

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 6 November 2017

PRESENT

Councillors: J Haine (Chairman), D A Cotterill (Vice-Chairman), A C Beaney, R J M Bishop, N G Colston, C Cottrell-Dormer, Mrs M J Crossland# Dr E M E Poskitt, A H K Postan, G Saul, and C J A Virgin.

Denotes non-voting member

Officers in attendance: Phil Shaw, Stephanie Eldridge, Joanna Lishman, Michael Kemp and Paul Cracknell

53 MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 2 October, 2017, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

54 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr T B Simcox.

55 DECLARATIONS OF INTEREST

Mr Haine declared a personal interest in application No. 17/03057/FUL (Land North of Gas Lane and Ascott Road, Shipton Under Wychwood) 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 at this juncture.

Subsequently, whilst not a disclosable interest, Mr Beaney advised that his wife was employed at the school adjoining the Old Rectory, Priory Lane, Burford (Application Nos. 17/02414/HHD and 1702415/LBC)

56 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:-

16/03803/FUL; 17/04138/FUL; 17/01939/FUL; 17/02458/FUL; 17/02732/HHD;
17/03057/FUL; 17/02414/HHD; 1702415/LBC and 17/02566/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 I6/03803/FUL Soho Farmhouse, Great Tew

The Planning Officer introduced the application and drew attention to the representations and revised recommendation set out in the report of additional representations. She also reported receipt of additional representations from Mr and Mrs Hill.

Mr Frederick Hill addressed the meeting in opposition to both this and the following application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

In response to a question from Mr Postan regarding evidence of speeding by patrons of Soho House, Mr Hill indicated that the applicants had acknowledged this issue at a recent meeting of the Parish Council and contended that there was a general recognition that this was an issue amongst local residents.

Mr Michael Ergatoudis, the applicant's representatives, 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 then presented her report containing a recommendation of conditional approval. She reiterated that a S106 was no longer required to address highway issues which would now be addressed by way of a unilateral undertaking drafted by the County Council.

Mr Colston indicated that he had harboured concerns over the original application and, whilst there was a lot of local support for the business, it was no surprise that the proposed expansion had given rise to concerns over traffic. He recognised that the Council could not preclude further expansion and believed that, in granting the initial application, the damage had already been done. Whilst he would not vote against the current applications, he felt unable to offer his support.

Mr Beaney agreed that there was a major problem with regard to traffic but recognised the benefits of the application to the local economy. He acknowledged that the Council could not object to the application on highways grounds without the support of the County Council as Highway Authority but asked that a note be applied to any consent requesting the applicants to consider ways in which they could address concerns regarding the local road network in consultation with the neighbouring parish councils.

Of itself, Mr Beaney considered that the development worked well and noted that the site was car free and that, with a water course between it and the car park, through vehicular movement was impractical.

Mr Beaney proposed the Officer recommendation of conditional approval subject to the inclusion of a note requesting the applicants to liaise with the neighbouring local councils to address concerns regarding the local road network and, in particular, traffic on Ledwell Lane.

Mr Beaney sought clarification of comments made in relation to the length of time it had taken to bring the application before Members. In response, the Planning Officer advised that it had been appreciated that there was a significant degree of concern over highways issues and the application had been held back to enable the applicants to discuss and terms of the unilateral agreement with the County Council. Some elements had already been implemented and further improvement measures had been identified as the scheme evolved.

The proposition was seconded by Mr Cotterill who suggested that the local County Councillor should work with the parish councils to resolve the concerns identified at Director level. He noted that some large events operated traffic routing arrangements and suggested that Soho Farmhouse might consider doing the same.

Mr Cottrell-Dormer noted that satellite navigation systems were exacerbating the problems by the routes they identified. He considered that access to the site from the B4022 would be preferable but stressed that the issues identified needed to be resolved. Mr Virgin concurred and went on to express concern over the cumulative impact of further potential development nearby.

The Development Manager advised that Officers were aware of other potential development and that the County Council had considered development in the round. The County had not raised objection to either the current or other potential future development.

With regard to concerns over speeding traffic, the Development Manager cautioned against attributing all incidents to patrons of Soho Farmhouse. He acknowledged that highways issues had been key to these applications, hence the delay in bringing them before Members. The applicants had sought to address the concerns raised and Officers considered that they had done as much as could reasonably be expected. He confirmed that the Council could not preclude further development by condition but advised that the applicants had indicated that they did not intend to seek to create any additional accommodation as to increase the number of persons using the site would detract from the experience they were seeking to deliver. Ancillary facilities were at capacity and the site had reached its natural limit.

In response to a question from Mr Virgin it was confirmed that the applicants had already paid for directional signage which would be erected by the County Council within the next two or three weeks.

Mr Postan suggested that the applicants could provide automatic number plate recognition enabling them to sanction guests shown to be speeding.

In response to a further question, the Planning Officer advised that the current applications did not propose additional car parking provision and that existing facilities were informal and not marked out in bays.

The Development Manager indicated that the use of alternative routes could simply move problems elsewhere hence the need for the County Council to consider the local road network holistically. Mr Cottrell-Dormer suggested that it would be better to use B roads than unclassified roads.

Mr Bishop indicated that he was generally supportive of the application with highways being the only issue. It was important that pressure was put on the County Council to devise a solution. Dr Poskitt concurred and sought clarification of the fenestration details.

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

Permitted subject to the conditions set out in the report, to the applicants entering into a unilateral agreement with the County Council regarding highway improvement works and to them being advised that Members of the Uplands Planning Sub Committee recognise and commend the improved communications with local parish councils in respect of highways issues and providing traffic calming measures and would encourage this good work to continue.

16 16/04138/FUL Soho Farmhouse, Great Tew

The Planning Officer introduced the application and drew attention to the representations and revised recommendation set out in the report of additional representations. She also reported receipt of additional representations from Mr and Mrs Hill.

Mr Michael Ergatoudis, the applicant's representatives, 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.

In response to questions from Mr Colston, Mr Ergatoudis confirmed that this and the preceding application were for a total of 99 units. He indicated that the majority of those using the facilities on site were club members not hotel guests and advised that, whilst the requirement was generally triggered by developments of 100 units or more, the applicants had produced a highways assessment.

In response to questions from Dr Poskitt, Mr Ergatoudis advised that the 'pig arc' units were air conditioned using a sustainable heat pump and were designed to be removable from the site at the end of their design life.

The Planning Officer then presented her report containing a recommendation of conditional approval. She reiterated that a S106 was no longer required to address highway issues which would now be addressed by way of a unilateral undertaking drafted by the County Council.

Mr Beaney indicated that he was a little more cautious over this application. He suggested that condition 7 should be strengthened to require replacement of any failed planting throughout the duration of the development and additional planting to be provided once the units were removed. Subject to this amendment he proposed the revised Officer recommendation.

In seconding the Proposition, Mr Postan indicated that it was impossible to attribute speeding traffic to any particular source.

Mr Cottrell-Dormer drew attention to condition 11 and questioned who would be responsible for removing the units. The Development Manager undertook to revisit this condition and advised that this would generally fall to the landowner. However, in this instance it was anticipated that the units would be replaced and the time limit was imposed to ensure that the proposed units were not retained beyond their design life.

Dr Poskitt questioned the design of the 'pig arc' units and expressed concern over their impact upon the landscape. In response, the Planning Officer advised that the topography of the land was such that views of the units were limited.

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

Permitted subject to the conditions set out in the report, to the amendment of conditions 7 and 11 as follows and to the applicants entering into a unilateral agreement with the County Council regarding highway improvement works:-

7. The landscaping scheme hereby approved shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
Reason: To safeguard the character and landscape of the area.

11. That the 'pod' guest room accommodation to which the application relates shall be removed on or before twenty five years from the date of this permission or within 3 months of the cessation of the site's use as a hotel and leisure complex, whichever is the sooner. A scheme to ensure that this can be complied with shall be submitted to and approved in writing by the Local Planning Authority prior to the 'pod' guest room accommodation being sited on the land.
Reason: The temporary nature of the development is not appropriate for permanent retention and to ensure the means to undertake the work to remove them are available.

32 17/01939/FUL The Retreat, Swinbrook

The Planning Officer introduced the application and advised Members of receipt of revised plans. At the request of the Chairman of the Swinbrook and Widford Parish Council he reported receipt of the observations outlined at paragraph 1.3 of the report in full.

Mr Tim Graham 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 Dawn Brodie, 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 his report containing a recommendation of conditional approval.

In response to the concerns raised over the height of the proposed annex, the Development Manager indicated that the drawings circulated by Mr and Mrs Graham appeared not to be drawn to the scale indicated.

Mr Postan expressed his support for the application, indicating that Cotswold villages developed in a random manner. He stressed the importance of live-in care and the provision of appropriate facilities for the carer but, as a compromise, suggested that the proposed annex should be moved closer to the host property.

Mr Cotterill noted that Court Cottage was somewhat confined and, as a result, the residents tended to live primarily in the southern aspect. There was concern that the proposed development could have a claustrophobic effect on the neighbouring property. Mr Cotterill sought clarification of the extent of flood zone 3 and questioned whether the extension could be moved two to three metres southwards with the access being reconfigured.

In response, the Planning Officer advised that the proposed location of the annex had been chosen to address access issues but agreed that it would be possible to move it a metre away from the boundary.

The Development Manager cautioned that relocating the annex would create more outside space giving rise to a greater potential for the type of noise nuisance suggested by the neighbours.

The Proposition was seconded by Mr Colston.

In response to questions from Mr Beaney, the Planning Officer advised that the proposed annex was some 5.6 metres in height. He indicated that, as the proposed building was ancillary to the host dwelling, it would not benefit from permitted development in its own right.

Mr Cotterill-Dormer considered that relocation by one metre was insufficient and suggested that the proposal needed further consideration. Mr Postan suggested that the maximum height of the annex could be restricted through condition.

Mr Haine considered that it was imperative that the plans presented to the Sub-Committee were accurate. Mrs Crossland concurred and suggested that consideration of the application should be deferred pending the submission of accurate plans.

At the request of the Chairman, Mr Postan and Mr Cotterill agreed to withdraw their recommendation of conditional approval and proposed deferral.

Mr Postan indicated that this would offer the applicant the opportunity to consider relocating the annex and Dr Poskitt noted that the extent of flood zone 3 could also be clearly defined.

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

Deferred pending the submission of accurate plans.

42 17/02414/HHD The Old Rectory, Priory Lane, Burford

Whilst not a disclosable interest, Mr Beaney advised that his wife was employed at the school adjoining the application site.

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

Mr Cotterill questioned whether the proposed access was practical and indicated that it would result in the loss of a minibus parking bay. He noted that coaches found it difficult to manoeuvre and there was a danger that they would block access to the garage. However, he acknowledged that the County Council as Highway Authority had not objected to the application.

In response to a question from Mr Postan the Planning Officer advised that there was an existing area of hardstanding within the curtilage of the property. Mr Postan suggested that consideration of the application be

deferred and the County Council requested to review its response. In reply the Planning Officer advised that the County Council had been closely involved in the application from pre-application discussions and were satisfied with the arrangements.

The Planning Officer suggested that there was an argument that the provision of off-street parking, on-street parking would free up spaces on street. Mr Cotterill indicated that the property already had an alternative vehicular access.

Mr Beaney indicated that the bus stop and bench to the frontage ought to be retained.

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

Permitted

(Mr Cotterill and Mr Postan requested that their votes against the foregoing application be so recorded)

49 17/02415/LBC The Old Rectory, Priory Lane, Burford

Listed Building Consent be granted

(Mr Cotterill and Mr Postan requested that their votes against the foregoing application be so recorded)

53 17/02458/FUL Springwell, The Ridings, Stonesfield

The Planning Officer introduced the application and made reference to receipt of an email from the applicant.

Mr Phil McArdle 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.

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

Mr Bishop advised that the Parish Council supported the application and considered that development would improve what was an unsightly area of land. He suggested that the development would be less intrusive in the AONB than other applications permitted in the vicinity and noted that access to the site past the existing industrial building was not as narrow as it appeared. The site was not in agricultural use and Mr Bishop indicated that he believed that Officers had the balance wrong. He reiterated his view that development would improve the appearance of the site and emphasised that the application was for the benefit of a long standing local resident.

Mr Bishop stated that the use of the adjacent industrial building was limited and would not give rise to noise problems. He proposed that the application be approved but, should Members feel unable to do so, he suggested that a site visit should be held.

The Planning Officer cautioned that to approve a planning application to improve an unsightly area of land would encourage other landowners to pursue the same path. She indicated that the proposed dwelling was not tied to use by the applicant's family but advised that Officers believed that the site was capable of development if the access arrangements were revised so as not to set a precedent for further development on the adjoining land.

Whilst he did not like the retention of the building line, Mr Postan seconded the proposition of approval, indicating that it would preclude development on the adjacent site and support a local family.

The Development Manager advised that, as proposed, the scheme would not preclude access for future development on the adjacent site. If plot 2 was brought forward it would sterilise the adjoining land and the Development Manager suggested that it was possible to devise an alternative scheme that could be supported.

Mr Cottrell-Dormer indicated that he would wish to support a local family but Mr Beaney suggested that the application should be deferred as it was necessary to get the conditions right or the scheme should be refused.

Mr Haine considered that the current application should be refused but believed that an acceptable scheme could be devised. Mr Colston concurred.

Mr Cotterill questioned whether there was an alternative means of access to the adjacent site as he was concerned that it could become landlocked.

Mr Bishop reiterated his view that the application should be approved and Mr Cotterill reminded Members that the applicants would be able to submit a revised application at no cost if that currently before Members was refused.

Mr Saul questioned the necessity of retaining the industrial unit adjacent to Springwell as the applicant was nearing retirement age. Whilst he applauded the wish to assist a long-standing local resident, he believed that, on balance, the current application should be refused and new proposals sought.

Mr Cottrell-Dormer suggested that there was a possibility that the applicants would secure permission on appeal and questioned whether the current layout would restrict access to the adjacent land. In response, the Principal Planner advised that the current configuration would allow access for development on the adjoining site.

Mr Haine reinforced his view that an acceptable compromise could be found and Dr Poskitt agreed that a better scheme could be devised.

Mr Bishop questioned whether there was merit in holding a site visit but Mr Haine suggested that any acceptable amendments to the scheme would require a new application.

Mr Beaney stated that he believed that the applicants would be successful should they choose to appeal.

The proposition to approve the application was then put to the vote and was lost.

The Officer recommendation of refusal was then proposed and duly seconded and on being put to the vote was carried.

Refused

(Mr Beaney and Mr Bishop requested that their votes in favour of the application be so recorded)

60 17/02566/FUL Parrotts, Church Street, Wootton, Woodstock

The Planning Officer presented his report.

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

Mr Beaney questioned the merit of a site visit and the Development Manager advised that the current application was similar to that previously approved on the site. Mr Haine also questioned what a site visit would achieve.

Mr Cottrell-Dormer expressed concern over the choice of roofing material and the Planning Officer advised that it was common practice to use different materials to distinguish new development from the original.

Mr Postan drew a comparison with the development at Brook Cottage in Shilton.

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

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

Permitted

67 17/02732/HHD The Stable, Wood Farm, Fox Hill, Tackley

The Planning Officer introduced the application.

Mrs Helen Lawton, the applicant, 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.

In response to a question from Mr Postan, Mrs Lawton advised that her property did not mirror that opposite which was a two story structure. However, the layout was similar.

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

Mr Cottrell-Dormer indicated that there were many similar barn conversions throughout the District and proposed that the application be approved. The proposition was seconded by Mr Bishop who considered that the development would not be detrimental.

The Planning Officer advised that his recommendation was based upon a desire to retain the linear character of the range of buildings.

Mr Cotterill suggested that the original character of the building had already been compromised by those opposite and expressed his support for the application. Mr Colston concurred.

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

Permitted subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.
Reason: For the avoidance of doubt as to what is permitted.
3. The materials to be used for the external walls and roofs shall be of the same colour, type and texture as those used in the existing building.
Reason: To safeguard the character and appearance of the area.

The Development Manager cautioned Members that, when considering other similar applications in future, they should have regard to the fact that the key principle underlying barn conversions was to retain their agricultural appearance.

72 17/03057/FUL Land North of Gas Lane and Ascott Road, Shipton Under Wychwood

Mr Haine left the meeting during consideration of the following application. Mr Cotterill took the Chair.

The Planning Officer introduced the application.

Mr Alan Vickers addressed the meeting in objection to the application. A summary of his submission is attached as Appendix H to the original copy of these minutes.

Ms Dawn Brodie, the applicant's agent, 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.

In response to a question from Mr Postan she advised that the proposed dwellings had not been assessed in terms of paragraph 55 of the NPPF.

The Planning Officer then presented her report and sought delegated authority for the Head of Planning and Strategic Housing to approve the application subject to no new and substantive issues being raised during the consultation period.

Mr Cottrell-Dormer proposed that consideration of the application be deferred to enable a site visit to be held. The proposition was seconded by Mr Beaney who indicated that he would prefer to see the proposed conditions set out in full. He queried the need for a tree preservation order and the future intentions in terms of land ownership of the area to the rear of the site.

The Planning Officer advised that the land to the rear of the site was to be retained as open space by way of a unilateral undertaking.

Mr Cotterill advised that there was a larger grassed area than was apparent from the site plan and expressed his support for a site visit. Mr Postan questioned whether there was a need for an archaeological survey and it was confirmed that this could be considered should the application be deferred. Mr Postan also suggested that the area of open space could be conveyed to an organisation such as the Woodland Trust.

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

Deferred to enable a site visit to be held.

57 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The report giving details of applications determined under delegated powers was received and noted.

58 TREE PRESERVATION ORDER NO. 5/93 A APPLICATION TO FELL ONE FIR TREE AT SPORTIF SUZUKI, MAIN ROAD, LONG HANBOROUGH

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing regarding an application to fell a fir tree included in Tree Preservation Order No.5/93.

RESOLVED: That the application to fell the tree be refused.

59 FOOTPATH STOPPING UP AT CHURCHILL FARM, CHURCHILL

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing which sought clarification of the decision made by the Sub-Committee on 5 June 2017 regarding a footpath at Churchill Farm, Churchill.

RESOLVED: That the Sub-Committee confirms that its decision on the 5 June 2017 was to make a public path stopping up order with the creation of an alternative route under section 257 of the Town and Country Planning Act 1990.

60 MEETING OF THE SUB-COMMITTEE ON MONDAY 6 DECEMBER 2017

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing which invited Members to consider whether it would be expedient to arrange an earlier start time for the meeting of this Sub-Committee on Monday 6 December in view of the anticipated significant number of major applications to determine.

Members considered that, rather than plan for a single protracted meeting, it would be preferable to deal with the applications over two days. The Development Manager advised that it remained uncertain as to the number of applications that would be brought forward for determination at the next meeting and, accordingly, it was:-

RESOLVED: That, if necessary, the Head of Planning and Strategic Housing be authorised to make arrangements for a second reserve date for the continuation of the December meeting in consultation with the Chairman.

The meeting closed at 6:15pm.

CHAIRMAN