

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the Meeting of the
LOWLANDS AREA PLANNING SUB-COMMITTEE
Held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxon
at 2:00 pm on Monday 18 July 2016

PRESENT

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

Officers in attendance: Catherine Tetlow, Miranda Clark, Kim Smith, Phil Shaw and
Paul Cracknell

17. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Mrs Crossland for chairing the previous meeting in his absence.

18. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 20 June 2016, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

19. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr H J Howard and the Head of Paid Service reported receipt of the following resignation and temporary appointment:-

Mr E J Fenton for Mr M A Barrett;

20. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in items to be considered at the meeting at this juncture. Subsequently, Mr R A Langridge declared an interest in application No. 16/01469/FUL (Land North of De Havilland Way, Witney), the Managing Director of the applicant company being known to him in a personal capacity.

21. APPLICATION 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; 16/00602/FUL; 16/00758/OUT; 16/01589/FUL;
16/01469/FUL; 16/01621/FUL 16/01851/FUL and 16/01805/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 presented his report containing a recommendation of conditional approval.

In proposing the Officer recommendation, Mr Langridge expressed his thanks to both Officers and the applicant for the work they had put in to devise an acceptable scheme. The proposition was seconded by Mr Enright who also expressed his thanks to those involved and indicated that he considered the current scheme to represent a good compromise.

On being put to the vote the recommendation was carried.

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

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

Listed Building Consent be granted
- 10 16/00602/FUL Land North of Springfield Oval, Witney

The Development Manager introduced the application and advised that the applicant's agent had requested that consideration be deferred to enable technical issues and concerns expressed during the consultation period to be addressed.

Mrs Crossland proposed that consideration of the application be deferred and that arrangements be made for a site visit to be held to enable Members to assess the impact of development on the site.

The proposition was seconded by Mrs Fenton and on being put to the vote was carried.

Deferred to enable a site visit to be held
- 27 16/00758/OUT Land North of Standlake Road, Ducklington

The Planning Officer introduced the application.

The applicant's agent, Mr Simon Joyce of Strutt and Parker, then 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.

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

In proposing the Officer recommendation, Mrs Crossland indicated that she considered the proposal to be a pleasing development in a logical location. The provision of affordable housing and other benefits were such as to outweigh any potential harm.

The proposition was seconded by Mr Kelland.

Mr Handley suggested that a low fence should be erected around the pond to the north east of the site to protect young children from potential harm. The Planning Officer advised that this could be required as part of a landscaping scheme and that an appropriate condition to this effect could be applied when determining any future reserved matters application.

Mr Mills questioned whether an additional footpath could be provided on the opposite side of the Standlake road to provide a secondary link to the rear of the sports club and playing fields. The applicant's agent indicated that he would be happy to explore this possibility with Officers and the County Council.

Mr Good made reference to the observations submitted by Historic England and questioned whether the concerns expressed had been addressed. In response, the Planning Officer explained that, in responding to planning consultations, English Heritage sought to identify any potential harms. It then fell to the Local Planning Authority to weigh these against the benefits offered by development. In this case, the benefit of the provision of affordable housing was considered by Officers to outweigh the potential harm identified by Historic England.

In response to a question from Mr Fenton, the Planning Officer advised that the provision of affordable housing would be guaranteed through the proposed legal agreement.

On being put to the vote the recommendation was carried.

Permitted subject to the applicants entering into a legal agreement to secure the provision of affordable housing and the package of developer contributions identified in the report.

(Mr Good requested that his vote against the foregoing recommendation be so recorded)

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

In response to a question from Mr Mills, the Development Manager advised that, once completed, the proposed development would allow for appropriate footpath and cycle links.

In response to a question from Mr Kelland, the Development Manager advised that the development would provide both a distribution centre and office facilities.

Mr Kelland advised that he was aware of other commercial developments where the inability of delivery vehicles to access a secure site outside its hours of operation had resulted in difficulties for nearby residents. In response, the Development Manager advised that, should such difficulties be encountered, they could be addressed on other land under the control of the applicants. He also undertook to explore the question of facilities for delivery drivers with the applicants. Mr Eaglestone noted that the highway network in the immediate vicinity had been designed for industrial use.

Mr Handley questioned whether any external recreation areas for office staff were proposed as he had some concern that the presence of office facilities could result in the proliferation of associated unsightly paraphernalia.

Mrs Fenton expressed her support for the application and proposed the Officer recommendation. The proposition was seconded by Mr Mills.

Mr Good enquired whether arrangements for the provision of solar panels and a grey water recycling scheme could be included in the development. Whilst the Development Manager cautioned against the use of solar panels as a reflective surface on the roof of such a substantial building would be highly visible and visually intrusive, he acknowledged that a grey water recycling scheme would be beneficial not only on environmental grounds but also as a surface water drainage attenuation measure.

Mrs Fenton and Mr Mills agreed to revise their proposition accordingly and on being put to the vote the recommendation was carried.

Permitted subject to the applicants entering into a legal agreement to secure the package of developer contributions identified in the report, to the conditions set out therein and to the following additional condition:-

12. Notwithstanding the details contained within the application , prior to commencement of development details of the following shall be agreed in writing by the LPA and development shall be undertaken and thereafter remain with the agreed details in place:

- the mechanisms to ensure that HGV traffic is able to access, park and egress the site and does not have to resort to parking or stacking on adjoining roads
- recycling of roof water

Reason: To limit potential harm to the operation of adjoining premises, to reduce surface water flows and because such details were not provided with the application

(Mr R A Langridge declared an interest in the foregoing application and left the meeting during its consideration)

50 16/01589/FUL Little Willow, Oxford Road, Eynsham

The Development Manager introduced the application.

The applicant's agent, Mr Mark Chattoe, 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 Mrs Crossland, Mr Chattoe advised that, whilst there was a cost to his client in providing the full surface water drainage scheme required by condition 5, his primary objection to its inclusion was based upon his personal knowledge of the development of the site and his belief that the provision of such a plan was not necessary.

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

He acknowledged Mr Chattoe's contention that the site had sufficient capacity to receive surface water drainage from the proposed development but advised that this was not the only potential concern. The possibility of contamination within the land being flushed into the water course by surface water run off had also to be addressed.

The Development Manager advised that the issue of any consent could be deferred whilst the question of contamination could be explored by way of a soakage test. The applicant's agent explained that his client's personal circumstances were such that inclusion of the proposed condition would be preferable to a delay in issuing consent.

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

Permitted

54 16/01621/FUL Pebble Cottage, New Yatt Road, North Leigh

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

The Chairman indicated that, given that the current use was immune from enforcement action by virtue of the extended period of use, the current application was tantamount to that for a replacement dwelling.

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

Permitted

59 16/01851/FUL Barn at Weald Manor Farm, Weald Street, Bampton

The Planning Officer presented her report containing a recommendation of conditional approval and reported receipt of observations from the Council's Engineers and the Highway Authority who raised no objections to the development

Mr Haine questioned the necessity for the Estate Manager to be resident at the site and expressed his concern that efforts would be made to dispose of the property on the open market in the future. In response, the Development Manager advised that the use would be regulated through the proposed legal agreement which gave a greater level of control than that through a planning condition. He also reminded Members that permission had been given for the property to be used as a holiday let. This use would be considered as the default position in the face of any future attempt to secure a change of occupation.

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

Mr Fenton noted that this application had not been received favourably locally and that any restrictions on use needed to be tightly drawn.

Mr Langridge acknowledged the concerns expressed and suggested that the applicants be advised that the Council would be unlikely to look favourably on any future applications for development on the site. Mr Haine and Mr Mills agreed to amend their proposition accordingly and on being put to the vote the recommendation was carried.

Permitted subject to the applicants entering into a legal agreement to ensure that the barn remains tied to the Weald Manor Farm Estate, to the conditions set out in the report and to the applicants being advised that the Council would be unlikely to look favourably on any future applications for development on the site.

65 16/01805/FUL Office 2-3, Unit 7 North Leigh Business Park

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

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

Refused

22. 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 an appeal decision was received and noted.

Mr Handley expressed his concern over the number of retrospective applications and the Development Manager explained that, whilst a financial risk to the perpetrator, it was not a criminal offence to commence work without planning permission.

23. PROGRESS ON ENFORCEMENT CASES

Consideration was given to the report of the Head of Planning and Strategic Housing informing the sub-committee of the current situation and progress in respect of enforcement investigations.

RESOLVED: That the progress and nature of the outstanding enforcement investigations detailed in Sections A-C of the report be noted.

The meeting closed at 3:40pm.

CHAIRMAN