

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of a meeting of the

Lowlands Area Planning Sub-Committee

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB
at 2.00pm on **Monday 10 June 2024.**

PRESENT

Councillors: Michael Brooker (Chair), Andy Goodwin (Vice-Chair), Julian Cooper, Steve Cosier, Rachel Crouch, Phil Godfrey, Nick Leverton, Andrew Lyon, Michele Mead, David Melvin, Sandra Simpson, Sarah Veasey, Adrian Walsh and Alistair Wray.

Officers: James Nelson (Principal Planner), Abby Fettes (Development Manager), Andrew Brown (Business Manager, Democratic Services), Max Thompson (Senior Democratic Services Officer), Joshua McFarland (Planning Officer), and Nathan Harris (Planning Officer).

12 Election of Chair

Councillor Julian Cooper, Chair of Development Control Committee, opened the meeting and asked for nominations for Chair of the Lowlands Area Planning Sub-Committee.

Councillor Andy Goodwin proposed that Councillor Michael Booker be elected as Chair of the Lowlands Area Planning Sub-Committee for the municipal year 2024-2025. This was seconded by Councillor Steve Cosier. With no other nominations made, the proposal was put to a vote and was unanimously agreed by the Sub-Committee.

The Sub-Committee **Resolved** to:

- I. Elect Councillor Michael Booker as the Chair of the Lowlands Area Planning Sub-Committee for the municipal year 2024-2025.

13 Appointment of Vice-Chair

Councillor Michael Booker, Chair of the Lowlands Area Planning Sub-Committee, proposed that Councillor Andy Goodwin be appointed as Vice-Chair of the Lowlands Area Planning Sub-Committee for the municipal year 2024-2025. This was seconded by Councillor Steve Cosier. With no other nominations made, the proposal was put to a vote and was unanimously agreed by the Sub-Committee.

The Sub-Committee **Resolved** to:

- I. Appoint Councillor Andy Goodwin as Vice-Chair of the Lowlands Area Planning Sub-Committee for the municipal year 2024-2025.

14 Apologies for Absence and Temporary Appointments

Apologies for absence were received from Councillor Andrew Prosser.

Councillor Sandra Simpson substituted for Councillor Andrew Prosser.

Councillor Joy Aitman was absent from the meeting.

15 Declarations of Interest

Councillor Phil Godfrey stated they knew the applicants for delegated decision number 32 (24/00512/HHD), and for delegated decision number 64 (24/00722/HHD).

Councillor Sarah Veasey stated they were the ward Councillor for North Leigh in relation to the second application listed on the meeting agenda (24/00596/S73).

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These were non-pecuniary interests and did not preclude the members from participating in the consideration of the relevant applications.

16 Minutes of Previous Meeting

Councillor Andy Goodwin proposed that the minutes of the previous meeting, held on Monday 22 April 2024, be approved by the Sub-Committee as a true and accurate record. This was seconded by Councillor Rachel Crouch, was put to a vote and was unanimously agreed by the Sub-Committee.

The Sub-Committee **Resolved** to:

1. Agree the minutes of the previous meeting, held on Monday 22 April 2024 as a true and accurate record.

Applications for Development

18 24/00115/FUL 9 Charterville Close, Minister Lovell, Witney.

James Nelson, Principal Planner, introduced the application for the proposal of a dropped kerb and hard standing for off street parking.

The Principal Planner provided a presentation to the Sub-Committee drawing attention to the following:

- The application site related to a mid-terraced dwelling house within the residential area of Minister Lovell;
- The proposed hardstanding was to be on an existing parcel of green space forward of the front elevation of the dwelling house outside of the residential curtilage and the kerb was to be dropped the full 2.5m. The existing pathways were to remain as existing, and the hard standing was to be a grass mat hard standing to replicate the existing grassed verge;
- The site did not fall within any areas of special designated control and therefore the main considerations of the application were the impacts of the proposed development on the visual amenity, residential amenity, parking provision and highway safety.

Steve Jones addressed the Sub-Committee as the applicant.

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

- There was an objection received from 11 Charterville Close;
- Oxfordshire County Council (OCC) Highways had been consulted on the application due to the change in parking provision and the change of use of land. OCC Highways stated that the proposed parking space was on a public highway and as a result could not be reserved for the sole use of the applicant. OCC Highways also stated that the proposal did not comply with OCC's dropped kerb guidance but would not demonstrate sufficient harm in terms of highway safety. As a result, OCC Highways had raised no objections in regard to highways safety and convenience subject to relevant conditions and informative;
- Officers noted the comments made by OCC Highways and noted that as stated, planning permission was not required for the dropped kerb but in any event, fell under the agreement between the applicant and OCC Highways. The hardstanding proposed would alleviate an element of parking concerns in the locality and would not result in

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unacceptable highway safety harm. On this basis, the scheme was considered acceptable and complied with policy T4 of the West Oxfordshire Local Plan;

- The proposed dropped kerb and hard standing for off street parking would be visible on the street scene, however it was considered that the proposed works would not give rise to adverse impacts in regard to visual amenity as there was still a softening between the verge and the dwelling house in form of the front garden. Therefore, it was considered that the proposal would not give rise to any adverse impacts in regard to visual amenity;
- Officers were of the opinion that the proposal would not give rise to any adverse impacts in regard to neighbouring amenity. There was no built form that would result in overshadowing, overlooking, loss of light or privacy.

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

- Issues of biodiversity regarding the loss of the grass verge – The Principal Planner confirmed that the application was exempt from biodiversity due to its size and scale.
- Further questions were raised on the loss of the access point for parking from the neighbour and on the requirement of West Oxfordshire District Council to follow the local plan guidance from Oxfordshire County Council regarding car parking spaces – The Principle Planner suggested that the existing grass area provided access as opposed to the verge and that in regards to the local plan question, the car parking in this case was not solely for the use of the applicant and that OCC Highways had not objected, therefore it was felt refusal of the application on these grounds was not sufficient;
- Queries were raised as to how this application would impact the character of the properties in the area – The Principal Planner referenced the 2017 approval of a similar application and explained that this would have set a precedent;
- Members commented regarding how the applicant had made efforts to mitigate the green issues by using hard standing instead of tarmac, that parking on the verge and churning up the grass was not ideal. Members also stated that biodiversity had become a more known subject since 2017 and that if all the green verges were changed to parking areas within the close, it would not be just one small area and may indeed affect biodiversity.

Councillor Andy Goodwin proposed that the application be approved, in line with Officer recommendations. This was seconded by Councillor Michele Mead and was put to a vote. There were 11 votes in favour, 1 vote against and 1 abstention. The vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the application in line with Officer recommendations.

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24/00596/S73 North Leigh Football Club, Eynsham Park, North Leigh.

James Nelson, Principal Planner, introduced the application for a variation of condition 1 of permission to extend the use of the temporary car park on the existing football pitch for a further 12 months until 31st March 2025.

The Principal Planner's presentation to the Sub-Committee drew attention to the nature of the temporary car park, and stated that even with the extended timeline, officers were of the opinion that the proposal would not give rise to any adverse impacts in regard to neighbouring

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amenity. The car park was to be a sufficient distance away from neighbouring properties in which the effects of comings and goings would not have a detrimental impact on neighbouring properties.

Ray Plowman addressed the Sub-Committee in objection to the application.

Keith Chichester addressed the Sub-Committee as the agent to the applicant.

The Planning Officer continued with their presentation which clarified the following points:

- The use of the temporary car park hereby permitted would cease on 31 March 2025. Within 3 months of removal of the temporary car park, the playing field was to be reinstated as per the White Horse Contractor's report dated 1 February 2024. This would ensure that the use was only justified by the special and temporary need for the development;
- The temporary car park permitted would only be used by members of staff employed at Estelle Manor, which would ensure a safe and adequate parking provision;
- Officers had carefully considered the residential amenity concerns that would arise from a development and had concluded that there were minimal concerns which were considered acceptable in terms of residential amenity;
- Officers noted that there had been third party objection comments noting the unsafe access. However, OCC Highways had been fully consulted on the application, and stated that the application was considered acceptable in the first instance. It was considered that the intensified use would not warrant a detrimental harm to highway safety whilst also considering its initial use of a football club.

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

- Members enquired how the additional condition on page 28 of the officer's report regarding using the car park by staff, would be enforced and how officers would know if it was indeed hotel staff only using the car park. The Principal Planner explained if it was deemed necessary, enforcement action could be taken;
- Members queried the reinstatement of time limits related to the sports pitches. The Principal Planner confirmed there was a report referred to in section 5.9 of the officer's report relating to an agreement made by Sport England on a temporary basis;
- Members asked how assurances could be given that the application was not extended in future – The Principal Planner suggested that an informative could be placed on the decision;
- Members queried a past application, questioning would the application still have been approved if a larger number of spaces would have been requested at the time. The Principal Planner explained that a past application may have been considered as a Section 73 application, and could not give a definitive answer. The current plan had not changed, only the specified timeframe;
- Members enquired when the site had last been visited. The Principal Planner confirmed that the site had last been visited in March 2024. Members requested that Officers revisit the site, to clarify the current position and to map the situation to be used as a benchmark for referencing in future. Officers confirmed that a check of the site would be carried out before the permission was issued;
- Members questioned whether the current parking provisions meant that there was one less football pitch in use. The Principal Planner explained that the sports pitch would be

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reinstated as soon as possible, and confirmed the current state of the car park was not currently having an adverse effect on local football matches;

- Members queried why there was not a travel plan in place for the site. The Principal Planner Officer suggested a travel plan was an ongoing process and that it was a separate issue included in the original application for the consent to the wider works of the site, as opposed to a car park. A new travel plan was being developed for the wider works to the site.

Councillor Andy Goodwin proposed that the application be approved, in line with Officer recommendations. This was seconded by Councillor Michele Mead and was put to a vote. There were 12 votes in favour, 0 votes against and 1 abstention. The vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the application in line with Officer recommendations.

20 24/00601/PN56 Elmfield, New Yatt Road, Witney

James Nelson, Principal Planner, introduced the application for installation of replacement rooftop solar panels.

The Principal Planner stated that the application was a notification for a determination as to whether the prior approval of the Local Planning Authority was required for the installation of replacement rooftop solar panels to the existing Elmfield Building. The building which was the subject of the proposed application was a set of offices within the main area of Witney.

The Principal Planner stated that the application was considered against Schedule 2, Part 14, Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015. The application also sought to establish whether the works would require formal planning permission or whether the application was to be granted under the order subject. The Principal Planner drew attention to information set out in section 5.6 of the officer's report.

Councillor Michele Mead proposed that the application be approved, in line with Officer recommendations. This was seconded by Councillor Nick Leverton, was put to a vote, and was unanimously agreed by the Sub-Committee.

The Sub-Committee **Resolved** to:

1. Approve the application in line with Officer recommendations.

21 URGENT DECISION

The Urgent Decision taken by the Chief Executive in respect of the East Witney planning appeal was to be noted and Members were provided with the Delegated Decision Notice that set out the circumstances of the decision.

It was highlighted that more information and detail would be provided at a Member Briefing to be held on 11 July 2024.

Councillor Nick Leverton proposed that the decision be noted and accepted. This was seconded by Councillor Andy Goodwin, was put to a vote, and was unanimously agreed by the Sub-Committee.

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The Sub-Committee **Resolved** to:

- I. Note and accept the urgent decision.

22 Applications Determined under Delegated Powers.

The report giving details of applications determined under delegated powers was noted by the Sub-Committee.

23 Appeal Decisions Report.

The report giving details of Appeal Decisions was received and noted by the Sub-Committee.

The meeting closed at 3.25pm.

CHAIR