

## 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, 11 September 2023**

### PRESENT

Councillors: Michael Brooker (Chair), Andy Goodwin (Vice-Chair), Julian Cooper, Rachel Crouch, Nick Leverton, Dan Levy, Andrew Lyon, Charlie Maynard, Lysette Nicholls, Andrew Prosser, Harry St John, Adrian Walsh, Alistair Wray and Liam Walker

Officers: David Ditchett (Principal Planning Officer), Eloise Street (Planning Officer), Abby Fettes (Development Manager), Andrew Brown (Business Manager), Anne Learmonth (Strategy Officer, Democratic Services) and Maria Harper (Democratic Services Assistant).

Other Councillors in attendance: Nil

#### **25 Minutes of Previous Meeting**

The minutes of the meeting held on 14 August 2023 were approved and signed by the Chair as a correct record.

#### **26 Apologies for Absence**

Apologies for absence were received from:

Councillors Godfrey and Dingwall.

Councillor Dan Levy substituted Councillor Godfrey

Councillor Liam Walker substituted for Councillor Dingwall

#### **27 Declarations of Interest**

Declarations of Interest were received as follows:

- Councillor Harry St. John ward member for North Leigh Parish Council.
- Councillor Nick Leverton ward member for Carterton Town Council and Oxfordshire County Council (OCC).
- Councillor Liam Walker councillor for OCC
- Councillor Adrian Walsh ward member for Ducklington
- Delegated Decisions, Councillor Lysette Nicholls knew the applicants through the Parish Council on the following items:
  - pg 75 item 10, 23/01278/FUL Church Farm, Church End, South Leigh.
  - pg 81, item 44, 23/01755/HHD Old Crossing, Station Road, South Leigh.

#### **28 Applications for Development**

23/00794/OUT Land South of I New Yatt Road, North Leigh, Oxfordshire.

David Ditchett, Principal Planner, presented the application for an outlined planning application (with all matters reserved except for means of access) for the erection of up to 43 residential dwellings, including affordable housing, public open space, landscape planting, sustainable drainage system and new access arrangements for New Yatt Road (amended plans).

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Councillor Sarah Veasey, North Leigh Parish Council, spoke in objection to the application.

Jonathan Jeffs, North Leigh resident, spoke in objection to the application.

The Committee asked for clarification on the height of a fence requested. The speaker explained that currently there was a 2-strand fence, and they would want a more suitable fence for privacy.

Martin Andrews spoke on behalf of the applicant.

The Committee asked for clarification on the following points:

- Redirection of water mains and no planting of trees over water mains
- Flooding and capacity at the Long Hanborough pumping station.

Martin Andrews confirmed that trees and planting would not happen over the water mains.

The Principal Planner continued with the presentation which clarified the following points:

- The tilted balance applied when considering the application;
- The mix of affordable housing with a need for 1 and 2 bedroom housing in North Leigh;
- Economic benefits to the area;
- 20 min walk to local amenities, school, pub and shop;
- Biodiversity gains and net zero ready;
- Reduced timeframe to bring houses forward;
- Landscape buffer areas from 16 – 3 metres around the site.
- S106 funding, £75,000 contribution towards a cycle route from Witney to Long Hanborough via North Leigh.
- Footpath to enable safer access and road safety.

The Principal Planner recommended approval of the application in line with the conditions set out in the report.

The Chair invited the Committee to discuss the application, which raised the following clarification points.

- Mixed housing, numbers would not be reduced but would be refined to meet residents' needs.
- The coalescence of the site, there was no National Planning Policy Framework policy reference to coalescence.
- Proportion of affordable housing would be set when the legal agreement is made and would be a minimum of 40%.
- Site looked small in comparison to the neighbouring development, however would be of a density similar to that of the neighbouring development.

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- Connectivity and safety of path on one side of road as requested by Oxfordshire County Council. The developer had advised that due to an uneven verge this could not be done, resulting in the footpath being proposed on the opposite side of the road.
- Buffer to prevent a footpath directly next to resident's fences and gardens.
- The possibility of a speed calming system.
- Lots of new housing had been built in North Leigh in a short space of time.
- The capacity for sewage works to support the development as the Committee raised concerns over whether the current pumping stations were at full capacity.
- Increased use of cars in the village.

Councillor Charlie Maynard proposed the application be refused against the Officer's recommendations. This was seconded by Councillor Harry St. John, was put to the vote. There were 7 votes in favour, 3 votes against and 3 abstentions. The vote was carried.

**Committee Resolved to:**

Refuse the application on the following reasons:

1. The proposal is a speculative housing development on a greenfield site on the edge of the settlement of North Leigh. In the context of the number of dwellings constructed in North Leigh in the last ten years and the windfall allocation for the Eynsham - Woodstock Sub-Area, the proposal is not an acceptable windfall opportunity and results in an unacceptable expansion of the village. Furthermore, the proposal is not of a proportionate and appropriate scale to its context having regard to the cumulative impact of development in the locality, does not form a logical complement to the existing scale and pattern of development and the character of the area, does not avoid the coalescence and loss of identity of separate settlements of New Yatt and North Leigh, does not protect or enhance the local landscape and the setting of the settlement, involves the loss of an area of open space that makes an important contribution to the character or appearance of the area, and does not conserve and enhance the natural and built environment. Also, owing to the location, the proposed development would be car led with unacceptable pedestrian links to the services and facilities in North Leigh in terms of the distance and number of highway crossings required. The adverse impacts identified would significantly and demonstrably outweigh the benefits. As such, the proposal is unsustainable development and is contrary to policies H1, OS1, OS2, T1, EW10 and EH2 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, and the relevant paragraphs of the National Planning Policy Framework.
2. The applicant has not entered into a legal agreement or agreements to secure the provision of affordable housing, or contributions to highways works, public transport services, public rights of way, education, waste, or maintenance of the MUGA. The proposal conflicts with West Oxfordshire Local Plan 2031 Policies OS5, H3, T1, T3, EH3 and EH5 and the relevant paragraphs of the National Planning Policy Framework.

23/01327/FUL Barclay House, 11 Burford Road, Carterton

David Ditchett, Principal Planner, presented the application for a conversion of loft space to provide a new 2<sup>nd</sup> floor 2 bedroom flat.

There were no speakers for this application.

The Principal Planner continued with the presentation which clarified the following points:

- The history of the building with the previous planning applications in 2020 including the expansion into the roof space.
- Which flood zone the building came under, flood zone 1.
- Change in the number of flats in the roof space from 1 to 2.
- The positions of the dormer windows on the plans.

The Chair invited the Committee to discuss the application, which raised the following clarification points.

- Would the traffic and parking be affected by the additional flats, the Principal Planner confirmed that this would not cause an issue.

Councillor Nick Leverton proposed that the application be approved as per the Officer's recommendations. This was seconded by Lysette Nicolls, was put to the vote and unanimously agreed by the Committee.

Committee **Resolved** to;

1. Approve the application as per the Officer's recommendations in the report.

23/01436/OUT Land to the rear of 110 Witney Road, Ducklington, Witney

Elloise Street, Planner, presented the application for an outlined application with all matters reserved for the erection of two 4 bedroom detached houses and access.

Laurence Jones spoke in support of the application.

The Committee asked for clarification regarding the woodland and land, how this impacted the application and the upkeep of the land. The Committee asked for clarification on what flood zone the land was in. The speaker confirmed that the council had cleared the site however it had been well kept in previous years and had not flooded in the past. The flood zone would be an issue for the authorities to decide as it was complex.

The Planner continued with the presentation which clarified the following points:

- The site had a previous application for 1 house which was refused and dismissed at appeal.
- The application would be a better use of land as it would offer 2 properties.
- The site was next to the Moors development and would be appropriate as it fitted in with the built-up area.
- No objections from Oxfordshire County Council highways, the Environment Agency or concerns about drainage and biodiversity.

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- The development would be within a sustainable location with local services.

The Chair invited the Committee to discuss the application, which raised the following clarification points.

- Access to the site and the allotments would remain.
- Landownership around the site and boundaries.
- Concerns about which flood zone the application site fell under.
- The possibility of deferring the application to ascertain clarification on the flood zone.

Councillor Nick Leverton proposed the application be deferred for clarification from The Environment Agency on the flood zone and delegated the application decision back to the Planning Officer. This was seconded by Councillor Lysette Nicolls, was put to the vote and unanimously agreed by the Committee.

Committee **Resolved** to;

1. Defer the application for clarification from The Environment Agency regarding the flood zone
2. For Planning Officers to make a delegated decision on the application.

## **29 Applications Determined under Delegated Powers and Appeal Decisions**

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

David Ditchett, Principal Planner outlined the Appeal Decisions report and provided an update on the current position with each application.

The Committee asked for clarification for delegated powers, pg 75, item 8. 23/01172/LBC, Eynsham Hall, North Leigh. The Principal Planner explained that the item was minor design change but would review the item and come back to the Committee with the reasons for this.

App/D3125/W/22/3312615 The Double Red Duke (Plough Inn) Black Bourton Road, Clanfield, Bampton.

The application was for construction of external bar, (retrospective). The bar was erected during the Covid period which allowed, with a licence, the use of outdoor entertainment facilities. Now the Covid restrictions no longer applied, and the licence had been discontinued the bar was in breach of planning as it was built without planning permission. The appeal was dismissed as it was found to be harmful to the listed building and not of sufficient public benefit. The Enforcement Team aimed to have the bar removed by October 2023.

The Meeting closed at 4.45pm.

CHAIR