

Minutes

of a meeting of the

Planning Committee



held on Tuesday, 18 April 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 Janet Shelley
Officers: Emily Hamerton (Planning Manager), Hanna Zembrzycka-Kisiel (Planning Officer), Sally Appleyard (Planning Officer) and, Emily Barry (Democratic Services Officer).

Remote attendance:

Officers: Susie Royce (Broadcasting Officer)

132 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.

133 Apologies for absence

There were no apologies for absence.

134 Declarations of interest

Councillors Diana Lugova, Mike Pighills and Max Thompson declared that, they were ward members for item 6 on the agenda, P22/V1422/FUL. Councillors Lugova, Pighills and Thompson confirmed they would stand down from the committee and not participate in the debate or vote for this item.

135 Urgent business

There was no urgent business.

136 Public participation

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

137 P22/V1422/FUL - Land to the North West of Radley

Councillors Diana Lugova, Mike Pighills and Max Thompson each declared non-registerable interests in this item as they were local ward members. They all 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 P22/V1422/FUL for the variation of condition 1 (Approved Plans) in application P20/V0390/RM. (As amended & amplified by information received 29 June 2022, February 2023 and March 2023). Reserved Matters application for appearance, landscaping, layout and scale for the erection of 240 dwellings, internal access arrangements, formation of public open space and ancillary infrastructure pursuant to outline planning permission ref. P17/V1894/O at land to the north west of Radley.

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 Radley Parish Council. She then informed the committee there was an update since the report had been written. In response to the statement which had been submitted by a resident concerning a drainage related issue, the issue raised had been discussed with the applicant and drainage engineers and officers recommended that an additional condition should be included should planning permission be granted. The drainage engineer was in attendance to answer any questions the committee had.

The planning officer informed the committee that the site benefited from approved outline and reserved matters consent for 240 dwellings. The first phase of the development had been built out and was mostly occupied and phase two of the site was under construction. She informed the committee that the application sought to amend the layout of the site to allow for effective drainage attenuation, minor changes to the location of proposed trees and lampposts following discussion with Oxfordshire County Council, which had identified there was a clash in the plans of the location of some trees and lampposts as well as to allow for amendments to the approved drainage scheme. The application also sought changes to house types with amendments to fenestrations and the addition of ground floor studies, and amendments to the heights and floor levels of plots 92 to 101 to reduce the impact of those buildings on the adjacent properties in Ferny Close. The planning officer highlighted that the application met and exceeded the back-to-back distance guidance under the Design Guide, which required a distance of 21 metres.

The planning officer confirmed that the applicants were not in breach of planning permission as the works carried out were in accordance with the granted planning permissions.

Patrick Burnage spoke objecting to the application.

Nigel Pugsley, the agent representing the applicant, spoke in support of the application.

The committee noted that the concerns of objectors surrounded the height, back-to-back distances and drainage provisions. The committee highlighted that there were no objections from the drainage officer. Members asked for confirmation that the back-to-back distances met the design guide requirements. The planning officer confirmed that the design guide recommended 21 metres from window to window of the properties. She went on to confirm

that the original heights and ground levels had been acceptable when the reserved matters application was made and that the developer had lowered most of the properties where possible as such making an improvement to the approved scheme. The planning officer went on to confirm that the Sustainable Drainage System (SuDS) attenuation pond had to be located at the bottom of the site due to gravity and that the concerns raised in a resident statement had been resolved with the applicant's agreement to an additional condition requiring submission of design details of the swale located near White's Lane. The planning officer went on to confirm that the increase to the existing ground levels were required to allow for the proposed Sustainable Drainage System (SuDS) to work effectively. One of the attenuation ponds was located at the bottom of the site and worked partly due to gravity, therefore increasing the existing ground levels would improve the efficiency of this element of the SuDS. Further to this the concerns raised in a resident statement had been resolved with the applicant's agreement to an additional condition requiring submission of design details of the swale located near to White's Lane.

The committee inquired as to whether there would be any additional trees planted on the site to protect privacy. The planning officer confirmed that this was at the discretion of residents as the land would be private garden.

The committee requested for comment on the consultation which had been carried out as residents had raised this as a concern. The planning officer confirmed that for all large scale development the methods of consultation were press adverts, site notices and neighbour letters. She confirmed that for both the outline and reserved matters applications site notices were displayed and letters were sent to neighbours. The planning officer advised that the Statement of Community Involvement had been followed.

The committee asked for confirmation of the wording of the proposed additional condition. The planning officer confirmed this would be included in the minutes but detailed the condition for the committee as follows:

“Additional Condition – Drainage

Notwithstanding with the details submitted for the Infiltration Feature C, prior to the commencement of the development above the slab levels, an updated long section and cross section of the proposed swale and basin shall be submitted to and approved in writing by the Local Planning Authority.

These cross sections need to include:

- Sufficient information to highlight how the banks of the swale will interact with the boundary of the site, at 10m intervals.
- Construction details of the swale/infiltration basin, highlighting how the clay core of the banks will extend below existing ground levels.
- How the swale will discharge into the infiltration basin.
- Maximum water levels.

The approved scheme shall be implemented prior to or the first occupation or use of the development hereby approved and thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the effective drainage of the site in the interest of public health and limit surface water run-off on to highways (Policy CP42 of the Local Plan 2031 Part 1)”

A motion, moved and seconded, to approve the application with the inclusion of the additional condition was carried on being put to the vote.

The committee commented that the application before them was an improvement to the scheme and that the objections raised appeared to be in relation to the granted planning permission which could not be revoked. The committee noted that there were no objections from any of the technical consultees.

RESOLVED: to approve planning application P22/V1422/FUL, subject to the following conditions:

Standard

1. Time limit
2. Approved plans

Pre-commencement/above slab levels

3. Contaminated Land Risk assessment
4. Tree Protection
5. Landscape Scheme (Soft Landscape)
6. Staged programme of Archaeological Investigation
7. Drainage Details (Infiltration Feature C)

Pre-occupation

8. Access point
9. Implementation of noise mitigation measures
10. Contaminated land remediation strategy
11. Specified Visibility Splays
12. Drainage: SUDS verification report to be submitted
13. Details of Lighting scheme
14. Car Parking

Compliance

15. Strategic Water Main
16. Surface water drainage
17. Drainage maintenance plan
18. Groundwater monitoring
19. Method statement for groundwater management
20. Foul water Drainage
21. Construction Method Statement
22. Archaeological Written Scheme of Investigation
23. Arboricultural method statement
24. Off-site highways works and timetable
25. Details of pedestrian and cycle crossing point at Church Lane
26. Details of connection to Church Farm access
27. Details of Whites Lane stopping up/realignment
28. Construction Environment Management Plan Biodiversity
29. Biodiversity Enhancement Plan
30. Housing Mix
31. Air Quality mitigation measures
32. Clearance and survey of existing culvert and ditch
33. Wastewater Housing and Infrastructure Phasing Plan
34. Travel Plan Statement
35. Electrical charging points

36. Construction hours of operation
37. Public open space
38. New Estate Roads
39. Details of Bin Collection Points
40. Details of Play Space
41. Arboricultural Method Statement
42. Badger crossing tunnel
43. Boundary Treatments

138 P22/V0996/RM - Land South of Steeds Farm, Coxwell Road, Faringdon

The committee considered planning application P22/V0996/RM for Reserved Matters following Outline Permission P18/V0259/O for the appearance, landscaping, layout and scale for the development of 125 dwellings. Discharge of Conditions 7 (Biodiversity Enhancement Plan), 8 (Building Heights), 9 (Green Interface), 10 (Lighting), 11 (Acoustic Insulation & Ventilation Scheme), 14 (Floor Levels), 15 (Construction Method Statement), 17 (Travel Plan) and 18 (Electric Charging Points) on planning application P18/V0259/O. (As amended by plans and documentation received 18 and 25 October 2022, 28 February 2023 and 4 April 2023) on land south of Steeds Farm, Coxwell Road, Faringdon.

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 Faringdon Town Council. She advised that outline planning permission had been granted for the site in July 2021 and that the site was part of the South of Faringdon strategic housing site. The application secured 35 per cent affordable housing in line with the S106 agreement and sought to discharge a number of the outline planning permission conditions.

The planning officer informed the committee that the application site was located to the southern edge of the built up area of Faringdon. The application comprised a mix of house types and sizes with all dwellings facing outwards. She noted the application provided a green buffer to the south and west of the site as well as a central area of open space. The majority of buildings were 2 storey but the application included three 2.5 storey buildings.

The planning officer advised the committee that policy NDS9 of the Great Coxwell Neighbourhood Plan required buildings to be no higher than 2 storeys with roof space behind the dormers which officers interpreted to allow for 2.5 storey accommodation but that the application had been assessed against policy in the context of the existing built area and that there had been no objections from the landscape officer or conservation officer on the basis of the heights of the buildings.

The planning officer advised the committee that 95 per cent of properties across the scheme met the minimum garden size guidance. Some fell short of the guidance but remain proportionate to the size of the dwellings. The officer noted that in order to achieve 100 per cent compliance of garden sizes across the scheme the quality of design would be detrimentally affected.

The planning officer informed the committee that condition 9 of the outline consent required that a 20 metre green buffer was provided at the southern and western sides of the site and this was achieved through this application. Faringdon Town Council had raised concerns

that this had not been achieved but the planning officer confirmed that the swales within this area did not constitute built form.

The planning officer concluded that overall the principle of development had been established through the outline consent and that the application before the committee was acceptable and compliant with policy.

Councillor Mike Wise spoke on behalf of Faringdon Town Council, objecting to the application.

Nathan McLoughlin, the agent representing the applicant, spoke in support of the application.

Councillor David Grant, a local ward councillor, spoke objecting to the application.

The committee asked if the Design Guide specified size of garden. The planning officer confirmed that it did but highlighted that the Design Guide was guidance and not policy. The garden sizes given in the Design Guide needed to be balanced against design, layout and policy. The planning officer confirmed that for this site the considerations had been a combination of design quality, the provision of the green buffer to the south and west of the site, ensuring the scheme was well landscaped, the delivery of housing mix and the provision of parking. She stated that the overall balance was acceptable but that some properties did fall short of the recommended garden sizes identified in the Design Guide.

The committee inquired as to whether applying the garden sizes as required in the Design Guide could result in the loss of properties. The planning officer confirmed this would potentially happen but that there would also be an impact on the quality of the site.

The committee asked for confirmation that the properties remained the same as approved in the outline consent in terms of bedroom sizes and the balance of affordable and full market. The planning officer confirmed that the number of affordable units was as set out in the S106 agreement and that the market mix was as closely aligned to the Strategic Housing Market Assessment as was achievable. The planning officer confirmed that the difference from the Strategic Housing Market Assessment was detailed at point 5.41 of the officer report.

The committee noted that there was a current planning application to adjust the watercourse which had not yet been approved and queried why. The planning officer confirmed that this would be assessed alongside the application the committee was considering and subject to the outcome it would be approved. She confirmed there were no technical objections to the application to adjust the watercourse. The committee further went on to highlight that Thames Water was unable to supply water to the properties at present. The planning officer confirmed that there were no objections from Thames Water to the reserved matters application before committee but that there was a remaining condition to be discharged on the outline consent. In response to concerns from the committee that people could move into properties without the required work being completed the planning officer confirmed that the relevant condition was a pre-commencement condition and would therefore need to be discharged before any works could commence.

The committee noted that the drainage engineer had objected to the application initially and had since removed this objection but requested a condition requiring more detailed plans of the drainage scheme. Members enquired why these plans were not needed before approval of the application before the committee. The planning officer confirmed that the overall drainage strategy was acceptable and that the plans requested related to specific

properties. It was confirmed that the condition requesting these details was a pre-commencement condition.

The committee highlighted that there were no ground source heat pumps or photovoltaic panels included as part of the scheme. The planning officer confirmed this was not a policy requirement but that under the revised Building Control Regulations this would be caught and that the applicant had confirmed they would be addressing this.

The committee inquired as to the weight given to neighbourhood plans. The planning officer advised that the same weight was given to neighbourhood plans as was given parts 1 and 2 of the Local Plan. She went on to highlight that with all applications a balance must be struck between all of the policies which needed to be considered.

The committee noted that the site was tight for the number of houses which had been given permission under the outline application but that officers had done a good job to achieve the application before them.

The committee commented that a departure from the number of dwellings would be preferable to the failure to adhere to the garden sizes as set out in the Design Guide. It commented that the Design Guide did not require much with regards to amenity space and that this should be upheld. The importance of amenity space for wellbeing had been highlighted to all during the Covid-19 pandemic.

The committee highlighted that it had concerns about balancing the need for amenity space and the impact this could have on the number of affordable houses delivered under the scheme but that a number of the garden sizes were below the Design Guide requirements.

On being put to the vote, the motion to approve the application was not carried and the chair requested another motion be put forward.

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

RESOLVED: to refuse planning application P22/V0996/RM, for the following reason(s):

1. Having regard to the nine properties that do not have a garden size in accordance with design guide requirements, this represents an overdevelopment of the site which would detrimental to the amenity of occupiers of the new houses. This is contrary to policies DP23 of the adopted Local Plan 2031 part 2, the NPPF, and the Joint Design Guide SPD.
2. Having regard to the 2.5 storey height of three units, this would be contrary to the requirements of Policy NDS9 of the Great Coxwell Neighbourhood Plan.
3. Having regard to the distance between houses and the reduced garden size of some properties, this development would be detrimental to the amenity of the occupiers of future residents. This is contrary to policy DP23 of the adopted Local Plan 2031 part 2, the NPPF, and the Joint Design Guide SPD.
4. Having regard to the location of the site in relation to the surrounding area and the design of the green buffer, this development would be tantamount to coalescence between Great Coxwell and Faringdon, which would be detrimental to the established character of the area and landscape setting. This is contrary to policy CP44 of the adopted Local Plan 2031 Part 1 and Policy EDQ1 of the Great Coxwell Neighbourhood Plan.

The chair noted this was the last planning committee meeting of this administration and thanked both committee members and officers for their hard work and support.

The meeting closed at 8.34 pm