

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Lowlands Area Planning Sub-Committee
Held in the Council Chamber at 2.00 pm on **Monday, 15 August 2022**

PRESENT

Councillors: Councillor Richard Langridge (Chair), , Councillor Joy Aitman, Councillor Colin Dingwall, Councillor Ted Fenton, Councillor Nick Leverton, Councillor Charlie Maynard, Councillor Lysette Nicholls, Councillor Elizabeth Poskitt and Councillor Andrew Prosser

Officers: Emile Baldauf-Clark, David Ditchett (Senior Planner) and Esther Hill (Planner) Andrew Brown (Democratic Services Business Manager), Anne Learmonth and Michelle Ouzman (Strategic Support Officers).

79 Minutes of Previous Meeting

The minutes of the meeting held on Monday 18 July were approved and signed by the Chairman as a correct record, subject to amendments agreed by the committee from

- I. Proposers and seconders for the election of Chair and Vice-Chair to be minuted;
Election of Chair Councillor Langridge, Proposed by Councillor Fenton, Seconded by Councillor Poskitt.
Election of Vice-Chair Councillor Brooker, Proposed by Councillor Langridge, Seconded by Councillor Fenton.

80 Apologies for Absence

Apologies for absence were received from Councillors: Brooker, Eaglestone, Goodwin and Alaric Smith. Councillor Collins substituted for Councillor Brooker and Councillor Levy substituted for Councillor Goodwin.

81 Declarations of Interest

Declarations of Interest were received as follows:

- I. Councillor Fenton knew the applicants for the following applications on Item 5
Delegated decisions;
Page 102, 29. 22/01293/HHD, Shillbrook Barn, Landells, Bampton; 30. 22/01294/LBC, Shillbrook Barn, Landells, Bampton ;
Page 108, 64. 22/01502/CLP, 26 Acre End Street, Eynsham; 65, 22/01512/HHD, Dunlaoghaire, Primrose Lane, Weald; 66, 22/01521/HHD, Acre End Street, Eynsham; Page 109, 72, 22/01580/HHD, Ty Nant Kenns Farm, Alvescot Road.

82 Applications for Development

The Chair announced that the first application 21/02473/FUL Land South of Ramsden had been withdrawn.

22/00744/OUT Land South of Main Road, Curbridge.

The Senior Planning Officer, David Ditchett introduced the outline application for the provision of up to 25 dwellings (including affordable housing and self-build housing) and associated works with all matters reserved except site access. The Senior Planning Officer then gave a policy update as follows;

Land East Of Barns Lane, Barns Lane, Burford - 21/02343/OUT- up to 141 assisted extra care residential units (Class C2) and up to 32 affordable housing units (Class C3) along with associated communal facilities, parking, vehicular and pedestrian access, internal roads, public open space, landscaping, drainage and other associated infrastructure.

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Appeal ref: 3293656 (dismissed); Decision date: 10 August 2022

Para 34 states 'I therefore find that the housing land supply position.....is closest to the appellant's submitted position of 3.68 years. The Council cannot, therefore, currently demonstrate a 5-year supply of housing land'.

While the Council disputes the amount of the shortfall, this appeal decision is a significant material consideration and the Council accepts that the LPA cannot demonstrate a 5-year supply of housing land. As such, the 'tilted balance' as set out in para 11(d) of the NPPF now applies. This requires that the development is approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, subject to consideration of restrictive footnote 7 policies.

NPPF paragraph 11 shown to Members.

The presumption in favour of sustainable development.

11. Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) All plans should promote a sustainable pattern of development that seeks to; meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects:
- b) Strategic policies should as a minimum, provide for objectively assessed needs for housing and other uses as well as any needs that cannot be met within neighbouring areas unless;
 - i. The application of policies in this Framework that protect areas of assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Senior Planning Officer explained that for the purposes of the application a departmental view had been taken prior attending the committee with regards to the lack of 5 year housing land supply and the tilted balance that now applied. The Senior Planning Officer explained the benefits and adverse impacts of the proposed development. The adverse impacts would significantly and demonstrably outweighed the benefits, the proposal was not considered to be sustainable development therefore the planning officers recommended refusal.

The Chair introduced the first speaker, Councillor Woodruff who spoke in support of the application. A copy of the submission is attached to the original copy of these minutes.

Mr Jake Collinge spoke in support of the application, a copy of the submission is attached to the original copy of these minutes.

The Senior Planning Officer continued with his presentation and advised the applicants had pre-application advice, there was full assessment and the recommendation was refusal in light of tilted balance that now applies. The tilted balance overrode policy H2. There was no planning history of the site as it's default planning use was agricultural and was not a sustainable development.

The Chair invited questions from Councillors, Councillor Dingwall felt that objections from Officers could be overcome and proposed application for approval. There was no seconder for this proposal.

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Councillor Fenton commented on the appeal reasons against last decision for the application on the adjacent site,, and cited page 51 paragraph 5.12 and 41 of Officer report stating the “proposal would cause significant harm to the character and appearance of the area”. Councillor Fenton further cited page 59 in regards to reduction in biodiversity, and proposed the recommendation for refusal. Councillor Fenton felt that S106 will not improve the village due to its size. Councillor Maynard seconded the proposal.

There was a discussion where Councillors highlighted the objections from the Parish Council, residents and other agencies with particular concerns of village sustainability and loss of green space.

Councillor Dingwall highlighted the informative at the end of point 6 of the report under reasons for refusal and felt that as permission for development had been given to other developments in the village, this had already started to affect the loss of green land. Councillor Fenton felt that the informative invited more applications and asked if as part of his proposal the informative could be removed.

The Chair asked the Senior Planning Officer if the Informative could be removed. The Senior Planning Officer confirmed that the informative could be removed.

The Chair confirmed the recommendation of refusal proposed by Councillor Fenton and seconded by Councillor Maynard. The application was put to the vote in line with the Officer’s recommendations with the removal of the informative and was carried. Councillor Dingwall asked for his vote to in support of the application to be noted. The Chair also voted.

Resolved as per the Officer’s recommendation within the report with the informative removed.

22/00793/S73 Land to the Rear of 65 High Street, Standlake.

The Senior Planning Officer, David Ditchett introduced the application for variation of condition 2 of planning permission 17/00629/FUL to allow revisions to the design, layout and appearance of plots 9 and 10. The Planning Officer showed slides so Committee Members could see the previously approved plans as chalet style houses and the revised plans as two storey houses for both plots.

The Chair invited questions from the Councillors. Councillor Maynard highlighted the amount of forthcoming planning applications in the village and ‘in-fill’ behind the High Street so stated he would not be supporting the recommendations for approval. Councillor Levy agreed that applications would change the character of the village, but felt that in this case the changes would not have too much of an affect as some plots have already been approved on the site. Councillor Levy proposed approval as per Officer’s recommendations. Councillor Prosser seconded the proposal.

Councillor Poskitt asked how the house numbers 2 and 10 related in height and could not find any reference to house number 9 until she looked at the application. The Senior Planning Officer confirmed the original application was a hybrid application in 2017 part in outline and part in full. Plots 9 and 10 were approved previously in 2017 in final form so that would be why Councillor Poskitt could not find reference to plot 9. The Senior Planning Officer confirmed that the proposed plot 10 will be slightly higher than plot 2. Plot 9 will be slightly higher than plot 8 and explained there were varying ridge lines all the way through the development as plots approved at different stages.

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Councillor Fenton asked why Plot 5 was not included in this application as it has been included in Delegated Decisions, point 22 as approved. The Senior Planning Officer confirmed that the Parish Council had not objected to the application therefore it was approved.

The application was put to the vote for approval and was carried. Councillor Maynard asked for his vote against report recommendations to be noted.

Resolved approved as per the Officer's recommendations.

22/01069/FUL 29 Mercury Close, Bampton.

The Planning Officer, Ester Hill introduced the erection of an attached dwelling with off street parking and associated ancillary works. Alterations to the existing dwelling including two storey and single storey extensions.

The Chair invited questions from the Committee. Councillor Fenton had concerns regarding the floor space not meeting minimum space standards, and proposed a site visit due to Mercury Close being over a small area. Councillor Poskitt seconded the proposal.

Councillor Leverton asked for a point of clarification on why the application was being considered if the size did not meet national standards. The Planning Officer explained that whilst national standards were nationally recognised the national standards had not been adopted by the Local Plan to date.

The proposal of site visit was put to the vote and was carried.

Resolved for site visit, agreed for Thursday 8 September at 10am.

22/01644/HHD 2 Windmill Heights, North Leigh.

Planning Officer Emile Baldauf-Clark introduced the application for a rear single storey extension, with removal of the existing conservatory. The application was before the Committee for administrative reasons due to the applicant knowing a member of staff at WODC.

Councillor Dingwall proposed approval as per Officers recommendations. Councillor Leverton seconded.

The application was put to the vote for approval and was carried.

Resolved approved as per the Officer's recommendations.

83 Applications Determined under Delegated Powers and Appeal Decisions

The report giving details of applications determined under delegated powers was received and noted.

84 Appeals List

The report giving details of appeals was received and noted. The Senior Planning Officer outlined the Appeals Decision Report it was noted that the first appeal case was allowed and the second was dismissed.

The Meeting closed at 3.13 pm

CHAIR