

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 September 2018**

PRESENT

Councillors: Ted Fenton (Chairman); Duncan Enright (Vice-Chairman); Harry Eaglestone, Hilary Fenton, Steve Good, Jeff Haine, Peter Handley, Peter Kelland, Richard Langridge, Nick Leverton, Martin McBride, Carl Rylett and Ben Woodruff

Officers in attendance: Phil Shaw, Joanna Lishman, Kelly Murray and Keith Butler

28. MINUTES

The Chairman drew attention to the fact that a factual inaccuracy and some typographical errors had been corrected since the original draft had been circulated, and confirmed that the minutes to be signed were the accurate version.

**RESOLVED:** that the Minutes of the meeting of the Sub-Committee held on 13 August 2018, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

29. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

The Sub-Committee was advised of the following resignation and temporary appointment: Councillor Martin McBride for Councillor Maxine Crossland.

30. DECLARATIONS OF INTEREST

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

31. 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:-

p3 18/01600/FUL Store to rear 8-10 Market Square, Witney

The Development Manager introduced the application. He made reference to two further representations received prior to the meeting in response to objections to the proposal, and summarised the contents. He also stated that the development control process did not protect the use of the current building as such; emphasised the need for the Sub-Committee to consider the proposal on its planning merits; advised that the Conservation Officer considered the height and design of the proposed development to be appropriate, and a positive addition to the conservation area; and

reported that the concerns about the colour of the render were covered by the proposed wording of condition no. 7.

Mr Andrew Hobson addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

Mr Jason Hale of Keble Homes 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 light of the representations made, the Development Manager then addressed the question of the relevance/applicability of Policy TLC12, advising that whilst it represented a starting point, it was becoming irrelevant because of the development of the revised Local Plan. The question of alternative provision for the current use was, however, relevant, as was recognition that the planning application and asset of community value processes were separate, albeit related.

The Development Manager explained the reasons that the development on the site was considered to be acceptable, which included reference to the previous appeal decision, the design, highways considerations, and the issue of overlooking. He also cited the reasons that the loss of the current facility on the site, whilst regrettable, was not sufficient to warrant a refusal, and commented that the current arrangement for use could be ceased by the owner at any time.

Councillor Kelland felt that it was important that the Council helped the users find alternative provision, but considered the proposal to be acceptable. Councillor Langridge echoed the sentiments in relation to assistance, and referred to the existence of alternative premises for the use. The Sub-Committee needed to base its decision on planning grounds, and he noted that the use was not protected by the planning process. He proposed that permission be granted, as per the report, and that proposal was seconded by Councillor Handley.

Councillor Enright was appreciative of the fact that a site visit had been undertaken, which had been useful to ensure amenity considerations and the question of overlooking. He did not consider that the suggested alternative sites for the current use were necessarily appropriate, given the likely need for hourly rental, and the possibility of inadequate storage space, and felt that the applicant could have done more to assist the current users.

Councillor Handley did not think that there were adequate planning reasons to justify a refusal, and that it was therefore likely that any appeal against refusal would be successful.

In response to a question, Councillor Rylett was advised that the Planning Officers could not recommend the imposition of a time period prior to development being allowed to be undertaken following an approval. Councillor Langridge suggested the inclusion of a note on the decision relating to the value of the community use, following which the proposition was put to the vote.

Permitted as recommended, subject to the inclusion of the following informative:

In approving the application Members wished to place on record the value that they attribute to the existing occupiers being able to continue their operations and to commend to you a development programme that enables them to successfully relocate elsewhere in the town centre.

(Councillor Enright requested that his abstention from voting on this application be so recorded).

p16 18/02052/S73

3 Abbey Park Lodge, Abbey Street, Eynsham

The Planning Officer introduced the application and made reference to the objections received on the grounds of noise and overlooking, explaining the reasons that the proposal was considered to be acceptable.

The Officer recommendation of conditional approval was proposed by Councillor Good and seconded by Councillor Woodruff.

Councillors Rylett and Handley did not consider that the objections were merited, and Councillor Enright felt that the objective of the previously imposed condition had been achieved, because the height of the window was such that there was no overlooking.

Permitted as recommended.

p19 18/02091/FUL

Time Out Farm, Mill Lane, Alvescot

The Planning Officer introduced the application and explained the reasons it was considered that there were no grounds on which to refuse permission.

Councillor Enright considered that the Parish Council should be requested to assist with the monitoring of the site; and in response to a question, Councillor Haine was advised of the reason that three months was believed to be an appropriate period for the removal of the existing mobile home and portable cabin.

Councillor Langridge suggested that the reason for condition one be altered, to refer to the removal of existing as well as implementation of the proposal.

The Officer recommendation of conditional approval was proposed by Councillor Enright and seconded by Councillor Haine.

Permitted as recommended, subject to the variance of condition one to read:

That the development be carried out in accordance with the approved plans marked A/2018, B/2018 and C/2018.

REASON: To ensure the wooden structure is sited in the location permitted, away from the boundary with the neighbouring property.

32. 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.

33. EXCLUSION OF THE PUBLIC

**RESOLVED:** That, the Sub-Committee being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following items of business there would be a disclosure to them of exempt information as defined in paragraph 6 of Part I of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting.

34. POSSIBLE TREE PRESERVATION ORDER

The Sub-Committee considered the report report of the Head of Planning and Strategic Housing, relating to a request for the making of a Tree Preservation Order in respect of a specified tree, the background to which was explained by the Development Manager.

In response to a concern that the owner of the tree was unaware that the Tree Preservation Order was being considered, the Sub-Committee was reminded (i) of the risk that a tree could be felled prior to the making of an Order; and (ii) that the owner would have the opportunity to make representations prior to the confirmation of the Order being considered.

The Sub-Committee:

**RESOLVED:** That a provisional Tree Preservation Order be made in respect of the tree specified in the report.

The meeting closed at 3:10 pm.

CHAIRMAN