

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 7 September 2015

PRESENT

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

Officers in attendance: Michael Kemp, Phil Shaw, Catherine Tetlow and Simon Wright

22 CHAIRMANS OPENING REMARKS

Mr Haine welcomed those present to the meeting.

Mr Haine introduced Michael Kemp who had recently been appointed as a Planning Officer in the Uplands Team and welcomed him to his first meeting. It was further reported that another new member of staff, Joanna Lishman, would be joining the meeting later.

23 MINUTES

Mr Cotterill clarified that the declaration of members in respect of Application No. 15/00166/OUT had not been pecuniary. It was agreed that the minutes be amended accordingly.

RESOLVED: That the Minutes of the meeting, as amended, of the Sub-Committee held on 3 August 2015 be confirmed as a correct record and signed by the Chairman.

24 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr A C Beaney and Mr T N Owen

The Chief Executive reported the following temporary appointment:-

Mr W D Robinson attended for Mr R J M Bishop

25 DECLARATIONS OF INTEREST

There were no declarations of interest from members or officers at this juncture.

26 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:- 15/01999/OUT, 15/02135/OUT, 15/02069/FUL, 15/02070/S73 and 15/02620/S73.

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

3 15/01937/OUT Land East of The Drive, Enstone

It was noted that the application had been withdrawn by the applicant.

25 15/01999/OUT Land East of Nethercote Road, Tackley

The Principal Planner introduced the application and outlined the site layout. The late representations from Tackley Parish Council were clarified together with requirements for leisure facilities.

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

Mr Keith Fenwick, agent for applicants, spoke to the sub-committee in support of the application. A summary of the submission is attached as Appendix B to the original copy of these minutes.

The Principal Planner continued her presentation and drew attention to drainage, landscaping and footpath layout. The traffic access arrangements were shown and it was noted that Oxfordshire County Council (OCC) had requested that a bus stop be relocated.

In conclusion it was advised that the application was considered acceptable in respect of the emerging local plan and the National Planning Policy Framework (NPPF) and there were no highway objections. In respect of drainage Thames Water were satisfied subject to conditions.

The Principal Planner advised that the impact on neighbours was acceptable and it was highlighted that many of the issues would need to be considered at reserved matters stage. It was acknowledged that protection of wildlife on the site was important and overall it was considered that there could be an overall ecological benefit associated with the development.

The Principal Planner confirmed that the recommendation was one of approval subject to conditions.

In response to Mr Graham it was confirmed that the sub-committee was being asked to consider the principle of development and means of access only.

Mr Cottrell-Dormer suggested that the trees adjoining the railway were likely to be removed when the line was electrified and sought clarification regarding a new car park for the station. In response the issue regarding electrification of the line was acknowledged and land was set aside for a car park together with a new bridge across the railway line.

Mr Cottrell-Dormer, whilst acknowledging that there was some support for the application, indicated that the proposed development had generated a lot of objection. The key concerns related to flooding, sewage and drainage capacity, water pressure, parking issues, noise and disruption. Mr Cottrell-Dormer indicated that if the development was approved it would, in conjunction with the recently approved development, increase the population of the village by 25% thus spoiling the character.

Mr Cottrell-Dormer highlighted that Tackley was quite unique and was located in an area of high landscape value. It was suggested that building in that area would be visually obtrusive and have a negative impact on the Conservation Area and a number of listed buildings.

Mr Cottrell-Dormer drew attention to the Strategic Housing Land Availability Assessment (SHLAA) which had identified the site as being unsuitable because of the detrimental visual impact, noise and vibration from the adjoining railway line and the scale of development would be excessive for a rural settlement.

Mr Cottrell-Dormer then proposed that the application be refused on the grounds that it was contrary to a number of policies including BE2(a)(b)(d)(e) and (f), BE4(a), BE5, BE8, NE1 and NE(3) of the adopted Local Plan 2011. In addition it was contrary to NPPF Paragraphs 7, 17 and 109. Finally Mr Cottrell-Dormer suggested that the proposal was contrary to Policies OS2, H2 and EH1 of the emerging Local Plan.

Mr Colston seconded the proposal and concurred with the concerns raised by Mr Cottrell-Dormer and highlighted the potential impact on infrastructure in the village.

Mr Graham advised that the increase in the size of the village was a major worry and there was need to address ecological concerns on the site. Dr Poskitt sought clarification of the proposed location of the new car park and expressed concern at the proposed scale of development.

Mr Cotterill referred to the submitted noise report and suggested that certain areas of the site would be particularly susceptible to noise nuisance. Mr Cotterill also expressed concern at the proposed number of dwellings.

Mr Morris highlighted that OCC had not raised objection and asked if they had been aware of the proposed car park as this could generate a significant amount of traffic movement. Confirmation was given that OCC had been fully cognisant of the plans.

On being put to the vote the proposition was carried.

Refused for the following reasons:

1. The site is located on sloping land in open countryside on the edge of the village of Tackley. The proposal would represent a visually prominent and inappropriate encroachment into the countryside in this location which would be harmful to the character and appearance of the area and the setting of the village. The proposal is therefore contrary to: West Oxfordshire Local Plan Policies BE2 (a), (b), (d), (e) and (f), BE4 (a), NE1 and NE3; Review West Oxfordshire Local Plan Policies OS2 bullet points 1, 3, and 5, H2 bullet points 5 and 8, and EH1; and paragraphs 7, 17 and 109 of the NPPF.
2. The site is located adjacent to the Tackley Conservation Area and a number of Listed Buildings at Nethercote Road, and provides a rural setting for this part of the village. The proposal would adversely affect the rural character and context of the heritage assets and introduce large scale, modern development within their setting. This would erode the character and appearance of the area and be unsympathetic and harmful, although the harm to the heritage assets is judged less than substantial. This harm is not outweighed by any public benefits arising from the scheme. The proposal is therefore contrary to: West Oxfordshire Local Plan Policies BE5 and BE8; Review West Oxfordshire Local Plan Policy EH7; and paragraphs 132 and 134 of the NPPF.
3. The applicant has not entered into a legal agreement to secure public transport improvements, education contributions, contributions to community facilities, and affordable housing. Consequently the proposal conflicts with West Oxfordshire Local Plan Policies BE1 and H11, Review West Oxfordshire Local Plan Policies H2 bullet point 14 and H3, and paragraph 17 bullet point 3, and paragraph 203 of the NPPF.

51 15/02069/FUL Land at Rollright Stones, Kings Men, Little Rollright

The Area Development Manager introduced the application and outlined the site and proposed location of the new car park.

Mr Lambrick, Chairman of the Rollright Trust, addressed the sub-committee in support of the application. A summary of the submission is attached at Appendix C to the original copy of these minutes. It was noted that Mr Lambrick had emailed members with some alternative proposals.

The Area Development Manager continued his presentation and outlined that whilst English Heritage supported the application there were objections

from the Conservation Officer. In addition Warwickshire County Council (WCC), the relevant highway authority, had also raised concerns about visibility. It was advised that the additional information from Mr Lambrick had only recently been received so there had not been an opportunity to fully assess it.

Mr Haine questioned there was other land in the applicant's control, further away from the stones, which could be used. Mr Colston advised that ownership of the land could be changing soon. Mr Colston indicated that a car park to serve the stones would be desirable but the road was dangerous. Mr Colston suggested that a deferral could be beneficial to look at options for delivering a mutually acceptable solution. The Area Development Manager reminded members that the current application was limited by the red line area and any other options would need a new planning application.

Mr Colston then proposed that the application be deferred for a site visit. The proposal was seconded by Mr Morris.

Mr Cottrell-Dormer concurred that a car park would be desirable and highlighted that the informal parking area at Chaselton House had proved successful and it was important that access was restricted. Mr Robinson suggested that it may be difficult to find a solution within the red line area.

Mr Saul asked if the objections of WCC could be addressed. The Area Development Manager advised that a representative could be asked to attend if a site visit was undertaken.

Dr Poskitt requested that the information from Mr Lambrick be recirculated to members as not all had appeared to have received it.

On being put to the vote the proposition was carried.

Deferred for a site visit on Thursday 1 October 2015 commencing at 9.30am.

(Mr Robinson left the meeting at this juncture)

59 15/02070/S73 Cosy Cottage, The Old Tannery, Chipping Norton

The Principal Planner introduced the application, outlined the planning history and explained that the application sought removal of a condition restricting use to holiday lets only. The site layout and parking/access arrangements were shown and the late representations highlighted.

Mrs Ros Richardson addressed the sub-committee in objection to the application. A summary of the submission is attached as Appendix D to the original copy of these minutes. Mrs Richardson, in response to Dr Poskitt, advised that the property had previously been let for holiday use but fell in to disrepair. Mrs Richardson indicated that the new owner had bought the

property in full knowledge of the restriction and having repaired the building had not attempted to market it as a holiday let.

The Principal Planner continued the presentation and clarified that the property was classed as a dwelling and the decision for members was whether permanent occupation would be acceptable. Issues raised during public participation relating to deeds and restrictions were acknowledged and the sub-committee was reminded that this was a civil matter. The Principal Planner highlighted that there was a parking space provided which was acceptable for a one bed dwelling.

Mr Haine referred to restrictions on the use of the outside area and other limitations on the property. In response it was reiterated that this was not a planning matter and was for the parties involved to resolve.

Mr Saul expressed concern at the application and suggested that little had changed since 1997 when it had been the position that residential development would not normally be acceptable in the location. In acknowledging the impact of the NPPF Mr Saul indicated that the location, lack of amenity space and parking concerns needed to be borne in mind.

Mr Saul indicated that an approval could set an undesirable precedent and other properties in the area that were successful as holiday accommodation.

Mr Saul proposed that the application be refused as being contrary to Policy H2 of the adopted Local Plan.

Mr Morris sought clarification as to whether any kind of viability test was required to demonstrate that the property could not be successfully used as a holiday let. The Area Development Manager acknowledged that this would be the case in a village but not in a town centre location like this. It was reiterated that the issues of parking and amenity could be dealt with and no harm could be demonstrated as a result of the change.

Mr Saul's proposition failed to attract a seconder.

Mr Simcox indicated that he understood concerns about the development but in planning terms the proposal was acceptable and although restricted it did offer outside space which was better than many other developments.

Mr Cotterill suggested that a number of the issues were civil matters and sought clarification on the length of lettings that were currently allowed. The Area Development Manager advised that it would be eight weeks maximum.

Mr Cotterill proposed the officer recommendation and this was seconded by Mr Cottrell-Dormer.

On being put to the vote the proposition was carried.

Permitted

The Principal Planner introduced the application and outlined the site plans and layout. It was reported that a further representation had been received expressing concern regarding school capacity and that it was unacceptable that children would need to leave the village to attend school as Freeland school was at capacity.

Dr Biggin, representing Freeland Residents Action Group, addressed the sub-committee in objection to the application. A summary of the submission is attached as Appendix E to the original copy of these minutes.

Mr Newell, representing Freeland Parish Council, made representation to members in objection to the application. A summary of the submission is attached as Appendix F to the original copy of these minutes.

(Mr Morris declared an interest at this juncture by virtue of Dr Huxley being his brother in law. Mr Morris indicated that the interest was not prejudicial)

Dr Huxley, a supporter of the application, then addressed the sub-committee. A summary of the submission is attached as Appendix G to the original copy of these minutes.

The Principal Planner continued her presentation and clarified the indicative layout, landscaping and open space provision. The relationship to existing development was shown together with ecological matters, highway and footpath arrangements.

In conclusion it was advised that the principle of development was considered acceptable, there were no objections to the access/footpath arrangements, drainage was satisfactory and there was no detrimental impact on residential amenity. The Principal Planner advised that landscaping was considered appropriate, the scale of development was acceptable and many of the issues could be controlled through conditions or legal agreements.

The Principal Planner confirmed that the recommendation was one of approval subject to conditions.

Mr Morris, whilst acknowledging that OCC had not objected, advised that he was still concerned about traffic impact particularly on the A4095. Mr Morris highlighted that the primary school was already full and could not expand on the current site and suggested that the site was an important green space that contributed to the character of the area.

Mr Morris then proposed that the application be deferred for a site visit to allow members to fully assess the concerns that had been raised. Mr Cottrell-Dormer seconded the proposal.

Mr Cottrell-Dormer sought clarification that the site was not in the emerging local plan. The Principal Planner acknowledged that the SHLAA had indicated that the site was not appropriate but the proposed density was considered acceptable.

Mr Graham suggested there was lack of clarity regarding affordable housing and mention had been made in the public participation in respect of other smaller applications that would not provide any affordable units. The Principal Planner advised that another application had been submitted for eight houses on a small part of the site. The sub-committee was reminded that they were being asked to determine the current application and no recommendation had been formulated for the other proposal. It was further clarified that the housing team had identified a need for affordable housing in Freeland and the current application would offer 14 affordable units.

Mr Cotterill asked what the position would be if both applications were approved. The Principal Planner advised that the applicant would have a choice as to which scheme to implement. In response to Mr Colston it was advised that whilst the number of houses could be reduced at reserved matters stage the council had a duty to ensure best use of land.

On being put to the vote the proposition was carried.

Deferred for a site visit on Thursday 1 October 2015 commencing at 11.00am.

85 15/2506/FUL 19 Market Place, Chipping Norton

The Principal Planner introduced the application and outlined the submitted plans and proposed layout. The additional representations report was highlighted and it was reported that further representation had been received questioning the waste collection arrangements on site.

Mr Saul indicated that the location was not ideal for offices and its proposed use as residential would be preferable. Mr Saul acknowledged that car parking was an issue and queried the OCC response regarding public transport particularly in light of the current consultation on bus subsidies in the county.

Mr Saul then proposed the officer recommendation and this was seconded by Mr Cottrell-Dormer.

Mr Colston indicated that the site had originally been residential and had been converted for commercial use. Dr Poskitt referred to the late representation regarding waste and sought clarification of the position. The Principal Planner advised that bin storage was included in the plans but the actual collection regime was a separate issue.

In response to Mr Cotterill it was clarified that there was no rear access to the site. Mr Cotterill highlighted possible issues with trees on the site. The

Area Development Manager advised that this could be covered with an informative if necessary.

Mr Morris, in supporting the scheme, suggested it was important that there were adequate means of escape in the event of fire. In response it was clarified that this would be a building regulations matter.

On being put to the vote the proposition was carried.

Permitted, subject to the following informative:

- I The applicant is advised that in the interests of residential amenity and the character of the area, it may be beneficial to carry out works to restore the rear garden to a tidy state and prune trees, consistent with good arboricultural practice. Works to trees would need to be the subject of a tree works notification to the Council.

90 15/02260/FUL 19 Market Place, Chipping Norton

The Principal Planner outlined the application and it was clarified that the building was not listed. It was advised that the Conservation Officer had not raised an objection and the proposal was considered acceptable for the retail use that had been previously approved.

Mr Saul suggested that whilst the proposal would alter the symmetry of the façade of the building this needed to be judged against the needs of the retail unit. Mr Saul indicated that on balance he supported the application and proposed the officer recommendation.

Mr Simcox seconded the proposal and suggested that as the highway sloped away the visual impact would not be detrimental.

Mr Colston advised that he would not support the proposal and suggested it was important to preserve the existing windows. Mr Graham concurred and indicated that the windows were of architectural merit and should be preserved to retain the existing street scene. Dr Poskitt suggested that it would not be impossible for a retailer to be successful if the current windows were retained.

Mr Morris referred to changes in other buildings in the vicinity and indicated his support for the proposal as a way of maintaining the vitality of the town centre. Mr Colston highlighted the architectural merit of the interior of the building. In response to Mr Cotterill it was confirmed that signage on the site was not known as yet.

On being put to the vote the proposition was carried.

Permitted.

The Planning Officer introduced the application and reported receipt of five additional representations of which three were in support of the application and two objected to the development.

The Planning Officer highlighted the approved plans and the current application including the increased height of the development and obscure glazing on some windows.

Mrs Heloise O'Hagan and Mr Andrew Macaulay addressed the sub-committee in objection to the application. A summary of the submission is attached as Appendix H to the original copy of these minutes.

Mr Allen, the applicant, then addressed the sub-committee in support of his application. A summary of the submission is attached as Appendix I to the original copy of these minutes. Mr Allen, in response to Dr Poskitt, clarified that the obscure glazing would be to a height of 1.5m.

The Planning Officer continued his presentation and outlined the key issues for consideration and advised that it would be difficult to justify a refusal on the grounds of visual amenity or overshadowing.

Dr Poskitt highlighted paragraph 5.4 of the report and that the heights referred to were those above sea level. Dr Poskitt suggested the approved scheme was slightly higher than the original building on site. Dr Poskitt advised that, having visited the site, she was reassured that the proposed obscure glazing would help the situation.

Dr Poskitt proposed the officer recommendation. In seconding the proposal Mr Graham suggested that the situation was regrettable but the changes were acceptable.

Mr Simcox suggested there appeared to be some confusion around the amount of additional height. The Area Development Manager acknowledged there were conflicting views between surveys undertaken by the applicant and neighbours.

Mr Cottrell-Dormer suggested that a site visit may be beneficial in helping members assess the concerns. The Planning Officer further clarified which windows would be obscure glazed. Discussion ensued regarding the practicalities of obscuring certain windows.

Mr Cottrell-Dormer proposed an amendment that the application be deferred for a site visit and this was seconded by Mr Colston.

On being put to the vote the amendment was carried.

Deferred for a site visit on Thursday 1 October 2015 commencing at 10.15am.

27 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The schedule of applications determined under delegated powers was received and noted.

28 THE UNICORN, GREAT ROLLRIGHT

Mr Haine reminded members of the decision of the sub-committee in March which authorised works being undertaken that were necessary to ensure the preservation of the building subject to a suitable quote for the works being agreed in consultation with the Chairman of the sub-committee.

Mr Haine advised that a tender process had been undertaken and a contractor appointed to undertake the works which would commence in the coming weeks and last four to five weeks.

The meeting closed at 4.55pm.

CHAIRMAN