

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of a Meeting of the
UPLANDS AREA PLANNING SUB-COMMITTEE
held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxon
at 2.00pm on Monday 6th January 2014

PRESENT

Councillors: J Haine (Chairman), D A Cotterill (Vice-Chairman), A C Beaney, N G Colston, C Cottrell-Dormer, W A Goffe, Mr T J Morris T N Owen, Dr E M E Poskitt, W D Robinson and G Saul

Officers in attendance: Dawn Brodie, Gemma Smith, Phil Shaw and Paul Cracknell

61. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Miss Gemma Smith, the recently appointed Planning Officer to the meeting.

62. MINUTES

Dr Poskitt requested that the first sentence of the summary of her comments at paragraph two on page eight of the minutes be amended to read as follows:-

Dr Poskitt indicated that she had no objection to the revised proposal in principle but felt that the application should be deferred for consideration by the Sub-Committee.

RESOLVED: that, subject to the amendment detailed above, the Minutes of the meeting of the Sub-Committee held on 2nd December 2013, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

63. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

The Chief Executive reported receipt of the following resignation and temporary appointment:-

Mr W D Robinson for Miss V E Hunt

64. DECLARATIONS OF INTEREST

The Chairman declared a corporate interest on behalf of all Members of the Sub-Committee in application Nos. 13/1651P/AC, 13/1562/P/LB (The Guildhall, Goddards Lane, Chipping Norton) and 13/1699/P/FP (Albion Street Depot, Chipping Norton) by virtue of the Council's interest in these properties.

Mr Cottrell-Dormer indicated that it had been his intention to declare an interest in application No. 13/1691/P/FP (Drystone Hill Farm, Cleveley Road, Enstone, by virtue of his

association with the landowner but that he now understood that the application had been withdrawn.

65. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Head of Planning and Sustainable Communities 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 Head of Planning and Sustainable Communities, subject to any amendments as detailed below:

(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: 13/0794/P/FP, 13/1487/P/FP, 13/1520/P/FP, 13/1542/P/FP, 13/1547/P/FP, 13/1688/P/FP, 13/1618/P/FP and 13/1619/P/LB

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

3 13/0794/P/FP Cuckoo Wood Farm, Eynsham Road, Freeland

The Area Planning Manager introduced the application and reported receipt of observations received from the applicant's agent pointing out that the transport operation was not being undertaken by the owners of the site, together with those of Councillor B J Norton.

The applicant's agent, Mr Mark Chattoe, then addressed the meeting in support of the application. He indicated that the development was of small scale and would not result in harm to either local or national planning policies. He advised that the site was well screened, a 37 metre wide planting belt having been established some 23 years ago to screen the original farm buildings.

Mr Chattoe contended that the site was well located to provide a community service in a sustainable fashion and explained that it was difficult to find suitable sites for such a use, particularly as sites adjacent to the highway could give rise to issues of security. Permission had been granted to widen the access to the site and detailed proposals had been submitted to the County Council for Highway Act consent.

In summary, Mr Chattoe advised that this was the second term in which the use had been in operation and suggested that the development caused no

demonstrable harm, nor did it give rise to any material breach of local or national planning policy.

In response to a question from Mr Morris, Mr Chattoe confirmed that, whilst it had taken some time for the application to be brought before Members, the use had commenced prior to its submission.

The Area Planning Manager then presented the report.

Whilst acknowledging that it was a matter of balance, Mr Robinson indicated that he considered the development to have a significant adverse impact upon the open countryside contrary to policies NE1 and NE3 of the West Oxfordshire Local Plan and proposed that the application be refused on that basis. He also indicated that in giving consideration to any subsequent enforcement report, Members could impose a compliance period sufficient to enable the operators to locate an alternative site without prejudicing the continued operation of the service.

The recommendation of refusal was seconded by Mr Cotterill and on being put to the vote was carried.

Refused for the following reason:-

That the proposal results in an employment use in an unsustainable open countryside location to the detriment of the character and appearance of the open countryside which should be protected for its own sake. The development is therefore contrary to policies BE2, NE1, NE3 and E3 of the West Oxfordshire Local Plan 2011.

6 13/1487/P/FP

17 Priory Lane, Burford

The Area Planning Manager introduced the application.

Having registered to speak at the meeting, Mr Hugh Mellor, the applicant's agent indicated that he did not propose to do more than request Members to approve the Officer recommendation of conditional approval.

The Area Planning Manager then presented his report. In proposing the Officer recommendation, Mr Cotterill indicated that recent development to the front of the site on Priory Lane could give rise to difficulties should the applicants make deliveries to the rear of the premises with large vehicles, suggesting that a note be added to any consent detailing these concerns.

The recommendation was seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

Permitted, the applicants being advised that the District Council would encourage the owners/occupiers of the property to ensure deliveries are made to the front of the property to avoid conflict along Priory Lane.

The Area Planning Manager introduced the application and made reference to the additional observations set out in the report of additional representations. He went on to report receipt of the observations submitted by the Oxfordshire Fire and Rescue Service which were duly received and considered by the Sub-Committee.

Dr Robert McGurrin, the Chairman of the Woodstock Action Group then addressed the meeting, setting out the Group's objection to the development. A summary of the points that he raised is attached to the original copy of these minutes at Appendix A.

The local District Councillor, Mr Julian Cooper, then addressed the meeting. He indicated that he believed the proposed development to be over intensive and intrusive and considered the proposed level of contribution towards affordable housing to be inadequate. Mr Cooper explained that recent permissions in Woodstock had only given rise to minimal developer contributions towards affordable housing and that local residents were losing faith in the Council's policy for the delivery of affordable properties.

The Area Planning Manager then presented his report and made reference to amendments made to the scheme in response to issues raised by Members at the last meeting. He explained that the failure to deliver higher levels of contribution towards affordable housing was not a reflection of inadequacies in the Council's policy but the result of changes in the manner in which the level of return that could reasonably be expected to be achieved by a by a landowner were now calculated through the Government's National Planning Policy Framework.

The Area Planning Manager also reiterated that neither the Highway Authority or the Oxfordshire Fire and Rescue Service supported the concerns raised by Dr McGurrin.

Dr Poskitt agreed with Mr Cooper's concern over the level of contribution towards affordable housing, comparing the developer's offer with that secured through recent consents in Burford. She noted that recent approvals in Woodstock had only resulted in a total contribution of £135,000 in relation to some 30 units of accommodation. Dr Poskitt also suggested that the current proposals represented an over development of the site and expressed some concern over elements of detail.

The Officer recommendation of conditional approval was then proposed by Mr Robinson who indicated that he considered this to be an appropriate site for development. Whilst acknowledging that the proposals appeared somewhat cramped, he suggested that there was a need for such small starter units.

The recommendation was seconded by Mr Cottrell and on being put to the vote was carried.

Permitted subject to the applicants entering into a legal agreement to make a contribution of £20,000 towards the provision of affordable housing and to conditions to be determined by the Head of Planning and Sustainable Communities as generally set out at paragraph 5.10 of the report.

Post Committee Note: The following conditions were agreed by the Head of Planning and Sustainable Communities in consultation with the Chairman of the Sub-Committee:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: The time condition is imposed in order to comply with the requirements of the Town
- 2 That the development be carried out in accordance with plan No(s) 343/01 Rev D and 343/02 Rev C.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 4 The cycle parking and bin storage detailed on the approved plans shall be provided prior to the first occupation of the accommodation and shall be retained for such purposes thereafter.
REASON: In the interests of proper provision for cycle parking and bin storage. (Policies BE2 and BE3 of the West Oxfordshire Local Plan 2011)
- 5 The existing boundary wall to the front of the site shall not be increased in height at any point.
REASON: To ensure adequate visibility from the site. (Policy BE3 of the West Oxfordshire Local Plan 2011)
- 6 No development shall commence until details of the measures to be incorporated to demonstrate how 'Secured by Design' accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until the Council has confirmed in writing that SBD accreditation has been received.
REASON: In the interests of crime prevention at the site. (Policies BE2 and H2 of the West Oxfordshire Local Plan 2011)

- 7 The external walls shall be constructed of artificial stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before development commences and thereafter retained until the development is completed.
REASON: To safeguard the character and appearance of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 8 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 9 Notwithstanding details contained in the application, detailed specifications and drawings of all windows, doors, dormer windows and rooflights at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 10 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 11 Before first occupation of the building hereby permitted the first floor windows in the side elevation shall be fitted with obscure glazing and means to limit the extent to which they can be opened and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property. (Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 12 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate and details of a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
REASON: To ensure the proper provision for surface water

drainage and/or to ensure flooding is not exacerbated in the locality. (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and the supporting Technical Guidance)

- 13 That the green area to the front of the proposed building detailed on plan 343/01 Rev D shall be kept clear and shall not be used as a permanent bin storage area.
REASON: In the interests of the visual amenity of the street scene. (Policies BE2 and H2 of the West Oxfordshire Local Plan 2011)

NOTES TO APPLICANT:

- 1 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010. Where communal drainage schemes are proposed approval of the scheme will be required from Oxfordshire County Council and the scheme will need to be adopted under the Flood and Water Management Act.
- 2 Works to the highway (widening the access/dropped kerb) are subject to a separate permission, under S184 Highways Act, issued by the Local Highway Authority. Please contact the Local Highway Authority prior to such works 0845 310 11 11.
- 3 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if 'building over/near to agreement' is required. You can contact Thames Water on 0845 850 2777 or for more information please visit their website at www.thameswater.co.uk
- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Cottage Farm, Taston

The Planning Officer introduced the application and made reference to the additional observations set out in the report of additional representations. She went on to report receipt of the observations submitted by the Taston Conservation Group which were duly received and considered by the Sub-Committee.

Mr Neil Firth then addressed the meeting, setting out his objection to the development. A summary of the points that he raised is attached to the original copy of these minutes at Appendix B.

The applicant, Mr Robert Parker, then addressed the meeting. A summary of the points that he raised is attached to the original copy of these minutes at Appendix C. Mr Parker also confirmed that parking arrangements did not form part of the current application.

The Planning Officer then presented the report and made a recommendation of conditional approval.

Mr Owen indicated that he did not agree with the Officer's assessment and considered the development to have a significant detrimental impact upon the Area of Outstanding Natural Beauty. In consequence, he proposed that the application be refused as being contrary to policies BE2, BE5 and NE4 of the West Oxfordshire Local Plan.

Mr Cotterill expressed some concern over the potential for noise and disturbance arising from the operation of the unit and questioned whether Members had sufficient information to ensure that the requirements of condition proposed by the Council's Environmental Health could be successfully met. In response, the Planning Officer advised that the Environmental Health Service would not have proposed a condition that could not be met.

Mr Cotterill then seconded the recommendation of refusal which, on being put to the vote, was carried.

Refused for the following reason:-

The air source heat pump, due to its size and position is an incongruous addition to an area which reads as open countryside and would be of detriment to the intrinsic qualities of the Cotswolds Area of Outstanding Natural Beauty and would neither preserve nor enhance the character and appearance of the Conservation Area. As such, the development would be contrary to policies BE2, BE5 and NE4 of the West Oxfordshire Local Plan 2011.

Former Highways Depot, Banbury Road, Chipping Norton.

The Area Planning Manager introduced the application.

Mr Dan Templeton of Turley associates, the applicant's agents, then addressed the meeting in support of the application. A summary of the points that he raised is attached to the original copy of these minutes at Appendix D.

The Area Planning Manager then presented the report and reported receipt of five further emails; two in objection and three in support of the proposals. He explained that, as a number of issues remained to be resolved as detailed in the report, the Officer recommendation would be one of deferral. The application was brought before Members at this juncture to obtain their initial views and to identify any particular issues they would wish to see addressed in the subsequent report.

Members noted that the Council had resisted edge and out of town retail development in the past and expressed some concern over the principle of retail development on the site, questioning whether the sequential test set down in the National Planning Policy framework had been met. Further concerns were raised in relation to design, parking, servicing, landscaping and highway issues. Members also indicated that the retail assessment would be critical in assessing the likely impact of the proposed development upon the vitality and viability of the existing town centre.

The Area Planning Manager undertook to incorporate these issues in any future report and the Officer recommendation of deferral having been proposed by Mr Robinson and seconded by Mr Cotterill was put to the vote and carried.

Deferred

(Mr W A Goffe left the meeting at this juncture)

41 13/1611/P/FP Linwall, Sturt Road, Charlbury

The Area Planning Manager presented the report containing a recommendation of refusal and reported receipt of the observations received from the applicant's agent.

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

Refused

45 13/1617/P/FP Co-operative Supermarket, High Street, Chipping Norton

The Area Planning Manager presented the report containing a recommendation of provisional approval.

The Officer recommendation was proposed by Mr Cottrell-Dormer and seconded by Mr Robinson and on being put to the vote was carried.

Permitted

Permitted subject to conditions to be determined by the Head of Planning and Sustainable Communities in consultation with the Chairman of the Sub-Committee.

Post Committee Note: The following conditions were agreed by the Head of Planning and Sustainable Communities in consultation with the Chairman of the Sub-Committee:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No(s) {{insert}}.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any groundworks taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.
REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012).
- 4 Following the approval of the Written Scheme of Investigation referred to in condition 1, no development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Local Planning Authority, as agreed in the Written Scheme of Investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication.
REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012).

50 13/1618/P/FP The Bell Inn, 115 Main Road, Long Hanborough

The Planning Officer presented her report, drew attention to the observations of the Highway Authority and recommended inclusion of the additional conditions set out in the report of additional representations.

In response to concerns raised by Dr Poskitt it was agreed that the requirement that the first floor windows in the side elevations be fitted with obscure glazing was inappropriate and that condition 4 be deleted. The revised Officer recommendation, incorporating the conditions put

forward by the Highway Authority was proposed by Mr Morris and seconded by Mr Robinson and on being put to the vote was carried.

Permitted subject to the deletion of condition 4 and to the inclusion of the following additional conditions, the applicants being advised that works to the highway, such as alterations to the dropped kerb, require separate consent from the Oxfordshire County Council as Local Highway Authority.

11 No dwelling shall be occupied until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear.

REASON: In the interest of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

12 The boundary wall to the front of the site shall be no higher than 0.6 metres above the adjacent footpath.

REASON: In the interest of appropriate pedestrian safety. (Policy BE3 of the West Oxfordshire Local Plan 2011)

55 13/1619/P/LB The Bell Inn, 115 Main Road, Long Hanborough

Listed Building Consent be granted

56 13/1631/P/FP Drystone Hill Farm, Cleveley Road, Enstone

It was noted that this application had been withdrawn at the request of the applicant.

59 13/1651/P/AC The Guildhall, Goddards Lane, Chipping Norton

The Officer recommendation of conditional approval was proposed by Mr Saul and seconded by Mr Cotterill and on being put to the vote was carried.

Advertisement Consent be granted

61 13/1652/P/LB The Guildhall, Goddards Lane, Chipping Norton

The Officer recommendation of conditional approval was proposed by Mr Saul and seconded by Mr Cotterill and on being put to the vote was carried.

Listed Building Consent be granted

63 13/1685/P/FP Charnwood, Shipton Road, Milton-Under-Wychwood

The Planning Officer presented her report and reported receipt of the observations of the Highway Authority.

Having been proposed by Mr Haine and seconded by Mr Cotterill the Officer recommendation of conditional approval was put to the vote and carried.

Permitted

65 13/1688/P/FP 2 Police House, Hixet Wood, Charlbury

The Planning Officer introduced the application. The applicant, Mr Michael Simpson, then addressed the meeting in support of the application. He advised that his family lived in the existing property at present and had spent some time considering how to approach the redevelopment of the site. He indicated that he considered the current proposal to represent the best solution for the redevelopment of this difficult site, the design reflecting the local vernacular in a contemporary style.

The application had been the subject of extensive consultation with Officers and Mr Simpson noted that, whilst the Town Council had raised no objection to the previous withdrawn application, it had now raised concerns over the proposed timber cladding that had formed part of the earlier proposals. He explained that the cladding was to cover an existing structure and noted that the building was to face out onto a woodland setting. The proposals would bring the property up to the sustainable homes standard.

In conclusion, Mr Simpson advised that parking was to be provided parallel to the highway and would have no impact upon properties opposite.

The Planning Officer then presented her report and drew attention to the further observations set out in the report of additional representations. She went on to report receipt of the observations of the Highway Authority and recommended inclusion of the additional conditions proposed.

The revised Officer recommendation of conditional approval was proposed by Mr Robinson and seconded by Dr Poskitt and on being put to the vote was carried.

Permitted subject to the following additional condition:-

- 11 The means of access between the land and the highway shall be formed, laid out and constructed in accordance with the specification of the means of access attached hereto, and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation.
REASON: To ensure a safe and adequate access. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

70 13/1699/P/FP Albion Street Depot/Store, Albion Street, Chipping Norton

The Planning Officer presented her report, drew attention to the observations set out in the report of additional representations and recommended inclusion of the additional conditions requested by the Highway Authority.

The revised Officer recommendation was proposed by Mr Saul and seconded by Mr Cotterill and on being put to the vote was carried.

Permitted subject to the following additional condition:-

- 7 Prior to the first occupation of the development hereby approved cycle parking shall be provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
REASON: In the interests of securing appropriate space (Policy BE3 of the West Oxfordshire Local Plan 2011)

66. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The report giving details of applications determined by the Strategic Director with responsibility for development under delegated powers was noted.

67. TREE PRESERVATION ORDER NO. 31/1981 – HUNTS CLOSE, THE HILL, CHARLBURY

The Sub-Committee considered the report of the Head of Planning and Sustainable Communities regarding an application to fell a Lawson's cypress tree at Hunts Close, The Hill, Burford included within tree Preservation Order No. 31/1981.

RESOLVED: that the application be refused.

The meeting closed at 5:00pm.

CHAIRMAN