



# EYNSHAM PARISH COUNCIL

Planning Committee held  
in Bartholomew Room at 6.30 pm  
on Tuesday 6 December 2016

## MINUTES

**Present:** Cllrs Dennis Stukenbroeker (Committee Chairman), Gordon Beach, Peter Emery, Richard Andrews, Andrew Bickley, Nick Relph

**16/P103 Apologies for Absence:** Andy Mosson

**16/P104 Declarations of Interest:** None

**16/P105 Minutes of the last meeting:** The minutes of the meeting of 6 September 2016 were signed as a true record.

**16/P106 Public Participation:** None

**16/P107 Applications discussed:**

- **16/03692/FUL** 49 Witney Road – Removal of existing single storey structure and the erection of a two storey dwelling with associated parking, and
- **16/03691/FUL** 49 Witney Road – Proposed conversion of existing children’s day nursery into two dwellings with associated minor internal and external alterations. Enlarging existing pedestrian access to create additional vehicular access.

**Objection.** It is presumed the applicant is seeking change of use from D1 to C3.

However, the applications would create a total of three separate dwellings with a total of seven bedrooms, which would be overdevelopment of the site contrary to BE2.

There are only five parking spaces allocated for the three dwellings which is insufficient and could result in on street parking on Witney Road, one of the busiest routes in Eynsham, contrary to BE3.

- **16/03875/FUL** 2 Spareacre Lane - Conversion of dwelling into four flats with associated parking. No objection.
- **16/03873/FUL** Land West of Fruitlands– Erection of six dwellings with associated works. **Eynsham Parish Council objects for the following reasons:**

The Parish Council has objected to the applicant’s entire series of applications in respect of this site as the council has received no positive support for any of them. The strength of continuing local opposition to development of the site is reflected in the applicant’s own Statement of Community Involvement and the WODC online comments.

This site was a wooded area long before the appeal decision of 11 May 1982 granted the applicant consent for the existing Fruitlands development on condition that the current application site be retained as public open space. This has been reiterated most recently by The Planning Inspectorate appeal decision (APP/D3125/W/15/3039143) of 24 May 2016 (the Appeal Decision) dismissing the applicant’s appeal against refusal of permission for 19 dwellings (14/1009/P/OP) on the site. Following the refusal of 14/1009/P/OP, the LPA immediately imposed a tree preservation order (TPO 1/2015) on the whole site. This was supported by Eynsham Parish Council.

In the Appeal Decision the Government Inspector said (at 12) 'I agree with the Council that the proposal would demonstrably urbanise the rural fringe of the settlement and remove the significant contribution that the appeal site makes to the locality. The leafy reprieve the appeal site provides against the built development of the locality would be lost. This would cause demonstrable harm to the character and appearance of the area.'

The 'site is, clearly by far, the largest area of vegetation on the western side of Eynsham' (the Appeal Decision, at 11). The importance of this site, the last remaining wood in Eynsham, as a green open space has been increased by the subsequent granting of consent for dense development of 160 units to the south (Thornbury Road site) and of 77 units (Eynsham Nursery and Garden Centre site) to the west. In the Appeal Decision the Inspector further said (at 15) 'In any event, even if additional housing was constructed to the west of the appeal site, I consider this does not affect my finding in terms of the important contribution the appeal site makes to the locality'.

In order to avoid the criticism of the adverse visual impact in the Appeal Decision (at 12, 13 and 14) the applicant has reduced the proposed dwellings from a mix of 19 multi-storey houses to six nondescript, but large, bungalows. However these, together with the access road and hard landscaping, occupy substantially the same area in the north and middle of the site as the previous application (Drawing P02), and would still result in 'the removal of 185 trees or groups of trees (37%)' according to the applicant's Arboricultural Impact Assessment (at p4).

In the Appeal Decision (at 24) the inspector states, 'I consider the appeal site in more general terms has ecological value' and further says, 'the appellant accepted ... that the site has an intermediate to high local ecological value and the Council agrees with this opinion'. While the applicant's current proposal reduces the ecological impact to some extent, as seen in 6 above, this is still substantial.

As a result of the above, the application is contrary to the current Local Plan (LP2011) BE4 (Open space within and adjoining settlements) in that it would result in the loss or erosion of an open area which makes an important contribution to the distinctiveness and visual amenity of the locality, and an area of nature conservation value.

The application is also contrary to LP2011 NE6 (Retention of Trees, Woodlands and Hedgerows) in that it would result in a loss of trees and woodlands which are important for their visual, historic and biodiversity value. It is also contrary to EH3 of the emerging LP (set to replace BE4) in that does not protect or enhance an open space and area of green infrastructure. Similarly it is contrary to NE13 (Biodiversity Conservation), set to be replaced by EH2 (Biodiversity), in that it does not protect or enhance the site to achieve an overall net gain in biodiversity.

The application proposes, in the Design & Access Statement at pp 36 and 45, a pedestrian footpath from the roadway to what is mislabelled at p28 as 'recreation ground' to the south of the site. This is the playing field of Bartholomew School and not a public recreation ground. The application therefore encourages and facilitates trespass on private property.

If the LPA does grant consent for this proposed development it should be conditional on:

- Strict restrictions on construction traffic, times of travel and parking on site, as well as vehicle and road cleansing, as the only access to the site is along Fruitlands itself which is unsuitable for heavy construction traffic.
- An express restriction on any further development on the site.

If consent is granted, Eynsham Parish Council reserves the right to request a S.106 developer contribution in respect of this development.

- **16/03740/FUL** 9 Elm Place Industrial Estate, Old Witney Road – Change of use off empty office from B1 (office) to D1 (clinical practice). No objection.
- **16/03793/FUL** 4 Elm Place Industrial Estate, Old Witney Road – Internal alterations to existing offices along with removal of three roof lights and addition of two dormer windows. No objection.

**16/P108** Date of next meeting – Tuesday 3 January at 6.30pm (if required)

The Meeting closed at 7pm