

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 February 2019**

PRESENT

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

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

58. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 14 January 2019, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

59. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence. Councillor McBride attended for Councillor Good.

60. DECLARATIONS OF INTEREST

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

61. 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; and

3 18/02374/FUL The Old Rectory, Station Road, Alvescot

The Senior Planner presented her report containing a recommendation of refusal. She indicated that paragraph 5.12 at page 7 of the report should refer to the adopted, not emerging, Local Plan and advised that the Council's ecologist had no objection to the proposal.

The applicant's agent, Mr Anthony D'alton, 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 response to questions from Councillor Fenton, Mr D'alton advised that, at this stage, it was anticipated that the proposed dwelling would remain in the same ownership as the existing property. Mr D'alton contended that a commercial development would be far more intensive.

The senior Planner then presented her report. In response to a question from Councillor Crossland, she clarified the extent of the Conservation Area. Whilst she found it to be an attractive dwelling, Councillor Crossland noted that the proposal was for an extensive property that would be highly visible from the road. Added to this, the Old Rectory was a listed building and the site lay within a Conservation Area. On balance, Councillor Crossland considered the Officer recommendation to be correct and proposed that the application be refused. The proposition was seconded by Councillor Woodruff.

Councillor Langridge considered this to be a difficult decision. Whilst he could not disagree with the Planning Officer's assessment, he questioned the extent of any negative impact. Further, he considered it significant that the Parish Council had not raised objection to the development and wondered if the level of harm would be as great as Officers suggested. He acknowledged that the proposal was for a large dwelling and felt that this might just have made it too dominant.

Councillor Enright concurred, indicating that the key issues were the impact of development on the Listed Buildings and the extent to which it could be considered as development in the open countryside. Councillor Enright considered that the proposal could be seen to complement the existing properties. He welcomed the fact that it was intended to retain the existing mature trees and considered that the plot was of a sufficient size to allow for this whilst retaining privacy for the new and existing dwellings.

The Development Manager reminded Members that as the Council now had an adopted Local Plan in place the tilted balance no longer applied. Under a plan led system it was no longer necessary for the Sub-Committee to identify significant harm to support a refusal although the Development Manager advised that even if this were the case, Officers would have sought to resist the development (which brought no planning benefits) on the grounds of its impact upon existing heritage assets.

Councillor Handley questioned the relevance of the 1995 appeal quoted in the report and expressed his support for the application. He considered the site to fall within the existing boundary of the settlement and felt that the Local Plan should allow for development of this nature. Councillor Handley questioned whether a more modest dwelling would be acceptable in this location.

In response, the Senior Planner advised that residential development of any form would be considered inappropriate on this site as it was contrary to policies within the Local Plan. The 1995 appeal result remained relevant as it followed the same thread of argument as that of the adopted Local Plan.

Councillor Kelland indicated that he was not convinced that the site should be considered as falling outside the village envelope and was pleased to see a proposal for a large family house set in a generous plot. He noted that the Local Plan allowed for windfall sites and indicated that he was minded to support the application.

The Development Manager advised that, whilst the Local Plan made provision for windfall sites, it did not do so for sites that fell outside the existing settlement envelope. He indicated that the current application was contrary to policy in this respect and should be refused.

Councillor Haine expressed his support for the Officer recommendation as the application was clearly contrary to policy.

Councillor Woodruff expressed concern that permitting a departure from policy at this early stage would set an undesirable precedent for the future. Councillor Leverton expressed his support for the Officer recommendation as, whilst this was a beautiful building, it was out of context and would have an unacceptable impact on the Listed Building.

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

Refused

Councillors Enright and Langridge requested that their abstention from voting on the proposition of refusal be so recorded.

9 18/02598/FUL The Barrel House, 2 Church Green, Witney

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

The Officer recommendation was proposed by Councillor Langridge. In seconding the proposition, Councillor Enright considered that the Witney Town Council had been correct, in principle, in objecting to the application on grounds of the loss of business space. However, he suggested that this particular building made little contribution to the commercial characteristics of the site and, whilst it was good that the remainder of the site was covered by the Article 4 Direction, the building in question would create an attractive residential unit in this sustainable town centre location.

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

Permitted

15 18/03010/HHD Littledean, Pitts Lane, Hailey

Members noted that Officers had withdrawn this application from the agenda for subsequent consideration at a later date.

19 18/03576/FUL Land South of Elmside, Greenacres Lane, Aston

Members noted that this application had been withdrawn at the applicant's request.

62. 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 and appeal decisions was received and noted.

63. NOTIFICATION OF PLANNING APPLICATIONS

Councillor Crossland expressed some concern that Members were no longer receiving notification of planning applications submitted within their Wards through the planning system. It was explained that the notification parameters lapsed after a set period of time and had to be re-set by Members to their own individual preferences. Officers agreed to seek to address these concerns.

The meeting closed at 2:40 pm.

CHAIRMAN