

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 2:00 pm on **Monday 1 October 2018**

PRESENT

Councillors: Jeff Haine (Chairman), Andrew Beaney, Richard Bishop, Nigel Colston, Julian Cooper, Charles Cottrell-Dormer, Merylyn Davies, Ted Fenton*, David Jackson, Elizabeth Poskitt, Alex Postan and Geoff Saul

(* Denotes non-voting Member)

Officers in attendance: Phil Shaw, Sarah De La Coze, Chloe Jacobs and David Bloomfield.

29. MINUTES

The Chairman advised Members that there was an error in the final paragraph on page 2 of the Minutes in that it reads that “Councillor Jackson advised that, whilst he was a Member of the Steeple Barton Parish Council, he had not been party to discussions..” It should read “Councillor Jackson advised that he was not a Member of the Steeple Barton Parish Council and had not been party to discussions...”

Councillor Beaney advised that in the final sentence in the fourth paragraph on Page 3 of the Minutes, it reads “He accepted reasons 3 and 5 but suggested that reason 4 could be addressed by condition.” He advised that this should read “He accepted reason 3 but suggested that reasons 4 and 5 could be addressed by condition.”

It was also pointed out that on page 11 of the Minutes the fifth paragraph reads “The amendment was put to the vote and was lost.” It should have read “The amendment was put to the vote and was carried.”

Subject to the above matters it was:

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 3 September 2018, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

30. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Councillor Cotterill.

31. DECLARATIONS OF INTEREST

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

32. 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 and published on the website.

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 17/03671/FUL Knott Oaks, Woodstock Road, Stonesfield

The Planning Officer introduced the application containing a recommendation of approval. She considered that the application was a logical complement to Stonesfield and that the materials were acceptable. She highlighted that conditions were included to require samples of materials to be provided and to require the window serving the bedroom to be obscure glazed and fixed shut to avoid overlooking, and confirmed that no objections had been received from the Highway Authority.

Councillor Bishop commented that this site called out for development and that he knew the site well. He felt it was an imaginative proposal and he had no objection in principle although he did have reservations over the cladding which did not match other properties in Woodstock Road. He commented that the roofing materials proposed had caused discussion on the Parish Council as it was considered not in keeping with Woodstock Road. He added that the Parish Council was divided on the application. He then proposed the Officer recommendation and asked whether the cladding could be looked at.

The proposition was seconded by Councillor Postan.

The Planning Officer advised that the Council could not be too prescriptive over the materials as they were included in the Design Guide.

Councillor Poskitt commented that she did not like the materials or the large wall without windows. Councillor Cooper felt that slates should be used in Stonesfield and added that he would vote against the proposal in order to secure better materials for the roof. Councillor Jackson asked why a metal roof when other more natural materials were available.

Councillor Davies asked whether there had been any neighbour objections and was advised that there had not been any. Councillor Saul felt that the condition requiring that samples of the materials be provided would cover the matter and he considered that it was an imaginative design.

Councillor Cottrell-Dormer pointed out that a number of churches now used this type of roofing and he had no concerns over the application.

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

Permitted.

10 18/01461/HHD 19 Sandford Rise, Charlbury

The Planning Officer introduced her report setting out details of the site location and both the existing and proposed elevations.

Mrs Carina Loweth addressed the meeting in opposition to the application. A summary of her submission is attached as Appendix A to the original copy of these minutes.

Mr Peter Smith, the Applicant, 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 which contained a recommendation of conditional approval.

Councillor Poskitt felt that there were complicated issues involved and she proposed that consideration of the application be deferred to enable a Site Visit to take place. The proposal was seconded by Councillor Davies who commented that there were emotive issues and that the best outcome needed to be found.

Councillor Cooper advised that he knew the Applicant but did not consider that he had a prejudicial interest and added that supported the proposal for a site visit.

The proposal was the put to the vote and was carried.

Deferred for a Site Visit on Thursday 1 November at 9:30 am

15 18/02054/FUL 41 Manor Road, Bladon

The Development Manager introduced the report and referred Members to the further comments set out in the Report of Additional Representations. He added that a further three objections had now been received and that he had not received an objection from the Parish Council. He reminded Members of the history of the previous applications in respect of the site. (*Post Committee Note: The Parish Council objection was received by the Development Manager following the conclusion of the meeting*).

Dr John Jones addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix C to the original copy of these minutes.

Councillor Derek Hambridge of Bladon Parish Council 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.

Mr David Dunphy, the Applicant, addressed the meeting in support of the Application. A summary of his submission is attached as Appendix E to the original copy of these minutes.

The Development Manager then presented his report highlighting how the scheme as proposed had taken on board some of the Members' previous suggestions. He added that following the adoption of the Local Plan, Policy H2 now had full weight. The site was within the existing settlement and was a logical complement to existing development. He considered that the impact on the Conservation Area was acceptable and it did not impact on the World Heritage Site. He confirmed that the Highway Authority had no objections and the trees would not now be under pressure. He considered that the application was now acceptable and recommended approval with conditions to cover the matters set out at the end of the report.

Councillor Poskitt asked what the distance between the existing property and the new development was and was advised that it was five metres. She still considered that it was overdevelopment. The existing property would be overlooking the development in close proximity and would be less attractive for sale than previously. She proposed that the application be refused.

The Development Manager advised that the windows in the existing property most affected did not serve principal rooms and these rooms also had other unaffected windows.

Councillor Cooper seconded the proposal to refuse. He believed that the applicant did not feel the previous refusal to have been unreasonable. He added that he did not consider that the application was acceptable for the very significant village of Bladon.

Councillor Beaney considered that the application should be deferred as he would like to see full details of any proposed conditions. He felt that the applicant had moved a long way so far. He added that it would be difficult to safeguard the existing property.

Councillor Saul noted Mr Beaney's comments and indicated that the main concerns he had had been met by this proposal and that the applicant had worked with Officers to meet concerns.

Councillor Postan stated that the main thrust of the objections was in respect of the impact on the Conservation Area. In his view, the existing property was not in keeping. The trees, bank and coppice would not be affected by the proposals. He added that he agreed with the excellent comments made by Mr Beaney regarding safeguarding.

Councillor Fenton asked whether the bank could be protected and whether there was room for delivery vehicles to access the site.

The Development Manager replied that conditions for fencing would deal with that matter.

Councillor Poskitt advised that she did not like parking nose to tail as set out on the plans. She did not feel that the situation had been improved with blocking of views from the existing house.

Councillor Davies considered that the applicant had done what had been requested but there were still problems and she felt the application should be deferred in order to obtain the full conditions.

Councillor Cottrell-Dormer agreed that the applicant had done all he could to meet stated concerns.

The proposal that the application be refused was then put to the vote and was defeated.

Councillor Beaney proposed that the application be deferred to enable full details of the conditions to be prepared for the next meeting. This proposal was seconded by Councillor Davies and on being put to the vote was carried.

Deferred

25 18/02071/HHD 18 Sandford Park, Charlbury

The Planning Officer introduced her report and referred Members to the comments set out in the Report of Additional Representation noting that there were no changes in the comments from the Highway Authority.

Mr Robin Moffatt 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.

Councillor Postan asked Mr Moffatt if he felt cars could exit safely from the proposed access, Mr Moffatt replied that there was no layby to give visibility and he did not believe it to be safe.

Councillor Leffman, the local Ward Member, addressed the meeting in respect of the application. She considered that this should be treated as a new plan. The previous plan was for a new house, this was for an extension to an existing house. The gate proposed onto The Slade needed therefore to be considered on its own merit in the light of this change. In spite of the OCC Officers report, there had been an accident recently opposite the place where this gate was proposed. A footpath close by was a hazard. The egress was proposed on a steep hill on which speeding traffic was often recorded.

Councillor Poskitt asked if the OCC Officer had visited the site and Councillor Leffman said that she did not know.

Mr Peter Smith, the Agent for the Applicant, addressed the meeting in support of the application. A summary of his submission is attached as Appendix G to the original copy of these minutes.

The Planning Officer then presented her report which contained a recommendation of conditional approval. She considered that the development would preserve the Conservation Area, Listed Buildings and the AONB and would not cause significant detrimental harm to visual or neighbouring amenity.

Councillor Haine by way of clarification referred to Paragraph 4.2 of the report which said that Charlbury Town Council had requested that the application come to the Sub-Committee and pointed out that the reason it had come to the Sub-Committee was that the Town Council had objected to the application.

Councillor Beaney pointed out that the extant permission could be carried out and felt that the application should be approved as it would reduce traffic using the access. He suggested that the access should be constructed before the extension. He also commented that there should be closer liaison between the Police and the County Council in respect of accident reports and suggested that a letter be sent to the County Council.

The Development Manager indicated that he would write to the County Council as suggested and added that Condition 7 required a traffic management plan to be submitted. He also suggested an informative requesting that the access be constructed prior to construction of the extension.

Councillor Beaney then proposed the Officer recommendation and the proposal was seconded by Councillor Colston.

Councillor Davies commented that the only issue was speeding vehicles which was not the remit of the Council. She saw nothing wrong with the application.

Councillor Bishop had no objections to the application. Although he had reservations over the access the Council had no room to manoeuvre in view of the extant permission, which was a barrier to a refusal.

Councillor Fenton commented that on the plans the existing approved access looked bigger and asked if that could be checked. He also wondered if the applicant could be requested to make a contribution in respect of traffic calming.

The Development Manager commented that Condition 5 would deal with the access and added that it would be hard to argue a case for a contribution to traffic calming.

Councillor Cooper reminded Members that he knew the Agent but did not consider that he had a prejudicial interest. He commented that Mr Moffatt had presented some very good information but that the extant permission significant.

Councillor Poskitt asked if there was sufficient protection for the hedge and was advised that this was covered by Condition 10.

The proposal was then put to the vote and was carried.

Permitted, subject to the following additional condition:

11. A detailed plan showing the new location of the summer house is to be submitted to the Local Authority prior to it being erected back on site

REASON: To safeguard a feature that contributes to the character and landscape of the area.

33. PLANNING APPLICATION REFERENCE 15/03099/FUL, LAND AT FOREST ROAD CHARLBURY - APPLICATION WHERE DECISION NOT ISSUED

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing which updated Members as to progress with regards to the resolution to approve but where, as yet, a decision had not been issued and requested Members to reconsider the planning balance in light of the new prevailing circumstances.

The Development Manger reported receipt of representations from the Friends of the West Oxfordshire Cotswolds and Mr Evans which had both been sent separately to Members and confirmed that the AONB Board maintained its objection. A representation in support had been received from Mrs L Gomm, a local resident. He then advised Members of two errors in the report.

In Paragraph 4.3 the quote stated to be from the emerging Charlbury Neighbourhood Plan 2018 was not in fact part of the Plan but was from a report of the forum group.

In Paragraph 5.10 the fourth line from the end referred to the Upper Windrush Valley and it should have read the Upper Windrush Valley and the Wychwood Project Area.

Councillor Graham, the local Ward Member, addressed the meeting in respect of the application. He said that this application had been with the Council for some time and that the Sub-Committee had approved the plan previously. The application had divided opinion. He considered the affordable housing aspect of the application to be important. On balance he was assured that there was a good mix of houses, which was needed. He believed that that the application provided further affordable housing, and was a reflection of need. The proposed

Section 106 agreement would be of benefit to the town. He hoped that Members would approve the plan as it was better than previously.

Caroline Langridge, Chair of Young Dementia UK Homes, addressed the meeting in support of the application. A summary of her submission is attached as Appendix H to the original copy of these minutes.

Mr Ian Cox 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.

Mr Clements addressed the meeting in opposition to the application. He commented that this was the fifth time the application had come before the Sub-Committee. The first time it was refused as non-compliant with Policy. It was then approved as being compliant with the emerging Local Plan, which he disputed as it was not on the edge of the settlement. The site was not compliant. The scheme had great merit but this was not the right site. The AONB was a special place and this did not comply with policy or with the new Local Plan.

The Development Manager then presented his report. He set out in detail the key changes that had occurred since the last resolution and gave his assessment as to whether those changes had a material bearing on the balancing exercise, and set out a revised planning balance summary.

The Development Manager pointed out that advice had been sought from Counsel and that the report reflected the advice given.

Councillor Haine referred Members to the contents of a previous Planning Inspector's decision letter. He felt that this application was not in a sustainable location as it was outside of the town within the AONB and close to the Conservation Area. The core building was large and modernistic and he could not support the application.

Councillor Beaney commented that he supported the application, which provided more affordable housing units which was welcomed, as were the Dementia units. He added that the site was not in open countryside and he proposed the Officer recommendation.

Councillor Postan seconded the proposal and felt that the benefits of the scheme outweighed the harm.

The Development Manager commented that it was a judgement for decision makers as to whether an application was a major or minor proposal. Officers considered this to be a minor proposal but it had been tested against those policies which would apply were it a major development as well. The sustainability was the same as previously. Young Dementia felt this was the best site for them having looked at a number of possible sites. Members needed to decide if they felt the site was within the built up area but it was the same as before.

Councillor Poskitt considered that this was not a major development and asked if the affordable units would be affordable in perpetuity. The Development Manager replied that the units were to help meet local needs but that he understood that the Right to Buy might apply.

Councillor Fenton asked for how long the discounted units would be discounted and was advised that these would be in perpetuity.

Councillor Bishop said that he had voted for the scheme previously and that everything he had read in the report and heard at the meeting confirmed his support.

Councillor Saul commented that he had no reason to change his opinion. There was an excellent mix of units and he supported the proposal.

Councillor Colston considered that the impact on the AONB was too great and that it was the wrong site for the development and he could not support it.

Councillor Cottrell-Dormer agreed with the comments of Mr Colston and confirmed that he could not support it.

The proposal was then put to the vote and was carried.

RESOLVED: That the application be approved subject to conditions and a legal agreement and that the Development Manager be granted authority to proceed to issue the decision.

Councillor Jackson left the meeting at this juncture.

34. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined by the Head of Planning and Strategic Housing under delegated powers together with an appeal decision was received and noted.

The Development Manager reminded Members of the long history in respect of the enforcement action in respect of Orchard Cottage, Churchill and explained the background to the service of the three notices and the reasons behind the Inspector's decisions. He asked Members whether they wished him to carry out any further action in respect of the site.

Councillor Beaney asked if there was a likelihood of someone else moving onto the site when the current occupier died. The Development Manager indicated that it was possible that the successors in title may want to do so.

Councillor Beaney then proposed that the Development Manager should take further action.

Councillor Colston asked how large the site was and on being advised that it was about the size of 3-4 tennis courts, seconded the proposal.

Councillor Saul felt that it should be pursued to prevent the use becoming permanent.

Councillor Cottrell-Dormer asked whether the decisions of the Inspector could be challenged and the Development Manager explained that it could although it may be difficult to argue that he had erred in law.

Councillor Davies asked what the cost implications of a challenge could be and the Development Manager said it could be tens of thousands of pounds.

Councillor Cottrell-Dormer felt that it was not worth spending any more time on the matter.

Councillor Postan believed that Members should make a stand on this.

The proposal was then put to the vote and was carried.

RESOLVED: That the Development Manager be requested to take further action in respect of this site.

The meeting closed at 4:35 pm.

CHAIRMAN