

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the

Lowlands Area Planning Sub-Committee

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB
at 2.00 pm on **Monday, 5 February 2024**

PRESENT

Councillors: Michael Brooker (Chair), Andy Goodwin (Vice-Chair), Julian Cooper, Rachel Crouch, Phil Godfrey, Nick Leverton, Dan Levy, Andrew Lyon, Michele Mead, Lysette Nicholls, Andrew Prosser, Harry St John, Adrian Walsh and Alistair Wray

Officers: Abby Fettes (Development Manager), Joan Desmond (Principal Planner) Esther Hill (Planner), Peter Morgan (Senior Planner), Sarah Hegerty (Planner), Elloise Street (Planner) and Max Thompson (Senior Democratic Services Officer), Anne Learmonth (Democratic Services Strategic Officer),

Other Councillors in attendance: Nil.

57 Apologies for Absence

Apologies for absence were received from Councillor Colin Dingwall.

Councillor Michele Mead substituted for Councillor Colin Dingwall.

58 Declarations of Interest

Declarations of Interest were received as follows

23/02917/FUL Land South of Ramsden Akeman Street.

Councillor Harry St John declared that he is on the board of trustees at Wychwood Forest Trust.

23/00297/FUL Land Adjoining Dunloaghair, Primose Lane.

Councillor Alistair Wray declared he lived in Bampton but had not been involved with the application.

23/02872/FUL Barclay House, 11 Burford Road, Carterton.

Councillor Nick Leverton is a member of Carterton Town and has not been involved with the application.

59 Minutes of Previous Meeting

The minutes of the meeting held on Monday 8 January 2024 were approved and signed by the Chair as a correct record.

Councillor Lysette Nicholls proposed that the minutes of the previous meeting held on Monday 8 January 2024 be agreed by the Sub-Committee as a true and accurate record and be signed by the Chair.

This was seconded by Councillor Adrian Walsh was put to the vote and was unanimously agreed by the Sub-Committee.

The Sub-Committee **Resolved** to:

1. Agree the minutes of the previous meeting held on Monday 8 January 2024 as a true accurate record.

60 Applications for Development

61 23/02930/FUL 111 Manor Road Witney

The Chair advised the Sub-Committee that the application for 23/02930/FUL 111 Manor Road Witney, had been withdrawn

62 23/02917/FUL Land South of Ramsden Akeman Street

Joan Desmond, Principal Planning Officer, introduced the application for the installation of a ground mounted solar PV, energy storage system together with associated infrastructure: security fencing, CCTV, access track, cable route, landscaping and onsite biodiversity net gain.

The Principal Planning Officer drew the Sub-Committee's attention to the Additional Representation Report and made the following comments; the agent had submitted further letters asking for more time to consider the application, however as set out in the planning protocol, it would be up to Members to hear the application as set out for the Sub-Committee present at this time. There were additional objections from Hailey Parish Council, additional letters of objection, including comments from Solar Park Action Group (SPAG) and comments from Cotswold National Landscape Board.

Mr Steve Maclennan, Chair of Ramsden Parish Council, addressed the Sub-Committee in objection to the application and provided clarification regarding flooding and where rainwater would flow to with solar panels in situ. Water related problem hotspots such as Delly End were identified.

Mr Peter Saugmann addressed the Sub-Committee in objection to the application and clarified that no community benefits, such the offer to provide local residents with electricity had been forthcoming by the applicant. Also flooding concerns had been brought to the attention of the flooding engineer.

Tim Humpage, applicant, addressed the Sub-Committee and clarified that comments regarding the reduction of size and scale had been taken onboard, particularly with attention to visual impact and a reduced size to the park with an increase in the wattage of fewer solar panels.

The Planning Officer drew the Sub-Committee's attention to the following points;

- Policy EH6 supported the principle of renewable energy development which should seek to minimise adverse impacts on the landscape and historic environment. The NPPF and other Government directives also supported paths for renewable energy.
- The proposed production of clean energy would power over 6,060 homes and save over 8,600 tons of CO2.
- The land on the site was classified as Grade 3b which is not classified as 'Best and Most Versatile'. The site lies within the Wychwood Project area where protection is given to landscape and biodiversity.
- The site was also near to the Cotswold National Landscape area and was considered to have an adverse impact to the setting of the CNL.
- The site was close to the Ramsden Conservation Area and both Historic England and the Conservation Officer raised objections to the application regarding harm to the significance of the conservation area.

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- The public benefits to the scheme had been acknowledged however it was considered that the harm to the conservation area outweighed those benefits.
- An archaeological assessment had not been undertaken in line with the agreed written scheme of investigation (WSI).
- The Ecology Consultant asked for additional information and clarification regarding arable plants, the impact on the ancient woodland, the Wychwood and Evenlode conservation target areas, biodiversity net gain and species surveys.
- It was recognised that the scheme would contribute to meeting targets of renewable energy production with reduction to greenhouse gases, however the scheme would be significantly harmful landscape, heritage and biodiversity of the area. There had also been no archaeological assessment undertaken in accordance with the agreed WSI. The Principal Planning Officer's recommendation was for refusal of the application for the reasons as set out in the report.

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

- The Sub-Committee acknowledged the need for renewable energy however considered that sites would have to be in suitable locations. Objections regarding conversation and biodiversity were considered valid concerns to the area where the site was proposed.
- Would it be possible to move the solar panels from the north of the field to the southeast of the field where the cable was running. The Principal Planning Officer confirmed the cabling was new to the application. The Principal Planning Officer advised of the previous application in 2021 where concerns were raised regarding landscape and heritage impacts, these concerns were still not addressed in the application before the Sub-Committee.
- Late comments from the Cotswold National Landscape Board were included in the additional representations report, however they had made objections to the application in 2021. All comments were included in the report with regards to protecting the Cotswold National Landscape setting.

Councillor Lysette Nicholls proposed that the application be refused in line with officer recommendations. This was seconded by Councillor Nick Leverton, was put to the vote. There were 12 votes in favour and 2 abstentions. The vote was carried. Councillor Andrew Prosser requested his abstention vote be recorded in the minutes.

The Sub-Committee **Resolved** to:

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

23/02297/FUL Land Adjoining Dunlaoghaire Primrose Lane

Elloise Street introduced the application for a new dwelling to replace stables and store, to create a holiday let (amended plans).

The Planning Officer drew the Sub-Committee's attention to the following points;

- The application was before the Sub-Committee due to Bampton Parish Council objecting to the scheme.
- The proposed dwelling was to replace a redundant stable. The dwelling would be used as a holiday let.
- The site was within flood zone 2.
- The site was within the Bampton Conservation area however there were no listed buildings near the site.
- There was a public right of way that would pass by the site, so public would be able to walk past the proposed site which is a 10 minute walk to Bampton Town Centre.

John Duff addressed the Sub-Committee in objection to the application.

Sam Smart, applicant, addressed the Sub-Committee, which raised the following points of clarification of the public right of way and its usage. Concerns were raised about the flood zone; would the foundations of the proposed dwelling be different from the barn. The applicant confirmed that the footprint for the barn and hardstanding was 100 squared metres and the proposed dwelling footprint would be smaller at 87 squared metres.

The Planning Officer continued with their presentation which clarified the following points:

- In line with Local Plan Policy E4, the site is close to a service centre only 10 minutes from the centre of Bampton. It was advised that the current barn would not be suitable for retention.
- The holiday let would include a condition of an 8-week time limit for letting to prevent the dwelling being used as a permanent dwelling and the Council can request records from the previous 12 months to surmount this.
- Concerns were raised over the acoustic design, a condition has been included to provide a noise management plan.
- There were concerns over the conservation area in which whether a dwelling-house could have potentially been in this location in the past, nevertheless, the holiday let was a high quality design and would not result in harm to the conservation area.
- There were no objections from the Drainage Officer however the Environment Agency, EA, considered the site to be under Flood Zone 2 and the application has been assessed on this guidance.
- A full surface drainage scheme would have to be submitted before the commencement of building the proposed dwelling, to ensure flooding would not be acerbated in this area.
- The Planning Officer recommended the application be approved in line with the report.

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

- Concerns that the holiday let could be used as a permanent residence – the Planning Officer confirmed that there would be a condition to ensure that the length of time a let could last was 8 weeks and records of a 12 month period could be requested to check this condition was being adhered to.
- Concerns over the potential of flooding in the area. The Planning Officer confirmed that the applicants had submitted a flood risk assessment which considered the area to be in flood zone 1, however due to the EA mapping, the application was considered under flood Zone 2 and as a result, the pre-commencement condition is recommended.
- The Sub-Committee asked for clarification on whether flood zone 2 was suitable to build on. The Planning Officer confirmed that as per the guidance in the NPPF the development of more vulnerable buildings such as hotels, would be acceptable in the proposed location.

Councillor Lysette Nicholls proposed that the application be deferred for a site visit. This was seconded by Councillor Julian Cooper, was put to the vote. There were 11 votes in favour and 1 abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

1. Agreed a site visit on Monday 4 March at 10am.

64

23/02231/FUL Oakdene Wilcot Lane

Peter Morgan, Planning Officer, introduced the application for the removal of existing dwelling. Erection of a dwelling with garage and garden barn and associated landscaping. (Amended).

The Planning Officer drew the Sub-Committee's attention to the following points;

- The site was surrounded by woodland and was not visible from the nearby village.
- The house that was currently on the site was dilapidated and not inhabited.
- The proposed dwelling would be a 1½ storey and slightly shorter compared to the current dwelling. The proposed site would have an associated barn and garage.
- It would have permeable surface in the parking area.

Charles Bettes addressed the Sub-Committee as the architect for the applicant. The Sub-Committee asked for clarification on the following points:

- The usage of the barn. The speaker confirmed that the barn was not to be used for animals. It would be used as a study / gym.
- The application was for 4 bedrooms and what would the hardstanding be made from. The speaker confirmed that the existing dwelling had 2 bedrooms. There would be a landscaping and surface water conditions, and the hardstanding would be permeable.

The Planning Officer continued with their presentation with the attention to the following:

- The application was an amended scheme and was much improved from the original application.

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- The Parish Council had objected to the application due to concerns over the hardstanding and possibility of flooding.
- The Drainage Officer for West Oxfordshire District Council, WODC, had considered the application and was satisfied that drainage and flooding could be addressed through conditions. This would be a drainage scheme and would require testing before the commencement of the building works and would come back to the planning team before works began. The drainage water would have to be dealt with onsite.
- The Planning Officer recommended approval with outlined conditions within the report.

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

- Concerns were raised to highlight prevent of the site being added to at a later date, if the application was approved by the Sub-Committee. The Planning Officer confirmed that Condition 4 in the officer's report prevented further development of the site.
- The application was for a much bigger development than currently existed what was the reasoning for the application to be recommended for approval. The Planning Officer explained that the applicant had worked with the planning team at WODC. There was no existing garage and that was taken into consideration. The scale of the site was in keeping with the location and proximity to the local village. The site was secluded due to the wooded area surrounding it. The dwelling was reduced in height and had proposed the use of dormer windows. The application complied with policy OS2 of the Local Plan.

Councillor Lysette Nicholls proposed that the application be approved inline with officer recommendations. This was seconded by Councillor Nick Leverton, was put to the vote, and was agreed unanimously by the Sub-Committee.

The Sub-Committee **Resolved** to:

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

65 23/00083/FUL Land to the North of Rose Cottage Broughton Poggs

Esther Hill, Planning Officer, introduced the application for the removal of existing outbuildings. Erection of a stable building and associated hardstanding and access. (Amended).

The Planning Officer drew the Sub-Committee's attention to the following points;

- The site was served by the existing access road.
- The site was within the existing Filkins and Boughton Poggs conservation areas.
- The site was within 100m of the grade II listed Old Rectory and Boughton Poggs Mill.
- The site was within flood zone 3.
- The 4 barns were to be demolished as they were in a poor condition.
- The proposed site would have stable building with 3 stalls, heating and washing facilities and a utility space. There would also be a septic tank installed on the site.

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- The design and scale of the site was low-lying and in keeping with the surrounding area's character. There was no harm to the local amenities.
- Outstanding issues relate to ecology, the site falls within the red zone for Great Crested Newts. The Biodiversity Officer has requested either a likely absence survey is submitted or that the applicant signs up to the district licensing scheme. These details cannot be secured by condition and would need to be submitted prior to the determination of the application.
- The Planning Officer had recommended the Sub-Committee delegate back to officers to approve subject to the ecology issues being resolved.

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

- Would the barns be built in the exact same location. The Planning Officer confirmed that the barn would be slightly off the original plot.
- Would the septic tank effect the foul drainage – the Planning Officer confirmed that the septic tank would serve the stable buildings and be contained. The horse waste would be removed from the site and dealt with by composter. This was a covered by a condition in the application.
- The final details of drainage strategy were to be confirmed and covered by condition.

Councillor Lysette Nicholls proposed the application be delegated to officers to approve subject to the ecology issues being resolved. This was seconded by Councillor Michele Mead, was put to the vote, and was agreed unanimously by the Sub-Committee.

The Sub-Committee **Resolved** to:

- I. Delegate the application back to officers to be approved subject to the ecology issues being resolved.

66

23/02872/FUL Barclay House | | Burford Road

Esther Hill, Planning Officer, introduced the application for a proposed infill of undercroft to provide a 1 bedroom ground floor flat.

The Planning Officer drew the Sub-Committee's attention to the following points;

- There were no listed buildings near the proposed site.
- The site was within flood zone 1.
- The proposed flat would be beside residential units. 4 parking spaces would be retained to serve the whole development. There would also be bin and bicycle storage.
- Dormer windows were approved as per the previous application.
- The proposed flat would be in the town centre and the design was in keeping with the surrounding area.
- There were no objections from Oxfordshire County Council, OCC Highways regarding the parking space as the town had car parks located near by.
- The Planning Officer recommended the application for approval.

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

- Concerns were raised regarding the access for cars and lorries to the site as the access lane was very narrow.
- The design was cramped and contrived with no provision for parking. The parking outside the current building was limited.
- Concerns about the provision of local transport only serving certain towns which could limit work opportunities for residents.
- No provision for disabled residents with cars.

Councillor Andrew Prosser proposed that the application be delegated back to officers to approve once the proposed parking and bin storage has been revisited. This was seconded by Councillor Andrew Lyon, was put to the vote. There were 7 votes in favour, 4 votes against and 2 abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

1. Delegate the application back to officers to approve once the proposed parking and bin storage has been revisited.

67

23/01 182/FUL Churchfields Care Home Pound Lane

Sarah Hegerty, Planning Officer, introduced the application for the erection of a two storey detached key worker nurses accommodation block with associated works.

The Planning Officer drew the Sub-Committee's attention to the following points;

- Outlined the design and floorplans within the application, which highlighted the use for keyworkers. The site would provide accommodation for workers on site and was considered acceptable on principle due to guidance in planning policy.
- The materials to be used would be consistent with the current care home building and that of surrounding buildings. It was also compliant with the Cassington Neighbourhood plan design code.
- The floorplan highlighted the number of bedrooms as well as a mixture of ensuite and shared bathroom facilities.
- The southern boundary would be 34 meters from the A40 and the living area was the furthest point from the A40.
- There would be 5 available parking spaces for staff.
- The officers recommended approval with the conditions outlined in the report.

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

- Concerns were raised about noise levels as the site was close to the A40 main road. The main road would become a dual carriageway within the next 2 years. The Planning Officer confirmed that triple would be used. A noise report was submitted, and the Environmental Health officer had found the application to be acceptable.
- Concerns were raised over the living space provided, the shared bathroom facilities and the quality of living space. Concerns over staff well-being due to living on site.

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- How would staff who did not have access to a car be able to travel to and from the site. The cost of taxis would be high for those who had to travel to work. Parking provision; 9 bedrooms only 5 car park spaces were provided. There was a bus service which would provide access to the site and there not be a need for accommodation for staff.
- There was no reference to the adopted Cassington Neighbourhood Plan which should be considered in planning applications. The planning officer confirmed Cassington Neighbourhood plan was a material consideration as it was an adopted document. It was included in the report and the officer considered this document when making the recommendations.

Councillor Dan Levy proposed that the application be refused against the officer's recommendations. This was seconded by Councillor Andy Goodwin, was put to the vote. There were 11 votes in favour and 2 abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

Refuse the application on the following reasons:

- I. Did not comply with policy OS2 , OS4 and the Cassington Neighbourhood plan.

68 Applications Determined under Delegated Powers and Appeal Decisions

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

Page 122; Item 15; 23/02812/S73 North Leigh.

Councillor Harry St. John raised a query relating the number of applications to WODC Planning had been made by Estelle Manor. Abby Fettes, Development Manager agreed to provide a list to the Sub-Committee.

Page 127; Item 47; 23/03151/PN56 Ducklington

Councillor Dan Levy queried the code P4REF and asked what the next step would be on this application. The Development Manager confirmed that it was a planning notification but not permission and whether it was in accordance with policy. An application would have to then be submitted to the planning team.

The Development Manager advised that there was no Appeal Report to comment on.

The Meeting closed at 3.54 pm

CHAIR