

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 14 October 2019**

PRESENT

Councillors: Ted Fenton (Chairman), Carl Rylett (Vice Chairman), Owen Collins, Harry Eaglestone, Duncan Enright, Hilary Fenton, Jeff Haine, Nick Leverton, Kieran Mullins, Alex Postan, Harry St John and Ben Woodruff.

Officers in attendance: Abby Fettes, Miranda Clark, Stephanie Eldridge, Joan Desmond and Amy Barnes.

28. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 12 August 2019, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

29. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

No apologies for absence were received and the following temporary appointments were noted:

Councillor Woodruff for Councillor Crossland and Councillor Postan for Councillor Good.

30. DECLARATIONS OF INTEREST

Agenda Item 4 – Applications for Development

Councillor St John declared a personal interest in 19/01573/FUL, Duck End Cottage, Duck End Lane, Sutton because the agent was known to him in a professional capacity.

31. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Business Manager – Development Management 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 Business Manager – Development Management, subject to any amendments as detailed below;

3 18/02838/FUL Former Art Royal Caravan Site, New Close Lane, Ducklington

The Planning Officer introduced the application. The report contained a recommendation of approval.

Mr Nick Hardy from Avison Young, 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.

The Planning Officer explained that Local Plan Policy E6 promoted retail establishments and it was for officers to decide on the suitability of the application in that location. It had been agreed that should this application be in addition to the existing store, it would result in additional harm. However, if the original store no longer existed, the application could be supported. To that effect, a legal agreement had been reached which extinguished the retail use of the existing store and replaced it with the proposed store.

In addition, officers had requested additional planting to the car park and amended condition 3 to remove the reference to a wildflower meadow. The report also requested that officers be given delegated authority to amend the conditions to reflect practicable timescales.

Councillor Woodruff was pleased to see the application come forward and welcomed the flexibility of the applicant during negotiations. He stated that local residents were very positive about the new site and it would not only provide better access for surrounding villages but would deliver local employment too. He was satisfied that the access issues had been addressed and there were good footpath links provided. He proposed the application as laid out.

In seconding the proposal, Councillor Postan advised that he was speaking on behalf of Councillor Good who was in support of the application. The company provided good quality 'multistores' and the new site would reduce the traffic flow into Witney. He highlighted that there was no objection from Natural England and he supported the commercial viability of the application.

Councillor Enright spoke as a resident of Newland and sympathised with the concerns raised by smaller villages. He also asked for clarification on the pedestrian crossing request from the Town Council and officers highlighted the footway and cycleway links.

Councillor Rylett queried the number of Electric Vehicle Charging points being provided but was advised that the County Council were content with the two points proposed.

In response to a query from Councillor St John, officers advised that there would not be an opening for pedestrians into the car park from the island crossing point and they noted his request for pollinator plants in the landscaping details.

Councillor Postan highlighted the need for the Electric Vehicle Charging Points to be well signposted and officers advised that a separate application would need to be submitted to deal with signage for the store.

In response to a question from Councillor Collins, officers advised that the cessation of the existing store would also apply to the site usage and would not be classed as retail in the future.

Having been proposed by Councillor Woodruff and seconded by Councillor Postan the Officer recommendation of approval was put to the vote and was carried, subject to:

A condition requesting further planting in the car park;

An amendment to condition 3 to remove the reference to a wildflower meadow;

Officers being given delegated authority to amend conditions as necessary to ensure effective timescales were met.

Permitted

19 19/01573/FUL

Duck End Cottage, Duck End Lane, Sutton

The Planning Officer introduced the application. The report contained a recommendation of refusal. The application had been considered and deferred at a previous meeting to allow a site visit to take place on Friday 11 October 2019.

Mrs Sue Kench, applicant, addressed the meeting in support of the application. A summary of her submission is attached as Appendix B to the original copy of these minutes.

The Planning Officer explained that the application was considered unacceptable in principle as Local Plan Policy H2 did not allow for new dwellings to be built in the area. The second key issue was that the proposed car parking would have an urbanising impact on the application site.

Councillor Hilary Fenton advised that this site was located in her ward and she had welcomed the recent site visit. She felt that this was a very difficult application to balance and was mindful that it was against policy. However, she was prepared to listen to other views before committing to a decision.

Councillor St John stated that, in his opinion, this was innovative design, would provide a small dwelling for a key worker in the local community and there was no objection from the Conservation Officer. In addition, he felt that, if sold, any prospective buyer could enlarge the existing property negatively. He proposed that the application be granted, contrary to the officer's recommendation.

In seconding the proposal, Councillor Postan reminded Members that this was an expensive area to purchase property in and it was, on occasion, acceptable to bend policy as long as it did not create harm, which he did not feel this proposal did. He felt in this instance that assisting a key worker to remain in the community took precedence.

The Chairman reminded Members that any permission granted related to the site and not to the individual applying for it.

Councillor Rylett supported the proposal and having visited the site could understand the context of parking. He had looked at the policy restrictions but could not identify harm in this instance. He felt this was an optimal use of a heritage asset and supported self-build projects.

Councillor Enright stated that the site visit had been useful and he felt this was a case for exception as there was no fixed form of development in

Sutton and parking was eccentric across the village. He felt this was a very unusual site and he commended the design of the new extension.

In response to a question from Councillor Leverton, officers confirmed that policy was set for a reason and granting this application would set a precedent. She reminded Members that it was important they were clear on their reasons for going against officers' recommendation as it was not felt that the extension was that special to warrant exception.

Councillor Postan stated that the site was sustainable and that communities and small villages needed people. Conversely, Councillor Haine did not feel that the design was particularly innovative and had the potential to affect the setting of the Listed Building.

Councillor Collins queried the report which stated that policy supported the principle of reusing existing buildings for business purposes. This appeared to contradict the statement that car parking on site was insufficient.

Having been proposed by Councillor St John and seconded by Councillor Postan a recommendation of approval, contrary to officers' recommendations, was agreed. This was subject to appropriate conditions to be agreed by the Business Manager – Development Manager, in consultation with the Chairman of the Sub-Committee.

Permitted

26 19/01804/FUL

Blenheim Court, Sycamore Drive, Carterton

The Planning Officer introduced the application. The report contained a recommendation of approval. She outlined the concerns raised by the Town Council relating to car parking but highlighted that the County Council were content.

Councillor Leverton advised that the application site was in his town and was replacing an existing facility. He proposed the application as per the officers' recommendation.

In seconding the proposal, Councillor Woodruff felt this was one of the easier applications to determine and was pleased to see a derelict site being put to good use.

Councillor Postan queried the possibility of requesting rapid Electric Vehicle Charging Points along with asking the Highway's Authority to introduce parking restrictions to ensure emergency vehicles could access the site swiftly. Officers advised that these requests would be difficult to substantiate as there was no objection on highways grounds and Councillor Postan was assured that a test of the access would have been carried out as part of the assessment.

Councillor St John requested that a note be added requesting that the use of pollinating plants and shrubs be encouraged where appropriate.

Having been proposed by Councillor Leverton and seconded by Councillor Woodruff the Officer recommendation of approval was put to the vote and was carried subject to a note to the applicant requesting the planting of

pollinators where practicable.

Permitted

35 19/02120/FUL Abbott Diabetes Care, Range Road, Windrush Industrial Park, Witney

The Planning Officer introduced the application. The report contained a recommendation of approval and it was noted that this was a part retrospective application.

Officers advised that the application complied with Local Plan Policies OS2 and EH8 and no representations had been received. The nearest residential settlement was Deer Park and this was located 250m away and Environmental Health had not raised any concerns.

The Chairman queried whether the lights would be operational around the clock and officers confirmed this to be the case, although this was not detailed in the application.

Councillor St John advised that he was in favour of the application although he queried the impact the lights would have on the dark skies. In response to his query relating to the height of the lighting columns, he was advised that they were designed specifically to reduce impact and light overspill.

Councillor Woodruff praised the employer for providing this facility for staff and stated that the field was obscured from the road.

Councillor Enright welcomed more sports facilities and asked if it would be made available for general use. However, officers advised that if the facility was open to the public any highways impact would have to be taken into account.

In response to a query from Councillor Postan, officers confirmed that the specification of the lights had been checked and Environmental Health officers were satisfied. In addition, the application would have to be built in accordance with the drawings and this could be enforced.

Having been proposed by Councillor Enright and seconded by Councillor Postan the Officer recommendation of approval was put to the vote and was carried.

Permitted

39 19/02013/FUL 27 Market Square, Witney

The Planning Officer introduced the application and signposted Members to the information contained in the additional representations report. The report contained a recommendation of approval. It was noted that the building was not listed but was located in the Conservation Area. Officers had requested an additional condition which prevented the service yard from being used for parking purposes.

Councillor Eaglestone queried if the shops on the frontage of the site would be retained. Officers advised that they would.

Councillor Enright supported the principle of developing flats above retail units as it provided sustainable living without the need for a car, with the additional advantage of the security of a town centre. However, he did

understand the concerns raised regarding parking at Langdale Hall. In addition he was concerned that the units were tight on space and queried if the Decent Homes Standards applied in this case.

Officers advised that WODC did not have any adopted minimal standards for living space.

Councillor Postan was disappointed that there was no lift detailed on the plans and felt this was not inclusive and proposed refusal on those grounds. This was seconded by Councillor Woodruff who agreed that it was poor not to include disability access.

Officers explained that legislation did not exist which required private developers to install lifts. Councillor Postan therefore withdrew his proposal but stated his disappointment.

In response to a comment made by Councillor Leverton, officers confirmed that the Decent Homes Standard did apply to social housing because this was set down in government policy.

Councillor Collins expressed his difficulty with this application and felt that just because a building could accommodate ten flats, did not mean it should. He recognised that there was no legal minimum requirement on the size of units, nor was there a legal requirement to install a lift but he felt there was a moral argument that applied. He therefore suggested that the developer go away and rethink their application.

He recognised that there was no legal minimum requirement on the size of units, nor was there a legal requirement to install a lift but he felt there was a moral argument that applied. He therefore suggested that the developer go away and rethink their application.

Officers highlighted that the size of the units in this application was not unduly small and a recent development at Corn Street had been comprised of significantly smaller units.

Councillor Mullins was encouraged by the application and the opportunity to introduce ten new dwellings into the area. He felt that affordability was preferable to encouraging more urban sprawl.

Councillor Rylett agreed and felt that this type of dwelling should be encouraged. He also received confirmation about the cycle numbers which was detailed in the additional representations report.

Having been proposed by Councillor Haine and seconded by Councillor Rylett the Officer recommendation of approval was put to the vote and was carried subject to an additional condition ensuring that parking was not permitted in the service yard.

Councillor Collins requested that his abstention be noted for the minutes.

Permitted

32. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined by the Business Manager – Development Management under delegated powers and appeal decisions was received and noted.

Councillor Eaglestone requested clarification on what a Certificate of Lawfulness was. Officers advised that this was a document confirming that an applicant did not need planning permission or could be used to regularise uses.

The meeting closed at 3.25 pm.

CHAIRMAN