

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 2 February 2015

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 J Morris, T N Owen, Dr E M E Poskitt, W D Robinson*, G Saul and T B Simcox
(*Denotes non-voting Member)

Officers in attendance: Cheryl Morley, Phil Shaw, Gemma Smith, Catherine Tetlow, Hannah Wiseman and Simon Wright

59 MINUTES

Dr Poskitt requested an amendment to the minute relating to Application 14/1260/P/FP as follows:-

'The Proposition was seconded by Dr Poskitt who added that justifying approval through a contribution to maintenance of the World Heritage Site created an awkward precedent.'

The sub-committee agreed to the amendment.

RESOLVED: that the Minutes, as amended, of the meeting of the Sub-Committee held on 5 January 2015 be confirmed as a correct record and signed by the Chairman.

60 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

61 DECLARATIONS OF INTEREST

There were no Declarations of Interest from Members or Officers relating to items to be considered at the meeting.

62 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:- 14/1178/P/FP; 14/01497/FUL; 14/01443/FUL; 14/01759/FUL; 14/01939/FUL; 14/01526/FUL and 14/01627/FUL).

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

3 14/1178/P/FP Enstone Airfield, Enstone

The Area Development Manager introduced the application and outlined the site plans and proposed development.

Mr Henry Venners, the applicant's agent, addressed the sub-committee in support of the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

Mr Venners, in response to Mr Owen, confirmed that the proposed bunds were of varying heights with a maximum height of 10m. Mr Cotterill asked about the steepness of the bund and Mr Venners confirmed they would be as steep as practicable. Finally confirmation was given, following a question by Mr Colston, that the proposal would mean the cessation of motocross activity on the site.

The Area Development Manager then continued his presentation and confirmed that the Environment Agency had no objection, an amendment to condition 2 regarding noise sensitive properties was being proposed and details of the noise report clarified.

The main policy considerations were outlined together with the site history, noise issues, impact on residential amenity, visual impact and the implementation of a unilateral undertaking to remove motocross use. It was highlighted that the applicant had expressed a willingness to accept a shorter implementation timescale than usual.

It was confirmed that the recommendation was one of approval subject to the applicant entering in to a unilateral undertaking regarding cessation of motocross use and an amended condition 2.

Mr Haine requested that condition 3 be checked carefully to ensure that it adequately covered days when shooting would not be allowed.

Mr Beaney, whilst supporting the principle of the proposals, indicated he was unable to support the current application. Mr Beaney expressed concern at the on-going illegal usage of the site, problems with consultation with local councils, differing opinions on the noise issues and the close proximity of footpaths. Finally Mr Beaney referred to the accuracy of the noise modelling and whether using lower weight shot was feasible.

The Area Development Manager confirmed that the noise modelling had been agreed by all parties and as a result a decibel limit was being proposed as the best solution rather than specifying shot size.

Mr Beaney acknowledged the reason for a noise limit but expressed concern that local members had not been involved in the meeting organised by the Chief Executive. Mr Beaney went through the recommendations and suggested amendments that could be made to strengthen conditions and it was suggested that an informative regarding signage could be added.

Mr Colston indicated that there was a lot of local interest regarding the application and suggested that the recommendations gave better protection and control than before.

Mr Cotterill suggested that the proposed noise limit was not loud, it would be difficult to eliminate noise completely and the activity was appropriate in a rural area. Mr Cotterill highlighted that if levels were too high then action could be taken.

Mr Cotterill then proposed the officer recommendation including the suggested amendment to condition 2. The proposal was seconded by Mr Colston.

In response to Mr Owen the location of the earth bunds was clarified and it was confirmed that an informative on the import of soil and phasing was proposed.

Mr Cottrell-Dormer expressed support for the recommendation and emphasised the importance of adhering to the proposed noise limits. Mr Cooper highlighted the difficulty in noise monitoring and that it could vary depending on weather conditions and the location of noise sensitive properties. The Area Development Manager acknowledged the concern and indicated that longer term static noise monitoring could be undertaken. Mr Beaney emphasised the importance of regular noise monitoring.

On being put to the vote the proposition was carried.

Permitted, subject to conditions and the applicant first entering in to a unilateral undertaking to cease motocross use.

21 14/01497/FUL 1 Glovers Close Woodstock

The Senior Planner introduced the report and outlined the site.

Mrs Williams addressed the sub-committee in objection to the application. A summary of her submission is attached as Appendix B to the original copy of these minutes.

Mrs Faulkner, the applicant, then spoke in support of the application. A summary of her submission is attached as Appendix C to the original copy of these minutes.

Dr Poskitt sought clarification as to whether the obscure glazing was on both sides or whether it would be possible to see out of the windows. Mrs Faulkner confirmed they were completely obscured.

The Senior Planner continued her presentation and highlighted the additional representations that had been circulated. It was advised that the principle of development was acceptable, the design and siting had been amended, the volume of the roof reduced and parking clarified.

The recommendation was one of approval subject to conditions.

Mr Cooper indicated that it was a difficult application on what was a very cramped site. Mr Cooper suggested it was intensification and there was a demonstrable harm to nearby residents. Whilst acknowledging that there had been development elsewhere on the estate Mr Cooper indicated that he could not support this particular application.

Mr Cooper then proposed the application be refused as being contrary to policies BE2 and H2 of the West Oxfordshire Local Plan.

Dr Poskitt seconded the proposition and reiterated that it was a tough decision but suggested there would be overlooking of nearby properties and was not acceptable in this particular location.

Mr Cotterill concurred that the development was dominant on a cramped site and the location of windows could cause overlooking. Mr Bishop agreed and referred members to a decision at the previous meeting where an extension had been refused as the glazing would be dominant.

On being put to the vote the proposition was carried.

Refused for the following reason:

The proposal represents a cramped form of development on a small plot. The scale of the building is excessive for a plot of this size and is considered to be over-development. The proposed rear garden would be to the north of the building and in shadow for much of the day. The amenity to be derived from it would therefore be limited. The large areas of glazing and proximity to neighbouring dwellings would impact unacceptably on privacy by allowing overlooking, and by increasing the perception of being overlooked. The scale of the building in this location would appear oppressive and overbearing. The building would not be in keeping with the character and layout of existing development in this location and would therefore be a discordant element. The proposal would therefore be contrary to West Oxfordshire Local Plan 2011 Policies BE2 and H2, and bullet point 4 of paragraph 17, and paragraphs 58 and 64 of the NPPF.

INFORMATIVE:-

This decision relates to drawings Prop 01 Rev 3, Prop 02 Rev 3, and Prop 03 Rev 3.

26 14/01526/FUL Former Village Hall, Grove Road, Bladon

The Senior Planner outlined the application, site layout and the design/scale of the proposals.

Mr Cooper suggested that the site was suitable for development and the proposals were acceptable. In response to Mr Beaney it was confirmed that alternative community facilities would be delivered as part of the scheme and this was covered in the conditions.

Mr Cooper proposed the officer recommendation and this was seconded by Dr Poskitt and on being put to the vote was carried.

Permitted

31 14/01443/FUL Tyne Lodge 2 Brook Lane Stonesfield

The Senior Planner introduced the application and outlined the plans and site context.

Mr Mike Robinson, the applicant's agent, addressed the sub-committee in support of the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

The Senior Planner continued her presentation and outlined the main policy considerations and confirmed the recommendation was for approval.

Mr Cottrell-Dormer suggested that the situation had not changed since the last application and that the proposal was not rounding off and would impact on the AONB. Mr Cottrell-Dormer proposed refusal as the application was contrary to policy H6 and this was seconded by Mr Owen.

Mr Robinson suggested that the whole planning framework had changed and the proposal was in line with the National Planning Policy Framework (NPPF) and refusal could not be justified.

Mr Haine acknowledged it was a difficult decision but there was already secondary development in the vicinity so a precedent had been set and the gardens of neighbouring properties were some distance away. Mr Beaney and Mr Cotterill concurred that it would be difficult to justify a refusal.

Mr Cooper in acknowledging that it had less strength than before suggested that policy H6 was still relevant and therefore could be used. The Area Development Manager advised full weight could not be given due to the land

supply issue and being able to demonstrate a five year supply. Mr Morris suggested the situation was confusing. Mr Robinson advised that a report would be forthcoming to Cabinet regarding the land supply.

Mr Bishop highlighted the importance of the site visit that had been held in helping members look at the context of the development. Mr Saul reiterated that the proposed development was not isolated and was difficult to refuse.

In response to Dr Poskitt it was confirmed that the development was essentially one and a half stories.

On being put to the vote the proposition was lost.

Mr Cotterill suggested that it would be beneficial to remove the leylandii hedging and strengthen condition 8 so that native species were used in the planting scheme.

The Senior Planner advised that stables were positioned outside the area of this application but the situation regarding use of that area was being looked at.

Mr Cotterill then proposed the officer recommendation subject to the condition regarding planting being strengthened. Mr Bishop seconded the proposal.

On being put to the vote the proposal was carried.

Permitted, subject to the following amended condition:

- 8 A scheme for the landscaping of the site, including any retention of existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall include the removal of the existing leylandii hedge to the north, south and east boundaries, and include all proposed new boundary treatments, which shall include native species hedge planting to the south and east boundaries. All boundary treatments so approved shall be maintained at a height not exceeding 2m. The approved scheme shall be fully implemented by the end of the planting season immediately following the completion of the development, or the development being brought into use, whichever is the sooner. The approved scheme shall thereafter be maintained. 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 landscape of the area.

37 14/01589/HHD Albright House, Church Street, Charlbury

The Planning Officer introduced the applications for development and listed building consent. It was highlighted that nearly all the objections had been in respect of access and this element of the application had now been withdrawn.

It was proposed by Mr Cottrell-Dormer and seconded by Mr Cotterill that the applications be approved.

On being put to the vote the proposition was carried.

Permitted

45 14/01590/LBC Albright House, Church Street, Charlbury

Granted, Listed Building Consent.

53 14/01627/FUL Wood Hay, 10 Green Lane, Milton Under Wychwood

Mr Haine advised that he had received an email from the owner of 6 Shipton Road objecting to the application and expressing concern at the consultation process.

The Planning Officer introduced the application and reported a late observation from 5 Shipton Road again raising objection and suggesting that local residents had not been made aware of the application. The layout of the site was clarified and it was confirmed that site notices had been posted to local residents.

Mr Simcox suggested it would be beneficial to defer consideration to allow the various issues raised to be fully investigated. Mr Cottrell-Dormer proposed that the application be deferred for a site visit and this was seconded by Mr Colston. On being put to the vote the proposition was carried.

Deferred for a site visit on Thursday 26 February 2015 at 10.00am

(Mr Robinson left the meeting at this juncture)

57 14/01759/FUL High Fields, Church Road, Milton Under Wychwood

The Senior Planning Officer introduced the application and advised that the drainage engineer had no objection. The site and proposed layout of the development were outlined.

Mrs Willans addressed the sub-committee in objection to the application. A summary of her submission is appended as Appendix E to the original copy of these minutes.

Mrs Willans, in response to Mr Cotterill, advised that site levels varied in the area and a two storey dwelling would overlook her property.

The Senior Planning Officer continued her presentation and advised that the application was policy compliant and was acceptable in design terms and was within the settlement of the village and had no adverse impact. It was noted that there was concern regarding potential access to the paddock area and future development in the area. The recommendation was for approval subject to a unilateral undertaking regarding affordable housing.

Mr Haine highlighted the extant permission on site and the concerns that had been raised in respect of the current application.

Mr Haine proposed that the application be deferred for a site visit to allow members to consider the context of the development on site and this was seconded by Mr Cooper.

On being put to the vote the proposition was carried.

Deferred for a site visit on Thursday 26 February 2015 at 9.30am.

65 14/01939/FUL Land at Myrtle Farm, Main Road, Long Hanborough

The Area Development Manager introduced the report and outlined the site and proposed layout.

Ms Hubbard, the applicant's agent, advised that as no further objections had been raised she no longer wished to address the sub-committee.

The Area Development Manager indicated that the site was considered acceptable for development. It was emphasised that there was no highway objection and the orientation of the buildings meant that there was no detrimental impact on residential amenity. The recommendation was therefore one of approval.

Mr Morris, whilst acknowledging that there was no highway objection, outlined the traffic the problems in Long Hanborough and concerns that this and other developments could exacerbate the problem as well as putting pressure on local services. Mr Morris indicated the principle of development was acceptable.

The Area Development Manager advised that traffic had been a concern but without highways support refusal was difficult. It was clarified that developments of ten or less no longer attracted contributions for infrastructure so the concern was justified.

In response to Mr Beaney it was clarified that buildings could be 'locally listed' if a Conservation Area Statement was in place.

Mr Cotterill proposed the officer recommendation and this was seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

Permitted

72 14/02158/FUL Nutberry House, Mawles Lane, Shipton Under Wychwood

The Planning Officer outlined the application and advised that the proposals were considered acceptable.

The sub-committee expressed concern that the application was being made retrospectively.

Mr Cottrell-Dormer proposed the officer recommendation and this was seconded by Mr Cotterill. On being put to the vote the proposition was carried.

Permitted

63 APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

Mr Cottrell-Dormer advised that the council had been successful in defending the appeal in respect of an application for a solar farm at Tackley. He thanked officers for their hard work in respect of the appeal.

The report giving details of applications determined under delegated powers together with appeal decisions was then received and noted.

The meeting closed at 4.45pm.

CHAIRMAN