

# Minutes

of a meeting of the

## Planning Committee

held on Wednesday, 27 January 2016 at  
6.30 pm

in the The Ridgeway, The Beacon, Portway,  
Wantage, OX12 9BY



**Open to the public, including the press**

### Present:

Members: Councillors Robert Sharp (Chairman), , Eric Batts, Roger Cox, Stuart Davenport, Jenny Hannaby, Anthony Hayward, Bob Johnston, Chris McCarthy, Janet Shelley and Catherine Webber

Officers: Peter Brampton, Laura Hudson, Brett Leahy, Kayleigh Mansfield, Ron Schrieber, Stuart Walker and Josh Webley-Smith

Number of members of the public: 60

### **PI.224 Chairman's announcements**

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

### **PI.225 Notification of substitutes and apologies for absence**

Councillors Sandy Lovatt tendered his apologies; Councillor Chris Palmer substituted.

### **PI.226 Declarations of pecuniary interests and other declarations**

Councillors Eric Batts, Roger Cox, Jenny Hannaby, Anthony Hayward, Bob Johnston, Janet Shelley and Catherine Webber stated that in relation to application P15/V2016/FUL – Land off Hanneys Road, Steventon, they were acquainted with the applicant's agent.

Councillor Stuart Davenport declared an interest in application P15/V2077/O – 10 Halls Close, Drayton, Abingdon as had attended meetings of the parish council at which the application had been discussed but he had not expressed an opinion.

Councillor Bob Johnston declared an interest in application P15/V2494/HH – Paddock Brow, Jarn Way, Boars Hill as he was a member of the parish council which had considered the application but he was not present at the meeting when the application had been discussed.

## **PI.227 Minutes**

**RESOLVED:** to adopt the minutes of the committee held on 25 November 2015 and agree that the chairman signs them as a correct record.

## **PI.228 Urgent business**

None.

## **PI.229 Statements and petitions from the public on planning applications**

None.

## **PI.230 Statements, petitions and questions from the public on other matters**

None.

## **PI.231 Materials**

None.

## **PI.232 P15/V2016/FUL - Land off Hanney Road, Steventon,**

The officer presented the report and addendum on application P15/V2016/FUL for the erection of 18 affordable dwellings and 26 open market dwellings, with associated access road, landscaping and public open space on land off Hanney Road, Steventon.

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.

Robert Green, a representative of Steventon Parish Council, spoke objecting to the application. His concerns included the following:

- The application was being rushed through;
- The application contributed to the cumulative effect of a disproportionate increase in housing in the village;
- There was an acute shortage of school places and this application would exacerbate the problem;
- The application would have an adverse impact on village infrastructure, particularly with regard to transport and foul water drainage; and
- There would be an increased risk of flooding.

He requested that a decision be postponed pending a revised response from Oxfordshire County Council (OCC).

Brendan Ludden, a local resident, spoke objecting to the application, raising concerns about the increased risk of flooding and insufficient network capacity to cope with foul water drainage.

Ken Dijkman, the applicant's agent, spoke in support of the application:

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- The application site adjoined two earlier phase of development which had been successfully completed despite concerns raised about flooding;
- All dwellings will be located within Flood Zone 1 so the risk of flooding was remote; and
- The drainage engineer raised no objections to the proposal, subject to conditions.

Councillor Matthew Barber, the local ward councillor, submitted a statement to be read out objecting to the application. He echoed the Parish Council's concerns regarding foul water drainage and school capacity and suggested that if these concerns did not justify refusal of the application then it should be deferred to enable OCC to assess and propose a solution to the shortfall in pupil places.

The committee considered the application, with advice from officers where appropriate; the discussion covered the following points:

- The cumulative impact of the application had been addressed in the report and addendum. In the officer's view these grounds were not sufficient to refuse the application;
- The drainage engineer was of the view that the drainage/flooding issues could be dealt with by condition;
- OCC was responsible for the provision of school places. It had raised no objection to the application but had requested a financial contribution to mitigate any harm arising;
- OCC was in the process of drawing up traffic calming measures and this would be secured by condition.
- A Grampian condition was proposed to ensure that development did not commence until a detailed drainage strategy for on and off site infrastructure was submitted to and approved by the planning authority and implemented before any discharge to the public system was accepted; and
- A member reported that Thames Water had stated that it would be upgrading local pumping stations in 2017.

#### **RESOLVED** (for 9; against 2)

That authority to grant planning permission for application P15/V2016/FUL is delegated to the head of planning, subject to:

1: A S106 agreement being entered into with the district council in order to secure contributions towards local infrastructure and to secure affordable housing, and;

2 : the following conditions:

1. Commencement of development.
2. Approved plans and documents.
3. Materials in accordance with approved details.
4. Detailed Landscaping scheme.
5. Landscaping implementation.
6. Tree protection details.
7. On site open space management plan.
8. Fully detailed sustainable surface water drainage scheme to be agreed.
9. Surface water drainage scheme in accordance with FRA.
10. Detailed method statement for removal of groundwater to be submitted.
11. No occupation until foul drainage strategy is agreed and implemented.

12. Vehicular access details in accordance with approved plans.
13. Car parking in accordance with approved plans.
14. Garage accommodation retained for parking.
15. Carriageway works installed prior to work on dwellings.
16. Construction traffic management plan to be agreed.
17. Travel plan pack provision for each dwelling.
18. Boundary details.
19. Biodiversity enhancement method statement.

### **PI.233 P15/V2175/FUL - Land West of the plant nursery, Steventon Road, East Hanney**

The officer presented the report and addendum on application P15/V2175/FUL for a residential development of 39 dwellings on land west of the plant nursery, Steventon Road, East Hanney.

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.

Stewart Scott, a representative of East Hanney Parish Council, spoke objecting to the application. His concerns included the following:

- Overdevelopment of the site;
- Lack of provision for safe pedestrian crossing of the A338; and
- The proposed access was unsafe.

John Lagan, the applicant, spoke in support of the application. His speech included the following:

- None of the consultees other than the Parish Council had objected;
- The Highway Authority did not object to the application; and
- The risk of flooding was minimal.

The committee considered the application, with advice from officers where appropriate; the discussion covered the following points:

- Concerns about pedestrian safety;
- Concerns about the applicant's confirmation that it was unwilling to accommodate a Strategic Housing Market Assessment (SHMA) compliant housing mix on the site as it considered that this would render the scheme unviable; and
- Concerns about the number of proposed conditions which were "to be agreed".

Officers advised that:

- As OCC as highway authority had not objected to the application refusal on the grounds of pedestrian safety could not be justified. However the Committee could agree to an Informative seeking OCC's views on the safety of the pedestrian crossing with the response to be reported to a future meeting;
- Until the five year housing land supply is agreed, it is not possible to enforce a SHMA compliant housing mix. However 40% affordable housing has been negotiated; and
- Whilst it would be preferable for all conditions to be agreed prior to the application coming before the Committee, it would not be reasonable to refuse or defer the application. Should conditions not be agreed subsequently then the application would fail.

**RESOLVED** (for 9; against 1, abstentions 1)

That authority to grant planning permission for application P15/V22175/FUL is delegated to the head of planning, subject to:

1: A S106 agreement being entered into with both the county council and district council in order to secure contributions towards local infrastructure and to secure affordable housing, and;

2 : the following conditions:

1. Commencement within one year.
2. Approved plans.
3. Slab levels for all dwellings to be agreed.
4. Samples of all materials to be agreed.
5. Construction traffic management plan to be agreed.
6. Sustainable urban drainage system to be agreed.
7. Travel plan to be agreed.
8. Foul drainage strategy to be agreed.
9. Water supply strategy to be agreed.
10. Tree protection and pruning regime to be agreed.
11. Landscaping scheme to be agreed.
12. Implementation of landscaping scheme to be agreed.
13. Boundary details to be agreed.
14. Foul pumping station treatment to be agreed.
15. Bicycle parking and bin storage to be agreed.
16. Vehicular access as approved.
17. Parking as approved.
18. Turning spaces as approved.
19. New estate roads to highway authority specification.
20. No drainage to highway.
21. No occupation until drainage schemes implemented in full.
22. Garage accommodation to be retained.
23. Ecology mitigation as approved.

It was agreed that officers will report back to a future committee with an update on progress on negotiations between officers, the applicant and the Highways Authority to secure an upgrade to the pedestrian crossing across the A338. If such an upgrade is supported by the Highways Authority, it will either be secured via a Section 106 financial contribution or via a separate Section 278 agreement between the applicant and the Highways Authority as part of the overall works on highway land required to implement this permission.

### **PI.234 P15/V2077/O - 10 Halls Close, Drayton**

The officer presented the report and addendum on application P15/V2077/O for an outline application to provide up to 28 dwellings on land to the rear of 10 Halls Close, Drayton.

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.

Robert Williams, a representative of Drayton Parish Council, spoke objecting to the application. His concerns included the following:

- Whilst he had no issue with the suitability of the site, it was not an approved housing development site within the Drayton Neighbourhood Plan (DNP);
- The proposal was, therefore, contrary to the DNP; to approve the application would undermine local democracy; and
- To approve the application would set a precedent which would threaten the integrity of the DNP and other neighbourhood plans.

Sir Tom Shebbeare, spoke objecting to the application. He emphasised that the DNP had been created by local consensus and reiterated that the application was not on a site allocated for housing development within the DNP.

Simon Tofts, representing the applicant, spoke in support of the application:

- The proposal was for high quality retirement homes;
- By providing such accommodation it would free up other properties;
- There were no technical constraints on the site.

Councillor Stuart Davenport, the local ward councillor, expressed the view that the application was so controversial that it would be appropriate for it to be determined by a higher authority, for example the Planning Inspectorate. He believed that it would not be unreasonable to refuse the application given that the application was in conflict with the DNP.

The committee considered the application, with advice from officers where appropriate; the discussion covered the following points:

- The planning considerations for and against the application were finely balanced;
- The perceived harm to both the DNP and other neighbourhood plans; and
- The objection from the Conservation Officer as detailed in the addendum report.

Officers reported that, given that the five year housing land supply had not yet been agreed, counsel's opinion was that, notwithstanding the recent adoption of the DNP, its relevant policy for the supply of housing must be treated as out of date.

In accordance with the committee's normal procedure, the chairman moved the planning officer's recommendation to delegate authority to approve the application. This was put to the vote but was lost by nil votes to nine with two abstentions.

It was then moved and seconded that the application be refused for the following reasons:

- This development is not an allocated site and lies outside the settlement boundary and is therefore contrary to that growth strategy as outlined in the Drayton Neighbourhood Plan, as well the Local Plan 2011 and advice within the NPPF;
- It would represent an unwarranted extension of the village into the countryside that would cause material harm to the setting and historic interest of the Drayton Conservation Area and the listed buildings within; and
- In the absence of a Section 106 agreement relating to the provision of affordable housing and financial contributions towards community, leisure, recreation, open space and play area maintenance, public transport, education, and waste collections, the proposal would place increased pressure on these facilities and fail to provide the social, recreational, and cultural facilities and services the community needs.

The motion to refuse the application was put to the meeting and was carried.

**RESOLVED** (for 9; against 0, abstentions 2)

To refuse application P15/V2077/O for the following reasons:

- 1) This application proposes residential development outside the built limits of Drayton, a village that benefits from an adopted Neighbourhood Plan. That Neighbourhood Plan incorporates a housing growth strategy that allocates land for residential development in line with current identified district need and seeks to resist further development outside the settlement boundary. This development is not an allocated site and lies outside the settlement boundary and is therefore contrary to that growth strategy as outlined in Policies P-H1 and P-LF2 of the Drayton Neighbourhood Plan, as well as Policies GS2, H11 and H13 of the Local Plan 2011 and advice within the NPPF, particularly Paragraphs 183, 184, 185 and 198. Furthermore, it would represent an unwarranted extension of the village into the countryside that would cause material harm to the setting and historic interest of the Drayton Conservation Area and the listed buildings within. This harm is considered to significantly and demonstrably outweigh the benefits of the proposal. As such, the proposal is also contrary to Policies P-LF4 and P-LF5 of the Drayton Neighbourhood Plan, Policy HE1 of the Local Plan 2011, Core Policy 39 of the emerging Local Plan 2031 Part One and advice in the NPPF.
- 2) In the absence of a Section 106 agreement relating to the provision of affordable housing and financial contributions towards community, leisure, recreation, open space and play area maintenance, public transport, education, and waste collections, the proposal would place increased pressure on these facilities and fail to provide the social, recreational, and cultural facilities and services the community needs. This is considered contrary to Policy DC8 of the adopted Vale of White Horse Local Plan 2011, Core Policies CP7 and CP24 of the emerging Local Plan 2031 - Part One and Paragraphs 17 and 70 of the National Planning Policy Framework. It is acknowledged this reason for refusal can be overcome through the submission of an acceptable Section 106 agreement.

**PI.235 P15/V1752/FUL - Land at Penstones Farm, Horsecroft, Stanford in the Vale, SN7 8LL**

The officer presented the report on application P15/V1752/FUL for the variation of condition 2 of planning permission P14/V0080/FUL to provide 18 dwellings (10 for the over 55 age range, 7 affordable and 3 open market dwellings) with landscaping and associated infrastructure.

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.

David Pedder, a local resident, spoke objecting to the application and requested the inclusion of a number of additional conditions should the application be approved.

Simon Tofts, representing the applicant, spoke in support of the application:

- Two additional retirement homes were proposed;
- There had been no objections from technical consultees to the proposals;

The committee considered the application, with advice from officers where appropriate. With regard to the objector's request for additional conditions, the planning officer advised that it would be appropriate to add some of the conditions regarding external street lighting given the location, heat pump details, and site access details. The county archaeologist would be consulted on the need for an archaeology survey given new information available since the appeal decision. Other suggested conditions were already covered or would be inappropriate.

**RESOLVED** (for 11; against 0)

That authority to grant planning permission for application P15/V1752/FUL is delegated to the head of planning, subject to:

1: A varied S106 agreement being entered into by the applicant with the county council to secure:

- Provision of primary education infrastructure, secondary infrastructure (including sixth form infrastructure) and special needs infrastructure serving the site £109, 062.
- Library infrastructure serving the site £3,910.
- Social and health care Infrastructure service to site £11,000.
- The Council's museum and resource centre at Standlake £230.
- Integrated youth support facilities and infrastructure serving the site £792.
- Skills and learning facilities and infrastructure serving the site £560.

2: A new S106 agreement being entered into by the applicant and the district council to secure:

- Football pitch contribution £2871.
- MUGA contribution £3682.
- Waste and recycling contribution £3060.
- Street name and numbering £500.
- Village hall contribution £2340.

3: Conditions as follows (as previously agreed by the Planning Inspectorate):

1. Time limit.
2. Approved plans.
3. Materials to be submitted/agreed.
4. Landscape details to be submitted.
5. Landscape management plan to be submitted/agreed.
6. Development to be carried out in accordance with arboricultural method statement.
7. Details of foul and surface water drainage to be submitted/approved.
8. Construction management plan to submitted/agreed.
9. Removal of class A permitted development rights.

4: Additional conditions as follows

1. Details of street lighting to be submitted.
2. Access details to be submitted
3. Details of any heat pump units to be submitted.



**PI.236 P15/V0524/FUL - 45 Cumnor Hill, Cumnor, OX2 9EY**

This item was withdrawn from the agenda and was therefore not considered.

**PI.237 P15/V2628/FUL - Geggs Corner, Newbury Road, East Hendred, OX12 8LG**

The officer presented the report and addendum on application P15/V2628/FUL for the erection of two 5-bedroom dwellings and associated landscaping at Geggs Corner, Newbury Road, East Hendred.

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.

Nicky Brock spoke objecting to the application. She stated that the application was a back garden development, was in a conservation area and would have an adverse impact due to increased traffic movements, all contrary to local plan policies.

Philp Waddy, the applicant's agent, spoke in support of the application:

- There had been no objections from the Parish Council or statutory consultees;
- Although there had been five objections from neighbours, there had also been five letters of support; and
- There were other back gardens developments in the vicinity.

The committee considered the application, with advice from officers where appropriate.

**RESOLVED** (for 10, against 0, abstentions 1)

To grant planning permission for application P15/V2628/FUL, subject to the following conditions:

1. Three year commencement time limit.
2. Development in accordance with approved plans.
3. Submission of details: joinery details.
4. Submission of details: external ducts and flues.
5. Submission of details: landscaping scheme.
6. Submission of details: materials.
7. Submission of Details: sustainable drainage scheme.
8. Submission of details: access improvements.
9. Submission of details: slab levels.
10. Submission of bin storage and collection details.
11. No drainage to highway (full).
12. Permitted development restriction on dwellings: extension/outbuilding.

**PI.238 P15/V2019/FUL - Brandy Island, Buscot, SN7 8DA**

The officer presented the report and addendum on application P15/V2019/FUL for the removal of condition 7 (storage of boats) of planning permission P12/V1083 at Brandy Island, Buscot.

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.

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John Hopkins, a local resident spoke objecting to the application, his concerns included:

- Nothing had changed to justify the removal of the condition;
- The boatyard was of no economic benefit to the community;
- The proposal would have a negative visual impact; and
- The proposal will harm wildlife habitats.

Mrs Wheeler, the applicant spoke in support of the application:

- There would be no new buildings or additional infrastructure;
- The proposal included an enhanced landscaping scheme.

Councillors Simon Howell and Elaine Ware, the local ward councillors, submitted a statement to be read out objecting to the application. They stated that, as there had been no material change since the original planning application there was no justification for removing the condition.

The committee considered the application, with advice from officers where appropriate.

**RESOLVED** (for 11, against 0)

To grant planning permission for application P15/V2628/FUL, subject to the following conditions:

1. Planning condition listing the approved drawings.
2. Submission of further landscaping scheme.
3. Implementation of further landscaping scheme.
4. No boat storage outside the car park area marked on the approved plan.
5. Restriction on hours of operation at site between 08:00 and 19:00.
6. Delivery and removal of boats by river only and not road.
7. Wildlife mitigation in accordance with previous report.
8. Recommendation of reptile survey to be followed.
9. All boats shall only be removed and replaced in river by forklift and not crane.
10. Operation in accordance with permitted flood risk assessment only.
11. Any works within 5 metres of the bank require a further water vole survey and submission of mitigation strategy.
12. All repair works requiring mechanical equipment to take place within the building.

**PI.239 P15/V2494/HH - Paddock Brow, Jarn Way Boars Hill, Oxford, OX1 5JF**

The officer presented the report and addendum on application P15/V2494/HH for the erection of a two-storey and single storey side extensions at Paddock Brow, Jarn Way, Boars Hill.

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.

Teresa Slater, a local resident, spoke objecting to the application. Her concerns included:

- Concerns about the way the application had been dealt with; and
- The design and materials were inappropriate.

Andrew Davies, a local resident, spoke objecting to the application. He stated that approval of the application would set a dangerous precedent for development within the green belt.

Nicolas Usiskin, the applicant, spoke in support of the application. He stated that the design was innovative and of good quality and that the objectors lived some distance away.

The committee considered the application, with advice from officers where appropriate; the discussion covered the following points:

- Whether permitted development rights could be removed; and
- Whether a condition could be added to prevent ancillary use.

The officers advised that permitted development rights could only be removed in exceptional circumstances and could not be justified in this case. However a condition regarding ancillary use could be added.

**RESOLVED** (for 10, against 0, abstentions1)

To grant planning permission for application P15/V2494/HH, subject to the following conditions:

1. Time limit.
2. Materials in accordance with application.
3. Approved plans.
4. Additional accommodation to be ancillary to the existing dwelling

The meeting closed at 10.30 pm