

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 16 December 2019**

PRESENT

Councillors: Ted Fenton (Chairman), Carl Rylett (Vice Chairman), Owen Collins, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, Steve Good, Jeff Haine, Nick Leverton, Dan Levy and Harry St John.

Officers in attendance: Stephanie Eldridge, Joan Desmond, Phil Shaw and Amy Barnes.

37. MINUTES

With regard to Minute number 12, Councillor Crossland advised that the minutes of the meeting of the Sub-Committee held on 11 November 2019 were incorrect and did not reflect her recollection of the decision taken. It was agreed that the decision taken had been one of approval subject to conditions.

RESOLVED: that the Minutes be confirmed as a correct record and signed by the Chairman subject to the amendment to Minute number 12.

38. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

No apologies for absence were received and the following temporary appointment was noted:

Councillor Levy for Councillor Mullins.

39. DECLARATIONS OF INTEREST

Agenda Item 4 – Applications for Development

19/02719/RES – Land East of Mount Owen Road, Bampton

Councillor Ted Fenton advised that he was the elected member for Bampton as well as being a resident of the village.

19/02406/FUL & 19/02407/FUL – Greensleeves, Blackditch, Stanton Harcourt

Councillor St John advised that he had undertaken work for the owners of the property but this had taken place a number of years ago.

40. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Business Manager – Development Management 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.

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 Business Manager – Development Management, subject to any amendments as detailed below;

3 19/02371/FUL Lavender Place, Queen Street, Bampton

The Planning Officer introduced the application. The report contained a recommendation of approval.

Further information was provided in a report of additional representations and advised that Condition 14 could be deleted as it was a repeat of Condition 11. In addition, OCC had confirmed that the requested contribution toward public transport was no longer required as there were no additional housing units being created.

Mr Michael Jones addressed members on behalf of a group of residents, in objection to the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

In response to a question from Councillor Rylett, Mr Jones clarified that they would like to see planting of trees or no removal of trees on the south side of the site.

Mr Richard Smith addressed members on behalf of Bampton Parish Council. A copy of his submission is attached as Appendix B to the original copy of these minutes.

The Planning Officer advised that to address the issue of amenity and overlooking the balconies originally proposed had been removed from the south elevation. In addition, a condition would be included to ensure that the windows on the east elevation would be obscure glazed.

Having been proposed by the Chairman and seconded by Councillor Haine, it was agreed that determination of the application be deferred to allow a site visit to take place.

Deferred to enable a site visit to take place.

16 19/02406/FUL Greensleeves, Blackditch, Stanton Harcourt

The Planning Officer introduced the application. The report contained a recommendation of refusal.

Mrs Judith Norris, agent for the applicant, addressed the meeting in support of the application. A summary of her submission is attached as Appendix C to the original copy of these minutes.

The Planning Officer advised that there was a significant planning history associated with the site with four applications refused and subsequently dismissed at appeal.

Councillor Hilary Fenton expressed her concern regarding the repeat applications and described the site as a beautiful part of Stanton Harcourt which should not be dug up and moved around. She therefore, proposed that the application be refused.

This was seconded by Councillor Leverton.

Councillor Good expressed his disappointment with the recommendation and did not feel he could support the proposal. He made reference to the previous application and site visit and felt that new members would benefit from a site visit. This was seconded by Councillor Crossland who highlighted the discrepancies between the officer's view and the agent's submission.

Mr Shaw explained the differences between this application and the previous ones and reminded Members that this decision had been taken when the Council had not secured a five year housing land supply. However, the authority now had a Local Plan in place which made the stance on policy much stronger.

Following a question from Councillor Rylett, the Planning Officer advised that the Conservation officer and case officer agreed that the application was a mismatch of two design types, mixing traditional barn conversion styles with those of a detached dwelling. In addition, consideration had to be given to the harm to the heritage asset.

Having been proposed by Councillor Hilary Fenton and seconded by Councillor Leverton a recommendation of refusal was lost.

A further proposal to defer determination to allow a site visit to take place, as proposed by Councillor Good and seconded by Councillor Crossland, was carried on the Chairman's casting vote.

Deferred to enable a site visit to take place.

22 19/02407/FUL Greensleeves, Blackditch, Stanton Harcourt

The Planning Officer introduced the application. The report contained a recommendation of refusal.

Members noted the additional information received in the Report of Additional Representations which outlined further responses from the OCC Archaeological officer.

Mrs Judith Norris, agent for the applicant, addressed the meeting in support of the application. A summary of her submission is attached as Appendix D to the original copy of these minutes.

Following a question from Councillor Crossland, Mrs Norris confirmed that the applicant had been unable to discuss the application with officers because they had been too busy.

Mrs Norris also clarified what thermal efficiency was following a question from Councillor Good and advised that this would constitute using green oak and not reconstituted materials.

The Planning Officer outlined the history of the site on page 25 of the report and advised that officers felt the false barn like features and chimneys were out of character.

It was proposed by Councillor Leverton and seconded by Councillor St John that consideration of the application be deferred to allow a site visit to

take place.

Deferred to enable a site visit to take place.

31 19/02719/RES

Land East of Mount Owen Road, Bampton

The Planning Officer introduced the application. Members were advised that officers had negotiated a separate construction access and the report contained a recommendation of approval.

Mr Trevor Milne-Day addressed Members on behalf of The Society for the Protection of Bampton, in objection to the application. A summary of his submission is attached as Appendix E to the original copy of these minutes.

Mr Richard Smith addressed Members on behalf of Bampton Parish Council, in objection to the application. A summary of his submission is attached as Appendix F to the original copy of these minutes.

Following a question from Councillor St John, Mr Smith confirmed that the parish council would be happy to take on the responsibility of the play area.

Ms Donna Palmer, agent for the application, addressed Members in support of the development. A summary of her submission is attached as Appendix G to the original copy of these minutes.

Councillor Crossland requested confirmation of the height of the apartment block and the location of where the trees would be planted.

Mr Shaw addressed a number of points made by the speakers including the access and flooding issues which had been agreed at outline stage. The original height of the block of flats had been three storeys and had been reduced to two and a half storeys. He did not feel the building was a prominent feature and was surrounded by other development. The issue of materials was to be decided and officers felt that if it was all built in artificial stone it could look bland. The suggestion of adding some red brick was in order to try and break up the visual mass and provide some visual relief.

Mr Shaw also requested that authority be delegated to officers to amend the conditions to reflect the updated drawing numbers.

Councillor Haine felt that the applicant had gone a long way to make the application acceptable and there were no major objections from authorities. In his opinion, the addition of red brick was not necessary because it was the developer's responsibility to create an interesting development. With regard to the block of flats, he was content that this be built out of stone and render with the reduction in height to two and half storeys. He therefore proposed that the application as per officers recommendations.

This was seconded by Councillor Good who was pleased that there would be one and two bedroomed homes made available. He had hoped that the developer would include greater details regarding the integration of renewable energies, better insulation and the removal of gas boilers to reduce running costs. Councillor Good therefore requested that a note be added to the permission to encourage Taylor Wimpey to consider the

Council's commitment to becoming carbon free.

Further debate was had regarding the materials and whether the introduction of red brick would highlight the location of the social housing on site. Councillor Leverton was keen that the developer look at making the main road access a permanent access but recognised that this was dependant on the County Council agreeing.

Councillor Rylett highlighted the similarities between this development and the proposed site at Eynsham and he hoped the applicant had learned lessons from previous developments at Thornbury Road, specifically with regard to the construction management plan. He had concerns regarding the bulk and mass of the central block and requested clarification on the difference in dimension from the previous application. Councillor Rylett was also disappointed in the lack of a pedestrian crossing.

Councillor Crossland thanked officers and the developer for trying hard to meet the Committee's requirements. She also highlighted that none of the statutory consultees had objected and agreed that the lack of crossing points was disappointing.

Having been proposed by Councillor Haine and seconded by Councillor Good the Officer recommendation of approval was put to the vote and was carried subject to the inclusion of the notes detailed below and that authority be delegated to officers to enable the conditions to be updated with the most recent drawing numbers.

- Request the installation of 'green' technologies including Electric Vehicle Charging Points & better insulation of properties to reduce running costs;
- Encourage the developer to negotiate with OCC & look at making the main road a permanent access;
- Expressing disappointment at the lack of a pedestrian crossing and encouraging reconsideration of this.

Permitted

Councillors Rylett and St John requested that their votes against the proposal be duly noted in the minutes.

A second vote was taken regarding the materials to be used and it was proposed by Councillor Haine that the development be created using stone with the exception of the block of flats which would be a mix of stone and render.

This was seconded by Councillor Good and subsequently carried.

38 19/03136/HHD Meadowbank, Chapel Lane, North Leigh

The Planning Officer introduced the application, which included a recommendation of approval and advised that the application had been brought to Committee at the request of Councillor St John.

Mr Wayne Godfrey, the applicant, addressed Members in support of the application. A summary of his submission is attached as Appendix H to the

original copy of these minutes.

The Planning Officer advised that as demonstrated by the photographs, the small extension would be visible but would match the character of the area, resulting in no negative impact on public views. This was a modest extension and officers were satisfied it would have no impact on neighbouring amenity.

Councillor St John advised that he had received a number of comments from neighbours objecting to the application and a loss of the view.

Having been proposed by Councillor Eaglestone and seconded by Councillor Crossland, the Officer recommendation of approval was put to the vote and was carried.

Permitted

41. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined by the Business Manager – Development Management under delegated powers and appeal decisions was received and noted.

Councillor Eaglestone requested clarification on what a Certificate of Lawfulness was. Officers advised that this was a document confirming that an applicant did not need planning permission or could be used to regularise uses.

42. BUILDING OPERATIONS TO FACILITATE THE RESIDENTIAL USE OF MODERN BARN BUILDING, CHIMNEY FARM BARNS, CHIMNEY, BAMPTON – APPLICATION NO 19/01878/FUL

Members received a report from the Business Manager – Development Management requesting clarification on the reasons for refusal given when this application was considered at the meeting in November.

At its meeting on 11 November 2019, the Committee resolved to refuse planning permission for the application, against officer recommendation. The minutes stated that the reasons cited were as follows:

“The number of windows and rooflights was excessive and would lead to light pollution, resulting in a detrimental impact on the dark, night sky;

The use class of the property needed to be restricted to private use, to avoid the property being used as a holiday let;

The application needed a design plan for the garden to ensure that appropriate trees were retained.”

Mr Shaw explained that subsequent to the resolution the applicants had been in contact with Officers raising a series of planning and procedural issues regarding the resolution (e.g. no technical basis regarding design for refusal, no policies stated regarding refusal).

The report explained that the refusal reason needed to address matters that were properly the remit of the full application. The refusal reasons sought to follow the principles established in the debate that led to the refusal but restricted the reasons to matters that related to the application and did not relate to matters where there was no technical support or which related to the use. This already had permission by reason of the extant prior approval permission. Departing from this would substantially increase the likelihood and size of costs being awarded were the applicants to appeal the decision to refuse consent.

Following full discussion of the issues and clarification from officers regarding the use of the building and the legal definition of a dark sky area, it was proposed by Councillor Haine and seconded by Councillor Ted Fenton that the refusal reasons be confirmed as follows:

By reason of the number of windows and rooflights, the scheme is considered overly domestic and would have a detrimental impact on the character and appearance of the building and as such is contrary to policy OS4 of the adopted West Oxfordshire Local Plan.

The meeting closed at 4.12 pm.

CHAIRMAN