

The Development Manager introduced the application and reported receipt of additional representations from the Friends of the Evenlode Valley, the applicant, the County Council in its role as Joint Commissioning Body and a further six letters of support.

Mr Jim Clemence, representing the Friends of the Evenlode Valley, addressed the meeting in opposition to the 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 Virgin, Mr Clemence indicated that proposals for a business park had been put forward by a developer ~~the landowner~~ in the Local Plan consultation. Asked why he believed that the proposed dementia unit would not be delivered, Mr Clemence indicated that, whilst ~~the proposed legal agreement intended to see the unit provided, it could not guarantee its delivery and allowed for an alternative use as a general care unit.~~ the officer's report confirmed that the applicant intended it to be a dementia care unit but that this could not be guaranteed because it was claimed to be an innovative concept and as a result the consent being requested was for a general care unit.

The Local representative, Ms E P R Leffman, then addressed the meeting and expressed her support for the application. A summary of her submission is attached as Appendix B to the original copy of these minutes.

Ms Caroline Langridge and Mr Alistair Ross, the applicant's representatives, then addressed the meeting in support of the application. A summary of their submissions is attached as Appendix C to the original copy of these minutes.

In response to a question from Mr Beaney, Ms Langridge confirmed that YoungDementia UK was still ~~associated~~ involved with the project.

The Development Manager then presented his report containing a recommendation of conditional approval. He indicated that it was for Members to judge whether or not the site was an adjacent outlier to the existing settlement.

In response to comments made by Mr Clemence, he advised that, whilst an enterprise village had been proposed by the landowner during the Local Plan consultation process, Officers had advised that this would not be supported and no application had been forthcoming. He explained that, given the nature of the current proposal, the grant of consent would not in his view 'open the floodgates' for further development. He acknowledged that the terms of the proposed legal agreement would need to be clarified and incorporate safeguards to ensure delivery of the benefits as put forward.

The Development Manager noted that the objections submitted by the Cotswolds Conservation Board had been available in full on the Council's website and had been received by Members from elsewhere.

The application retained a fall-back position through the proposed legal agreement for use as a general care home, not for general housing. However, funding and a development partner were in place for provision of the intended young dementia facility. Whilst he remained confident that this is what would be delivered, the Development Manager reiterated that the fall-back position was still that of a care use.

The Development Manager then went on to present his report in detail and confirmed that the discount market housing on the site would be retained as such through the legal agreement.

Mr Haine noted that, whilst there was significant support for the application, there had also been a lot of local opposition. He was concerned that the grant of consent could set an unwelcome precedent for further development that would be harmful to the Area of Outstanding Natural Beauty, nearby listed buildings and the surrounding landscape.

Mr Haine was of the opinion that the Council was in fact able to demonstrate that it had a five year housing land supply hence paragraphs 14 and 49 of the National Planning Policy Framework were not relevant to the consideration of the current application and that paragraphs 115 and 116 did apply. Mr Haine considered the proposed scheme to constitute 'Major Development' for these purposes and made reference to DCLG guidance that defined 'Small Scale Major Development' as being between 10 and 99 units.

The Development Manager explained that this definition related to statistical returns and case law had established that it was not the applicable test for defining 'Major Development' in AONB terms.

Mr Haine indicated that he was still of the opinion that, in its context, the proposal represented major development. Whilst he was happy with the proposals for the dementia care facility, Mr Haine could not support the provision of the additional 25 housing units. He considered these to be in an unsustainable location outside the town which would result in considerable harm in planning terms.

Mr Beaney agreed with Mr Haine, indicating that, whilst he supported the principle of development, he could not support the current application as he had concerns over the efficacy of the proposed legal agreement. He acknowledged the need for housing and suggested that this site should be considered as an exception site with housing reserved for those with an immediate local connection.

that the application should either be permitted or deferred for further consideration.

The Development Manager advised that concerns over materials, landscaping and noise amelioration measures could be addressed by way of conditions. It would also be possible to strengthen and enhance the buffer zone.

However, he was unable to say whether the scheme would remain viable with a restriction of use to a dementia care unit only.

Mr Cotterill reiterated that he was content to see either a dementia unit or a general care home on the site and proposed that the application be approved subject to a legal agreement and conditions revised as indicated above. The proposition was seconded by Mr Postan who stressed that the need for care facilities for dementia sufferers was essential. He expressed some concern that those in need of long term care would effectively block access for new residents, turning the unit from its intended purpose into a de facto care home.

Mr Postan agreed that the future of the buffer zone should be secured, preferably by way of land ownership rather than designation. Providing that appropriate materials were used he did not consider that the development would be harmful to the AONB but, given the location of the site, suggested that a construction traffic management plan should be imposed. The Development Manager advised that this could be incorporated by condition and Mr Cotterill agreed to revise his proposition accordingly.

Mr Saul indicated that, whilst it could be argued whether or not the application represented major development, even if it did he considered that it should be approved in view of its exceptional circumstances. He also confirmed that he was content with the fall-back position of providing a general care home.

Mr Bishop thanked Officers for their comprehensive report and indicated that he would support the current application as he had the previous decision. He recognised that this was a balanced judgement but viewed the development on the outskirts of the town to bring unique benefits in the form of the dementia care unit. Dr Poskitt concurred.

Mr Virgin stated that he considered the site to be too far out of town and felt that it could not be seen as a natural extension of the settlement and Mr Haine expressed concern over the impact of development in the AONB upon tourism within the District.

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

Permitted subject to the applicants entering into a legal agreement as set out in the report, revised as indicated above to incorporate the extension and clarification of the future management of the proposed buffer zone (if

possible through its transfer to separate ownership), the requirement that Discount Market Housing (at 90% of open market value) be secured for the intermediate units with a 'local connection' condition and moratorium to seek further local connection buyers before any open market sale (and with 10% discount and local connection applied on any subsequent sales in perpetuity), to the phased delivery and retention of the facilities secured through the agreement and to the first use of the care home being for young dementia care.

to the amendment of the following conditions to read as follows:-

9. The proposed building and dwellings shall be constructed of materials appropriate to the sensitivity of the AONB and setting of conservation area context and a schedule of such materials including samples and sample panels shall be submitted to and approved in writing by the LPA prior to their use and development shall only be undertaken in accordance with the said samples.

12. A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall include the measures proposed to enhance the landscaping on the site, the retention of any existing trees and shrubs and planting of additional trees and shrubs; proposed finished levels or contours; all ground surface treatments and materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; minor artefacts and structure; retained historic landscape features and proposals for restoration, where relevant and 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 within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

17. Prior to the commencement of development details of the means to protect the occupiers of the dwellings from potential rail noise shall be submitted to and approved in writing by the LPA and the said agreed measures shall be implemented in full prior to first occupation and be retained in place thereafter.

The measures necessary to discharge the terms of this condition are likely to involve works to the fabric and fenestration of the buildings. External noise barriers will not be likely to be acceptable due to their impact on the AONB/Conservation Area.

and to the following additional condition:-

18. A Construction Traffic management Plan (CTMP) shall be agreed in writing by the LPA in conjunction with the Highway Authority prior to development commencing with the said CTMP aimed in particular at ensuring delivery times avoid nursery school drop off/pick up and that suitable access routes are used by construction traffic.

Reason: To minimise the impact of construction traffic.

42 I7/00309/FUL Olivers Garage, 80-82 Main Road, Long Hanborough

The Principal Planner introduced the application.

Mr Neils Chapman, the Chairman of the Chairman of Hanborough Parish Council, addressed the meeting in ~~opposition to~~ **support** of the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

Mr David Ullathorne and Mr Andrew Haynes, the applicant's representatives, then addressed the meeting in support of the application. A summary of their submissions is attached as Appendix E to the original copy of these minutes.

In response to a question from Mr Cotterill, Mr Haynes advised that the assertion that the proposed developer contribution of £150,000 would fund the provision of five affordable units had been calculated by comparison with a recent Cottsway scheme in Chipping Norton. Mr Postan enquired whether the applicants had considered an assisted purchase scheme and Mr Ullathorne advised that the Government's Help to Buy scheme was to be available to first time buyers.

The Principal Planner then presented her report containing a recommendation of refusal, indicating that the provision of affordable housing was the key issue for consideration.

Mr Beaney indicated that, whilst he liked the design and layout of the scheme, he considered the proposed financial contribution toward affordable housing to be inadequate. He asked how the contribution had been calculated and whether it had taken account of the existing residential properties on the site. The Development Manager advised that the contribution had been based upon the net gain in numbers but explained that, if the value of the existing properties was included in the land value, it could not then be discounted against when assessing the contribution towards affordable housing.

Mr Cotterill considered that the development should go ahead but he too found the proposed contribution unacceptable. He stressed that the site should be re-developed and questioned whether there was any merit in deferring consideration of the application for further discussion between Officers and the applicants.

undertaken in relation to the adjacent site. This had now been received and acknowledged the sensitivity of the site. Accordingly, Mr Postan proposed the Officer recommendation of refusal.

Mr Cotterill sought clarification of the relationship between this and proposals for the adjacent site. The Planning Officer advised that there was no development masterplan but the landscape assessment envisaged this site as being within the landscaped area. Mr Cotterill then went on to second the proposition of refusal.

The Principal Planner suggested that, having regard to the impact on the setting of the Blenheim Registered Park and Garden and Blenheim World Heritage Site, the proposed reason for refusal should be revised to incorporate policy BE1 I of the Local Plan and Policy EW1 of the emerging plan. Mr Postan and Mr Cotterill agreed to revise their proposition accordingly.

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

Refused for the following amended reason:-

- I. The development by reason of its siting would result in the loss of an open space which forms an important transition between the built form and adjacent open countryside. The development of this space would be of detriment to the character and appearance of the natural environment and the character and appearance of the immediate area. Furthermore the siting of the proposed development would result in less than substantial harm to the setting of the Blenheim Registered Park and Garden and Blenheim World Heritage Site, which would not be outweighed by the limited public benefits of the proposed development. As such the development would be contrary to the provisions of Policies BE2, BE1 I, NE1, NE3 and H2 of the West Oxfordshire Local Plan 2011; Policies OS2, OS4, EH1, EH7, EW1, and H2 of the Emerging West Oxfordshire Local Plan 2031; as well as the relevant provisions of the NPPF, in particular paragraphs 17, 109 and 134.

67 17/01939/FUL The Retreat, Swinbrook

The Planning Officer introduced the application.

Mrs Eileen Graham addressed the meeting in opposition to the application. She maintained her objection to the development in terms of its form, scale and siting and the consequent impact upon her property. Mrs Graham went on to outline a variety of alternative proposals as outlined at Appendix G to the original copy of these minutes.

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

In response to a question from Mr Beaney she confirmed that the window to the rear elevation of the property was to be obscure glazed.

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

Permitted

121 17/03057/FUL Land North of Gas Lane and Ascott Road, Shipton Under Wychwood

(Mr Haine left the meeting during consideration of this and the following application. Mr Cotterill took the Chair)

The Planning Officer introduced the application.

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

In response to a question from Mr Postan, Ms Brodie advised that the dwellings would be sunk into the ground slightly.

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

Mr Beaney made reference to comments received from the CPRE and enquired whether the advice of the Council's Ecology Officer remained unchanged. The Planning Officer confirmed that the advice remained unchanged and that there was no objection.

Mr Postan noted that during the site visit the ground had been muddy and expressed some concern over the possibility of flooding. It was confirmed that the Council's drainage engineers were satisfied that suitable arrangements could be made and the Planning Officer advised that submission of a full surface water drainage scheme was required by condition.

Dr Poskitt questioned why the building was designed to resemble a workshop and the Planning Officer advised that the Council's Conservation Officer had suggested that the new building should reflect the former use on the site.

The Planning Officer introduced the application.

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

Ms Sarah-Ellen Wooller, the occupier of a neighbouring property, sought leave to address the meeting. With the consent of the Chairman, Ms Wooller expressed her opposition to the application.

The Planning Officer then presented her report containing a recommendation of conditional approval and advised Members that the original consent only required the applicant to seek the Council’s written consent to fell the trees. She confirmed that the Council’s Forestry Officer was content to accept the loss of the trees.

Mr Beaney questioned whether one or two replacement trees should be provided. Mr Cotterill agreed that the trees should be felled and suggested that they could be replaced by a more suitable species such as prunus. Mr Haine questioned whether any tree would be suitable in that location

Mr Beaney proposed the Officer recommendation subject to an amendment to condition 5 to require the provision of a semi-mature tree. The proposition was seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

Permitted, condition 5 being amended to require the provision of a semi-mature replacement tree.

65 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

The meeting closed at 6:35pm.

CHAIRMAN