

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of a Meeting of the
LOWLANDS AREA PLANNING SUB-COMMITTEE
Held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxon
at 2.00 pm on Monday 17 August 2015

PRESENT

Councillors: W D Robinson (Chairman); Mrs M J Crossland (Vice-Chairman); M A Barrett; H B Eaglestone; D S T Enright; Mrs E H N Fenton; J Haine; P J Handley; H J Howard; P D Kelland; R A Langridge; J F Mills and B J Norton

Officers in attendance: Phil Shaw, Miranda Clark, Sarah De La Coze and Paul Cracknell

24. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 20 July 2015, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

25. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Mr Enright sent apologies for his late arrival at the meeting having been delayed on business and the Chief Executive reported receipt of the following resignation and temporary appointment:

Mr J F Mills for Mr S J Good

26. DECLARATIONS OF INTEREST

Mrs Crossland indicated that, having made her support for application No. 15/01860/FUL (99 – 101 Burford Road, Carterton) clear at the last meeting, she intended to withdraw from the meeting during its consideration so as to avoid any impression of pre-determination.

Mr Robinson declared interests in application Nos. 15/01968/OUT (Land South of Burford Road and East of Downs Road, Witney) and 15/02165/HHD (Fishers Bridge Cottage, Buckland Road, Bampton), the landowner and applicants being known to him in a personal capacity. He indicated that he would leave the room during consideration of these applications.

27. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Head of Planning and Strategic Housing giving details of applications for development, copies of which had been circulated. A schedule outlining additional observations received following the production of the agenda was circulated at the meeting, a copy of which is included within the Minute Book.

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 Head of Planning and Strategic Housing, subject to any amendments as detailed below:-

(In order to assist members of the public, the Sub-Committee considered the applications in which those present had indicated a particular interest in the following order:-
15/01934/OUT; 15/01860/FUL; 15/01968/OUT; 15/02057/FUL; 15/02058/LBC;
15/02059/FUL; 15/02060/LBC; 15/02165/FUL; 15/01871/FUL; 15/02023/HHD;
15/02049/FUL and 15/02221/FUL

The results of the Sub-Committee's deliberations follow in the order in which they appeared on the printed agenda).

3 15/01860/FUL 99 - 101 Burford Road, Carterton

The Planning Officer introduced the application.

Mr Christopher Lyons addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

Mr Rob O'Carroll, the applicant's agent, then addressed the meeting in support of the application. A summary of his submission is attached as Appendix B to the original copy of these minutes.

The Planning Officer then presented her report containing a recommendation of refusal.

Mr Howard proposed that the application be permitted, indicating that there was already a mix of single and two story dwellings in the vicinity and that whilst the ridge of the proposed dwellings would be slightly higher than the existing dwelling, they would be well screened by vegetation in the garden of the adjacent property. The proposal failed to attract a seconder.

Mr Norton noted that the existing mix of dwellings had been laid out in such a way as to avoid larger dwellings being seen as overbearing and to limit overlooking. Mr Norton acknowledged that the redevelopment of the construction yard for residential use would be beneficial and indicated that he believed that it would be possible to accommodate two dwellings on the site. However, Mr Norton considered the current proposals to be unacceptable and proposed the Officer recommendation of refusal.

The recommendation of refusal was seconded by Mr Haine and on being put to the vote and was carried.

Refused

(Mr Howard requested that his vote in favour of the application be so recorded. Mrs Crossland left the meeting during consideration of the application)

8 15/01871/FUL 80 Milestone Road, Carterton

The Planning Officer presented her report containing a recommendation of refusal.

Mr Howard indicated that similar development had been permitted in other locations in the past and proposed that the application be approved. The proposition was seconded by Mr Barrett and on being put to the vote was lost.

Mr Langridge then proposed that the application be refused for both the reason set out in the report and for the detrimental impact the proposed development would have upon the residential amenity of occupiers of the existing dwelling. This proposal was seconded by Mr Mills and on being put to the vote was carried.

Refused for the following additional reason:-

2. By reason of the siting of the proposed new dwelling's backland position and relationship to no. 80 Milestone Road, the proposal would result in unacceptable levels of activity through vehicular movements and associated noise and lighting to the detriment of the residential amenities of No.80 Milestone Road. As such, the proposal is considered contrary to policies H2 and BE2 of the adopted West Oxfordshire Local Plan and policies OS1, OS2, OS4 of the emerging West Oxfordshire Local Plan.

(Mr Howard requested that his vote in favour of the application be so recorded)

12 15/01934/OUT Land South of New Yatt Road, North Leigh

The Development Manager introduced the application and reported receipt of a further objection received since publication of the report of additional representations.

Mr Steve Legg addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix C to the original copy of these minutes.

The Development Manager then presented his report containing a recommendation of refusal.

In supporting the Officer recommendation, Mr Norton made reference to the significant volume of local objection to the development which he considered both out of scale with the village and to have a significant detrimental impact upon the local landscape. He emphasised that the Council had a five year land supply, notwithstanding which, he considered

the application to be unacceptable for a range of reasons. Mr Norton expressed concern over the potential impact of the proposed development on the local highway network and advised Members that the local primary school was over capacity with limited land available for expansion.

Mr Norton drew attention to Thames Water's admission that it would be problematic for the existing waste water/sewage infrastructure to accommodate the additional dwellings and questioned how this would impact upon the deliverability of the scheme.

In proposing refusal, Mr Norton suggested that concern over highways issues be incorporated into the refusal reasons and that the applicants be advised of the concerns expressed with regard to the ability of the local primary school to take the additional numbers generated by the proposals and Thames Water's recognition of the need for considerable capital investment to accommodate expansion on the scale proposed.

(Mr D S T Enright joined the meeting at this juncture)

The Development Manager confirmed that, whilst the Council would have difficulty in maintaining refusal reasons on waste/surface water drainage grounds without the support of the technical consultees, there was no reason why these concerns could not be communicated to the applicants by way of an informative note. He suggested that an appropriate form of words could be agreed with the local representative.

The recommendation of refusal was seconded by Mr Langridge and on being put to the vote was carried.

Refused for the following reasons, the applicants being advised that, in refusing the application Members wished to associate themselves with the concerns expressed by residents regarding the impact of such a large development on the sewerage network, the ability to educate local children at the local school and the ability to access NHS services given current waiting times

- I. That by reason of the sensitive location of the site on a skyline ridge and rising land, the positive role the site in its undeveloped state plays in the setting of the village, the role it plays as part of the gap between North Leigh and New Yatt, the adverse consequences of development on views from the AONB to the north, the adverse consequences on views from the A4095 from the south and wider views from the intervening countryside, the urbanising impact of the traffic safety measures, the adverse impact on the attractive and well used footpath network adjoining and passing through the site and in its location and access arrangements the scheme fails to integrate with the village but rather represents a disproportionate and incongruous addition that would fail to integrate environmentally, physically and socially with the host settlement. . It would furthermore lead to an increase in the use of the pinch point close to

the junction of New Yatt Road, Park Road and Church Lane to the east of the site and the junction of Park Road with the A4095, both of which have a history of accidents including fatalities, The development is therefore considered to cause significant and demonstrable harms that outweigh the benefits of the scheme and as such is considered contrary to policies H4, H6, H2, BE2, NE1, BE4, TLC8 and NE3 of the Adopted Local Plan, policies OS1, OS2, OS4, H2, EH1 and EH3 of the Emerging Local Plan and the provisions of the NPPF when read as a whole.

2. In the absence of an agreed mitigation package it has not been demonstrated that the adverse impacts of the development will be fully and properly addressed and as such the scheme is contrary to policies BE1 of the Adopted Local Plan and OS5 of the Emerging Local Plan and the provisions of the NPPF when read as a whole.

33 15/01968/OUT Land South of Burford Road and East of Downs Road, Witney

(Mr Robinson left the meeting during consideration of the following application. Mrs Crossland took the Chair)

The Development Manager introduced the applications.

Mr Alan Beames, representing the Witney Town Council addressed the meeting in support of the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

Mr Phil Salmon, the applicant's agent, then addressed the meeting in support of the applications. A summary of his submission is attached as Appendix E to the original copy of these minutes.

The Development Manager then presented his report.

In response to Mr Salmon's suggestion that the Head of Housing's comment "that it could be construed as imprudent to allow an opportunity to secure affordable homes of the right type on this proposed development to be missed" was an expression of support for the application as submitted, the Area Planning Manager advised that the comment was simply supportive of the provision of affordable homes of the appropriate tenure on the site. The current proposal by which the properties would be sold at a 20% discount for the first five years before reverting to full market value was not considered sufficient.

Whilst acknowledging the Officers' concerns, Mr Langridge made reference to the need for affordable housing in the town and expressed his support for the application, indicating that he considered the location to be sustainable. He suggested that the concerns expressed could be addressed through appropriate conditions and that alternative employment sites were available elsewhere.

Accordingly, Mr Langridge proposed that the application be approved. The proposition was seconded by Mr Barrett. Mr Howard indicated that he could not support the proposition and expressed concern as to the incompatibility between adjoining industrial and residential uses and the potential consequences of hazardous materials being stored on the industrial site.

Mr Handley expressed his 'on balance' support for the application and enquired whether Officers would look upon it more favourably if the five year discounted period was increased. In response, the Development Manager advised that Officers were also concerned over the density, scale and height of the proposed dwellings and their juxtaposition with the industrial estate although the Housing Officer could see the benefit of the provision of true affordable housing on the site.

Mr Haine expressed his support for the Officer recommendation whilst Mr Kelland supported the principle whilst holding concerns over the over-intensive nature of the application.

Mr Norton acknowledged the applicant's frustration at being unable to secure a sale of the site for industrial use and queried whether the application could be deferred to offer the applicants the opportunity to respond to the concerns expressed.

Mr Enright suggested that a site visit might be beneficial. Mr Mills concurred, indicating that he considered the principle of development of this nature acceptable but was concerned that this particular site was isolated and the adverse impacts of the scheme had not been fully mitigated. Mrs Fenton expressed concern over the layout and parking provision on the site.

Having regard to the course of debate, Mr Langridge and Mr Barrett withdrew their recommendation of approval and proposed that the application be deferred to enable further discussion with the applicants and for a site visit to be held.

On being put to the vote the proposition was carried.

Deferred

41 15/02023/HHD 119 Spareacre Lane, Eynsham

The Planning Officer presented her report containing a recommendation of conditional approval and suggested that a further condition be applied restricting the future use of the extension as ancillary to the existing property.

The Officer recommendation was proposed by Mr Kelland and seconded by Mr Haine and being put to the vote was carried.

Permitted subject to the following additional condition:-

5. The garage conversion and extension hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.
REASON: A separate dwelling in this location would not provide sufficient separate amenity spaces to serve the existing and proposed occupiers.

44 15/02049/FUL 51 Colwell Drive, Witney

The Planning Officer presented her report containing a recommendation of refusal.

Mr Howard indicated that similar development had been approved in the vicinity in the past and proposed that consideration of the application be deferred to enable a site visit to be held. The proposal failed to attract a seconder.

The Officer recommendation was then proposed by Mr Langridge and seconded by Mr Haine and being put to the vote was carried.

Refused

48 15/02057/FUL The Butchers Arms, 104 Corn Street, Witney

The Planning Officer presented her report containing a recommendation of conditional approval.

The Officer recommendation was proposed by Mr Langridge and seconded by Mr Mills and on being put to the vote was carried.

Permitted

52 15/02058/LBC The Butchers Arms, 104 Corn Street, Witney

The Officer recommendation was proposed by Mr Langridge and seconded by Mr Mills and on being put to the vote was carried.

Listed Building Consent be granted

56 15/02059/FUL The Butchers Arms, 104 Corn Street, Witney

The Officer recommendation was proposed by Mr Langridge and seconded by Mr Mills and on being put to the vote was carried.

Permitted

61 15/02060/LBC The Butchers Arms, 104 Corn Street, Witney

The Officer recommendation was proposed by Mr Langridge and seconded by Mr Mills and on being put to the vote was carried.

Listed Building Consent be granted

65 15/02165/HHD Fishers Bridge Cottage, Buckland Road, Bampton

(Mr Robinson left the meeting during consideration of the following application. Mrs Crossland took the Chair)

The Planning Officer presented her report containing a recommendation of refusal and made reference to the further observations set out in the report of additional representations.

The Officer recommendation of conditional approval was proposed by Mr Langridge and seconded by Mr Handley.

In response to concerns raised by Mr Barrett with regard to flooding, the Planning Officer confirmed that the Council's engineers were content with the proposed development.

Mr Norton made reference to an email sent to Members by Mr Martin Webb in which he suggested that the application ought not to be permitted as development in Flood Zone 3 would be contrary to Policy EH5 of the emerging Local Plan. It was explained that, whilst the Policy would be relevant to any proposal to create a new dwelling within the flood risk area, it was not applicable to an extension of an existing dwelling.

On being put to the vote the Officer recommendation was carried.

Permitted

73 15/02221/FUL Rosebank Care Home, High Street, Bampton

The Planning Officer presented her report containing a recommendation of refusal.

The Officer recommendation was proposed by Mr Barrett and seconded by Mr Mills and on being put to the vote was carried.

Refused

80 15/02517/FUL Land South Of Garston Court, Burford Road, Brize Norton

It was noted that this application had been withdrawn at the request of the applicant.

28. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined by the Head of Planning and Strategic Housing under delegated powers together with appeal decisions was received and noted.

The meeting closed at 5:15pm.

CHAIRMAN