

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 4 July 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, Ms E P R Leffman, T N Owen, A H K Postan, ~~W D Robinson*~~, G Saul and T B Simcox

~~(*Denotes non-voting Member)~~

Officers in attendance: Kim Smith, Joanna Lishman, Phil Shaw, Michael Kemp and Paul Cracknell

10 MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 31 May 2016, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

The Chief Executive reported receipt of the following resignation and temporary appointment:-

Ms E P R Leffman for Dr E M E Poskitt

12 DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting. With regard to application No. 16/00667/OUT (Land at Tanners Lane, Burford), Mr Cotterill advised that the landowner was known to him as a Member of the Burford Town Council but that this did not constitute a disclosable interest.

13 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/RED; 16/00667/OUT; 16/00971/FUL; 16/01239/FUL;
16/01240/LBC; 16/01425/OUT; 16/01753/HHD; 16/01677/S73 and 16/01669/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 and advised that, whilst seeking approval of the original scheme, the applicants had submitted an alternative site layout, re-orientating plot 4 to address Members' concerns with regard to potential overlooking.

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

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

Mr Cottrell-Dormer indicated that he considered the alternative site layout to be preferable and proposed approval of the Officer recommendation on that basis. In seconding the recommendation, Mr Haine suggested that condition 12 be amended to address concerns with regard to potential overlooking. Mr Cottrell-Dormer concurred and on being put to the vote the proposition was carried.

Permitted subject to the amendment of condition 2 to refer to the further revised plans deposited on 4 July 2016 and to the amendment of condition 12 to read as follows:-

12. Before first occupation of the buildings hereby permitted the first floor hall windows of the North and East elevations of Plot 2; the first floor window of the west elevation serving the bathroom of plot 3; the first floor east elevation windows of plot 3, serving both bathrooms and the smaller window of bedroom 2 of plot 3; and the first floor windows of the west elevation and the east elevation window serving the bathroom of Plot 4 shall be fitted with obscure glazing and shall be retained in that condition thereafter.

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 B to the original copy of these minutes.

In response to a question from Mr Colston, Mr Burton indicated that he would wish to see a scheme of balancing ponds and weirs constructed

upstream rather than amelioration measures downstream, noting that this was a raised water course.

Mr Henry Venners then addressed the meeting in support of the application. A summary of his submission is attached as Appendix C to the original copy of these minutes.

The Planning Officer presented his report containing a recommendation of conditional approval. He drew attention to the recently submitted surface water drainage scheme summarised in the report of additional representations. Whilst the Council's engineers were not fully satisfied with the proposals, Officers were of the opinion that any concerns could be addressed through appropriate conditions.

Mr Beaney made reference to the surface water drainage condition imposed upon the outline consent and suggested that, in the absence of full compliance with that condition, a similar condition should be imposed upon the current reserved matters application or consideration of the application should be deferred for subsequent determination by Members.

Mr Colston questioned whether the proposed culvert would be adequate and indicated that, whilst upstream attenuation measures were important, it was essential that sufficient capacity existed downstream.

Mr Colston proposed that consideration of the application be deferred pending the submission of a detailed surface water drainage scheme. The proposition was seconded by Mr Beaney who indicated that any flood amelioration measures proposed would not increase the risk of flooding elsewhere.

Mr Postan noted that, whilst successful flood amelioration schemes had been implemented elsewhere in the District, they could not be constructed without funding and the relevant landowners' consents. He emphasised that any scheme proposed needed to be evidenced as being deliverable.

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

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

21 16/00667/OUT Land at Tanners Lane, Burford

The Planning Officer introduced the application.

Mr Andrew Bateson, representing Mr and Mrs Moore and Mr and Mrs McIntyre of 21 and 25 Tanners Lane, addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

Ms Lois Partridge, the applicant's agent, then addressed the meeting in support of the application. A summary of her submission is attached as Appendix E to the original copy of these minutes.

The Planning Officer then presented her report containing a recommendation of conditional approval. She noted that, whilst the proposed level of developer contribution was not sufficient to fund the construction of two passing bays, this could be a matter of negotiation as part of the legal agreement

Mr Cotterill indicated that, whilst his initial concerns regarding the impact of the development in the AONB and the number and layout of the dwellings had been addressed, he remained concerned over highway issues. He noted that the proposed passing bays did not take account of potential difficulties that could be encountered on the steep sided single track section and suggested that an additional bay could be provided. Mr Cotterill also questioned the merits of the proposed footpath, indicating that residents could access the town over the playing fields.

The Local Plan assumed a certain level of development in the area and, whilst Burford was a sensitive settlement, the proposed location was an acceptable one.

In response, the Development Manager advised that the County Council could be asked to consider the provision of an additional passing bay in preference to the proposed footway.

Mr Beaney rejected the argument put forward by Mr Bateson and expressed his support for the application. He questioned whether the contribution towards affordable housing would be increased should the footprint of development be increased at the reserved matters stage and the Planning Officer confirmed that contributions were calculated on floor area.

The Officer recommendation was proposed by Mr Cotterill and seconded by Mr Beaney.

In response to a question from Mr Graham, the Development Manager explained that the future management and maintenance of the landscaping scheme would be undertaken by a management company formed by the residents as it was considered preferable to exclude this area from individual ownership.

Mr Postan expressed concern that highway improvement work could increase traffic movements and, in particular, the use of the road as a 'rat run'. He questioned whether the Council could seek to secure some form of Traffic Regulation Order to preclude this. In response, the Development Manager advised that the Highway Authority considered the measures proposed to be acceptable and explained that the funding of any highway work would have to be proportionate to the development.

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

Permitted subject to the applicants entering into a legal agreement to secure a financial contribution towards off-site affordable housing, highways contributions and the future management and maintenance of landscaped areas.

35 16/00971/FUL Land at New Gardens, Ledwell Road, Great Tew

The Planning Officer introduced the application.

The applicant, Mr Nicholas Johnston then addressed the meeting in support of the application. A summary of his submission is attached as Appendix F to the original copy of these minutes.

Mr Graham enquired whether the proposed restaurant would be operated by Soho House or as a stand-alone facility. In response, Mr Johnston advised that the estate wanted the facility to be open to the public and to show that the application was well thought through. There was a proposed operator in Soho House but the venture could equally function independently.

Ms Leffman questioned the extent of public access and Mr Johnston explained that it was proposed to give access to the swimming pool and tennis courts to the local school and other village organisations.

The Planning Officer then presented her report and reported receipt of additional representations from Soho House in response to the concerns raised by Mr Michael Elliott. She also advised that the applicant's agents had indicated that the County Council, as minerals authority, had recognised that the purpose of the excavation work was leisure related rather than mineral extraction and she recommended that the Sub-Committee treat it as such.

Mr Colston expressed concern that this development was intended to fund those applications approved at the previous meeting, indicating that each individual proposal should be financially independent. He enquired as to the capacity of the proposed restaurant and expressed concern over the impact of the lodges. Mr Colston also questioned whether the garden would be maintained and whether the development would give rise to any significant local employment opportunities.

In response, the Development Manager explained that the garden would be operated on a commercial basis by the restaurant and advised that the National Planning Policy Framework encouraged cross funding to protect heritage assets. The applications previously approved could not be implemented independently and, without the financial contribution from the present scheme, the buildings in question were unlikely to survive. On balance, Officers had concluded that, in this instance, the benefits of the proposed development outweighed any harm.

Mr Beaney questioned whether approval of the current application would set a precedent for further development contrary to the Council's planning policies. The Development Manager advised that the lodges would be confined to use as holiday lets through a legal agreement.

The Officer recommendation of conditional approval was proposed by Mr Cotterill and seconded by Mr Graham who, whilst accepting that the benefits would outweigh any harm, continued to harbour concerns over traffic generation.

The Development Manager acknowledged that Soho House were failing to comply with the traffic management plan but were in discussion with the County Council regarding the provision of signage. Both the applicants and Officers were aware of local concerns and were seeking to take steps to address these.

Mr Graham stressed that it was important that the difficulties experienced with regard to Soho House were not replicated here. The Planning Officer advised that these concerns could be addressed through additional conditions in accordance with the 'One Voice' highways response.

Ms Leffman indicated that she was pleased that the scale of development had been reduced and expressed her support for the application and the provision it would make towards safeguarding local heritage assets.

Mr Postan complimented the design, the intent to support local heritage assets and the employment generation arising from the development. He questioned whether any measures could be taken to ensure the future protection of the giant redwood trees on the boundary to the site. In response, the Planning Officer confirmed that this could be addressed through the landscaping conditions.

Mr Bishop indicated that he was impressed by the application which would avoid further dilapidation of this heritage asset through the introduction of a commercial element and Mr Saul expressed his support for the scheme.

The officer recommendation of conditional approval was put to the vote and was carried.

Permitted subject to the applicants entering into a legal agreement to secure the benefits outlined in the report, to the conditions set out therein and to such other conditions as the Head of Planning and Strategic Housing considers appropriate.

59 16/01239/FUL The Dragon Inn, 152 High Street, Burford

The Planning Officer introduced the application and reported receipt of additional representations from the applicant's agent indicating that the ridge height of the building had not been changed, together with those of Mr Bayliss of 5 Sweeps Lane.

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

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

Mr Cotterill proposed that consideration of the application be deferred to enable a site visit to be held in order for Members to assess the impact of the proposal in conjunction with other recent development on the site.

The proposition was seconded by Mr Owen and on being put to the vote was carried.

Deferred to enable a site visit to be held in order for Members to assess the impact of the proposal in conjunction with other recent development on the site.

68 16/01240/LBC The Dragon Inn, 152 High Street, Burford

Deferred to enable a site visit to be held in order for Members to assess the impact of the proposal in conjunction with other recent development on the site.

72 16/01425/OUT Land South of 168A Main Road, Long Hanborough

The Planning Officer introduced the application.

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

The Planning Officer then presented his report. In response to a question from Mr Cotterill, he advised that he was of the opinion that there would not be room for more than one dwelling on this restricted site.

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

80 16/01669/FUL 6 Glyme Way, Long Hanborough

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

The Officer recommendation was proposed by Mr Cotterill and, on seconding the recommendation, Mr Beaney suggested that an additional condition removing permitted development rights be imposed. Mr Cotterill

concluded and on being put to the vote the revised recommendation was approved.

Permitted subject to the following additional condition:-

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order shall be erected or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted. Reason: To avoid over-development of the site and to protect the residential amenities of the adjacent properties.

87 16/01753/HHD The Laurels, Jubilee Lane, Milton under Wychwood

The Planning Officer introduced the application.

The applicant, Ms Nisreen El-Kaldush, then addressed the meeting in support of the application. A summary of her submission is attached as Appendix I to the original copy of these minutes.

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

In proposing the Officer recommendation, Mr Haine thanked Ms El-Kaldush for making alterations to the application to address concerns expressed by local residents.

The proposition was seconded by Mr Simcox and on being put to the vote was carried.

Permitted

94 16/01677/S73 Penhurst School, New Street, Chipping Norton

The Development Manager introduced the application and reported receipt of additional representations submitted on behalf of 14 residents of Distons Lane.

Mr Jonathan Souster addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix J to the original copy of these minutes.

In response to a question from Mr Cotterill, Mr Souster indicated that, whilst he did not know the technical levels of background noise in Distons Lane, it was a no through road and traffic noise was minimal.

The Development Manager then presented the report which contained the recommendation that Officers be authorised to approve the application subject to no new and substantive issues being raised during the consultation period.

Mr Saul indicated that the proposed extraction units were located close to neighbouring residents and suggested that consideration of the application be deferred to allow for the submission of further observations during the consultation period and for Officers to explore the possibility of relocating the units elsewhere on the site.

Mr Cotterill indicated that, provided the noise emissions were limited to the levels specified in the proposed conditions, there would be no disturbance to local residents.

Mr Colston suggested that the possibility of relocating the units elsewhere on the site should be explored and Mr Saul recommended deferral of the application to enable this to take place.

The recommendation was seconded by Mr Cotterill and on being put to the vote was carried.

Deferred to enable Officers to explore the possibility of relocating the units elsewhere on the site.

14 APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

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

15 PROGRESS ON ENFORCEMENT CASES

Consideration was given to the report of the Head of Planning and Strategic Housing informing the sub-committee of the current situation and progress in respect of enforcement investigations.

RESOLVED: That the progress and nature of the outstanding enforcement investigations detailed in Sections A-C of the report be noted.

The meeting closed at 5:50pm.

CHAIRMAN