

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 1 July 2019.

PRESENT

Councillors: Jeff Haine (Chairman), Geoff Saul (Vice-Chairman) Andrew Beaney, Richard Bishop, Mike Cahill, Nathalie Chapple, Julian Cooper, Derek Cotterill, Merilyn Davies, Ted Fenton#, Dave Jackson, Neil Owen and Alex Postan

(# Ex-officio, Non-voting)

Officers in attendance: Joanna Lishman, Chloe Jacobs, Kim Smith and Paul Cracknell

10. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 3 June 2019, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

11. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Councillor Nigel Colston. There were no temporary appointments.

12. DECLARATIONS OF INTEREST

Councillor Saul advised that, whilst he had had professional dealings with one of the sister companies to that which had submitted the applications to be considered under references 19/01182/FUL and 19/01183/LBC (The Long Barn, Oxford Road, Old Chalford, Chipping Norton, he was satisfied that this did not give rise to a prejudicial interest and, therefore, he intended to remain in the meeting and participate in the debate.

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

13. 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

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 Council's 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:-

19/01077/FUL; 19/01182/FUL; 19/01183/LBC; 19/01315/FUL and 19/00853/LBC

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 19/00853/LBC Albright House, Church Street, Charlbury

The Senior Planner, Joanna Lishman, presented the report containing a recommendation of refusal.

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

Councillor Bishop reminded Members that a similar application on another site had recently been refused as the applicant had failed to provide sufficient evidence to support their assertion that the roof structure or stone slates had deteriorated beyond repair.

Councillor Postan noted that swifts nested in stone slated roofs and expressed a desire to see these retained wherever possible.

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

Refused

9 19/01077/FUL 39 Witney Road, Long Hanborough

The Planning Officer, Chloe Jacobs, introduced the application and informed Members that Councillor Davies had requested that consideration of the application be deferred. She also advised that the Planning Policy Manager had confirmed that the development appeared to be acceptable, in principle, subject to any specific comments made by colleagues.

Mr Graham Soame, the applicant's agent 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.

Councillor Davies noted that Mr Soame had made reference to the proposed units as being affordable and questioned the anticipated selling price. Mr Soame replied that, whilst it was not his particular area of expertise, he believed that the flats would be sold for somewhere between £165,000 and £200,000, placing them at the lower end of affordability.

Councillor Davies suggested that, at such a level, it would require two incomes to service a mortgage. Mr Soame suggested that this was not necessarily the case as the properties could well be purchased by those wishing to downsize.

Councillor Davies questioned the extent of the proposed green space, suggesting that this was limited to a small pond. Mr Soame indicated that he was passionate about bio-diversity and that the provision being made exceeded that on other similar schemes recently approved.

The Planning Officer then presented her report containing a recommendation of conditional approval. In response to concerns expressed by Councillor Jackson, she confirmed that parking provision was in accordance with the County Council's standards and that, in the absence of objections from the Highway authority, the Council would not be able to sustain a refusal on highways grounds.

Councillor Davies suggested that a site visit was necessary as she considered the garden area to be insufficient and, whilst the conversion of the existing dwelling was acceptable, the proposed new build would result in overdevelopment of the site and the loss of an open space between this site and the recent Pye Homes development. The current scheme was an over development of the site and the absence of front gardens would give rise to an inappropriate change in the street scene.

Councillor Davies also noted that the applicant was carrying out further development in the vicinity and questioned why no affordable housing contribution was being sought.

The Planning Officer advised that affordable housing contributions were assessed on individual sites, not the aggregate of two or more schemes. The current application fell below the threshold at which affordable housing contributions would be required. Whilst the proposed new building would directly front the highway, other existing properties in the vicinity also did so and there was already a mixed form of development in the area.

Finally, in proposing deferral, Councillor Davies suggested that site notices had not been displayed for the relevant period of time.

The proposition was seconded by Councillor Chapple who questioned whether sufficient visitor parking was to be provided. The Planning Officer confirmed that one visitor space was to be provided and that this met the County Council's standards.

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

22 19/01182/FUL The Long Barn, Oxford Road, Old Chalford

The Planning Officer, Chloe Jacobs, introduced the application and reported receipt of the agent's response to the comments of the Council's Conservation Officer.

Mr Hugh Yarrow, the Executive Chairman of the applicant company, Evenlode Investment Management, 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.

In response to a question from Councillor Postan, Mr Yarrow advised that the company received two or three client visits each day.

Councillor Cotterill asked whether any alternative options had been explored such as extending 'New Barn'. Mr Yarrow advised that 'New Barn' was used by the two sister companies and that the proposed extension was required to create a break-out area from the open plan office in The Long Barn occupied by Evenlode Investment Management.

In response to a question from Councillor Saul, Mr Yarrow advised that it was thought to be too disruptive for the staff of Evenlode Investment Management to use New Barn which was in any event used by the two sister companies. The extension to The Long Barn was required to address the working practices of Evenlode Investment Management.

The Planning Officer then presented her report containing a recommendation of refusal and made reference to the previous history of applications on the site.

Councillor Beaney indicated that the Council needed to be mindful of the economic and employment factors related to this application and questioned whether consideration of the application should be deferred to enable further consideration to be given to the proposals. He questioned whether a temporary consent could be granted or whether a stand-alone extension, not physically attached to the listed building, could be provided. Councillor Beaney also questioned whether the existing design could be improved.

In response, the Planning officer advised that the proposed extension was attached to the listed building by a glazed link. She expressed concern that an extension would set a precedent and would be harmful to this Grade II Listed Building.

Councillor Postan considered that the Sub-Committee should follow the advice of the Council's Conservation Officer and proposed that the application be refused. The proposition was seconded by Councillor Cooper.

Councillor Cotterill expressed his sympathy towards the applicant's objectives and, whilst recognising that the current proposal was not appropriate in terms of design and materials, suggested that some form of extension could be acceptable.

Councillor Davies acknowledged the economic imperatives and enquired whether the removal of the extension could be required by condition when no longer required by the company. In response, the Senior Planner, Joanna Lishman, advised that permitting application temporary building would set a precedent that could be cited by similar applicants and indicated that Members should concentrate on the harm resulting to the Listed Building as a result of the building currently proposed.

Councillor Saul suggested that the Council needed to be sympathetic to the needs of expanding local businesses and to recognise that alternative uses were required to ensure the long term preservation of such buildings. Whilst a strong economy would ensure the viability of such properties, Members had to weigh the expert advice of the harm that would be occasioned against the benefits arising. He questioned whether there was any argument for deferral to explore alternative solutions.

The Planning Officer advised that other options had been suggested to the applicants and that Officers would be happy to discuss the possibility of a separate structure elsewhere on the site. However, the current application was considered to be unacceptable as the resultant harm to the Listed Building was thought to outweigh the benefits.

In response to a question from Mr Cotterill, the Planning officer advised that an alternative application could be submitted without attracting a further fee.

Councillor Davies questioned whether a stand-alone pod to the rear of the Listed Building would be acceptable. The Planning Officer advised that any specific proposal would have to be considered on its merits and the Senior Planning Officer cautioned that such a solution was still likely to have a detrimental impact upon the setting of the Listed Building.

Councillor Fenton suggested that the extension would not be particularly visible in the public domain. Councillor Jackson expressed his concern over the potential precedent and expressed his support for the recommendation of refusal.

Councillor Postan suggested that, as a large concern, the business had reached the capacity of its current site and was likely to need to relocate in the future. Councillor Beaney stressed that the application should be determined on its planning merits.

Councillor Owen expressed some concern that the balance between planning requirements and economic viability was weighted unreasonably. Councillor Haine reminded Members that alternative options had been put forward and that the Council was responsible for protecting the District's heritage assets.

Councillor Cotterill indicated that the applicants would have the opportunity to bring forward alternative proposals that would hopefully find favour with the Council's Conservation Officer.

Councillor Bishop agreed that the current design and materials were unacceptable.

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

Refused

(Councillor Beaney requested that his vote against the foregoing decision be so recorded)

31 19/01183/LBC The Long Barn, Oxford Road, Old Chalford

Listed Building Consent be refused

39 19/01315/FUL Valhalla, Church Street, Stonesfield

The Planning Officer, Chloe Jacobs, introduced the application and advised Members that a recent site visit had confirmed that work had already commenced and, in consequence, the application was now part retrospective. Ms Jacobs also reported receipt of two further representations received in support of the application.

Mr Mike Robinson, the applicant's agent, 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 her report containing a recommendation of conditional approval.

Councillor Bishop expressed his dissatisfaction with retrospective applications but indicated that, on planning grounds alone; he could see no grounds to refuse consent defensible on appeal. Consequently, he proposed the Officer recommendation of approval.

Councillor Bishop expressed some concern that the parish Council had not been made aware of the application relating to the adjacent property 'Skyfall' as they would have been likely to raise an objection requiring the application to be determined by the Sub-Committee.

In seconding the proposition, Councillor Cotterill expressed concern over the progressive 'planning creep' on the site but agreed that there were no grounds on which to reject the current application.

In response to a question from Councillor Chapple, the Planning Officer advised that, whilst not specifically designated, there was sufficient car parking provision and amenity space for a development of this nature.

Councillor Bishop questioned how the condition restricting use of the property as a holiday let could be monitored and enforced, particularly as there had been a previous condition restricting its use to that as a garage.

The Council's Principal Planner (Enforcement), Kim Smith, advised that a schedule of monitoring visits would be put in place. In response to a further question, it was confirmed that the recent site visit had shown no evidence that the stables on the site, the subject of a temporary consent for residential use during the construction of the primary dwelling, were still occupied for that purpose.

Councillor Postan noted that there were no grounds to refuse consent in the absence of a policy on retaining garages for use as such.

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

Permitted

14. 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. Councillor Bishop was pleased to inform Members that the appeal submitted by Cala Homes for some 68 units in Stonesfield had been dismissed.

In response to a suggestion from Councillor Beaney it was **AGREED** that copies of appeal decisions related to major applications would be circulated not only to Ward Members but to all Members of the Development Control Committee.

15. PROGRESS ON ENFORCEMENT CASES

The Sub-Committee received and considered the report of the Head of Planning and Strategic Housing giving details of progress in respect of enforcement investigations.

Councillor Cooper expressed his dissatisfaction at the apparent lack of progress in securing a Compulsory Purchase order in relation to the Unicorn Public house in Great Rollright. The Principal Planner (Enforcement) advised that the matter was being progressed by the Council's Estates Department in accordance with advice received from specialist external solicitors.

Councillor Cooper was emphatic in his view that a representative of that Department should be present to provide a more detailed update and proposed that the meeting be adjourned until such time as the relevant Officer could be present. The proposition was seconded by Councillor Beaney and on being put to the vote was lost.

Officers gave an undertaking to provide a more detailed update to the Ward representative and Members were advised that arrangements would be made for a verbal report to be made by the relevant Officer at the next meeting of the Sub-Committee.

The Principal Planner (Enforcement) also responded to questions from Councillor Beaney regarding development at Enstone Airfield.

RESOLVED: That the progress and nature of the outstanding enforcement investigations detailed in the report be noted.

The meeting closed at 3:35pm

CHAIRMAN