

Minutes

of a meeting of the

Planning Committee



held on Wednesday, 28 June 2023 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, Jo Robb, Ed Sadler, Katharine Keats-Rohan, Axel Macdonald, and Ben Manning
Officers: Darius Zarazel (Democratic Services Officer), Paula Fox (Development Manager), Marc Pullen (Planning Officer), Paul Bowers (Planning Officer), Davina Sarac (Planning Officer)

Remote attendance:

Officers: Susie Royce (Broadcasting Officer), Paul Lucas (Planning Officer), Tom Wyatt (Planning Officer), and Martin Morgan (Environmental Health Officer)

13 Chair's announcements

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

14 Apologies for absence

Apologies for absence were received from Councillor Ali Gordon-Creed, who was substituted for Councillor Jo Robb, and Councillors Tim Bearder and Sam James-Lawrie.

15 Minutes of the previous meeting

RESOLVED: to approve the minutes of the meetings held on 7 June 2023, 19 April 2023, 21 September 2022, 17 May 2022, and 1 September 2021 as a correct record and agree that the Chair sign these as such.

16 Declarations of interest

There were no declarations of interest.

17 Urgent business

There was no urgent business.

18 Proposals for site visits

Members proposed a site visit for application P22/S4211/HH at The Annexe, The White House, Bolney Road, Lower Shiplake, RG9 3NR as they believed that visiting the site would provide a clearer understanding of the issues around the application than could be gained through looking at the plans.

A motion, moved and seconded, to defer consideration of application P22/S4211/HH until a site visit was held was carried on being put to the vote.

RESOLVED: to defer consideration of planning application P22/S4211/HH until a site visit had occurred.

19 Public participation

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

20 P21/S1733/FUL - Land adjacent to the Bottle and Glass Inn, Bones Lane, Binfield Heath, RG9 4JT

The committee considered planning application P21/S1733/FUL for the retrospective change of use of the agricultural Dutch barn to provide outdoor dining area associated with the public house, including additional seating area, external storage and kitchen containers, addition of timber cladding to barn and screening fencing around containers (as amplified by floor plan and elevation plans submitted 08 March 2022) (as amended by plans 2023-02-10 to revise external appearance, provide additional parking, remove retail/shop within barn) (as amplified and amended by Transport Statement and plans to increase overflow car parking received 31 March 2023), on land adjacent to the Bottle and Glass Inn, Bones Lane, Binfield Heath.

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 noted that since the publication of the agenda an additional letter from a neighbour was sent in supporting the application citing its community benefit. The planning officer then highlighted that the application itself sought retrospective permission for the change of use of an existing agricultural barn into an outdoor dining and seating area for the Bottle and Glass Inn. A shipping container was proposed to be used as a kitchen and would use an extracting unit and external flu pipe. The barn itself was proposed to be enclosed with cladding to assist with weather proofing the structure. In addition to the retrospective permission, it was noted that the application also included a proposal for an extension to the barn to the rear, in order to provide toilet facilities, and an extension to the car park, so that there could be overflow parking.

The planning officer believed that the principle of the development was acceptable as the barn had assisted the pub during the COVID-19 pandemic and that the works that would be carried out would not be detrimental to the site, and subject to an enhanced landscaping, would not be detrimental to the Chilterns Area of Outstanding Natural Beauty.

In addition, noise, odour, and lighting were assessed rigorously and officers did not believe there would be any significant adverse effect on neighbouring amenity, with some noise mitigation measures already being implemented. The planning officer also clarified to members that conditions were proposed to limit live music, lighting, and events outside of the barn.

Finally, it was noted that highways had no objection subject to cycle storage on site, which could be secured through condition, and that biodiversity net gain could also be secured through conditions.

Overall, the planning officer was satisfied that the proposed application was in accordance with the Local Plan and recommended it be approved subject to conditions.

David Holliday, one of the applicants, spoke in support of the application.

The committee had conducted a site visit prior to the discussion of the application at the committee meeting. The committee began by asking about the recommended conditions around music and if the parameters of it could be clarified. In response, the planning officer confirmed that live music could be controlled and monitored, and the conditions would ensure that recorded music was not played outside the barn. Further to this, the planning officer noted that environmental health was satisfied that the noise produced by the application would not reach the level of statutory nuisance and that restricting the use of the barn past 10pm would mitigate any severe noise harm that could be caused.

Members also noted some of the potential concerns around the extractor in the kitchen and inquired as to how this would be monitored to ensure it would not be a nuisance to neighbours. The planning officer then clarified that he had asked for a noise and odour report from the applicant, which was provided, and that it demonstrated enough details around its operation that the council was satisfied that it would not have a significant effect on neighbouring amenity. It was also noted that since the extractor was installed the council had received no concerns or complaints from locals. Members also mentioned that when they went on site during the site visit, they could see that the residential dwellings were relatively far away from the barn.

Overall, the committee agreed that the application was an improvement to the existing building and were satisfied that their concerns had been addressed through the proposed conditions. In addition, members were encouraged that the site would continue to have community use and produce local employment. For those reasons, the committee agreed to approve the application, subject to conditions.

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

RESOLVED: to approve planning application P21/S1733/FUL, subject to the following conditions:

1. Development to be implemented in accordance with approved plans

2. Materials to be used in accordance with those stated on approved plans and supporting documentation
3. Cycle parking to be provided by a scheme that should be submitted and approved in writing by the local planning authority
4. Turning areas & car parking to be provided in accordance with approved plans and maintained
5. Landscaping scheme to be submitted and approved in writing by the local planning authority
6. Kitchen extraction noise and odour control to be maintained in accordance with measures submitted
7. External lighting only to be implemented in accordance with a scheme that should be submitted for approval in writing by the local planning authority
8. Hours of operation limited to 08:30 to 22:00
9. Customer activities and events to be limited to the barn and the external seating areas shown on the plans
10. No live music at the premises and no amplified sound outside of the barn

21 P22/S3447/FUL and P22/S3448/LB - The Four Horseshoes, Main Street, Checkendon

The committee considered planning application P22/S3447/FUL and P22/S3448/LB for the conversion and sub-division of vacant public house to two dwellings and erection of a detached dwelling and carport and formation of new vehicular accesses on Main Street and Deer's Lane (number of new build dwellings reduced from two to one and layout and design of new build dwelling and parking altered as shown on amended plans received 10 February 2023 and as amplified and amended by information received 17 February 2023 and visibility splays and tracking provided on amended site plan received 19 April 2023), on land at The Four Horseshoes, Main Street, Checkendon.

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 Checkendon Parish Council.

The planning officer informed the committee that there were two applications before them; one was for full planning permission for a new detached dwelling and car port with vehicle access on Main Street and Deer's Lane and the other was a listed building consent application which sought permission for the conversion and subdivision of the existing public house on the site.

The planning officer highlighted to the committee that it was his opinion that the existing building remained unviable as a community facility due to the previously granted permission for its total residential conversion. Therefore, he believed that the subdivision would be acceptable in Local Plan policy terms. The planning officer then detailed the proposed works to the listed building which included a single storey extension, reconstructed outbuilding, detached garage, and internal alterations. The conservation officer's representations also stated that the subdivision would result in some loss of significance for the building, but only result in a low level of harm as it was achievable in a sensitive and reversible manner.

On the proposed new dwelling, the planning officer believed that the proposal would be considered infill and that, although it would be a significant increase to the built form of the area, it would reflect local vernacular. The conservation officer's representations also noted that the new build dwelling would erode some space of the listed building and cause increased enclosure to the road junction in the Checkendon Conservation Area, but that this would primarily be seen from closed views next to the proposed dwelling. The local highway authority considered that the proposed new dwelling would also be acceptable on access and parking grounds and the planning officer confirmed that the proposal met the council's requirements around housing mix, and that landscaping, drainage, and external lighting could be dealt with via conditions.

Overall, the planning officer highlighted to members that the public benefit needed to be weighed against the harms of the development and it was his view that the primary benefit – the continued use of the listed building for future generations and the provision of three dwellings – outweighed the low level, less than substantial harm, that would come from the development as identified by the conservation officer. Therefore, the planning officer considered that both the planning and listed building consent applications were acceptable and so recommend they be approved.

Tim Corbishley spoke on behalf of Checkendon Parish Council, objecting to the application.

Dom Brooke-Read, the agent representing the applicant, spoke in support of the application.

Councillor Jo Robb, a local ward councillor, spoke objecting to the application.

The committee discussed the northeast elevation of the proposed dwelling, noting that that the design of the dwelling and the primary use of brick, rather than including flint work, was out of character and not sympathetic to the surrounding area.

In addition, the committee then also asked the planning officer about the key views from the northeast of Checkendon facing the proposed development. Specifically, members noted that the trees in the proposed plans were indicated as being fully grown. Rather, it was considered likely that if the application was approved, tree saplings would be planted and so during the time it took for them to grow they would not be sufficiently obscuring the dwelling and subsequently not enhancing the conservation area. In response, the planning officer did confirm that the proposed conditions could make specific reference to appropriate trees for that corner, but members maintained their concerns about the potential for the proposed development to be seen and therefore undermine the Checkendon Conservation Area.

Members then considered the officers outlined reason for approval being on the balance of benefits weighed against the harm to the conservation area and the grade 2 listed building. Members were not satisfied that the proposed new dwelling brought enough benefit to outweigh its impacts on the conservation area. Specifically, the committee noted that the design of the house would not sufficiently reflect the unique character of its surroundings in what was a prominent position of the conservation area.

Overall, the committee did not believe that the prominence, design, and materials of the new building would do anything to conserve or maintain the Checkendon Conservation Area and so they agreed that the planning application should be refused. However, they did not maintain any objection to the listed building consent application for proposed works for the conversion and subdivision of the existing grade 2 listed building and were satisfied to see it be brought back into use for future generations.

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

RESOLVED: to refuse planning application P22/S3447/FUL, for the following reasons:

The proposed new-build dwelling, by reason of its size, position and appearance, would fail to preserve or enhance the character and appearance of the Checkendon Conservation Area and would detract from the setting of the Grade II listed building. As such, the proposal would conflict with Policies DES1, DES2, ENV6, ENV7 and ENV8 of the South Oxfordshire Local Plan 2035 and advice contained within the NPPF.

RESOLVED: to approve planning application P22/S3448/LB, subject to the following conditions:

1. Commencement of works within 3 years
2. Works to be carried out in accordance with the approved plans
3. Submission of fire and acoustic separation details to be agreed

22 P22/S2640/O - 15 Tollgate Road, Culham, OX14 4NE

The committee considered planning application P22/S2640/O for the erection of detached two-storey dwelling with parking and amenity space (as amplified by additional contamination information received 27 March 2023 and amended by revised application form removing 'layout' from the proposal and making it a reserved matter), on land at 15 Tollgate Road, Culham.

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 Culham Parish Council. The planning officer informed the committee that the application was an outline application in order to establish the principal of a two-storey dwelling with access on the site and that all other matters would be reserved for the future with the exception of the access.

The planning officer noted that infill development was not inappropriate in Culham, based on housing policy, nor in the Green Belt, as it was one of the few exceptions. Therefore, as the planning officer considered the proposed outline dwelling to be situated in the village of Culham and to be an infill development, he believed it to be acceptable.

It was also noted that there had been a historic decision on the site to refuse a previous housing application. However, this was 45 years' ago and the planning officer informed members that the understanding about what was in and outside of a village, and what was and was not considered infill development, had evolved since then. It was the officer's view that the site was located within the village and that, as it was closely surrounded on three sides by development – houses to the north and south and a Thanet Water pumping station to the west – it was also an infill development.

Finally, on highways safety, the planning officer noted that there was no objection to the access by the local highway authority.

Overall, as the planning officer believed that the dwelling would be considered infill development in Culham, and that the access was acceptable on highways terms, he recommended that the application be approved.

Siobham Sargeant spoke objecting to the application.

Jake Collinge, the agent representing the applicant, spoke in support of the application.

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

The committee asked the planning officer about the details of the outline application and he confirmed that this application only dealt with the principle of development and access and that a future reserved matters application would cover the details of the dwelling. It was also clarified that applicants were entitled to apply for outline applications and the council must assess every application on its own merits.

Members also noted there was a spring located on the site and asked about what impact this would have on the current application. In response, the planning officer informed members that the council's drainage engineers had no objection on flooding grounds but requested conditions on surface and foul water. In addition, the ecologist did raise drainage as a potential issue but was satisfied with the requirement for a preliminary ecological assessment. Bearing these representations in mind and considering that it could be dealt with in the planning control stage, the planning officer did not consider the spring a material consideration to the outline application before the committee.

Members inquired as to the definition of infill, and the planning officer responded with the definition in the Local Plan, that infill was considered to be, "the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings". He also emphasised that cases of potential infill should be assessed case by case on their own merits and there was no requirement for a site to be totally enclosed on all sides to meet that definition. Based on this, the committee was satisfied that the site met the criteria and so could be considered infill development.

Members then inquired about the status of the building to the south and the planning officer confirmed that it was not a heritage asset but that the Culham Neighbourhood Plan had identified it as a building of note. In addition, as the application site was north

of the existing building, the officer considered that it maintained the openness around that building, but as it was not formally designated there was no requirements about spacing.

Overall, as the committee recognised that the site was an infill development in the village of Culham, they considered it acceptable on these grounds. As the spring on site was not material to the outline application, and as highways had no objection, the committee could see no material planning reason to refuse the application. Therefore, the members agreed to approve the application subject to conditions.

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

RESOLVED: to approve planning application P22/S2640/O, subject to the following conditions:

Standard conditions:

1. Commencement - Outline with Reserved Matters
2. Approved plans

Prior to commencement conditions:

3. Tree protection - detailed
4. Surface water drainage works (details required)
5. Foul Water Drainage
6. Contaminated Land - Linked Conditions (1)
7. Plan of Car Parking Provision (unspecified number of spaces)

Prior to occupation conditions:

8. Contaminated Land - Linked Conditions (2)
9. Electric charging point details

Compliance conditions:

10. Unsuspected Contaminated Land Condition
11. Energy Statement
12. Preliminary Ecological Assessment

23 P22/S4211/HH - The Annexe, The White House, Bolney Road, Lower Shiplake, RG9 3NR

The committee deferred consideration of the application until a site visit had occurred.

24 P23/S1539/HH - 35 Damer Gardens, Henley-on-Thames, RG9 1HX

The committee considered planning application P23/S1539/HH for the proposed first floor extension, on land at 35 Damer Gardens, 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 called into the committee by the local ward member, Councillor Ken Arlett, based on the objections from Henley-on-Thames Town Council.

The planning officer informed the committee that planning permission was sought for a first-floor side extension above an existing garage for a 1960s style linked detached dwelling in the Damer Gardens cul-de-sac. This cul-de-sac was noted as comprising a mixture of linked detached and terraced dwellings alongside each other.

The proposed extension would be set back from the front of the dwelling and set down from the original roof line. Also, as the surrounding area has a mixture of linked detached and terraced dwellings, the planning officer did not believe that the proposed linking of the dwelling with the adjoining property would be out of character with the area.

Overall, as the planning officer believed that the scale and design of the development was in keeping with surrounding area and would not harm the amenity of neighbours, they recommended the application be approved subject to conditions.

Ronald Chalk spoke objecting to the application.

Jeremy Collins-Haest, the agent representing the applicant, spoke in support of the application.

The committee asked about the potential for the extension to overlook the neighbours and affect their amenity, but the planning officer clarified that there would be some overlooking but that the neighbours had a conservatory obscuring some of the garden and as the properties were situated in a built-up area there would be some mutual overlooking. In addition, there was not considered to be any significant loss of light caused by the proposed development. Members then inquired into the precedent for the proposed type of extension in the area, but the planning officer reminded members that each application needed to be taken on its own merits. On neighbouring amenity, members were satisfied with the comments by the development manager that these were not strong grounds for refusing the application.

On parking, members asked about the number of bedrooms in the proposed development, and it was confirmed that the proposed dwelling would have two bedrooms. Due to the increase in accommodation level, the existing pressure in the area for off-street parking, and the ease of conversion of one of the multiple studies into a further third bedroom, the committee believed that the provision of one off-street parking space was not sufficient for a development of its size.

The committee then expressed concerns about the proposed design of the extension. It was noted that the cul-de-sac was of a very distinctive unique 1960s design and as the proposal would cause a loss of the link detached building, replacing it with a terraced effect, it would also be a loss to the character of the area.

Overall, the committee believed that the proposal was not in keeping with the character and appearance of the surrounding buildings due to its terracing effect and also that it lacked an adequate provision of off-street parking. For these reasons, 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 P23/S1539/HH, for the following reasons:

The proposal would infill a prominent first floor gap between number 35 and 36 Damer Gardens, resulting in a prominent terracing effect and diminishing the distinctive appearance of the linked detached properties and the character of this part of Damer Gardens. As such, it would be contrary to South Oxfordshire Local Plan 20235 Policy DES2 and the Joint Henley and Harpsden Neighbourhood Plan 2020-2035 Policy SD3.

The proposal would increase the amount of accommodation that could be used as bedroom space and the provision of one car parking space is not considered to be adequate for a property of this size. As such, it would be likely to increase the levels of on street parking in an area where there is already a high level of indiscriminate on street parking, and this would be contrary to South Oxfordshire Local Plan 20235 Policy TRANS5 and the Joint Henley and Harpsden Neighbourhood Plan 2020-2035 Policy T6.

The meeting closed at 8.24 pm
