

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the Meeting of the  
**UPLANDS AREA PLANNING SUB-COMMITTEE**  
held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxon  
at 2.00pm on Monday, 4 June 2018

### PRESENT

Councillors: J Haine (Chairman), D A Cotterill (Vice-Chairman) A H Al-Yousuf, R J M Bishop, N G Colston, J C Cooper, C Cottrell-Dormer, Ms M E Davies, E J Fenton\*, D N Jackson, Dr E M E Poskitt and G Saul

(\* Denotes non-voting Member)

Officers in attendance: Kim Smith, Sarah de la Coze, Phil Shaw and Paul Cracknell

#### 4 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Mr Cooper on his return to the Sub-Committee and congratulated Ms Davies and Mr Jackson on their recent election and appointment to the Sub-Committee. He also welcomed Mr Fenton who was attending in an ex-officio non-voting capacity as Vice-Chairman of the Development Control Committee and Dr Al-Yousuf who was attending in place of Mr Postan.

#### 5 MINUTES

**RESOLVED:** that the Minutes of the meetings of the Sub-Committee held on 30 April and 16 May, 2018, copies of which had been circulated, be confirmed as correct records and signed by the Chairman.

#### 6 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from A C Beaney and A H Al-Yousuf attended for A H K Postan,

#### 7 DECLARATIONS OF INTEREST

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

#### 8 APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Head of Planning and Strategic Housing giving details of applications for development, copies of which had been circulated. A schedule outlining additional observations received following the production of the agenda was circulated at the meeting, a copy of which is included within the Minute Book.

**RESOLVED:** that the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in the report of the Head of Planning and Strategic Housing, subject to any amendments as detailed below:

3 17/03745/OUT The Driving Centre, Enstone Airfield, Enstone, Chipping Norton

Members noted that the report on this application had been withdrawn from the agenda and that no consideration of the application would take place.

49 17/04153/FUL 60 West Street, Chipping Norton

The Senior Planner introduced the application.

Mr Carl Laidler 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.

Mr Jonathan Llewellyn of complete oak homes 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 Senior Planner then presented her report.

Mr Saul noted that, whilst there had been 18 objections to the application, the applicants had made efforts to improve the proposals to make them more acceptable to local residents. He believed that the applicants were correct in their assertion that there was little else that they could do.

The objectors had suggested that the proposal was an over-development of a back land site and that the development would be overbearing and out of keeping with existing properties in both scale and design. In addition, concerns had been raised over parking and highways considerations and in relation to the impact on residents during construction.

Whilst he considered that a case could be made that the application was inappropriate in terms of policies OS2 and OS4 of the emerging Local Plan, Mr Saul suggested that the conditions proposed were sufficient to address the concerns that had been raised. With regard to concerns in relation to overlooking, he noted that No. 2 Bell Yard was situated across the lane.

Mr Saul indicated that, on balance, he was prepared to support the Officer recommendation of approval but would also support deferral for a site visit should Members less familiar with the site feel it necessary.

Mr Haine proposed deferral, suggesting that, in equity, it would be preferable if Members were given the opportunity to assess the potential impact of development on the site. The proposition was seconded by Mr Cotterill.

Ms Davies noted that Mr Laidler had suggested that the development would not comply with Building Regulations and questioned whether, if correct, this would preclude the grant of planning permission. In response, the Development Manager explained that compliance with Building Regulations was not a relevant planning consideration.

However, it was possible that issues such as this and the existence of personal property rights could make it impossible to implement a valid consent.

Dr Poskitt expressed her support for a site visit and questioned the parking arrangements for the existing property. The Senior Planner advised that the site had provided parking for 60 West Street but the owners had disposed of their interest in the land. However, parking provision for that property was to be made under the new development by way of a 'flying freehold'.

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

Deferred to enable a site visit to be held.

57 18/00632/S73 Willowbrook, Radford, Chipping Norton

The Principal Planner (Enforcement) presented her report.

She stressed that the current application only related to amendments to the fenestration detail and advised that, as the French windows to the rear of the property faced onto land in the applicant's ownership, concerns raised in relation to overlooking were not relevant.

Objectors had also raised concern over a 'large skylight' installed in the flat roofed element of the building. The Principal Planner advised that this was a small window intended to provide light to a loft space which Officers considered to be a non-material amendment.

Whilst he would have preferred to see the existing cottage on the site demolished, Mr Colston expressed his support for the Officer recommendation as the revised fenestration did not give rise to overlooking.

The Principal Planner confirmed that initial concerns over materials had been addressed and that both materials and workmanship were of a good standard.

The Principal Planner advised that, as no condition requiring the demolition of the existing building had been applied to the outline consent, this could not be required at reserved matters stage. However, having spoken to the developer, she advised that, whilst the building had been re-roofed and tidied up, the intention was to sell the site as a single entity. The layout was such that it was most unlikely that the cottage could be sold as a separate unit and the Principal Planner believed that it would remain ancillary to the new dwelling.

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

Mr Cottrell-Dormer asked whether a condition could be applied requiring that the cottage remain in ancillary use and the Development Manager advised that efforts to achieve this had been unsuccessful.

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

Permitted

9 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.

The Development Manager advised that it was intended to challenge the Inspectorate's decision in relation to application No. 17/00426/OUT (Land South of Oxford Road, Enstone).

The meeting closed at 2:45pm.

CHAIRMAN