

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Lowlands Area Planning Sub-Committee
Held in the Committee Room 1 at 2.00pm on **Monday, 6 November 2023**

PRESENT

Councillors: Andy Goodwin (Vice-Chair), Julian Cooper, Rachel Crouch, Colin Dingwall, Nick Leverton, Andrew Lyon, Lysette Nicholls, Andrew Prosser, Harry St John, Alistair Wray and Alaric Smith

Officers: David Ditchett (Principal Planner), Peter Morgan (Planning Officer), Max Thompson (Senior Democratic Services Officer) and Anne Learmonth (Democratic Services Officer).

Other Councillors in attendance: Dan Levy and Michele Mead

36 Apologies for Absence

Apologies for absence were received from:

The Chair, Councillor Michael Brooker, Councillors Phil Godfrey, Charlie Maynard and Adrian Walsh.

Councillor Alaric Smith substituted for Councillor Maynard,

Councillor Michele Mead substituted for Councillor Adrian Walsh.

The Vice-Chair, Councillor Andy Goodwin welcomed Councillor Alaric Smith and Councillor Michele Mead to the Committee.

37 Declarations of Interest

Declarations of Interest were received as follows:

Councillor Lysette Nicolls declared an interest in application 23/00179/FUL Land South East of B4022, Oxford Road, Councillor Nicolls had registered to speak and would be withdrawing from the debate.

Councillor Andrew Prosser declared an interest in application 23/02420/FUL - Carterton Leisure Centre, Carterton. Councillor Prosser was the Executive lead that covered the application and therefore would not take part in the debate or decision process.

38 Minutes of Previous Meeting

The minutes of the meeting held on 9 October 2023 were approved and signed by the Chair as a correct record.

39 Applications for Development

23/00179/FUL Land South East of B4022, Oxford Road.

David Ditchett, Principal Planner, introduced application for the construction and operation of an anaerobic digestion facility, ancillary infrastructure and the construction of a new access road and access from South Leigh Road. The Principal Planner directed members towards the late additional representations pack, pages 3, 4, and 5. Further comments had been received from County Council Highways Team, Oxfordshire County Council Lead Flood Authority and an additional third party comment received, re safety concerns, all of which were detailed within the late representations report.

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Additional amendments to the Committee pack page 46 paragraph 34, EH6 policy was missing from the text.

Page 56 and 57 employment created is a benefit, equal to 100 full time employee and 5 full time staff 5 during operations.

The Principal Planner began the presentation explaining the full site location of the application.

Councillor Dan Levy, West Oxfordshire District Council WODC, addressed the Committee in objection to the application, and recommended refusal.

Councillor Lysette Nicholls, South Leigh Parish Council addressed the Committee in objection to the application.

Councillor Dick Pear, South Leigh Parish Council addressed the Committee in objection to the application.

Martin Spurrier addressed the Committee in objection to the application.

David Hindley addressed the Committee in objection to the application.

Daniel Lambert, the Agent spoke in support of the application, and answered points of clarification questions from the Councillors.

The Principal Planner continued with the presentation, concluding that although there were a lot of benefits to the application, on balance Officers were recommending refusal of the application, as set out in the Officers original report.

The Vice-Chair invited the Committee to discuss the application.

The following topics were discussed:

- Banbury, the point of injection into the grid;
- Feedstock;
- Energy crops;
- Carbon balance;
- A40 location;
- Development height;
- Conflict neighbourhood plan and local plan;
- B2 U class, industrial plant v agricultural site;
- Close to village site;
- Net zero support.

Councillor Michele Mead proposed the application be refused in line with the Officer's recommendations, this was seconded by Councillor Nick Leverton, put to the vote and was carried unanimously.

The Committee **Resolved** to:

- I. Refuse the application as per Officers original recommendation.

23/02217/FUL - 19 Arlington Close, Carterton

Councillor Nick Leverton clarified that this application was within his ward.

David Ditchett, Principal Planner, introduced application for a proposed garden treatment room. There were late representations on page 7 of the additional pack, from the applicant in response to the Parish Council objections. OCC Highways had not objected to the application.

Kay Lane addressed the Committee is objection to the application.

The Principal Planner presented the application concluding that Officers were recommending approval.

Councillors enquired what would be the status of the building if the owners decided to not use it as a treatment room. The Principal Planner confirmed that the building would be classed as a garden room for use of beauty treatments. Owners would require new planning permission to change to a different use.

Councillors discussed the Town Centre locations of the application and the scale of the building.

Councillors discussed conditions of use to strengthen up the building purposes and hours of use.

Councillor Lysette Nicholls proposed to approve the application with condition 5 amended to:

5. The premises shall not be open for clients outside the hours of:

Monday, Tuesday, Wednesday, Thursday 9AM-7PM.

The premises shall not open for clients on Bank Holidays. A schedule of appointments shall be kept and made available to the Local Planning Authority on request.

REASON: Control is required in the interests of protecting neighbouring amenity.

And the following additional conditions:

6. The use hereby permitted shall be for a limited period of 1 year from the date the use is first commenced.

REASON: The use is only justified in the light of the special circumstances of the case and further control is required to monitor the impacts of the development.

7. The building shall be used for the use applied for only, and shall not be used for any other purpose within The Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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REASON: The site is only suitable for the use specified because of the special circumstances of the site.

8. No more than 1 client shall be seen at any time within the building hereby approved.

REASON: Control is required in the interests of protecting neighbouring amenity.

This was seconded by Councillor Rachel Crouch, was put to the vote and carried.

The Committee **Resolved** to:

- I. Approve the application with the above mentioned additional conditions.

23/02420/FUL - Carterton Leisure Centre, Carterton.

Peter Morgan Planning Officer, introduced the application for de-carbonisation scheme with the addition of PV panels and plant on the existing roof of the main leisure Centre. New PV car ports in the front car park to all car parking spaces. Creation of 8 No. car parking bays. Erection of a timber enclosure around the battery storage and substation.

There were no public speakers on the application.

The Planning Officer presented an overview of the application concluding that officers were recommending approval with an amendment to condition 4 and an informative:

Prior to the installation of the carports, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and the results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur

And the following additional informative:

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The applicant is advised that the replacement parking that is proposed adjacent to the vehicular access on the eastern side of the building, as shown in drawing no. CARTQDA-ZZ-XX-DR-A-0011 REV P01, should not be used for disabled parking. Any disabled parking that is lost as a result of this development must be replaced and suitably located within the existing parking area of Carterton Leisure Centre.

The Vice-Chair invited the Committee to discuss the application, which raised the following clarification points:

- Number of parking spaces lost;
- Net zero agenda, and how far does this scheme meet the need;
- Replacement of gas powered boiler, will increase electricity consumption;
- Unlikely that there will be over supply of electricity created to go back to the grid;
- Technical criteria re heat source and thermal heat from ground and water;
- Accessibility to the Leisure Centre.

Councillor Alaric Smith proposed that the application be approved, with the amendment to condition 4 and an informative:

. This was seconded by Councillor Harry St John, put to the vote and carried.

The Committee **Resolved** to:

- I. Approved the application as per officers recommendation with the amendment to condition 4 and an informative:

Prior to the installation of the carports, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and the results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

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40 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 summarised the three appeal decisions reported.

The Meeting closed at 4.02 pm

CHAIR