

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the Meeting of the
UPLANDS AREA PLANNING SUB-COMMITTEE
held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxon
at 2.00pm on Monday 2 March 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, C G Dingwall, T J Morris, T N Owen, Dr E M E Poskitt and G Saul

Officers in attendance: Abby Fettes, Hannah Wiseman, Cheryl Morley, Phil Shaw, and Paul Cracknell

64 MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 2 February 2015 be confirmed as a correct record and signed by the Chairman.

65 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr W D Robinson and the Chief Executive reported receipt of the following resignation and temporary appointment:-

Mr C G Dingwall for Mr T B Simcox

66 DECLARATIONS OF INTEREST

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

67 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:

3 14/1102/P/OP Land to East of Church Road, Long Hanborough

Chairman advised that a request had been received from the agent acting in respect of the application submitted under reference 14/1234/P/OP (Land South of Witney Road Long Hanborough) that this and the current application be heard simultaneously.

The agent considered that only by doing so could Members gain a full understanding of their impact on the community services and suggested that Councillors should hear officer presentations and the various submissions for both planning applications before a formal decision is taken upon either.

The Chairman explained that each application would be considered on its own individual merits and that each would be considered and determined separately.

The Area Planning Manager introduced the application. He drew attention to the comments set out in the report of additional representations and reported receipt of the further observations of the Highway Authority. The Area Planning Manager also reported receipt of six letters of objection applicable to both this and the following application and made reference to a letter sent by Dr Neil Rust of the Eynsham Medical Practice to Members of the Sub-Committee. Finally, he reported the observations of Mr Andrew Hamilton, the Head Teacher of Bartholomew School, Eynsham.

Dr Stuart Brooks then addressed the meeting in objection to the application. A summary of his comments is attached as Appendix A to the original copy of these minutes.

Mr Niels Chapman representing Hanborough Parish Council then addressed the meeting in objection to the application. A summary of his comments is attached as Appendix B to the original copy of these minutes.

Mr John Harrison, the Bursar of Corpus Christi College, Oxford, the landowners of the application site, then addressed the meeting in support of the application. A summary of his comments is attached as Appendix C to the original copy of these minutes.

The Area Planning Manager then presented his report.

Mr Morris expressed disappointment that the Highway Authority had raised no objection to the proposals and questioned their assessment of the impact of traffic generated by the development. He acknowledged that the site was in effect the 'least worst' location for development in the settlement but considered the proposed scale of the current application to be too great. Given that a considerable number of affordable homes had recently been approved in Long Hanborough, Mr Morris questioned whether a reduction in the percentage of provision on this site or developer contributions to fund provision elsewhere could reduce the number of dwellings proposed.

In response, the Area Planning Manager advised that development economics could reduce the size of the current proposal but questioned what additional harm could be evidenced between a development of 50 and 64 properties.

As Bartholomew School had academy status, Mr Beaney questioned why the County Council proposed to meet the cost of funding a second additional classroom for the school, suggesting that the cost of both the additional

rooms proposed should be met by the developer. He also expressed concern that no proposed conditions had been drafted by officers. In response, the Area Planning Manager apologised that the pressure of responding to on-going discussions had made it impossible to formulate proposed conditions in time for the meeting. In relation to classroom provision, he explained that the County Council intended to meet the cost of one additional classroom which was required to address current unmet demand whilst the developers were expected to meet the cost of the second, necessitated to meet additional demand generated by the proposed development. Whilst the school had gained academy status and was responsible for its own operational budget, the Education Authority remained responsible for funding building costs.

Mr Cooper indicated that, without the support of the Highway Authority, West Oxfordshire was unlikely to be able to defend a highways based refusal reason at appeal. He congratulated the Hanborough Action Group on the quality of its submission and indicated that, as he considered the proposals would have a detrimental impact upon the countryside, he was unable to support the officer recommendation of approval.

The Area Planning Manager reminded Members that, following the Government's recent reduction in the threshold triggering developer contributions, small scale developments would not generate developer funding. In order to secure funding for infrastructure improvements, developments would need to exceed the new threshold. There was a danger that approving small scale developments in a piecemeal fashion would give rise to significant levels of growth without the provision of funding for commensurate improvements in infrastructure.

Mr Cotterill cited a recent appeal in respect of a site in Burford in support of his contention that the Council would be unable to defend a highway based refusal reason in this instance. He went on to enquire how the areas of open space would be safeguarded and questioned arrangements for the allocation of affordable housing. The Area Planning Manager advised that the large area of open space would be transferred to Oxfordshire County Council and secured in perpetuity. On initial allocation, 50% of the affordable housing provided would be offered to those with a local connection. Thereafter, allocation would be through the general housing list.

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

In response to concerns expressed by Mr Dingwall, the Area Planning Manager advised that any constraints imposed upon a planning consent by way of condition or legal agreement would run with the land hence would be binding on any subsequent purchaser.

Mr Owen expressed his dissatisfaction with the Government's current planning policy and questioned what weight the Council could place upon its previous Local Plan. The Area Planning Manager explained that little weight

could be placed upon the emerging Local Plan given that it was in the early stages of adoption. The adopted Local Plan was now increasingly out of date so any appeal would be determined by the Planning Inspectorate largely by reference to the Government's National Planning Policy Framework.

Mr Cottrell-Dormer questioned why the application had been recommended for approval when the site had not been identified in the emerging Local Plan. The Area Planning Manager advised that the Plan only identified Strategic Development Areas but that the site formed part of the supply anticipated as contributing to the achievement of a 5 year housing land supply as it had been considered as part of the SHLAA to be acceptable in principle for development due to the sustainable credentials of the settlement.

Mr Morris acknowledged that the site had been identified as part of the SHLAA but continued to question the scale of the current application.

In response to a question from Dr Poskitt, the Area Planning Manager advised that the intention was to make provision for recreation land and the pre-school on the site in the first instance, relocation to an alternative location if that land was required by the Education Authority for longer term expansion. Dr Poskitt emphasised the difficulties in getting necessary infrastructure provision in place.

In response to questions from Mr Beaney the Area Planning Manager advised that the proposed legal agreement would secure a financial contribution to the Education Authority that would then be responsible for providing the additional classrooms. He also advised that, whilst the developers had agreed to provide a financial contribution to the Eynsham Medical Practice, they were not prepared to meet the full cost of a new surgery in the village.

Mr Cotterill drew attention to another recent appeal decision for a larger development in Chipping Norton which had only been rejected by reason of its impact upon the setting of the Listed Building as Bliss Mill. He cautioned that the Council would be unable to successfully defend an appeal on the current application. Mr Cottrell-Dormer and Mr Cooper contested this view.

On being put to the vote the Officer recommendation of conditional approval was lost.

It was then proposed by Mr Cottrell-Dormer and seconded by Mr Morris that the application be refused by reason of its scale giving rise to a detrimental impact upon the open countryside contrary to Policy BE4(a) of the adopted West Oxfordshire Local Plan.

On being put to the vote the recommendation of refusal was lost.

The Chairman of the Sub-Committee then proposed that consideration of the application be deferred to the next meeting pending the submission of proposed conditions.

Having been duly seconded the proposition was put to the vote and was carried.

Deferred to the next meeting pending the submission of proposed conditions.

22 14/1234/P/OP Land South of Witney Road, Long Hanborough

The Planning Officer introduced the application and made reference to the six letters of objection, the letter sent by Dr Neil Rust to Members of the Sub-Committee and the comments made by Mr Andrew Hamilton previously reported by the Area Planning Manager. She reported receipt of 66 further letters of objection together with the observations of a local councillor and one letter in support of the proposal.

Dr Stuart Brooks then addressed the meeting in objection to the application. A summary of his comments is attached as Appendix D to the original copy of these minutes.

Mr Niels Chapman representing Hanborough Parish Council then addressed the meeting in objection to the application. A summary of his comments is attached as Appendix E to the original copy of these minutes.

Mr John Ashton, the applicant's agent, then addressed the meeting in support of the application. A summary of his comments is attached as Appendix F to the original copy of these minutes.

In response to a question from Mr Saul, Mr Ashton advised that discussions regarding the Eynsham Medical Practice securing an option over land on the site were on-going.

The Planning Officer then presented her report.

Mr Morris again questioned the Highway Authority's decision not to raise objection to the proposal and their assessment of the impact of traffic generated by the development. He went on to propose the Officer recommendation of refusal subject to the amendment of the proposed refusal reason to refer to Policy BE4(a) of the adopted West Oxfordshire Local Plan and Paragraph 56 of the National Planning Policy Framework.

His recommendation was seconded by Mr Cotterill and Mr Beaney, Mr Colston and Mr Cooper expressed their opposition to the application. Dr Poskitt concurred, questioned the adequacy of cycle track provision in the vicinity and noted that the comments received from a local councillor had been made in a personal capacity not on behalf of the Parish.

Mr Dingwall noted that local infrastructure was at capacity and encouraged the preparation of Neighbourhood Plans as a counter to piecemeal development.

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

Refused for the following amended reason:-

- I. By reason of the scale of development both in its own right and in combination with other planned and approved schemes, the failure to address the education and healthcare implications for the village, the failure to take the opportunity to create a locally distinctive development, the coalescence of the settlements of Long Hanborough and Freeland and the precedent for further encroachment into the open countryside around the village the proposed development represents a disproportionate addition that will damage the social and environmental character and sustainability of the village and urbanise the road between the settlements of Long Hanborough and Freeland with inappropriate ribbon development. As such the proposals are contrary to policies BE2, BE4 (a) and H7 of the adopted plan, H2 and OSI of the emerging plan and paragraphs 14, 56, 64 and 66 of the NPPF. These are considered to represent significant and demonstrable harms that substantially outweigh the benefits of the scheme.

55 14/01627/FUL Wood Hay, 10 Green Lane, Milton Under Wychwood

The Planning Officer introduced the application.

Mr Stephen Roberts then addressed the meeting in objection to the application. A summary of his comments is attached as Appendix G to the original copy of these minutes.

Mr David Robinson of Hillmark Homes, the prospective developers, then addressed the meeting in support of the application. A summary of his comments is attached as Appendix H to the original copy of these minutes.

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

The Chairman of the Sub-Committee indicated that he could see no grounds upon which to refuse consent. Mr Cotterill concurred and moved the Officer recommendation which was seconded by Mr Bishop.

In response to a question from Mr Beaney it was confirmed that the two metre high fence referred to by Mr Roberts in his presentation was to be erected along the southern boundary of the site only. The Planning Officer advised that any consent could be appropriately conditioned.

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

Permitted subject to the following additional condition:-

10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the building(s) is occupied.

REASON: To safeguard the character and appearance of the area and to protect neighbouring amenity.

60 14/01884/FUL Land South and East of Walterbush Road, Chipping Norton

The Planning Officer introduced the application. She made reference to the report of additional representation which set out the observations of the Highway Authority and the Council's Waste Team, an amendment to paragraph 5.19 of the report to refer to materials to be used being natural stone, stock red brick and buff brick not re-con stone and render and revised and additional conditions.

The Planning Officer then went on to report receipt of an objection submitted by the Environment Agency.

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

Mr Jonathan Porter of Barton Willmore, the applicants' agent, then addressed the meeting in support of the application. A summary of his comments is attached as Appendix J to the original copy of these minutes. In response to a question from Mr Beaney, Mr Porter advised that the intended form of pedestrian crossing was a pedestrian refuge.

The Planning Officer then presented her report. In response to questions from Dr Poskitt, she advised that provision had been made for minibus parking at the football club which was all that could reasonably be required and that the recycling facilities referred to in condition 21 were to be provided in the same area as at present.

The Planning Officer sought delegated authority to approve the application subject to the applicants entering into a legal agreement on the basis of the Heads of Terms set out in the report, to the conditions as set out in the report (incorporating the amendments and additional conditions set out in the report of additional representations) and to the objection raised by the Environment Agency being satisfactorily addressed.

Mr Saul indicated that, as some 1,800 homes were envisaged to be built in the Chipping Norton Sub-Area, it was inevitable that some would be constructed within the Area of Outstanding Natural Beauty. The current application would link well with existing amenities and, with the Town Council's proposals to upgrade leisure facilities at 'Greystones', it would help integrate existing outlying properties into the town. There was limited opposition to the application and the Town Council had expressed its support.

Mr Saul thanked the developers for their efforts in engaging with the local community and noted that the development would provide some 91 affordable homes.

Mr Saul went on to propose the Officer recommendation, requesting that Officers continue to explore the possibility of providing an alternative form of pedestrian crossing as requested by the Town Council.

The Planning Officer advised that the developers had confirmed that they would be willing to fund an alternative form of pedestrian crossing subject to the agreement of the Highway Authority.

The proposition was seconded by Mr Colston who considered the proposal would bring significant benefits to the town. He emphasised the importance of ensuring that appropriate, high quality, materials were used in prominent locations and expressed some disappointment that the existing floodlighting at the football club would not be updated. Mr Colston also expressed concern regarding on street parking associated with the rugby club. In response, the Planning Officer advised that the floodlighting and on street parking were outside the scope of the present application.

Mr Cottrell-Dormer expressed some disappointment that the proposed skateboard park was to be provided elsewhere rather than on the application site. Whilst expressing their support for the application, Mr Cottrell and Mr Owen concurred with the Town Council's desire to secure an alternative form of pedestrian crossing.

Mr Beaney offered his congratulations to the developers for bringing forward such an attractive scheme and welcomed the financial contribution that would be made towards sporting facilities in the town.

Mr Dingwall congratulated all those involved, suggesting that the collaborative approach taken exemplified the merits of community led planning. He went on to express concern at the effect of the current affordable rent model which saw social rents set at 80% of local market rent. Rather than creating truly affordable rents, this policy had led to an increase in land values to such an extent that housing associations were finding difficulty in funding new development.

Whilst expressing her support for the application, Dr Poskitt agreed with the Town Council's concerns over the proposed location of the office within

the football club's building. The Planning Officer advised that this could be addressed when considering the internal layout of the building. In response to a further question she advised that responsibility for the future maintenance of public open space on the site would be transferred to a management company.

The Officer recommendation was then put to the vote and carried.

Permitted subject to the applicants entering into a legal agreement on the basis of the Heads of Terms set out in the report, to the conditions as set out in the report (incorporating the amendments and additional conditions set out in the report of additional representations) and to the objection raised by the Environment Agency being satisfactorily addressed.

81 14/02014/HHD Redrobe House, 9 Church Street, Chipping Norton

The Planning Officer introduced the application.

Mr Mike Tysoe then addressed the meeting in a personal capacity in objection to the application. A summary of his comments is attached as Appendix K to the original copy of these minutes.

In response to questions from Mr Cotterill and Cooper, Mr Tysoe advised that, whilst his own property was not listed, there were a number of listed buildings in the vicinity. He also pointed out what he considered to be inaccuracies in the submitted site plan.

The Planning Officer then presented her report and advised Members that the development proposed could be constructed as permitted development if it was within 20 metres of the existing dwelling.

Mr Saul noted that the proposed development was located closer to neighbouring properties than to the applicant's home and, in order to assess its potential impact within a densely populated residential area, proposed that consideration of the application be deferred to enable a site visit to be held. The proposition was seconded by Mr Cotterill.

Mr Beaney indicated that the acceptability or otherwise of the development could be determined by the imposition of appropriate conditions and Mr Morris noted that its use could be brought under control only if planning permission was required whereas use under permitted development would be unrestricted.

On being put to the vote the proposition was carried.

Deferred to enable a site visit to be held in order to assess the potential impact of the development.

85 14/02272/FUL Swan Lane House, Swan Lane, Burford

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

89 15/00210/HHD 6 Chapel Row, Chadlington

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

It was proposed by Mr Owen and seconded by Mr Cooper that consideration of the application be deferred to enable a site visit to be held in order to assess the potential impact of the proposed development.

On being put to the vote the proposition was carried.

Deferred to enable a site visit to be held in order to assess the potential impact of the proposed development.

68 APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

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

Arising from consideration of this item of business and in response to a question from Mr Beaney, the Area Planning Manager updated Members on the current position in relation to the Unicorn public house, Great Rollright. Officers also undertook to address concerns raised by Members regarding the presentation of reports and consultation arrangements under the new development management system.

69 APPLICATION NUMBER 15/00197/OUT, LAND SOUTH OF HIGH STREET, MILTON UNDER WYCHWOOD

The report of the Head of Planning and Strategic Housing seeking consideration as to whether it would be expedient to undertake a formal site visit prior to the likely consideration of the application.

RESOLVED: That a site visit be held on Thursday 26 March.

The meeting closed at 5:45pm.

CHAIRMAN