

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 15 August 2016

PRESENT

Councillors: W D Robinson (Chairman); Mr M A Barrett; H B Eaglestone; Mr P Emery;
Mrs E H N Fenton; E J 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: Catherine Tetlow, Miranda Clark, Sarah De La Coze,
Stephanie Eldridge, Cheryl Morley and Paul Cracknell

24. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 18 July 2016, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

25. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mrs J C Baker and the Head of Paid Service reported receipt of the following resignations and temporary appointments:-

Mr P Emery for Mr D S T Enright
Mr E J Fenton for Mrs M J Crossland

26. DECLARATIONS OF INTEREST

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

27. 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:-

16/02183/FUL; 16/01712/FUL; 16/02102/FUL; 16/01902/OUT; 16/01849/FUL;
16/02288/HHD and 16/02062/FUL.

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

3 16/01712/FUL Clubhouse to Rear of 81 Newland, Witney

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

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

Mr Howard questioned whether the concerns expressed by the Council's Drainage Engineers and the Environment Agency were sufficient to warrant refusal and Mr Handley suggested that redevelopment of the site would be beneficial in planning terms.

Mr Mills indicated that it would be irresponsible of the Council to grant consent contrary to the advice of the Environment Agency. Mr Good concurred and expressed concern over the loss of flood plain storage and the absence of an acceptable flood risk assessment. Mr Haine indicated that he would prefer to see the existing community use retained.

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

Refused

(Mr Handley requested that his vote against the foregoing resolution be so recorded and Mr Howard requested that his abstention from voting also be noted)

15 16/01849/FUL 8C Witan Park Industrial Estate, Witney

The Planning Officer presented her report. Members noted that the Council's Drainage Engineers had requested further details relating to the drainage ditch and bund which were likely to be affected by the development but that these details had yet to be received. The recommendation of approval was therefore consequent upon Officers being satisfied that the development would not exacerbate any drainage issues.

It was proposed by Mr Good and seconded by Mr Kelland that the Head of Planning and Strategic Housing be authorised to approve the application, subject to Officers being satisfied that the development would not exacerbate any drainage issues.

On being put to the vote the recommendation was carried.

The Head of Planning and Strategic Housing be authorised to approve the application, subject to Officers being satisfied that the development would not exacerbate any drainage issues.

19 16/01902/FUL Land North of New Yatt Road, North Leigh

The Senior Planning Officer introduced the application and drew attention to the further observations set out in the report of additional representations. The Planning Officer advised that there was an error at paragraph 5.5 of the report where reference to a 2.6 years housing land supply in recent appeals should have referred to a 3.21 years supply.

The Planning Officer made reference to an email sent by the applicant's agents to Members in which it had been suggested that consideration of the application by the Sub-Committee was premature in the absence of responses from all the consultees. However, she indicated that, whilst further responses could impact upon the terms of any legal agreement (and in consequence the proposed refusal reason No. 5) it was not thought that they would affect the recommendation of refusal. The principle remained unchanged and the applicants had consistently been advised from pre-application advice onwards that Officers could not support the application.

The applicant's agent, Mr Michael Robson of Cerda Planning, 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.

In order to enable Members to have the opportunity to assess the potential impact of the development on the site, Mr Langridge proposed that consideration of the application be deferred to enable a site visit to be held. The proposition was seconded by Mr Howard and on being put to the vote was carried.

Deferred to enable a site visit to be held.

Members noted that, should the applicants seek to address questions of archaeology, ecology and transport, it was unlikely that the application would come before the next meeting of the Sub-Committee.

34 16/02062/FUL 86 Spareacre Lane, Eynsham

The Planning Officer presented her report and drew attention to the further observations set out in the report of additional representations.

Mr Emery indicated that he considered access to the site to be poor, parking provision to be inadequate and the proposal to represent an overdevelopment of the site and proposed that the application be refused. The proposition failed to attract a seconder.

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

Permitted

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

39 16/02102/FUL Stonelea Farm, Land to the North West of Burford Road, Brize Norton

The Planning Officer introduced the application and drew attention to the revised recommendation of refusal consequent to the objection received from OCC Minerals set out in the report of additional representations.

The applicant's agent, Mr William Weaver, 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 and advised Members that an alternative location for the dwelling had been identified in a position acceptable to both the applicants and OCC Minerals. However, as this lay outside the presently defined site, it could not be dealt with as an amendment to the current application and a new application would have to be submitted.

Mr Handley noted that the proposed development would only result in the sterilization of a negligible proportion of the potential mineral workings and indicated that the adjacent site had been purchased for agricultural purposes; the owners having no intention of allowing the extraction of gravel. On this basis, he proposed that the application be approved. The proposition was seconded by Mr Howard. Mr Emery expressed his support for approval.

The Senior Planning Officer cautioned Members against taking a decision contrary to the advice of a statutory consultee.

Whilst sympathetic to the applicant's needs, Mr Langridge suggested that the Sub-Committee would be ill advised to approve the application in the face of an objection from a statutory consultee, particularly as an acceptable alternative site had been identified. Mr Haine concurred.

Mr Howard questioned whether the applicants would be required to submit an additional fee and it was confirmed that, as the new location was outside the current application site, a new application, accompanied by the appropriate fee would be required.

Mr Handley expressed concern that objection had been raised late in the day, particularly after protracted negotiations with the developer and Mr

Howard considered it regrettable that the applicant would be required to pay a further fee.

The applicant and his agent advised that they believed that an acceptable alternative location could be identified within the current application site, enabling it to be dealt with as an amendment to the current application.

In consequence, Messers Handley and Howard agreed to withdraw their proposition of approval and it was then proposed by Mr Robinson and seconded by Mr Howard that consideration of the application be deferred to enable the applicants to submit a revised siting plan for the proposed dwelling within the currently defined site area.

On being put to the vote the recommendation was carried.

Deferred to enable the applicants to submit a revised siting plan for the proposed dwelling within the currently defined site area.

45 16/02288/HHD 67 Brize Norton Road, Minster Lovell

The Planning Officer presented her report containing a recommendation of conditional approval. She confirmed that, whilst not referenced in the report, due consideration had been given to Policy BE8 of the Local Plan, the impact of the development on the setting of a Listed Building and the relevant paragraphs of the NPPF.

Mr Handley expressed his support for the application and, in response to a question from Mr Kelland, the Planning Officer advised that the current low key commercial activity from the site was not considered sufficient to warrant an application for a change of use.

The Officer recommendation was proposed by Mr Langridge and seconded by Mr Handley. In response to a question from Mr Handley, the Senior Planning Officer advised that Officers had not thought it reasonable or proportionate to incorporate a condition regulating the colour in which the shepherds' hut should be finished.

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

Permitted

50 16/02183/FUL 24 Bakers Piece, Witney

The Planning Officer introduced the application and reported receipt of a further six letters of objection received since publication of the report of additional representations.

Ms Erin Bateson then addressed the meeting in opposition to the application. A summary of her submission is attached as Appendix C to the original copy of these minutes.

Mr Michael Gilbert, the applicant's agent, 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 order to enable Members to have the opportunity to assess the potential impact of the development on the site, Mr Langridge proposed that consideration of the application be deferred to enable a site visit to be held. The proposition was seconded by Mr Kelland and on being put to the vote was carried.

Deferred to enable a site visit to be held.

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 an appeal decision was received and noted.

The meeting closed at 3:45pm.

CHAIRMAN