

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

20th January 2014

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Agenda Index

13/1534/P/FP Westerfield Farm Carterton.....3
13/1596/P/FP Old Barn, Worton.....4
13/1654/P/FP Unit 6 Woolgate Shopping Centre Witney5
13/1663/P/FP 1 Colwell Drive Witney6
13/1703/P/OP 18 & 20 Woodstock Road Witney7
13/1710/P/FP 35 Burford Road Witney.....8
13/1730/P/S73 Land At Black Bourton Road Carterton.....9

Report of Additional Representations

13/1534/P/FPWesterfield Farm Carterton	
Date	29/10/201329/10/2013
Officer	Mr Alex Cresswell
Recommendation	Refuse
Parish	SHILTON
Grid Ref:	

APPLICATION DETAILS

Installation and operation of a solar farm, with associated works.

APPLICANT

Lightsource, SPV 45 Ltd, Level 5, 20 Old Bailey, London, EC4M 7AN

ADDITIONAL INFORMATION FROM THE APPLICANT:

A further series of photographs have been provided by the applicant showing the wider views of the site in winter views. These depict the difference to the landscape envisaged over a five year period from installation. In officers' opinion these further reinforce the view that the site will be widely visible from the vantage points referenced in the committee report.

ADDITIONAL REPRESENTATIONS

James and Clare Freeth, Foxbury Farm:

- Site is on land owned by us – have been approached by 6 solar companies in the last 18 months;
- Land has been highlighted due to its suitability, having grid connectivity with spare capacity, being outside an AONB and not being directly overlooked;
- Lightsource have been particularly considerate of the surrounding environment in drawing up the scheme;
- We are livestock farmers and do intend to keep livestock on the land with the solar panels;
- The soil type on these two fields is very variable and the poorest that we farm, being a low grade 3

13/1596/P/FPOld Barn, Worton	
Date	22/10/201322/11/2013
Officer	Mrs Kim Smith
Recommendation	Refuse
Parish	CASSINGTON
Grid Ref:	446227,211259

APPLICATION DETAILS

Conversion of barn to dwelling and erection of two storey extension.

APPLICANT

Mr & Mrs Iain & Nadia Dickson C/O Worton Farms Ltd, Worton Park, Worton, Cassington, Oxfordshire, OX29 4SU

APPLICANT'S AGENT

WINCKWORTH SHERWOOD, SOLICITORS AND PARLIAMENTARY AGENTS

The comments of the letter are summarised as follows:

- At the committee meeting of 16 December 2013 our clients planning consultant explained that should the application be refused, our clients could take advantage of permitted development rights.
- Our client has already secured the change of use of the barn from office use (BI) to residential use (C3) under Class J of the 1995 Order introduced last year and further extensions could therefore be made to the barn once it is converted to residential use.
- We understand that during the committee meeting a planning officer for the Council alleged that our clients would be unable to benefit from permitted development rights to extend the barn because the plan that accompanied our client's prior approval application for change of use, only delineated the barn and not the curtilage of the site.
- The planning officer's point is entirely misconceived. There is a valid permission for a change of use of the barn from office to C3 use. Whilst the plan did not specifically delineate the surrounding garden/driveway, it is clear that it forms part of a single planning unit. The surrounding garden is simply open space/ amenity space and ancillary to the barn in which ever use the barn is put. Is the officer really suggesting that the barn is in residential use but the garden somehow remains in office use?
- Once the barn is put to residential use there is nothing in the 1995 Order that would prevent our client from extending the property subject to the limitations set out therein.

13/1654/P/FP Unit 6 Woolgate Shopping Centre Witney	
Date	25/11/201328/11/2013
Officer	Mr Phil Shaw
Officer Recommendation	Provisional approval
Parish	WITNEY
Grid Ref:	435669,209726

APPLICATION DETAILS

Change of use from retail to mixed use retail and coffee shop.

APPLICANT

USS Investment Management Ltd, C/O Agent.

APPLICANT'S AGENT

The applicant's agent has written with amended plans that overcome your officers concerns regarding the scheme as originally tabled. They also confirm that new public seating will be provided elsewhere in the Woolgate Centre as part of external upgrade works

In light of these amendments your officers will be bringing the application forward with a recommendation for approval subject to conditions regarding:

1. time limits
2. amended plans
3. seating removed when store not open
4. new public seating provided elsewhere

13/1663/P/FP 1 Colwell Drive Witney	
Date	26/11/201326/11/2013
Officer	Mrs Kim Smith
Officer Recommendation	Provisional Approval
Parish	WITNEY
Grid Ref:	434805,209014

APPLICATION DETAILS

Remove existing single storey extension. Erection of two dwellings and alterations to existing vehicular access.

APPLICANT

Mr and Mrs John Smith, The Cottage, Rosemary Lane, Bampton, Oxon OX18 2NF.

STATUTORY CONSULTEE

OCC Highways

No objection subject to the following conditions and informatives;

1. Access to specification
2. Car parking in accordance with the approved plans
3. Boundary treatment between 1 Colwell Drive and plot 1, and front boundary treatment to Plot 1, must not exceed 0.6 metres in height
4. fence to be splayed as shown on plan

Informative

- Works to the highway (forming the access) are subject to a separate permission, under S184 Highways Act, issued by the Local Highway Authority. Please contact the Local Highway Authority prior to any such works

13/1703/P/OP 18 & 20 Woodstock Road Witney	
Date	06/12/2013 06/12/2013
Officer	Mr Phil Shaw
Officer Recommendation	Provisional approval
Parish	WITNEY
Grid Ref:	436280,210612 436249,210590

APPLICATION DETAILS

Erection of replacement dwelling and three new dwellings together with garaging to serve both new & existing (no 20) properties.

APPLICANT

Mr & Mrs Clark and N Seacole, 18 - 20 Woodstock Road, Witney, Oxfordshire, OX2 1DT.

ADDITIONAL REPRESENTATIONS

Letters of objection have been received from T Ewart, C Carter, S Grayston and C Howkins. The main points raised may be summarised as follows:

- applications have previously been refused
- house that has been omitted could be reinstated
- it still looks very similar
- concerned at impact to frontage lime trees
- how will sewer connections be made?
- not all development on adjoining properties is detailed
- plot 4 looks too close to neighbours
- is there a minimum spacing distance
- will it impact foundations?
- disruption during building works and when occupied
- overlooking from velux roof windows
- new planting will take years to mature
- traffic generation
- impact on stone walls
- should have a different officer dealing with the applications
- house has been replaced with garages
- difference in site levels is not made clear on the plans
- proximity issues are not resolved
- boundary wall is an insufficient screen
- will add to congestion
- collecting refuse will cause traffic problems

13/1710/P/FP 35 Burford Road Witney	
Date	06/12/201306/12/2013
Officer	Mrs Kim Smith
Officer Recommendation	Grant, subject to conditions
Parish	WITNEY
Grid Ref:	434848,210284

APPLICATION DETAILS

Construction of hydrotherapy pool and erection of pool building. (To allow increase in height and window size). (Retrospective)

APPLICANT

Mr Matthew Calcutt, 35 Burford Road, Witney, Oxfordshire, OX28 6DP.

STATUTORY CONSULTEE

Witney Town Council

‘With regards to Planning Application 13/1710- Mr Matthew Calcutt, 35 Burford Road, Witney, the Town Council’s response is that it has no objection to this application’.

13/1730/P/S73 Land At Black Bourton Road Carterton	
Date	10/12/2013 10/12/2013
Officer	Mr Phil Shaw
Officer Recommendation	REFUSE
Parish	CARTERTON
Grid Ref:	428096,206794

APPLICATION DETAILS

Non compliance with condition 8 of planning permission 12/1217/P/FP to allow deliveries 24 hours a day. Between the hours of 2300 and 0700 all warning sounders and refrigeration plant would be disabled.

APPLICANT

Optimisation Developments Ltd, C/O Agent.

STATUTORY CONSULTEE

Carterton Town Council

objected very strongly to this application. A planning based restriction currently exists on site. Morrisons have not produced any operational data to prove a business case for overturning the original planning restrictions on delivery times. Members were concerned about noise from lorries approaching the site, manoeuvring and loading/unloading on site, engine idling, tyre scrub and over revving. These were the concerns expressed during the original pre planning consultation. Ambient noise levels are at their lowest during these hours and the preservation of residents peace and quiet and abatement of noise is critical to ensure sleep. This will be particularly relevant to the occupants of the new homes planned as part of this development area. With little traffic to contend with lorry speeds may increase along Wycombe Way. Granting this non compliance, may set a precedent for the other large retailers in the town. Council does recognise that there are benefits to night time delivery including a reduction in day time traffic and the obvious benefits to the retailer, it cannot ignore the detrimental effect this would have on local residents. Council would therefore be interested in receiving the results of any assessments that have been carried out regarding the impacts on local residents of night time deliveries either within the authority or at any other authority nationally.

Ian and Lyndsay Baker of 7a Butlers Drive have objected on the grounds of noise and disturbance and the impact on health and well being.