

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 20 May 2019**

PRESENT

Councillors: Ted Fenton (Chairman), Owen Collins, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, Steve Good, Nick Leverton, Dan Levy, Jeff Haine, Harry St John and Kieran Mullins.

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

1. MINUTES

RESOLVED: that the Minutes of the meetings of the Sub-Committee held on 15 April and 15 May 2019, copies of which had been circulated, be confirmed as correct records and signed by the Chairman.

2. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence. Councillor Levy substituted for Councillor Rylett.

3. DECLARATIONS OF INTEREST

Councillor Leverton declared a prejudicial interest in 19/00416/FUL, Grawins, Rock Close, Carterton because the applicant was known to him. He left the room whilst the item was discussed.

4. 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;

3 18/03473/RES Land west of Minster Lovell south of Burford Road, Minster Lovell

The Planning Officer presented the report containing a recommendation of provisional approval.

Jonathan Stowell, Minster Lovell Parish Council, addressed the meeting in objection to the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

Councillor Leverton queried whether any justification had been given to the Parish Council by the developer as to why the bungalows currently located on the front of the site could not be swapped to the eastern boundary. Mr Stowell stated that the developer had advised that the

planning officer was insistent that the bungalows were to remain on the front because the footprint was larger and, if moved, would impinge into the 30 metre distance separation which was a condition of the outline permission.

Councillor Crossland asked what the Parish Council would hope to gain from a further months' deferment. Mr Stowell stated that they would like to reach a compromise with the developer to alter the two storey dwellings to either one and a half storeys or chalet bungalows.

Councillor Hill, local member for Minster Lovell, addressed the meeting in objection to the application. A summary of her submission is attached as Appendix B to the original copy of these minutes.

Mike Robinson of Strutt & Parker, addressed the meeting in support of the application. A summary of his submission is attached as Appendix C to the original copy of these minutes.

Councillor St John queried the lack of measurements on the cross section plan and how much the ridge height was being reduced on the properties located on the eastern boundary. He was advised by officers that the measurement differed across the site. However, there was not a plan available to provide a definitive answer at the meeting.

The Chairman asked for clarification on the height of the screen planting proposed and an estimate as to how long it would take for that height to be reached.

In response, the Planning Officer advised that additional planting was proposed on the eastern boundary edge to include 'semi-mature' trees which would be a minimum of four metres tall when planted. This would be combined with one metre high low-level planting increasing to three metres in places. With regard to the issue of swapping the property types from the front of the site to the eastern boundary, she confirmed that the footprint of the bungalows was too large for the eastern boundary and the developer would be in breach of their original conditions. Because outline permission had been secured, the Council could be opening itself up to substantial costs if Members decided to defer or refuse the application. Officers had taken legal advice on the situation and were therefore recommending approval.

Councillor Mullins queried the difference in size of the footprint of the bungalows and was advised it totalled around four metres. He also asked who would legally challenge the decision and asked what costs could be incurred by further delay. In response, officers advised that the applicant could choose to challenge the decision and a deferral could result in up to £1,000 per day costs being incurred by the developer because the build programme would be delayed.

Councillor Haine felt that the applicant had made some substantial differences since last month including the increased planting, height of fencing and reducing levels across the site. He felt that the applicant had gone a long way to address some of the concerns raised and reminded the meeting that the Parish Council had not stipulated that they wanted

bungalows when initially consulted. The only query he had related to the desire raised by Minster Lovell Parish Council for a bus stop to be incorporated into the scheme. However, he noted that bus companies did not like using lay-bys or pull-ins because they found it increasingly difficult to manoeuvre back out into the traffic flow, and their journey times were affected as a result.

The Officer recommendation was proposed by Councillor Haine and seconded by Councillor Crossland. In seconding the proposition Councillor Crossland did not feel there were any planning reasons to refuse the application and that the developer had been more than generous with their amendments.

Members were advised that permission would be subject to a number of conditions which were not detailed in the report but would include reference to amended plan numbers, materials and details relating to the restriction of permitted development rights.

Following a query from Councillor Enright, it was confirmed that a link would be provided to the green spaces on site and this had been agreed in the original outline consent.

Councillor Good requested assurance that the footpath towards the village would be surfaced appropriately for bicycles. Officers advised that the footpath would be located through the south east corner of the site, as conditioned at outline stage, and full details would be required to come forward prior to commencement.

Councillor Mullins appreciated the amount of leeway already given by the developer but was mindful of both points of view.

Councillor St John queried the foul drainage arrangements and highlighted that the PJS report advised the system could accept twenty further dwellings before it needed upgrading. Officers signposted the Committee to condition 19 on the outline application and reminded them that they were not considering that aspect today.

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

Permitted, subject to such additional conditions as the Head of Planning and Strategic Housing considers appropriate as outlined above.

15 19/00416/FUL Grawins, Rock Close, Carterton

The Planning Officer presented her report containing a recommendation of refusal and referred Members to the additional representations document which included a number of letters of support.

Becky Tilton addressed the meeting in support of the application. A summary of her submission is attached as Appendix D to the original copy of these minutes.

The Planning Officer advised that the introduction of the first floor windows was likely to affect the amenity of the properties located to the front and rear of the site and would adversely affect privacy.

Councillor Crossland advised that she knew the area well and agreed that there was sufficient space for a dwelling. However, she was concerned regarding the potential for overlooking and was mindful that the occupiers of neighbouring dwellings could change in the future. Due to the discrepancies between the officer's report and the opinion of the applicant, she felt it was sensible to undertake a site visit to assess the situation.

Deferral of the application to allow a site visit to be undertaken was proposed by Councillor Crossland and seconded by Councillor Good.

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

Deferred to enable a site visit to be held

It was agreed that suitable times for the site visit would be agreed outside of the meeting.

(Councillor Leverton left the room whilst the item was discussed.)

22 19/00493/S73

Kelmscott Manor, Kelmscott

The Planning Officer presented her report containing a recommendation of refusal and referred the Committee to the information contained in the additional representations document.

This decision was considered in conjunction with application 19/00495/S73 which dealt with the Listed Building aspects of the proposal.

Laura Roberts and Julia Stobie addressed the meeting in objection to the application. A summary of their submission is attached as Appendix E to the original copy of these minutes.

Nicky Brock of Carter Jonas, addressed the meeting in support of the application. A summary of her submission is attached as Appendix F to the original copy of these minutes.

The Planning Officer advised that the change of wording had not been demonstrated to officer's satisfaction.

The Chairman reminded Committee members that he had proposed the condition originally to try to ensure that visitors did park in the car park.

Councillor Leverton received advice that it was appropriate and legal to include necessary conditions and did not feel that the proposed wording was fit for purpose.

Councillor Enright stated that it had been a good idea to incentivise the use of the car park in this manner. The foot traffic was light and it was unfortunate that there were no footpaths especially for wheelchair and pushchair users. However, the relocation of the entrance could be useful. He queried the next step if agreement could not be sought and was advised that the Planning Officer and the Head of Planning had met with the applicant but had failed to agree on any suggestions put forward. She advised that the applicant had submitted two applications for the same reasons and would be looking to appeal against any decision.

Councillor Good queried whether the Council had taken any legal advice

on the matter and was advised that this had been received and had confirmed that condition 6 was lawful.

Following a question from Councillor St John, officers also confirmed that the field was closed when the manor was locked.

The Officer recommendation was proposed by Councillor Leverton and seconded by Councillor Haine. In seconding the proposition Councillor Haine stated that he was happy with the officer's proposal and felt the condition should remain on the permission.

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

Refused

Councillor Mullins requested that his abstention be duly noted.

22 19/00495/S73

Kelmscott Manor, Kelmscott

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

This decision was considered in conjunction with application 19/00493/S73 which dealt with the planning merits of the application.

Laura Roberts and Julia Stobie addressed the meeting in objection to the application. A summary of their submission is attached as Appendix E to the original copy of these minutes.

Nicky Brock of Carter Jonas, addressed the meeting in support of the application. A summary of her submission is attached as Appendix F to the original copy of these minutes.

The discussions relating to this application are as detailed in the minute above.

The Officer recommendation was proposed by Councillor Leverton and seconded by Councillor Haine. In seconding the proposition Councillor Haine stated that he was happy with the officer's proposal and felt the condition should remain on the permission.

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

Refused.

Councillor Mullins requested that his abstention be duly noted.

5. 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.

The meeting closed at 3.30 pm.

CHAIRMAN