

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 23 May 2016

PRESENT

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

Officers in attendance: Sarah De La Coze, Cheryl Morley, Phil Shaw, Nick Dalby and Paul Cracknell

4. MINUTES

**RESOLVED:** that the Minutes of the meetings of the Sub-Committee held on 18 April and 18 May 2016, copies of which had been circulated, be confirmed as correct records and signed by the Chairman.

5. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

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

Mr P Emery for Mr H B Eaglestone

6. CHAIRMAN'S REMARKS

The Chairman welcomed Mr Mills to the Sub-Committee and offered his congratulations to those Members returned at the recent elections.

Mr Robinson also advised that application No. 16/00660/FUL (Grovelands, 88 Hailey Road, Witney) had been withdrawn at the request of the applicants.

7. DECLARATIONS OF INTEREST

The Chairman advised that application No 16/0102/FUL (57 Woodstock Road, Witney) had been submitted by a Member of the Council and recorded this fact as a corporate interest.

Mr Howard indicated that the views he had expressed in relation to agenda item No. 6 (Tree Preservation Order No. 2/2001), could give rise to a perception that he had pre-determined the matter. Accordingly, he had decided not to participate in consideration or determination of the application but sought leave to remain as an observer to the debate.

Mr Good advised that, whilst not such as to give rise to a disclosable interest, the applicants in respect of application No. 16/00783/OUT (138 Abingdon Road, Standlake) were known to him in a social capacity.

Mr Kelland indicated that the applicants in respect of application No. 16/00999/FUL (Unit 13, Northmoor Park, Northmoor) had been customers of his in the past but that he did not consider this to constitute a disclosable interest.

## 8. 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:-

16/00408/FUL; 16/00409/LBC; 16/00507/FUL; 16/00783/OUT; 16/00868/FUL; 16/01021/FUL; agenda item No. 6 (Tree Preservation Order No. 2/2001); 16/00903/FUL and 16/00999/FUL.

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

### 3 16/00408/FUL Merryfield Nursing Home, 33 New Yatt Road, Witney

The Development Manager introduced the application.

The applicant, Mr Anil Dhahani, addressed the meeting in support of 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 Mrs Crossland, Mr Dhahani advised that the obscure glazed panels to which he had referred were to be set into the vertical face of the building to provide light to a corridor.

The Development Manager then presented his report and drew Members' attention to two possible alternative design solutions that could provide the additional accommodation required in a more acceptable form. The first was by the provision of a number of ground floor wings to the rear of the existing extension whilst the second involved the construction of a new single story element in the rear garden of the property.

Should either of these proposals find favour with Members, they would be subject to further public consultation and the Development Manager suggested that the Sub-Committee might wish to give consideration to authorising the Head of Planning and Strategic Housing to determine the application.

Mrs Crossland acknowledged the concerns expressed by Officers and agreed that the bulk and massing of the proposed extension was detrimental to the residential amenity of the surrounding neighbouring properties. She indicated that she would wish to see consideration of the application deferred to enable the alternative options suggested to be explored. Accordingly, Mrs Crossland proposed that consideration of the application be deferred to enable further discussion to take place and that the Head of Planning and Strategic Housing be authorised to determine the application. Mrs Crossland expressed the hope that the existing yew hedge could be retained in any revised application.

In seconding the proposition, Mr Haine indicated that he would favour the suggested construction of a new single story element in the rear garden of the property only and Mrs Crossland agreed to amend her proposition accordingly.

Mr Kelland indicated that he considered that it would be possible to raise the existing extension to two storeys in height by employing a mansard roof instead of the proposed pitched roofs on the ends of the dormers.

Whilst he was supportive of Mrs Crossland's original proposal, Mr Good advised that he could not support the revised proposition which he considered to be unduly restrictive. Mr Enright concurred.

Mr Handley and Mr Langridge indicated that they considered the application to be acceptable as submitted and Mr Langridge suggested that any revised application should be submitted to the Sub-Committee for determination.

Mrs Fenton concurred, indicating that she believed that, as they would lack any view, the creation of wings to the rear of the existing extension would create unacceptable living conditions for future residents.

Mr Emery and Mr Mills advised that they too considered the amended proposition to be unduly restrictive and would prefer to allow all options to be considered in the hope that a scheme could be devised that was acceptable to both the applicants and local residents.

On being put to the vote the proposition was lost.

Mr Robinson then proposed that consideration of the application be deferred to enable further discussions to be held exploring all options for an amended scheme, any revised application being referred to the Sub-Committee for determination.

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

Mr Langridge and Mr Howard requested that their votes against the foregoing resolution to be so recorded.

7 16/00409/LBC Merryfield Nursing Home, 33 New Yatt Road, Witney

It was proposed by Mr Robinson and seconded by Mr Haine that consideration of the application be deferred to enable further discussions to be held exploring all options for an amended scheme, any revised application being referred to the Sub-Committee for determination.

On being put to the vote the recommendation was carried.

10 16/00507/FUL Fairacre, 18 Park Road, North Leigh

At the request of the Chairman, the Development Manager summarised the content of an email sent to Members of the Sub-Committee by Mr St John objecting to the development in a personal capacity.

The Planning Officer then introduced the application.

The applicant's agent, Mr Paul Slater of Edgars Ltd, 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.

In response to a question from Mr Good, Mr Slater confirmed that an ecological assessment had been submitted with the application and the Council's ecologist had raised no objections subject to the amelioration measures proposed.

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

The Officer recommendation was proposed by Mr Langridge and seconded by Mr Howard. Mr Howard questioned whether it was necessary to remove permitted development rights in respect of the erection of sheds. The Planning Officer explained that, under permitted development, a shed could be constructed to cover 50% of a garden area without the need to seek planning permission. Removal of permitted development rights did not preclude such development but brought it under planning control.

Mr Howard also questioned whether it was necessary to have the bin store located on the road frontage some distance away from individual properties. The Planning Officer advised that, as the access road was not to be constructed to adoptable standards there were insurance issues relating to refuse collection vehicles using this private road. In response to a question from Mr Emery, it was confirmed that the distance between properties and the bin store exceeded that generally recommended but that this was not considered sufficient to warrant refusal.

Mr Mills noted that, whilst paragraph 5.12 of the report referred to the use of obscure glazing, this did not appear to be included within the conditions proposed. The Planning Officer acknowledged this omission and Mr Langridge and Mr Howard revised their proposition to incorporate an additional condition to address this point.

Mr Handley questioned whether additional parking provision was necessary but recognised that the highway authority had not raised objections.

The recommendation was then put to the vote and was carried.

Permitted subject to the following additional conditions:-

19. Before first occupation of the dwellings hereby permitted the window(s) in the first floor level of the West Elevation of Plots 1, 2 and 3 shall be fitted with obscure glazing and shall be retained in that condition thereafter.

Reason: To safeguard privacy in the adjacent property.

20. Notwithstanding the first floor plan shown for plot one on plan 15095 (D) 101 B, the window shown at first floor level on the East elevation should be omitted as shown on the East elevation provided.

Reason: To safeguard privacy in the adjacent property and for the avoidance of doubt.

19 16/00660/FUL Grovelands, 88 Hailey Road, Witney

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

25 16/00783/OUT 138 Abingdon Road, Standlake

The Planning Officer introduced the application.

The applicant, Mr Geoff Ling, 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. She explained that, whilst Officers had concerns over the indicative layout submitted, the principal of development was considered acceptable.

Mrs Fenton expressed her concern over the adequacy of the local sewage system, the precedent that would be set for back land development and highway safety and proposed that the application be refused. This proposition failed to attract a seconder.

Mr Good questioned whether the proposal did in fact constitute back land development and the Development Manager indicated that, as the proposed dwellings faced onto the road frontage of Shifford Lane rather than take access from Abingdon Road, they could not be considered as such.

Mr Mills acknowledged the concerns expressed by the Parish Council and understood why local residents did not have faith in Thames Water's assessment, but indicated that the Council had to take account of the professional opinion of the technical consultees.

Mr Mills also noted that the application was in outline only and proposed the Officer recommendation.

In seconding the recommendation, Mrs Crossland also expressed concern over Thames Water's response and suggested that there was a need to challenge the Company's complacency. Mr Haine questioned whether consent could be conditional upon improvements being made to the local sewage system and the Development Manager explained that such a condition could only be applied if it could be shown to be reasonable and proportionate to the specific development.

The Development Manager suggested that a note could be added to the permission indicating that full details of sewerage arrangements would be required as part of any future reserved matters application. Mr Mills and Mrs Crossland agreed to revise their proposition accordingly.

The revised recommendation was then put to the vote and was carried.

Permitted, the applicants being advised that as part of any reserved matters application detailed information should be included regarding the proposed sewerage system.

Mrs E H N Fenton requested that her vote against the foregoing application be so recorded.

31 16/00868/FUL St Christopher's C of E School, Lechlade Road, Langford

The Planning Officer introduced the application.

The Head Teacher of the school, Mr Shaw Goodwin, then 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.

In response to questions from Mrs Crossland, Mr Goodwin confirmed that St Christopher's was a full primary school and took pupils from nearby Alvescot which only taught to year two. Some 30% of pupils at the school came from outside the school's catchment area. In response to a further question, Mr Goodwin advised that that the possibility had been raised that the choir could meet at some alternative location than the school.

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

The Officer recommendation was proposed by Mr Enright and seconded by Mr Mills.

Mr Handley questioned whether the additional provision would be adequate in future years given that the school took pupils from outside its catchment area.

Mr Howard expressed concern over traffic problems in the vicinity and proposed an amendment that consideration of the application be deferred to enable a site visit to be held. The amendment failed to attract a seconder.

Mrs Crossland expressed some concern that, by supporting the recommendation, the school would continue to attract pupils from outside its catchment area to the detriment of other establishments.

Mrs Fenton questioned whether parking restrictions could be sought in the vicinity of the junction. In response, the Development Manager advised that there was a significant cost in making the necessary traffic order and the effectiveness of restrictions in this location would be questionable given the lack of effective enforcement. He went on to suggest that the school could be requested to consider the development of a traffic management plan.

Mr Haine indicated that the highway authority would require the cost of any order to be met by the local council and questioned the effectiveness on the basis previously stated.

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

Permitted

Mrs M J C Crossland and Mr H J Howard requested that their votes against the foregoing application be so recorded.

37 16/00903/FUL Kingsacre, 101 Brize Norton Road, Minster Lovell

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

Mr Howard questioned whether a condition could be applied restricting the use of the property to a holiday let only. The Development Manager advised that this condition had been applied to the original enabling consent but that a note could be added to the permission to remind the applicants of this restriction.

Subject to the inclusion of this informative, the Officer recommendation was proposed by Mr Howard and seconded by Mrs Crossland and being put to the vote was carried.

Permitted, the applicants being advised that the planning conditions attached to planning approval 08/1297/P/S73 still apply to the building, specifically condition 2 which states;

The occupation of the accommodation provided shall be limited to holiday tenancies not to exceed 8 weeks (in each case).

41 16/0999/FUL Unit 13, Northmoor Park, Northmoor

The Development Manager presented the report containing a recommendation of conditional approval.

In response to a question from Mr Good he suggested that the proposed dwelling was too small to incorporate an employment use similar to those other units recently approved on the site.

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

Permitted

50 16/01021/FUL 57 Woodstock Road, Witney

The Planning Officer introduced the application.

Mr Paul Statham then addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix E to the original copy of these minutes.

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

Mr Langridge expressed his support for the views expressed by the objectors and proposed that the application be refused as being contrary to policies H2 and BE2 of the West Oxfordshire Local Plan. The recommendation was seconded by Mr Enright.

The Development Manager reminded Members that, to warrant refusal, it was necessary to identify harm. Members considered the proposed development to be out of keeping with the existing pattern of development and on being put to the vote the recommendation of refusal was carried.

Refused for the following reason:-

- I. By reason of their semi-detached form, combined scale, layout, proximity to the side boundaries and cramped parking arrangement, the development would create a contrived development which will appear incongruous within the street scene and which would appear as an overdevelopment of the site, failing to relate to the established loose detached character and appearance of the area, to the detriment of the visual character and appearance of the site and the wider streetscene. The proposal is thereby considered contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and Policies OS2, OS4 and H2 of the Emerging West Oxfordshire Local Plan

## 9. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISION

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



10. TREE PRESERVATION ORDER NO. 2/2001 - APPLICATION TO FELL A SYCAMORE TREE AT 3 TYNDALE CLOSE, CARTERTON (141.269/3)

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing regarding and application to fell a Sycamore tree (T2) which is included in Tree Preservation Order No 2/2001.

Mrs Crossland indicated that the tree was highly visible with high amenity value, representing an attractive feature in the area, and proposed that the application be refused. The recommendation was seconded by Mr Mills.

Mr Handley and Mr Langridge did not consider the tree to be of sufficient merit to warrant retention and Mr Emery questioned whether it could be removed and replaced.

On being put to the vote the recommendation of refusal was carried.

**RESOLVED:** That the application be refused.

11. SITE VISITS – APPLICATION NO. 16/00758/OUT – STANDLAKE ROAD, DUCKLINGTON AND APPLICATION NO. 16/01054/OUT – STANTON HARCOURT AIRFIELD

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing seeking consideration as to whether it would be expedient to undertake a formal site visit prior to the likely consideration of these applications on Monday 20 June 2016.

**RESOLVED:** That site visits be held on Thursday 16 June 2016.

The meeting closed at 4:45pm.

CHAIRMAN