

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 21 March 2016

PRESENT

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

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

64. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 15 February 2016, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman. Mr Handley thanked Members and Officers for their good wishes.

65. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

The Chief Executive reported receipt of the following resignations and temporary appointments:-

Mr P Emery for Mr R A Langridge
Mr J F Mills for Sir Barry Norton

66. DECLARATIONS OF INTEREST

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

67. 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:-

15/04463/OUT, 16/00404/FUL, 16/00314/FUL, 16/00496/FUL, Agenda Item No. 7 (Lower Farm, Lew), 16/00001/S73, and 16/00359/FUL

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

3 15/04463/OUT Land West of Brize Norton Road, Minster Lovell

The Development Manager introduced the application and reported receipt of two further representations submitted since the preparation of the agenda and report of additional representations.

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

Mr Jonathan Stowell, the Chairman of the Minster Lovell Parish Council then addressed the meeting in objection to the application. He reiterated the concerns expressed by the Parish Council and, in particular, the concern that the application would set a precedent for further development to the west and east; concerns over the impact of additional traffic generation from the site and the sustainability of further development in the village. Mr Stowell also questioned the ability of local facilities and infrastructure to meet the demands of additional residents.

The Development Manager then presented his report. He cautioned against incorporating highway refusal reasons without the support of the Highway Authority and reasons based on sustainability as, given the rural nature of the District, existing facilities in Minster Lovell made it a relatively sustainable location.

In proposing the Officer recommendation of refusal, Mrs Crossland acknowledged that the current application was an improvement on the original submission. However, concerns over density, the back land location and the impact on the frontage and historic setting of the site remained in addition to those of the County Archaeologist and the absence of an agreed mitigation package.

The recommendation of refusal was seconded by Mr Emery and on being put to the vote was carried. The Chairman expressed his concern over the impact such development would have upon this historically significant Chartist settlement.

Refused

16 16/00001/S73 Skippett Cottage, Mount Skippett, Ramsden

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

Mrs Crossland expressed some concern over the potential impact the use of alternative materials could have on the character of the area and proposed that consideration of the application be deferred to enable a site visit to be held.

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

Deferred to enable a site visit to be held

20 16/00241/FUL Land at Patchfield Barn, Standlake Road, Northmoor

The Sub-Committee noted that this application had been withdrawn at the request of the applicant.

25 16/00314/FUL Lower Farm, Lew

The Planning Officer introduced the application.

Mr David Evans, the applicant's agent, addressed the meeting in support of the application. He thanked Officers for their assistance in developing the application and advised that some residential use was authorised on the site as ancillary to the primary dwelling. With regard to concerns raised in third party representations over noise and disturbance, Mr Evans advised that his client had operated holiday lets on the site since 2008 and that no such difficulties had been evident. Visitors were asked to car share and arrive at the site via Aston Road so as to minimise traffic through the settlement of Lew. In addition, a night manager was resident on site and able to ensure that no unruly behaviour took place.

In conclusion, Mr Evans confirmed that there would be no change to the public footpath running through the site and advised that the application had the support of local businesses given the economic benefit provided.

The Planning Officer then presented her report containing a recommendation of conditional approval and confirmed that the Council's Environmental Health Service had no record of complaints having been made in relation to the site.

In response to a question from Mr Kelland, the Planning Officer explained that the buildings could not be converted to residential use under agricultural permitted development rights and the current application sought to regularise their use as holiday lets.

Mr Mills expressed his support for the application and noted that there had been no complaints of noise and disturbance from the site. He indicated that any such occurrences in the future would be a matter for the Environmental Health Service.

In response to a question from Mr Howard, the Planning Officer advised that any future application for unrestricted residential use would have to be supported by financial evidence and considered on its merits.

Whilst expressing some concern as to the adequacy of the access route, Mrs Fenton was also supportive of the application.

Mr Handley suggested that the application should be deferred as the site plan provided was out of date. He also expressed concern over the submission of retrospective applications for change of use. The Planning Officer advised that she considered the plans submitted to be accurate and sufficient to enable determination of the application.

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

Permitted subject to the conditions set out in the report and to the applicants entering into a legal agreement restricting the use of the residential conversions to use as holiday lets only.

(Mr Handley requested that his vote against the foregoing recommendation be so recorded. Mr Emery and Mr Eaglestone requested that their abstention from voting on this application be so recorded)

31 16/00359/FUL 131 Abingdon Road, Standlake

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

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

Refused

35 16/00404/FUL 64 Acre End Street, Eynsham

The Planning Officer presented her report and advised Members of the receipt of revised plans. Whilst these represented an improvement on the original application, some further revisions were thought appropriate. Accordingly, the Planning Officer recommended that the Head of Planning and Strategic Housing be authorised to approve the application subject to the amendment of condition 3 to refer to receipt of further revised plans.

Mr Emery indicated that he would prefer to see the retention of the existing fenestration. Mr Kelland concurred and Mr Robinson questioned whether the application could be refused for failure to preserve or enhance the conservation area.

Having received an explanation of the revisions sought, Mr Haine proposed the revised Officer recommendation. His proposal was duly seconded by Mr Handley.

Mr Howard proposed an amendment that consideration of the application be deferred in order to clarify the age and originality of the existing fenestration. The amendment was seconded by Mr Emery and on being put to the vote was carried.

Having become the substantive motion, the recommendation of deferral was carried.

Deferred

38 16/00496/FUL Yew Tree Cottage, Lew

The Planning Officer introduced the application.

Mr David Evans, the applicant's agent, addressed the meeting in support of the application. He advised that the building had previously been used as ancillary accommodation by the applicants who now wished to regularise the position and enable the unit to be used either as ancillary accommodation or as a holiday let. Whilst the application also sought retrospective consent for the garage, Mr Evans indicated that his clients believed that this building constituted permitted development.

The Planning Officer presented her report and the Development Manager explained that, whilst the structures had secured the benefit of planning permission, the uses applied for did not.

Mr Handley expressed his concern over the submission of retrospective applications on this site and proposed that the application be refused. The Development Manager explained that submission of an application retrospectively did not constitute grounds for refusal. Mr Handley withdrew his proposal.

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

Permitted subject to the conditions set out in the report and to the applicants entering into a legal agreement restricting the use of the building either as an ancillary residential annex to House B or as a holiday let.

Mr Handley requested that his vote against the foregoing recommendation be so recorded. Mr Emery, Mr Eaglestone and Mr Howard requested that their abstention from voting on this application be so recorded)

68. MISS CHERYL MORLEY

Members were pleased to learn that Miss Cheryl Morley had recently become engaged to be married and joined in wishing her every happiness for the future.

69. 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 planning appeal decisions was received and noted.

70. FOOTPATH DIVERSION APPLICATION, CORAL SPRINGS, WITNEY

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing regarding the difficulties that had arisen with regard to the application to divert a section of footpath to the south of the development at Coral Springs, Witney.

In proposing the recommendation, Mr Mills noted that the applicants would be required to submit a further application to the County Council under alternative legislation available to that Authority.

RESOLVED: That the Head of Planning and Strategic Housing be authorised to withdraw the application for the Public Path Diversion Order submitted in respect of the development at Coral Springs, Witney.

71. UNAUTHORISED CONVERSION OF EXISTING BUILDINGS AND ASSOCIATED OPERATIONAL DEVELOPMENT AT LOWER FARM, LEW

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing regarding the unauthorised conversion of existing buildings and associated operational development at Lower Farm, Lew.

In presenting the report, the Planning Officer drew attention to the revised recommendation as set out in the report of additional representations.

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

RESOLVED: That, if the legal agreements in respect of application Nos. 16/00314/FUL and 16/00496/FUL are not signed within 2 months of the resolution to approve the applications, the Head of Planning and Strategic Housing be authorised to issue enforcement notices to secure cessation of the residential uses of the converted buildings on both sites within 2 months of the notices coming into effect. Further, if compliance with the notices is not secured, to institute further actions to secure compliance.'

(Mr Emery and Mr Handley requested that their abstention from voting on the above matter be so recorded)

The meeting closed at 4.25pm.

CHAIRMAN