

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 5 November 2018**

PRESENT

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

(* Denotes non-voting Member)

Officers in attendance: Phil Shaw, Chloe Jacobs, Declan Jermy and David Bloomfield.

35. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 1 October 2018, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

36. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

37. DECLARATIONS OF INTEREST

Councillor Cooper declared conflicts of interest in application numbers 18/01288/FUL (Tite Inn, Mill End, Chadlington) and 18/01461/HHD (19 Sandford Rise, Charlbury) as the agent and applicant were known to him. He did not consider these conflicts to be prejudicial and stated that he would remain in the meeting during consideration of these applications and would speak and vote on them.

38. 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.

(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:-

18/01288/FUL, 18/01461/HHD, 18/02054/FUL and 18/02816/S73.

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 18/01288/FUL Tite Inn, Mill End, Chadlington

The Development Manager introduced the report and set out details of the site and the proposed development.

Mr Peter Smith, the Agent, addressed the meeting in support of the application. He commented that the process had been a long one involving three pre-application advice processes and two planning submissions over two years. Several designs had been put forward and amended in line with Case Officer and Conservation Officer recommendations. Similarly, several site positions and attitudes were explored. The Applicant was supportive of these revisions as they were keen to achieve Officer support and in his view the Case Officer had summed up the application perfectly. There was also a social dimension to the application as support for the pub/restaurant business should be helped by provision of a separate house for the owners and potentially allowed the business to be kept viable when the present landlord and his wife retired. He commended the Officer conclusions to the Sub-Committee.

Councillor Poskitt asked what was meant by “irregular concrete Cotswold slates” and Mr Smith advised that it referred to imitation Stonesfield slates of different sizes.

The Development Manager presented the report. He advised that the site was within the Area of Outstanding Natural Beauty and that the development was not considered to have an adverse impact on this area of the AONB and would conserve the wider AONB.

He commented that Policy H.2 of the adopted Local Plan applied in this case, and stated that in villages, development on undeveloped land adjoining the built up area was acceptable where convincing evidence was presented that it was necessary to meet identified housing need. When the proposal was first submitted, the Local Plan had not been adopted and in view of the length of time that had elapsed and the series of amended plans that had been submitted, he was taking a more generous interpretation of Policy H.2 than would normally be the case. Officers were content with the current plans and the Highway Authority had raised no objections and he advised that his recommendation was one of conditional approval.

Councillor Haine considered the proposal to be rounding off and had no problem with the application.

Councillor Beaney commented that he also had no objections to the application but asked whether a parking condition should be included. The Development Manager advised that one would not be necessary in this case.

Councillor Cooper referred to an application in Woodstock which he felt was similar to this application and which had been refused. He felt that it was a very marginal decision and he proposed that consideration of the application be deferred to enable a site visit to be carried out. The proposal was seconded by Councillor Poskitt but, on being put to the vote, the proposal was defeated.

Councillor Colston proposed the Officer recommendation and this proposal was seconded by Councillor Cottrell-Dormer who felt it was a good site for development.

Councillor Jackson considered that keeping the business viable was important and that if the application was likely to help this then he would support it.

Councillor Saul agreed that supporting local pubs in villages was important.
The proposal was then put to the vote and was carried.

Permitted.

10 18/01461/HHD 19 Sandford Rise, Charlbury

Councillor Haine referred Members to the comments of the neighbour which were set out in the Report of Additional Representations.

The Development Manager introduced the report setting out details of the site location and both the existing and proposed elevations and referred to the site visit that Members had undertaken.

Mr Peter Smith, the Applicant, addressed the meeting in support of the application. He commented that the previously approved design had lapsed. He had agreed in consultation with the Case Officer to construct the new utility room wall 200mm back from the boundary. The existing fence would be left intact and there would be minimal impact on number 18. The new utility room wall and flat roof would line in with the existing garage rear roof eaves and the stone wall would match the existing.

The Development Manager presented the report and commented that the proposal was acceptable on its planning merits and would preserve this area of the Conservation Area and the Cotswold AONB and would not have an adverse impact on neighbouring amenity. He advised that the recommendation was one of conditional approval.

Councillor Cotterill commented that he had no objections to this application and proposed the Officer recommendation. He added that there would be no loss of sunlight to the window as it was north facing.

Councillor Jackson seconded the proposal and commented that he had found the site visit to be very useful. He did not consider the extension of the wall to be intrusive.

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

Permitted.

(Councillor Postan joined the meeting during consideration of the above application)

15 18/02054/FUL 41 Manor Road, Bladon

The Development Manager introduced the report and reminded Members of the history of the previous applications in respect of the site.

Mr Richard Gray 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.

Councillor Derek Hambridge of Bladon Parish Council addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix B 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 C to the

original copy of these minutes. He also commented that he had tried to attend a Parish Council meeting but that when he arrived there was no one present. He added that a further proposal in respect of the existing dwelling had been submitted in October but he had been advised that it would not be registered until mid-November.

Councillor Cooper commented that the Parish Council was always open to meeting with developers and asked Mr Dunphy which meeting he had tried to attend and also queried what registration he was referring to. Mr Dunphy replied that he thought the meeting was in May but that he would confirm that to Councillor Cooper. The registration was in respect of an application to remove the existing dwelling.

Councillor Haine advised that registration of applications was currently taking four weeks mainly due to staff shortages.

The Development Manager reminded Members that the present application should be considered on its own merits and that any future application would then be considered on its own merits. He acknowledged that there was a delay in registrations currently as there had been a long delay in appointing a team leader. He hoped that this post would be filled in the near future.

He reminded Members that consideration of the application had been deferred at the last meeting to enable full details of proposed conditions to be prepared and referred Members to the conditions that the Parish Council wished to see included.

The Development Manager confirmed that the recommendation was one of conditional approval and he then set out in detail the proposed conditions.

Councillor Poskitt referred to the nose to tail parking shown on the plans and asked whether the Highway Authority had commented on this. The Development Manager advised that the Highway Authority had been consulted and had raised no objections.

Councillor Poskitt added that it was important to maintain/retain the bank and that a construction plan was important. She added that she did not like the proposals and considered it to be worse than the previous applications.

Councillor Cooper considered Bladon to be a special village and he commended to Members the comments of the Parish Council set out in the Report of Additional Representations. He did not consider the proposed conditions to be strong enough.

Councillor Beaney believed that the Officers had gone above and beyond with the conditions which he considered to be very good. He did however have slight queries regarding the responsibility under Conditions 5, 8 and 13.

The Development Manager explained that the responsibility under Condition 5 would rest with whoever owned the land on which a particular tree was located. Condition 8 would ensure protection of the retained features and Condition 13 would cover detailed responsibilities for the copse area and hedgerows.

Councillor Beaney proposed the Officer recommendation.

Councillor Postan seconded the proposal. He commented that he did not consider the objectors to be NIMBYs but that he did not see any true or real harm in the application. He added that he would like to see the use of storm cells and fat traps included in the drainage condition.

The Development Manager advised that an informative note regarding storm cells and fat traps could be added following Condition 17.

Councillor Fenton commented that the impact on the local roads would be significant and that he was pleased to see the content of Condition 18. He asked whether the condition was strong enough, and the Development Manager confirmed that he considered that it was.

Councillor Cotterill commented with regard to Condition 13 that the Parish Council had been keen on a Legal Agreement and he asked whether the Parish Council would be able to take responsibility for the Landscape Management Plan. The Development Manager replied that it would be acceptable.

Councillor Bishop commended the Development Manager on the content of the conditions. He added that there was no point in agreeing detailed conditions if the Council was not able or willing to pursue associated enforcement.

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

Permitted, subject to the addition of the following note after condition no. 17:

NB. In order to secure compliance with the above condition the applicant is strongly encouraged to incorporate on site storm storage cells and fat traps.

(Councillor Cooper and Councillor Poskitt each requested that their vote against the decision be recorded).

29 18/02158/FUL 40 Plum Lane, Shipton-under-Wychwood

The Development Manager introduced the report which contained a recommendation of approval. He advised that a further letter of objection had been received from Mr Bowerman. He referred Members to the comments of the Applicant set out in Paragraph 3.6 of the report. He added that he did not consider the proposals to have a material impact on the Conservation Area or the Area of Outstanding Natural Beauty. He confirmed that the Highway Authority had no objections and he advised that the recommendation was one of conditional approval subject to an additional condition regarding car parking.

Councillor Haine advised Members of a similar application in Milton-under-Wychwood that had been approved under delegated powers and that the application was for a change of access and not a change of use.

Councillor Cotterill proposed the Officer recommendation. The proposal was seconded by Councillor Colston who asked for confirmation that the surfacing would be gravel and not tarmac. The Development Manager confirmed that it was intended to be a gravel surface.

Councillor Beaney queried the wording of Condition 3 as it appeared to suggest that the access would be lit. The Development Manager confirmed

that it would not be and that the word lit would be removed from the condition.

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

Permitted, subject to the deletion of the word “lit” from the third proposed condition, and to the following additional condition:

All of the boundary enclosures shall be put in place prior to the first use of the access hereby approved which following its completion shall be used solely for the passage of vehicles to and from the host dwelling and for no other purpose, including the parking of vehicles or any other ancillary domestic use, without the prior express planning permission of the Local Planning Authority.

REASON; To limit the visual impact of the access land on the Area of Outstanding Natural Beauty and Conservation Area.

36 18/02899/FUL Highcroft, 8 Farley Close, Stonesfield

The Planning Officer introduced her report which contained a recommendation of approval.

Councillor Bishop considered that the site was right for development and that there would be no overlooking. He felt that the proposal was infilling and he proposed the Officer recommendation. The proposal was seconded by Councillor Cottrell-Dormer.

Councillor Beaney noted that the Parish Council had concerns regarding the materials proposed and the Planning Officer advised that these were considered to be an appropriate contrast to the existing properties.

Councillor Poskitt thought that the proposals looked larger when compared with the existing properties. The Planning Officer advised that the size had been reduced from the original proposal and that it was considered suitable for the size of the plot.

Councillor Cooper commented that the development looked tight to him and he proposed by way of amendment that consideration of the application be deferred to enable a site visit to be carried out. The amendment was seconded by Councillor Poskitt and on being put to the vote was defeated.

The proposal that the application be approved as per the Officer recommendation was then put to the vote and was carried.

Permitted.

43 18/02816/S73 Valhalla, Church Street, Stonesfield

The Planning Officer introduced his report and pointed out to the Sub-Committee that the consultation period had not yet expired.

Mr Derek Hobbs, the Applicant, then addressed the meeting in support of the application. A summary of his submission is attached as Appendix D to the original copy of these minutes.

The Planning Officer presented his report which contained a recommendation of conditional approval. He confirmed that the increase in height was 110mm and not 400mm as set out in the report. He added that it was not considered

that the proposals would have an adverse impact on the AONB or the Conservation Area.

Councillor Bishop commented that it was a difficult application, made retrospectively. He did not like such applications and he could not endorse the Officer recommendation. He added that he was also unable to recommend refusal on planning grounds. He felt that such applications suggested that enforcement lacked teeth and that if conditions were imposed they should be enforced.

The Development Manager commented that Officers agreed with the sentiments expressed by Councillor Bishop but that there was no reason to refuse in the absence of identifiable harm. He added that the number of retrospective applications showed evidence that the enforcement team was being successful.

Councillor Cottrell-Dormer agreed with Councillor Bishop regarding retrospective applications but added that in this case he could see no harm in the proposal and he proposed the Officer recommendation. The proposal was seconded by Councillor Cotterill.

Councillor Beaney referred to the window openings on the North West elevation and was advised that these would be obscure glazed.

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

Permitted, subject to no new material considerations being received before the expiration of the consultation period.

(Councillor Davies left the meeting at this juncture)

39. 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 appeal decisions was received and noted.

The meeting closed at 4:00 pm.

CHAIRMAN