

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 10 October 2016

PRESENT

Councillors: Mrs M J Crossland (Chairman, on election); R A Langridge (Vice-Chairman, on appointment); M A Barrett; H B Eaglestone, D S T Enright, Mrs E H N Fenton; S J Good; J Haine; P J Handley; H J Howard; J F Mills and A H K Postan

Officers in attendance: Phil Shaw, Miranda Clark, Cheryl Morley and Paul Cracknell

34. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Mrs M J Crossland be elected as Chairman of the Sub-Committee for the remainder of the municipal year.

35. APPOINTMENT OF VICE CHAIRMAN

RESOLVED: That Councillor R A Langridge be appointed as Chairman of the Sub-Committee for the remainder of the municipal year.

34. COUNCILLOR WARWICK ROBINSON

Mrs Crossland paid personal tribute to Mr Warwick Robinson, expressing her admiration of his chairmanship skills, his powers of concentration, ability to sum up debate and to maintain the flow of business of a meeting. She indicated that his would be a difficult act to follow.

35. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 19 September 2016, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

36. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr P D Kelland and the Head of Paid Service reported receipt of the following resignation and temporary appointment:-

Mr A H K Postan for Mr P Emery

Mr Handley indicated that he would have to leave the meeting at 4.00pm to attend another appointment.

37. DECLARATIONS OF INTEREST

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

38. 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:-

16/01450/OUT; 16/02668/FUL; 16/02962/FUL; 16/02414/FUL and 16/02526/HHD

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

3 16/01450/OUT Land at Downs Road, Curbridge

The Development Manager introduced the application.

The Local Representative, Councillor B J Woodruff addressed the meeting and expressed his support for the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

The applicant's agent, Mr David Jones 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.

The Development Manager then presented his report and advised that the Council's Environmental Health Service had confirmed that it had no objection to the development proposals in their revised form.

Mr Handley drew a comparison with a previous application in the area that had been refused by the Sub-Committee and on appeal. He noted that this was not an allocated site and expressed concern over the potential impact of existing commercial uses in the immediate vicinity upon the proposed new residential properties. He proposed that consideration of the application be deferred to enable a site visit to be held in order for Members to assess the potential impact of the development.

Mrs Crossland indicated that these issues had been addressed in the Officer's report and suggested that the current site was a far more appropriate location for residential development than that to which Mr Handley had referred.

The proposition failed to attract a seconder.

Mr Langridge expressed his support for the application and, whilst acknowledging that the loss of the football club was regrettable, it had been a private facility and had not been in operation for some time. He considered that the application offered sufficient mitigation for the loss and proposed the Officer recommendation of conditional approval.

In seconding the proposition Mr Howard expressed some concern over the indicative layout submitted by the applicants, indicating that it was possible that the area designated for employment use to the north of the site could generate a high volume of traffic through the residential element. He questioned whether sufficient developer funding could be secured through the development to fund the upgrade of Downs Road in the event that development at North Curbridge did not proceed. Mr Howard also suggested that traffic signals should be provided at the junction with Range Road and questioned whether the level of parking provision allocated for the proposed hotel was adequate.

In response, the Development Manager advised that the question of traffic generation had been raised with the County Council which remained satisfied that arrangements were satisfactory and that sufficient funding would be available. He confirmed that the legal agreement relating to the North Curbridge development had been signed but had yet to be returned to the Council to enable the planning permission to be issued as house builders were reflecting on the impact of external economic factors on the market. However, he remained confident that the development would come forward.

The Council would have to take guidance from the Highway Authority regarding the provision of traffic signals and the County Council had indicated that it would be front-funding highway works through funds already available from previous schemes, recovering this from contributions from the North Curbridge scheme. With regard to parking provision for the hotel, the Development Manager reminded Members that the application was in outline only with details addressed at reserved matters stage. He also advised that the Premier Inn in Witney appeared to operate successfully with a similar level of parking provision as that proposed.

Mr Mills expressed some concern that issues he had raised with the County Council as the Division representative with regard to the Local Transport Plan had not been incorporated within the report. He drew particular attention to the need to make better provision for walking and cycling and emphasised the importance of securing adequate footway and cycle networks as an integral element of development rather than as an afterthought. Mr Mills also indicated that the question of Public Health should also be recognised in consideration of this application.

In response, the Development Manager advised that the comments made by Mr Mills had not been incorporated in the report as he had considered the email he had received to be correspondence between him and the County Council's Officers. He advised that the particular path in question was located on land in the ownership of the District Council and that the applicants had indicated that they would be happy to resurface the route as necessary once planning permission and landowners consent had been received. The Development Manager explained that it was difficult to address strategic health issues without input from the NHS through the Clinical Commissioning Group.

Mr Enright conveyed regret at the loss of the facility but expressed his support for the development. He suggested that the developers should be made aware of the Council's preference for on-plot parking and, given the somewhat isolated location of the site, stressed the importance of defining links within aspects of visual and amenity design. Mr Enright also welcomed the provision of financial support for alternative football provision and questioned whether the Witney Town Council was involved in the scheme. The Development Manager reminded Members that the site was within Curbridge Parish.

Mr Enright also made reference to the importance of health service provision and public transport links.

Mr Good congratulated the applicants and the Council's Officers for their work in creating an excellent scheme and expressed the hope that the same level of co-operation would continue through to the reserved matters application.

Mr Postan cautioned against coalescence with the historic settlement of Minster Lovell and questioned whether developer funding could be made available to support a wider range of sports facilities.

Mrs Fenton highlighted the importance of ensuring that the size and layout of parking spaces to serve the proposed hotel were adequate.

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

Permitted subject to the applicants entering into a legal agreement to secure developer contributions as detailed in the report and to such conditions as the Head of Planning and Strategic Housing considers appropriate.

16 16/02414/FUL The Old Robin Hood, 81A Hailey Road, Witney

The Planning Officer presented her report and suggested the inclusion of an additional condition requiring the submission and approval of a construction method statement.

Mr Langridge indicated that it was important to ensure that the footway adjacent to the site remained in existence and questioned whether it could be re-surfaced as part of the development. The Planning Officer advised that, as the footway was outside the application site, the Council could not compel the applicants to carry out re-surfacing work.

Mr Langridge proposed the revised Officer recommendation which was seconded by Mr Mills who reiterated the importance of retaining the footway.

Mr Enright expressed regret at the loss of the public house and Mr Postan indicated that he found the design somewhat prosaic given the site's location at a historic gateway to the town.

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

Permitted subject to the following additional condition:-

12. No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
- II The loading and unloading of plant and materials
- III The storage of plant and materials used in constructing the development
- IV The erection and maintenance of security hoarding including decorative displays
- V Wheel washing facilities
- VI Measures to control the emission of dust and dirt during construction
- VII A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To safeguard the means to ensure that the character and appearance of the area, living conditions and road and pedestrian safety are in place before work starts.

23 16/02668/FUL 57 Woodstock Road, Witney

The Planning Officer introduced the application.

Mr Brian Rollerson addressed the meeting in opposition to the development. 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 suggested the inclusion of an additional condition removing permitted development rights in relation to the provision of additional windows/rooflights in the side elevations of the proposed dwellings.

Mr Langridge sought clarification of the points raised by Mr Rollerson regarding application of the '45 degree rule'. In response, the Planning Officer explained that, whilst the '45 degree rule' was taken as a starting point against which an Officer exercised their professional judgement. In this instance, Officers did not consider the impact of the development upon adjoining properties to be such as to warrant refusal.

In response to a question from the Chairman, the Planning Officer confirmed that the rear gardens of the existing properties in Early Road received their light primarily from the south and east.

Mr Langridge considered that the development would have an adverse impact as it was out of keeping with neighbouring properties and expressed disappointment that the applicant had not responded to the concerns expressed.

Mr Postan expressed support for the application, indicating that a degree of variety in the street scene was desirable. Mr Good expressed his concern over the proximity of the wall to the rear of the property to existing

dwellings, indicating that this was a result of poorly conceived parking arrangements to the front of the properties. He indicated that he would abstain from voting on the application.

Mr Haine concurred, finding the arrangements cramped and contrived and suggesting that the tandem layout proposed would give rise to additional on-street parking.

The revised Officer recommendation of conditional approval was then put to the vote and was carried.

Permitted subject to the following additional condition:-

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows/rooftlights shall be constructed in the side elevations of the dwellings.

Reason: To safeguard privacy in the adjacent properties.

Mr Langridge questioned whether the concerns expressed by Members could be conveyed to the applicant. It was explained that, whilst these concerns could be communicated, the applicant now had the benefit of planning permission. Anything other than a minor revision to the scheme would require the submission of a new application that would attract the relevant fee.

29 16/02526/HHD Laurel Cottage, Foxburrow Lane Crawley

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

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

Permitted

32 16/02962/FUL 9 – 11 Burford Road, Carterton

The Planning Officer introduced the application.

The applicant's agent, Mr David Ramsay, 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.

Mrs Crossland questioned Mr Ramsay's contention that there was no appetite for a larger scale development amongst adjoining landowners. In response, Mr Ramsay advised that he had been advised to this effect by his clients.

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

It was proposed by Mr Barrett that consideration of the application be deferred to enable a site visit to be held. The proposition was seconded by Mr Howard who expressed his concern over access arrangements and changes in traffic patterns.

Mr Postan indicated that he believed that the development would have a neutral traffic impact in comparison with the previous use.

Mt Langridge also expressed concern regarding access and car parking arrangements. In response, the Planning Officer advised that the Highway Authority had been invited to comment further and had confirmed that it had no objections on highway grounds.

Mr Good indicated that he considered the proposal to be acceptable.

The Proposition that consideration of the application be deferred was then put to the vote and was lost.

The Officer recommendation of conditional approval was then proposed by Mr Good and seconded by Mr Haine.

Mr Mills questioned the impact of the existing play area on the proposed residential properties.

Mr Enright expressed some concern with regard to access to the site. In response, the Planning Officer drew attention to the proposed highway conditions.

Mr Handley questioned whether the width of the access was sufficient and expressed concern over potential conflict between pedestrians and vehicular traffic. He also suggested that additional parking provision would be preferable to the landscaping proposed to the front of the dwellings.

Mr Langridge echoed concerns over parking arrangements and Mr Howard cautioned that the layout was such that it was likely that the access to the dwellings could be blocked by indiscriminate parking.

In order to address these concerns it was agreed that the applicants be advised that appropriate signage should be erected to advise and warn other users of the site and location in general that the access leading to the proposed development should remain clear at all times.

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

Permitted, the applicants being advised that appropriate signage should be erected to advise and warn other users of the site and location in general that the access leading to the proposed development should remain clear at all times.

Mr P J Handley left the meeting at this juncture.

39. 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.

In response to concerns expressed by Mr Postan in relation to application No. 16/02050/FUL, the Planning Officer advised that conditions regarding hours of operation and noise levels would be monitored by the Council's Officers.

In response to a question from Mr Mills, she confirmed that the Council did not have a policy in relation to pubs and restaurants creating seating areas on the public highway, each application being determined on its own merits in consultation with the County Council.

The meeting closed at 4:05pm.

CHAIRMAN