

Minutes

of a meeting of the

Planning Committee



held on Wednesday, 31 May 2023 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, Diana Lugova, Robert Maddison, Mike Pighills and Jill Rayner
Officers: Adrian Duffield (Head of Planning), Stuart Walker (Planning Officer), Darius Zarazel and Emily Barry (Democratic Services Officer).

Remote attendance:

Officers: Katherine Canavan (Planning Officer) and Susie Royce (Broadcasting Officer).

1 Chair's announcements

The chair welcomed everyone to the meeting and outlined the meeting procedure to be followed. He also explained the emergency evacuation procedure.

2 Apologies for absence

There were no apologies for absence.

3 Minutes

RESOLVED: to approve the minutes of the meetings held on 5 April and 18 April 2023 as a correct record and agree that the Chair sign these as such.

4 Declarations of interest

Councillor Jenny Hannaby declared that she was ward member for item 8 on the agenda, P23/V0134/O. Councillor Hannaby confirmed that she would stand down from the committee and not participate in the debate or vote for this item.

5 Urgent business

The Democratic Services Officer noted that item 7, P22/V2955/FUL, from the agenda had been withdrawn by the applicant and would therefore not be considered.

6 Public participation

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

7 P22/V2955/FUL - Land at Grove Farm Off Cow Lane, West Hanney, Grove

APPLICATION WITHDRAWN AT APPLICANT'S REQUEST.

8 P23/V0134/O - Land at Crab Hill, Land north of A417 and east of A338, Wantage, OX12 7GQ

Councillor Jenny Hannaby declared a non-registerable interest in this item as she was local ward member. She 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/V0134/O for Outline application for a phased development for up to 669 residential units and Neighbourhood Centre (Use Class E and Sui Generis) with associated infrastructure and open space which was capable of coming forward in distinct and separate phases in a severable way at Land at Crab Hill, land north of A417 and east of A338 Wantage, OX12 7GQ.

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 related to an allocated strategic site in the Vale of White Horse district Local Plan 2031. Outline planning permission had been granted in 2015 for 1,500 dwellings and there had been three amendments to that application since. He highlighted that the most recent consent for the site was granted in January 2022. The planning officer informed the committee that there were still 635 dwellings yet to be submitted under a reserved matters application and that under the original outline consent these needed to be submitted by 13 July 2023. The applicant had indicated that this was not feasible. The planning officer highlighted that the application before the committee sought a new consent for the remaining 635 dwellings along with the remaining non-residential development. The applicant was also looking to optimise the site and sought approval of an additional 34 dwellings under this application taking the total number of dwellings applied for under this application up to 669 dwellings.

The planning officer informed the committee that the 635 dwellings, which had already been granted consent, would be delivered to the housing mix in accordance with the existing permission. The additional 34 dwellings applied for would be delivered in accordance with the adopted development plan. The planning officer confirmed that the density plan was as per the original scheme.

The planning officer informed the committee that the principle of development was established through the allocation of the site and the extant permission. He confirmed there had been no material changes in planning policy since the original permission. The planning officer informed the committee that the uplift in the number of proposed dwellings was acceptable for the reasons set out in the officer's report and that the affordable housing team were in agreement with the proposal. He noted that the application was recommended for approval subject to the completion of a S106 legal agreement to secure existing contributions to be paid and additional contributions for the additional dwellings applied for.

Councillor Erik Johnson spoke on behalf of Wantage Town Council, objecting to the application.

Dinny Shaw, representing the applicant, spoke in support of the application.

Councillor Jenny Hannaby, a local ward councillor, spoke objecting to the application.

The committee enquired as to why some of the additional 34 units would not be delivered on top of the commercial space as had been discussed at the residents' group. The planning officer confirmed that this was due to a lack of market interest in the units being delivered with residential units on top. He confirmed officers felt that the additional units could be accommodated within the remaining residential parcels to be delivered.

The committee asked for confirmation that the original red line of the application's site boundary, had not changed from the original outline permission. The planning officer advised that the red line for the application before the committee was smaller than that for the outline permission granted in 2015 but that there had been no expansion to the red line in the application before the committee. The committee went on to ask as to how the additional units could therefore be accommodated if there had been no expansion to the red line site area. The planning officer confirmed that earlier phases of the development had taken more units and therefore the overall quality of the site was not impacted.

The committee referred to point 5.6 of the officer's report noting that the required affordable housing for the 635 units was below current requirements and that the current affordable housing mix had only been applied to the additional 34 units. The committee enquired as to whether the applicant had ever been asked if they would increase the number of affordable units on the whole scheme. The planning officer confirmed that this had been the subject of negotiation with the affordable housing team. He highlighted that the original 635 units had applied 32 per cent affordable housing due to viability issues when permission was granted but that through negotiation a higher percentage of rental units had been achieved. The planning officer confirmed that there were 231 affordable units still to be delivered in relation to the 635 units and that an additional 12 had been secured in relation to the additional 34 units. Of those 12, seven were rented, two shared ownership and three were first homes. This brought the total affordable units to be delivered across the scheme before the committee to 243 units. The planning officer went on to highlight that if the requirement of 35 per cent affordable units had been applied to the 669 residential units before the committee in isolation that would only have delivered 235 units, fewer units than had been secured in the original application.

The committee noted that the concerns of the town council with regard to S106 contributions had been covered in the officer's report. They were of the view that the proposal was of a high quality and that all the questions which the committee had raised had been answered satisfactorily.

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

RESOLVED: to approve planning application P23/V0134/O, subject to the following conditions and completed legal agreement securing affordable housing provision and financial contributions:

1. Reserved Matters to be approved

2. Reserved Matters time limit for submission
3. Time limit for implementation
4. Approved plans
5. Masterplan
6. Construction Environment Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP)
7. Updated Housing Delivery Document with each Reserved Matters
8. Energy Strategy with each Reserved Matters
9. Energy efficiency 10% above current building regulations
10. Lighting details with each Reserved Matters
11. CEMP details with each Reserved Matters
12. LEMP details with each Reserved Matters
13. No more than 669 dwellings
14. Environmental Statement
15. Market housing mix
16. Accessible dwellings
17. Development brief compliance
18. Site design guide compliance
19. Phasing plan compliance
20. Construction hours
21. Landscaping detail to be submitted
22. Landscape management plan
23. Landscape replacement
24. Tree protection
25. Woodland management
26. Noise impact assessment
27. Noise mitigation
28. Noise attenuation – neighbourhood centre
29. Hours of operation detail for commercial uses
30. Archaeology
31. Contamination
32. Surface water drainage
33. SUDs compliance report
34. Foul water strategy
35. Foul drainage details
36. Refuse / recycling provision prior to occupation
37. Boundary treatment installed prior to occupation
38. Roads and footways prior to occupation
39. Access and parking spaces prior to occupation
40. Final unit within a development parcel not to be occupied until all connecting roads and paths are complete
41. Materials
42. Cycle parking
43. Gates onto highway
44. Broadband provision in accordance with approved strategy
45. Withdrawal of PD rights for satellite dishes on apartment blocks
46. Community Employment Plan
47. Superseded development

Informative

1. Rights of way
2. Rights of way

3. Planning Obligation

9 P22/V2219/FUL - Land between Upton footpath and Upton Byway off Hollow Way, Hollow Way, Upton, OX11 9HP

The committee considered planning application P22/V2219/FUL for erection of a new agriculture dwelling with landscaping and associated works (as amplified by LVIA, Landscaping scheme and supporting information received 3 February 2023, and by Agricultural Dwelling Needs Appraisal received 9 February 2023) at Land between Upton footpath and Upton Byway off Hollow Way, Hollow Way, Upton, OX11 9HP.

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 since publication of the report an additional condition was recommended to ensure that tree protection measures were installed to protect the trees and vegetation along the boundaries of the site which provided important screening. A correction was also required to section 6.29 of the report to state that the Community Infrastructure Levy was adopted in 2021 not 2017.

The planning officer highlighted that the application had been made in association with land farmed by the Napper family whose wider farm spread across a number of the nearby villages. The application site was located to the south of Upton village and accessed via London Road, A417. The planning officer informed the committee that a cattle farm had recently been approved under permitted development and the application before them was to facilitate the expansion of that cattle farm as well as for succession planning to ensure the business was able to continue for generations to come. The planning officer noted that the application site was located in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) with landscape constraints in the rural countryside and would not usually be a location where a new dwelling would be supported. The application would only be acceptable if the dwelling met all of the tests of being an agricultural dwelling. The planning officer advised that officers had considered the essential need for the dwelling, the availability of other more suitable sites, the economic viability of the rural enterprise, the size and scale of the proposed dwelling, and whether the design and location respected the landscape character of the area. The planning officer informed the committee that Alan Bloor from Reading Agricultural Consultants was available to answer any questions around the assessment process and policy requirements around agricultural dwellings.

The planning officer turned next to the landscape impact and noted that whilst there were long distance views from the site there was significant vegetation and screening. The planning officer highlighted that the ridge height of proposed dwelling was no higher than the existing barn. She noted that the existing barn was minimally visible from surrounding roads and that the proposed dwelling was set lower on the site due to the topography. The planning officer confirmed this had added weight to the officer's assessment that the proposed dwelling would not harm the landscape setting or compromise the AONB. The planning officer recognised that concerns had been raised by the landscape officer but given the dwelling's position, the change to the character of the AONB would be localised and could be addressed with an enhanced landscaping scheme and limitation to the domestic garden area.

The planning officer summarised by saying that the essential need for an agricultural dwelling in the location had been demonstrated with long reaching views being largely unchanged. She advised that balancing the localised level of impact to the AONB with the

established need for the agricultural dwelling had informed her recommendation for approval of the application.

Councillor Neil Thorp spoke on behalf of Upton Parish Council, objecting to the application.

Mr A Napper, the applicant, spoke in support of the application.

Councillor Hayleigh Gascoigne, a local ward councillor, spoke objecting to the application.

The committee enquired as to how the need for an agricultural dwelling was established. Alan Bloor, Reading Agricultural Consultants confirmed that the National Planning Policy Framework and local plan stated that essential need must be established for an agricultural worker's dwelling. He advised that the essential need tended to be dictated by livestock. Alan Bloor confirmed that it was essential for an agricultural worker to be on site during calving and it was critical that they were in close proximity in order to allow immediate assistance to cows. He informed the committee that close proximity was often referred to as within sight and sound as this allowed them not only to respond immediately but also to identify issues with livestock.

The committee reflected that they were concerned about protecting the AONB but that there did appear to be provision for the farming community to allow them to build in these areas. It was noted that there were a number of agricultural worker dwellings and rural enterprises along the Ridgeway.

The committee highlighted that the policy stated the size and scale must be commensurate with the need of the rural enterprise and went on to query why the proposed dwelling before them needed to be of the size, scale and ridge height that it was. Alan Bloor confirmed that analysis carried out by Reading Agricultural Consultants had found that where councils did not have a policy limiting the size of rural agricultural dwellings, they frequently ranged from 120sqm to 200sqm of living accommodation. He went on to state that most agricultural dwellings would include a farm office and a biosecurity room, which did not constitute living space. In addition to this, the farm's profitability should be able to meet the build costs of the dwelling in order for it to be deemed commensurate to the need.

The committee went on to ask the planning officer how they felt the size of the dwelling met with design Part 4 of Development Policy 6 in the Local Plan part 2. The planning officer noted that it was rare for a single agricultural worker to come to a house alone, it would be anticipated for a worker to come with their family, the benefit of this being that the business would be able to grow. The planning officer also noted that the size of the dwelling was not dissimilar to other properties in the area and therefore it had not been felt necessary to seek a reduction in the size of the proposal. The committee then sought to establish if the proposal included a dedicated biosecurity room within the house. The planning officer confirmed that this was not within the dwelling itself but that a farm office did account for some of the floorspace of the dwelling.

The committee enquired as to how the planning officer felt the concerns of the landscape officer had been addressed. The planning officer advised that whilst the landscape officer looked at a specific element of the application, the planning officer had to balance this with planning considerations as a whole, particularly on the basis that the essential need for the dwelling in this location had been established. The planning officer was of the view that the conditions which required submission of a lighting strategy, an enhanced landscape strategy and the restriction on the use of the garden area, all mitigated the concerns of the landscape officer.

The committee discussed the addition of a condition in order to restrict the permitted development rights on the site and were advised that this would be reasonable. The planning officer confirmed that condition 13 (number changed to 14 due to inclusion of further pre-commencement tree protection condition) would restrict the ability for the dwelling to be used by anyone other than an agricultural worker and their family without first seeking planning permission. The committee also discussed how a lighting strategy could be used to reduce obtrusive light, particularly in relation to lighting within the garden.

A motion, moved and seconded, to approve the application with the inclusion of additional conditions to include specific tree protection measures and to restrict permitted development rights was carried on being put to the vote.

The committee felt on balance the need for the agricultural workers dwelling had been established. It reflected that there was a need for the restriction to permitted development rights due to the proposal being at the top of the range of permissible size for this type of proposal.

The committee wished for it to be noted that they requested the lighting strategy was in accordance with the recommendations for zone E1 as set out in the Institute of Lighting Professionals Guidance Note 1 for the reduction of obtrusive light.

RESOLVED: to approve planning application P22/S2193/FUL, subject to the following conditions:

Standard:

1. Work to commence within 3 years
2. In accordance with approved plans

Pre-commencement:

3. Schedule of materials to be submitted
4. Detailed landscape / planting mitigation strategy
5. Details of hard landscaping, parking area and boundary treatments
6. Levels plan
7. Lighting strategy
8. Land contamination – phased risk assessment / investigation
9. Tree protection scheme

Pre-occupation:

10. Surface water drainage scheme
11. Foul Water drainage scheme
12. Biodiversity enhancement strategy
13. Land contamination – remediation strategy and validation report

Compliance:

14. Agricultural Worker's Tie – rural workers dwelling only
15. Land contamination – unsuspected contamination during Construction
16. Domestic usage limited to area marked as 'garden'
17. Permitted development restriction for extensions, enlargements and outbuildings

The meeting closed at 8.22 pm