

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 6<sup>th</sup> October 2014

PRESENT

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

Officers in attendance: Abby Fettes, Cheryl Morley, Hannah Wiseman, Phil Shaw, Gemma Smith and Lois Stock

33 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr J.C Cooper; Mr T J Morris and Mr W.D. Robinson

34 MINUTES

**RESOLVED:** that the Minutes of the meeting of the Sub-Committee held on 1<sup>st</sup> September 2014 be confirmed as a correct record and signed by the Chairman.

35 DECLARATIONS OF INTEREST

Mr T.N Owen declared a disclosable pecuniary interest in the application 14/1143/P/FP (Fardon House, Frog Lane) on the grounds that he lived opposite to it and that his spouse had submitted an objection. Having so declared, he would leave the room whilst this application was considered.

36 APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Head of Planning and Strategic Housing giving details of applications for development, copies of which had been circulated. A schedule outlining additional observations received following the production of the agenda was circulated at the meeting, a copy of which is included within the Minute Book.

**RESOLVED:** that the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in the report of the Head of Planning and Strategic Housing, subject to any amendments as detailed below:

(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:- 14/01046/P/FP, 14/1075/P/FP, 14/1121/P/FP, 14/1143/P/FP, 14/1189/P/FP, 14/1223/P/FP, 14/1154/P/FP, 14/1054 and 1055/P/FP, 14/1115/P/FP, 14/1188/P/FP, and 14/1218/P/FP.).

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

The Senior Planner presented the report to the Committee and outlined the plans. It was advised that there was an additional representation, in that the objection from Oxfordshire County Highways had been withdrawn and the site had a previous history of applications for dwellings that had been refused at appeal.

Mr Ian Blacker (on behalf of the Parish Council) spoke against the application. He raised concerns about:-

- Development on a green field site within the Area of Outstanding Natural Beauty (AONB);
- Additional 100 car movements per day in Church Street (based on movements from proposed car parking spaces and other houses in Church Street);
- Increased street congestion;
- Sustainability of development, and conflict with the district councils own policies;
- Retaining the site as an important gap in the village; and
- the access proposed cannot be delivered because of issues around land ownership.

Steven Sensecall (on behalf of the applicant) spoke in favour of the application and made the following points:-

- The previous application and subsequent appeal was for a single dwelling in a different context;
- It should be noted that West Oxfordshire District Council (WODC) did not have a 5 year housing land supply target;
- The Highways authority had no objection to the application;
- The applicants had all the land that they required to deliver this scheme as proposed – there was no issue with access, and this included the wider access indicated; and
- It was in a sustainable location, identified as a development site in the SHLA, and it would provide eight affordable housing units. The current affordable housing need had been assessed at 30 units.

The Senior Planner continued the presentation to the Committee. It was indicated that the main issues were the principle of development, design, neighbourliness, highways and the AONB. Officers considered that the additional impact of the proposed scheme did not outweigh the benefits.

During discussion, the following points were made and questions asked:-

- Church Road was already very congested – one of the worst roads around and there are serious traffic issues in the village generally;
- Kingham Primary School was at capacity , and would struggle to take incoming children from the new properties;
- Kingham had conservation status and this site was in the AONB. The development was too large for Kingham;
- There were already sewage problems – the fear was that this development would exacerbate them;
- Eight affordable housing units were destined for New Road in Kingham;
- Concern that the applicants did not seem to have worked closely with the Parish Council or the local community when preparing their application, contrary to the requirements of the National Planning Policy Framework (NPPF);
- This was an extension of development into open countryside;
- The NPPF stated that areas in the AONB should be protected;
- The site was actually well thought out and would be barely visible from the village. It had adequate access and parking space.

In response, officers observed:-

- Oxfordshire County Council Education department had not objected to the scheme. Kingham School may be at capacity but they had not sought a S106 contribution;
- Highways did not object to the application;
- The proposal was in keeping with the surrounding area and nearby developments and was well contained;
- There was a need to increase the housing supply;
- It is considered that the development does not cause significant and demonstrable harm;
- Policies from the Local Plan, while important, were of limited weight given the authority's lack of a 5 year land supply policy;
- Some technical amendments have been made – limited to car parking spaces and details of sight lines for the access.

It was proposed by Mr Cotterill that the application be refused on the grounds of the effect it would have on the AONB, and the lack of engagement and agreement with the Parish Council and the local community, contrary to paragraphs 66, 115 and 116 of the National Planning Policy Framework.

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

Refused for the following reason:

By reason of the scale and location of the proposed development and the extent of local community objection, the proposal is considered to harm the landscape character of the Cotswolds Area of Outstanding Natural Beauty in a manner that does not deliver community benefits or take account of the local community. The proposal is therefore contrary to paragraphs 66, 115 and 116 of the National Planning Policy Framework and BE2, H2, NE1, NE3 and NE4 of the West Oxfordshire Local Plan 2011.

30 14/1054/P/FP 1 Market Street, Woodstock

The Planning Officer introduced the application and outlined the plans. It was explained that the main considerations were the principle of development, the impact on a listed building and highways matters. Officers considered that the application would have no impact upon a listed building, or upon the amenity of neighbouring buildings.

During discussion, the following issues were raised:-

- There was concern about the conversion of a retail space into living space, which might then become a flat to be let. It was asked if it was possible to condition this, so that owner lived on site and it did not become a flat for rent.
- Whether the residential unit would have an independent access.

In response, officers indicated that it was probably not reasonable to condition that a living space could be used by the shop owner only and the applicant was maintaining a significant proportion of retail space. There was an independent access to the residential unit and it was not via the shop. It was confirmed that the current kitchen and toilet associated with the retail unit would remain.

Mr Cotterill proposed, and Mr Cottrell-Dormer seconded, that the application be approved

On being put to the vote the proposition was carried.

Permitted.

33 14/1055/P/LB 1 Market Street, Woodstock

Mr Cotterill proposed, and Mr Cottrell-Dormer seconded, that the application be approved

Granted Listed Building Consent

36 14/1075/P/FP The Mill, Station Road, Chipping Norton

The Senior Planner introduced the application and outlined the plans.

Judith Ashton spoke in favour of the application and made the following points:-

- The proposed development was on a brownfield site;
- The principle of development was well established;
- It reflected the character and scale of other buildings, and aimed to preserve the privacy and amenity of local residents;
- County Highways had not objected;
- The development was not in a flood risk zone.

Officers confirmed that the site address was correct and that the development proposal was in character with the local area. There were sufficient parking spaces, and the principle of residential development on this site had been accepted.

Mr Saul proposed and Mr Colston seconded, that the application be approved and on being put to the vote the proposition was carried.

Permitted, subject to the following additional condition:

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)

40 14/1115/P/FP Cow Shed, Upper End, Fulbrook

The Planning Officer introduced the application and outlined the plans. The Sub-Committee was informed that the development would be on the same footprint as the existing cowshed. It was outlined that the main considerations were the principle of development, design and impact on a listed building. The Planning Officer had confirmed that there was no official right of way within the vicinity of the building, and that the proposed hedge would cause no loss of light to neighbouring properties.

In answer to a question, it was confirmed that zinc was a popular roofing material that would not cause glare. The glazed wall had a substantial overhang, thus helping to prevent glare from it. Some members of the Committee felt that the design was unsuitable and out of place.

Mr Cotterill proposed, and Mr Simcox seconded, that the application be approved.

On being put to the vote the proposition was carried.

Permitted

47 14/1121/P/FP Hopkins Yard, Market Street, Charlbury

The Planning Officer presented the application and outlined the plans.

Eve Morris spoke against the application and raised the following issues:-

- Concern about the position of the proposed velux windows and suggested they could be moved to the other side, or have frosted glass installed.
- The roof height should not increase and the gap between properties should be preserved;
- A slate roof would be preferable and the stone boundary walls should be preserved;
- An adequate turning circle in front of Hopkins Yard should be provided;
- A site visit was essential so that members of the sub-committee could see and understand the site.

The Planning Officer continued the presentation. It was explained that the materials for the master bedroom had been amended from brown zinc to feather boarding. The footprint of the building had been amended and was now smaller, so the impact on the surrounding area was reduced.

Mr Owen proposed, and Mr Saul seconded, that a site visit be held before the application was determined.

On being put to the vote, the proposition was carried.

Deferred, pending a site visit on Thursday 30<sup>th</sup> October 2014.

54 14/1143/P/FP Fardon House, Frog Lane, Milton under Wychwood.

The Planning Officer presented the application and outlined the plans.

Helen Seymour Smith (Agent for the Applicant) spoke in favour of the application and made the following points:-

- There had been considerable pre-application consultation to ensure that the proposal would be acceptable;
- The building was designed to blend in at the front, with a more contemporary feel at the rear;
- The dwelling would be energy efficient with good thermal insulation;
- The owners were committed to producing an acceptable solution for the site, as they wanted to have a permanent family home there.

The Planning Officer continued the presentation to the Committee. Confirmation was given that the key planning considerations were the impact on the character of the area, the principle of development and the spacing and proximity of the dwellings. In answer to questions from the Committee, the following was clarified:-

- Width of plot was 35m,
- Ridge height was 8.2m,
- Spacing between dwellings was acceptable;
- The garage was at the front of the house, but was flat roofed and would not impact on the street scene;
- There would be a net gain of one dwelling on this site.

Mr Cotterill proposed, and Mr Cottrell-Dormer seconded, that the application be permitted.

On being put to the vote the proposition was carried.

Permitted.

(Having declared an interest in this item, Mr T N Owen withdrew from the room during its consideration and took no part in proceedings)

62 14/1154/P/FP

Field Barn Cottages, Woodleys, Woodstock

The Planning Officer introduced the application and outlined the plans. It was confirmed that the main planning considerations were the principle of development, highways and parking. A reduction in the proposed ridge height had been agreed with the applicant. Oxfordshire Highways had confirmed that there was no record of traffic accidents at this location. The applicant proposed to see five patients each day, and four car parking spaces would be provided at the rear.

Dr Poskitt expressed concern about the access to the site and traffic movements.

Mr Cotterill proposed, and Mr Cottrell-Dormer seconded, that the application be permitted.

On being put to the vote the proposition was carried.

Permitted.

66 14/1188/P/S73 Willow View, Swan Lane, Long Hanborough

The Senior Planner presented the application and outlined the plans.

The key planning issues were considered to be the design and impact on the visual amenity of the area, the impact on nearby residential amenities and the impact on the AONB. It was noted that the Parish Council had particular concern about the possible impact upon the AONB. Officers considered that there would be no detrimental effect upon neighbouring amenities, and that the design was acceptable.

Mr Cotterill proposed, and Mr Cottrell-Dormer seconded, that the application be permitted.

On being put to the vote the proposition was carried.

Permitted.

69 14/1189/P/FP Hopcrofts Holt Service Station, Steeple Aston

The Senior Planner presented the application and outlined the plans and it was confirmed that the building would be 7.3m tall.

Cathy Wallace (Agent for the Applicant) spoke in favour of the application and gave the following information:-

- It would be a modern petrol station with an better forecourt layout than at present;
- The forecourt shop was intended for “top-up” shopping, and that will not change;
- The retail sales area would be slightly larger, but was still smaller than most petrol station shops. The goods for sale would be limited and the sales area would be 46sq.m with the rest being back areas, storage etc;
- The change was driven by a wish to provide a more comfortable experience for customers. It would not increase competition for shops in nearby villages because it was not a new shop. It was a privately owned shop and not a chain store or major supermarket offshoot;
- There would not be a post office.

The Senior Planner continued the presentation and highlighted that the major planning concerns had been identified as design, viability of the store and impact on the amenity of neighbours. Officers considered that the



design was acceptable and would lead to visual improvements in the vicinity. The boundary treatment could be controlled by condition and it was not thought that the proposed opening hours would cause any significant harm to the locality.

Mr Cottrell-Dormer proposed, and Mr Cotterill seconded, that the application be permitted.

On being put to the vote, the proposition was carried.

Permitted.

75 14/1218/P/FP 14 Farriers Road, Middle Barton

The Planning Officer presented the application and outlined the plans.

Mr Cottrell-Dormer proposed, and Mr Cotterill seconded, that the application be permitted.

On being put to the vote, the proposition was carried.

Permitted

77 14/1223/P/FP 10 High Street Woodstock

The Planning Officer presented the application and outlined the plans.

The Chairman drew the Committee's attention to an email received from Mr Sharone Parnes. Mr Parnes expressed concern about the information on the published site notices which he felt was inaccurate. The application was described as "part change of use" which Mr Parnes felt was incorrect because the application sought to convert all current retail use into residential. He asked that the application be deferred pending republication of the site notices.

The Committee noted the objection, but understood the site notices to have been published correctly, as part of the application site was currently in retail use, and it was this that would be changed to residential. Therefore it was indeed a "part change of use". As a result, it was believed that it was not in the public interest to defer the application.

Mr Sensecall (Agent for the Applicant) spoke in favour of the application and made the following points:-

- The area affected was one small room in a three-storey house, and the front retail part was approximately 10% of the entire building;
- The previous retail use was no longer viable, and the property had stood vacant for a time;

- There was no demonstrable harm to the retail offer in Woodstock, given that the retail space in this case is only 34m.sq;
- Work to restore the building had been carried out, and the building had been improved as a result.

The Planning Officer continued the presentation. The main planning concerns were the principle of planning, impact on the Listed Building and implications for highway parking. Officers considered that, having examined the evidence, the policy concerning lack of retail viability was met in this case. It was not felt that there was any significant loss of retail space in Woodstock.

Dr Poskitt expressed concern about loss of retail space in Woodstock and “residential creep” in previously retail buildings.

Mr Cotterill proposed, and Mr Cottrell-Dormer seconded, that the application be permitted.

On being put to the vote the proposition was carried.

Permitted

### 37 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. The following additional information was provided:-

- Hordley House, Wootton – a licence from Natural England would be required to deal with the question of bats, but subject to obtaining this, permission was granted;
- Windrush, The Close, Salford – concern had been expressed about the annexe becoming a separate unit, however that had been covered by conditions.
- The application for the shooting club at Enstone was expected at the next meeting of the Committee.

The list of appeal decisions was also noted.

### 38 PLANNING APPLICATIONS IN LONG HANBOROUGH – SITE VISITS

The sub-committee considered the report of the Head of Planning and Strategic Housing as to whether it would be expedient to undertake a formal site visit prior to the likely consideration of an application on Monday 3 November.

**RESOLVED:** That a site visit be held on Thursday 30<sup>th</sup> October 2014 commencing at 9.30am, continuing on to Hopkins Yard, Charlbury, afterwards.

UPDATE REGARDING PLANNING APPLICATION REF 13/1547/P/FP ALDI, BANBURY ROAD, CHIPPING NORTON.

Consideration was given to the report of the Head of Planning and Strategic Housing updating members regarding the progress of the legal agreement, and seeking authorisation to change one of the heads of terms agreed when the application secured a resolution to approve.

The Area Development Manager explained the background to the report and that there were now issues with the footpath option. As a result, the sub-committee was asked to resolve to approve, subject to the itemised list in paragraph 3.3 of the report.

The sub-committee's preference was a footpath if possible, but if not, the proposed alternative arrangement delivered an "either/or" option of the footpath or other improvements to be reinvestigated. There was a 5-year term allowed during which Oxfordshire County Council should use the monies paid across for this purpose. This was a standard time and should prove sufficient time for Oxfordshire County Council to improve access to the site.

Mr Saul proposed and Mr Cotterill seconded, that the requirement to provide a footpath no longer be followed, and that a sum of monies towards other measures to improve access to the site be authorised.

On being put to the vote, the proposition was carried.

**RESOLVED:** That the requirement to provide a footpath no longer be followed and that a sum of monies towards other measures to improve access to the site be authorised in its place.

The meeting closed at 4.35pm.

CHAIRMAN