

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 15 April 2019**

PRESENT

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

Officers in attendance: Amy Barnes, Miranda Clark, Abby Fettes and Joanne Lishman

69. MINUTES

Councillor Fenton highlighted that an amendment to Minute Number 64, Apologies for Absence and Temporary Appointments, was required as Councillor Kelland's name was spelt incorrectly.

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 11 February 2019, copies of which had been circulated, subject to the above amendment, be confirmed as a correct record and signed by the Chairman.

70. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence, however, the following temporary appointment was made:

Councillor Alex Postan for Councillor Peter Kelland.

71. DECLARATIONS OF INTEREST

Councillors Postan and Leverton declared an interest in application 19/00034/FUL – 78 Milestone Road, Carterton, because the applicant was known to them. They left the room whilst the item was discussed.

72. 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;

7 18/03473/RES Land West of Minster Lovell, South of Burford Road, Minster Lovell

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

Ward Member for Minster Lovell, Councillor Gill Hill addressed the meeting, representing the Parish Council and concerned residents. A summary of her submission is attached as Appendix A to the original copy of these minutes.

In response to a question from Councillor Crossland, Councillor Hill confirmed that the houses closest to the existing eastern boundary were all bungalows.

Mr Simon Handy from Strutt and Parker, on behalf of Bovis Homes 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 Planning Officer explained that the principle of development had been established and approved as outline permission in 2018.

Councillor Leverton queried a strip of land at the bottom of the layout plan and was advised that this was an easement area for Thames Water and car parking for the houses.

Councillor Langridge agreed that the bungalows could be located towards the front of the site and felt the developer could have worked harder with Parish Council. Due to the area of landscaping at the top of the site he felt there was an opportunity to look at moving the layout around and gain support for the development. He therefore proposed that the application be deferred to allow further discussions to take place on a revised layout between the developer, the Parish Council and local residents.

This was seconded by Councillor Woodruff.

Councillor Postan offered the example that had taken place at Brize Norton whereby discussions with the developer and local residents had resulted in wide community involvement. He did not feel that sufficient correspondence had taken place with existing residents and the developer should be encouraged to work with the Parish Council.

Councillor Handley advised that he knew the site and felt that the Parish Council had a point. The initial application had been for 88 units and this had now extended to 126. He also queried whether the proposed dwellings on the eastern boundary could be bungalows or one and a half storey properties.

The Planning Officer drew Members attention to the condition attached to the outline permission, stating that the reserved matters would be submitted in accordance with the details / plans proposed at outline stage. The developer would be unable to amend the plans drastically at this stage. In addition, the increase in the number of dwellings from 85 to 126 had been to Members for a decision before.

Councillor Rylett supported a deferral of the decision and felt the concerns raised should be listened to. He queried the provision of a bus stop and requested that biodiversity and detailed planting plans be made clearer.

Councillor Enright commended the officers for their record of working with developers to blend new developments with existing communities.

He requested that details relating to the maintenance of the open space should be included in the discussions if the Committee were minded to defer the item.

Councillor Haine stated that he would be supportive of a deferral because there were no detailed conditions attached to the report, specifically relating to site levels and the location of the bungalows. He agreed that the maintenance of the green space was an important issue and highlighted that there was no access to the rear gardens of the terraced houses for storage and transport of refuse and recycling bins.

Councillor Good congratulated the Parish Council for their detailed work on this and felt they had raised a number of important points.

Councillor Woodruff had listened with interest to the debate and also commended the Parish Council's hard work. He felt that the application was not ready and there were too many outstanding questions.

The Officer recommendation was proposed by Councillor Langridge and seconded by Councillor Woodruff.

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

Deferred

26 18/03670/FUL

Old Manor House, School Lane, Little Minster, Minster Lovell

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

Ward Member, Councillor Gill Hill addressed the meeting and a summary of her submission is attached as Appendix C to the original copy of these minutes.

Mr Alex Edge from Edgars Planning Consultancy 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.

Councillor Postan raised a minor concern that Condition 7 attached to the report, ensuring the use of the annexe was ancillary to the existing dwelling, could raise a conflict for the applicant in relation to inheritance tax. Officers advised that this was not a planning consideration and the condition was a standard one used in these circumstances.

The Officer recommendation was proposed by Councillor Haine and seconded by Councillor Good.

The Chairman drew Members attention to the information in the update report which advised that condition 9, relating to drainage, was no longer needed following discussions with the drainage consultants.

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

Permitted

3 18/03010/HHD Littledean, Pitts Lane, Hailey

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

The application was before committee because the applicant was a WODC member of staff. Members were advised that paragraph 5.9 of the report should read the 'adopted Local Plan' and not the 'Emerging'.

The Officer recommendation was proposed by Councillor Langridge and seconded by Councillor Woodruff.

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

Permitted

18 18/03499/S73 Westmoor Farm, Buckland Road, Bampton

The Chairman advised Members that since the agenda was published the applicant had submitted a solicitor's letter which officers would need to take legal advice on. It was therefore agreed that the application should be deferred to the next meeting.

21 18/03552/FUL 41G Corn Street Witney

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

Councillor Woodruff queried how many bedrooms the development was providing and was advised that the units were all studio apartments, therefore they were one bedroom properties.

Councillor Eaglestone queried the condition restricting the parking of vehicles to the rear of the property when one of the photographs clearly showed a car parked there. Officers advised that the car in question was not adjacent to the proposal and it was assumed that the car had been small enough to fit through the alleyway.

Councillor Handley suggested that the units should remain in the ownership of one person and should not be sold off individually. He was advised that this was not a material consideration and the units could be made available on the open market.

Councillor Langridge concurred with the Town Council's comments that it was a regrettable loss of office accommodation but was aware of the encouragement from Central Government to move in this direction. He therefore proposed the officers' recommendation and this was seconded by Councillor Good.

In seconding, Councillor Good was happy to support the recommendation and recognised the need for one bedroom accommodation in the District.

Councillor Enright agreed with Councillor Good and noted that conversion of this type of office space was commonplace to the rear of retail units. Dwellings like this were desirable because they were close to all amenities and negated the need for a car. However, he did question the amount of money being requested to rent the premises as office space, which he

thought was high.

Councillor Woodruff disagreed with the Town Council's comments and did not feel that this type of facility was suitable for office space or modern business. He echoed Councillor Good's comments regarding one bedroom accommodation.

The Officer recommendation was proposed by Councillor Langridge and seconded by Councillor Good.

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

Permitted

37 19/00034/FUL 78 Milestone Road, Carterton

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

The Chairman noted that the applicant had ownership of the middle plot detailed on the plan but did not own the land or properties either side. An objection had been received from the occupier to the right but it was unknown if the occupier to the left had any objection.

Councillor Crossland recognised that it made sense to develop the land as a whole but was concerned that this would put pressure on the neighbours either side. She queried whether the conditions proposed were strong enough and would not force the landowners to sell against their will.

Officers reminded Members that an individual did not have to own the land in order to submit a planning application but did have an obligation to serve notice to any occupiers. However, serving notice did not override their civil rights.

Councillor Crossland felt that it was difficult to find any reasons to refuse the application on planning grounds and as long as the rights of the landowners were protected, she was satisfied to propose the officers' recommendations. This was seconded by Councillor Good.

Councillor Good reminded Members that they had a duty to look at this solely as a planning application but raised concerns about the bushes and shrubs detailed on the plan. He felt that it looked too tight for vehicles to turn and was minded to restrict any parking on the kerbs. He felt that a solid barrier, such as a metal fence in addition to the landscaping was required to protect the gardens.

Councillor Handley queried whether a refuse lorry would be able to negotiate the bend and hoped that bin storage would be provided. Officers advised that this was covered by Condition 12 of the report.

Councillor Haine requested that additional wording be added to Condition 13 to read "This does not affect the civil rights of the occupiers of neighbouring properties".

The proposer and seconder confirmed that they were content with the additional wording.

Councillor Langridge stated that this was a peculiar quirk of the planning system that allowed applicants to do this and noted that it had been clearly upsetting for the resident at number 76, however, he hoped that the additional wording to Condition 13 would add some comfort.

The Chairman drew Members attention to the six additional conditions detailed in the update report from Oxfordshire County Council relating to parking and highways approval.

The Officer recommendation was proposed by Councillor Crossland and seconded by Councillor Good.

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

Permitted

Councillor Eaglestone requested that his abstention be so recorded.

(Councillors Postan and Leverton absented themselves from the meeting for the consideration of this item)

45 19/00041/LBC Flat 4, Manor Court, Lawton Avenue, Carterton

The Planning Officer presented her report containing a recommendation of refusal.

This item was considered in conjunction with application 19/00040/HHD, which dealt with the householder permissions, although two separate decisions were taken.

Councillor Crossland indicated that she always tried to support the officers but had to disagree with their recommendation on this occasion. She felt that the two rooflights were some distance from the pavement with a tree located in front of the property, reducing the visual impact. She also thought the glass size appeared to be the same and proposed that the application be approved, contrary to the officer's recommendation.

This was seconded by Councillor Langridge. In seconding the proposal, he stated that he would like to see the process tested and if the local Ward Member was supportive, it was worthy of seconding.

Councillor Haine reminded Members that the rules applied to listed buildings were there to protect the heritage and highlighted that the tree located to the front could be felled in the future.

Councillor Handley agreed with the officer's point of view and said that there were not many listed buildings in Carterton so it was important to look after the ones in existence.

Councillor Enright agreed with Councillor Handley and shared his experience of renovating a house in the Conservation Area, stating that repairs could be carried out by reputable companies and the costs did not have to be extortionate.

Councillor Good stated that whilst he had initially expressed concerns similar to Councillor Crossland, he had also considered the environmental impact with regard to heat saving. He felt there were alternative solutions

available to the applicant and this proposal was in breach of the rules.

Councillor Leverton supported the officers and stated that owners had a responsibility to work within the framework and the rules were clear.

Councillor Postan advised that he would be supporting the officer's recommendation and a pastiche replacement should be sufficient if it conformed with the rules

The proposal to grant permission, contrary to the officer's recommendation was put to the vote and was lost.

Councillor Crossland requested that her vote in favour of the proposal be so recorded.

The Officer recommendation was proposed by Councillor Handley and seconded by Councillor Enright.

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

Refused

Councillor Crossland requested that her vote against the proposal be so recorded.

49 19/00040/HHD Flat 4, Manor Court, Lawton Avenue, Carterton

The Planning Officer presented her report containing a recommendation of refusal.

This item was considered in conjunction with application 19/00041/LBC, which dealt with the Listed Building permissions, although two separate decisions were taken. The discussion detailed above occurred across the two applications.

The Officer recommendation was proposed by Councillor Handley and seconded by Councillor Enright.

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

Refused

Councillor Crossland requested that her vote against the proposal be so recorded.

52 19/00493/S73 Kelmscott Manor, Kelmscott

The Chairman referred Members to the additional representations report which advised that the application had been deferred from this month's meeting.

63 19/00495/S73 Kelmscott Manor, Kelmscott

The Chairman referred Members to the additional representations report which advised that the application had been deferred from this month's meeting.

73. 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.

Prior to the conclusion of the meeting, the Chairman wished all those Members standing for re-election in May 2019 the best of luck and thanked them for their work over the past 12 months.

The meeting closed at 4.15 pm.

CHAIRMAN