

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the Meeting of the
LOWLANDS AREA PLANNING SUB-COMMITTEE
held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxon
at 2:00 pm on Monday 13 November 2017

PRESENT

Councillors: Mrs M J Crossland (Chairman), S J Good (Vice-Chairman), M A Barrett, H B Eaglestone, D S T Enright, Mrs E H N Fenton, Mr E J Fenton, J Haine, P J Handley, P D Kelland, R A Langridge, Mrs L E C Little, K J Mullins and A H K Postan

Officers in attendance: Phil Shaw, Catherine Tetlow, Miranda Clark and Paul Cracknell

37. MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 9 October 2017, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

38. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mrs J C Baker.

Mrs L E C Little attended for Mr H J Howard and Mr A H K Postan for Mr P Emery,

39. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in matters to be considered at the meeting. Whilst not disclosable interests, Mrs Little and Mr Postan advised that the applicants for the development at Sunset View, Upavon Way, Carterton, (17/02741/OUT) were known to them.

40. 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:-

17/01247/FUL, 17/01247/FUL, 17/02853/FUL, 17/02722/FUL and 17/02882/FUL.

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 17/01247/FUL Greensleves, Blackditch, Stanton Harcourt

The Planning Officer introduced the application and made reference to an email sent by the applicant's agent to Members.

Mr Mike Washbourne of Porta Planning, the applicant's agents, addressed the meeting in support of the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

The Planning Officer then presented her report containing a recommendation of refusal.

Mrs Crossland advised Members that they should consider this application independently, without reference to the application on the same site determined at the last meeting. Whilst she recognised that the proposal was contrary to policy, Mrs Crossland considered that the proposed dwellings would enhance the village and enquired whether there was any scope for compromise that could render such development policy compliant.

In response, the Development Manager drew attention to the Officer comments set out at page 5 of the report which questioned the scale and massing of the properties and the extent to which the scheme responded meaningfully to local building types. The recent and adjoining settlement in the village was dominated, not by large detached houses of this scale and character, but by smaller scale properties. It was unlikely that Officers would be able to support a scheme if the developers were minded to pursue development of this nature.

Whilst recognising the policy constraints, Mr Good indicated that residents found it difficult to accept that a limited form of development was unacceptable when a much more intensive scheme would find favour. Mr Good considered that the current scheme did not give rise to significant demonstrable harm.

In reply, the Development Manager explained that current Government guidance was framed in such a way that the benefit of development had to be weighed against the harm. Greater benefits in terms of affordable housing and financial contributions were derived from a large scale development than could be provided by a small scale scheme which gave rise to harm without benefit.

Mr Kelland considered that some form of development would be appropriate and noted that it would be less visible as the site was set down from the adjacent highway.

The Development Manager reminded Members that the application had been deferred at the last meeting with a view to the applicants producing a more acceptable scheme. The Principal Planner explained that, during pre-application discussions, the applicants had been advised to pursue a more low-key scheme but had chosen not to do so. She also indicated that the layout of current scheme was poor.

Mr Enright sought clarification of the extent of other recently approved development in the vicinity and details of the ownership of the area of land to the north west of the site. The Principal Planner outlined the extent of the schemes recently approved and advised that, whilst the land to the north west of the site was under the control of the applicants and visible in the public domain, it was within the domestic curtilage of Greensleeves and did not constitute public open space.

Mr Haine indicated that, whilst some form of development on the site could be acceptable, he considered the proposed refusal reasons to be sound and proposed the recommendation of refusal.

The proposition was seconded by Mr Postan who stressed the importance of retaining historic ground plans and field patterns, the preservation of which was essential in a Conservation Area. He noted that there was no imperative to provide screening for good design.

Mr Handley indicated that he considered the proposed form of development to be broadly acceptable and proposed an amendment that consideration of the application be deferred to enable further discussion.

The amendment was seconded by Mr Kelland and on being put to the vote was lost.

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

Refused

14 17/02853/FUL Field 1468, Lower End, Alvescot

The Development Manager presented the report containing a recommendation of conditional approval. He made reference to the observations set out in the report of additional representations and suggested that additional conditions requiring the submission of details of materials and construction and precluding external storage be incorporated into any consent, together with a note advising the applicants that the building could not be used for residential purposes, nor would it benefit from agricultural permitted development rights.

Mr Kelland sought clarification of the Parish Council's observations regarding car parking and it was explained that this was in response to comments made by the applicants regarding existing provision.

In proposing the revised Officer recommendation, Mr Langridge questioned whether the prohibition of residential use should be imposed by way of a condition rather than a note.

In response, the Development Manager explained that, whilst condition 5 specified that the building should only be used in connection with and incidental to the use of the land for grazing purposes and not as a livery or riding school or for any other commercial purposes, it was not possible to preclude an applicant submitting an application for an alternative use. Accordingly, a note was required to advise the applicants that any application for a residential use was unlikely to be supported.

The proposition was seconded by Mr Enright.

Mr Postan questioned whether there was any need for additional planting and the Development Manager advised that the building was not highly visible in the public domain. Mr Fenton expressed his concern over the poor quality of the plans.

In response to a question from Mr Haine, the Development Manager confirmed that the stables were for the applicant's own use.

The revised recommendation of conditional approval was then put to the vote and was carried.

Permitted subject to the following additional conditions, the applicants being advised that, for the avoidance of doubt, agricultural permitted development rights including those related to the re-use of redundant agricultural buildings do not pertain in respect of the smallholding at Field 1468, Lower End, Alvescot and that, given the open countryside location and the poor access, any future application to change the use of the building to a dwelling is unlikely to be supported on grounds of both Sustainability and that loss of the building for agricultural purposes will lead to a proliferation of buildings on the land to the detriment of the rural character and appearance of the area:-

6. No storage except the parking, manoeuvring and loading and unloading of vehicles associated with the use of the land as a smallholding shall take place outside the building.
Reason: To protect the visual amenities of the locality.
7. Notwithstanding the details contained in the application, detailed specifications and drawings of the construction of the walls of the building, the eaves details and all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a scale of 1:5 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
Reason: To ensure the architectural detailing of the building reflects its agricultural function.

20 17/02722/FUL Meadow Barn, Park Farm, Standlake Road, Northmoor

The Development Manager presented the report containing a recommendation of conditional approval. In response to a question from Mr Fenton he explained that a holiday use was considered to be acceptable as it would not place the same demands upon local services as permanent residential accommodation.

The Officer recommendation was proposed by Mr Langridge and seconded by Mr Handley and on being put to the vote was carried.

The Principal Planner introduced the application and made reference to a letter sent by the applicant's agent to Members. She drew attention to the observations set out in the report of additional representations and reported receipt of further observations received from Mr Hill and Mr Park following publication of the report.

(Mr Enright joined the meeting at this juncture)

Mr Jon Westerman, a Director of Edgars Limited, the applicant's agents, addressed the meeting in support of the application. A summary of his submission is attached as Appendix B to the original copy of these minutes.

The Principal Planner then presented her report containing a recommendation of refusal.

Whilst he sympathised with the need for housing, Mr Barrett considered the current proposals to extend too far beyond the boundary of the existing development. The application would be harmful to the landscape, visual amenity and character of the Shill Brook Valley and would disturb the nearby site of special scientific interest. Accordingly, he proposed the Officer recommendation of refusal.

The proposition was seconded by Mr Postan who indicated that, whilst he believed that a more limited form of development could be accommodated on the site, the current proposals were not acceptable. He suggested that the developer contributions were insufficient to outweigh the harm that would be occasioned and noted that the Shill Brook Valley conservation target area formed part of the emerging Shilton Neighbourhood Plan, The value of that area lay in the retention of the entire water course and the diversity of the surrounding environment in ecological terms.

Mr Postan also noted that there was a limited fall on the Shill Brook hence the flow was slow. The water course had only been cleared twice in the past 40 years and water tended to back up resulting in flooding upstream. Whilst surge water was now contained by the recently constructed bunds, surface run off and water from springs in the vicinity was not and the creation of additional areas of building and hard standings would exacerbate this problem.

Mr Postan made reference to guidance regarding views into and from conservation areas contained in PPG3 and reiterated his view that the harm resulting from the current application would not outweigh the benefits of development.

Mr Haine expressed his support for the Officer recommendation, indicating that the site was an important part of the countryside in terms of its contribution to both ecology and the landscape. He stressed that the application was contrary to policy.

Mr Langridge questioned whether the need for housing was such that it outweighed the harm that would arise from this development. He noted that there were no technical objections to the development and that there was a degree of local support for the scheme. He acknowledged that 41 units could be viewed as too intensive but considered that some form of development would be acceptable on the site and questioned whether the application should be deferred to enable the submission of revised proposals.

In response, the Principal Planner stressed that Officers could not support development of any scale in this location. The Development Manager concurred but advised that, if Members were prepared to consider a limited scheme, it should be restricted to the previously developed part of the site.

Mr Handley expressed his support for a deferral and proposed an amendment that consideration of the application be deferred to enable the submission of revised proposals. The amendment was seconded by Mr Langridge.

Mr Postan suggested that deferral would be inappropriate as any acceptable form of development would need to be the subject of a new application.

Mrs Little advised that the Carterton Town Council had expressed support for the application but Mrs Crossland noted that development in this location was contrary to the emerging Carterton Neighbourhood Plan. Mr Haine noted that both Shilton and Alvescot Parish Councils had objected to the application and Mrs Crossland reminded Members that Officers considered that any development would be inappropriate in this location.

The Development Manager reiterated that the Officer recommendation was one of refusal.

Mr Handley expressed concern that the previous application had been withdrawn following the Sub-Committee's decision to refuse consent. The Development Manager explained that, in law, an applicant had the right to withdraw an application up until the time a decision had been communicated to them.

The amendment was then put to the vote and was lost.

The substantive motion of refusal was then put to the vote and was carried.
Refused.

(Mr Handley and Mrs Little requested that their abstention from voting on the substantive motion be so recorded)

51 17/02882/FUL Yew Tree Cottage, Lew, Bampton

The Development Manager presented the report and confirmed that the buildings the subject of the application were not to form an additional letting unit.

In response to a question from Mr Handley, the Development Manager confirmed that the buildings would remain tied to the main dwelling.

The Officer recommendation of conditional approval was then put to the vote and was carried.

Permitted

(Mr Good left the meeting at this juncture)

41. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined by the Head of Planning and Strategic Housing under delegated powers together with appeal decisions was received and noted.

42. RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS TOGETHER WITH A NEW VEHICULAR ACCESS ONTO CHARLBURY ROAD - B4022, WITH ALL OTHER MATTERS RESERVED – APPLICATION NO. 17/00992/OUT

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing seeking consideration as to whether it would be expedient to undertake a formal site visit prior to the likely consideration of the above application on Monday 11 December 2017.

RESOLVED: That a site visit be held on Thursday 7 December 2017.

The meeting closed at 3:45pm.

CHAIRMAN