

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Lowlands Area Planning Sub-Committee
held via video conferencing at 2.00pm on **Monday 10 August 2020**

PRESENT

Councillors: Ted Fenton (Chairman), Carl Rylett (Vice Chairman), Owen Collins, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, Steve Good, Jeff Haine, Nick Leverton, Kieran Mullins and Harry St John.

Officers: Phil Shaw (Business Manager Development Management), Abby Fettes (Interim Locality Lead Officer Development Management), Miranda Clark, (Senior Planner Development Management) and Amy Barnes (Senior Strategic Support Officer).

17. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 13 July 2020, copies of which had been circulated, be approved as a correct record and signed by the Chairman.

18. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence.

19. DECLARATIONS OF INTEREST

Councillor St John declared an interest in application 20/01120/FUL – Land East of 90 High Street, Standlake because he had undertaken work for the family with regards to probate matters. However, this had occurred some years ago and he had not had an current involvement with the applicant.

20. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Business Manager – Development Management, giving details of an application for development, copies of which had been circulated.

RESOLVED: That the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

(i) **20/01083/FUL – 1 Wesley Walk, Witney**

The Planning Officer, Miss Clark introduced the application which contained a recommendation of approval and outlined the site plans to Members.

Information contained in the follow on report advised that revised plans had been received relating to fenestration details. In addition, it had been suggested that an informative be added to any permission granted advising the applicant to contact Thames Water separately regarding sewage connections.

Members were also advised that in response to the Town Council's comments, the Council did not have specific guidelines in relation to room dimensions, however, some room sizes may be covered by Building Regulations under separate regulations. There were no objections on the grounds of parking.

Following a question from Councillor St John, officers confirmed the location of the cycle and bin stores were located in the ground floor area of the building.

In response to a question from Councillor Leverton, Members were advised that there was no parking provision on site. Councillor Leverton also referred to the inclusion of policy OS4 which related to High Quality design and queried whether measures would be taken to incorporate 'better than minimum' insulation, double glazing and sound proofing to ensure residents were not disturbed by noise. He also queried whether there was anything that could be done to protect future residents from disturbance from the facility downstairs, which was currently able to stay open until 2am.

In response, Miss Clark confirmed that the insulation and sound proofing issues would be a Building Regulations responsibility and the opening hours and licensable activities of the ground floor unit would be managed by Licensing Regulations.

Councillor Enright was concerned about the small room sizes but was advised that the Council did not have set room dimensions detailed in the Local Plan.

Councillor Haine proposed that the application be granted as per officers' recommendations and this was seconded by Councillor Good. Members noted that the permission would include an informative advising the applicant to contact Thames Water directly to resolve issues regarding sewage connection.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

(ii) 20/01120/FUL – Land East of 90 High Street, Standlake

The Planning Officer, Miss Clark introduced the application and advised that although the site was not in a Conservation Area it was adjacent to and opposite listed buildings.

Information contained in the follow on report advised that revised plans had been received which showed the integral garages removed and replaced with separate detached garages.

A public submission had been received and was read out on behalf of Mr Alex Cresswell representing JPPC Chartered Town Planners in support of the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

The Planning Officer then presented her report containing a recommendation of approval and showed Members the amended layout plan and revised plot plans. She advised that officers did not feel that the setting of the listed buildings would be adversely affected by the development. In addition, officers had not received comments back from Thames Water regarding the sewage concerns raised and therefore proposed that any permission would be subject to comments being received from Thames Water.

Councillor Good addressed Members as he felt that the proposal had been improved as a result of the comments made by the Parish Council, this was a much better design and the

area would benefit from the development. He therefore, proposed that the application be granted as per officers recommendations. This was seconded by Councillor Enright.

Councillor Hilary Fenton did not feel that she was able to support the application as she was aware of the amount of water that collected in Standlake and felt that Thames Water needed to address the flooding issues before any more developments were built.

Councillor St John asked for clarification on the size of the application site which was confirmed as 0.62 of a hectare.

Councillor Good expressed his sympathy to the comments made by Councillor Hilary Fenton but reminded Members that as long as Thames Water, as a statutory consultee, continued to submit 'no objection', the planning authority would struggle to refuse an application on those grounds. The Chairman reiterated that permission would be subject to the receipt of comments from Thames Water.

Councillor Crossland stated that she felt this was a better scheme than the previously refused application, was pleased that it would be screened by natural vegetation and she referred to the Inspectors comments. She supported that any permission should be subject to comments being received from Thames Water as they should be 'held to account'.

The Officer recommendation of approval, subject to comments being received from Thames Water, was then put to the vote and was carried.

Councillor Hilary Fenton voted against the proposal.

Approved

(iii) 20/01167/FUL – Prospect Cottage, Filkins

The Planning Officer, Miss Clark introduced the application and advised that the officer recommendation was one of approval.

Information contained in the follow on report detailed a statement that had been received on behalf of the applicant.

Following a question from Councillor St John relating to parking, officers advised that there were no objections from the Highways Department.

Councillor Haine queried the wording of condition 7 of the report which dealt with the issue of obscure glazing. Officers advised that details of the windows, including the obscure glazing, would be delegated to officers to approve as per condition 12.

Councillor Hilary Fenton advised that she had undertaken her own visit to the site and therefore proposed that the application be granted as per officers' recommendations.

This was seconded by Councillor Crossland who felt that would be no visual harm from the development and could add to the tourist economy.

Councillor Leverton felt that parking was a consideration and queried whether the proposed building would be subservient to the original building. In response, officers advised that officers considered the garage to already be subservient to the original dwelling and reiterated that the Conservation Officer was content with the proposal.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

(iv) 20/01508/FUL – Manor Bungalow, 41B High Street, Standlake

The Planning Officer, Miss Clark introduced the application and advised that the report contained a recommendation of approval. She signposted Members to the follow on report which detailed the full appeal decision relating to the previous application and made reference to an email that was circulated to Members from the applicant's agent. A further 15 objections had also been received since the report was written and Miss Clark summarised the concerns raised.

The follow on report also advised that revised plans and additional information had been received in response to Ecology Officer's comments, along with additional conditions and an informative relating to bats and birds.

Public submissions had been received and were read out on behalf of Mr Andrew Bateson of West Waddy ADP, objecting, and Mr Mike Gilbert, agent on behalf of the applicant, supporting. Summaries of their submissions are attached as Appendices B and C to the original copy of these minutes.

The Chairman also advised that Members had also been in receipt of an email from the agent, Mr Gilbert, which they may wish to refer to.

The Planning Officer then presented her report and made reference to the appeal decision detailed in the follow on report along with a detailed Heritage Assessment which had also been submitted. Miss Clark also stated that various changes had been made to the layout plan. There had been no objections from the Highways Department and as yet no comment had been received from Thames Water. Therefore, any permission would be subject to comments and conditions from Thames Water and it was proposed that the recommendation be amended to reflect this.

Following a question from Councillor St John, Miss Clark clarified the extent of the planning site edged in red on the plan and advised that ownership of the land was not relevant to the application in front of Members today and confirmed that Plot I was located closer to the manor by three metres.

Councillor Haine addressed Members, referred to the previous application and subsequent appeal and read out various paragraphs of the Inspector's report. Councillor Haine felt that whilst he did not agree with some of the Inspector's comments regarding the historical setting, the conclusions reached in relation to Policies EH9 and EH11 were still relevant. He did not feel that the application differed greatly from the previous proposal, and still resulted in four large houses. He therefore proposed that the application be refused, contrary to officers recommendations, as it did not comply with policies EH9 and EH11.

This was seconded by Councillor Leverton who agreed that the previous grounds for refusal were still relevant. He also felt that the proposal was contrary to policy OS2 as it was not appropriate or proportionate in scale and despite the lack of objection from the Highways department, he did not feel that there was safe vehicular and pedestrian access provided.

Councillor Haine commented that OS2 should not be included in the refusal reasons as the Inspector had already rejected that reason.

Councillor Good expressed his disappointment at the proposal as he felt that the officers had put a lot of time and effort into learning from the appeal and coming up with a suitable application. He reiterated that the Highways department had not objected and he highlighted the Ecological and Biodiversity conditions which would be added. Councillor Good concluded that, in his opinion, the proposal had changed a great deal and would provide three additional houses which were desired in the village.

Councillor Hilary Fenton commented that there was no response as yet from Thames Water and she had concerns that the area suffered from flooding and residents would be driving into flood water.

Councillor St John felt that there was still a historical interest in relation to the site and he believed the issues raised regarding the impact on the listed building, were still valid. He accepted that the scheme had been amended but raised concerns about the driveway and the proximity of the buildings to the manor.

Councillor Good reiterated that the site was not located in a flood plain and did not think that flooding would be an issue on this site. He stated that the driveway was existing and would not be new. He felt this was a good scheme and strongly urged colleagues to support the officers recommendation.

The Planning Officer, Mrs Abby Fettes, confirmed that this was an existing drive and the ownership of the two sites was not a planning matter. She reminded that each application should be considered on its own merits and reminded Members that there was a new heritage statement which addressed the points raised in the Inspector's report.

The proposal to refuse the application, contrary to officer's recommendation and for the reason outlined below, was put to a named vote and was carried seven votes to five.

Refused

By reason of the scale and layout, the proposed development will adversely affect the setting of the adjacent Grade II Listed Building, Standlake Manor, resulting in a less than substantial harm, which when weighed against the public benefits of the proposal, will not outweigh the harm resulting to the setting of the Listed Building. The proposal is considered contrary to Policies EH9 and EH11 of the adopted West Oxfordshire Local Plan and Paragraphs 193 and 196 of the NPPF.

21. APPLICATIONS DETERMINED UNDER DELEGATED POWERS, APPLICATIONS WITHDRAWN, AND APPEAL DECISIONS

The report giving details of (i) applications determined under delegated powers or withdrawn; and (ii) an appeal decision, was received and noted.

The meeting closed at 3.32 pm.

CHAIRMAN