

## 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, 10 October 2022**

### PRESENT

Councillors: Richard Langridge (Chair), Joy Aitman, Colin Dingwall, Harry Eaglestone, Ted Fenton, Andy Goodwin, Nick Leverton, Charlie Maynard, Andrew Prosser and Alaric Smith and Ben Woodruff.

Other Councillors present: Jill Bull, Rosie Pearson and Harry St John.

Officers: David Ditchett (Senior Planner) and Elloise Street (Planner), Esther Hill (Planner), Kelly Murray (Principal Planner for Enforcement & Appeals), Tara Hayek (Senior Conservation & Design Officer), Phil Shaw (Planning Business Manager), Andrew Brown (Democratic Services Business Manager), Anne Learmonth and Janet Eustace (Strategic Support Officers).

### **85 Minutes of Previous Meeting**

The minutes of the meeting held on Monday 15 August and Monday 12 September were approved and signed by the Chairman as a correct record.

### **86 Apologies for Absence**

Apologies for absence were received from Councillor Michael Brooker, Councillor Elizabeth Poskitt and Councillor Lysette Nicholls. Councillor Ben Woodruff substituted for Councillor Lysette Nicholls.

### **87 Declarations of Interest**

Declarations of Interest were received as follows;

1. Councillor Fenton knew the applicants for the following applications on Item 5 Delegated Decisions.  
Page 102, 43 22/01672/HHD Ivy Cottage Lower End Alvescot  
Page 116, 127 22/02210/CLP Manor Farmhouse Woodbridge Close Aston.
2. The Chair declared a corporate interest on behalf of all Members on the Committee on application 22/01593/FUL Kilkenny Lane Country Park the Council own the land.

### **88 Applications for Development**

The Chair announced that due to the public participants who wished to speak the applications would be heard in a revised order.

#### 22/01593/FUL Kilkenny Lane Country Park Elmhurst Way, Carterton

The Planning Officer, Elloise Street introduced the application is for the extension of the existing car park.

Three people had registered to speak on this application. Mr Les Goble and Councillor Rosie Pearson spoke against the application and Councillor Bull spoke in favour. Their presentations are attached to the original copy of the minutes.

In discussion, it was clarified that there was no dispute that additional parking was needed at this well used Country Park. The questions arose around the number of spaces, the location

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of the car park and the materials used, in particular that the surface of the car park should be suited to less abled people.

It was suggested that the application should be reconsidered to take account of;

1. Costs of materials
2. Disabled parking spaces (location and method of construction)
3. Bike parking numbers
4. Biodiversity
5. EV charging points
6. Reduction of parking spaces

Committee **resolved** to defer the application to enable the planning officer to explore points listed above with the applicant

Councillor Woodruff left the meeting at 3.15pm.

### 22/01434/FUL The Horse and Radish, Burford Road. Minister Lovell

Principal Planning Officer David Ditchett introduced the application is for the siting of 8 no shepherds huts together with hard and soft landscaping to include provision of a pond, access track, external lighting and associated services

Two people had registered to speak on this application. Councillor Jean King, Minister Lovell Parish Council, spoke against the application. Mr Brian, applicant, spoke in favour. Their presentations are attached to the original copy of the minutes.

In discussion Councillors asked whether there would be any condition requiring the removal of the huts should they not be successful. Mr Ditchett confirmed that a suitable worded condition could be applied. It was noted that an additional 8 parking spaces were to be provided, there was no objection from OCC Highways and that there was screening on the northern side of the plot which would help screen the development from the valley.

Committee **resolved** that the application should be approved subject to the addition of a condition requiring that the shepherd's huts should be removed in their entirety within 12 months of the cessation of their use.

### 22/01674/FUL Oakwood Place Lew Road, Curbridge

Principal Planning Officer, David Ditchett introduced this application is for the erection of a single dwelling and associated ancillary works. Creation of visitor parking spaces.

Mr Ditchett reminded Members of the late representations previously circulated recommending that the wording of condition 3 be changed.

Nicky Pugh spoke in favour of this application and a copy of her speaking notes is attached to the original copy of the minutes.

Councillor Fenton declared an non – pecuniary interest.

Mr Ditchett said that conditions could not be placed on trees to ensure their protection as they were not within the red line boundary. However the trees are to be retained.

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Mr Ditchett made Members aware of the neighbour objections relating to parking and access however noted that there was no objection from OCC Highways and the proposed parking is sufficient.

Committee **resolved** to approve the application with the change to condition 3 as recommended.

### 22/01881/S73 Church Farm, Church End, South Leigh

Elloise Street, Planning Officer introduced the application is for the removal of condition 4 of the planning approval 20/03306/FUL to allow the continued use of buildings as storage units.

Two people had registered to speak on this application. Councillor Brooks spoke against the application. Mr Eachus in favour. Their presentations are attached to the original copy of the minutes.

Councillors discussed the statement made on behalf of the Parish Council and highlighted local issues in the area including highway safety impacts.

Members were made aware that the Highways Officers at OCC did not object to the removal of the condition. In addition, they were also made aware of the condition tests within the NPPF.

In discussion Councillors asked what would happen if the restriction was removed and for clarification on the date from period of time the condition would remain. The officer confirmed it would be from the original date, March 2021.

Principal Planner David Ditchett suggested that the condition could be amended to state the date of the first use rather the date on the original permission. This would be instead of removing of the condition.

There was also a discussion with Members with regards to the new reason for the amended condition which was detailing an importance on highway safety. Also discussed was what information would be required for them to be satisfied with a removal of the condition which was highlighted as relevant transport surveys on the actual scheme as well as information from the Parish Council.

Committee **resolved** that permission is granted with condition varied to read;

‘The use hereby permitted shall be discontinued and the land restored to its former condition on or before 4 years from the date of the first use of the development hereby approved.

REASON: A permanent permission is inappropriate until the effects of the development on the area have been assessed with particular regard to highway safety’.

### 21/01213/FUL Plough Inn Black Road, Clanfield

The application is for the erection of a timber shed to be used as an office, Indian sandstone pathway and vertical boarded bin store enclosure (part retrospective).

Committee **resolved** that there should be a site visit on the morning of the next lowlands planning meeting. Post meeting note: date changed due to clash with the scheduled meeting of the Development Control Committee. Site visit has now been scheduled for Thursday 3<sup>rd</sup> November at 10am.

22/01069/FUL 29 Mercury Close, Bampton

Esther Hill, Planning Officer introduced this application which is for the erection of an attached dwelling with off street parking and associated ancillary works. Alterations to the existing dwelling including two storey and single storey extensions.

Whilst recognising the need for smaller dwellings, Councillors had concerns about the very cramped nature of the property. Officers felt that it was an on balance decision. It was recognised that the Council cannot demonstrate a 5YHLS however, the benefits of one dwelling were very limited and not sufficient to outweigh the harm found.

Councillors question whether it would be better as a single bed house. Mr Ditchett said there are no national minimum space standards for a one person, 1 bed, 2 storey house.

Committee **resolved** to refuse the application due to;

1. The dwelling falls below the minimum space standards, therefore by reason of its scale the proposal would provide insufficient internal living spaces, having a detrimental impact on the residential amenity for future occupants.
2. By reason of the plot size and the design and scale of the proposed dwelling, the development will result in a cramped and contrived form of development resulting in the over development of the application site, representing poor design.

Councillor Eaglestone voted in favour of approving the application.

22/02835/FUL 35 -37 Woodgreen, Witney

Councillors Prosser and Aitman left the meeting having discussed the application at the Town Council.

The application was for the proposed installation of an eave/tile guard. The application came to the Committee as the property is owned by a Member of West Oxfordshire District Council.

Committee **resolved** to approve the application.

Councillors Prosser and Aitman re-joined the meeting.

Councillors Leverton and Fenton left the meeting at 4.35pm.

**89 Applications Determined under Delegated Powers and Appeal Decisions**

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

The report giving details of appeals was received and noted.

**90 Progress on Enforcement Cases**

Kelly Murray, Principal Planner (Enforcement and Appeals) introduced the paper. She highlighted first Dove House, Cassington in respect of which the enforcement notice had not been complied with and the case had been referred for prosecution. A number of cases had enforcement notice appeals outstanding. In respect of Little Willow, Eynsham, there were two issues; the number of units on site (a recent appeal against the refusal had been refused on a technical ground); the other was the extension on to the neighbouring site.

A site visit to land at Mount Pleasant Farm was being arranged to check that the notices had now been complied with.

Councillor Dingwall asked about Lavender Cottage, Minster Lovell. Kelly Murray advised there were two contraventions on site. She had sent several letters but with no response. She agreed to contact the Clerk of Minster Lovell Parish Council.

Councillor Alaric Smith asked about the Paddocks. Kelly Murray said it was a multi-agency case due to different issues and ERS were involved in the matter of site licensing. The Council was monitoring the numbers of units on each plot and a retrospective planning application for plot 12 was currently under consideration.

**91 Consideration of grounds for defending previously determined applications in light of the updated five year housing land supply position.**

Phil Shaw (Business Manager Planning) introduced this item which was to establish whether the Committee wished to continue to defend refusals issued at a time when the council was claiming a five year housing land supply (5YHLS), but which had now gone to appeal and which would now be defended in the absence of a demonstrable 5YHLS. He emphasised that the Committee was not being asked to revisit the earlier decisions.

In discussion, Mr Shaw confirmed that there was money in the budget to defend appeals and the Council was not yet near the limit where the percentage of failed appeals risked loss of LPA status.

Site A 21/03720/FUL 44 Common Road, North Leigh. Councillors considered the original reasons for refusal and unanimously agreed to defend the case.

Committee **resolved** to defend the case.

Site B Land South West of Downs Road, Witney. Councillors Woodruff and Maynard spoke in favour of not pursuing the appeal as they felt that the site would provide much needed housing to the rear of existing housing development. Other Councillors felt that the site was not suitable for housing as it was adjacent to an industrial area.

Committee **resolved** to defend the case. Councillor Woodruff asked that his vote for not defending the appeal be recorded.

The Meeting closed at 4.50 pm

CHAIR