

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 16 November 2015

PRESENT

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

Officers in attendance: Miranda Clark; Stephanie Eldridge; Cheryl Morley, Phil Shaw, Kim Smith, Catherine Tetlow and Paul Cracknell

41. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 19 October 2015, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

42. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

The Chief Executive reported receipt of the following resignation and temporary appointment:-

Mr J F Mills for Mr D S T Enright

43. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in matters to be considered at the meeting.

44. 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:-

15/03118/FUL; 15/03070/FUL; 15/03148/OUT; 15/03165/FUL; 15/02407/OUT and 15/03676/HHD

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

3 15/02407/FUL Brooklands Nurseries, 47 Shilton Road, Carterton

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

In proposing the Officer recommendation, Mrs Crossland questioned whether 15 units could be accommodated on the site. She indicated that she considered the provision of traffic calming measures to be essential and emphasised the importance of ensuring that existing trees to the frontage of the site were retained. Mrs Crossland also stressed the need to ensure that an appropriate surface water drainage scheme was put in place.

The recommendation of approval was seconded by Mr Howard who suggested that a lesser number of larger properties might be more appropriate. Mr Howard questioned whether developer contributions could be sought towards the cost of the second phase of development of the Carterton Leisure Centre. In response, the Development Manager advised that Government guidance only permitted the Council to seek contributions towards any particular project from a maximum of five development schemes. In consequence, it would be more appropriate to seek contributions towards the Leisure Centre from the more significant developments likely to come forward in the future.

Mr Howard also questioned whether proposals to re-route existing bus services would negate the need to prime the introduction of a new route to serve this development. The Development Manager undertook to raise this issue with the County Council.

Sir Barry also questioned whether, given its topography, the site could accommodate 15 units and suggested that condition 3 be amended to make it clear that any consent granted in outline was for a maximum of up to 15 units. Mrs Crossland and Mr Howard agreed to incorporate this into their proposition. Sir Barry also indicated that he would prefer to see provision for on-plot car parking as part of any reserved matters application.

On being put to the vote the recommendation of conditional approval was carried.

Permitted subject to the amendment of condition 3 to read as follows and to the applicants entering into a legal agreement to secure the developer contributions as detailed in the report:-

3. The reserved matters submission shall be limited to a maximum of up to 15 dwellings and these shall be no more than 1.5 stories in height.

Reason: To ensure an appropriate development density and in the interests of maintaining the character of the area.

21 15/03070/FUL Thames Water Plc, 1 Dark Lane, Witney

The Planning Officer introduced the application and made reference to the observations set out in the report of additional representations. Members noted that the previous application cited in the planning history had been incorrectly referenced and should read 14/1330/P/OP.

Mr Hugh Mellor of Kemp and Kemp, the applicant's agents, then addressed the meeting in support of the application. He stressed that the scheme before Members had evolved in consultation with the Council's Officers and invited the Sub-Committee to approve the recommendation of conditional approval.

The Planning Officer then presented her report.

The Officer recommendation of conditional approval was proposed by Mr Langridge and seconded by Mr Handley and on being put to the vote was carried.

Permitted subject to the conditions as set out in the report and in the report of additional representations and to the applicants entering into a legal agreement to secure the developer contributions as detailed in the report.

32 15/03118/FUL The Woodyard, Elmwood Farm, Burford Road, Black Bourton

The Planning Officer introduced the application.

Mr Alec Jones 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.

In response to a question from Mr Howard, Mr Jones clarified that he had not suggested that the Environment Agency and the Ministry of Defence had raised objections to the application but had questioned why they had not been consulted initially, only responding when prompted by the Parish Council.

Ms Yvonne Dearman, representing the Black Bourton Parish Council, then addressed the meeting in opposition to the application. A summary of her submission is attached as Appendix B to the original copy of these minutes.

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

The Planning Officer then presented her report containing a recommendation of conditional approval and made reference to the observations and additional proposed conditions set out in the report of additional representations.

She advised that the County Fire Service had confirmed that the operation was fully compliant with its requirements and that it had no concerns over or objections to the application. The Planning Officer also advised that the additional conditions proposed with regard to surface water drainage were in accord with the Environment Agency's guidance.

In conclusion, the Planning Officer advised that, should planning permission be granted, the operation would be pro-actively monitored to ensure compliance with conditions.

Whilst recognising the concerns expressed by local residents, Mrs Crossland indicated that, having regard to the additional information provided by the applicants, the Sub-Committee had insufficient grounds upon which to refuse the application in the absence of objections from the technical consultees and, in particular, from the Highway Authority. Mrs Crossland considered that the recommended conditions addressed the concerns expressed by local residents so far as was possible and proposed that the application be approved subject to the amendment of condition 3 to preclude Heavy Goods Vehicles from entering or leaving the site before 9:00am and before 3:00pm, or to enter and leave the site at any time on Saturdays or Sundays.

The proposition was seconded by Mr Langridge who emphasised the difficulty in defending a refusal on highway grounds in the absence of an objection by the Highway Authority. Mr Langridge also noted that a range of conditions had been proposed in response to the concerns raised by local residents and stressed that the operation would be monitored to ensure compliance with these.

Sir Barry expressed his opposition to the application, stating that he considered the application to be contrary to Policy BE3 of the West Oxfordshire Local Plan. With regard to the proposed restriction of hours during which Heavy Goods Vehicles would be permitted to enter and leave the site he noted that school premises were now frequently in use outside core school hours. Mr Handley and Mr Mills concurred with Sir Barry's views.

Mr Howard acknowledged the concerns expressed but noted that similar situations existed elsewhere, citing large scale forestry operations carried out in other areas with restricted highway networks.

Mr Howard also indicated that he would have preferred to see a footpath created from the application site to the nearby play area.

Mr Barrett and Mr Good expressed their opposition to the application and Mr Haine suggested that, if planning permission was granted, condition 3 should be amended further to prohibit Heavy Goods Vehicles entering or leaving the site at any time at weekends and during the course of any church services. Mrs Crossland and Mr Langridge agreed to amend their proposition accordingly.

On being put to the vote the recommendation of conditional approval was carried.

Permitted subject to the conditions as set out in the report and in the report of additional representations, condition 3 being amended to read as follows:-

3. Except during school holidays Heavy Goods Vehicles (HGV - a vehicle designed to have a maximum weight exceeding 3.5 tonnes when laden) shall only enter or leave the site between 9.00am and 3:00pm Mondays to Fridays. No HGVs shall enter the site on Saturdays, Sundays, bank holidays, or during church services.
NB: The school holiday dates are those that are published on the Oxfordshire County Council website.
Reason: To protect the amenities of local residents and in the interests of highway safety

51 15/03148/OUT Land West of Thornbury Road, Eynsham

The Development Manager introduced the application.

Mr David Jones addressed the meeting in opposition to the application. Mr Jones made particular reference to the proposed access to the site, indicating that further development in the vicinity would add significantly to the traffic congestion associated with the Bartholomew School and requested that Members visit the site.

The Development Manager advised that, in view of the outstanding consultation responses, the Council was not in a position to determine the application and invited Members to consider whether or not they wished to visit the site.

It was proposed by Mr Kelland and seconded by Mrs Fenton that consideration of the application be deferred to enable a site visit to be held. On being put to the vote the recommendation was carried.

Deferred to enable a site visit to be held.

59 15/03165/FUL Northmoor Park, Church Road, Northmoor

The Development Manager introduced the application and made reference to a letter sent to Members by the applicant.

Mr Charles Bull, the applicant, then addressed the meeting in support the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

In response to a question from Mrs Crossland, Mr Bull confirmed that two units on the site were currently unoccupied but that a further five would become vacant shortly when his own company relocated from the site. In response to a question from Mr Good he advised that his company currently occupied over 50% of the floor space at the site but planned to relocate within the next seven months as it required a site of at least three times that size.

In response to a question from Mr Kelland, Mr Bull advised that, as his company relied upon deliveries by large vehicles, it would be more appropriately located elsewhere.

The Development Manager then presented his report. He advised that, although the County Council's observations had yet to be received, the application could be still determined and recommended its refusal for the reason set out in the report.

Mr Good advised that no significant level of employment was generated by the current operations on the site and recommended that consideration of the application be deferred to enable a site visit to be held. The recommendation was seconded by Mr Mills and on being put to the vote was carried.

Deferred to enable a site visit to be held.

68 15/03676/HHD 140 Burwell Drive, 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 Howard and on being put to the vote was carried.

Permitted

45. APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

The meeting closed at 4:15pm.

CHAIRMAN