

Minutes

of a meeting of the

Planning Committee



held on Wednesday, 10 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, Georgina Heritage, James Norman, Sam James-Lawrie, Katharine Keats-Rohan, Axel Macdonald, Ben Manning, and Ed Sadler

Officers: Darius Zarazel (Democratic Services Officer), Emily Hamerton (Development Manager), Caitlin Phillpotts (Planning Officer), and Tom Wyatt (Planning Officer)

Remote attendance:

Officers: Susie Royce (Broadcasting Officer), Paul Lucas (Planning Officer), and Jeremy Peter (Planning Enforcement Consultant)

140 Chair's announcements

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

141 Apologies for absence

Apologies for absence was received from Councillors Ali Gordon-Creed, who was substituted for Councillor James Norman, Sam Casey-Rerhaye, Ken Arlett, who was substituted for Councillor Stefan Gawrysiak, and Tim Bearder, who was substituted for Councillor Georgina Heritage.

142 Minutes of the previous meeting

RESOLVED: to approve the minutes of the meeting held on 13 December 2023 as a correct record and agree that the Chair sign these as such.

143 Declarations of interest

There were no declarations of interest.

144 Urgent business

There was no urgent business.

145 Public participation

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

146 P23/S2101/FUL - Doghouse Studio, Bolney Road, Lower Shiplake, RG9 3NS

The committee considered planning application P23/S2101/FUL for the erection of ancillary retrospective accommodation/annexe to the main dwelling The Doghouse. Retention of raised mobile home by 0.5m above finished ground level, erection of a raised timber deck, privacy screens/ramps to the side and retention of existing access on land adjacent to The Doghouse (as per amended plans submitted 25 September 2023), on land at Doghouse Studio, Bolney Road, Lower Shiplake.

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 Shiplake Parish Council.

The planning officer informed the committee that the National Planning Policy Framework was updated at the end of 2023 and had not affected the officer's assessment of the application.

The site itself contained a dwelling on a plot located to the north of Shiplake, accessible via Bolney Road, and inside of a locally valued landscape area as identified by the Shiplake Neighbourhood Plan. The planning officer also noted that the site was within flood zone 3b but that the development did not require a sequential test and was not water sensitive and would not lead to a net increase in permeable area on the site. She also highlighted that the council's drainage engineer had no objection to the proposal.

The planning officer emphasised that the site had received a certificate of lawfulness in 2021 for the placement of a residential caravan at the northwest of the garden for ancillary use to the main dwelling on the site. This certificate of lawfulness confirmed the use of the land for a twin unit caravan but not any associated developments. However, the caravan was implemented with additional developments, such as a ramp and terrace, and the council considered that these would make the structure permanent and so needing planning permission.

Due to the originally submitted plan being amended to reduce the scale of the terrace, the planning officer confirmed that the application was part retrospective.

As the features along Bolney Road included various garages and set back houses, the siting and appearance of the caravan was not considered to be out of character with the area. In addition, the planning officer confirmed that the ancillary function of the building was to remain by virtue of the application made and any proposed use of the

building as a separate dwelling would be an act of development requiring another application for planning permission.

Overall, as the planning officer believed that the proposal was not out of character with the surrounding area and was policy compliant, she recommended that it be approved.

Councillor Fiona Galton-Fenzi spoke on behalf of Shiplake Parish Council, objecting to the application.

The committee discussed the definition of a caravan and were satisfied that the caravan on the site met the definition under the act as a twin bed caravan. The members also noted that it had a certificate of lawfulness and that the additional timber structures were what was being considered in the application. The planning officer clarified to members that the caravan would stand without those additions.

On a point raised by the parish council about the additional access potentially meaning the applicant wanted to make the caravan a separate and not ancillary dwelling, the planning officer noted that there was a second vehicular access onto the northwest corner of the site. However, as Bolney Road was an unclassified highway the applicant did not need permission for it from the highway's authority. In addition, as she considered that the gate and the fence that were there previously had the same character and appearance, she did not believe the access was more harmful than what was there previously. The planning officer also highlighted that, by virtue of the application made, any proposed use of the building as a separate dwelling would be an act of development requiring another planning application and that there was no possibility of it becoming an independent dwelling without planning permission.

On another point raised by the parish council about the caravan not meeting their Neighbourhood Plan, the members examined the area and agreed that the Neighbourhood Plan policy about preserving the low density of the area would be met by the application as the plot would remain low density.

Overall, as members believed that the proposed development would conform to the low-density requirements of the Shiplake Neighbourhood Plan, that it would remain ancillary to the main dwelling, and that it was not out of character with the surrounding area, they agreed that the application 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 P23/S2101/FUL, subject to the following conditions:

1. The development to which this permission relates must be complete not later than the expiration of six months 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. That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 3894-100, 3894-200A, 3894-201A, 3894-202A, 3894-203A and 3894-204A, 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. The development hereby permitted shall be constructed in strict accordance the materials and details specified on the approved plans and supporting documents, or in materials and details which shall first have 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.

4. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Doghouse.

Reason: As the separate occupation of the accommodation would represent an undesirable sub-division of the property and result in inadequate standards of amenity and privacy in accordance with Policies DES1, DES2, EP4 and DES6 of the South Oxfordshire Local Plan 2035.

147 P23/S0767/FUL - Land to the east of Crest Estate, Stoke Row

The committee considered planning application P23/S0767/FUL for the erection of 2 new dwellings and double garage (site area extended, size, position and detail of dwellings adjusted, drainage repositioned as shown on amended plans and additional arboricultural report, ecology report and highways technical note and updated energy and planning statements received 14 July 2023 and ecological information updated as shown on amended landscape plan and supporting documents submitted 11 August 2023 and amended drainage details received 10 October 2023 and additional section received 17 November 2023), on land at Land to the east of Crest Estate, Stoke Row.

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 Stoke Row Parish Council.

The planning officer informed the committee that he considered the principle of development to be acceptable as it was an infill development inside of a settlement, and that this was something that was also permitted in the Chilterns National Landscape. He also noted that the recent changes to the National Planning Policy Framework at the end of 2023 did not affect his recommendation.

In terms of the scale, form, and detailing of the dwellings, the planning officer believed that they related well to their surroundings and would conserve the landscape. In addition, he highlighted to the committee that the proposed dwellings would protect the amenity of the existing neighbouring properties.

On the proposed access, the planning officer confirmed that the accesses and parking arrangement were considered by the highways authority and that they did not have concerns about highway or pedestrian safety.

On flooding, the council's drainage engineer assessed the proposal and considered that the scheme could deal with onsite surface water, but as it also brought flood alleviation to the wider area, the application did not require a sequential test.

Overall, as the principal of development was acceptable and that the application itself was policy compliant, the planning officer recommended that it be approved.

Roger Clayson and Councillor Mike Steyn spoke on behalf of Stoke Row Parish Council, objecting to the application.

The committee inquired into the flood mitigation in the scheme and the planning officer assured members that, although there were surface water drainage issues on and around the site, the application had been evaluated by the drainage engineer and they were satisfied that the removal of the verge on Main Street and the installation of a cattle grid to capture and transport surface water around the site, would act as a sort of flood alleviation scheme. For these reasons, the drainage engineer considered that the flood alleviation brought by the application would outweigh the harm of not conducting a sequential test. Overall, the planning officer confirmed that the application would be able to deal with the surface water on the site, but also any water that would come in from offsite.

Members discussed the area around the application site and agreed with the planning officer's interpretation that the site was considered an infill development as it was closely surrounded by a number of buildings. The planning officer also clarified to the committee that the site did not need to be a brownfield site in order to be eligible to be considered infill.

On a question about if the proposed dwellings were in keeping with the local vernacular, the planning officer confirmed that one of the proposed dwellings was finished in brick and flint and the other in brick and that the two properties to the west of the site were finished in the same way. For this reason, he considered their design acceptable.

As members agreed that it was an infill development, the principle of development was accepted. In addition, they noted the comments of the drainage engineer that the application would have a positive impact on drainage and flood mitigation in the area. For these reasons, they agreed that the application 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 P23/S0767/FUL, subject to the following conditions:

1. Commencement 3 years - Full Planning Permission

2. Approved plans.
3. No change in levels
4. Schedule of Materials
5. Flintwork - traditional construction
6. Obscure glazing
7. Rooflights (specified cill level)
8. Withdrawal of Permitted Development (P.D.) (numerous)
9. Energy Statement Verification
10. Air Source Heat Pump(s) - MCS Certification
11. New vehicular access
12. Vision splay protection
13. Parking & Manoeuvring Areas Retained
14. Cycle Parking Facilities
15. Landscaping implementation
16. Tree protection (implementation as approved)
17. Wildlife Protection (mitigation as approved)
18. Long term ecological management plan
19. Unsuspected Contaminated Land Condition
20. External Lighting - Basic
21. Surface Water Drainage (SWD) Implementation
22. Sustainable drainage systems (SUDS) Compliance (prior to occupation)
23. Foul drainage implementation
24. Electric Vehicles Charging Point (implementation)

Informatives:

1. Contaminated Land - Building Control
2. CIL-Planning permission or reserved matters approval (South)
3. Mud and vehicle obstructions on the Highway

148 P23/S2141/FUL - Summer Cottage, Cane End, RG4 9HG

The committee considered planning application P23/S2141/FUL for the retrospective planning for change of use of three areas of land for dog walking including associated benches/tables and shelters, change of use of an area as dog adventure park and change of use of existing outbuilding for dog day care and dog grooming service, and installation of septic tank., on land at Summer Cottage, Cane End.

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 Kidmore End Parish Council.

The planning officer informed the committee that the National Planning Policy Framework changes from 2023 had not affected the officer's assessment of the application.

The application itself was retrospective and sought the change of use for an adventure park for dog walking, dog day-care, and grooming area. The planning officer considered that the impact on the National Landscape was acceptable and that the

impact on neighbouring amenity was also acceptable subject to conditions relating to operating hours.

Overall, as the planning officer believe the application complied with the Local Plan, Neighbourhood Plan, and National Planning Policy Framework, it should be approved.

Andrew Harland spoke on behalf of Kidmore End Parish Council, objecting to the application.

Simon Herbert, the applicant, spoke in support of the application.

Camilla Skinner spoke objecting to the application.

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

The committee noted that they were considering the application in front of them and that, if the application was approved, enforcement of the conditions would be a separate matter that would dealt with by the council's enforcement team if necessary. Therefore, enforcement of conditions would not affect the committee's deliberations.

On a question about if the dog operation would be acceptable in the National Landscape, the planning officer confirmed that they would be as they were considered land-based businesses and there were no additional buildings proposed.

Members inquired if the planning officer had given consideration and planning weight to the impact the application would have on the neighbours and he confirmed that he had given them considerable weight as that was a factor in why enforcement took action on the site previously. He also confirmed that he had spoken to the environmental health team about the noise and that they did not believe that there was statutory noise nuisance derived from the site or excessive aggression by the dogs.

On a question about the adequacy of the fencing, the planning officer confirmed that the fencing was appropriate and suggested a condition on approval of the application for the fence details to be submitted and to make sure that they are maintained. In addition, in response to a question about traffic and access, the planning officer did not believe that a traffic management plan was necessary as the local highway's authority had no objection to the application.

Overall, the committee were satisfied with the officer's report and the suggested conditions attached to the approval. As the site would be used as a rural land-based activity, it would also be acceptable in the National Landscape. Members also suggested that the applicant note the concerns of neighbours and work proactively with those who were concerned. Ultimately, as there were no material planning reasons to refuse the application, the committee agreed that the application 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 P23/S2141/FUL, subject to the following conditions:

1. That the development hereby approved shall be carried out in accordance with the details shown on the following approved plan – Proposed (retrospective) Site Plan - 7075/2/ Rev B received 14/11/2023.

2. Within 3 months of the date of this permission, a detailed biodiversity enhancement plan (BEP) shall be submitted and approved in writing by the local planning authority. The BEP shall include the following:

30 year (minimum) woodland management plan, including detailed annual work schedule, to improve the ecological condition of woodland habitats present onsite. Full details (including specification, position, height, orientation, etc) of a scheme of faunal enhancements (e.g., bat boxes, bird boxes, hibernacula, log piles) to be provided onsite and timelines for implementation. Full details (including planting plans) for the reinstatement and future management of the onsite pond, to ensure that it holds water year round.

Thereafter, the BEP shall be implemented in accordance with the approved details. Within one year of the date of this permission, this condition shall be discharged through the receipt of a letter from the project ecologist confirming that relevant actions have been implemented on site as part of the approved BEP.

Reason: To ensure there is no net loss of biodiversity, in accordance with Policies ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.

3. The tree protection details as shown on the approved Tree Plan (ref: 7075-3-A) produced by Groom Design Ltd shall be undertaken within 2 months of the date of this permission and shall be retained in situ until the newly planted trees are of adequate size so as not to need further protection.

Reason: To safeguard trees which are visually important in accordance with Policies ENV1, DES1, and DES2 of the South Oxfordshire Local Plan 2035.

4. The details of a hedge that is required to be planted along the north east boundary of the land shall be submitted in writing to the Local Planning Authority (LPA) within three months of the date of this permission for approval by the LPA. The hedge so approved shall be planted within three months of the date of approval by the LPA. Such hedge shall be so tended as to grow to and remain at a height of not less than 2m metres, and any plant which may die or be seriously damaged or destroyed within 5 years of the completion of the development shall be replaced and the replacement shall be properly maintained.

Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.

5. The hours of operation for the development will be restricted as follows:

Dog walking areas known as Oak Park, Chapel Woods and Wallaby Woods as shown on Site Plan - 7075/2/ Rev B received 14/11/2023 - hours of operation for the months of March - August: 0700 - 2000 hours and for the months of September - February:

0800 - 1600 hours. Adventure Park, Day Care and Dog Grooming services - 0730 - 1830 hours, Monday to Friday and from 0800 - 1300 hours on Saturday. (No activity to take place on Sundays or Public Holidays without the prior written authority of the Local Planning Authority).

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

6. The details of any external lighting to be installed on the site should be submitted to and approved in writing by the Local Planning Authority. These shall include location of the external lights and product specification.

Reason: To protect the appearance of the area, the environment and wildlife, and local residents from light pollution in accordance with Policies ENV1, ENV2, ENV3 and ENV12 of the South Oxfordshire Local Plan 2035.

7. Details of a fence at a height of 2m metres along the northeast and southeast boundary of the land shall be submitted to and approved in writing by the Local Planning Authority (LPA) within three months of the date of this permission. The fence as approved shall be erected within three months of approval by the LPA and thereafter retained without alteration, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance and neighbouring amenity of the development in accordance with Policies DES1, DES2 and DES6 of the South Oxfordshire Local Plan 2035.

The meeting closed at 7.53 pm

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