

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Uplands Area Planning Sub-Committee** held via video conferencing at 2.00pm on **Tuesday 5 January 2021**

### PRESENT

Councillors: Jeff Haine (Chairman), Geoff Saul (Vice-Chairman), Andrew Beaney, Richard Bishop, Mike Cahill, Nigel Colston, Julian Cooper, Derek Cotterill, Merilyn Davies, Ted Fenton (ex-officio, non-voting), David Jackson, Neil Owen and Alex Postan.

Officers: Phil Shaw (Business Manager – Development Management); Joan Desmond (Principal Planner); Nick Dalby (Forestry and Landscape Officer); Keith Butler (Head of Democratic Services) and Amy Bridgewater-Carnall (Senior Strategic Support Officer).

### 38. MINUTES

**RESOLVED:** That the minutes of the meeting of the Sub-Committee held on 7 December 2020, copies of which had been circulated, be approved as a correct record and signed by the Chairman.

### 39. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments notified.

### 40. DECLARATIONS OF INTEREST

Councillor Cooper declared an interest in agenda item 6, Applications Determined under Delegated Powers. He advised that in relation to delegations 76 and 77 (20/02772/HHD and 20/02773/LBC) 11 High Street, Woodstock, the applicant was known to him as they had both served on Woodstock Town Council.

### 41. APPLICATION FOR DEVELOPMENT: APPLICATION 20/02899/FUL, LAND AT 2 AND 4 WITNEY ROAD, LONG HANBOROUGH

The Planning Officer, Mrs Joan Desmond introduced the application for the erection of ten, one bedroom flats with associated works.

A public submission had been received and was read out on behalf of Mr Cliff Jones in objection to the application. A summary of his submission is attached as Appendix **A** to the original copy of these minutes.

Mrs Heather Armitage addressed the meeting in objection to the application. A summary of her submission is attached as Appendix **B** to the original copy of these minutes.

The applicant, Mr Luke Carter addressed Members in support of the application. A summary of his submission is attached as Appendix **C** to the original copy of these minutes.

Information contained in the follow on report advised that the applicant was willing to pay any Section 106 charges that the application may attract. In addition, six further letters of objection had been received, raising similar concerns as detailed in the report.

The Planning Officer then presented her report containing a recommendation of refusal. She outlined the reasons for the decision and explained that the previously refused scheme for ten flats was currently subject to an appeal.

Councillor Davies expressed her indecision about the application which she felt was finely balanced between the impact on neighbours and the potential benefits to be gained from one additional unit. She also asked for clarity on the position with regard to S106 contributions as there appeared to be differing views between officers and the applicant.

Councillor Saul noted the comments made but felt that the reasons for refusal on the previous scheme were still pertinent to this application and he supported the officers' recommendation of refusal.

Councillor Saul therefore proposed that the application be refused as per officers' recommendations.

In seconding the proposal, Councillor Postan recognised the need for one bedroom properties, felt that the rights of even one neighbour should be taken into account and queried if the impact on one of the speaker's ability to continue with their pastime of astronomy could be added to the refusal reasons. Officers advised that whilst they had empathy with the objector, this was not a valid planning reason for refusal.

Councillor Beaney queried the '1% increase' quoted by the applicant and was advised that this referred to the footprint of the proposed building and did not address the volume or massing of the proposal.

In response to a query from Councillor Cooper, Mr Shaw advised that the applicant would have a right of appeal as per standard practices.

Following a question from Councillor Cotterill, officers provided clarification on the impact that the proposed scheme would have at the rear of the property and on the properties behind it.

The proposal of refusal was then put to the vote and was carried.

Refused

42. CONFIRMATION OF PROVISIONAL NO.2/2020: TITHINGS, STATION ROAD, SHIPTON UNDER WYCHWOOD

The Sub-Committee considered the previously circulated report of the Landscape and Forestry Officer, which advised that a Section 211 Notice (51.70/T382) had been received indicating the owner's intention to fell a poplar tree at Tithings, Station Road, Shipton under Wychwood. The tree was growing within the private rear garden at the property, on the boundary with the churchyard at St Mary's Church.

Because the six week notification period expired before the Notice could be considered by the Committee, a provisional tree preservation order (TPO) was made on 2 November 2020 to extend legal protection over it until a decision could be taken to allow it to be removed or to seek its retention.

The reasons given in the notice to justify felling the tree were as follows;

'T1 Poplar – Fell – tree is a poor species for location biased towards neighbouring property. Large lateral lower limb has hazard beam fracture'.

The provisional Order took immediate effect for a period of six months during which time the Council must decide whether to confirm it, amend it in some way, or allow it to lapse.

Objections to the making of the TPO had been received from the owner of the property and were summarised in section 4 of the report. Officers noted that whilst the Poplar tree may not be a species of choice, it was an established and prominent tree and contributed to the maturity of the wider surroundings. In addition, safety was clearly an important consideration and, where there was evidence of risk, the Council would be supportive of proportionate work to bring the tree within accepted safety parameters.

The report therefore asked the Committee to consider whether or not to confirm the provisional tree preservation order.

Councillor Haine stated that he felt the tree was a worthwhile specimen but noted that it was in need of some urgent remedial works. He supported the officers recommendation and requested that the owners be contacted as soon as practicable to arrange for the works to be undertaken.

Having considered the report and having heard from the officers present, it was proposed and duly seconded that the order be confirmed.

**RESOLVED:** That Tree Preservation Order 2/2020 be confirmed.

43. APPLICATIONS DETERMINED UNDER DELEGATED POWERS, APPLICATIONS WITHDRAWN, AND APPEAL DECISION

The report giving details of (i) applications determined under delegated powers or withdrawn; and (ii) an appeal decision, was received and noted.

The Chairman noted that Members had received correspondence from Mr Carne relating to delegated item 9, application 20/02104/FUL – Storage Land, Horseshoe Lane, Chadlington. In his emails, Mr Carne had requested that his concerns be tabled and his request to revoke the delegated decision be noted. For the avoidance of doubt, Councillor Haine read out the email from Mr Carne.

Whilst noting the frustrations felt by the objectors, Members stated that they were satisfied all correct procedures had been followed and there had been no reason to bring the matter before the committee.

Councillor Cahill raised a query regarding delegated item 66, on page 11 of the report, 20/02707/OUT. Mrs Desmond advised that she would respond with the reasons for refusal outside of the meeting.

Mrs Desmond then advised of the one appeal decision detailed in the report.

Having considered the report and having heard from the officers present, the Committee

**RESOLVED** that the report be noted.

The meeting closed at 3.05 pm

CHAIRMAN