

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 9 September 2024.**

PRESENT

Councillors: Andy Goodwin (Vice-Chair), Joy Aitman, Julian Cooper, Rachel Crouch, Nick Leverton, Dan Levy, Andrew Lyon, Michele Mead, David Melvin, Andrew Prosser, Sarah Veasey, Alistair Wray and Adrian Walsh.

Officers: Bill Oddy (Assistant Director, Commercial Development), Max Thompson (Senior Democratic Services Officer), Andrew Brown (Business Manager, Democratic Services), James Nelson (Principal Planner), Clare Anscombe (Senior Planner), Sarah Hegerty (Planning Officer).

Other Councillors in attendance: Alaric Smith, Andrew Coles.

41 Apologies for Absence

Apologies for absence were received from Councillor Steve Cosier.

Councillor Dan Levy substituted for Councillor Cosier.

42 Declarations of Interest

Councillor Andrew Lyon declared an interest in application 23/03056/FUL – Welcome Evangelical Church, High Street, Witney, stating that the site was within their ward, and that they did not have a reason to leave the meeting or not to vote on the application.

Councillor Alistair Wray declared an interest in applications 24/00126/FUL Culfre, Bampton Road, Clanfield and 24/0147/FUL Land West of Colt House, Aston Road, Bampton, stating that both the sites were within their ward, and that they did not have a reason to leave the meeting or not to vote on the applications.

Councillor Sarah Veasey declared an interest in application 24/01616/FUL 36 Common Road, North Leigh, stating that the site was within their ward, and that they did not have a reason to leave the meeting or not to vote on the application.

43 Minutes of Previous Meeting

Councillor Adrian Walsh proposed that the minutes of the previous meeting, held on Monday 12 August 2024, be agreed by the Sub-Committee as a true and accurate record. This was seconded by Councillor Joy Aitman, was put to a vote, and was unanimously agreed by the Sub-Committee.

The Sub-Committee **Resolved** to:

- I. Agree the minutes of the previous meeting, held on Monday 12 August 2024, as a true and accurate record.

Applications for Development

45 24/00126/FUL Culfre, Bampton Road, Clanfield, Bampton.

Clare Anscombe, Senior Planner, introduced the application, for the change of use from dwelling to letting rooms, proposed rear extension, enlargement of the rear car park and alterations to the access and associated internal works (amended plans).

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Councillor Alaric Smith addressed the Sub-Committee as the local district ward member in objection to the application.

Giles Houghton, Chair of Clanfield Parish Council, addressed the Sub-Committee in objection to the application.

Ian Smith, local resident, addressed the Sub-Committee in objection to the application.

Sharon de Bru addressed the Sub-Committee on behalf of the applicant, which raised clarification points regarding staffing levels at the site, car parking provision, accommodation offering and pedestrian safety.

The Senior Planner's presentation clarified the following points:

- The application site was contained within the village of Clanfield, which was designated as a village in accordance with Local Plan Policy OS2, and would help to maintain the vitality of communities;
- Adherence to Local Plan Policy H6 – The application would bring a positive contribution to local services and facilities within the Clanfield village;
- The application site was considered acceptable as the site and renovations to the existing dwelling would interlink with The Double Red Duke Public House;
- The application site would compliment the existing character of the street scene and would further compliment the character of the village;
- The development site would not have a detrimental affect to the street scene, as the change of dwelling use and associated works would be of an acceptable nature;
- The application would respect the existing character of the area and heritage assets which lie within close proximity of the site;
- The application would enhance the local viability and future employment opportunities of the Clanfield village, which was considered acceptable by officers and supported by national policy.

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

- Intended use of dwelling – Officers confirmed that the application would enable the dwelling to become a multi-occupant facility, with common shared space identified within the proposals;
- Officers highlighted to the Sub-Committee the difficulties with controlling the number of guests staying at the property at any given time;
- Vehicle parking provision at the site – Officers confirmed to Members that the application site would contain adequate parking facilities, and that no objections had been made by the local highways authority when consulted on the application;
- Proposed events space – Members highlighted concerns that the dwelling would become a destination for large gatherings and for parties to be held. Officers advised that the Agent had confirmed that the use of the site would be for a hotel use;
- Officers also highlighted the difficulty in being able to place conditions on the application to restrict gatherings inside the dwelling and advised that it would be

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unreasonable to impose a condition restricting outdoor events and functions as this is controlled by separate legislation under the Licensing Act;

- Loss of housing – Officers clarified that the application was considered to comply with policy H6 regarding the loss of dwellings to other uses and in any case, only one dwelling would be lost;
- Members raised concern regarding potential noise & disturbance resulting from the proposal – Officers advised that the Environmental Health Officer had no objections to the application and that conditions relating to noise were therefore not considered necessary.

Councillor Andy Goodwin proposed that the application be approved, in line with Officer recommendations. This was seconded by Councillor Adrian Walsh and was put to a vote. There were 8 votes in favour, 5 votes against and 1 abstention. The vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the application in line with Officer recommendations.

46 23/03056/FUL Welcome Evangelical Church, High Street, Witney.

James Nelson, Principal Planner, introduced the application, for alterations and extensions to church building (amended plans). The Principal Planner drew the Sub-Committee's attention to the additional representations report circulated ahead of the meeting,

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

- Building Design – The amended proposal was in keeping with the host building, and would be consistent with design and appearance;
- Use of Existing Land – Officers had accepted the principles of alteration connected with the extension;
- Officers were content that the proposals would not harm the existing conservation area or heritage and listed building adjacent to the site;
- The proposals had been amended so that extensions to existing elevations did not impact residential settings at Farriers Court;
- The proposals would not block direct sunlight at any point throughout the year, owing to the northerly facing proposed elevations;
- The existing use of the site would not be altered as a result of the application;
- Flood Zones 2 and 3 – the application had been subject to consultation and re-consultation with the Environment Agency, who had raised no objections.

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

- Surface Water Drainage – Officers, in conjunction with the Environment Agency, had ensured that surface water drainage would be dealt with appropriately as a result of the application;
- Parking Provision – The application would result in a loss of parking spaces at the site, although the overall impact was deemed to be minimal, and was subject to no objections by the highways authority;

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Councillor Nick Leverton proposed that the application be refused, in line with Local Plan policy OS2. This was seconded by Councillor Alistair Wray and was put to a vote. There were 10 votes in favour, 1 vote against and 2 abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

1. Refuse the application, in line with Local Plan policy OS2.

REASON: Local Plan Policy OS2 states that new development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. The application would also have impacts on a loss of light and overbearing impacts on occupiers of Farriers Court. The Sub-Committee believed this application was not in keeping with Policy OS2.

47 24/0147/FUL Land West of Colt House, Aston Road, Bampton.

James Nelson, Principal Planner, introduced the application, for the erection of three single storey age restricted dwellings (55 years) with access, landscaping and associated infrastructure.

Janette Bone addressed the Sub-Committee in objection to the application, which raised clarification points regarding building construction and comments made by the Planning Inspectorate related to a previous application at the site.

Simon Tofts addressed the Sub-Committee as the applicant, which raised a clarification point regarding pedestrian access.

The Principal Planner's presentation clarified the following points:

- Use of Agricultural Land – The site included agricultural land separated from the main built-up area and was not considered to adjoin the service centre of Bampton. Therefore, although the application site was in close proximity to the built-up area of Bampton, the site was considered to be 'open countryside' for the purposes of the strategic housing policies;
- Location of proposed dwelling – Policy H2 stated that new dwellings would only be permitted in the small villages, hamlets and open countryside where they complied with the general principles set out in the policy, and in a small number of specific circumstances which were contained in the report under section 5.17;
- Tilted Balance – As directed by paragraph 11 of the NPPF, it was the opinion of officers that the adverse impacts of granting planning permission to the application would not significantly and demonstrably outweigh the benefits and that planning permission should be granted, with the application approved subject to the suggested conditions set out in the original report.

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

- Flood Risk – Flooding related issues were not a reason to object the application on its own merit, commensurate with the opinions of officer and drainage experts;
- Previous Application – The development was to the south of the previous development and closer to the flood risk area, and that it was a marginal development which should not be approved. It was explained that the Government had dictated within the updated NPPF that the flood risks be referenced with the local waterways

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authority to ensure issues were being addressed – The Principal Planner confirmed that the conditions associated with the report addressed the issue.

- Vehicle Access – Members questioned whether there was road access that would enable bin lorries and fire vehicles through. The Principal Planner explained that highways had seen this as accessible and there were conditions added to address this issue.

Councillor Dan Levy proposed that the application be approved, in line with Officer recommendations. This was seconded by Councillor Adrian Walsh and was put to a vote. There were 8 votes in favour, 4 votes against and 2 abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the application in line with Officer recommendations.

Councillor Adrian Walsh left the meeting at 3.40pm.

48 24/01616/FUL 36, Common Road, North Leigh.

Sarah Hegerty, Planning Officer, introduced the application, for the erection of a detached dwelling and associated works.

The Planning Officer's presentation clarified the following points:

- The site was located in a prominent location on the main thoroughfare through North Leigh which rose northwards;
- The plot occupied a corner allowing views from various vantage points. The properties in the immediate vicinity were one and half storey and two storey dwellings with varying designs on relatively generous plots with a very loose grain and a varied build line and large gaps between dwellings which allowed for an open and low density appearance;
- The site was not within any area of special designation. The existing dwelling on site was a one and half storey dwelling which is part of a semi-detached pair finished in render under a tile roof which was consistent with the other materials in the area;
- The proposed development would not, in officers' view, adversely affect protected areas or assets of particular importance and therefore the 'tilted balance' as directed by paragraph 11(d) of the NPPF was engaged.

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

- Limited development – It was deemed under Policy OS2 that the application was not limited development there would be problems with parking and it didn't fit with OS4; Thames Water had not responded to this application;
- Members noted that the additional dwelling would create additional, unnecessary capacity on the local sewage works, which were deemed to be already under resourced;
- Members noted that Thames Water had not been responding to West Oxfordshire planning applications and felt that it was vital for independent expert advice be sought on sewage and drainage.

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Councillor Andrew Prosser proposed that the application be approved, in line with Officer recommendations. This was seconded by Councillor Joy Aitman and was put to a vote. There were 11 votes for, 1 vote against and 1 abstention.

The Sub-Committee **Resolved** to:

- I. Approve the application in line with Officer recommendations.

49 Applications Determined under Delegated Powers

The report giving details of applications determined under delegated powers was received, explained by Planning Officers, and noted by the Sub-Committee.

50 Appeal Decisions

The report giving details of appeal decisions was received, explained by Planning Officers, and noted by the Sub-Committee.

The Meeting closed at 3.58pm.

CHAIR