

Store To Rear 8 - 10 Market Square Witney Oxfordshire OX28 6BB

Submissions of 7Cs Foundation, Objector

Planning Meeting Lowlands Area Planning Sub-Committee

10 September 2018

Speaker for Objectors: Andrew Hobson (Objector)

1. You must decide this application on planning principles only, based on the application, the objections and the Council's relevant policies. Failure to do so would be unreasonable and judicially reviewable.
2. The starting point is the existing permission for the facility for community use numbered 14/0891 granted to Rockbarn. That use is granted and protected under policy TLC12, see 2011 Local Plan 8.93 "District Council's overall approach is to protect existing community services and facilities..."
3. TLC12 is in these terms
Protection of Existing Community Facilities
Development proposals should not result in the loss of useful local services unless it can be demonstrated that: a The existing use is unviable; or b. Adequate and accessible alternative provision remains or will be provided.
4. Officer's report paras 5.22 & 23 does not set out the planning criteria you must apply to considering TLC12 and is thus deficient. It does refer extensively and admittedly to irrelevant non-planning matters such as the contractual relationship between owner and Rockbarn.
5. Under TLC12 applicant proposing development terminating community services/facilities must demonstrate that such services/facilities are either unviable or that adequate and accessible alternative provision remains or will be provided
6. It is applicant who must demonstrate this. Opinion of council officers, tenure of occupant, fear of appeal, all irrelevant. This applicant has made no effort to demonstrate adequate accessible alternatives, see officer's report paragraph 3.1 summarising application thus: "The current use does not fall within the type of use considered a 'community facility' in the Local Plan. Notwithstanding this, the use which is currently contained in the building would use other halls within the vicinity and as such, adequate alternative provision remains." This is assertion not evidence. I restate it does not fulfil the criteria of TLC12. This was the applicant's choice.
7. The point of requirement on applicant to demonstrate alternate provision, is for you to have evidence on which to decide the planning balance between useful services/facilities and other prospective use. You have no such evidence in this case because the applicant has chosen not to put it before you. There is abundant evidence of community use so applicant's half-hearted challenge to application of TLC12 must fail:

8. If you grant this application you will not have applied your own policies reasonably and are open to challenge. The applicant can always resubmit its application dealing with all the points it should have dealt with here.

West Oxfordshire District Council Local Plan 2011 Policy TLC 12 and selected Supporting text

POLICY TLC12

Protection of Existing Community Facilities

Development proposals should not result in the loss of useful local services unless it can be demonstrated that:

- a The existing use is unviable; or
- b. Adequate and accessible alternative provision remains or will be provided.

Supporting Text includes:

8.93 The District Council's overall approach is to protect existing community services and facilities and to encourage new provision wherever appropriate.

8.95 When assessing proposals for the loss of community services or facilities, consideration will be given to a variety of factors, including the wider community role of the service or facility, its contribution to the character of the area, whether it provides a specialist facility, its provision of local employment opportunities and its contribution to the neighbourhood's well-being.

8.96 Whilst it is desirable to maintain, as far as is practicable, supporting services and facilities in all settlements, Group C settlements have a wider role than Group A and B villages. In addition to providing services and facilities for their own population they also act, in varying degrees, as local centres serving smaller villages around them. Generally they provide a wider range and variety of shops, pubs and recreational facilities etc than the other settlements. In maintaining this wider role, it is important that a reasonably comprehensive range and choice of services is retained within these communities. This factor will be taken into account in determining applications under this policy.



8 – 10 Market Square Witney Oxon OX26 6BB

- My name is Jason Hale and I represent Keble Homes the applicant for the site.
- Keble Homes is a local developer who has provided a range of schemes throughout Oxfordshire providing quality development ranging from single bedroom apartments through to detached family homes.
- Planning permission was previously granted for the development of the site for residential purposes by the Planning Inspectorate.
- We have invested time with the Council officers in developing a scheme which provides a suitable development which contributes to the lower end of the residential market in an area where the ability to get onto the housing market is compromised by rising prices.
- The scheme would provide for efficient homes in a highly sustainable location
- Whilst the site is currently owned by a District and Town Councillor we have an option agreement to purchase the site which was agreed prior to the submission of the application.
- We have sympathy with the current users of the site however, believe that there are adequate alternate accessible facilities which could be used which would meet with the requirements of the policy.