

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 4 February 2019**

PRESENT

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

(* Denotes non-voting Member)

Officers in attendance: Phil Shaw, Chloe Jacobs and Paul Cracknell.

54. MINUTES

At the request of Councillor Poskitt it was agreed that the second paragraph on page 7 of the minutes relating to application No. 18/03288/FUL (Blenheim Palace, Blenheim Park, Woodstock) be amended to read as follows:-

Mr Beaney concurred and went on to question Mr Hare's assessment of the level of traffic generation. In response, Mr Hare advised that there was sufficient car parking provision to cater for up to 2000 cars on the site with the majority of visitors to Palace and Park arriving between 10.15 and 11.15. There would be two theatre performances a day: a matinee at 14.00 and an evening performance commencing at 19.00. The audience for these performances would largely arrive later than the peak entrance to Blenheim. He stated that the Christmas light trail saw visitors arriving at an average of four per vehicle and he therefore anticipated about 250 vehicles per theatre performance – something the car parking facilities at Blenheim should absorb easily.

Councillor Haine advised Members that the applicant had questioned whether approval of the application was to be conditional on the submission of a traffic management plan and the Sub-Committee confirmed that, as stated in the minutes, this was the case.

RESOLVED: That, subject to the amendment set out above, the minutes of the meeting of the Sub-Committee held on 7 January 2019, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

55. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

56. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that Officers had withdrawn application No. 18/02928/FUL (The Sidings, Station Road, Kingham) from the agenda for subsequent consideration at a later date.

57. DECLARATIONS OF INTEREST

Councillors Saul declared an interest in application No: 18/03262/HHD (28 West End, Chipping Norton), the applicant being a colleague and friend and indicated that he would leave the meeting during consideration of the application.

58. 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.

(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:-

18/03457/FUL, 18/03539/FUL and 18/03262/HHD.

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 18/02928/FUL The Sidings, Station Road, Kingham

Members noted that Officers had withdrawn this application from the agenda for subsequent consideration at a later date.

8 18/03262/HHD 28 West End, Chipping Norton

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

The Officer recommendation was proposed by Councillor Beaney and seconded by Councillor Poskitt.

Councillor Postan noted that the wording of condition 5 was inappropriate as the property was already in occupation. Councillors Beaney and Poskitt agreed to amend their proposition accordingly.

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

Permitted, condition 5 being amended to read as follows:-

The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed retained and used for no other purpose.

Reason: To ensure that adequate car parking facilities are provided in the interests of road safety.

(Councillor Saul left the meeting during consideration of the foregoing application)

13 18/03457/FUL 17 Bear Close, Woodstock

The Planning Officer introduced the application and advised that the County Council had confirmed that it had no objection to the development on highway grounds.

Mr Lee Turner, the applicant's architect, addressed the meeting in support of 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 Postan, Mr Turner confirmed that his plans illustrating parking arrangements showed normal sized modern vehicles.

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

Councillor Cooper noted that, whilst the application proposed a large extension to the form of the building, it was not a listed building, nor within a Conservation area. Although he shared the concerns expressed with regard to highway safety and considered parking problems in this location to be amongst the worst he had encountered, Councillor Cooper recognised that the Highway Authority had raised no objection.

Whilst he considered the road to be sub-standard and harboured concerns over emergency access and the general level of congestion, Councillor Cooper indicated that refusal on such grounds could not be sustained without the support of the Highway Authority. Accordingly, and with no little reluctance, he proposed the Officer recommendation. In doing so, he suggested that the Development Manager be requested to write to the County Council to clarify the criteria applied when assessing applications and formulating consultation responses.

The Development Manager confirmed that he would be happy to take this up with the County Council and undertook to do so but advised that national guidelines were such that the Highway Authority was only able to raise objection in instances where there was evidence of severe harm or detriment to highway safety.

The recommendation of approval was seconded by Councillor Poskitt.

In response to a question from Councillor Beaney it was confirmed that the restriction on occupancy at condition 5 was intended to relate solely to the new dwelling and Councillors Cooper and Poskitt agreed to amend their proposition accordingly.

In response to a further question from Councillor Poskitt it was confirmed that the windows in the gable end of the new dwelling were to be obscure glazed.

Councillor Postan noted that no scale was shown on the drawings presented making it difficult for Members to assess the application. The Development Manager acknowledged this omission but advised that the Highway Authority would have made its assessment using standard parking space requirements, not on the architect's illustrations.

In response to a question from Mr Cotterill, the Planning Officer confirmed that the 'footpath' to the rear of the site was outside the application site area and would not be impacted by the proposed development. In consequence, concerns raised in this regard had no relevance.

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

Permitted, condition 5 being amended to read as follows:-

5. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed for the existing dwelling prior to the commencement of development and the car parking areas (including where appropriate the marking out of parking spaces) for the new dwelling shown on the approved plans shall be constructed before occupation of the development and both shall thereafter be retained and used for no other purpose.

Reason: To ensure that adequate car parking facilities are provided in the interests of road safety.

22 18/03539/FUL 26 Balliol Close, Tackley

The Development Manager introduced the application.

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

The Development Manager then presented the report containing a recommendation of conditional approval.

Councillor Cottrell-Dormer considered the proposal to represent an over-development of the site and proposed that the application be refused. In seconding the proposition, Councillor Bishop indicated that he considered the development to be overbearing and access to the site problematic.

Councillor Postan expressed some concern at the proximity of the proposed dwelling to the railway line and questioned whether there was any guidance in this regard as he considered the location to be unsustainable. In response, the Development Manager advised that concern over noise levels was a matter for the Environmental Health service and noted that permission had already been given for development on this and the adjacent site. The application before Members compared favourably with existing approvals which were closer to the line.

In response to a question from Councillor Beaney, the Development Manager confirmed that the parking arrangements proposed open parking spaces, not a garage. Councillor Beaney went on to suggest that condition 8 be revised to require the proposed building to be of the same height from ground to ridge level as the adjacent dwelling. He also suggested that the applicant be required to erect a 1.8 metre high fence on the boundary with 13 Balliol Close. The Development Manager confirmed that a condition could be applied in relation to boundary treatment but advised that the proposed dwelling was, in fact, slightly smaller than the existing adjacent property.

In response to a question from Councillor Jackson, the Development Manager advised that the proposed dwelling was very similar in height to that permitted under the extant consent.

In response to concerns raised by Councillor Davies, the Development Manager explained that, under current national guidance, the County Council could only raise objections on highways grounds if there was evidence of severe harm or detriment to highway safety. Whilst potentially inconvenient, the current application did not give rise to such levels of harm.

Given recent applications approved in close proximity to railway lines, Councillor Cooper did not consider that refusal could be justified on such grounds. However, given the topography of the site, he believed the proposed dwelling was too close to the existing bungalows and felt this was sufficient to warrant refusal.

Councillor Cotterill expressed doubt that such refusal could be successfully defended on appeal. He considered the current application to have greater aesthetic merit than that of the extant consent and suggested that the revised design could go some way towards blocking out noise from the railway line to the benefit of existing properties.

Councillor Haine disagreed as, whilst he believed the extant consent to be acceptable, he felt the current proposal to be disproportionate on the site.

In response to a request for clarification from Mr Beaney, it was confirmed that refusal had been proposed on the grounds that the application failed to comply with Policies including OSI and OS2.

Councillor Postan sought advice on the possibility of defending a refusal at appeal and the Development Manager expressed some caution in this respect, advising Members that the current proposal was marginally reduced in height from that previously approved.

Councillor Haine disagreed, indicating that his concern was not based upon the height of the dwelling but on the increased massing on the site resulting from its extension to the full plot width. Councillor Cottrell-Dormer concurred.

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

Refused for the following reason:-

- I. By reason of the additional massing in comparison to the approved scheme in conjunction with the increased enclosure resulting from the recent development on the adjoining field, and because the scheme extends to the full plot width over 2 storeys, the proposed house will give rise to undue overbearing impacts and appear as an overdevelopment within the street scene to the detriment of the amenities of both the occupier of the adjoining property and to the street scene generally and contrary in particular to policies OS1, OS2 and OS4 of the adopted WOLP, the provisions of the NPPF and the advice of the West Oxfordshire Design Guide.

(Councillor Beaney requested that his vote against the recommendation of refusal be so recorded)

59. 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 2:55 pm.

CHAIRMAN