

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Lowlands Area Planning Sub-Committee
Held in the Committee Room 1 at 2.00 pm on **Tuesday, 30 May 2023**

PRESENT

Councillors: Michael Brooker (Chair) , Nick Leverton, Charlie Maynard, Lysette Nicholls, Harry St John, Julian Cooper, Andrew Lyon, Adrian Walsh, Alistair Wray and Phil Godfrey

Officers: Joan Desmond (Principal Planner) and Sarah Hegerty (Planner (Development)), Andrew Brown (Business Manager Democratic Services), Caleb Harris (Democratic Services Manager CDC), Michelle Ouzman (Democratic Services Officer), Maria Harper (Democratic Services Administrator) and Trushar Patel (Senior Support Analyst).

Other Councillors in attendance: Rosie Pearson, Dan Levy, Michele Mead and Ruth Smith

1 Election of Chair

The meeting was opened by the Development Control Chair, Councillor Julian Cooper, who asked for a nomination for the Chair of the Lowlands Area Planning Sub-Committee.

Councillor Dan Levy proposed that Councillor Michael Brooker be nominated for the Chair of the Committee for the Civic Year 2023/24, this was seconded by Councillor Andrew Lyon, there were no other nominations.

Committee **Resolved** to:

- I. Appoint Councillor Michael Brooker as Chair of the Lowlands Area Planning Sub-Committee for Civic Year 2023/24.

2 Election of Vice-Chair

The Chair Councillor Michael Brooker asked for a nomination for the Vice-Chair of the Lowlands Area Planning Sub-Committee.

Councillor Michael Brooker proposed that Councillor Andy Goodwin be nominated Vice-Chair of the Committee for the Civic Year 2023/24, this was seconded by Councillor Julian Cooper, there were no other nominations.

Committee **Resolved** to:

- I. Appoint Councillor Andy Goodwin as Vice-Chair of the Lowlands Area Planning Sub-Committee for Civic Year 2023/24.

3 Minutes of Previous Meeting

The minutes of the meeting held on Monday, 24 April 2023 were approved and signed by the Chair as a correct record, with the following one amendment:

Declarations of Interest – Councillor Ted Fenton was stated as being the Headmaster locally, this should read Teacher locally.

4 Apologies for Absence

Apologies for absence were received from Councillors Andy Goodwin, Andrew Prosser and Colin Dingwall.

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Councillor Dan Levy substituted for Councillor Andy Goodwin, Councillor Rosie Pearson substituted for Councillor Andrew Prosser, and Councillor Michele Mead substituted for Councillor Colin Dingwall.

5 Declarations of Interest

Declarations of Interest were received from as follows:

Councillor Lysette Nicholls declared that she lived in the village of application 20/02654/OUT and therefore knew the applicant family and many residents.

Councillor Michele Mead declared application 22/03058/FUL the applicant is her husband's landlord, and her husband's work unit is next door to the application site. Councillor Mead stated she does not know her husband's landlord and he not her, she just wanted it to be known.

Councillor Dan Levy declared:

The applicant family for 20/02654/OUT Land South East Of Oxford Hill Witney Oxfordshire are residents of South Leigh, and therefore he knew them;

He frequented pubs in Eynsham, and therefore knew people who might be financially affected by the decision on the Newlands;

As the County Councillor for Stanton Harcourt, he had comments relating to HGV movements on the B4449.

Councillor Levy announced that he was not pre-determined on any of the applications and therefore would participate and vote on them all.

Councillor Charlie Maynard declared he lived down the Lane from the Oxford Hill 20/02654/OUT application, and knew many people of the area.

Councillor Andrew Lyon declared he ran a bus service through the estate, and therefore thought he could not be objective re the application 20/02654/OUT, he would remain in the room but would not participate or vote on the application.

Councillor St. John declared many years ago, he was involved with Madley Park, which was when he knew the applicant for 20/02654/OUT, he is also was a Trustee for the Wychwood Forest Trust which lies to the North of Oxford Hill.

6 Applications for Development

The Chair announced that as there were many members of the public attending with a particular interest in application 22/03240/OUT - Land South Of Burford Road, Minister Lovell, that application would be heard first, followed by the rest in agenda order.

22/03240/OUT - Land South Of Burford Road, Minister Lovell.

The Principal Planner David Ditchett introduced the application for the outline planning permission for the development of up to 134 dwellings (Use Class C3), including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout), reserved (amended description) and (amended plans).

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The Principal Planner drew Members attention to the Late Representations Report pages 5 – 7, which included additional Third Party and Consultee comments received, plus the following on the Committee Report:

- Location Map – page 65, site plan was reduced correct site plan
- Page 101, 5.23 should read Minister Lovell is suitable for limited development;
- Accessibility;
- Planning Balance;
- Covenant

Two additional written objections were received and an archaeological assessment from Oxfordshire County Council which concludes that there were no sufficient archaeological deposits found at the site.

The Principal Planner also had verbal updates not previously circulated to Members. These were:

- Three further third party objections received
- Update regarding financial contributions requested by OCC

Councillor Jonathan Stowell the Vice-Chair of Minster Lovell Parish Council spoke against the application.

Councillors asked the speaker Councillor Jonathan Stowell how many houses were in the village before development began, and how many school children were turned away this year from the local school. Councillor Jonathan Stowell was able to confirm that between 560 – 600 houses were in the village and 22 children recently did not secure places in the local school as it was oversubscribed, and the School cannot be extended.

Andrew Feilden from the Society for the Protection of Minster Lovell spoke against the application.

Ed Barrett from Catesby Estates spoke on behalf of the applicants.

Councillors sought clarity from Mr Barrett on the following:

- The cost of affordable housing;
- The effect of house prices in the village;
- Consultation with the community;
- Number of self-build plots;
- Total number of houses planned.

The Principal Planner explained that as the LPA cannot demonstrate a 5 year housing land supply, the tilted balance as set out in paragraph 11 of the NPPF applies. Paragraph 11 advises that for decision-making this means approving development proposals that accord with an up-to-date development plan without delay, or where policies that are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;

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- 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 Principal Planner explained that impact to the AONB would provide a clear reason for refusal. However, as set out in the Committee Report, officers do not consider that there is any harm to the setting of the AONB. Particularly as the current scheme shares a similar relationship with the AONB as the allocated site adjacent. With regard to paragraph 11 of the NPPF, no other policies in the NPPF provide a clear reason for refusing the development.

The Principal Planner then set out the benefits and the adverse impacts of the scheme, concluding that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits and as such, planning permission should be granted subject to the conditions set out in the officer report and the applicant entering into a legal agreement.

The Committee discussed the following points of concern:

- Affordable housing, and if such housing is really affordable;
- Lower house prices;
- Tilted balance;
- Local bus service;
- Understanding of limited development;
- Growth of the village;
- Water and sewage infrastructure;
- Pumping station.

Councillor Cooper respectfully requested that the meeting attendees should not verbally attack the Councils Officers.

Councillor Nichols proposed that the application be deferred for a site visit, this was seconded by Councillor Mead, put to the vote and carried. Councillor Dan Levy abstained.

Committee **Resolved** to:

1. Defer the application, until after a site visit has taken place.

The date and time of the site visit would be sent out to the Committee following the meeting.

The Chair reminded the public if they wished to speak at a planning meeting they must register before the meeting.

20/02654/OUT - Land South East Of Oxford Hill, Witney.

The Principal Planner Joan Desmond, introduced the application for outline planning permission (with all matters reserved except access) for the erection of up to 450 dwellings, together with associated open space and green infrastructure (Amended). The Principal Planner drew the Committee's attention to the Late Representation Report which included recommendation from Oxfordshire County Council Transport.

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Councillor Ruth Smith spoke on behalf of the Ward.

Steven Sensecall spoke on behalf of the applicants.

The Principal Planner continued with the presentation concluding that the Officer recommendation is to refuse the application.

The Committee discussed the following points of concern:

- Site allocation within the local plan;
- Access to Windrush Cemetery;
- Number of houses;
- Communications between developer and Officers;
- Height of buildings;
- Outstanding biodiversity objection;
- Thames Water;
- Cycle paths;
- 95m contour;
- Section 106 and section 278 Highway's agreement;
- Way forward.

Councillors were in agreement that in principal the development was needed and the community would benefit from it once it was completed. Nevertheless, Members concurred with Officers that the scheme proposed failed to accord with relevant policies and NPPF guidance. Members were also keen for any future scheme to include the provision of a community hub.

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Councillor Levy proposed that the application be refused, this was seconded by Councillor Mead, put to the vote and carried unanimously.

Committee **Resolved** to:

1. Refuse the application as per Officers recommendations as set out in the report.

22/03058/FUL - Land At (E) 441112 (N) 205508 Stanton Harcourt Industrial Estate.

The Principal Planner David Ditchett, introduced the application for the erection of two industrial units, together with associated landscaping works and car parking.

Mike Gilbert spoke on behalf of the applicants.

The Principal Planner continued with the presentation and concluded that the planning Officers recommendation was to approve the application.

The Committee discussed the following points of concern:

- HGV access;
- Hours of operation;
- Noise levels;

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- Light pollution;
- On loading, offloading, power washing and clanking chains;
- Deliveries

Councillor Maynard proposed that the application be approved, with conditions applied as per the officers' recommendation in the original report. This was seconded by Councillor St. John, put to the vote and carried.

Councillor Nichols voted against the application and Councillor Mead abstained.

Committee **Resolved** to:

1. Approve the application as per Officers recommendations the original report.

23/00730/FUL - The Newlands Inn 45 - 47 Newland Street, Eynsham

The Development Management Planner, Sarah Hegerty, introduced the application for the change of use of the public house The Newlands Inn to a residential dwelling.

Harry Ramsey spoke on behalf of the applicants.

The Committee discussed the following points of concern:

- Property Market Valuation;
- Property Market, supply and demand;
- Recent Motion from Councillor St. John;
- Property originally two houses;
- One entrance, one set of stairs;
- Listed property;
- Community use of pub;
- Scale and size of pub;
- Number of pubs in the local area;
- Running as a pub.

Councillor St John proposed that the property be changed to affordable housing, this was seconded by Councillor Pearson, was put to the vote and failed 2 for, 9 against.

Councillor Nichols proposed to approve application in line with the Officers' recommendation, this was seconded by Councillor Mead, was put to the vote and failed, 2 for 8 against and one abstention.

Councillor Levy proposed refusal of the application in line with Local Plan Policy E5, against Officers recommendation, this was seconded by Councillor Maynard, put to the vote and was carried, 9 for, 2 against.

Committee **Resolved** to:

1. Refuse the application in line with Local Plan Policy E5.

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After the vote, 16:43 Councillor Harry St. John left.

7 Applications Determined under Delegated Powers and Appeal Decisions

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

There were no Appeal Decisions.

The Meeting closed at 4.46 pm

CHAIR