

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
Lowlands Area Planning Sub-Committee  
held via video conferencing at 2.00pm on Monday 8 February 2021

PRESENT

Councillors: Ted Fenton (Chairman), Carl Rylett (Vice Chairman), Owen Collins, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, Steve Good, Jeff Haine, Richard Langridge, Nick Leverton, Kieran Mullins and Harry St John.

Officers: Abby Fettes (Interim Locality Lead Officer Development Management), Miranda Clark, (Senior Planner Development Management), Esther Hill (Planner); Chloe Jacobs (Career Grade Planner); James Nelson (Trainee Planner); Stuart McIver (Career Grade Planner); and Amy Bridgewater-Carnall (Senior Strategic Support Officer).

50. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 11 January 2021, copies of which had been circulated, be approved as a correct record and signed by the Chairman.

51. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

52. DECLARATIONS OF INTEREST

There were no declarations of interest received.

53. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Business Manager – Development Management, giving details of an application for development, copies of which had been circulated.

RESOLVED: That the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in

the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

**(i)** 19/03222/FUL – Chimney Farm Barns, Chimney

The Planning Officer, Stuart McIver introduced the application for building operations and introduction of windows and door openings, to facilitate the residential use of the modern farm building. This followed the change of use from storage (use class B8) to a self-contained residential dwelling (use class C3).

Mr McIver advised that the application was recommended for approval as officers considered it complied with the provisions of policies OS2, OS4, T4, EH2, EH3, EH9 and EH13 of the adopted West Oxfordshire Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

Mr Paul Fong, addressed the meeting in support of the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

Information contained in the follow on report advised that the wording of the proposed informative be amended to read as follows:

“Please note that using a property for regular short term lets constitutes a material change of use and will require planning permission. Applications for short term holiday party lets are unlikely to be supported as they would be inappropriate in this particular location.”

The follow on report also provided details of the appeal decision regarding the previous application refused by Members.

Following a question from Councillor St John, officers clarified the location of the septic tank and advised of the amenity space. Members were advised that Thames Water and drainage engineers had been consulted.

Councillors noted the issues raised by the Parish Council and some Members were concerned that this was creeping development. However, it was noted that there were no technical objections from statutory consultees.

Councillor Langridge therefore proposed that the application be granted as per Officers' recommendations.

On seconding the proposal, Councillor Haine requested clarification on doors and windows shown on the plan and was advised that one was a window in an en-suite bathroom, with obscured glazing and the doorway was a second entrance into the building. Councillor Haine also asked if the provision of water and sewerage details could return to the Committee for agreement and if permitted development rights could be removed. He also proposed that an additional condition be added to ensure the building was occupied as a single dwelling as the sole or main residence of a single family unit.

Officers advised that the removal of permitted development rights was acceptable and highlighted the Notes to Applicant already included in the report.

The Officer recommendation of approval was then put to the vote and was carried subject to the following:

- An additional condition requesting that drainage and sewerage details come back to Committee for agreement; and
- An additional condition ensuring the building is occupied as a single dwelling, as the sole or main residence of a single family unit.

Approved

**(ii)** 20/01932/FUL – 79 High Street, Witney

The Planning Officer, Miranda Clark, introduced the application for a change of use from restaurant to two residential flats, demolition of a rear outbuilding and the erection of an extension to form one flat.

This application was taken in conjunction with the following item 20/02030/LBC which dealt with the listed building consent for the property.

Ms Clark advised that the application was recommended for approval because on balance officers considered that the principle of the change of use of the commercial use to residential was acceptable. The existing listed building had been neglected over time and the internal and external improvements would enhance the host building and the visual appearance of the Conservation Area. Officers also felt that the residential use would be less harmful than a commercial use to existing residential properties which were in close proximity to the application site.

A public submission had been received and was read out on behalf of the applicant Mr Gajan Pathmanathan in support of the application. A summary of his submission is attached as Appendix B to the original copy of these minutes.

Ms Clark advised Members that an additional informative was proposed to address the issue of land rights and asked that authority be delegated to Officers to approve the application, once acceptable drainage details had been received.

Councillor Enright proposed that the application be granted as per Officers' recommendations as he felt it was a historic site and the design was in keeping with the surrounding area. This was seconded by Councillor St John who requested clarification on the location of the bin store.

The Officer recommendation of approval was then put to the vote and was carried subject to the inclusion of an informative to the applicant regarding land rights, and authority being delegated to Officers to approve the application, once acceptable drainage details had been received.

Approved

**(iii)** 20/02030/LBC – 79 High Street, Witney

The Planning Officer, Miranda Clark, introduced the application for a change of use from restaurant to two residential flats, alterations to include changes to floor layouts, demolition of a rear outbuilding and the erection of an extension to form one flat.

This application was taken in conjunction with the previous item 20/01932/FUL which dealt with the householder planning consent for the property.

Ms Clark advised that the application was recommended for approval because Officers considered that the proposed revised scheme complied with the relevant policies of the adopted West Oxfordshire Local Plan and the considerations of the NPPF. The proposed extension was of a modest scale and form which would not detract from the existing Listed Building. The internal and external alteration were considered to not adversely affect the historic fabric of the Listed Building.

A public submission had been received and was read out on behalf of the applicant Mr Gajan Pathmanathan in support of the application. A summary of his submission is attached as Appendix B to the original copy of these minutes.

Councillor Enright proposed that the application be granted as per Officers' recommendations as he felt it was a historic site and the design was in keeping with the surrounding area. This was seconded by Councillor St John who requested clarification on the location of the bin store.

The Officer recommendation of approval was then put to the vote and was carried subject to the inclusion of an informative to the applicant regarding land rights, and authority being delegated to Officers to approve the application, once acceptable drainage details had been received.

Approved

**(iv)** 20/01993/FUL – Kielder 48 Station Road, Brize Norton

The Planning Officer, Stuart McIver, introduced the application for the conversion of the existing dwelling into two properties.

Mr McIver advised that the application was recommended for approval because the sub division was supported by policy H6 of the Local Plan, the built form of the proposal was not materially different from that previously approved, and the other technical matters were considered to be acceptable. The application also accorded with policies OS2, OS4, H2, H6 and T4 of the adopted West Oxfordshire Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

Councillor Ted Fenton highlighted the importance of the development being carried out as per the approved plans.

Councillor Leverton agreed with Councillor Fenton and proposed that the application be granted as per Officers' recommendations and this was seconded by Councillor Langridge.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

**(v)** 20/03105/FUL – Everest Roofing, 28 Witney Road, Eynsham

The Planning Officer, Chloe Jacobs, introduced the application for the upgrade of existing radio equipment incorporating the removal of the existing 23m mast and its replacement with a new 20m mast, together with associated antennas, radio equipment cabinets and ancillary development works.

Mr Pete Sparkes addressed the meeting in objection to the application. A summary of his submission is attached as Appendix C to the original copy of these minutes.

Following a question from Councillor Good, Mr Sparkes confirmed that the distance from his fence to the mast was 60 metres.

Ms Jacobs addressed Members and advised that the application was recommended for approval because the proposal was considered acceptable on its merits. The application complied with Policies OS1, OS2, OS4, H6 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

In response to a query from Councillor Ted Fenton, Ms Jacobs confirmed that a condition could be added requesting that the mast be suitably camouflaged.

Councillor Rylett queried the previous 2018 refusal and asked if there was a protection that could be added to the surrounding trees, to ensure the screening remained. He also queried if other more suitable sites had been considered. Officers advised that there had been a change in policy through the NPPF and local authorities were encouraged to support the expansion of infrastructure measures, including broadband and connectivity methods. With regard to the alternative sites, Members were advised that evidence had to be submitted for new sites but as the mast was already in existence, this requirement did not need to be met.

Members asked if a condition could be added to ensure that the existing mast was taken down at the time of installation, which Officers agreed it could.

Councillor Enright therefore proposed that the application be granted as per Officers' recommendations and this was seconded by Councillor Leverton.

The Officer recommendation of approval, was then put to the vote and was carried, subject to inclusion of the following:

- A condition requiring suitable camouflage of the mast;
- A condition ensuring the removal of the old mast, within a reasonable timeframe, once the new one has been installed.

Approved

**(vi)** 20/02131/HHD – Newbridge Mill, Newbridge

The Planning Officer, Esther Hill, introduced the application for the removal of a lean to porch to be replaced with an oak Orangery and the erection of an oak garage with storage room above. She advised that the application was in front of Committee because the applicant was related to a Ward Councillor.

This application was taken in conjunction with the following item 20/02132/LBC which dealt with the listed building consent for the property.

Ms Hill advised that the application was recommended for approval because Officers considered the proposed development complied with the provisions of Policies OS4, OS2, T4, EH10, EH11 and H6 of the adopted West Oxfordshire Local Plan; the WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

Councillor Good proposed that the application be granted as per Officers' recommendations and this was seconded by Councillor Langridge. Officers confirmed that the application would have been accepted by Officers under delegated powers if the applicant had not been related to a Ward Member.

Councillor St John requested that an informative be added requesting that the applicant be asked to construct the orangery from English Oak.

Officers also provided clarification on the removal of the dormer windows from the plans and that the development would remain ancillary to the main dwelling.

The Officer recommendation of approval was then put to the vote and was carried subject to the addition of the following informative:

"Members feel it would be preferable for English Oak to be used in the construction of the proposed orangery and garage."



Approved

**(vii)** 20/02132/LBC – Newbridge Mill, Newbridge

The Planning Officer, Esther Hill, introduced the application for internal and external alterations to remove an existing lean to porch and replace with an oak orangery plus the erection of detached garage with storage room above. She advised that the application was in front of Committee because the applicant was related to a Ward Councillor.

This application was taken in conjunction with the previous item 20/02131/FUL which dealt with the householder planning consent for the property.

Councillor Good proposed that the application be granted as per Officers' recommendations and this was seconded by Councillor Langridge. Officers confirmed that the application would have been accepted by officers under delegated powers if the applicant had not been related to a Ward Member.

Councillor St John requested that an informative be added requesting that the applicant be asked to construct the orangery from English Oak.

The Officer recommendation of approval was then put to the vote and was carried subject to the addition of the following informative:

"Members feel it would be preferable for English Oak to be used in the construction of the proposed orangery and garage."

Approved

**(viii)** 20/02754/FUL – Old Farmhouse, Burford Road, Black Bourton

The Planning Officer, James Nelson, introduced the retrospective application for a change of use of land to hardstand storage for equipment of Lockhart Ltd.

Mr Nelson advised that the application was recommended for approval because it was considered to comply with West Oxfordshire Local Plan Policies OS2; OS4; E1; EH2; EH7 and EH8 of the West Oxfordshire Local Plan 2031 and the NPPF 2019. He stated that the site was separated from the listed building by 60 metres and was screened entirely. The noise impact had been assessed and reviewed by Environmental Health Officers and conditions had been included to restrict the use of the site, ensure a noise management plan and install an acoustic fence.

Mr Nelson outlined some amendments to conditions 2 and 4 and following a request from Councillor Ted Fenton, advised that a condition could be added to ensure that the hardstanding was maintained with permeable materials to reduce water run off.

Councillor Langridge raised a concern that neighbours could be affected by noise from vehicles and asked if an informative could be added to highlight how neighbours could raise noise issues if encountered.

The types of vehicles to be stored on site and the proximity of the nearby residential properties were clarified.

Councillor Fenton proposed that the application be granted as per Officers recommendations subject to the amendments to conditions, plus the additional condition and informative detailed above. This was seconded by Councillor Crossland.

The Officer recommendation of approval was then put to the vote, subject to the amendments to conditions 2 and 4 (in bold below), an additional condition to ensure the hardstanding was maintained using permeable material and an informative to neighbours regarding noise, as outlined below.

Approved

1. That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

2. That the use of the land be restricted to ground level storage of equipment to serve the adjoining plant hire yard only and no single piece of equipment or vehicle stored on the land will exceed three tonnes in weight.

REASON: In the interests of the amenity of nearby residential properties.

3. That the use of machinery, lifting equipment/plant and vehicles associated with the storage or movement (lifting) of equipment on the land, shall be restricted to between 0700hrs -1830hrs from Monday to Friday and 0900hrs - 1300hrs on Saturdays.

REASON: In the interest of the amenity of nearby residential properties.

4. That a two metre high acoustic barrier fence shall be installed on the southern and western boundary perimeters of the site in accordance with details to be first submitted and approved by the LPA within two months and retained thereafter. As a minimum standard, the construction of the fence should be as follows: The fence should be solid construction, with good quality timber (no warping, knot holes or damage) of at least 20mm (ideally 25mm) thickness in all places, including where the boards overlap. Boards should continue across the front of posts to minimise gaps and wide overlaps (minimum 25mm is recommended) allow for timber expansion and contraction whilst minimising the possibility of gaps appearing over time. The superficial mass of 25mm thickness of timber is approximately 10 to 15 kg/m<sup>2</sup> and this is sufficient to prevent a reduction in performance by noise leaking through the fence.

REASON: To ensure that the amenity of nearby residential properties is protected.

5. That a documented Noise Management Plan (NMP) shall be submitted to and approved by the LPA within 2 months of the date of this consent. The NMP shall state how noise complaints will be responded to and detail full management procedures, policies and the administration of the business to

address noise impact associated with the change of use of the land. The site shall be managed in accordance with the approved NMP.

REASON: To ensure that the amenity of nearby residential properties is protected.

6. The hard standing must be maintained using a permeable material, to reduce water run off.

Informative - Reminding neighbours of the process of reporting noise disturbance, should they encounter it.

54. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPLICATIONS WITHDRAWN

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

The meeting closed at 4:07 pm.

CHAIRMAN