

Minutes

of a meeting of the

Planning Committee



held on Wednesday, 17 April 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, Jenny Hannaby, Robert Maddison, Mike Pighills and Scott Houghton
Officers: Holly Bates (Planning Officer) and Emily Barry (Democratic Services Officer), Adrian Butler (Planning Officer), Katherine Canavan (Planning Officer) and Adrian Duffield (Head of Planning)

Remote attendance:

Officers: Susie Royse (Broadcasting Officer)

98 Chair's announcements

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

99 Apologies for absence

Apologies for absence were received from Councillors Cheryl Briggs and Jill Rayner.

100 Minutes

RESOLVED: to approve the minutes of the meeting held on the 27 March 2024 as a correct record and agree that the Chair sign these as such.

101 Declarations of interest

There were no declarations of interest.

102 Urgent business

There was no urgent business.

103 Public participation

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

104 P23/V2226/FUL - Gateways, Harcourt Hill, Oxford, OX2 9AS

The committee considered planning application P23/V2226/FUL for the demolition of existing house and erection of two detached dwellings. (As amplified by additional tree protection information received 18 January 2024, and as amended by plan raising rooflight sill height received 23 February 2024, and as amended by plan redrawing application boundary to meet public highway received 4 March 2024 and updated application form received 6 March 2024.) at Gateways, Harcourt Hill, Oxford, OX2 9AS.

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 sought permission for two 4-bedroom dwellings. The planning officer highlighted that there was a correction required to the plans list condition. Plans OP1001, OP1002, OP1003 and OP1004, which were drafts, were to be removed as condition 6 secured a tree protection plan and methodology which superseded the draft plans.

The planning officer informed the committee that there had been a series of applications on the site. She went on to inform the committee that three of these applications sought to subdivide the site and all of the previous applications had been refused and subsequently dismissed at appeal. The basis for which these applications had been refused centred around design, scale, conflicts between the layout and established character and impact on amenity.

The planning officer advised the committee of the character of Harcourt Hill being made up of large dwellings set in spacious plots and being broken up with planting on the frontages and gardens. The planning officer confirmed that the committee report set out why the proposal before the committee, having been assessed on its own merits, complied with policy. She detailed that the proposal was of a similar height to other properties in the area, the removal of garages from the proposal opened up the frontage in keeping with the area and the accommodation and windows in the roof as previously proposed had been removed. The planning officer went on to advise that the proposed properties now read as two storey dwellings and the space around the dwellings ensured trees could be retained. In coming to this conclusion, the planning officer confirmed regard had been had to policies CP37 of the adopted local plan, HS1 and HS2 of the North Hinksey Neighbourhood Plan and the character assessment which underpins it and the general built form principles of the joint design guide.

The planning officer confirmed it was officers' opinion that whilst the proposed dwellings were narrower and deeper than neighbouring properties, these differences respected the local character and would contribute positively to the mix of dwellings in the local area without detracting from the established character.

The planning officer also advised that an additional condition was proposed in relation to levels on the site. Whilst both dwellings were below 8.4 metres in height with neighbourhood plan policy requiring them to be below 12 metres, due to the ground level rising up away from Southfield this condition would ensure that the dwellings were built at the agreed height as measured from the existing ground level.

Adam Rankin spoke on behalf of Botley and North Hinksey Parish Council, objecting to the application.

David Wyatt spoke objecting to the application.

Duncan Wolage, the agent representing the applicant, spoke in support of the application.

The committee asked the planning officer to confirm that the access condition was prior to occupation and what information would need to be supplied at this stage. The planning officer confirmed that the design was as set out in the submitted plans and this would not change but that materials could be requested to ensure quality and that they relate to the local area. The committee went on to ask if it was possible to require whether specific materials could be used to ensure the dwellings were relatively distinct from one another. The planning officer advised that it would not be possible to require specific materials and that it would be for the applicant and agent to propose the materials which would be used.

The committee asked the planning officer to explain why it was they had concluded that the proposal was not out of keeping with the character of the local area. The planning officer was of the view that the spacing was similar to that of neighbouring properties and, whilst the green space to the front was less than other properties, there was still space to the front and green character with the rear space being comparable. She went on to advise that even though the design of the two proposed dwellings was similar this was not harmful to the character of the area due to the small scale of the proposal.

The committee asked why the parking arrangements for the proposal were subject to condition and not being considered as part of the application before them. The planning officer advised that requiring this information prior to occupation was a standard approach and what had to be assessed at this stage was that there was sufficient room on site for the required level of parking. The planning officer confirmed that the local highways authority had been consulted and was happy there was sufficient space on the site to deliver the required level of parking.

The committee enquired as to why the permitted development rights on plot one were being restricted. The planning officer confirmed that whilst the proposed roof lights as set out in the application posed no risk to privacy or overlooking that adding any additional roof lights to this plot had the potential to cause harm in these areas. She confirmed that whilst it may be possible to add these it would require a planning application to be made. The planning officer confirmed that as there was no equivalent restriction proposed on plot two it would be possible for a loft conversion to be carried out and rear dormers to be installed without the need to apply for planning permission. The committee asked if it would be possible to also restrict the permitted development rights on plot two but the planning officer advised this would not be a reasonable condition in the context of the site.

The committee asked for confirmation as to how the biodiversity and landscaping condition would be enforced to ensure that bat boxes were installed and not subsequently removed and that trees identified as being retained were not removed. The planning officer advised that the condition required these to be installed before occupation and that they were maintained as such and confirmed it would be planning enforcement who would be responsible for ensuring this.

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

The committee were of the view that although steps had been taken to reduce the impact of the development it was still not possible to site two dwellings on the site in an acceptable way. The committee was of the view that narrowing the frontages was not in keeping with

the character of the area. Some of the committee were of the view that the best development for the plot would be a single dwelling.

The committee highlighted that there were no technical objections to the application.

The committee commented that the condition in relation to the sill height of the proposed first floor windows on plot one was not overly restrictive at 1.8 metres.

The committee reflected that the North Hinksey Neighbourhood Plan made specific reference to distinctiveness and were of the view that the two properties were insufficiently distinctive from one another so as to be in keeping with the local area. The committee made reference to the fact that there were other paired properties in the area, however.

RESOLVED: to refuse planning application P23/V2226/FUL for the following reason:

The proposed development would cause harm to the locally distinctive character and appearance of the surrounding area by reason of the incongruous narrow plots and small front garden areas, particularly prominent due to the corner plot location, and due to the similarity of the dwelling designs proposed, which are not visually distinct from one another. As such, the proposal is therefore contrary to Policy CP37 of the adopted Vale of White Horse Local Plan 2031 part 1, Policy HS1 of the North Hinksey Neighbourhood Plan, the adopted Joint Design Guide SPD (Design Principles: 1.6, 1.9, 4.8, 4.14, 4.15, 5.0, 5.1, 5.2, 5.4, 5.6, 5.7, 5.10, 5.11, 5.14, 5.107, 5.112) and to the National Planning Policy Framework (Paragraphs 131, 135(c) and 139).

105 P22/V2744/RM - Phase 1 Valley Park Didcot

The committee considered planning application P22/V2744/RM for Reserved Matters application relating to Phase 1T of Outline Planning Permission P14/V2873/O for scale, layout, landscape and appearance comprising 246 new homes with associated infrastructure with 35% affordable housing. (As amplified by additional information 9 January 2023 and amended by plans dated 3 July 2023, 26 September 2023, 15 November 2023, 7 December 2023, 5 February, 14 February, 1 March and 26 March 2024). (Outline planning application for a residential development of up to 4,254 dwellings, mixed-use local centres, primary schools, sports pitches, community and leisure facilities, special needs school, open space and extensive green infrastructure, hard and soft landscaping, attenuation areas, diversions to public rights of way, pedestrian and vehicular access and associated works), on land at Phase 1 Valley Park, Didcot.

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 the publication of the agenda there were two updates to consultee responses. He confirmed that the landscape officer had responded with no objections. He also advised that the most up to date Environment Agency response was received on the 12 February 2024 and it was satisfied that the modelling provided would ensure the site was not at risk of flooding. As such the Environment Agency found the proposal to be acceptable subject to condition 9 requiring improvement works to local brooks.

The planning officer informed the committee that access to the site would be from a signalised junction on the A4130. He advised that the application sought permission for 246 dwellings and the matters to be considered were internal access arrangements,

appearance, landscaping and scale. The planning officer confirmed that the proposal accorded with the approved strategic design code for the site.

The planning officer informed the committee that the application sought to deliver a strong frontage with 4 storey buildings at the entrance dropping to 3 storey as you moved further into the site. He advised that all road widths within the site met with the strategic design code as agreed by the local highways authority. The planning officer informed the committee that parking for flats would be provided in courtyards and for dwellings on the main road frontage, as car ports. He further advised that the proposal provided 35 per cent affordable housing in accordance with policy and that this was distributed across the site in clusters as supported by the affordable housing officer.

The planning officer informed the committee that sections of the site were located in flood zone 2 and that there was a condition on the outline permission that no built development should take place within flood zones 2 or 3. However, in light of the flood modelling the applicant had undertaken and presented to the Environment Agency they were satisfied that flood water would remain within watercourses. The applicant could apply to the Environment Agency to have the relevant flood maps updated to reflect this but this was the subject of a separate application process which had not yet been completed.

The planning officer concluded that the application was recommended for approval as it complied with both the development plan and the strategic design code for the site.

Aaron Wright, the agent representing the applicant, spoke in support of the application.

The committee asked for confirmation of the location of the play area. The planning officer advised that this was not part of the proposal before the committee but had been approved in March 2024 as part of a separate application.

The committee noted that safety had been assessed by both Thames Valley Police and the urban design officer and that Thames Valley Police had stated they would like to see electronic gates on the courtyard parking. The planning officer informed the committee that there was no council guidance in this area and therefore it was not something that could be required.

The committee went on to ask what would happen if the Environment Agency did not remove areas of the site from flood zone 2. The planning officer advised that all technical consultees were content there was no flood risk based on the modelling put forward and therefore no harm could be demonstrated. He confirmed that the Environment Agency assess against 1 in 100 year and 1 in 1000 year events and were satisfied there was no evidence to say flooding was a risk on the site.

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

The committee reflected that it was pleased with the design and bulk of the application and that there were no technical objections to the application. They were satisfied the safety aspects had been considered. The committee was pleased to note that the applicant was going beyond the requirements of current building regulations and installing solar panels and air source heat pumps across the site.

RESOLVED: to approve planning application P22/V2744/RM, subject to the following conditions:

1. Approved plans

Pre Occupation or Other Stage Conditions

2. Boundary treatments provision
3. Vision splays to be provided in accordance with the approved plan and thereafter maintained with no structure or vegetation except for trees, above 0.9m in height
4. Materials to be agreed
5. Noise mitigation - Passive ventilation systems and glazing providing 31dB and 25dB attenuation for those residential properties fronting the A4130 and northern plots along the main road respectively. 1.8m high walls on the western boundaries of plots 97, 98, 102, 120, 136, and 144, 1.8m high walls on the eastern boundaries of plots 115, 131, 137 and 145, 1.8m high walls between plots 99 to 102, 115 to 120, 131 to 144, 2.4m wall on western boundary of plot 145, and a 2.5m high wall on the northern boundary of plot 98.
6. Noise mitigation implementation verification report
7. Cycle parking for each dwelling to be provided prior to occupation of each plot
8. Electric vehicle charging points in accordance with approved plan

Post Occupancy Monitoring and Management Conditions

9. The development shall be carried out in accordance with the improvement works to the Cow Brook and Meadow Brook as specified in the Technical note 52 Rv1 dated 14 September 2023 and prepared by Brookbanks. These works shall be implemented as approved prior to any occupation and retained thereafter throughout the lifetime of the development.
10. Permitted development rights removal – extensions, dormer windows, outbuildings
11. Retention of garages for parking

Informatives

1. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved by Thames Water.
2. Interference with a water main may be an offence under s174 of the Water Industry Act 1991. Any work that may require diversion of a water main, works within 5m of a strategic water main or piling within 15m of a water main could need the approval of Thames Water.
3. Bird nesting
4. Broadband provision
5. Need for a S278 agreement under the Highways Act
6. It is an offence under S151 of the Highways Act for vehicles to carry mud onto roads
7. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.

106 Appeals Information

The committee received the appeals information report, presented by the head of planning. This report detailed the Council's appeal performance from April 2020 to end of March 2023, the appeals started in March 2024, and the appeal decisions received in March 2024.

The head of planning highlighted that the report would be a regular item for the committee to note. He highlighted the strong performance of the council against national averages.

The committee asked for lessons learnt from recent appeals to be included in upcoming training to members.

The committee were satisfied with the report and agreed to note the appeal information report.

The meeting closed at 8.23 pm