

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 Tuesday 6 May 2014

PRESENT

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

Officers in attendance: Dawn Brodie, Paul Cracknell, Phil Shaw and Simon Wright

88. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr W A Goffe and Mr T J Morris

The Chief Executive reported the following temporary appointment:

Mr W D Robinson attended for Miss V E Hunt

89. MINUTES

Mr Beaney clarified that it had been agreed that an update report on enforcement issues would be presented to the June 2014 meeting.

RESOLVED: that the Minutes, as amended, of the meeting of the Sub-Committee held on 7 April 2014 be confirmed as a correct record and signed by the Chairman.

90. DECLARATIONS OF INTEREST

Mr Haine declared an interest on behalf of members and officers in respect of application no. 14/0151/P/FP – 6 Union Street, Woodstock by virtue of the district council being the landowner.

91. 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:-

I3/0892/P/FP; I3/1547/P/FP; I4/0106/P/FP; I4/0151/P/FP; I4/0229/P/FP; I4/0344/P/FP; I4/0229/P/FP; I4/0364/P/FP.

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

3 I3/0892/P/FP Land to N E of Marlborough School, Shipton Road, Woodstock

The Area Development Manager introduced the application.

Mrs Redpath and Dr McGurrin addressed the meeting in objection to the application. A summary of the points raised are attached to the original copy of these minutes as Appendices A and B respectively.

Councillor Julian Cooper addressed the meeting in his capacity as local ward member. Mr Cooper highlighted that there were three schools within half a mile of the site. Mr Cooper indicated that he was not against development in Woodstock and he had been supportive of other sites in the town. Mr Cooper suggested that the proposal would exacerbate congestion on Shipton Road which was a view supported by other local councillors including the county councillor.

Mr Cooper suggested that if the application was passed it would set a precedent for incursions in to the open countryside. Mr Cooper highlighted that the site was adjacent to the green belt and there was a World Heritage Site nearby. In conclusion Mr Cooper asked the committee to reject the application as it represents a clear intrusion for which a departure from planning policy had not been justified.

Mr Ashton, the applicant's agent, addressed the sub-committee in support of the application. A summary of the points he raised is attached as Appendix C to the original copy of these minutes.

Dr Poskitt sought clarification of the number of affordable houses in the scheme. In response Mr Ashton confirmed it was 50% which equated to 29 units in the revised proposal.

Mr Robinson asked about the assertion in the submission about loss of the New Homes Bonus if an appeal was successful and whether the legislation was in place. Mr Ashton advised that to the best of his knowledge this was the case.

The Area Development Manager then presented the application in detail. It was confirmed that the application was now for 58 units and there had been no objections from the County Ecologist or education department. The Area Development Manager referred to concerns regarding the site visit and advised that the visit had been in accordance with the agreed procedure and the applicant's had only been present to give clarification to members. A further letter of objection and one of support were reported to the sub-committee.

The Area Development Manager outlined the planning history and representations that had been received. The sub-committee was advised that under normal circumstances a refusal under policy H7 would have been recommended. However due to the lack of a five year land supply this policy was set aside and there was a presumption in favour of development.

The Area Development Manager advised that Woodstock was a sustainable location, separation distances were acceptable and a previous Local Plan Inspector's decision on a neighbouring site was relevant and the application site had previously been identified as suitable in the SHLAA. The size of units and level of affordable housing was clarified and whilst it was acknowledged that there was the loss of open space this was considered inevitable as there was a lack of brownfield sites available.

The sub-committee was advised that the design was considered acceptable and mirrored existing development, there were no neighbour amenity issues and there were no highway authority objections. In respect of ecology mitigation measures had been proposed, funding was being made available for sports provision and climate change issues were covered by conditions.

In conclusion the Area Development Manager acknowledged it was a contentious application and despite the large volume of objections any decision needed to be based on planning policy.

Dr Poskitt suggested the proposed development was very unpopular and, whilst acknowledging the lack of land supply, indicated that the site had not been identified in previous local plans. Dr Poskitt indicated that the development could set a precedent that would put other greenfield sites at risk.

Dr Poskitt questioned the assertions regarding sustainability and highlighted the closure of shops in the town and parking issues. It was suggested that the development site was some distance from the town centre and it was likely that residents would have to use cars and may go to other places to shop. Dr Poskitt expressed disappointment at the loss of the playing field and indicated that other facilities were not as convenient.

Dr Poskitt indicated her concern at the loss of a valuable habitat for orchids. In addition there were concerns regarding sewer capacity on the site and the detrimental impact of additional traffic on Shipton Road.

Dr Poskitt then proposed that the application be refused on the grounds that it was contrary to policies H7 and B4 (c) and (d). The proposition was not seconded.

The Area Development Manager reiterated the position with the five year land supply and that as schemes were approved then the housing supply requirements could be met and the council would regain control. The sub-committee was also reminded that if developments were approved on

appeal the council would lose control of any associated legal agreements. It was acknowledged that the current position was unfortunate and only when the five year supply had been reached could strategic decisions about housing locations be made.

The Area Development Manager accepted concerns on parking but reiterated that there were no highway objections. In respect of the recreation area it was indicated that this was privately owned and there were no statutorily protected species on the site and/or that mitigation was proposed.

Mr Cottrell-Dormer sought clarification regarding the New Homes Bonus. The current position regarding legislation was outlined and the sub-committee was reminded that this should not sway the decision and it should only be made on planning grounds.

Mr Cottrell-Dormer asked how a five year land supply was defined. The Area Development Manager clarified that it referred to permissions that were implementable and future targets were dependant on a number of factors.

In response to Mr Cottrell Dormer it was confirmed that Thames Water had indicated that they could deal with sewage matters and had raised no objection. Finally Mr Cottrell-Dormer highlighted that there were no protected species identified on the site.

Mr Cotterill, whilst acknowledging it was a large development for Woodstock, suggested that there were similar pressures in other areas. Mr Cotterill emphasised that the proposed development was similar in design to the neighbouring site and that traffic levels would not be unacceptable. Mr Cotterill raised concern about construction traffic and the Area Development Manager indicated that a routeing agreement could be conditioned if needed.

Mr Cotterill proposed the officer recommendation subject to inclusion of conditions relating to ecology and routeing of construction traffic together with clarification of the education contributions as part of the legal agreement. The proposition was seconded by Mr Owen.

Mr Owen indicated that he was reluctantly seconding the proposal as the council was a difficult position as a result of the lack of a five year land supply. Mr Cottrell-Dormer indicated that traffic levels around Randolph Avenue were limited and the biggest problem related to Shipton Road itself.

Mr Beaney asked about the split of affordable housing and whether this equated to 50% of the bedrooms or just number of properties. The Area Development Manager outlined the proposed allocation and that it was predominantly smaller units as these had been identified as being required. It was further clarified that the affordable housing was in blocks as this had been requested by the housing associations as it made maintenance easier.

Finally confirmation was given that there were 297 households registered who could qualify for affordable housing in Woodstock.

On being put to the vote the proposition was carried.

Permitted subject to prior referral to the National Planning Casework Unit, to the applicants entering into a legal agreement on the basis of the Heads of Terms set out in the report, to conditions as broadly outlined therein and to additional conditions regarding ecology and the routeing of construction traffic as agreed at the meeting.

14 13/1547/P/FP

Former Highways Depot, Banbury Road, Chipping Norton

The Area Development Manager introduced the application and reported additional representations received.

Mr Richard Holmes addressed the meeting in objection to the application. A summary of the points he raised is attached as Appendix D to the original copy of these minutes.

Mr Mike Tysoe, Town Mayor of Chipping Norton, then addressed the meeting in support of the application. A summary of the points he raised is attached as Appendix E to the original copy of these minutes.

Mr Dan Templeton, the applicant's agent, addressed the meeting in support of the application. A summary of the submission is attached as Appendix F to the original copy of these minutes.

The Area Development Manager presented the application in detail and advised that the key issues related to retail impact, design, landscaping, car parking, noise and accessibility. The sub-committee was advised that the council's retail consultant had indicated that a store of the size proposed could be accommodated without having a detrimental impact on existing traders. It was also considered that there was not another suitable site closer to the existing retail area.

The Area Development Manager outlined pedestrian links and the car parking layout. It was acknowledged that the site was currently allocated for employment use but it was considered that the proposal would create jobs in the near future and other sites could be examined for employment as part of the community planning process.

In respect of design it was reported that the style of building had been changed and a bespoke design submitted.

The sub-committee was advised that the recommendation was one of approval subject to the applicant entering in to a legal agreement and conditions as outlined in the report.

Mr Robinson indicated that he had received a lot of representations about the proposal and that there was conflicting views about the scheme. Mr Robinson highlighted that town centres in the district were thriving and the Council had consistently resisted out of town superstores. It was suggested that towns like Abingdon had suffered as a result of such developments. Mr Robinson expressed the view that this could be the case with this proposal and it also meant the loss of allocated employment land.

Mr Robinson then proposed that the application be refused on the grounds that it was contrary to policies SH1 and E6 as well as paragraphs 23 and 27 of the National Planning Policy Framework. Mr Colston seconded the proposition.

Mr Colston suggested that Chipping Norton was a not a high tourist area and there was a need to preserve it as a market town with a thriving centre. Mr Colston indicated that there was ample retail choice already and the priority should be business development rather than retail.

The Area Development Manager acknowledged the need to support town centres. It was reiterated that under the sequential test the proposed site was considered acceptable and the retail consultant was cognisant of the retail position throughout the district having advised on a number of schemes. The Area Development Manager reminded the sub-committee that this scheme was different in size and nature to a previously refused scheme.

Mr Saul outlined that the scheme would be beneficial in bringing forward employment and Aldi had a policy of employing local workers and good pay rates. Mr Saul acknowledged concerns about access but there was no better site identified and improvements were being made to help in this regard. It was suggested that most customers would arrive at the site in cars anyway.

Mr Saul highlighted the advice of the retail consultant and that the nature of the food store was different to existing so it was likely that many people would need to go elsewhere for some products. Mr Saul suggested that it could complement the existing offer in the town and also help encourage residents, who currently shopped elsewhere, to spend in Chipping Norton.

Mr Saul highlighted that approval of this scheme would provide greater defence against large out of town superstores proposals in the future. Mr Saul expressed support for a condition limiting the range of goods to be sold at the store. Mr Beaney concurred with Mr Saul and asked what level of goods the council would be looking for. The Area Development Manager indicated that 1250 lines would be preferable if possible.

Mr Cotterill suggested that the scheme could have a wider benefit to the town and increase trade for all retailers. In response to Dr Poskitt the car park layout and circulation of vehicles was clarified.

On being put to the vote the proposition for refusal was lost.

Mr Saul then proposed the officer recommendation of approval and this was seconded by Mr Beaney. On being put to the vote the proposition was carried.

Permitted subject to the applicants entering in to a legal agreement on the basis of the Heads of Terms set out in the report, to conditions as broadly outlined therein and to a further condition regarding the range of goods to be sold as agreed at the meeting.

39 14/0106/P/FP Home Farm, Grove Road, Bladon

The Area Planning Manager introduced the application.

Mr Derek Hambridge, representing the Bladon Parish Council, 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 G.

Mr Nigel McGurk, the applicant's agent then addressed the meeting in support of the application. A summary of the points he raised is attached to the original copy of these minutes at Appendix H.

The Area Planning Manager then presented his report. He advised Members that the specialist advice sought regarding the viability of the scheme and the provision of affordable housing suggested that the applicant's viability assessment was based upon depressed sales values and increased development costs.

Dr Poskitt indicated that, whilst Bladon was keen to see some development, she did not consider the current proposals offered sufficient benefit. Mr Cotterill expressed some concern at the impact of the proposed units to the south west of the site on existing properties.

The Officer recommendation of refusal was proposed by Mr Beaney and seconded by Mr Robinson.

Whilst agreeing that the current proposals were inappropriate, Mr Cottrell-Dormer indicated that he believed that some development on the site could be accommodated and Dr Poskitt concurred that there was potential for an acceptable scheme.

Mr Owen indicated that it was regrettable that the Council could not approve a scheme with such a degree of local support.

On being put to the vote the Officer recommendation of refusal was carried.

Refused

62 14/0151/P/FP 6 Union Street, Woodstock

The Planning Officer introduced the application.

Mr Sharone Parnes then addressed the meeting. A summary of the points he raised is attached to the original copy of these minutes at Appendix I.

The Planning Officer then presented her report.

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

Refused

66 14/0217/P/FP Land south of B4022 between Charlbury and Fawler

The Planning Officer introduced the application.

Mr Alan Wilson addressed the meeting in opposition to the application. A summary of the points he raised is attached to the original copy of these minutes at Appendix J.

Mrs Pakenham-Walsh, the Vice-Chairman of the Charlbury Town Council then addressed the meeting in support of the application. A summary of the points she raised is attached to the original copy of these minutes at Appendix K.

The Local representative, Ms Liz Leffman, then expressed her support for the application. She indicated that, although she was a Director of Sustainable Charlbury, she did not consider this to preclude her from advising Members of the unusual level of support for the proposal. She indicated that the response of 70% in favour with 30% against reflected the general position of the town.

The application had been considered by a team of local professionals and would make a major difference to the supply chain, providing power to Finstock and Fawler in addition to Charlbury. The application sought a 20 year consent as it was envisaged that technology would advance during that period; although application could be made to continue the scheme after that date using improved technology.

The information and knowledge of the applicants was recognised in the style of the scheme which was designed to mitigate the installation's visibility. The project acknowledged the need to protect the countryside and Ms Leffman noted that, as it was not located in a tourist area, it was the local residents who would be most affected by the impact of the development. Whilst respecting the character and designation of the AONB, the level of local support for the project indicated that residents were prepared to accept the impact. In the spirit of localism, Ms Leffman

invited the Sub-Committee to support the views of local residents over those of the statutory bodies.

In response to a question from Mr Saul, Ms Leffman advised that a 20 year consent had been sought in recognition of the importance of seeing the land revert to agricultural use.

Mr Tim Crisp representing the applicants, Sustainable Charlbury, then addressed the meeting in support of the application. A summary of the points he raised is attached to the original copy of these minutes at Appendix L.

The Planning Officer then presented her report.

Mr Owen expressed his support for the application, indicating that the need for energy required the development of alternative sources such as solar power.

In response to a question from Mr Beaney it was explained that the energy generated would be fed into the grid and that benefits to the local community would come through the use of funding raised through the feed in tariffs.

Whist recognising the importance of renewable energy sources, Mr Cottrell-Dormer indicated that such projects could not be supported in any location at any price.

Expressing his concern at the impact on the AONB, Mr Robinson proposed the Officer recommendation of refusal. The recommendation was seconded by Mr Colston and on being put to the vote was carried.

Refused

87 14/0229/P/FP

Quart Pot, 3 High Street, Milton Under Wychwood

The Planning Officer introduced the application.

Mr Martin Hallam addressed the meeting in opposition to the application. A summary of the points he raised is attached to the original copy of these minutes at Appendix M.

The applicant's agent, Ms Rebekah Jubb, then addressed the meeting in support of the application. A summary of the points she raised is attached to the original copy of these minutes at Appendix N.

In response to Ms Jubb's request for a deferral, the Chairman indicated that he believed that Members would wish to see a greater commitment to the future operation of the public house than an exchange of contracts. The Sub-Committee wished to see the premises open and operating as a public

house and would expect evidence of real investment before thought was given to additional residential development on the site.

In response to a question from Mr Cotterill, Ms Jubb advised that she expected that contracts would be exchanged shortly and that the application could be brought before the next meeting of the Sub-Committee.

The Planning Officer then presented her report containing a recommendation of refusal and drew attention to an error in the recommended reason for refusal at page 117 of the report in that it should refer to dwellings, not flats.

Mr Haine expressed his support for the Officer's recommendation, indicating that, for the reasons set out above, the application should be considered and determined as submitted. In addition, he expressed concern as to the impact of the proposed development on the neighbouring property and, due to its scale, massing, design and form and its elevated position, considered that the development would be contrary to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and the guidance of the National Planning Policy Framework.

In proposing refusal, Mr Haine recommended that additional reasons for refusal be incorporated as outlined above. The recommendation was seconded by Mr Robinson and on being put to the vote was carried.

Refused for the following reasons:-

- 1 That it has not been demonstrated that the reduction in the size of the beer garden and the provision of reduced parking would not further adversely impact the viability of the public house. Nor has it been demonstrated that the provision of the dwellings would constitute enabling development to secure the long term future viability of the Public House. As such, the development is contrary to the aims of Policy TLC12 of the West Oxfordshire Local Plan 2011 and paragraph 28 of the National Planning Policy Framework.
- 2 That the proposed development, due to its scale, massing and the position of windows in the rear elevation at first and second floor level would give rise to harmful overbearing impacts to and overlooking of the neighbouring property at Foxlore to the detriment of their residential amenity. As such, the development would be contrary to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and the guidance of the N Planning Policy Framework.
- 3 That the proposed development, due to its scale, massing, design and form and its elevated position would be an incongruous and alien addition to the street scene to the detriment of the character and appearance of the area. As such, the development would be contrary

to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and the guidance of the National Planning Policy Framework.

95 14/0296/P/FP The Last Post, Park Road, Combe

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

Permitted

100 14/0299/P/FP The Chequers, Church Road, Churchill

The Planning Officer introduced the application and made reference to the observations set out in the report of additional representations..

Mrs Chloe Kimp addressed the meeting in objection to the application. A summary of the points she raised is attached as Appendix O to the original copy of these minutes.

Mr Martin Bradshaw, the Chairman of the Churchill Parish Council then addressed the meeting in opposition to the application. A summary of the points he raised is attached as Appendix P to the original copy of these minutes.

The Planning Officer then presented her report.

Mr Owen expressed his concern in relation to the issues raised by local residents and indicated that he considered that the application should be refused. It was explained that these matters could not be addressed through the planning process as they fell under the remit of licensing legislation.

It was proposed by Mr Owen and seconded by Mr Cottrell-Dormer that consideration of the applications at this site be deferred to the next meeting of the Sub-Committee to enable an officer of the Council's Licensing section to be present to advise Members of the steps that could be taken in response to the concerns raised by local residents.

106 14/0300/P/LB The Chequers, Church Road, Churchill

Deferred

107 14/0301/P/AC The Chequers, Church Road, Churchill

Deferred

107 14/0344/P/FP Chipping Norton Golf Club, Southcombe

In response to a question from Mr Saul, the Planning Officer advised that the use of the marquee was to be a temporary measure whilst permanent facilities were provided.

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

I 10 14/0364/P/FP Quart Pot, 3 High Street, Milton Under Wychwood

Refused for the following reasons:-

- 1 That it has not been demonstrated that the reduction in the size of the beer garden and the provision of reduced parking would not further adversely impact the viability of the public house. Nor has it been demonstrated that the provision of the dwellings would constitute enabling development to secure the long term future viability of the Public House. As such, the development is contrary to the aims of Policy TLC12 of the West Oxfordshire Local Plan 2011 and paragraph 28 of the National Planning Policy Framework.
- 2 That the proposed development, due to the overall scale, massing and footprint would result in overdevelopment of the site. Furthermore, the design and form of the dwellings is not in keeping with the character and appearance of the area and would be an incongruous addition to the street scene. As such, the proposed development would be contrary to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and the guidance of the National Planning Policy Framework.
- 3 That the narrow access road would lead to inconvenient access to the parking proposed to serve the dwellings and the public house and would lead to conflict between pedestrians and vehicles to the detriment of the safety of pedestrian users of the access. As such, the development would be contrary to policies BE2, BE3 and H2 of the West Oxfordshire Local Plan 2011 and the guidance of the National Planning Policy Framework.

I 10 14/0381/P/FP Woodstock Lodge, Blenheim Park, Woodstock

The Planning Officer introduced the application.

Mr Julian Cooper addressed the meeting, indicating that he believed that a more appropriate location could be found for the provision of car parking within this World Heritage Site. Mr Cooper suggested that an artificial surface in the location proposed was inappropriate and invited the Sub-Committee to defer consideration of the application to enable the applicants to consider an alternative site.

Mr John Hoy, the Chief Executive of Blenheim Palace, then addressed the meeting in support of the application. A summary of the points he raised is attached as Appendix Q to the original copy of these minutes.

The Planning Officer presented her report.

Dr Poskitt expressed her support for Mr Cooper's suggestion of deferral but the Officer recommendation of conditional approval was proposed by Mr Cotterill and seconded by Mr Robinson and on being put to the vote was carried.

Permitted

92. 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 received and noted.

93. RETIRING MEMBERS

Mr Haine noted with regret that Miss Hunt and Mr Goffe, both of whom had decided not to seek re-election, had been unable to attend the meeting and Members joined the Chairman in expressing their appreciation of the work they had undertaken on behalf of the Sub-Committee. Mr Haine also wished those standing for re-election well.

The meeting closed at 7:05pm.

CHAIRMAN