

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of a Meeting of the
LOWLANDS AREA PLANNING SUB-COMMITTEE
Held in Committee Room I, Council Offices, Woodgreen, Witney, Oxon
at 2.00 pm on Monday 15 September 2014

PRESENT

Councillors: W D Robinson (Chairman); Mrs M J Crossland (Vice-Chairman); M A Barrett;
H B Eaglestone; D S T Enright; Mrs E H N Fenton; S J Good; J Haine; P J Handley;
R A Langridge; J F Mills and B J Norton

Officers in attendance: Miranda Clark, Phil Shaw, Kim Smith and Lois Stock

22. MINUTES

RESOLVED: that the minutes of the meeting of the Sub-Committee held on 18 August 2014, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

23. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr P D Kelland

The Chief Executive reported receipt of the following resignations and temporary appointments:-

Mr H B Eaglestone attended for Mr H J Howard

Mr J F Mills attended for Mr M R Booty

24. DECLARATIONS OF INTEREST

Mrs M J Crossland declared a personal interest in the application number 14/1136/P/FP Carterton Manor, Corbett Road on the grounds that the applicant was known to her. Mrs Crossland clarified that the applicant was not a close friend and she would remain in the meeting during consideration of the application.

25. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Head of Planning and Strategic Housing giving details of applications for development, copies of which had been circulated. A schedule outlining additional observations received following the production of the agenda was circulated at the meeting, a copy of which is included within the Minute Book.

(In order to assist members of the public, the Sub-Committee considered the applications in which those present had indicated a particular interest, in the following order:-

14/0973/P/FP, 14/0993/P/OP; 14/1061/P/FP; 14/1082/P/FP; 14/1171/P/FP; 14/1036/P/FP; 14/1085/P/FP; 14/1086/P/LB; 14/1025/P/FP; 14/1120/P/FP; 14/1136/P/FP.)

The results of the Sub-Committee's deliberations follow in the order in which they appeared on the printed agenda)

RESOLVED: that the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in the report of the Head of Planning and Strategic Housing, subject to any amendments as detailed below:-

3 14/0973/P/FP Weald Manor Farm, Bampton

The Area Development Manager introduced the application and outlined the site area and the proposed architectural form.

Mr Harrison spoke against the application. He expressed concern about the sustainability of the site, flooding risk, the heritage impact and the potential for increased traffic. A copy of his address is attached to the original copy of the minutes as Appendix A.

Mr Pelham and Mr Lilly (on behalf of the Applicant) spoke in favour of the application. They explained that all the properties would be available for rent, rather than sale and would provide affordable housing in Weald and Bampton, that the development site was less than 1km from Bampton Town Hall and that the proposal was for a high quality development using natural materials. A copy of their address is attached to the original copy of the minutes as Appendix B.

The Area Development Manager continued the presentation to the Sub-Committee. He outlined the key issues of land designation, provision of sustainable affordable housing, design and impact on heritage assets, flood risk, highways and parking, and the potential impact on the Conservation Area.

During the debate, members of the Sub Committee raised the following issues:-

- Need for affordable housing in Bampton;
- It was suggested that the application could be dealt with by conditions to address concerns raised in the report;
- Clarification concerning the future of the existing upholstery business was needed;
- The site was neither isolated nor unsustainable;
- Would the local school be able to accommodate additional children from the houses.

Mr Barrett felt that the application potentially had some benefits and suggested that a site visit could be useful in order that the Sub Committee could see the whole site in context and allow time for further information to be obtained regarding issues raised at the meeting. He proposed, and Mr Langridge seconded, that the application be deferred pending a site visit.

On being put to the vote the proposition was carried.

Deferred for a site visit on Thursday 16 October 2014 and to allow officers to investigate points made by Members prior to reconsideration of the application.

17 14/0993/P/OP Land at Aston Road, Bampton

The Area Development Manager introduced the application, outlined the site area and clarified how the proposal had been amended.

Mr McBrien (on behalf of the Society for the Protection of Bampton and Save Bampton's Future) spoke against the application. His main concerns were flooding risks, poor public transport, school capacity, lack of local jobs, sewage disposal issues, and doubt about the ability of the doctors' surgery to cope with an influx of new patients. A copy of his address is attached to the original copy of the minutes as Appendix C.

The Area Development Manager continued the presentation to the Sub-Committee. He confirmed that a previous application for this site was currently at a public enquiry, and that the reasons previously given for refusal were listed at paragraph 1.1 of the planning officer's report. The main considerations for this site were extension of the village into open countryside, land at risk of flooding, problems with sewage disposal, potential for harm to the visual amenity of the village, capacity of local schools, ability of the village to absorb large scale change, and lack of an agreed mitigation package to address the impacts of the development. As a result, the officers' recommendation was that the application be refused for reasons laid out on page 28 of the report.

Mr Barrett expressed grave concern about the flood plain, especially in the light of further clarification from the Environment Agency. He therefore proposed that the officers' recommendation and reasons for refusal be agreed. In seconding the proposal, Mrs Crossland added that the officers had presented a compelling case for refusal.

Mrs Fenton echoed concerns about the sewage plant in the area, adding that she felt a new plant was needed. Mrs Fenton asked officers to confirm whether or not this could be a reason for refusal. The Area Development Manager advised that it would be difficult to substantiate a refusal reason.

On being put to the vote the proposition was carried.

Refused.

29 14/1025/P/FP

117 Brize Norton Road, Minster Lovell

The Principal Planning Officer presented the application to the Sub Committee. Confirmation was given that the application site was within a commercial/industrial context.

Mr Handley asked for clarification of the 7.30am start time. The Area Development Manager explained that if this was an extant condition, the Council could remind the applicant of it; however it could not be imposed as a new condition.

Mr Langridge proposed, and Mr Enright seconded, that the application be approved.

On being put to the vote the proposition was carried.

Permitted

31 14/1036/P/FP

Greeshott House, High Street, Bampton

The Principal Planning Officer presented the application to the Sub Committee. Officers considered that the key issues were principle, design and impact upon the Conservation Area, impact upon neighbours and highways. The proposal was for a barn-like structure, and officers considered that it would have a neutral impact on the Conservation Area. There was no overshadowing of neighbouring properties, the design was not overbearing and the area in which it would stand had not been flooded in 2007. The recommendation was for conditional approval.

During discussion of the application the following questions/observations were raised:-

- The location of trees that were subject to Tree Preservation Orders;
- The adequacy of the access to the site for vehicles;
- Concern that this was “backland development”;
- Concern about the proposed design, given that there are very traditional properties surrounding the site;
- The fact that the Council did not have a 5-year housing land supply policy was a crucial factor that meant there would be increased difficulty in defending a refusal at appeal;
- Interpretation of the National Planning Policy Framework (NPPF)
- Concern at the number of houses using the proposed access?

The Area Development Manager explained that the NPPF provided a presumption in favour of sustainable development, unless significant and demonstrable harm caused by development could be demonstrated. He added that the TPO trees were not part of the application site.

Mr Langridge expressed the view that significant and demonstrable harm could be demonstrated, by virtue of the fact that this was “backland development” that would be detrimental to the setting of other listed buildings in the proximity. It therefore had a negative impact upon the Conservation Area and he proposed that the application be refused.

In seconding the proposal, Mr Good added that he had an overall concern about the siting of this building within the historical and heritage context.

On being put to the vote the proposition was carried.

Refused for the following reasons:

1. That by reason of the backland siting, the design and the scale, the proposal fails to have special regard to the desirability of preserving the setting of a number of listed buildings, the gardens of which abut the application site area. As such the development is considered contrary to Policy BE8 of the West Oxfordshire Local Plan, relevant paragraphs within Chapter 12 of the NPPF and S66 of the 'Planning (Listed Buildings and Conservation Areas) Act 1990'
2. That by reason of the backland siting, the design and the scale, the proposal fails to pay special attention to the desirability of preserving or enhancing the character and appearance of the Bampton Conservation Area. As such the development is considered contrary to policy BE5 of the West Oxfordshire Local Plan, relevant paragraphs of Chapter 12 of the NPPF and S72 of the 'Planning (Listed Buildings and Conservation Areas) Act 1990'.

36 14/1061/P/FP

The Orchard, Church Road, North Leigh

The Senior Planning Officer introduced the application and outlined the site area. The previous application had been refused, and the reasons for refusal were contained at page 37 of the planning officer's report.

Mr Wilkinson (Agent for the Applicant) spoke in favour of the application. He explained that there would be space for vehicles to run within the site in order to exit, that the new proposed dwelling was smaller than the previous one, the rural aspect would be maintained, and the site could not be considered over-developed since only 16% of it would be built upon. A copy of his address is attached to the original copy of the minutes as Appendix D.

The Senior Planning Officer continued her presentation. She explained that officers found the appearance of the development to be acceptable, that there would be roof lights thus minimising overlooking and that the distance from the boundary meant that there were no concerns that the building might be overbearing in appearance. It was noted that there was an error in the planning assessment section, and that there were proposed

windows to the west elevation. The recommendation from officers was that the application be approved.

During discussion, the following observations were made:-

- Church Road is regarded as a rural road leading to the centre of the village. Open space around it was valuable. This proposal could erode the visual amenity of the road;
- The exit from the site was in a dangerous location;
- There would be an impact upon properties in Bridewell Close;

Mr Norton suggested that it would be helpful for Members to see the houses nearby and the proposed entrance to the site. He proposed that consideration of the application be deferred pending a site visit. Mr Langridge seconded this proposal.

On being put to the vote the proposition was carried.

Deferred for a site visit on Thursday 16 October 2014.

44 14/1082/P/FP

3 High Street, Aston

The Principal Planning Officer presented the application to the Sub Committee and outlined the site location. She reminded Members that a previous application had been refused in July, and that the resubmission had been modified in response to that.

Mr Harris (Applicant) spoke in favour of the application. He had noted the reasons for refusal in July and had sought to respond to them in his current application. He was keen to stress that he was a local developer and that he listened carefully to comments made on his application.

The Principal Planning Officer continued her presentation. The principle of development had already been agreed, and the key issues were those of design and scale, neighbourliness, highways and parking. Officers considered that previous concerns had been addressed by this application and that it should be approved, with conditions.

Mrs Fenton observed that the application was an improvement upon the previous one, although she still had some concerns about parking. However, she was happy to propose that the application be approved. Mr Enright seconded the proposal.

In response to a question, it was confirmed that Oxfordshire Highways had checked the proposed parking arrangements and were satisfied with them.

On being put to the vote the proposition was carried.

Permitted

49 14/1085/P/FP 3 High Street, Witney

The Principal Planning Officer presented the application to the Sub Committee and outlined the site location and design proposals, including those for the rear elevation. It was noted that the removal of a chimney breast was proposed, however it was felt that the street facing façade was the most valuable aspect of this building, and its improvement provided a clear net gain for the building when weighed against the loss of a chimney breast. The work would be subject, in any case, to a structural report. The other main issue of concern was that of impact upon the Conservation Area. Officers were satisfied that the application should be recommended for approval.

In answer to questions from Members, officers provided the following information:-

- The box beams would remain, and a note to that effect would be made on any notice of permission;
- The finish of the rear elevation would be render with Cotswold Stone and brick coining. Window frames would be wooden;
- The front pillar would be realigned and the shop front brought up to meet it;
- The flat on the second floor was new accommodation and was separate from the business;
- Pedestrian access would be from Welch Way;
- The flat, being in the town centre, did not require parking space, but it was anticipated that there would be sufficient space in the yard at the rear for bin storage.

Mr Langridge agreed that the proposal enhanced the shop front of a valuable Witney business, and he was happy to propose approval.

Mr Enright welcomed the structural report and was happy to second the motion that this application be approved.

On being put to the vote the proposition was carried.

Permitted

52 14/1086/P/LB 3 High Street, Witney

Granted Listed Building Consent.

55 14/1120/P/FP 69 Black Bourton Road, Carterton

The Principal Planning Officer presented the application to the Sub Committee and explained that it was for modifications to an existing application, 14/0194.

Mrs Crossland proposed that the application be approved, as the proposed modifications were acceptable. Mrs Fenton seconded the proposal.

On being put to the vote the proposition was carried.

Permitted

58 14/1136/P/FP Carterton Manor, 17 Corbett Road, Carterton

The Principal Planning Officer presented the application to the Sub Committee, explaining that it was for a new dwelling at the rear of Carterton Manor. She outlined the proposed design materials and explained the proposed tree planting and landscape work. Officers were satisfied that there would be no material harm to neighbouring properties and that therefore it should be recommended for approval.

During discussion of the application, the following observations were made:-

- The plot was large, there would be no overlooking, and officers had expressed satisfaction that it would be shielded from public view (from Willow Meadow);
- There was some concern expressed that this might be seen as “garden grabbing”;
- It was anticipated that there would be no detrimental effect on the Shill valley;

Mrs Fenton proposed that the application be approved. Mr Haine seconded the proposal.

On being put to the vote the proposition was carried.

Permitted

(Mrs Crossland asked that her abstention from voting on this application be recorded)

61 14/1171/P/FP 24 Common Road, North Leigh

The Senior Planning Officer introduced the application and outlined the key areas for consideration. These included access and the design of the dwelling. She clarified that the garage size had been reduced.

Victoria Lowndes spoke against the application. Her main concerns were those of access, lack of pavement and turning space on the drive, the loss of trees and hedgerow, overlooking of neighbouring properties, loss of privacy for neighbouring properties, and the potential for increased surface flooding in gardens.

Mrs Hyatt (on behalf of the Applicant, Mrs Knight) spoke in favour of the application. She pointed out that the Environment Agency had confirmed that the site was not at risk of flooding, that the design of the development had been determined in consultation with planning officers, there would be a landscaping plan produced and that only 4 houses would use the access road. There would be turning space for traffic on the site. The design and access statement made it clear that the site would be screened by hedging and a 1.8m high fence. A copy of her address is attached to the original copy of the minutes as Appendix E.

The Senior Planning Officer continued her presentation. She reminded Members that they could add conditions concerning a landscaping scheme and to mitigate any effect on wildlife. Officers considered that the application was acceptable in the context of both the Council's Local Plan and the NPPF.

Mr Norton expressed concern that this could be "backland development" and there would be a reduction in the number of trees which currently gave a soft edge to the development. The site was sloped, which Mr Norton felt gave rise to a risk of flooding; and given that the development would be close to an existing property, he felt that living conditions could be unacceptable. There had been local concern about this application.

Mr Norton therefore proposed that the application be deferred pending a site visit. Mr Good seconded the proposal and on being put to the vote was carried.

Deferred for a site visit on Thursday 16 October 2014.

At this point, the Chairman reminded Members that they had resolved to hold three site visits on 16th October. The timings would be:-

Weald Manor Farm, Bampton at 12 noon;
The Orchard, Church Road, North Leigh at 12.30pm;
24 Common Road, North Leigh at 12.45pm

Officers were asked to notify neighbours and interested parties, and ask them to be aware that the timings shown were approximate.

26. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND AN APPEAL DECISION

The report giving details of applications determined by the Strategic Director with responsibility for development under delegated powers together with an appeal decision was received and noted.

The meeting closed at 4.45pm.

CHAIRMAN