stage. The outline application had been determined prior to the adoption of the SOLP 2035. As such, the council could not require that the development met the requirements of the SOLP policies. Given that the dwellings would be new builds, it was likely that they would exceed the requirements of current building regulations and would be more energy efficient than the current bungalow on the site. Policy DES10 required new dwellings to achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case.

Councillor Toby Newman, a representative of Wheatley Parish Council, spoke objecting to the application.

Mr. Adrian Gould by the agent, spoke in support of the application. A statement Mr. Gould was sent to the committee prior to the meeting by the democratic services officer.

Councillor Alexandrine Kantor, the local ward councillor, spoke objecting to the application.

In response to a question regarding car parking, the agent reported that the provision was in line with policy TRANS5 and the SOLP, the latter seeking to ensure that all types of new development would have a safe and convenient access for all users. Provision was also in accordance with Oxfordshire County Council parking standards. Policy P1 of the Wheatley Neighbourhood Plan required new development proposals to provide off road parking to meet the County Council's car parking standards. For this development, the requirement would be 10 off-road parking spaces (8 allocated and the remaining 2 unallocated.). In response to a further question, the planning officer acknowledged that there was not specific provision for cycle storage, but ease of access facilitated outside parking of cycles.

The committee remained concerned at the scale of the proposal, its impact on the local area, its cramped nature and effect upon neighbours' amenity space. Concerns were also expressed in respect of possible overlooking, parking and safe manoeuvring.

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/S3719/RM,  
For the following reasons:

1. A cramped form of development.
2. Impact upon residential amenity of neighbours.
3. Visual intrusion and a perception of overlooking.
4. Height and design out of keeping with established character of existing dwellings.

**173 P19/S0257/FUL - Land at Didcot Town Football Club, Bowmont Water, Didcot**

Consideration of this application had been deferred, pending a site visit.

The meeting closed at 8.00 pm

Chairman

Date

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