

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 11 September 2017

PRESENT

Councillors: Mrs M J Crossland (Chairman), S J Good (Vice-Chairman), H B Eaglestone, Mr P Emery, D S T Enright, Mrs E H N Fenton, Mr E J Fenton, J Haine, P J Handley, H J Howard, R A Langridge, K J Mullins and A H K Postan

Officers in attendance: Phil Shaw, Catherine Tetlow, Abby Fettes, Miranda Clark and Paul Cracknell

24. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 14 August, 2017, 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 M Baker and Mr P D Kelland
Mr A H K Postan attended for Mr M A Barrett

26. DECLARATIONS OF INTEREST

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

27. 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.

(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:-

16/03627/OUT, 17/01612/FUL, 17/01613/LBC, 17/01845/RES, 17/00444/FUL,
17/01782/RES, 17/01817/FUL and 17/01848/FUL.

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

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:-

3 I6/03627/OUT Land at Butts Piece, Main Road, Stanton Harcourt

The Principal Planner introduced the application. She advised that the County Council had been invited to give further consideration to the provision of a pedestrian link and had revised its initial response, requiring the provision of a footway to the south side of the main road to link with the existing footpath network.

The Principal Planner also indicated that Mr Charles Mathew had advised that the Parish Council now supported the application subject to the provision of a direct pedestrian link between the development and Main Road as referred to in condition 6 and to the provision of developer contributions as set out in the report.

The Parish Council had sought developer funding to meet the cost of resurfacing the village hall car park and the applicants had indicated that they would be prepared to fund this work, details of which would form the basis of a unilateral agreement between them and the Parish Council.

Mrs Yvonne Pirouet addressed the meeting in opposition to the application. A summary of her submission is attached as Appendix A to the original copy of these minutes.

In response to a question from Mr Emery, Mrs Pirouet indicated that the track into the development site was not currently used by pedestrians.

Mr Huw Mellor of Carter Jonas, the Applicant's Agent, 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 Principal Planner then presented her report containing a recommendation of conditional approval. Whilst Mr Mellor had indicated that there were no objections from statutory consultees she reminded Members that the County Council still maintained an objection with regard to sustainability given the absence of a timetabled bus service to Stanton Harcourt. However, Officers were of the opinion that this disbenefit was outweighed by the benefit of the provision of new housing.

In proposing the Officer recommendation, Mr Handley congratulated all those involved in the project, indicating that the Sub-Committee's efforts to secure an enhanced form of development had been successful in producing a good final outcome.

In seconding the proposition Mr Howard concurred, indicating that the proposals had been examined in great detail over the past months. He considered the current scheme to represent the best possible outcome that could be achieved and there were no policy grounds upon which to refuse consent. Whilst a drainage scheme had yet to be submitted, this was required by condition.

Mr Howard agreed with the Officers' assessment that the benefit of the provision of new housing outweighed the County Councils objection regarding the lack of public transport. Whilst he acknowledged the concerns expressed by Mrs Pirouet, he suggested that the incidents she had described in her submission were the results of bad driving and considered that the revised footway arrangements offered a far safer crossing point than that originally proposed.

Mr Emery questioned whether the proposed pedestrian access was an existing right of way. The Principal Planner advised that the track, which joined the existing right of way at the green was not used by the public at present but was simply an agricultural access.

In expressing his support for the application, Mr Postan acknowledged Mrs Pirouet's concerns but considered that the developers had endeavoured to make the pedestrian access as unobtrusive as possible.

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

27 17/00444/FUL

The Chalet, New Yatt Road, North Leigh

The Planning Officer presented her report containing as recommendation of refusal and reported receipt of the observations of the applicant's agents.

In response to a question from Mr Good, the Planning Officer confirmed that the northern elevation of the property was predominantly glazed and sited in close proximity to the boundary over which the applicants had no control.

Having sought further clarification as to the extent of available amenity space, Mr Good indicated that he considered the proposed dwelling to be too large for the site and proposed the Officer recommendation of refusal. The proposition was seconded by Mr Handley.

Mr Langridge expressed his support for the application, indicating that he considered it to be preferable to the extant consent secured at appeal. He noted that the Parish Council had no objection to the development and that there were no other objections to the application.

In response to a question from Mr Fenton, the Planning Officer advised that the current application proposed a building much larger than that of the extant permission.

Mr Howard concurred with Mr Langridge, suggesting that it was for any future purchaser to be satisfied with the development. In response, the Development Manager cautioned against such a view, indicating that planning had a role in defining minimum acceptable levels of amenity and reiterating that the proposed development was almost totally reliant upon third party land for its light and outlook.

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

Refused

The Senior Planner introduced the application.

Mr Paul Slater, the applicant's agent, addressed the meeting in support of the development. A summary of his submission is attached as Appendix C to the original copy of these minutes.

In response to a question from Mr Handley, Mr Slater advised that the additional passing place on Bushey Ground to which he had referred would be created by widening the access to the development site.

The Senior Planner then presented her report containing a recommendation of conditional approval.

Mr Emery indicated that he had found the site visit useful as he had initially harboured concerns over the potential impact of the development upon the heritage asset. However, he was now content that there would be no harm to the historic building which would be improved by the removal of inappropriate extensions and the construction of sympathetically designed additions that would bring the building back to its prime.

Whilst he was still concerned that the development would give rise to additional traffic generation on the local highway network, Mr Emery was cognisant that the Highway Authority had not raised objection to the application and proposed the Officer recommendation of conditional approval.

The proposition was seconded by Mr Postan who considered that the removal of the 1930's extensions would restore the form of the original chalet villa. Of greater significance that the architectural survival of the property was the fact that the proposed development would reinstate the original concept of the dwelling as one in which you could both live and work.

Mr Good joined Mr Postan in congratulating the applicants and their architect on their proposals but questioned whether condition 3 was sufficiently tightly drawn to preclude the use of the proposed outbuildings as holiday lets or as bed and breakfast accommodation. In response, the Development Manager suggested that the condition could be strengthened by the further provision that the outbuildings were not to be sold, let, leased or otherwise occupied separately from the main dwelling. Mr Emery and Mr Postan agreed to amend their proposition accordingly.

Mr Handley considered that an excessive number of outbuildings were proposed and expressed his opposition to the application, suggesting that it could form a precedent for further developments of this nature. He indicated that he would abstain from voting on the proposition.

Mr Howard concurred and advised that his primary objection related to the adequacy of the access. He believed that the Highway Authority was wrong in failing to object to what he perceived to be a dangerous access and indicated that he would vote against the application as he believed that it would result in traffic accidents.

Mr Haine indicated that he too had found the site visit helpful in that it had established that the current property was unfit for modern use. He commended the architect for his design and expressed his support for the application.

Mrs Crossland expressed her support for the scheme, indicating that it was an innovative design that preserved the historic atmosphere of the original dwelling.

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

Permitted, condition 3 being amended to read as follows:-

3. The extensions, outbuildings and studio/office hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be sold, let, leased or otherwise occupied separately from the main dwelling.

Reason: Separate dwellings in this location would be contrary to local plan policies and would unacceptably intensify the use of Bushey Ground.

(Mr Howard voted against the proposition and Mr Handley and Mr Langridge requested that their abstention from voting on this application be so recorded)

44 17/01613/LBC Four Winds, Bushey Ground, Minster Lovell

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

Listed Building Consent be granted

Mr Postan suggested that a photographic record of the demolition and construction work be made for use in a future Council design guide.

48 17/01782/RES Land North of Cote Road, Aston

The Planning Officer introduced her report and advised that the information required by the County Council in relation to the approval of a drainage strategy was still awaited. Accordingly, she recommended that the Head of Planning and Strategic Housing be authorised to approve the application subject to the approval of a drainage strategy and to such conditions as are considered appropriate in consultation with the Chairman.

Mr Howard noted that this was a reserved matters application. He made reference to the applicant's response to the issues raised by the Parish Council and suggested that these needed to be fully addressed. Mr Howard also questioned whether the garages proposed were adequate and whether the Council would wish to assume responsibility for the retained area of open space.

In response, the Planning Officer advised that the size of the proposed garages exceeded the minimum standards and that there was an over-provision of parking spaces.

The Development Manager indicated that the Parish Council's concerns over surface water drainage appeared to be related to their surprise that such little work was required to address the issues raised at outline stage.

Mr Howard emphasised the importance of ensuring clarity in any conditions finally agreed and the Development Manager gave an assurance that he would review the conditions closely in light of the Parish Council's observations.

The Officer recommendation was proposed by Mr Howard and seconded by Mr Handley who, having been satisfied that the garages exceeded the standard size of 2.5 by 5 metres, considered the development to be well laid out.

Mr Good indicated that the Parish Council had submitted a comprehensive response to the consultation. Having considered the points that had been raised he was satisfied that these had been fully addressed by Officers and expressed his support for the application.

Mr Emery stressed the importance of ensuring that the area of open space was retained as such in perpetuity with ownership and responsibility for future maintenance being clearly defined. He questioned the use of buff coloured brick in the development and enquired whether any traffic calming measures would be put in place. The Planning Officer advised that the current 30mph speed limit was to be relocated and the need for traffic calming discussed with the Highway Authority. Mr Fenton advised that buff brick had been used elsewhere in the village.

Mrs Fenton indicated that she was pleased with the application and considered that the right number of dwellings was proposed for the size of the plot. She recognised that the Parish Council was unhappy with the application and concerned that Thames Water was not addressing the problems experienced in the vicinity. Mrs Fenton also advised that the Parish Council would not want to assume responsibility for the open space.

Mr Postan expressed his support for the application and his appreciation on the work undertaken by Officers. He suggested that the garages were more likely to be used for general storage than for parking and suggested that the Council should consider transferring the open space to a voluntary organisation similar to as the Witney Woodland Trust.

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

RESOLVED: That the Head of Planning and Strategic Housing be authorised to approve the application subject to the approval of a drainage strategy and to such conditions as are considered appropriate in consultation with the Chairman.

60 17/01817/FUL

Plot C, Supergas Industrial Estate, Minster Lovell

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

Mr Howard questioned whether the Fire Service had been consulted on the application.

The Development Manager explained that, in applications of this nature, Health and Safety issues were considered independently by way of an application for Hazardous Substances Consent.

Mr Fenton noted that the Parish Council had objected on grounds of the proximity to residential properties. The Development Manager indicated that these concerns would also be addressed as part of the Hazardous Substances Consent.

Mr Langridge noted that the generators were tall and questioned whether they were acceptable in terms of scale. The Development Manager advised that they were considered to be acceptable as they would be located and viewed in the context of large scale commercial buildings.

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

Mr Emery questioned whether the development would impact upon residents by reason of noise. The Development drew attention to the proposed environmental conditions and, in response to a further question, explained that the site was already bunded as it had previously been used for the storage of LPG.

Mr Handley drew attention to the dangers associated with LGN but acknowledged that this was an issue for the Hazardous Substances Consent.

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

Permitted

67 17/01848/FUL

160 Brize Norton Road, Minster Lovell

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

Mr Howard noted that the development would be visible in the proposed location and questioned the colour of the cladding to be used. The Development Manager advised that this was to be controlled by condition.

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

Permitted

73 17/01845/RES

Land North of New Yatt Road, North Leigh

The Development Manager introduced the application and drew attention to the report of additional representations. He explained that the County Council had raised objections to the proposed highway works and wished to revert to the arrangements as approved at appeal.

Having gained control of the adjoining site, the Applicants were seeking to meet with County Officers to discuss changes to the design that could provide a better solution for all parties.

Mr Peter O'Rourke and Mr Richard Holden the Applicant's representatives, then addressed the meeting in support of the application.

A summary of their submission is attached as Appendix D to the original copy of these minutes.

The Development Manager then presented his report. He explained that, whilst the access as approved was acceptable, it was possible that alternative arrangements could be jointly agreed. Accordingly, he recommended that the Head of Planning and Strategic Housing be authorised to approve the application subject to such conditions as are considered appropriate in consultation with the Chairman.

Conditions to be applied would, inter alia, refer to the submission of revised plans, the removal of permitted development rights, materials, clarification of house types, retention of hedgerows and ecological works. They would also address the highways issues referred to earlier.

Mr Fenton welcomed the inclusion of ecological conditions and enquired whether these would require the retention of a wildlife corridor. The Development Manager advised that the retention of the hedgerow was intended to achieve this.

Mr Handley questioned whether the development would impact upon existing footpath routes and suggested that the footpath to the south of the site would provide a preferable route to one adjacent to the highway. The Development Manager indicated that there were contrary views but advised that this could be considered in conjunction with the relevant application.

Mr Langridge advised that he was familiar with the site and encouraged by the way in which the application had evolved. He congratulated the applicants on their proposals and in delivering an appropriate scheme on the back of such a contentious outline application.

Mr Langridge was particularly pleased to note that the development would deliver 50% affordable housing and proposed the Officer recommendation. The proposition was seconded by Mr Howard who welcomed the prospect of further discussion on highways issues.

Mr Postan suggested that conditions requiring the provision of high speed broadband and electric vehicle charging points should be incorporated. The Development Manager advised that, whilst a condition relating to broadband could be applied, there was no local or national policy to support the inclusion of a condition regarding vehicle charging points. He undertook to discuss such provision with the developers.

Mr Emery noted that BT had recently lowered the threshold on the number of properties required to secure fibre optic broadband connection at a reasonable cost.

Mr Good expressed his support for the scheme and welcomed the provision of 50% affordable housing. He noted that the affordable element would comprise of modest two bedroomed houses and indicated that he would have preferred to have seen the affordable properties distributed throughout the site rather than concentrated to the north.

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

RESOLVED: That the Head of Planning and Strategic Housing be authorised to approve the application subject to such conditions as are considered appropriate in consultation with the Chairman.

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 appeal decisions was received and noted.

29. DEVELOPMENT OF UP TO 126 DWELLINGS WITH ACCESS ONTO BURFORD ROAD, MINSTER LOVELL – APPLICATION NO. 17/01859/OUT

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 the above application on Monday 13 November 2017.

Mr Mullins proposed that a site visit be held and in seconding the proposition, Mr Handley suggested that some highway improvement work would be required to avoid the creation of a 'rat run'. The Development Manager undertook to raise this with the County Council.

In the event that a new village hall was not required, Mr Howard questioned what additional developer funding would be available. In response, the Development Manager advised that there were various alternative options as outlined at paragraph 3.3 of the report as additional funding would be available given the increase in density of development. The application was in outline only with detail remaining to be approved.

It was noted that development was dependent upon the Inspector's response to the Examination in Public of the Council's Local Plan which should be known shortly.

RESOLVED: That if necessary, a site visit be held on Thursday 9 November 2017.

30. PROPOSED DIVERSION OF EYNSHAM FOOTPATH NO. 206/30 (PART) AT STATION ROAD, EYNSHAM – APPLICATION NO. 17/01983/POROW

The Committee received and considered the report of the Head of Planning and Strategic Housing which sought authority for Officers to make a Public Path Diversion Order under Section 257 of the Town and Country Planning Act 1990 and carry out the required statutory consultation upon it and to seek a resolution to confirm the order if unopposed.

In proposing the recommendation, Mr Emery welcomed the formal consultation process. The proposition was seconded by Mr Howard and on being put to the vote was carried.

RESOLVED: That the Head of Planning and Strategic Housing be authorised to make the Order and carry out public consultation, consistent with the drafted Order attached to the report.

The meeting closed at 4:35pm.

CHAIRMAN