

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 8 January 2018

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, T B Simcox and C J A Virgin.

Denotes non-voting member

Officers in attendance: Phil Shaw, Catherine Tetlow, Michael Kemp, Paul Cracknell and Ben Amor

71 MINUTES

The Sub-Committee received and considered the minutes of the meetings of the Sub-Committee held on 4 and 6 December 2017.

The Chairman advised Members that a letter had been received from Mr Jim Clemence of the Friends of Evenlode Valley and West Oxfordshire Cotswolds seeking a number of amendments to the minutes in relation to the responses he had given to questions at the meeting on 4 December in relation to application 15/03099/FUL. Members agreed to amend the minutes accordingly.

Mr Beaney rejected the assertion that Officers had been over supportive of this application, indicating that they had simply put forward their professional assessment of the scheme. He also noted that Mr Neils Chapman, the Chairman of Hanborough Parish Council, had spoken in support of, not objection to, application No. 17/00309/FUL (Olivers Garage, 80-82 Main Road, Long Hanborough)

With regard to application No. 17/02749/RES (Land South of High Street, Milton-Under-Wychwood) Mr Haine indicated that he had stated that his preference was to see reconstituted stone and render, not brick and render, confined to the centre of the site.

RESOLVED: that, subject to the amendments detailed above and those requested by Mr Clemence as set out below, the Minutes of the meeting of the Sub-Committee held on 4 December, 2017, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

- (i) 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.

- (ii) In response to a question from Mr Beaney, Ms Langridge confirmed that YoungDementia UK was still associated **involved** with the project.

With regard to the minutes of the meeting of the Sub-Committee held on 6 December, the Development Manager drew attention to concerns raised by the applicant's agent in relation to consideration of Application No. 17/00642/OUT (Land East of Barns Lane, Burford) as set out in Agenda Item No. 1 He also advised Members that paragraph 4 at page 7 should read as follows:-

The Development Manager sought clarification of the refusal reason and the Sub-Committee confirmed that it considered that the harms occasioned by the development in both landscape and heritage terms were such that they **did not outweighed** the benefits provided.

Having regard to the concerns raised the Sub-Committee:-

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 6 December, 2017, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

72 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

73 DECLARATIONS OF INTEREST

Whilst not a disclosable interest, Dr Poskitt advised that she was a member of the Woodstock Town Council which was the owner of the Community Centre adjacent to 30 New Road, Woodstock, the site considered under application reference no: 17/01911/FUL.

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

74 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:-

17/01911/FUL; 17/02923/RES; 17/03174/FUL; 17/03423/FUL and 17/03174/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 17/01911/FUL 30 New Road, Woodstock

The Planning Officer introduced the application and reminded Members that the application had been deferred at the previous meeting of the Sub-Committee to enable a site visit to be held

The local representative, Mr J C Cooper 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. Whilst not a disclosable interest, Mr Cooper advised that he was a member of the Woodstock Town Council which was the owner of the Community Centre adjacent to the site.

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

Dr Poskitt concurred with Mr Cooper with regard to the concerns he had expressed over traffic generation and on-street parking in New Road. She also and also made reference to difficulties experienced by refuse collection vehicles as a result of extensive on-street parking and suggested that, should permission be given, a construction traffic management plan would be essential. Dr Poskitt informed the Sub-Committee there was limited parking at the Community Centre and expressed concern that further development in the vicinity could give rise to unauthorised use. Dr Poskitt also questioned whether there would be sufficient demand for two-bedroom flats in the vicinity given that the majority of existing properties were larger family homes.

Dr Poskitt proposed that the application be refused for the reasons set out above. The proposition failed to attract a seconder.

As Mr Postan noted that the average property price in West Oxfordshire was £340,000 and indicated that there was a need for less expensive properties to meet the needs of first time buyers. Whilst the current scheme was not ideal, he considered it to be acceptable and proposed that the application be approved.

In seconding the proposition, Mr Bishop acknowledged that there were traffic problems in the area but noted that sufficient parking provision was to be provided on-site. In consequence, he considered that the Council would be unable to defend a refusal at appeal.

Mr Beaney questioned if an extra condition could be added in relation to the appropriate use of bin storage. The Planning Officer advised that conditions could be added to ensure both this and provision of a construction traffic

management plan. Mr Postan and Mr Beaney agreed to revise their proposition to incorporate these additional conditions.

Dr Poskitt queried the location of the proposed planting and the adequacy of the access and associated vision splay.

The Development Manager advised that the Highway Authority was satisfied with the proposed arrangements and condition 8 required the means of access to be approved by the Local Planning Authority prior to first occupation of the dwellings.

Mr Simcox enquired when the County Council's parking standards had last been reviewed and questioned whether the current requirements were adequate. The Development Manager advised that a review had been conducted some four years previously when the requirements for designated spaces had been reduced in favour of an increase in visitor spaces. In response to a further question from Mr Simcox, the Development Manager advised that there was no access to the amenity space from the rear of the buildings.

Permitted subject to the following additional conditions:-

9. Development shall not begin until a construction traffic management plan has been submitted and approved by the Local Planning Authority and the approved plan shall be implemented and adhered to throughout the period of construction.
Reason: In the interests of Highway safety.
10. No part of the development shall be occupied until the facilities for the storage of refuse at the site have been approved in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.
Reason: To safeguard the character and appearance of the area.

14 17/02923/RES Land East of Nethercote Road, Tackley

The Principal Planner introduced the application and advised Members that the objections raised by the County Council had been resolved. She drew attention to condition 3 at page 26 of the report and advised that revised plans had been received. Samples of materials would still be required but the condition would have to be amended to refer to the approved plans. In conclusion, she advised Members that she would revisit the question of levels on the site when presenting her report.

Ms Dawn Chambers addressed the Meeting in objection to the application. A summary of her submission is attached as Appendix B to the original copy of these minutes.

The Principal Planner then presented her report containing a recommendation of conditional approval, with the applicants entering into a

Deed of Variation to take account of the omission of the on-site equipped play area originally proposed and an agreement with the County Council as outlined at paragraph 5.31 of the report. She also advised that there was a need to revisit the levels on the site as these were not as submitted by the applicants.

Mr Cottrell-Dormer thanked those Members who had attended the site visit that morning. He advised that he considered the footpath adjacent to the site to have no logical purpose and was also of the opinion that the properties nearest Balliol Close (units 60, 61 and 62) should be reduced to one and a half storeys in height so as to lessen their impact upon the existing properties. Without these amendments, Mr Cottrell-Dormer indicated that he would not be able to support the application as it stood.

Mr Bishop advised that his primary concern was in relation to ground levels and, in particular, the difference in levels between the development site and the existing properties in Balliol Close. He agreed with Mr Cottrell-Dormer's contention that the proposed footpath was superfluous and indicated that he disliked the layout of the site which had been conceived with little thought for the existing properties.

Mr Haine echoed the concerns expressed regarding the differing levels, noting that the properties in Balliol Close sat lower than the application site. He suggested that the proposed properties facing those in Balliol Close should be relocated.

Mr Cotterill suggested that it would be preferable if these properties could be moved further to the north and turned to face into the site. He also agreed that the proposed footpath should be deleted from the application. Significant planting would be required to reduce the impact of the development on existing properties.

Mr Cotterill also expressed concern that there were three properties directly adjacent to a footpath which, if left unshielded, would incur a loss of privacy. Significant planting would be required to reduce the impact of the development on these properties.

Mr Postan noted that, given the topography of the site, the proposed development would be visible for a considerable distance. In consequence, it was important to retain the wooded area in the long term and Mr Postan stated that he would wish to see a long-term maintenance plan for the site. To ensure its retention, Mr Postan suggested that ownership of the land should be transferred to the new householders.

In response, the Principal Planner advised that the management and future maintenance of the open space had been addressed by way of a legal agreement at outline stage. The only amendment proposed to that agreement was to acknowledge that a play area was not to be provided. Mr Postan sought an assurance that the terms of the agreement were such as to be durable. The principal Planning Officer confirmed that this had been

imposed as part of the Planning Inspector's decision and was not subject to further revision.

Dr Poskitt agreed with the deletion of the footpath and the relocation of the properties adjacent to Balliol Close. She noted that there was only a single footway along the main road on the opposite side to the development and questioned whether developer contributions could be sought for additional provision.

In response, the Principal Planner explained that the Highway Authority was satisfied with the existing arrangements and the Council could not impose such a requirement on this reserved matters application. In response to a further question she advised that discussions were ongoing with regard to the Parish Council assuming responsibility for the future maintenance of public open space.

Mr Colston sought clarification of the route of the existing bridleway and the point at which it crossed the rail track. He also agreed that the proposed footpath link should be deleted from the application.

Mr Beaney considered that the Parish Council should take control of the open space and questioned who would be responsible for the future maintenance of footpaths. The Principal Planner advised that the outline consent incorporated a condition regarding footpath lighting so this could be revisited if necessary. She noted that the landscaping scheme envisaged grassed areas and trees rather than dense planting so there would be a degree of natural surveillance.

Mr Saul enquired as to the purpose of the footpath. The Principal Planner advised that there was a long term aim to provide an alternative to the existing level crossing and this had been identified as the optimum route to a notional future crossing point. She confirmed that, should Members reject this proposal, an alternative route could be found.

Having due regard to the concerns expressed by Members, Mr Haine proposed that the Head of Planning and Strategic Housing be authorised to approve the application subject to the deletion of the footpath to the rear of Balliol Close, the re-siting and reduction in height of units 60, 61 and 62 to one and a half stories and to the provision of a satisfactory landscaping scheme.

The proposition was seconded by Mr Cottrell-Dormer and on being put to the vote was carried.

The Head of Planning and Strategic Housing be authorised to approve the application subject to deletion of the footpath to the rear of Balliol Close, the re-siting and reduction in height of units 60, 61 and 62 to one and a half stories and to the provision of a satisfactory landscaping scheme.

28 17/03174/FUL Foxglove Farm, Nethercote Road, Tackley

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

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

Permitted

33 17/03191/FUL Old Orchard, Woodstock Road, Stonesfield

The Planning Officer introduced the application.

The applicant, Mr David Rollinson, 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 then presented his report containing a recommendation of refusal.

Mr Bishop expressed his support for the Officer's recommendation, indicating that, whilst he had no objection to the principle of development, he disliked the frontage element as currently proposed. However, he suggested that Members may wish to undertake a site visit in order to assess the impact for themselves.

Mr Cotterill and Mr Haine concurred, indicating that a site visit would enable Members to assess the relationship between the existing and proposed dwellings on-site. Mr Haine noted that the site was within a Conservation Area.

Mr Cottrell-Dormer indicated that he did not like the design and would wish to see the application refused.

Mr Postan suggested that to refuse the application on design grounds would be to do so based upon personal taste. He noted that, at the time of their construction, nearby properties would have been considered avant-garde. Such development added variety to the street scene and reflected the random nature in which settlements evolved.

Dr Poskitt stated that her objection was not based upon matters of taste but on the impact of the proposed extension to the front of the property. Given recent experience with modern methods of construction, she stressed that it was important to ensure that any development approved was built out in accordance with the plans.

Mr Saul and Mr Virgin expressed their support for a site visit and Mr Postan acknowledged that this would enable clarification of the parking arrangements proposed.

Having been proposed and duly seconded the proposition of deferral was put to the vote and was carried.

Deferred to enable a site visit to be held.

(Mr Beaney left the meeting at this juncture)

40 17/03423/FUL The Grange, Woodstock Road, Charlbury

The Development Manager introduced the application and reported receipt of additional observations received from Mr Jim Clemence on behalf of the Friends of the West Oxfordshire Cotswolds.

He made it clear that reference at paragraph 5.11 of the report to the site being 'previously developed land' was not intended to suggest that it was defined as such in terms of the National Planning Policy Framework.

The Development Manager also advised that the applicant's agent had confirmed that his clients were prepared to increase their contribution towards off-site affordable housing provision to £60,000.

Mr Jim Clemence addressed the meeting on behalf of the Friends of the West Oxfordshire Cotswolds in opposition to the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

Mr Pether 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 E to the original copy of these minutes.

The applicant, Mrs Reynolds, then addressed the meeting in support of the application. A summary of her submission is attached as Appendix F to the original copy of these minutes.

The Development Manager then presented his report. He advised that it was for Members to determine the extent of the existing built up area of the settlement; a judgement that would have to be made in light of previous decisions. He stressed that, whilst the Council believed that it had a five year housing land supply, it was unable to demonstrate this as fact without receiving confirmation through the Local Plan process.

With regard to the comments made by the Town Council he advised that the level of developer contributions towards off-site affordable housing provision put forward by the applicant's agent reflected the anticipated level of Community Infrastructure Levy of £20,000 per unit. Of this sum, £10,000 would be for the provision of affordable housing leading to an increased offer of £60,000.

He advised that, whilst Officers had sought to secure a footway to the frontage of the site, this had not been identified as a requirement by the

Highway Authority. In consequence, the Council could not defend a refusal based upon the absence of such provision. The Development Manager advised that no other developer contributions had been sought.

Mr Haine noted that a previous application on the site had been refused and sought clarification of the variation between this and the current application. In response, the Development Manager advised that the previous proposals envisaged buildings of greater mass whilst those put forward in the current application would appear less dominant.

Mr Haine noted that the site was within the Area of Outstanding Natural Beauty and suggested that the level of developer contribution of £20,000 per property suggested by the Town Council was not unreasonable given the expected retail price and value of the proposed properties.

Mr Postan considered the application to represent an acceptable extension of an already built up area of Charlbury and acknowledged that provision of a footpath link would be problematic. He considered the contribution towards the provision of affordable housing offered by the applicant was not generous and expressed regret that the proposed properties were conventional in design and lacked variation.

The Officer recommendation of conditional approval was proposed by Mr Postan and seconded by Mr Cotterill.

Dr Poskitt noted that the site faced a busy road which could present a danger to children. However, without support from the Highway Authority, she agreed that this did not constitute grounds for refusal.

Mr Haine maintained the view that, whilst development was acceptable in principle, the level of developer contribution towards affordable housing was inadequate. Mr Colston concurred, suggesting that a minimum of £20,000 per property should be required.

The Development Manager explained that, if the applicants were to submit a revised application for five new dwellings, there would be no requirement for contributions to affordable housing provision.

Mr Virgin expressed his opposition to the application as he believed that it would establish a precedent for further development. Mr Bishop considered this to be a well thought out scheme to be carried out by a good quality developer. He did not see the need for a footpath link from a scheme of this nature.

Mr Cottrell-Dormer suggested that consideration of the application should be deferred to enable further negotiation with the applicant regarding affordable housing contributions. Mr Postan concurred as he considered a contribution of £120,000 to be more appropriate. Mr Cotterill accepted the suggestion of deferral as an alternative way forward.

Mr Bishop cautioned that an application for fewer than six properties would not attract a requirement for any contribution towards affordable housing.

Mrs Crossland indicated that she was unhappy with the application. This was a 'top end' high quality development and she noted that the Town Council had indicated that the town was in need of smaller, more affordable properties. She expressed her support for an increased developer contribution of £120,000.

The proposition of approval was withdrawn and it was proposed and duly seconded that the Head of Planning and Strategic Housing be authorised to approve the application subject to the applicants entering into a legal agreement to secure the sum of £120,000 towards the provision of off-site affordable housing.

On being put to the vote the proposition was carried.

RESOLVED: That the Head of Planning and Strategic Housing be authorised to approve the application subject to the applicants entering into a legal agreement to secure the sum of £120,000 towards the provision of off-site affordable housing.

(Mr C J A Virgin requested that his vote against the foregoing application be so recorded.

75 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.

76 WEAVELEY ARBORETUM NATURAL BURIAL GROUND, TACKLEY

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 application by the Sub-Committee in February.

RESOLVED: That a site visit be held on Thursday 1 February 2018.

The meeting closed at 4:30pm.

CHAIRMAN