

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 31 May 2016

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 N Owen, Dr E M E Poskitt, A H K Postan, W D Robinson and G Saul

Officers in attendance: Catherine Tetlow, Kim Smith, Joanna Lishman, Michael Kemp and Paul Cracknell

4 MINUTES

RESOLVED: that the Minutes of the meetings of the Sub-Committee held on 25 April and 18 May 2016, copies of which had been circulated, be confirmed as correct records and signed by the Chairman.

5 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

The Chief Executive reported receipt of the following resignations and temporary appointments:-

Mr J C Cooper for Mr A M Graham
Mr W D Robinson for Mr T B Simcox

6 DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

7 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:-
15/04147/FUL; 16/00342/RES; 16/00939/FUL; 16/01318/FUL; 16/00937/FUL; 16/00965/FUL;
16/00966/LBC; 16/00967/FUL; 16/00968/LBC; 16/00969/FUL; 16/00970/LBC and
16/00971/FUL

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

3 15/04147/FUL 80 Manor Road, Woodstock

The Planning Officer introduced the application.

Ms Christine Lea addressed the meeting in opposition to the application. A summary of her submission is attached as Appendix A to the original copy of these minutes.

In response to Ms Lea's concerns regarding neighbour notification, the Planning Officer confirmed that the statutory requirements had been met and undertook to provide Ms Lea with further details.

The applicant's agent, Mr Alex Cresswell, then addressed the meeting in support of the application. A summary of his submission is attached as Appendix B to the original copy of these minutes.

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

Dr Poskitt advised that the composition of the Woodstock Town Council had changed since it had made initial comments on the application and had now raised objections to the proposal. Dr Poskitt noted that the proposed dwellings appeared to be large and tall and proposed that consideration of the application be deferred so that a site visit be held to enable Members to assess the impact of the development on site.

In seconding the proposition, Mr Cooper suggested that the impact of the development would be increased by virtue of the change of levels across the site.

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

Deferred in order to enable a site visit to be held.

13 16/00342/RES Willowbrook, Radford, Chipping Norton

The Planning Officer introduced the application.

Mr Jeremy Burton addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix C to the original copy of these minutes.

The applicant's agent, Mr Alex Cresswell, then addressed the meeting in support of the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

The planning Officer then presented his report and drew attention to the observations of the Council's Drainage Engineers set out in the report of additional representations.

The Planning Officer then made a revised recommendation of conditional approval subject to the inclusion of two additional conditions to address the requirements of the Council's Drainage Engineers.

Mr Colston noted that concerns had been raised over flooding when the outline application had been approved and enquired whether the Council could require the submission of full drainage details prior to the commencement of development. The Planning Officer suggested that this could be addressed through the method statement called for by the Council's Drainage Engineers.

Given the history of flooding on the site, Mr Beaney reiterated concerns in this regard and indicated that he would wish to be clear as to any flood implications prior to determining this application. Whilst recognising Members' concerns, the Planning Officer advised that the question of flooding had been considered at outline stage and addressed by the inclusion of a condition requiring the submission of a surface water drainage scheme. She reiterated that these concerns could also be addressed through the proposed method statement.

Mr Owen and Mr Cottrell-Dormer also expressed a desire to see a fully detailed drainage scheme prior to determining the application.

The Planning Officer acknowledged that, given the history of flooding on the site, it was clear that a comprehensive surface water drainage scheme, incorporating flood alleviation measures, would be required. Such a scheme would be concentrated upstream of the development site and was expected to provide betterment. He also noted that the Environment Agency had indicated that the risk of flooding was low.

Mr Postan indicated that there were two aspects to flooding; the immediate impact upon the property concerned and the secondary effect that development could have on neighbouring properties. He noted that there had been some very successful flood amelioration schemes within the District but agreed that more detailed proposals were required in this instance before the application could be determined. Mr Postan also questioned whether the new dwelling would be subservient to Radford House and stressed the importance of ensuring that natural stone was traditionally laid.

Mr Cottrell-Dormer proposed that consideration of the application be deferred pending the submission of a detailed surface water drainage scheme. The proposition was seconded by Mr Postan. Mr Cotterill suggested that this would also provide the opportunity to obtain detailed measurements to ensure that the new dwelling was subservient to Radford House.

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

Deferred pending the submission of a detailed surface water drainage scheme.

20 16/01133/FUL Town Hall, Market Place, Woodstock

It was noted that this application had been withdrawn at the request of the applicant.

25 16/00937/S73 Cotswolds Club, Chipping Norton, Southcombe

The Planning Officer presented her report containing a recommendation of conditional approval and confirmed that, contrary to the indication at paragraph 5.6 of the report, the site was not within the Area of Outstanding Natural Beauty. She also advised that the Council's Business Development Officer had expressed his support for the application and reported receipt of an email from the applicants explaining that it was their intention to undertake construction of the permanent function room previously approved during the winter period whilst demand for such a facility was reduced and could be accommodated within the existing buildings.

Mr Saul questioned whether a further five year temporary consent was unduly generous and if a three year permission would be more appropriate. In response, the Planning Officer explained that the existing temporary consent still had one year to run hence approval of the application at this juncture would effectively allow a four year extension.

Mr Beaney questioned whether access to the facility was through the golf course entrance only or whether the fairy-tale farm entrance was in use. Mr Colston advised that recently erected signage directed visitors through the fairy-tale farm entrance and Officers undertook to investigate this further. Mr Colston also expressed concern over the life of the roofing material used in the temporary structure and it was explained that it was sufficiently robust to withstand a further five years use.

Mr Cottrell-Dormer questioned whether a five year consent was required to enable the applicants to assess the economic viability of providing a permanent structure. The Planning Officer suggested that this was not an unreasonable period.

In response to a question from Mr Postan, it was explained that, should the applicants fail to remove the temporary structure at the conclusion of the permitted period it would become liable to the planning enforcement regime. Dr Poskitt expressed concern that allowing a continuation of use of the temporary structure would discourage the applicants from implementing their permission for a permanent solution.

The Officer recommendation of conditional approval was proposed by Mr Colston and seconded by Mr Cotterill and on being put to the vote was carried.

Permitted

30 16/00939/FUL Land East of 26 The Slade, Charlbury

The Planning Officer introduced the application.

Mr Mike Hughes addressed the meeting in opposition to the application. A summary of her submission is attached as Appendix E to the original copy of these minutes.

The Local Representative, Ms E P R Leffman then addressed the meeting. She advised that there was concern over the proposed development of this open field in close proximity to a nature reserve. Ms Leffman indicated that it was also believed that the layout of the proposed development was designed to facilitate further development on the remainder of the land and that approval of the current application would set an undesirable precedent for future development. Mr Leffman also noted that there were concerns over arrangements for future maintenance of the private access road that served both existing and proposed dwellings and increased congestion in the vicinity of the local primary school.

The applicant's agent, Mrs Jayne Norris of Edgars Ltd, then addressed the meeting in support of the application. A summary of her submission is attached as Appendix F to the original copy of these minutes. In response to a question from Mr Beaney, Mrs Norris confirmed that the back to back distances between existing and proposed properties were some 26 to 29 metres.

The Planning Officer then presented her report.

Mr Cooper indicated that he had found the site visit helpful. He acknowledged local concerns over highway issues but explained that, without the support of the highway authority, the Council would find it difficult to sustain a highway based refusal reason at appeal. However, given its proximity, he expressed concern over the impact of the proposed development upon existing properties on The Slade and proposed that the application be refused as being contrary to Policy BE2 of the West Oxfordshire Local Plan.

In seconding the proposition, Mr Bishop noted that the change in levels over the site would increase the overbearing impact of the proposed dwellings. In addition, he expressed concern that approval of the current application could set a precedent for further development on the site.

Mr Cottrell-Dormer indicated that, whilst some form of development on the site would probably be acceptable, the current proposals were too close to and would overlook the existing properties on The Slade.

Mr Cotterill noted that the existing trees along the boundary of the site would provide little screening as the canopies were too high. He too drew attention to the impact of the change of levels across the site.

Mr Postan questioned the potential impact of the proposed development given that the site lay within the Charlbury Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.

The Chairman sought clarification of the proposed reasons for refusal, indicating that the following were relevant:-

Policies BE2, BE4(a), BE5, NE1, NE3 NE4 H2(a), H2(d) and H2(f) of the West Oxfordshire Local Plan, the relevant paragraphs of the NPPF and Policies H2, OS2, EH1 and BC1 of the emerging Plan.

Mr Cooper and Mr Bishop agreed to incorporate these reasons within their proposition which, on being put to the vote, was carried.

Refused for the following reasons:-

1. The site is located within the Charlbury Conservation Area and Cotswolds Area of Outstanding Natural Beauty. The location, siting, and scale of development would fail to respect or enhance the character of the area and its landscape, and would be harmful to visual amenity. Further, it would erode the character and appearance of the surrounding area as a result of encroachment into open countryside which makes an important contribution to the setting of the settlement. In addition, it would set an undesirable precedent for similar, further development in this sensitive location. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 Policies BE2, BE4, BE5, NE1, NE3, NE4, and H2, emerging West Oxfordshire Local Plan 2031 Policies OS2, H2, EH1 and BC1, and the relevant policies of the NPPF.
2. By reason of the location, siting, design and scale of the proposed development, and land levels within and adjoining the site, it would give rise to unacceptable impacts on residential amenity with regard to privacy and the overbearing appearance of the development, particularly as regards the relationship with existing residential properties which adjoin the site at The Slade. The proposal is therefore contrary to West Oxfordshire Local Plan Policies BE2, and H2, emerging Local Plan Policies OS2, and H2, and the relevant policies of the NPPF.

42 16/00965/FUL 50 The Square, Great Tew

The Planning Officer presented her report and made a revised recommendation of conditional approval subject to the conditions set out in the report and the inclusion of an additional condition requiring an archaeological recording of the existing building as requested by Historic England.

Dr Poskitt questioned whether there was a danger that the structural integrity of the surviving original gable wall was so compromised that it might be lost. The Planning Officer noted that a condition was proposed requiring the submission of a detailed programme of works essential for safeguarding the listed structure.

The revised Officer recommendation of conditional approval was proposed by Mr Colston and seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

Permitted subject to the following additional condition:-

17. No development shall take place until a detailed archaeological record of the ground floor plan of the dwelling has been undertaken in accordance with a written specification that has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the means to safeguard the recording and inspection of matters of archaeological importance before works commence.

49 16/00966/LBC 50 The Square, Great Tew

Listed Building Consent be granted.

52 16/00967/FUL Gyles Farm, Deddington Road, Great Tew

The Planning Officer presented her report and advised that revised plans had been submitted by the applicants. Accordingly, she made a revised recommendation of conditional approval subject to the conditions set out in the report and the inclusion of an additional condition regarding the submission of revised plans.

The revised Officer recommendation was proposed by Mr Colston and seconded by Mr Beaney.

Mr Cooper questioned whether approval of such applications could set a precedent for similar proposals to bring dilapidated buildings in other parts of the District into residential use. In response, the Planning Officer advised that each case would have to be considered on its own merits. The NPPF sought to secure the retention of heritage assets and that it was the listed status of the buildings currently under consideration that weighed heavily in favour of approval.

In response to a question from Dr Poskitt, the Planning Officer advised that the car port had been located as proposed as it sat on the footprint of a previous structure. In response to a question from Mr Postan it was indicated that the property was to remain in the ownership of the Great Tew Estate and that any future alterations would be subject to the applicants securing Listed Building Consent.

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

Permitted subject to the following additional condition:-

18. The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) 13/09/PL01A, 13/09/PL02A, 13/09/PL03A dated 25.05.16.
REASON: The application details have been amended by the submission of revised details.

60 16/00968/LBC Gyles Farm, Deddington Road, Great Tew

Listed Building Consent be granted subject to the following additional condition:-

10. The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) 13/09/PL01A, 13/09/PL02A, 13/09/PL03A dated 25.05.16.
REASON: The application details have been amended by the submission of revised details.

64 16/00969/FUL Lower Grove Ash Farm, Iron Down Hill, Great Tew

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

The Officer recommendation was proposed by Mr Colston and, in seconding the proposition, Mr Beaney noted that the removal of permitted development rights would ensure that the project was sensitively implemented.

Permitted

75 16/00970/LBC Lower Grove Ash Farm, Iron Down Hill, Great Tew

Listed Building Consent be granted

81 16/00971/FUL Land at New Garden, Ledwell Road, Great Tew

The Planning Officer presented her report.

She reported receipt of the observations of the County Council which raised concerns over visibility splays and mineral extraction, together with the response received from the applicant's agents.

In view of the observations received, the Planning Officer made a revised recommendation that consideration of the application be deferred to enable a site visit to be held and to allow the applicants to consider and respond to the County Council's observations.

Mr Beaney expressed his concern at the principle of the capital secured through this development being used to support the restoration of other dilapidated heritage assets on the estate.

The recommendation of deferral was proposed by Mr Cottrell-Dormer and, on seconding the proposition, Mr Colston concurred with Mr Beaney in that each development should stand alone. Mr Cooper questioned whether applications in other parts of the District founded upon similar financial presumptions had been supported by Officers in the past.

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

Deferred to enable a site visit to be held and to allow the applicants to consider and respond to the County Council's observations.

96 16/01318/FUL Elmstead, Crawborough, Charlbury

The Planning Officer introduced the application.

The Local Representative, Ms E P R Leffman then addressed the meeting. She indicated that revised plans had been submitted since Members had visited the site and noted that these appeared to address the concerns expressed. Accordingly, Ms Leffman advised that she had no objection to the development but, whilst acknowledging the need to create a safe access, questioned whether the existing wall to the site frontage, an important feature of the Conservation Area, could be retained at its existing height. In conclusion, Ms Leffman enquired whether the existing barn could be retained as requested by the Town Council and Conservation Area Advisory Committee.

The applicant's agent, Mrs Jayne Norris of Edgars Ltd, then addressed the meeting in support of the application. A summary of her submission is attached as Appendix G to the original copy of these minutes.

The Planning Officer then presented his report.

Mr Cooper indicated that the applicants had done a great deal of work in devising an acceptable scheme and proposed the Officer recommendation of conditional approval. The proposition was seconded by Mr Cotterill and on being put to the vote was carried.

Permitted subject to the applicants entering into a legal agreement to provide a financial contribution to secure the highway improvements identified in paragraph 5.15 of the report.

108 16/01140/FUL The Bull Inn, Sheep Street, Charlbury

It was noted that the application had been withdrawn at the request of the applicant.

112 16/01141/LBC The Bull Inn, Sheep Street, Charlbury

It was noted that the application had been withdrawn at the request of the applicant.

8 APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISION

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

In response to concerns expressed by Mr Beaney, the Planning Officer undertook to provide him with a summary of recent and on-going development activity at Soho Farm.

9 PROPOSED DIVERSION OF PART OF PUBLIC RIGHT OF WAY 156/6 AT THE SPENDLOVE CENTRE, CHARLBURY, OX7 3PQ

Consideration was given to the report of the Head of Planning and Strategic Housing seeking authority for officers to make a Public Path Diversion Order under Section 257 of the Town and Country Planning Act 1990 and carry out the required consultation.

RESOLVED: That the Head of Planning and Strategic Housing be authorised to make an Order and carry out public consultation, consistent with the drafted Order attached to the report.

The meeting closed at 5:15pm.

CHAIRMAN