

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 Tuesday 29 March 2016

PRESENT

Councillors: J Haine (Chairman), D A Cotterill (Vice-Chairman), A C Beaney, R J M Bishop, N G Colston, C Cottrell-Dormer, A M Graham, 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: Kim Smith, Abby Fettes, Michael Kemp and Paul Cracknell

68 MINUTES

RESOLVED: That the Minutes of the meeting of the Sub-Committee held on 29 February 2016 be confirmed as a correct record and signed by the Chairman.

69 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

70 DECLARATIONS OF INTEREST

Mr T J Morris advised that, whilst not a disclosable interest, he had a potential conflict of interest in respect of application No. 15/04215/FUL, Land East of Farley Corner, Farley Lane, Stonesfield, an objector to the application being known to him. Accordingly, he indicated that he would leave the meeting during consideration of the application. Mr T B Simcox also declared an interest in this application and indicated that he too would withdraw from the meeting during its determination.

71 APPLICATIONS FOR DEVELOPMENT

The Chairman advised that Application No. 16/00490/FUL (St Hugh of Lincoln, Hensington Road, Woodstock) had been withdrawn at the request of the applicant.

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:-

15/04215/FUL; 16/00233/FUL; 16/00328/FUL; 16/00271/FUL; 16/00272/LBC; 16/00410/FUL and 16/00419/S73

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

3 15/04215/FUL Land East of Farley Corner, Farley Lane, Stonesfield

The Planning Officer introduced the application.

Dr Suzanne Barrington addressed the Sub-Committee in objection to the application. A summary of her submission is attached at Appendix A to the original copy of these minutes. Mrs Bella Hewes also spoke in objection and a summary of her submission is attached as Appendix B.

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

Mr Bishop expressed his support for the application and considered the package of developer contributions, including the sum of £100,000 for off-site affordable housing provision, to be acceptable. He indicated that the development was generally welcomed by both the Parish Council and local residents. Stonesfield was a thriving, medium sized, sustainable village and Mr Bishop advised that the applicants had undertaken wide ranging consultation and had sought to respond to any concerns expressed. He questioned the need for a footpath to serve the proposed extension to the cemetery and, whilst acknowledging existing parking difficulties, noted that sufficient on-plot parking was to be provided to serve the proposed dwellings. Mr Bishop also suggested that parking problems in the vicinity were exacerbated by local residents parking on the highway instead of making use of their own on-plot provision.

The Officer recommendation of conditional approval was proposed by Mr Bishop and seconded by Mr Cottrell Dormer.

Mr Robinson questioned whether the level of developer contribution towards affordable housing provision was adequate given that the Council would be looking for 40% on-site affordable housing provision in its emerging Local Plan and up to 50% through the 2011 Plan. In response, the Planning Officer advised that this concern had been shared by Officers but an independent assessment had confirmed that the current level of contribution, some £265,000 in total, was all that the development could bear.

Mr Graham also expressed concern at the quantum of developer funding, indicating that he was not convinced that the level of community benefit was sufficient to outweigh the potential detriment. Dr Poskitt concurred and questioned whether the concerns expressed by the Highway Authority had been addressed and how the provision of the cemetery extension could be guaranteed.

In response, the Planning Officer advised that, whilst most of the concerns expressed had been addressed by the applicants, the question of a footway link to the proposed cemetery extension had yet to be resolved. However, any requirement to make such off-site provision could be addressed by the County Council through the Section 278 Highways Agreement. In relation to the cemetery extension, the Planning Officer advised that the transfer of the land to the Parish Council would be secured through the Section 106 agreement. In response to a question from Mr Beaney, the Planning Officer advised that the agreement could be framed in such a way as to require the transfer of the land at an early stage such as first occupation of the properties.

In response to a question from Mr Cotterill, the Planning Officer advised that some 65 eligible households were registered on the Waiting List for housing in Stonesfield of which seven had a local connection. She also indicated that some 16 or 17 affordable properties were to be provided as part of the recently approved the Charity Farm development currently under construction. Mr Cottrell-Dormer noted that it had also been indicated that the proposed development would free up some existing social housing within the village.

Mr Owen indicated that, on balance, the application enjoyed his support.

In response to a question from Mr Beaney, the Planning Officer confirmed that the majority of the concerns initially raised by the Highway Authority had been addressed through the recommended conditions, reiterating that the question of the footpath could be resolved through the Section 278 Agreement. Mr Beaney questioned whether, given the County Council's recent decision to withdraw financial support for subsidised bus services, the proposed contribution of £1,000 per dwelling towards the cost of additional bus services to and from Stonesfield remained appropriate, suggesting that this sum could be re-allocated towards the provision of affordable housing.

Mr Bishop noted that there were few existing footways in Stonesfield and this position, together with the continued absence of street lighting had been largely supported by the local community. Most major objections had been addressed by the applicants and the proposed financial contributions had been shown to be appropriate through independent assessment. In conclusion, he stressed that the Parish Council was committed to providing additional burial facilities as existing provision was only capable of serving the settlement for a further 10 years.

Mr Bishop and Mr Cottrell-Dormer agreed to incorporate Mr Beaney's suggestion regarding the re-allocation of funding from bus services to affordable housing and on being put to the vote the amended recommendation was carried.

Permitted subject to the applicants entering into a legal agreement on the basis of the heads of terms set out in the report, amended by the re-allocation of the proposed funding of £1,000 per property for bus services to affordable housing.

(Mr T J Morris and Mr T B Simcox left the meeting during consideration of the foregoing application)

At the conclusion of the meeting, Mr Bishop wished to place on record his concern at suggestions that had been made that he had acted improperly in relation to this application as he was related to the landowner. He confirmed that this was not the case, nor was the landowner or developer known to him in any other capacity.

14 16/00233/FUL 18 Sandford Park, Charlbury

The Planning Officer introduced the application and reported receipt of a further seven letters of objection received since the publication of the agenda and report of additional representations.

Mr Hugh Belshaw addressed the Sub-Committee in objection to the application. A summary of his submission is attached at Appendix C to the original copy of these minutes. Ms Jenny Harrison also spoke in objection to the development. A summary of her submission is attached at Appendix D.

The local representative, Ms E P R Leffman then addressed the meeting. A summary of her submission is attached at Appendix E to the original copy of these minutes.

The applicant's architect, Mr Peter Smith, then addressed the meeting in support of the application. A summary of his submission is attached at Appendix F to the original copy of these minutes.

The Planning Officer then presented his report and, having regard to the comments of the Council's Tree and Landscape Officer as set out in the report of additional representations, made a revised recommendation that the Head of Planning and Strategic Housing be authorised to approve the application following the submission of a tree survey and arboriculture impact assessment.

Mr Graham indicated that, whilst he believed that the site could accommodate an additional dwelling, the proposed design was not acceptable as it would change the nature and character of the existing development. He suggested that parking provision should follow the current arrangements rather than providing parking on-plot and rehearsed the concerns expressed by Ms Leffman regarding the impact of vehicle headlights on properties in the vicinity of the access.

In response, the Planning Officer advised that officers considered the application to broadly reflect design elements of the existing properties and, as such, believed it to be acceptable.

Mr Bishop concurred with the views expressed by Mr Graham and went on to make reference to the comments made by Mr Belshaw regarding the existence of a covenant restricting development.

The Chairman advised Members that the question of a restrictive covenant was a civil matter and not one which could properly be taken into account in determining a planning application.

Mr Graham proposed that the application be refused as it was out of keeping with the overall character of the existing development. In seconding the recommendation, Mr Bishop also expressed concern with regard to highway safety. In this regard, the Planning Officer advised that the Highway Authority had raised no objection to the proposed access which complied with the appropriate standards.

Mr Cottrell-Dormer indicated that, whilst he did not like the proposed form of development, he could see no planning grounds upon which it could be refused. Mr Morris concurred.

Mr Cotterill suggested that the application was of poor design and, as such, contrary to paragraph 64 of the NPPF. Mr Colston, Dr Poskitt and Mr Saul supported the refusal, suggesting that the application was also contrary to policies BE2 (a) and (b) of the 2011 Local Plan and Policy OS4 of the emerging Plan.

Mr Graham and Mr Bishop agreed to incorporate the further reasons for refusal cited and on being put to the vote the revised recommendation of refusal was carried.

Refused for the following reason:-

- I. The dwelling proposed fails to respect or enhance the character and context of the immediate built form and would result in a development which would appear incongruous in terms of its siting, design, scale and form and detracts from the character and appearance of this distinctive part of the Charlbury Conservation Area. The development as proposed would therefore be contrary to Policies BE2 (a) and (b), BE5 and H2 of the Existing West Oxfordshire Local Plan 2006; Policies OS2, OS4 and H2 of the Emerging West Oxfordshire Local Plan 2031; and the provisions of the NPPF, namely Paragraphs 17 and 64.

(Mr W D Robinson left the meeting at this juncture)

25 16/00271/FUL Woodstock Lodge, Blenheim Park, Woodstock

The Planning Officer presented her report and reported receipt of observations received from Mr Brian Yoxall and Mr Sharone Parnes since the publication of the agenda and report of additional representations in which they requested that that consideration of this and the associated

Listed Building application be deferred as the Woodstock Town Council had not been directly consulted on the application.

The Planning Officer advised that Blenheim Parish Meeting had been consulted as the site fell within that area. In addition, Woodstock Town Council had received notice of the applications in the 'weekly list' and the usual publicity arrangements had been carried out.

The Chairman indicated that, whilst he was satisfied that the Council's Officers had acted correctly and that the necessary publicity requirements had been met, there was merit in deferring the applications in order that a site visit could take place to enable Members to assess the impact of the development. This would also offer the Town Council the opportunity to formally comment upon the applications.

It was proposed by Mr Cottrell-Dormer and seconded by Dr Poskitt that consideration of the applications be deferred to enable a site visit to be held.

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

Deferred to enable a site visit to be held.

35 15/00272/LBC Woodstock Lodge, Blenheim Park, Woodstock

Deferred to enable a site visit to be held.

38 16/00328/FUL Land East of Tyne Lodge, Brook Lane, Stonesfield

The Planning Officer introduced the application.

Mr John Gordon addressed the Sub-Committee in objection to the application. A summary of his submission is attached at Appendix G to the original copy of these minutes.

Mr Simon Handy of Strutt and Parker, the applicant's agents, then then addressed the meeting in support of the application. A summary of his submission is attached at Appendix H to the original copy of these minutes. In response to comments made by Mr Gordon, Mr Handy indicated that the grant of consent for a new dwelling had established a residential use within the curtilage. In addition, he noted that, whilst permitted development rights had been removed by condition, this did not preclude further applications for planning permission on the site. Such applications would have to be considered on their merits.

In response to a question from Mr Graham, Mr Handy advised that he saw ancillary use as that incidental to the residential use of the property.

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

Mr Bishop indicated that he considered the proposed garage to be too large, too high and in an inappropriate location. As such, he considered the application to be un-neighbourly and recommended that it be refused as being contrary to Policies BE2, NE3 and NE4 of the 2011 Local Plan and Policy OS2 of the emerging Plan. The recommendation was seconded by Mr Colston.

In response to a question from Mr Simcox, the Planning Officer advised that the change from agricultural use to residential curtilage would take place on occupation of the approved dwelling.

Mr Morris suggested that the proposed garage would be acceptable within the curtilage of the new property and would be seen in that residential context.

The recommendation of refusal was then put to the vote and was carried.

Refused for the following reason:-

- I. The building in terms of its scale, design, siting and form would result in an incongruous form of development which would erode the open, rural character of the immediate context and fails to respect the existing pattern of development and built form. The development as proposed would therefore be contrary to Policies BE2, NE3 and NE4 of the existing West Oxfordshire Local Plan 2006; Policies OS2, OS4 and EHI of the emerging West Oxfordshire Local Plan 2031; and the provisions of the NPPF notably Paragraphs 17 and 64.

43 16/00490/FUL St Hugh of Lincoln, Hensington Road, Woodstock

Withdrawn at the request of the applicants.

48 16/00410/FUL North Oxford Garage Ltd, Main Road, Long Hanborough

The Planning Officer presented his report containing a recommendation of conditional approval which, having been proposed by Mr Cottrell-Dormer and duly seconded was put to the vote and carried.

Permitted

52 16/00419/S73 Chipping Norton Baptist Church, New Street, Chipping Norton

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

It was proposed by Mr Cotterill and seconded by Mr Cottrell-Dormer that the application be approved subject to the amendment of condition 2 to require that the lower sections of the windows be fitted with obscure glass, not film covering.

On being put to the vote the revised Officer recommendation was carried.

Permitted, Condition 2 being amended to read as follows, the applicants being advised that the application of translucent film to clear glazed windows does not satisfy the requirements of this condition:-

2. Before first occupation of the building the lower sections of the first floor east elevation windows serving apartments 7 and 8 and the adjacent first floor stairwell shall be glazed using obscured glass, a sample of which shall first be submitted to and approved in writing by the Local Planning Authority. The glass shall be installed up to a height of no less than 1.7 metres above floor level and shall be retained in that condition thereafter.

Reason: To safeguard privacy in the adjacent properties.

72 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

The meeting closed at 4.00pm.

CHAIRMAN