

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Lowlands Area Planning Sub-Committee
Held in Committee Room 1, Woodgreen, Witney OX28 1NB at 2.00pm on **Monday 9
October 2023.**

PRESENT

Councillors: Andy Goodwin (Vice-Chair), Julian Cooper, Rachel Crouch, Phil Godfrey, Nick Leverton, Andrew Lyon, Charlie Maynard, Michele Mead, Lysette Nicholls, Andrew Prosser, Harry St. John and Alistair Wray.

Officers: David Ditchett (Principal Planner), Max Thompson (Senior Democratic Services Officer), and Anne Learmonth (Democratic Services Officer).

Other Councillors in Attendance: Councillors Jane Doughty, Thomas Ashby and Sandra Simpson.

30 Apologies for Absence

Apologies for Absence were received from:

Councillors Michael Brooker, Colin Dingwall and Adrian Walsh.

Councillor Michele Mead substituted for Councillor Adrian Walsh.

31 Declarations of Interest

There were no declarations of interest received.

32 Minutes of Previous Meeting

The minutes of the previous meeting, held on Monday 11 September 2023 were approved and signed by the Chair as a true & correct record, subject to:

1. Page 1. Councillor Dan Levy asked to be added to the list of those councillors who had attended the meeting.

23/00794/OUT Land South of 1 New Yatt Road, North Leigh, Oxfordshire.

2. Page 3. Councillor St. John asked for the bullet points to record the following information;

- 2.1 Changed from "Lots of new housing had been built in North Leigh in a short space of time."

To "In the last 6 years or so North Leigh has accommodated the building of almost 250 new homes and if this application were granted it could bring the figure nearer to 300 new homes - whereas the target of windfall sites delivering homes in the Woodstock /Eynsham sub area (in which North Leigh lies) is 289 over the whole 20 years of the WOLP. The Local Plan says limited development in villages like North Leigh is permitted- nearly 300 new homes or over 40% increase is not limited by anyone's reasonable reckoning."

- 2.2 Changed from "The capacity for sewage works to support the development as the Committee raised concerns over whether the current pumping stations were at full capacity."

To" The capacity of the sewer system including pumping stations and treatment works (at Church Hanborough) to support the proposed development."

Applications for Development

33 23/0106/FUL Land West of Witney North of A40 and East of Downs Road, Curbridge.

23/0106/FUL Land West of Witney North of A40 and East of Downs Road, Curbridge.

David Ditchett, Principal Planner, introduced the application for the erection of seventy-four dwellings and associated infrastructure (amended plans). The principal planner gave a short summary from a 3rd party.

Councillor Thomas Ashby, West Oxfordshire District Council, addressed the Committee in objection to the application.

Councillor Jane Doughty, Witney Town Council, addressed the Committee in objection to the application.

The Committee asked for clarification on whether the residents had felt misled over the building of a community hub and secondary school.

Councillor Doughty confirmed that the residents had been told by the developers that the time of the purchasing their houses that there were plans for a community hub and a secondary school to be built.

Daniel Sharp, Nexus Planning, addressed the Committee, on behalf of the applicant and in support of the application.

The Committee asked for clarification on the percentage of affordable housing, supporting services and the Section 106 contributions.

Daniel Sharp confirmed there was 40% affordable housing. The developer was in the process of agreeing the S106 contribution for the current application.

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

- On 20 December 2022, Oxfordshire County Council confirmed there was no need for a secondary school. The Principal Planner brought the Committee's attention to Page 31, point 5.3 of the report;
- The S106 agreement would be agreed, and the final amount would be in the legal agreement;
- There were no planning harms, and the proposal was in accordance with the development plan;
- The recommendation from officers was to delegate back to the Officers to overcome ecology and highways objections, and to finalise the conditions and negotiate the legal agreement;
- The Principal Planner brought the Committee's attention to Page 36, point 5.37 of the report, and advised that West Oxfordshire District Council were working with the developer to deliver the local centre and pavilion at Windrush Development.

The Principal Planner recommended approval of the application in line with the conditions set out in the report.

The Chair invited the Committee to discuss the application, which raised the following clarification points.

09/October2023

- The Committee asked about the density of housing on the site. The Principal Planner confirmed the housing density was in keeping with the wider development in the surrounding area at 38 dwellings per hectare;
- The Committee raised concerns about the comment from Thames Water. The Principal Planner suggested the possibility amending conditions 9 and 10 for Thames Water. There were concerns that the site would cover water mains, in this case the developer would have to work with Thames Water to move any water mains as it was not a planning issue;
- Would there be any provision for affordable housing to have garages. The Principal Planner confirmed that there were parking spaces provided for the affordable houses and garages were not part of planning policy;
- Concerns were raised over the phasing of the development. The Principal Planner confirmed that the local centre and pavilion to be build were part of the separate legal agreement and the application before the Committee was a stand-alone application;
- The Committee highlighted concerns about the parking provision at the Pavilion. The Principal Planner confirmed that there would be 64 parking spaces allocated;
- The Committee asked if the site was sustainable and would residents be able to walk easily to local services. The Principal Planner confirmed that site was well within the 20-minute guidance to access services when the local centre is built but currently does not meet the 20-minute guidance. There would also be public transport options that would be available in reasonably close proximity to the site;
- The Committee asked the Principal Planner if Thames Valley Police comments would be addressed by Officers. The Principal Officer confirmed that Officers are not seeking to address these matters. However, Members could vote for Officers to address these as part of further negotiations if they wish. The Committee requested that Officers do address the Thames Valley Police comments;
- The Committee and Principal Planner discussed amendments to conditions 9 and 10.

Councillor Lysette Nicholls proposed the application be approved in line with the Officer's Recommendations and delegated back to Officers to approve subject to, Legal agreement to be negotiated; Address outstanding Ecology, Highways and Crime Prevention matters; and Amendments to Thames Water conditions 9 and 10. This was seconded by Councillor Andrew Prosser was put to the vote.

There were 9 votes in favour, 2 votes against and 0 abstentions. The vote carried.

The Committee **Resolved** to:

1. Approve the application, in line with Officer's Recommendations, and to delegate the application back to Officers to approve, subject to:
 1. Legal agreement to be negotiated;
 2. Address outstanding Ecology, Highways and Crime Prevention matters;
 3. Amendments to Thames Water conditions 9 and 10.

34 **23/01628/FUL Former Magdalen Farmyard, Abingdon Road, Standlake.**

23/01628/FUL Former Magdalen Farmyard, Abingdon Road, Standlake.

David Ditchett, Principal Planner, presented the application for a conversion of existing agricultural open cart shed, by way of complete reconstruction to form a private residential

09/October2023

dwelling house, demolition of existing rearing pen, and change of use of the site from agricultural to residential use, with modification of existing entrance.

The Principal Planner's presentation clarified the following points:

- Historic revisions of the building and the previous applications which had been submitted in 2020 and 2022, both of which were refused for similar reasons;
- There was a grade 2 listed farmhouse next to the site. The introduction of a residential dwelling and the domestication of the site was considered to result in harm to the agricultural setting of the listed building;
- Concerns that the site could potentially have archaeological importance. No adequate archaeological assessment had been submitted by the applicant;
- Concerns over the possible complete reconstruction of the building that was needed to make it inhabitable rather than conversion of the building as set out in the application. The agent had confirmed that the original floor was made up of earth and all elements of the structure would need to be replaced.

The Principal Planner recommended refusal of the application to the Committee.

The Chair invited the Committee to discuss the application, which raised the following clarification point.

The Committee asked if the application had already been through an appeal, why was the application before the Committee again. The Principal Planner explained that there are sufficient differences between each application that warranted assessment by the LPA.

Councillor Nick Leverton proposed the application be refused, in line with officer recommendations. This was seconded by Councillor Julian Cooper, was put to a vote, and was unanimously agreed by the Committee.

The Committee **Resolved** to:

- I. Refuse the application, in line with officer recommendations.

35 Applications Determined under Delegated Powers and Appeal Decisions

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

David Ditchett, Principal Planner, outlined the Appeal Decisions report and provided an update on the current position with each application.

- Pg 63 22/03548/FUL The Bell Inn, Langdford, Lechlade. The application was removed from the 14 August 2023 Lowlands agenda as the Parish Council withdrew their objections and the application was approved by delegated decision. Following on from the last meeting the Committee asked for clarification on 23/01172/LBC Eynsham Hall, North Leigh. The Principal Planner confirmed that the application referred to minor changes to the spa hunts on the site and was not required to be determined by the Committee.
- Pg 65 23/01188/CLE The Paddocks, New Yatt, Witney. It was up to the applicant to prove that the existing use was lawful and they had not submitted sufficient evidence to support this lawful use which resulted in the application being refused.

09/October2023

- Pg 71, 23/02032/CND Kilkenny Lane Country Park, Elmhurst Way, Carterton. The approve / refuse decision was a split decision. Some of the conditions for the application were approved and some refused.

APP/D3125/W/22/3309086, 4 City Farm, Witney.

Installation of conservation roof windows (to get sunlight into darkest parts of the building). Move front door by 50cm to allow space for hallway furniture. Removal of internal stud-walls to allow for large kitchen to be built in byre (currently bathroom and utility room). The application was found to be harmful to the grade 2 listed building and insufficient public benefits were found to outweigh the harm. The appeal was dismissed.

APP/D3125/W/22/3313464 Mistral Witney Road, Ducklington.

Erection of a dwelling with detached double garage and associated works. The appeal was allowed but there were no costs awarded. An application for a similar scheme had been submitted in 2008 which was refused by the LPA and dismissed by PINs. Officers considered that there were insufficient changes in the application from 2008, to the current application and it was refused. The Inspectorate found in favour due to the change in the Local Plan and the character of the area had changed due to the commercial area the site was next to. There were no costs awarded as the Inspectorate found that the reasons for the refusal were valid.

The Meeting closed at 3.42pm.

CHAIR