

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 9 June 2014

PRESENT

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

Officers in attendance: Dawn Brodie, Abby Fettes, Phil Shaw and Paul Cracknell

4. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr T B Simcox and the Chief Executive reported receipt of the following resignation and temporary appointment:-

Mr W D Robinson for Mr T J Morris

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Mr Bishop and Mr Cooper to the Sub-Committee and congratulated those re-elected on their return to the Council.

6. MINUTES

Dr Poskitt made reference to the minutes in relation to application No. 13/0892/P/FP (Land at Marlborough School, Shipton Road, Woodstock), indicating that she did not consider these to accurately reflect the tone of what she had said. She requested that paragraph 5 at page 2 and paragraph 4 at page 7 be amended to read as follows:-

*Dr Poskitt questioned the number of homes being proposed as Mr Ashton had been talking about 64 homes. Mr Ashton agreed the error in his statement and that the revised proposal was for 58 homes of which 29 would be 'affordable'.*

*Dr Poskitt stated that she was in favour of development of the site as was Councillor Cooper who was unable to make his strongly supportive presentation to the Sub-Committee due to a conflicting appointment. Bladon Parish Council and Bladon community were keen to see development. However Dr Poskitt expressed concern at only 16% 'affordable homes' contribution on this Green Belt and Conservation Area site. Dr Poskitt added that Blenheim had a history of delivering excellent developments and she was sure that would be the case here.*

**RESOLVED:** that, subject to the amendments detailed above, the Minutes of the meetings of the Sub-Committee held on 6 May and 4 June 2014 be confirmed as a correct record and signed by the Chairman.

## 7. DECLARATIONS OF INTEREST

Mr Bishop declared an interest in application No. 14/0633/P/FP by virtue of his earlier participation in debate on the matter at the Stonesfield Parish Council. Mr Saul declared an interest in application No. 14/0630/P/FP by reason of an employee having a financial interest in the development.

## 8. 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:- 14/0225/P/FP; 14/0299/P/FP; 14/0300/P/LB; 14/1301/P/AC; 14/0633/P/FP.

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

### 3 14/0225/P/FP Walcot Barns, Forest Road, Charlbury

The Planning Officer introduced the application.

Mr Stuart Parker, the applicant's architect, addressed the meeting in support of the application. A summary of the points he raised is attached to the original copy of these minutes as Appendix A.

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

Mr Cotterill indicated a preference for the alternative proposal put forward by the applicants (omitting the rooflight in the eastern elevation and installing a more traditional barn rooflight to the western elevation) and enquired whether the proposed condition 9 would be sufficient to secure provision of the automatic blinds suggested by the applicants.

In response, the Planning Officer advised that it was her understanding that the automatic blinds had been offered by the applicants in conjunction with their original proposal and that a further condition would be required if Members considered these to be necessary with the revised proposal.

Mr Cotterill proposed the Officer recommendation subject to the implementation of the alternative proposal detailed on drawing number W151-152 and, on the suggestion of Dr Poskitt, to an additional condition requiring the provision of automatic, light sensor controlled blinds to the rooflight to the western elevation. The recommendation was seconded by Mr Owen

Mr Robinson expressed his opposition to the proposal, indicating that it represented a new dwelling in the open countryside, a form of development the Council had long sought to resist. In response, the Planning Officer advised that the proposal was considered to be sustainable by virtue of its proximity to Charlbury and reiterated that Policy H10 could still be afforded weight in the determination of most such applications.

Mr Cottrell-Dormer concurred with the concerns expressed by Mr Robinson.

On being put to the vote the proposition was carried.

Permitted subject to the following additional condition:-

13 That the rooflight proposed in the west elevation shall be constructed with non-reflective glass and shall have automatic light sensitive blinds installed on the interior in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and the blinds shall be maintained and operated in accordance with the approved scheme thereafter.

REASON: To preserve the character and appearance of the wider Cotswolds Area of Outstanding Natural Beauty. (Policies BE2 and NE4 of the West Oxfordshire Local Plan 2011)

17 14/0299/P/FP The Chequers, Church Road, Churchill

The Planning Officer introduced the application.

Mrs Diane Linney-Browne addressed the meeting setting out her objections to the development proposals. A summary of the points she raised is attached to the original copy of these minutes as Appendix B.

Mr Martin Bradshaw, the Chairman of the Churchill Parish Council then addressed the meeting to reiterate the concerns expressed by that Authority. A summary of the points he raised is attached to the original copy of these minutes as Appendix C.

Ms Georgina Pearman, one of the co-owners of the public house 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 as Appendix D.

In response to a question from Mr Owen, Ms Pearman indicated that, whilst planning applications at other premises in the company's ownership had generated a degree of initial hostility, this had not been sustained over time. She suggested that there was often a degree of resistance to newcomers and change within village communities but it had been her experience that once residents found the company to be a responsible operator, this died down. In response to further comments made by Mr Owen, Ms Pearman advised that the managers of all her company's premises were experienced professionals. In response to a question from Mr Beaney she advised that managers sought to respond to complaints raised regarding inconsiderate parking by patrons. She noted that, where parking was limited, this was often an issue that was difficult to control.

The Planning Officer then presented her report.

Mr Owen questioned the Officer's interpretation of the relevant planning legislation, indicating that he found it inconceivable that the issues raised by local residents fell outside the Council's control. He indicated that he considered the proposals had not been put forward to ensure the future viability of the business but to increase trade and profits.

Mr Owen proposed that consideration of the application be deferred to enable a site visit to be held in order for Members to assess the potential impact of the application. The proposition was seconded by Mr Robinson.

Mr Beaney cautioned against confusing planning and licensing issues and questioned whether on street parking arrangements could be regulated. In response, the Planning Officer advised that any parking restrictions could only be imposed by the County Council by way of a Traffic Regulation Order.

Mr Cotterill enquired whether there was any relevance to the comments made by Mr Bradshaw regarding conditions imposed by the 2002 planning consent. The Planning Officer advised that, whilst additional parking provision had been required in response to additional demand generated by the extension to the premises, the internal reorganisation of the building did not require planning consent. The Sub-Committee was effectively considering the current position; the Highway Authority had raised no objection to the application and many of the parking spaces provided had been sub-standard as vehicles using them would encroach onto the highway. The spaces to be lost were amongst the worst of these.

Given its close proximity to residential properties, Mr Cotterill enquired whether conditions could be imposed through the licensing regime requiring windows and doors to be kept closed given that similar conditions had been employed at other premises.

The Council's Principal Community Safety and Licensing Officer advised that 'Responsible Authorities' and 'Interested Parties' (which included local residents) could seek a review of a premises licence. The concerns previously expressed appeared to relate primarily to activities outside the premises. Whilst the Police had visited the premises on a number of occasions, no arrests had been made or evidence of offences found. Whilst activities relating to the premises had given rise to local concerns, they did not constitute substantive offences.

The Council's Principal Environmental Health Officer concurred with this view.

Mr Colston enquired whether the area outside the premises fell under licensing control. The Council's Principal Community Safety and Licensing Officer advised that the external area did not form part of the licensed premise and that it was only the sale of alcohol. Not its consumption that constituted a licensable activity.

He advised Members that the Council had undertaken a number of test purchase operations at the premises in relation to both under aged sales and sales to those intoxicated. Officers had also monitored the premises late in the evening and on no occasion had they found cause to take action.

The proposition that consideration of the application be deferred to enable a site visit to be held in order for Members to assess the potential impact of the application was then put to the vote and was lost.

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

Permitted, the applicants being advised that:-

- i) The District Council would ask that the owners/operators ensure that clients using the public house do not cause any unnecessary obstructions or highway safety issues with their parked vehicles.
- ii) The granting of planning permission does not override any Licensing requirements and the District Council would strongly encourage the owner/operator to ensure that patrons do not use the outside seating area after 10:00pm at night.

(Mr Owen requested that his vote against the foregoing application be so recorded)

24 14/0300/P/LB

The Chequers, Church Road, Churchill

Listed Building Consent be granted

25 14/0301/P/AC The Chequers, Church Road, Churchill

Advertisement Consent be granted

25 14/0747/P/FP Holywell Barn, Asthall

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

32 14/0468/P/FP Cling Clang Farm Hyne Jones Field Church Enstone

The Planning Officer presented her report.

Mr Colston expressed concern over the location of the building, suggesting that it would be more appropriate for it to be situated to the north of the site.

The Planning Officer indicated that it would not be possible to locate the building close to the northern boundary of the site as a number of public footpaths crossed that area. Due to the differing levels across the site, the building would be more prominent to the north than set against the south western boundary as proposed.

The Officer recommendation of conditional approval was proposed by Mr Cotterill and seconded by Mr Robinson.

Mr Cottrell-Dormer expressed some concern regarding potential operational difficulties arising from the absence of defined vehicular access.

In light of these concerns an amendment was proposed by Mr Colston and seconded by Mr Haine that consideration of the application be deferred pending the submission of details of access arrangements.

The amendment having been carried became the substantive motion which, on being put to the vote, was carried.

Deferred pending the submission of details of access arrangements.

37 14/00630/P/FP Malt House, Witney Lane, Leafield

The Planning Officer presented her report, drew attention to the further observations set out in the report of additional representations and advised that the County Council had no objection to the proposal. In response to a question from Mr Robinson, she confirmed that no response had been received from the Parish Council.

The Officer recommendation of conditional approval was proposed by Mr Robinson and seconded by Mr Cotterill.

Mr Cooper questioned why a contribution towards the provision of affordable housing could not be required from the current development. In response, the Planning Officer explained that, as the original consent (granted prior to the affordable housing requirements of the current Local Plan) remained extant and could be implemented, work on site having commenced. The current application did not propose any additional units above the number permitted by the 2004 consent hence the current affordable housing requirements were not triggered.

On being put to the vote the proposition was carried.

Permitted subject to the following conditions:

- 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 and Country Planning Act 1990 (As amended).
- 2 That the development be carried out in accordance with plan No(s) P02, P06, P07, P05, P04 and P03.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Class A to E of Part 1, Schedule 2, Article 3 shall take place.  
REASON: Due to the constrained nature of the site. (Policies BE2 and H2 of the West Oxfordshire Local Plan 2011)
- 4 Prior to the commencement of development amended plans for plot three shall be submitted to and approved in writing by the Local Planning Authority. The plans shall show the omission of the first floor french window serving the master bedroom (south east elevation).  
REASON: To protect the amenity of the neighbouring property at Malt House. (Policies BE2 and H2 of the West Oxfordshire Local Plan 2011)
- 5 The external walls shall be constructed of natural local 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 Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)

- 6 The external walls of the dwellings to be timber clad shall be constructed in accordance with a sample of which shall first be submitted to and approved in writing by the Local Planning Authority before development commences.  
REASON: To safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 7 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 Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 8 Notwithstanding details contained in the application, detailed specifications and drawings of all windows, doors, rooflights and dormer windows 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 safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 9 A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall include the retention of any existing trees and shrubs and planting of additional trees and shrubs; all ground surface treatments and materials and means of enclosure and shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.  
REASON: To safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 10 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)



- 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 of any dwellinghouse.  
REASON: To ensure a safe and adequate access. (Policy BE3 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. The details shall include 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 Technical Guidance)

(Mr Saul left the meeting during consideration of the foregoing application and Mr Robinson left the meeting at this juncture)

43 14/0633/P/FP The White Horse Inn, The Ridings, Stonesfield

The Area Planning Manager introduced the application and drew attention to the further observations set out in the report of additional representations. He went on to report receipt of further letters received that day from Philippa and Ann Lowe and Mr Holloway, together with those of the applicant and his structural engineer.

The Applicant, Mr John Lloyd, then addressed the meeting. A summary of the points he raised is attached to the original copy of these minutes as Appendix E.

In response to a question from Mr Saul, Mr Lloyd detailed the extensive works that would be necessary to bring the building up to a condition in which it could be brought back into use.

In response to concerns raised in relation to the current condition of the building, Dr Poskitt was advised that the matter would be referred to the Council's Building Control Service for further investigation.

The Area Planning Manager presented his report and made a recommendation of conditional approval.

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

Permitted subject to the following conditions:

- 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 the submitted plans.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that order with or without modification no extension shall be constructed to and no further openings shall be inserted in the external envelope of the building.  
REASON: To avoid over-development, retain the character of the barn and protect the amenity of neighbours.
- 4 The development shall be constructed with the materials specified in the application.  
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 5 Bat and Bird boxes shall be installed in accordance with details including phasing that have been submitted to and approved in writing by the Local Planning Authority before development commences.  
REASON: To safeguard and enhance biodiversity.
- 6 Notwithstanding the information provided on the approved layout plan a natural stone wall shall be provided to demark the rear garden site boundaries, details of which shall be submitted to and approved in writing by the Local planning Authority before development commences. The wall shall be erected before occupation of the associated dwelling hereby approved and thereafter be retained.  
REASON: To ensure that in the interests of privacy and visual amenity a high standard of boundary treatment is provided.

7 Notwithstanding details contained in the application, detailed specifications and drawings of all external doors, windows (including cills and heads), eaves/verges, ridges, chimneys and rainwater goods 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/barn.

8 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 or road safety.

(Mr R J M Bishop left the meeting during consideration of the foregoing application)

48 14/0404/P/AC The Lamb Inn, High Street, Shipton Under Wychwood

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

Advertisement Consent be granted

50 14/0522/P/OP Land at Rockhill Farm, London Road, Chipping Norton

The Senior Planner (Implementation) presented her report. In response to a question from Mr Saul she advised that the percentage, mix and tenure of the affordable units to be provided on the site had yet to be determined but would be guided by the requirements identified by the Council's Housing Service. She anticipated that a mix of affordable rented and shared ownership units would be provided. Mr Saul also welcomed the proposals to increase bus frequency on the route from Chipping Norton to Woodstock through developer contributions.

However, he went on to express some concern over the potential visual impact of the proposed development on the highway frontage at the entrance to the town and suggested that a site visit could be beneficial.

In response, the Senior Planner (Implementation) advised that the application was in outline only and that the proposed development would not impact upon the existing highway trees on London Road.

Mr Beaney proposed that consideration of the application be deferred for a site visit be held to enable Members assess the impact of the development to the frontage of the site. The proposition was seconded by Mr Saul and on being put to the vote was carried.

Deferred for a site visit to be held to enable Members assess the impact of the development to the frontage of the site.

9. 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 together with an appeal decision was received and noted.

10. PROGRESS ON ENFORCEMENT CASES

Consideration was given to the report of the Head of Planning and Strategic Housing informing the Area Planning Sub-Committee of the current situation and progress in respect of enforcement investigations.

**RESOLVED:**

- (a) That the progress and nature of the outstanding enforcement investigations detailed in Sections A to C of the report be noted.
- (b) That no further action is taken in respect of the cases detailed in Section D.

11. MISS DAWN BRODIE

The Chairman advised that this was to be Miss Brodie's last meeting as she was shortly to leave the Councils employ to join Messer's Savills in Oxford. Members joined Mr Haine in thanking Miss Brodie for her work on behalf of West Oxfordshire, congratulating her on her new position and wishing her well for the future.

The meeting closed at 4:45pm.

CHAIRMAN