

Minutes

of a meeting of the

Planning Committee



held on Wednesday, 22 November
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, Sam Casey-Rerhaye, Ali Gordon-Creed, Georgina Heritage, Axel Macdonald, and Ed Sadler
Officers: Darius Zarazel (Democratic Services Officer), Paula Fox (Development Manager), Nicola Smith (Planning Officer), Andy Heron (Planning Officer), and Ben Silverthorne (Trainee Democratic and Electoral Services Officer)

Remote attendance:

Councillors: Stefan Gawrysiak
Officers: Susie Royce (Broadcasting Officer), Tom Wyatt (Planning Officer), and Marc Pullen (Planning Officer)

111 Chair's announcements

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

112 Apologies for absence

Apologies for absence was received from Councillors Ben Manning, who was substituted for Councillor Georgina Heritage, and Katharine Keats-Rohan, Tim Bearder, and Sam James-Lawrie.

113 Minutes of the previous meeting

RESOLVED: to approve the minutes of the meeting held on 1 November 2023 as a correct record and agree that the Chair sign these as such.

114 Declarations of interest

The chair, Councillor David Bretherton, declared an interest in agenda item 7, application P22/S3033/FUL at the Smith Centre, Fairmile, Henley-on-Thames, as he was a shareowner of Aberdeen Ltd who owned the site, but he had no prejudicial interest so would continue to sit on the committee to debate and vote on the item.

Councillors Ed Sadler and Ali Gordon-Creed declared an interest on agenda item 9, as they had been to a site visit without an officer present on the site of application P23/S1610/S73, at Grove Hill Farm, Manor Road, Towersey, before it was submitted, and although they did not feel pre-determined on the application they would stand down from the committee during the item.

Councillor Ken Arlett declared an interest in agenda item 10, application P23/S3077/FUL at Greys Meadow Studio, near Rotherfield Greys, as he knew the applicant and so would leave the meeting room when the application was discussed.

115 Urgent business

There was no urgent business.

116 Public participation

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

117 P22/S3033/FUL - The Smith Centre, Fairmile, Henley-on-Thames, RG9 6AB

The committee considered planning application P22/S3033/FUL for the demolition of the existing office floorspace and construction of an Extra Care residential development (C2 Class Use) together with ancillary amenity spaces, landscaping, car and cycle parking and associated plant. (As amplified by additional information received 30 January 2023 and amended by plans and information received 27 February 2023, 8 and 16 August 2023), on land at The Smith Centre, Fairmile, 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 it was brought to the committee due to the objection of Henley-Town-Council and was called in by a local ward member, Councillor Ken Arlett.

The application was for 108 units marketed for residents over 65 and included communal facilities, amenity space, landscaping, and parking provision. Permanent onsite assistance for residents was also highlighted as being provided.

The site itself was located to the north of Henley and was in the Chilterns Area of Outstanding Natural Beauty (AONB). The planning officer also informed members that it was in the Joint Henley and Harpsden Neighbourhood Plan area, although unallocated, but that the site was not in the Henley Conservation Area.

The planning officer then provided members with a history of the buildings on the site and concluded by highlighting the comments of the conservation officer who had no concerns about their removal.

The planning officer informed the committee that the proposal would remove all the buildings on the site and redevelop it as a single building around the retained trees. The footprint of the proposed building would be approximately the same size as the existing buildings, only adding 600 square metres and extending no further to the boundaries. However, it was noted that due to its singular design rather than multiple blocks, it would maximise space. On the elevations of the building, the proposal had reduced its total height through the application process and although it was indicated as still being taller than the existing buildings, as the landscape officer considered that the additional height would not harm the special character or appearance of the AONB due to the buildings green roofs, its screening by surrounding trees, the planning officer considered it acceptable.

The rest of the site was retained for formal and informal amenity space, including retained grass and woodland, and the planning officer confirmed that the amount of space provided was policy compliant. The vast majority of trees were also to be retained, with only a small number of poorer quality trees to be removed. She also noted that 27 additional mature trees would be planted as part of the landscaping scheme.

The planning officer gave significant weight to the loss of 40 per cent of the calcareous grassland on the site, a Priority Habitat which formed as a result of spoil from the development on the site in the 1990s. However, although no like-for-like replacement of the grasslands was possible, the planning officer believed that benefits of using the site for older person housing outweighed this loss.

Overall, the planning officer considered that need for older persons' housing in the district outweighed the loss of Priority Habitat and that the development would have an acceptable impact on the character and appearance of the area. Therefore, she considered the application acceptable and recommend that it be approved.

Jodie Rhymes spoke on behalf of Henley-on-Thames Town Council, objecting to the application.

Julian Brookes spoke objecting to the application.

Mark Curry, the applicant, supported by Holly Farrow, Ollie Smith, James Ewen, Andy Twyford, Steve Billington, and Andrew Poynter spoke in support of the application.

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

The committee had conducted a site visit prior to the discussion of the application.

On a question about the site not being allocated in neighbourhood plan, the planning officer clarified to members that this did not preclude the proposed development as neighbourhood plans set out local aspirations but do not stop other application sites from being considered. She also noted that the site was in accordance with the Local Plan, specifically on policies on older persons' housing, which were more permissive for allowing sites which are not allocated to come forward.

The committee inquired into the lack of affordable housing provided on the site. In response, the planning officer informed members that the Local Plan only required affordable housing provision if it was viable in the scheme, and as an independent viability assessor agreed that the scheme was not viable if it allocated affordable housing, no affordable housing units had been put forward. For this reason, the planning officer considered the application acceptable without the provision of affordable housing. She also emphasised that questions on the viability of the scheme in general were not material planning considerations but that as the scheme was a luxury one that was well designed, she understood how it would add cost to develop.

The committee then discussed the need for older persons' housing, specifically in comparison to the need for affordable housing, and if one should take priority over the other. The development manager clarified that, although there was no specific data about the need for a luxury older persons housing, the need for that type of housing generally had been tested at appeal and inspectors had given significant weight to it due to the need to cater for the ageing population.

Members inquired into the objection from the Chilterns Conservation Board but were satisfied with the response from the planning officer that the application had met the National Planning Policy Framework's test for major developments in AONBs due to its exceptional circumstances being a redevelopment of a brownfield site, providing housing, and that housing was allocated for older people. The committee also considered the planning balance between the ecological harm brought about by the loss of the calcareous grassland and its lack of like-for-like offsetting and the other benefits of the development.

Members then asked for details around the objection from the Highways Authority and the planning officer confirmed that they maintained a holding objection over the location of the cycle storage. However, she believed that this could be dealt with by onsite management and as such, was not a significant enough reason to refuse the application.

The committee then discussed the Section 106 legal agreement and were satisfied with the affordable housing uplift clause or financial payment in lieu as well as the other financial contributions. They also noted that the applicant had advised they would be liable for £5m of Community Infrastructure Levy moneys if the application was approved.

In addition, on the potential visual impact of the development on the approach to Henley, officers confirmed that the proposal would be more visible than the existing buildings but that the additional impact would be minimal as they were well designed and screened by surrounding trees.

The committee weighed up the balance of need against the adverse impact on AONB. As some members believed that the application did not enhance or conserve the AONB, and that there were not sufficient exceptional circumstances to permit the major development, they believed that the application should be refused.

A motion, moved and seconded, to refuse the application was not carried on being put to the vote.

Overall, as the committee gave weight to the proposed site being a redevelopment of a brownfield site and that the design of the proposed building was an improvement on

the existing ones. In addition, they highlighted that it would also contribute to the need for older persons' housing in the district. For these reasons, they agreed that the application should be approved, subject to conditions.

A motion, moved and seconded, to authorise the head of planning, in consultation with the chair, to approve the application was carried on being put to the vote.

RESOLVED: to authorise the head of planning, in consultation with the Chair of Planning Committee, to grant planning application P22/S3033/FUL, subject to the following:

- A) The prior completion of a S106 legal agreement to secure the financial contributions and other obligations as outlined in the report, and
- B) The following conditions:
 - 1. Commencement 3 years - Full Planning Permission
 - 2. Approved plans
 - 3. Demolish existing buildings (all)
 - 4. Tree Protection (Detailed)
 - 5. Construction Traffic Management (details required)
 - 6. Construction Environmental Management Plan
 - 7. Detailed Surface Water Drainage scheme
 - 8. Geo-environmental risk assessment
 - 9. Foul water details
 - 10. Contaminated Land - Linked Conditions (1)
 - 11. Biodiversity Offsetting
 - 12. Schedule of Materials
 - 13. Sample panels of facing brickwork
 - 14. Glass coating for external glazing
 - 15. Landscape Management Plan
 - 16. Landscaping (including hardsurfacing and boundary treatment)
 - 17. Integrated Biodiversity Enhancements
 - 18. Contaminated Land - Linked Conditions (2)
 - 19. Green Travel Plan
 - 20. Cycle Parking as approved plans
 - 21. Electric Vehicle Charging Points (details required)
 - 22. Unsuspected Contaminated Land Condition
 - 23. Energy Statement Compliance and Verification Report
 - 24. Tree pits design
 - 25. Sustainable drainage systems (SUDs) compliance report
 - 26. External Lighting – Basic
 - 27. No change in levels
 - 28. Gates/carriageway

118 P22/S4323/FUL - Land to the west of the Green Marsh, Baldon, OX44 9LL

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 P22/S4323/FUL for the construction of five dwellings, 1 x 2 bed, 3 x 3 bed and 1 x 4 bed, to be accessed via a new driveway from the public highway (Amended plans received 6 March 2023 - change in site to layout to re-locate car parking for all plots to the centre of the site; removal of swale at eastern side of site (replaced by increase in geo-cellular attenuation within the site); change in layout plan to draw plot 3 further back and amendment to layout of plots 1-3; increase in area for tree and shrub planting at front of site; provision of detailed landscaping plan for eastern part of site; increase in soft landscaping within car parking areas; updated biodiversity net gain calculation. Amended by plans received 27 April 2023 - Removal of unit 6 and two car parking spaces to provide views through the site and to remove view of second terrace from access road; revised layout of swale; increased planting on eastern boundary; soft landscaping on western boundary. Amended plans received 2 August 2023 with revised drainage strategy, amendments to fenestration of unit 4 and GCN report and impact plan), on land to the west of the Green Marsh, Baldon.

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 referred to the committee by the objection of Marsh Baldon Parish Council.

The planning officer informed the committee that the site was within the Green Belt and Marsh Baldon Conservation Area and was bordered by neighbours to the north and south and countryside to the west. The planning officer highlighted that the site was considered infill and that it had been allocated for up to six dwellings in the Baldons Neighbourhood Plan.

The application itself was for five dwellings laid out to replicate a farmyard and designed to appear like a barn conversion, which was similar to nearby dwellings. The eastern block was a single storey and one and a half storey dwelling with one 2 bed and two 3 bed dwelling and the rear block was a one and a half storey semi-detached dwelling consisting of a one 4 bedroom and one 3 bedroom dwelling.

New habitat was to be created to the north of site and included mixed scrub woods and grassland. The application was also noted as producing biodiversity net gain.

As the application was policy compliant and as the site was allocated in the neighbourhood plan, the planning officer recommended that the application be approved.

Dawn Mcgiveron spoke on behalf of Marsh Baldon Parish Council, objecting to the application.

Peter Cave spoke objecting to the application.

Lois Partridge, 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 had conducted a site visit prior to the discussion of the application.

The committee asked about the wording of the neighbourhood plan and if it was clear in its allocation for up to six dwellings on the site. In response the planning officer confirmed that policy two of the neighbourhood plan stated that residential development of no more than six houses was allocated on the site in Marsh Baldon. In addition, he noted that the application was compliant with the local plan as it was considered an infill development as it was closely surrounded by buildings.

The planning officer informed the committee that the officer looking over the pre-application for the site had recommended that the development should be similar to the farm layout nearby and he believed it had worked well, matched the building line to front and rear, and had a traditional farm courtyard appearance.

On a question about the use of the buildings to the north of the site, the planning officer clarified to members that they were previously farm buildings but that they were now used as outbuildings.

On a comment about legality of the access road, the planning officer confirmed that this was not a material planning consideration, but he also noted that the highways authority had no objection to the access that was proposed.

Some members did have some concerns with the infrastructure that would be needed for the increase of people to the village, and that the site was in the Green Belt. However, the committee noted that the site was allocated for six dwellings in the neighbourhood plan and that the proposed dwellings were not out of character with the surrounding dwellings.

Overall, members considered that principle of development to be acceptable as it was allocated in the neighbourhood plan, and as they were satisfied with the response to their questions from officers, they could see no material reasons to refuse the application. Therefore, they agreed that it should be approved 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/S4323/FUL, subject to the following conditions:

1. Commencement 3 years - Full Planning Permission
2. Approved plans
3. Sample materials
3. Written Scheme of Investigation (WSI)
4. Staged programme of archaeological evaluation and mitigation
5. Building Information Modelling Execution Plan (BEP)
6. Great Crested Newts (GCN) mitigation
7. Great Crested Newts (GCN) mitigation 2

8. Great Crested Newts (GCN) mitigation 3
9. Sample materials
10. Landscaping
11. Boundary details
12. Glazing
13. Contamination- phased risk assessment
14. Tree protection
15. Energy Statement Verification
16. Electric Vehicle Charging Points
17. Parking & Manoeuvring Areas Retained
18. New vehicular access
19. Contamination- phased risk assessment
20. Approved ecological features
21. Sustainable drainage systems (SUDS) compliance report
22. Contamination (unsuspected contaminated land)
23. External lighting
24. Maintenance and upkeep of the site
25. Hours of operation - construction/demolition
26. Neighbourhood plan - informative
27. Community Infrastructure Levy (CIL) - informative
28. Private road agreement - informative
29. S151 of the Highways Act - informative
30. S137 of the Highways Act - informative
31. Contaminated land - informative
32. Great Crested Newts (GCN) informative
33. Great Crested Newts (GCN) informative 2
34. Great Crested Newts (GCN) informative 3
35. Great Crested Newts (GCN) informative 4

119 P23/S1610/S73 - Grove Hill Farm, Manor Road, Towersey, OX9 3QT

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

120 P23/S3077/FUL - Greys Meadow Studio, near Rotherfield Greys, RG9 4QJ

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

The meeting closed at 8.46 pm
