

WEST OXFORDSHIRE DISTRICT COUNCIL

Record of Decisions of the meeting of the
Uplands Area Planning Sub-Committee
Held Virtual Meeting at 2.00 pm on **Monday, 1 March 2021**

PRESENT

Councillors: Councillor Jeff Haine (Chairman), Councillor Geoff Saul (Vice-Chair), Councillor Andrew Beaney, Councillor Richard Bishop, Councillor Mike Cahill, Councillor Nigel Colston, Councillor Julian Cooper, Councillor Derek Cotterill, Councillor Merilyn Davies, Councillor David Jackson, Councillor Neil Owen and Councillor Alex Postan

Officers: Phil Shaw (Business Manager Development Management, Planning and Strategic Housing), Stephanie Eldridge (Senior Planner), Joan Desmond (Principal Planner), James Nelson (Trainee Planner), Chloe Jacobs (Planner), Amy Bridgewater-Carnall and Adrienne Frazer (Senior Strategic Support Officers).

1 Minutes of Previous Meeting

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 1 February 2021, copies of which had been circulated, be approved as a correct record and signed by the Chairman.

2 Apologies for Absence and Temporary Appointments

There were no apologies for absence or temporary appointments notified.

3 Declarations of Interest

Councillor Owen declared an interest in respect of application 20/02848/FUL, as the property neighboured his own property and his wife had written an objection letter in respect of the application. He advised that he had not contributed to the representation and would not take part in the discussion of the application.

Councillor Cooper declared an interest in respect of application 20/023367/HHD, as the property was opposite his own property.

Councillor Postan declared an interest in respect of application 29/03444/S73, as the applicant had been the best man at his wedding but he had not spoken or met the applicant for over 20 years since.

4 Applications for Development

The Sub-Committee received the report of the Business Manager – Development Management, giving details of applications for development, copies of which had been circulated.

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 Business Manager – Development Management, subject to any amendments as detailed below:-

(i) 20/02830/FUL – Chevrons, Swan Lane, Burford

The Senior Planning Officer, Chloe Jacobs, introduced the application. =

Councillor Cotterill as the local Member was invited to address the Committee. Councillor Cotterill advised that the Town Council objected to the application, as the new aperture would rob two parking spaces, which were regularly used by the nearby art gallery. He reported that the renovation of the property was welcome, though he questioned the proposed glass extension and the reasoning behind why an additional parking space was required for the addition of a garden room. He added that the existing wall did need repointing but that it was complete. Councillor Cotterill continued that the public benefit arising from the proposals was debatable and that he considered the application was noncompliant with the NPPF, paragraph 182 and that he considered Officers should remove the second aperture and retain the existing two parking spaces. He concluded that the Committee should refuse or defer the application.

In response to various questions from Members, Officers reported that the resulting parking loss from the application if approved would be one on-street parking space, but that the application would create two off-street spaces. Officers highlighted that the Highway Officers had raised no objection to the application and that the glass extension and the issue of heat was not a material planning consideration. Members were also informed that Officers considered that the application did have a heritage benefit.

Councillor Postan questioned the location of the proposed oil tank and if Officers could confirm the location.

Councillor Beaney commented that he had no concerns regarding the proposed works to the house, but with the proposals regarding the extra ancillary accommodation. He also commented that the Council should not be seen to be allowing properties to become rundown to then enable applications to be presented to renovate them. He also highlighted that he considered the application was in contrary to policies OS2, OS4, EC1, AH10 and NPPF paragraph 182. Councillor Beaney then proposed that the application be refused.

Councillor Cotterill seconded the proposal by Councillor Beaney.

Councillor Jackson questioned why a second entrance was required for the site. In response, Officers explained this had been proposed by the application and no concerns had been raised by Officers during pre-application advice.

Various Members supported the proposal to refuse the application on what they considered were solid reasons.

Uplands Area Planning Sub-Committee

01/March2021

Mr Shaw advised that if Members should be minded to refuse the application, stronger reasons would be in relation to the second entrance and not on highways grounds, given Highway Officers had raised no objection.

Councillor Cotterill agreed with Mr. Shaw's comments and that he considered the application should instead be deferred to enable Officers to negotiate with the application regarding the removal of the second application.

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

Approved, subject to Officers negotiating with the applicant regarding the removal of the proposed second entrance.

Note: the location of a replacement oil tank to be clarified by Officers before the application is granted approval.

(ii) 20/02831/LBC – Chevrons, Swan Lane, Burford

Members and Officers had no questions or comments on this application, in addition to those made under the previous application.

Councillor Cotterill proposed that the application be refused.

Councillor Beaney seconded the proposal by Councillor Cotterill.

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

Approved, subject to Officers negotiating with the applicant regarding the removal of the proposed second entrance.

Note: the location of a replacement oil tank to be clarified by Officers before the application is granted approval.

(iii) 20/02635/S73 – High Thatch, Park Lane, Long Hanborough

The Case Officer introduced the application.

Councillor Davies commented that she was concerned that the application was being based on previously approved plans and questioned why the plans now needed to be amended. In response, Officers explained that if the application had been submitted as a new application, Officers would still have recommended approval as it was not considered the proposals would have a detrimental impact on the wider area.

Councillor Saul proposed that the application be approved.

The proposal was seconded by Councillor Bishop.

Councillor Bishop commented that he considered there were no substantial arguments, which supported refusal of the application.

In response to a question from Councillor Coterill, the Case Officer confirmed the separation distance between the outside staircase and neighbouring properties was considered sufficient and that there was no risk of overlooking.

Councillor Beaney questioned Condition 2 and why the top of the garage could not be used and if this could be amended to state for the use of vehicles. The Case Officer confirmed she would amend the wording of the condition to state that the ground floor of the garage was for the parking of vehicles and that the garage would remain ancillary to the main dwelling.

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

Approved, subject to Condition 2 being amended to include 'ground floor area of the garage must be retained for the parking of vehicles' and that an additional condition be added to ensure that the garage remain ancillary to the main building.

(iv) 20/02848/FUL – Fardon House, Frog Lane, Milton under Wychwood

The Case Officer introduced the application.

The Strategic Support Officer then read out comments on behalf of an Objector, Mr and Mrs Walker. The comments stated that the paddock was previously a preserved wild flower meadow which had already been converted into a closely cut grassed area of a domestic appearance and that the paddock as it existed, bore no resemblance to what it looked like before the building of the new Fardon House. Mr and Mrs Walker commented that the paddock, in its present state, had no agricultural character to retain as a visual amenity and was previously mown once or twice a year. They continued that the land formed part of a wildlife corridor, which extended from the Shipton Road alongside the watercourse and they considered that constricting the corridor to a 5-metre-wide strip would result in a massive reduction of biodiversity and could set a precedent for the other land in this corridor with negative consequences for wildlife. They urged the Committee to refuse the application.

The Strategic Support Officer then read out comments on behalf of a second objector, Mr and Mrs Laverack. The comments stated that two separate areas of the paddock had already been converted to a garden and that they objected to any further conversion. They continued that approval of the application would be a breach of several Local Plan policies and would not

Uplands Area Planning Sub-Committee

01/March2021

support the landscape of the adjacent public footpath to the rear of the paddock, which was used regularly by dog walkers. Mr and Mrs Laverack commented that the conversion would also result in a larger area than any other gardens in Frog Lane being converted and concluded that the proposed change was unnecessary and would be obtrusive.

In response to a question from Councillor Beaney, Officer responded that it would be difficult to manage and enforce that no chemicals be used on the lawn.

The Chairman highlighted to Members that the current permission meant that the site could only be allowed to be used for 28 days per year unless for agricultural use.

Councillor Colston commented that he considered the five-metre biodiversity corridor was too narrow and that this should be increased.

Various Members expressed support for Councillor Colston's comments and highlighted that minimum width recommended by DEFRA was six metres.

Councillor Saul proposed that the application be approved, subject to confirmation of the size of the biodiversity strip and that Officers increase the width in consultation with the applicant.

The proposal was seconded by Councillor Beaney.

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

Approved, subject to an agreement that the boundary on the southern side of the site be increased significantly, at the Biodiversity Officers' discretion with DEFRA's requirements as a minimum.

Councillors Colston and Davies did not support the proposal.

Note: Councillors requested that it be recorded that a minimum width of the biodiversity strip of 10 metres was being sought.

(v) 20/03444/S73 – 5-12 Chipping Norton Road, Chadlington

The Principal Planner introduced the application.

Councillor Owen as the local Member was invited to address the Committee. He

commented that the application had caused much consternation in the community and that a previous condition that sought to protect nearby shops and cafes had now been removed. He urged the Committee to refuse the application.

Councillor Saul commented that he considered the existing radius of 30 miles was too wide and could not be considered in the immediate vicinity and commented that he considered the radius should be reduced to 15 miles.

Councillor Beaney added that if the distance was extended to 16 miles, this would cover the entire West Oxfordshire District.

Councillor Postan commented that he considered the application would increase footfall to nearby villages and business and should therefore be supported.

Councillor Beaney proposed that the application be approved, subject to a reduction to a 16-mile radius.

The proposal was seconded by Councillor Saul.

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

Approved, subject to a reduction to a 16-mile radius.

Councillor Owen did not support the proposal.

5 Progress on Enforcement Cases

The report giving details of current situation and progress in respect of enforcement investigations, was received and noted.

6 Applications Determined under Delegated Powers and any Withdrawn Applications; and Appeal Decisions

The report giving details of (i) applications determined under delegated powers or withdrawn; and (ii) appeal decisions, was received and noted.

The Meeting closed at 4.16 pm

CHAIRMAN