

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 August 2017

PRESENT

Councillors: J Haine (Chairman), A C Beaney, R J M Bishop, N G Colston, C Cottrell-Dormer, Dr E M E Poskitt, A H K Postan, Mrs C R Reynolds, G Saul, T B Simcox and C J A Virgin.

Also in attendance: J C Cooper and Ms E P R Leffman

Officers in attendance: Phil Shaw, Kim Smith, Stephanie Eldridge Michael Kemp and Paul Cracknell

24 MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 3 July, 2017, copies of which had been circulated, be confirmed as correct records and signed by the Chairman.

25 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mrs M J Crossland and Mrs C R Reynolds attended for Mr D A Cotterill.

26 DECLARATIONS OF INTEREST

Mr Saul declared an interest in respect of application No. 17/01651/FUL (Westwick, 66 Over Norton Road, Chipping Norton) which appeared in the schedule of applications and as an enforcement report at agenda item No. 12 and indicated that he would leave the meeting during its consideration.

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

27 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.

(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:-

17/00829/FUL; 17/00889/FUL; 17/01607/HHD; 17/01565/FUL; 17/01651/FUL;
17/01937/FUL; 17/01460HHD; 17/01465/HHD and 17/01551/FUL

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

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 17/00829/FUL 1 Hill Rise, Woodstock

The Planning Officer introduced the application and made reference to an email sent to Members of the Sub-Committee which provided amended plans.

The applicant, Mr Simon Newton, 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.

Mr Beaney enquired why amended plans had been submitted at such a late stage and Mr Newton explained that these had been devised following on-going discussions with the Council's Officers following which it had been concluded that it would be preferable for the proposed new dwellings to match the existing.

The Planning Officer presented his report and recommended that consideration of the application be deferred to enable consultation on the revised plans to take place.

In response to a question from Dr Poskitt, it was confirmed that, on balance, Officers supported the application following the submission of amended plans. Dr Poskitt acknowledged that the development now appeared acceptable in design terms but expressed concern that it would extend the boundary of the town and encourage ribbon development. Whilst the adjoining land had been identified as a development site in the emerging Local Plan, the plan had yet to be adopted hence the previous reasons for refusal remained applicable.

Mr Beaney considered that it was unfair to expect Members and Officers to consider revised plans submitted at the last minute and agreed that the application should be deferred.

Mr Cottrell-Dormer opposed the application and proposed that it be refused and reconsidered following the adoption of the emerging Local Plan. The proposition was seconded by Dr Poskitt.

Mr Postan questioned why it was thought preferable that the proposed development mirrored the inferior design characteristics of the existing property. The Planning Officer advised that it was thought that a more innovative design as originally would appear incongruous in this particular location and the Development Manager indicated that, whilst it was acknowledged that the original design was more innovative, if the built form was to be extended it was better that it was not done so in an overt way so as not to exacerbate the impact. By reflecting existing development, the impact of the new properties would be neutral.

Mr Colston noted that a previous application had recently been refused at appeal and indicated that he would prefer to defer consideration of the current application until the heritage assessment required by the Planning Inspector on the adjacent allocated site had been received.

Whilst he acknowledged that the development would extend the boundary of the town, Mr Bishop considered the amended plans to be an improvement and expressed his support for the application. However, in view of the late submission of the revised plans, he supported the Officer recommendation of deferral. Mr Haine concurred.

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

It was then proposed by Mr Bishop and seconded by Mr Beaney that consideration of the application be deferred pending receipt of the heritage assessment on the adjoining site allocated in the emerging Local Plan and to enable consideration to be given to the revised plans.

On being put to the vote the recommendation was carried.

Deferred pending receipt of the heritage assessment on the adjoining site allocated in the emerging Local Plan and to enable consideration to be given to the revised plans.

13 17/00889/FUL 1 Police House, Hixet Wood, Charlbury

The Planning Officer introduced the application.

Mr Stephen Pulman 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.

Mr Peter Kenrick then addressed the meeting on behalf of the Charlbury Town Council in opposition to the application. A summary of his submission is attached as Appendix C to the original copy of these minutes. Mr Postan noted that a Neighbourhood Plan was under development and enquired whether there was any indication as to whether development this site would be favourably or otherwise. In response, Mr Kenrick explained that this was not yet clear but that one suggestion put forward had been that the site could be retained as a local green space.

The local representative, Ms L P R Leffman then addressed the meeting in opposition to the application. A summary of her submission is attached as Appendix D to the original copy of these minutes. In response to a question from Dr Poskitt, Ms Leffman advised that this site was the last vestige of 'The Slade', an area of greensward that had previously run through the town.

Whilst acknowledging Ms Leffman's concerns, Mr Cottrell-Dormer questioned whether there were planning grounds to support a refusal.

The applicant's agent, Ms Holly Ferrar-Coulson, 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 the report containing a recommendation of conditional approval. He made reference to the report of additional representations and it was noted that the County Council had no objections with regard to flooding.

Mr Beaney suggested that further consideration needed to be given to the impact of development on the Area of Outstanding Natural Beauty and questioned the adequacy of the proposed contribution towards affordable housing. He suggested that any permission should include a condition regarding the provision of broadband infrastructure and questioned whether it was possible for the applicants to clear the stream running through the site prior to undertaking a SUDS survey. Whilst he remained concerned over highway issues, Mr Beaney acknowledged the absence of objection from the Highway Authority.

In response, the Planning Officer advised that the level of the proposed affordable housing contribution had been specified by the Council's Housing Officers but that this could be clarified prior to consent being issued. An appropriate condition regarding broadband provision could be incorporated and concerns over drainage issues could be addressed through conditions in consultation with the County Council's drainage engineers.

Mr Beaney considered that these issues should be addressed prior to determination of the application and proposed that consideration of the application be deferred. In seconding the proposition, Mr Bishop suggested that the impact of traffic generation on the existing highway network (and in particular Hixet Wood) should also be addressed and clarification sought from the Highway Authority. Mr Beaney agreed to incorporate this within his proposition.

Mr Postan expressed his opposition to the development, suggesting that the application should be refused on the grounds specified by the Town Council.

Mr Simcox expressed his concern that, by dividing a site considered to be inappropriate for development in the SHELAA, a developer could secure a positive recommendation from Officers. In response, the Development Manager explained that the SHELAA assessment was a high level process in which a site area and broad indication of the nature of development was put forward for consideration. By submitting detailed proposals, developers could seek to overcome any concerns expressed in this initial assessment. He advised that it was likely that the majority of windfall sites coming forward during the next local plan period would be from SHELAA sites.

Mr Beaney questioned whether there were any existing properties on the site and the Development Manager advised that, other than 1 and 2 Police Houses, the remainder of the site was overgrown. Mr Beaney also enquired whether there were any design considerations arising from the permission granted in respect of the adjacent property. The Development Manager advised that, whilst that consent was based upon an innovative, architect designed, bespoke solution, the current application adhered to the more traditional vernacular rather than seeking to complement the adjacent design.

Without having access to work on land outside their ownership downstream, Mr Cottrell-Dormer questioned whether the applicants would be able to achieve a satisfactory drainage solution by simply digging out the stream on their own site. He also sought clarification of the relative heights of the proposed and existing development and noted that the application site lay lower than currently developed land.

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

Deferred to enable further consideration to be given to the potential impact of development on the Area of Outstanding Natural Beauty, the inclusion of a condition regarding the provision of broadband infrastructure, the adequacy of the proposed affordable housing contribution and to clarification from the Highway Authority of the potential impact of traffic generation on the existing highway network, and in particular Hixet Wood.

34 17/0160/FUL Flat 8, Sanders House, Churchfields, Stonesfield

The Planning Officer presented the report containing a recommendation of conditional approval. The Officer recommendation was proposed by Mr Bishop and seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

Permitted

39 17/01460/HHD 145 Main Road, Long Hanborough

The Planning Officer introduced the application and drew attention to the observations set out in the report of additional representations. She advised that further correspondence had been received from Mr Man who remained of the view that the plans submitted by the applicant remained inaccurate. However, Officers were content that the plans provided were sufficient to enable determination of the application and suggested that Members should do so having regard to the building as constructed on-site.

Mr Kin Man addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix F to the original copy of these minutes.

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

Mrs Reynolds noted that the previous application had been determined under delegated powers and that the extension had not been constructed in accordance with the approved plans. She considered that the impact of the extension as constructed was intrusive to the adjoining property and recommended that the current application be refused.

The proposition was seconded by Mr Beaney who considered that the eaves of the extension as constructed rendered the development contrary to policies OS2, OS4 and H6 of the emerging Local Plan.

Mr Postan suggested that the problem could be rectified by reducing the width of the protruding eaves. Mr Bishop considered the development to be un-neighbourly and agreed that permission should be refused.

The Development Manager indicated that Members should have regard to the fall-back position being the scheme previously approved under delegated powers.

Mr Cottrell-Dormer indicated that the only problem was the width of the eaves and acknowledged that, whilst the original plans may have been defective, Officers had made an on-site assessment.

Mr Haine enquired whether the eaves could be reduced and the Planning Officer advised that the height of the building had been increased to accommodate additional insulation required under Building Regulations and explained that it was uncertain whether structural considerations had governed the width of the eaves.

Mr Postan enquired as to the options open to the Council and the Development Manager advised that the Sub-Committee could either approve or refuse the application. If it were to refuse the application, the Sub-Committee could then consider the expediency of pursuing enforcement action to require modification of the structure.

Mrs Reynolds expressed the hope that a compromise could be found in terms of the height of the extension and the width of the eaves.

The Development Manager suggested that the Sub-Committee might wish to consider instructing Officers to seek to achieve such a compromise before issuing a refusal notice. Mrs Reynolds and Mr Beaney agreed to amend the proposition accordingly.

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

RESOLVED:

- (a) That the Sub-Committee is of the opinion that the development, as constructed, is unacceptable being contrary to policies OS2, OS4 and H6 of the emerging Local Plan and, accordingly, that the application be refused
- (b) That, prior to the issue of a refusal notice, Officers be requested to seek to achieve a compromise in terms of the height of the extension and the width of the eaves so as to reduce the impact upon the neighbouring property, 147 Main Road, Long Hanborough.

43 17/01465/HHD Broadstone, 1 Church Walk, Combe

The Planning Officer presented her report and advised Members that the detailed drawings referred to in the report had been received. Accordingly, she confirmed her recommendation of conditional approval.

Mr Bishop indicated that he disliked retrospective applications and expressed concern that the Sub-Committee had been faced with a retrospective application in this instance. Mr Bishop also expressed concern that the oil tank was to be located immediately adjacent to the neighbouring property and, whilst recognising that this might constitute permitted development, suggested that it should be relocated. Mr Bishop also noted that it was intended to re-surface the access to the rear of the property and suggested that it was important to ensure that the materials to be used were permeable so as not to exacerbate the risk of flooding due to surface water run-off.

The Development Manager undertook to address these concerns with the applicant.

The Officer recommendation was proposed by Mr Bishop and seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

Permitted, the applicant being advised of the concerns expressed by Members of the Sub-Committee.

47 17/01551/FUL 2 High Street, Woodstock

The Development Manager presented the report containing a recommendation of conditional approval and reported the observations of Mr John Brimble, details of which appear as Appendix G to the original copy of these minutes.

Dr Poskitt proposed that consideration of the application be deferred to enable a site visit to be held. The proposition failed to attract a seconder.

In response to a question from Mr Simcox, it was confirmed that the height of the extension would be slightly higher than that of the adjacent property.

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

Permitted

53 17/01565/FUL Blenheim Palace, Blenheim Park, Woodstock

The Principal Planner introduced the application and drew attention to the objection made by the Woodstock Town Council referred to in the report of additional representations. She also reported receipt of an email from Mr Sharone Parnes in support of the application.

The local representative, Mr Julian Cooper, then addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix H to the original copy of these minutes.

The Principal Planner then presented her report containing a recommendation of conditional approval. She noted that neither Historic England, nor the Garden Trust had raised objections to the proposal and explained that the current application had to be assessed having regard to the fall-back position existing under the lawful development certificate granted under reference 07/1036/P/CLE which enabled the application site to be used for parking purposes.

Dr Poskitt suggested that there were many other locations within the park that would be more appropriate for such use which should be considered in preference to the application site and proposed that the application be refused. The proposition failed to attract a seconder.

In proposing the Officer recommendation, Mr Beaney suggested that a further condition should be applied requiring that the site be returned to parkland when no longer required for car parking. In seconding the proposition, Mr Postan questioned whether the site should be laid out to be contiguous with that previously approved.

In response, the Development Manager advised that the current proposals had been devised to allow for appropriate screening and land drainage arrangements to be put in place.

Mr Colston acknowledged the need for sufficient visitor parking but stressed that it was essential that appropriate surface treatment was employed. Mr Cottrell-Dormer suggested that underground parking would present a more appropriate solution but recognised that this was unlikely to prove viable.

Dr Poskitt reiterated her concern that parking provision directly in front of the Palace did not present an appropriate long term solution.

The amended Officer recommendation of conditional approval was then put to the vote and was carried.

Permitted subject to the following additional condition:-

7. When the hard surfaced area hereby approved is no longer required for the parking of vehicles it shall be removed and the land shall be reinstated as parkland.

Reason: To safeguard features that contribute to the character and landscape of the World Heritage Site and wider area.

62 17/01651/FUL Westwick, 66 Over Norton Road, Chipping Norton

The Principal Planner introduced the application and drew attention to the observations set out in the report of additional representations. She also made reference to an email sent by the applicants to Members of the Sub-Committee.

The applicant, Mr Rik Yapp, addressed the meeting in support of the application. A summary of his submission is attached as Appendix I to the original copy of these minutes.

The Principal Planner then presented her report containing a recommendation of refusal.

The Officer recommendation was proposed by Mr Beaney and seconded by Mr Colston who suggested that post and rail fencing would be far more appropriate in this rural location. Dr Poskitt concurred, indicating that the appearance of the existing close boarded fencing was inappropriate and would rapidly deteriorate.

Mr Cottrell-Dormer indicated that the applicant's suggestion to grow ivy over the fence was inappropriate as the ivy would bring down the fencing.

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

Refused

(Mr Saul left the meeting during consideration of the foregoing application)

69 17/01937/FUL 27 Hensington Road, Woodstock

The Planning Officer introduced the application.

The local representative, Mr Julian Cooper, then 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.

The Planning Officer then presented the report.

Dr Poskitt stated that she did not understand why additional car parking provision was required and considered the application to be both un-neighbourly and unnecessary.

In response, the Planning Officer explained that the additional parking provision was required to meet the additional demand anticipated to result from the construction of the new hall and which could not be accommodated through on-street parking or at the Hensington Road car park which was utilised to its full capacity.

Dr Poskitt proposed that the application be refused. The proposition failed to attract a seconder.

Mr Beaney indicated that the grant of consent was reliant upon the inclusion of appropriate conditions. He suggested that a planting and landscaping was fundamental and that a bonded surface should be required to reduce the noise of vehicular movements. In response, the Planning Officer advised that these requirements could be met through notes in relation to the proposed conditions.

Mr Cottrell-Dormer indicated that he could see no reason to refuse the application provided that appropriate conditions were put in place.

Dr Poskitt suggested that the new facility should also be made available to local residents when not in use by the church. The Development Manager suggested that the applicants could be advised to explore this possibility in consultation with the Town Council.

Mr Beaney proposed the Officer recommendation subject to the inclusion of the notes referred to above. The proposition was seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

Permitted, the applicants being advised that:-

1. The use of loose surfacing materials within the car park should be avoided in order to prevent noise disruption to adjacent residents.
2. Additional planting, alongside the retention of the existing hedgerow should form part of any proposed landscaping scheme for the site.
3. Members of the Uplands Planning Sub-Committee advise that the parking area could be made available as additional parking for members of the public, at times of light use and where the use of the existing parking for the church hall and meeting room is unlikely to be required.

(Mr Postan left the meeting at this juncture)

28 DISCHARGE OF CONDITIONS 9 AND 10 IN RELATION TO APPLICATION NO. 16/00342/RES AT WILLOWBROOK, RADFORD

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing seeking authority to discharge conditions 9 and 10 of planning permission 16/00342/RES.

Mr Beaney advised that Members had been unable to locate the plans referred to in the report on the council's website. The Planning Officer sought to summarise details of the drainage strategy but Mr Beaney proposed that determination of the matter be deferred to enable adequate consideration. The proposition was seconded by Mr Colston.

The Development Manager advised that discharge of conditions were not subject to public consultation.

Mr Cottrell-Dormer indicated that he would be content to approve the discharge of the conditions if he could be satisfied that the proposed balancing pond would be empty for the majority of the time and Mr Simcox enquired whether the landowner would be responsible for cleaning and maintaining the system.

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

RESOLVED: that determination of the matter be deferred to enable adequate consideration by Members.

29 APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

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

30 LAND EAST OF BARNES LANE, BURFORD – APPLICATION NO. 17/00642/OUT

The Sub-Committee received and considered 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 above application on Monday 4 September 2017.

RESOLVED: That a site visit be held on Thursday 31 August 2017.

31 LAND EAST OF STONESFIELD – APPLICATION NO. 17/01670/FUL

The Sub-Committee received and considered 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 above application on Monday 4 September 2017.

RESOLVED: That a site visit be held on Thursday 31 August 2017.

32 SIGNAGE AT THE ENTRANCE TO CHARLBURY STATION

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing inviting consideration as to whether it was expedient to proceed to prosecution or take Discontinuance action in respect of an ACPOA (operator of the station car park) sign displayed on the station access.

The Principal Planner confirmed that advertisement consent was required as the sign did not have the benefit of deemed consent. She drew attention to the further observations

ret out in the report of additional representations and advised that the powers under section 225A of the Town and Country Planning Act referred to by the complainant were not available to the Council in this instance.

Members concurred that the sign appeared to serve no useful purpose in its current location but acknowledged that there could be a technical/legislative requirement for the present positioning.

RESOLVED: That consideration of the matter be deferred and Officers requested to seek to secure the relocation of the sign.

33 33 TAYNTON, BURFORD

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing inviting consideration as to whether it was expedient to authorise enforcement action to secure remedial works to ensure that the development was built in accordance with the approved drawings.

RESOLVED: That Officers be authorised to issue an enforcement notice to secure remedial works to ensure that the development is built in accordance with the approved drawings within 6 months of the notice coming into effect. Further, if compliance with the notice is not secured to institute further actions to secure compliance.

34 THE BULL INN, SHEEP STREET, BURFORD

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing inviting consideration as to whether it was expedient to authorise enforcement action to whether it is expedient to authorise enforcement action to secure removal of an unauthorised extraction unit at the Bull Inn, Sheep Street, Burford.

RESOLVED: That Officers be authorised to issue an enforcement notice to secure removal of the extraction unit and flue within 3 months of the notice coming into effect. Further, if compliance with the notice is not secured to institute further actions to secure compliance.

35 WESTWICK, 66 OVER NORTON ROAD, CHIPPING NORTON

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing inviting consideration as to whether it was expedient to authorise enforcement action to whether it is expedient to authorise enforcement action to secure removal of an unauthorised 1.8 metre high close boarded fence at Westwick, 66 Over Norton Road, Chipping Norton.

RESOLVED: That Officers be authorised to issue an enforcement notice to secure removal of the fence within 2 months of the notice coming into effect. Further, if compliance with the notice is not secured to institute further actions to secure compliance.

36 EXCLUSION OF THE PUBLIC

RESOLVED: that the Sub-Committee being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following items of business there would be a disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting.

37 ORCHARD COTTAGE, OLD LONDON ROAD, CHURCHILL

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing containing exempt information which inviting consideration as to whether it was expedient to authorise enforcement action to whether it is expedient to authorise enforcement action to secure compliance with Enforcement Notice 358 served in relation to Orchard Cottage, Old London Road, Churchill, the requirements of which were in breach.

The Principal Planner provided Members with further information regarding the personal circumstances of the occupier of the property.

RESOLVED: That Officers be authorised to issue a further Enforcement Notice which requires cessation of the residential use of the site and removal of all of the buildings, caravans and chattels which serve the residential use once the present occupant ceases to occupy the land.

The meeting closed at 5:40pm.

CHAIRMAN