

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Uplands Area Planning Sub-Committee
Held in the Council Chamber at 2.00 pm on **Monday, 15 November 2021**

PRESENT

Councillors: Jeff Haine (Chairman), Julian Cooper (Vice-Chair), Alaa Al-Yousuf, Andrew Beaney, Marilyn Davies, Ted Fenton, David Jackson, Elizabeth Poskitt, Alex Postan and Councillor Geoff Saul.

Officers: Joan Desmond (Principal Planner), James Nelson (Graduate Planner) and Amy Bridgewater-Carnall (Democratic Services Manager).

35 Minutes of Previous Meeting

The minutes of the meeting held on 18 October 2021 were approved and signed by the Chairman as a correct record.

36 Apologies for Absence and Temporary Appointments

Apologies for absence were received from Councillor Alex Wilson.

Councillor Al-Yousuf substituted for Councillor Temple, and Councillor Poskitt substituted for Councillor Chapple.

37 Declarations of Interest

Councillor Saul declared an prejudicial interest in application 21/02872/FUL – Land East of The Drive, Enstone and left the room whilst the item was discussed.

38 Applications for Development

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

RESOLVED: That the decision on the following application be as indicated, the reasons for refusal to be as recommended in the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

21/02573/OUT – 7 Cleveley Road, Enstone

The Principal Planner introduced the outline application for the erection of four dwellings, closure of existing access and creation of a separate access for number 7, new access for the proposed dwellings, parking layout and landscaping scheme. The report noted that some matters were reserved and amended plans had been submitted.

The Committee had previously considered the application at their meeting on 18 October 2021 where it had been agreed to defer the application, in order to undertake a site visit. Members of the Committee attended a site visit on 11 November 2021.

The Principal Planner explained that this outline application included matters such as layout, scale, landscaping and access with appearance unreserved and that the officer recommendation was one of refusal.

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The following people addressed the Committee:

Mr Soame, on behalf of the applicant.

A summary of his submission is attached as an appendix to the original copy of these minutes.

The Principal Planner presented her report in further detail and advised that it was officers' opinion that the proposed development would not form a logical complement to the scale and pattern of development or respect the character of the area. She referred to the photographs of the site and reminded Members of the views they had encountered on the recent site visit. The second refusal reason detailed in the report referred to the lack of ecological information within the application, resulting in officers being unable to assess the potential impact on protected and priority species. In response to comments made by the applicant's representative, Mrs Desmond explained that if a revised application were to be submitted, the implications of the layout and scale would need to be considered carefully.

Following a question from the Chairman, the Principal Planner advised that any waiver of the application fee would depend on the description of the application, which would need to be similar to the existing.

Councillor Beaney addressed the meeting and advised that although he had been unable to attend the site visit he still felt at odds with the first refusal reason listed in the report. He felt the proposal would be acceptable in its location but he did agree with refusal reason 2 relating to inadequate biodiversity information.

Councillor Jackson concurred with Councillor Beaney's comments as he felt the development was a logical compliment to Cleveley Road but recognised that it could look out of place if viewed from the south. Councillor Jackson went on to reference the site visit and his concerns regarding landscaping. He felt that landscaping measures could be incorporated if the layout was altered.

Councillor Haine asked for clarification from the officer as to whether this was felt to be overdevelopment of the site. The Principal Planner agreed that it was and referred to the layout plan to explain the building line and how the proposal as laid out would have a visual intrusion resulting in the openness of the area being eroded.

Councillor Cooper addressed the meeting and noted that it was not for the agent to ask the Committee what would be acceptable because Members had to consider the scheme in front of them. He also highlighted the significant changes in levels on site which could not be appreciated from the photographs. He therefore proposed the officers' recommendation as laid out and agreed that an ecology report should be submitted, if the applicant chose to resubmit an application.

Councillor Poskitt seconded the proposal to refuse the application and outlined her reasons for doing so. These included overcrowding of the site, the lack of an ecology report or information on mitigating any loss of biodiversity and minimal space for parking and access. Councillor Poskitt also noted Councillor Cooper's comments relating to the levels on site and queried if the proposal was to set the dwellings down into the site.

Councillor Postan highlighted that the applicant may wish to take the comments made on board, withdraw the application and apply again.

The Officer recommendation of refusal was then put to the vote and was carried for the reasons outlined below:

1. The proposed development, by reason of its layout and scale would not form a logical complement to the existing scale and pattern of development and character of the area and would be harmful to the sensitive rural edge setting of the village by reason of its visual intrusion and projection of development further to the east. As such, the proposed development is considered to be contrary to the provisions of policies OS2, OS4 and H2 of the adopted West Oxfordshire Local Plan 2031 as well as the relevant paragraphs of the NPPF 2021; and
2. Inadequate ecological information has been submitted to assess the potential impact on protected and priority species and the submitted Biodiversity Plan does not sufficiently compensate for vegetation lost. As such, the proposed development is considered to be contrary to the provisions of Policy EH3 of the adopted West Oxfordshire Local Plan 2031 as well as the relevant paragraphs of the NPPF 2021.

Refused

(Councillor Saul re-joined the meeting)

21/024872/FUL – Land East of The Drive, Enstone

The Graduate Planner introduced the application for the construction of two detached self-build, carbon neutral houses, together with associated works and the formation of a vehicular access.

The following people addressed the Committee:

Mr Parker, applicant in support.

A summary of his submission is attached as an appendix to the original copy of these minutes.

Following a question from Councillor Fenton, Mr Parker confirmed that there was no threat to the public right of way from this proposal.

The Graduate Planner then presented his report containing a recommendation of refusal. He highlighted the key considerations that had been taken into account and these included Local Plan Policy OS2 relating to new dwellings and the requirement for evidence to be provided to

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demonstrate that it was necessary to meet an identified housing need. Mr Nelson explained that sufficient evidence had not been provided identifying such a need and following Mr Parker's submission, he clarified that there was no link from the Register of Interest to this site in particular. In addition, he stated that no information had been provided to explain who would build the properties and The Drive was recognised as the delineation to housing in the village.

Councillor Davies advised that she was struggling to understand the officers stance on this and highlighted that the Local Plan encouraged self-build developments. Whilst she could recognise that the development would alter the rear line of houses, she felt that the benefits outweighed the impact this would have.

Further discussions covered whether the properties could be relocated on the site to the top right hand corner, similar proposals that had been successful in the District and reducing the number of dwellings proposed.

Councillor Jackson noted that if the site was not suitable, the type of development should not influence the Committee and he proposed the officers recommendation as laid out.

This was seconded by Councillor Saul who applauded the intention to build carbon neutral properties but felt that, having looked at Local Plan Policy H2, there had been no convincing evidence provided that this met a housing need in the area.

Councillors Cooper and Poskitt added their support to the refusal.

The Officer recommendation of refusal was then put to the vote and was carried for the reason outlined below:

1. By reason of its siting on undeveloped land adjoining the built up area of the village, the proposed self-build dwelling would read as an illogical urban encroachment into a semi-rural edge of the village, which would have an adverse impact on the settlement character and the character of the immediate and wider landscape setting. In addition to this, no convincing evidence has been presented to demonstrate that the proposed dwelling is necessary to meet an identified housing need. The proposal is therefore contrary to Local Plan Policies OS2, H2 and H5 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, and the relevant provisions of the NPPF.

Refused

39 Applications Determined under Delegated Powers and Appeal Decisions

The report giving details of applications determined under delegated powers was received and noted. The following queries were raised by Members in relation to certain applications.

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Councillor Cooper advised that he had emailed the planning officers with regards to a feeling of disquiet amongst Bladon Parish Council in relation to the number of alterations being made at this site. The Graduate Planner advised that he had historically dealt with a number of minor variations at the site and had also received a new application more recently. He, therefore, advised that he would be undertaking a site visit in due course to provide a more rounded view of the site as there had been an incremental build up of changes. Mr Nelson agreed to email Councillors Cooper and Poskitt with an update, once he had visited the site.

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Councillor Postan advised the meeting that this application was a well presented design which highlighted good, modern methods of construction and he recommended Members visit the site.

Councillor Beaney asked for an update on staffing levels within the Planning Department, following recent assurances from the Business Manager – Development Management that the service would be on a stronger footing by Christmas. Mrs Desmond advised that, along with the new starter who had been introduced to them at the beginning of the meeting, additional new members of staff were due to join at the end of November and early part of December. However, she also advised that a further vacancy had since come to light which would need to be filled. Mrs Desmond assured the meeting that the team would be in a stronger position by the end of the year.

Councillor Postan expressed his thanks to the officers who had been working hard to clear the existing backlog, as evidenced by the number of applications listed under Item 5 – Delegated Decisions.

The Meeting closed at 2.48 pm

CHAIRMAN