

# Minutes

of a meeting of the

## Planning Committee



held on Wednesday, 24 January 2024 at 7.00 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: Max Thompson (Chair), Val Shaw (Vice-Chair), Ron Batstone, Cheryl Briggs, Jenny Hannaby, Robert Maddison, Mike Pighills, Jill Rayner and Scott Houghton

Officers: Nathaniel Bamsey (Planning Officer), Emily Barry (Democratic Services Officer), Holly Bates (Planning Officer), Penny Beale (Planning Officer), Emily Hamerton (Development Manager), Ben Silverthorne (Democratic Services Officer) and Stuart Walker (Planning Officer).

### **Remote attendance:**

Councillors: Councillor Diana Lugova

Officers: Bertie Smith (Broadcasting Officer) and Emma Turner (Planning Enforcement Team Leader)

Guests: Amrid Akram (Senior Transport Development Officer, Oxfordshire County Council) and Ian Marshall (Principal Transport Engineer, Oxfordshire County Council).

## **66 Chair's announcements**

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

## **67 Apologies for absence**

None.

## **68 Minutes**

**RESOLVED:** to approve the minutes of the meeting held on 29 November 2023 as a correct record and agree that the Chair sign these as such.

## **69 Declarations of interest**

Councillor Ron Batstone declared that he was ward member for item 7 on the agenda, P23/V1198/S73. Councillor Batstone confirmed that he would stand down from the committee and not participate in the debate or vote for this item.

Councillors Scott Houghton and Val Shaw declared that they were ward members for item 9 on the agenda, P23/V0508/FUL. Councillors Houghton and Shaw confirmed that they would stand down from the committee and not participate in the debate or vote for this item.

## **70 Urgent business**

There was no urgent business.

## **71 Public participation**

The committee noted the list of the members of the public who had registered to speak at the meeting.

## **72 P23/V1198/S73 - Land at Monks Farm, Grove, OX12 0AH**

Councillor Ron Batstone declared a non-registerable interest in this item as he was local ward member. Councillor Batstone stood down from the committee during the consideration of this application and did not participate in the debate or vote.

The committee considered planning application P23/V1198/S73 for the approval for variation of Conditions 12 (Habitat Restoration Method Statement) and Condition 13 (Letcombe Brook Bridge) on application reference P16/V0981/O in order to regularise works commenced in phase 1B on land at Monks Farm, Grove, OX12 0AH.

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 officer introduced the report highlighting this was brought to committee due to objections from Grove Parish Council. It was a Section 73 application amending two conditions of a previous outline consent for part of the Monks Farm strategic site. The outline consent was for up to 400 dwellings, an extension to Grove CE primary school, associated landscaping and infrastructure and was approved in April 2021. Since approval of outline consent, reserved matters consent had been given to 83 dwellings known as phase 1B in the south of the site.

The officer informed the committee that commencement of construction of housing and infrastructure had begun in phase 1B.

The officer then informed the committee of the application to amend Condition 12 which in the outline consent required, a Habitat Restoration Method Statement for the Letcombe Brook corridor to be submitted and approved prior to work commencing on site. The officer then informed the committee of the location of the brook in relation to the site.

The officer informed the committee that an application to discharge this condition had been made and since the publication of the agenda comments had been made by the Environment Agency who raised no objections. However, officers were still awaiting a response from the Ecology Officer.

The planning officer then informed the committee on the proposed amended wording to the condition, that being the submission and approval of the method statement prior to first occupation within phase 1B and prior to commencement of any other phase, except 1B.

The planning officer then informed the committee that at the time of the outline consent and associated conditions it was envisaged that the phasing of construction would happen from east to west. However, works had commenced in phase 1B in the south-west of the site.

The officer noted the statement from the applicant that the Letcombe Brook area would not be impacted by the construction of phase 1B. The officer noted that the wording for the condition would allow works in phase 1B to continue prior to submission and approval of the method statement.

Variations of different wording were considered following consultation with the Environment Agency and the Ecology Officer. Both were happy with the proposed amended wording.

Officers believed that the proposed amended wording would not have a detrimental impact to the priority habitat of the Letcombe Brook corridor, as phase 1B is neither situated on or near the Brook. Officers believed there was no ground for refusal in this regard.

The planning officer then informed the committee of the proposed changes to Condition 13 which on the outline consent required details of the bridge to be submitted and approved prior to work commencing on site. The original condition was designed under the envisaged construction of the site from east to west. The officer informed the committee that an application to discharge this condition had been made since the publication of the agenda and was awaiting fee payment prior to consultations being carried out. This followed a previous discharge application being made in April 2023, which was withdrawn as further flood modelling work was needed.

The applicant had been actively working with the Environment Agency and Oxfordshire County Council on flood modelling and revised bridge designs.

The amended wording for Condition 13 would allow the continuation of work on phase 1B prior to bridge details being submitted and approved. This was to prevent further delay and the continuation of construction on the strategic site. The amended wording would require bridge design details to be submitted and approved before first occupancy within phase 1B and the commencement of work on any other phase, except phase 1B.

Variations of different wording were considered following consultation with the Environment Agency and Oxfordshire County Council, both were happy with the amended wording.

Officers noted that a condition was attached to the reserved matters consent for phase 1B which restricts the occupation of 55 dwellings until the bridge and appropriate roads were constructed and open.

Officers were content that the new wording of the condition would not affect highway safety or be detrimental to biodiversity or flood risk.

Officers believed there were no grounds for refusal in this regard.

The planning officer informed the committee that all other pre-commencement conditions had been submitted and approved. Although works on site were unauthorised the change in wording of the conditions would regularise them.

The officers had been working proactively with the applicants to find solutions to the ongoing issues, to bring this application to a conclusion.

The officer stated to the committee that the application should be looked at based on its own merits and that unauthorised work on site or lack of formal enforcement action to date were not material planning considerations. Officers did not consider there to be grounds for refusal in this regard.

Officers believed that the amended wording of the conditions was acceptable and therefore recommended the application be approved subject to conditions set out on pages 14 – 23 on the agenda.

Sian Keeling, the agent representing the applicant, spoke in support of the application.

Councillor Ron Batstone, the local ward member, spoke in support of the application.

Members asked enforcement what contact they had had with developers due to the early commencement of work. Officers were made aware of early works in the summer, an enforcement officer went on site to monitor works on site. At the time there were outstanding pre-commencement conditions regarding drainage and trees, the applicant was asked to voluntarily stop which they did. Concerns were raised in the Autumn regarding large amounts of topsoil from the previous works, residents were concerned of the risk of flooding. Officers then advised applicants to continue works on the drainage, work did continue beyond the drainage but the planning officer confirmed there had been healthy communication between developers, residents and officers to ensure problems were resolved. There had been no need for formal enforcement action.

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

Members highlighted how detailed the officer report was which helped enlighten members on the application.

**RESOLVED:** to approve planning application P23/V1198/S73, subject to the following conditions:

1. Reserved Matters required
2. Reserved Matters time limit
3. Commencement of development time limit
4. Approved plans
5. Environmental Statement mitigation measures
6. Access and visibility splays
7. Construction Traffic Management Plan
8. Surface water drainage scheme
9. Foul water drainage scheme
10. Biodiversity Construction Environmental Management Plan
11. Habitat Restoration Method Statement
12. Letcombe Brook bridge design details
13. Archaeological investigation in accordance with Written Scheme of Investigation
14. Stage programme of archaeological investigation
15. Biodiversity Enhancement Plan
16. Arboricultural method statement
17. Market mix
18. Levels
19. Noise insulation measures
20. Water network upgrades or phasing plan
21. Ecological Management Plan for Letcombe Brook corridor
22. Residential travel plan
23. No occupation before 150<sup>th</sup> dwelling until access between spine road and Denchworth road is completed
24. Links to on and off-site infrastructure

25. In accordance with Flood risk assessment
26. Electric vehicle charging points

### **73 P21/V1217/RM - Land north of Shrivenham, Highworth Road, Shrivenham**

The committee considered planning application P21/V1217/RM for the approval of reserved matters following outline permission (P15/V2541/O) for appearance and, layout and scale for the development of a retail unit up to 400 Square metres and associated highways works on land north of Shrivenham, Highworth Road, Shrivenham.

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 officer introduced the report highlighting this was brought to committee due to objections from Shrivenham Parish Council. Outline permission for 270 dwellings and a retail unit was approved in October 2017 and reserved matters for the residential element, comprising of 270 dwellings, were approved in February 2023.

The planning officer then laid out the location of the retail site in relation to the other phases of the site.

The officer then laid out the design and layout of the proposed buildings.

Shrivenham Parish Council had objected to the application due to the imposition of Oxfordshire County Council's updated parking standards and the reduction in the number of parking spaces, through an amendment in the application.

Officers believed that the detail of internal access, appearance, layout, scale and landscaping were acceptable and in accordance with the Development Plan.

Details including ecological enhancement features, lighting and mechanical plant and its enclosure could be secured by conditions.

The officers recommended that planning permission be granted subject to conditions laid out in pages 50 – 52 of the agenda.

Becky Pull, the applicant, spoke in support of the application.

A motion, moved and seconded, to approve the application was carried on being put to the vote. The committee highlighted the fact there were no material reasons to refuse the application. Members noted the benefit of having local retail areas, which avoid more people travelling into town centres and liked the design of the building.

**RESOLVED:** to approve planning application P21/V1217/RM, subject to the following conditions:

1. Approved plans
2. Details of materials
3. Biodiversity enhancements
4. Enclosure of plant and refuse areas
5. Electric vehicle charging points
6. Acoustic insulation of plants

7. Lighting details
8. Cycle parking
9. Servicing and delivery management plan
10. Travel plan
11. Car parking spaces
12. Implementation of landscaping scheme

## **74 P23/V0508/FUL - Chilswell, Carmelite Priory, Boars Hill, Oxford, OX1 5HB**

Councillors Houghton and Shaw declared non-registerable interests in this item as they were local ward members. Councillors Houghton and Shaw stood down from the committee during the consideration of this application and did not participate in the debate or vote.

The committee considered planning application P23/V0508/FUL for the demolition of structure; erection of newbuild structures including central water feature and extensions to existing buildings; external alterations to existing buildings including new and replacement glazing/doors, thermal improvements, roof alterations installations of roof-mounted photovoltaic (PV) panels and new timber gates; introduction of external store; installation of PV solar array in south meadow; informal overflow parking area with new walkway; new guest parking area; drop off and disabled parking area with driveway access; new service access to bin store and service area; and hard and soft landscaping works, including new pond, ground alterations associated tree works and boundary treatment (as amended by plans and information received 26 July 2023 and as amended & amplified by information received 07 November 2023 and as amended & amplified by information received 09 November 2023.), all on land at Chilswell, Carmelite Priory, Boars Hill, Oxford.

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, before introducing his report stated that the applicant's agent agreed to the proposed pre-commencement planning conditions. The planning officer then introduced his report highlighting the application was constrained due to its position within the green belt. The officer also noted the long use of the priory and the public footpaths set around the area.

The officer proceeded to show the committee the existing site and its access points and then went on to show what the site would look like with the proposed changes.

The planning officer then showed the committee the enhanced floor plan of the site and each level of the building. The officer noted that each bedroom within the property would be enlarged and given ensuite bathrooms but that the total number of bedrooms would be reduced from 32 to 30. The officer then showed the committee the landscaping plan which revealed the extensive levels of planting proposed on the boundaries and within the site, particularly the screen planting on the north and western boundaries.

The planning officer then showed photos of the site to the committee, both within the site and from the public rights of ways. The officer noted that looking at the topology of the area and the extensive level of tree cover, the site was practically screened from public vantage points.

The officer noted there were no technical objections to the application, the main consideration was the harm to the green belt. It was agreed that the proposal would be inappropriate development in the green belt. Officers noted that elements of the

development would also harm openness and, with regard to the solar array, conflict with the purposes of the green belt.

However, officers stated that inappropriate development in the green belt could only be accepted in very special circumstances where the harm to the green belt was clearly outweighed by other circumstances. The officer noted that the proposal carried several benefits that should be looked at that could weigh in favour of approving the application, such as the increase in biodiversity and the reduction in CO<sup>2</sup> emissions, the economic benefits, particularly during the construction period, the cultural benefit and the lack of alternatives. It was the officer's belief that the benefits from granting the application outweighed the impact to the green belt from the application and did believe special circumstances existed. The officer therefore suggested that planning permission should be granted.

Father Alexander Ezechukwu, the applicant, and Jeremy Flawn, the agent representing the applicant, spoke in support of the application.

Scott Houghton, the local ward member, spoke in objection to the application.

The committee then asked officers for clarification surrounding paragraph 5.14 of the report around the increase in cubic metre squared and the actual figure. The officer stated that the number laid out was an approximate figure but accepted that it was inappropriate development and a substantial increase in volume.

The committee also acknowledged the age of the buildings, and they were past their use by date and there was a need for developments, some members asked whether the height of the building had decreased. The officer clarified that it had in fact increased in size from the proposals put forward at the pre-application stage. The officer pointed out to members that the new design of the building was of a much better standard than the pre-application advice enquiry.

Members also enquired about the public footpaths and whether the increased building size would have an impact on those; the officer believed that there would be no impact.

Members also acknowledged that there were no objections from the bodies that would normally object to development like this and this must be taken into consideration.

Members acknowledged the concerns from Cumnor Parish Council but believed that development in this instance was acceptable.

Members noted the detail in the amount of biodiversity that would be added because of the application and how detailed it was, which should add weight in favour of the application. Members asked officers at what point was elevation in habitat units and hedgerow units given significant weight. The officer stated that through the Environment Act, any application of this should provide a minimum of 10 per cent, but that did not apply to this application, so there was no legal requirement to provide anything. Therefore, weight must be given to the full 15 per cent.

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

Members reflected the complex situation of balancing the mitigating factors in support or against the application. Members believed that the mitigating factors of the trees and

gradient of the land shielding the views of the site mitigated the impacts of the increased mass of the building and the overall impact on openness and look on the site. Members did state that, had the site been a more open location their views may have been different.

Members also commented they believed the design and build of the site would fit in well with the area.

Other members noted the huge increase of buildings on the site with very little change of function for the site. The members did acknowledge the need for improvement of the buildings on the site, members commented on the overbearingness of the site. Members were concerned about approving something that was irreversible. Members argued that some of the mitigating factors that supported the application could also be achieved without such a large-scale build, such as the increase in biodiversity.

Members also raised concerns regarding the solar array and the issues that could arise from it.

On-balance, members supported the application in line with the material planning matters set out in the officer's report.

**RESOLVED:** to approve planning application P23/V0508/FUL, subject to the following conditions:

**Standard**

1. Commencement within three years
2. Approved plans  
Prior to commencement
3. Tree protection details
4. Archaeology (Submission and implementation of WSI)
5. Bat protection and mitigation
6. Construction traffic management (implementation)
7. Construction Environmental Management Plan (CEMP)
8. Landscaping scheme
9. Surface water drainage scheme
10. Foul water drainage scheme
11. Surface water drainage during construction

**Prior to development over slab level**

12. Samples of materials

**Prior to first use**

13. Details of electric vehicle charging points
14. Great Crested Newt (GCN) mitigation strategy
15. Foul water drainage compliance report
16. Ecological Enhancement Plan (EEP)
17. Details of cycle parking
18. Implementation of sustainable design features
19. Surface water drainage compliance report

**Compliance**

20. Landscape & Ecological Management Plan (LEMP)
21. External lighting in accordance with submitted details



**Informatives**

22. EPS Licence Informative
23. Wild Bird Informative
24. Surface water drainage informative
25. Foul water drainage informative
26. Cumnor Neighbourhood Plan Policies
27. Wootton and St Helen Without Neighbourhood Plan Policies

The meeting closed at 8.11 pm