

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, 28 February 2022**

PRESENT

Councillors: Ted Fenton (Chairman), Joy Aitman (Vice-Chair), Rosa Bolger, Maxine Crossland, Harry Eaglestone, Duncan Enright, Jeff Haine, Richard Langridge, Dan Levy, Lysette Nicholls, Martin McBride, Alex Postan, Carl Rylett and Ben Woodruff.

Councillor Michele Mead was also in attendance.

Officers: Abby Fettes (The Interim Development Manager), Joan Desmond (Principle Planning Officer) and Michelle Ouzman (Secretary).

47 Minutes of Previous Meeting

The minutes of the meeting held on 5 January 2022 were approved and signed by the Chairman as a correct record, subject to a change on the 3rd from last paragraph of application 21/01565/FUL 35 Taphouse Avenue Witney, change the word “roof” to the word “room”.

48 Apologies for Absence

Councillor Martin McBride substituted for Councillor Nick Leverton, and Councillor Alex Postan substituted for Councillor Steve Good.

Senior Planning Officer David Ditchett.

49 Declarations of Interest

There were no declarations of interest received.

50 Applications for Development

As there were a large attendance from the public the Chairman announced that the 21/03405/OUT Land East Of Witney Road, Ducklington application, would be the first application to be determined.

21/03405/OUT Land East Of Witney Road, Ducklington

The Interim Development Manager Abby Fettes introduced the application for outline planning permission for up to 120 dwellings, with associated landscaping and infrastructure with detailed vehicular access from Witney Road (with all other matters including other access arrangements reserved).

Matthew Barker from the Ducklington Parish Council spoke as an objector to the application.

Charlie Maynard spoke as an objector to the application.

Jenny Brow of Turley’s spoke on behalf of the applicant in support of the application. A copy of her statement is attached to the original copy of the minutes.

The Interim Development Manager continues with her presentation, she drew attention to the late representation report and concluded that Officers were recommending refusal, as in the original report for reasons 1 and reason 4, that do not change. However Officers were seeking delegated authority from the committee Members to refuse the application subject to addressing outstanding highway/access and archaeology matters, for Officers to remove or amend reasons 2 and 3.

28/February2022

Councillors had a discussion about flood plains and concerns re flooding at the site in the future. Councillors were in support of the Officers report, and were concerned about the extra traffic the site would bring, and the loss of the greenspace area which was used by locals to walk and exercise dogs.

Councillor Woodruff stated that he had visited the site several times, and he could not see benefits of additional buildings and was surprised the application had got so far in the process. He also thought that the Officers had produced a thorough report and agreed with the policy reasons for refusal and the delegated decision sought. He therefore proposed that the committee accept the recommendation for refusal and request for delegated authority.

The Chair clarified the proposal to accept the Officers recommendation to refuse under reason 1 and 4, and accept the request for delegated authority for refusal reasons 2 and 3. Depending on the content of the County Council Highways Team consultation reply relating to the Highways Technical Note, Officers would remove/amend refusal reason 2 on the decision notice. Depending on the content of the County Council Archaeology Team consultation reply relating to the updated Archaeological Desk Based Assessment, Officers would remove/amend refusal reason 3 on the decision notice.

Councillor Langridge seconded the proposal, the Chair put the proposal to the Committee and vote was carried unanimously.

Application was **refused** as per Officers recommendation in the report for reason 1 and 4, with delegated authority for Officers to remove or amend refusal reasons 2 and 3.

Following the conclusion of the meeting, the application was refused in line with delegated authority:

REFUSAL REASONS:

1 The proposed development is not limited development which respects the village character and local distinctiveness. It is not of a proportionate and appropriate scale to its context; would not form a logical complement to the existing scale and pattern of development or the character of the area; would not avoid the coalescence of Witney and Ducklington; would not protect the local landscape or setting of Ducklington or Witney; and would involve the loss of an area of green space that makes an important contribution to the character and appearance of the area. While the development would provide some economic benefits, would add up to 120 homes to West Oxfordshire Housing stock, would meet some of the affordable housing need in Ducklington, and would create off site biodiversity net gain, these benefits are insufficient to outweigh the clear conflict with the Development Plan as a whole. As such, the proposed development is contrary to policies H2, OS2, OS4 and EH2 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant paragraphs of the National Planning Policy Framework 2021.

2 The site has a strong possibility of containing remains of archaeological importance. The Applicant submitted a desk-based assessment, which states that the significance of any archaeological deposits is likely to be low. However, there is insufficient information on the nature, date, survival and rarity of any features to understand their significance and as such; the results of an archaeological evaluation is required prior to the determination the application. As the required archaeological evaluation has not been undertaken, officers cannot be certain of the significance of any archaeology in the area, and thus cannot assess how the proposed development would affect this significance. As such, the proposed development conflicts with Local Plan Policies EH9, EH15, EH16 and OS4; and the relevant paragraphs of the NPPF.

3 The applicant has not entered into a legal agreement or agreements to secure the provision of affordable housing; or contributions to sport and leisure; public transport; highways

28/February2022

improvement schemes; education; waste; biodiversity net gain; or the Lower Windrush Valley Project. The proposal conflicts with West Oxfordshire Local Plan 2031 Policies H3, EH3, EH4, EH5, T1, T2, T3 and OS5.

21/01236/FUL Ducklington Farm Course Hill Lane

The Principle Planning Officer, Joan Desmond introduced the application for the installation and operation of solar farm, including associated engineering and infrastructure works..

Simon Gamage spoke in support of the application and on behalf of the applicant, a copy of his statement is attached to the original minutes.

The Chair noted that Mr Gamage firm had been operating since 2010, and therefore had no experience of dismantling after 40 years, which is proposed within the application, and asked what was envisaged happening after 40 years of the solar panels life. Mr Gamage clarified that Part of the agreement would be that the land would be returned to its original state, that it is now, and that the solar panels would be recycled or redeployed elsewhere in the world.

The Planning Officer then continued to present her report containing a recommendation of approval, plus additional archaeological conditions, which were published in the late representations report.

Councillor Rylett was in full support of the application and commented that Enysham had panels in place which was a learning experience, and suggested developers engage with the Parish council.

Councillor Levy thought we should be cautious about the number of panels going up around the district and that we should look at the cumulative effect and that it does not change the landscape. Councillor Bolger agreed and suggested more panels should be erected on top of industrial buildings.

Councillor Woodruff thought it was an excellent idea, and that we need more renewal energy sites.

Councillor Enright thought that Eco panels added to bio diversity and agreed with the Officers' recommendation that the application be approved as detailed in the original report, and subject to the extra conditions detailed in the late representations report, and proposed that permission be granted. This was seconded by Councillor Postan, the proposal was put to the vote and was carried unanimously.

Approved as per Officers recommendations in the original report plus the following archaeological conditions:

1. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2021).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and

28/February2022

useable archive of both the initial evaluation and mitigation fieldwork and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2021).

21/02320/FUL Land South Of Giernalls Road, Hailey. Oxfordshire

The Interim Development Manager Abby Fettes introduced the application for erection of 22 dwellings with associated access, landscaping, open space and infrastructure. (Amended plans).

Luke Challenger from Blacklocks Planning spoke on behalf of the applicant in support of the application.

The Interim Development Manager then continued to present her report referring to a previous application for 9 dwellings was approved. This is the same site but for 22 dwellings, 40% of which to be affordable housing.

The proposal is considered to be acceptable in principle as per original report, it will be providing 22 affordable houses in an area where there is demonstrable need. However there are some outstanding technical matters and officers requested delegated authority to determine the application subject to no new technical matters being raised.

Councillors discussed the sustainable area re amenities, shopping schools, additional traffic, but agreed that affordable housing in local area gives opportunity for villagers' offspring to remain locally. Councillors also agreed that protection of the village in respect of further development is a concern, but most councillors supported the application.

Councillor Langridge proposed to accept the Officers recommendation and approve delegated authority, so Officers can approve the application once all the outstanding technical matters are in place. Councillor Rylett seconded the proposal which was then put to the vote and was carried unanimously.

Approved to accept the Officers recommendation and approve delegated authority, so Officers can approve the application once all the outstanding technical matters are in place.

51 Applications Determined under Delegated Powers and Appeal Decisions

Delegated Decisions:

The report giving details of applications determined under delegated powers was received and noted, with the following comments:

1 on Page 89 - Councillor Levy noted Section 106 money and wanted to know what that was for. The Officer confirmed it was contribution towards a bus stop.

4 on Page 90 - Councillor Crossland noted this was withdrawn, and asked why this was. The Officer was unsure of the reason and agreed to look into the application and report back.

94 on Page 104 – Councillor Levy noted refusal yet again as this application had come up 3 times before, and just wanted this to be noted.

Lowlands Area Planning Sub-Committee

28/February2022

Appeal Decisions:

The Interim Development Manager Abby Fettes outlined the Appeal Decisions report and provided an update on the current position with each application.

It was agreed that it would be useful for Councillors in future if a summary of Appeals could be included in the report rather than the full inspection judgment.

Councillor Postan wanted it noted that only 3 appeals had been lost in the last year and wanted his thanks relayed to the Planning Team.

The Interim Development Manager Abby Fettes concluded by introducing the two new Planners to the team.

The Meeting closed at 3.30 pm

CHAIRMAN