

## 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, 27 June 2022**

### PRESENT

Councillors: Elizabeth Poskitt (Chair), Rizvana Poole (Vice-Chair), Alaa Al-Yousuf, Lidia Arciszewska, Hugo Ashton, Andrew Beaney, Mike Cahill, Jeff Haine, David Jackson and Geoff Saul

Officers: Alex Clarke (Planning Officer), Sarah Hegerty (Planning Officer), Anne Learmonth (Strategic Support Officer) and Michelle Ouzman (Strategic Support Officer).

### **7 Minutes of Previous Meeting**

The minutes of the meeting held on 30 May 2022 were approved and signed by the Chair as a correct record, subject to amendments agreed by the committee from Councillor Ashton:

#### 1. Applications Determined under Delegated Powers and Appeal Decisions

Councillor Ashton referred to point 5, he stated that he had an additional point to ask whether the current and proposed drawings could be presented side by side.

#### 2. Application for Development – 21/0267/OUT Land of the West Side of Wroslyn Road, Freeland.

Councillor Al-Yousuf referred to point 4 and asked if a copy of the submission was included in the electronic version of the minutes. Michelle Ouzman, Strategy Support Officer, explained that a hard copy was kept with the minutes but she could check with the Monitoring Officer, Susan Sale as to whether this would be possible.

### **8 Apologies for Absence and Temporary Appointments**

Apologies were received from Councillor Dean Temple.

Councillor Gill Hill substituted for Councillor Alex Wilson.

### **9 Declarations of Interest**

There were no declarations of interest received.

### **10 Applications for Development**

The Chair explained that the second planning application would be heard first.

#### 22/00722/HHD 10 Blackberry Way, Woodstock

The Planning Officer Sarah Hegerty introduced the application for the erection of a first floor side extension above existing garage and parking space and single storey rear extension.

There were two speakers. The first statement was read out by Democratic Services on behalf of Robert Gosling who was in support of the application. A copy of this submission is attached to the original copy of the minutes.

The second speaker was Mrs Vanessa Phillipson who spoke to object the application. A copy of this submission is attached to the original copy of the minutes.

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The Planning Officer continued with her presentation and showed slides of the elevations of the garage and proposed extension to kitchen and explained that both would not impact the neighbours in anyway. Officers considered that the scheme is in keeping with the residential context of the site, complied with local plan policy and recommended approval as per the report.

The Chair confirmed that the previous application had been approved and acknowledged neighbour's concerns on this application and the amendments.

The Chair confirmed that the site visit had been very helpful, then opened the floor to questions.

Councillor Jackson highlighted the neighbour's concerns over the loss of light. He agreed that as the first application had been approved the amended application would also be approved to be consistent with the previous decision. Councillor Jackson confirmed that Councillor Julian Cooper had called in his concerns regarding H6. Councillor Jackson proposed to approve the application. Councillor Al-Yousuf seconded this proposal.

The Chair acknowledged neighbours comments that they had not been notified in writing and confirmed that only yellow planning notices are used to inform neighbours of upcoming planning applications in their area.

Councillor Haine asked if the original application was decided at committee or was delegated to officers? The Chair confirmed it was delegated to officers as there had been no objection from the Town Council. Councillor Haine agreed it would for the Committee to refuse this application as the original had already been approved.

Councillor Beaney asked if a condition could be added as part of the approval that the garage remain and not be converted into another room in the future. Also Councillor Beaney had been to the site and asked if there were any concerns over the Juliet Balcony overlooking resident's windows. The Planning Officer confirmed that the Juliet Balcony which was part of the original approved application looked out over the street scene and did not overlook neighbouring windows. The Planning Officer advised that she would check on whether an informative regarding the garage was on the original application and whether it could be included again.

It was put to the vote where there were 9 votes in favour, 2 votes against and no abstentions.  
Resolved – approved with informative regarding use of garage.

### 22/00524/HHD High Ridge, 46 High Street, Milton under Wychwood, Chipping Norton.

The Chair confirmed there was a late request from Mr Simon Duffy to speak as an objector and this was put to the Members. It was agreed that Mr Duffy would be given the opportunity to speak.

The Planning Officer Steph Eldridge introduced the application for repair and rebuild of outbuilding to provide a home working and recreational space, these plans were amended.

Mr Duffy introduced himself as representing neighbours who live at numbers 48, 50, 52 and 58 and spoke in objection to the application. A copy of this submission is attached to the original copy of the minutes.

The Chair invited the Members to ask questions.

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Councillor Ashton asked for confirmation of the homeworking space in the house. Mr Duffy explained that there was designated office space in the original plans.

Councillor Al-Yousuf asked about holiday lets, the relevance of this in terms of planning policy and whether it had reached a point where it had become a planning issue?

Mr Duffy confirmed that neighbours understood the rules and regulations about planning but the neighbour's concerns were the impact another holiday let would have on the local amenities, the volume of holiday let traffic both people and cars. He confirmed there are 3 holiday lets in the High Street.

Councillor Al-Yousuf asked for some clarity on change of use from Planning Officers.

The Planning Officer addressed the point before continuing with her presentation, and explained that planning permission is not required to change a property to a holiday let as it remains in the C3 planning use. If material changes had occurred the Planning Officers would investigate as part of a separate enforcement issue.

Councillor Haine confirmed that the site visit had been very useful. He commented on human movement and the view of windows, with people standing outside the building and the view they would have into the neighbouring windows. Councillor Haine felt that this had not been taken into account by Planning Officers. Councillor Haine advised that the application first came to committee in August 2020 and after lengthy debate it came with Planning Officer's recommendation for approval. Councillor Haine continued that he felt that the human presence would create overlooking and issues with privacy. In August 2020 Committee quoted various policies including OS2 OS4 T4 EH1 EH2 EH8 and paragraphs 1-7 from National Policy Framework. The application went to the Planning inspectorate in March 2021 who agreed with Committee and refused the application, although not all points for refusal were agreed on. Councillor Haine quoted paragraph 9 from the Planning Inspectorate's report. He accepted that the application has been amended but felt that the same reasons for refusal on last application still applied.

Councillor Haine proposed refusal, Councillor Beaney seconded this proposal.

Councillor Al-Yousuf wanted clarification on 2 aspects of improvement. He highlighted that the Planning Officer had stated as part of the presentation, that the proposed design and construction would be an improvement and asked if that was relevant in terms of planning consideration? Councillor Al-Yousuf also highlighted the Planning Officer's reference to the site's previous use as a builder's yard and if use in this context continued it would increase traffic. He asked if these aspects of improvement were relevant planning considerations?

The Planning Officer confirmed the relevant policies OS2 OS4 regarding visual enhancement and material planning consideration insured areas are retained. She confirmed it was a material planning consideration and therefore was relevant regarding this point. The Planning Officer further confirmed that the use of the building was a material consideration and had to be taken into account.

The Planning Officer then responded to Councillor Haine's comments and confirmed that the garden was already in existence and used in a residential context which was a material consideration. She went on to explain the change of windows and confirmed that these were significantly different in the new proposal.

Councillor Haine commented that just because something looked untidy it did not mean planning permission should automatically be given. He reiterated his concerns for privacy of neighbours.

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Councillor Saul agreed with Councillor Haine and asked for clarification on whether window glass will be frosted. The Planning officer confirmed this was so. Councillor Saul raised his concerns with the possible use of the building should the application be refused. The Planning Officer reiterated her point on the use of the garden.

Councillor Ashton agreed with the discussion and commented on his concerns about lighting if the building were to be used as a residence and the impact on neighbours. He also asked for clarification on the use of a wood burning stove as no flue was shown. Councillor Ashton confirmed that he would be against the application on the grounds of privacy.

The Planning Officer explained that the use of lighting and its neighbourly impact would be difficult to argue given the site is in a residential area. She confirmed that there is no flue on the plans so the wood burning stove would not be taken into consideration.

The Chair asked for clarification on what had changed in the application.

The Planning Officer confirmed that the changes were the roof lights, the lean to and changes to windows.

The Chair asked Councillor Haine for his reasons for refusal. Councillor Haine stated the provision of human accommodation in this location is unacceptable as it would create gross overlooking and harm the living conditions of the surrounding residents and in this respect it would be contrary to Policy OS4 of the West Oxfordshire Local Plan and Paragraph 130 of the National Planning Policy Framework. These policies, amongst the other things, seek to prevent development that would harm the living conditions of neighbouring residents.

Councillor Jackson asked for clarification on whether the condition in the application regarding outbuilding accommodation meant it could not be made into a bedroom ancillary to the house? The Planning Officer confirmed it did not mean that there could not be a bedroom but if it became self-contained it would need planning permission. Councillor Jackson stated that he agreed with the Planning Officer on use of the garden. He quoted from the Planning Inspectorate's report regarding the noise and disturbance of neighbours. The Planning Office confirmed that she had followed the Planning Inspector's report on their recommendations in the application.

There was a further discussion about windows and whether there could be conditions to limit their opening and how this would affect ventilation. Councillors discussed concerns over the opening of windows and doors in relation to privacy and noise. Councillors asked if a condition of keep certain windows closed could be added on the application if approved.

The Chair put to the application to the vote for proposal to refusal, 8 votes for, 3 against, no abstentions.

Resolved application refused.

The Chair stated that there needed to be clarity on refusal reasons. Councillor Haine confirmed he would email the wording from the National Planning Policy Framework. The Chair confirmed the reason for refusal was increased use leading to neighbourly disturbance.

There was a discussion regarding when applications are made known to Councillors.

Councillor Cahill commented on applications that have been approved and then re-submitted to committee at a later date. The Chair advised if there are matters of concern on an application, Councillors should ask for the application to be called in. Councillor Jackson confirmed that Councillors can be alerted to applications via the Parish or Town Councils.

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Councillor Beaney asked for a Development and Control meeting regarding the current regulations and yellow notices to address clarity on guidance. The Planning Officer confirmed that there has to be 21 days as a legal requirement.

Councillor Beaney asked for an update on who would be taking the role of Enforcement Officer and this be included in the Development and Control meeting. The Planning Officer confirmed recruitment was in place for an Enforcement Officer.

## **II Applications Determined under Delegated Powers and Appeal Decisions**

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11. 21/04119/CND Woodstock and Bladon

Approved : - Refused

Land East of Woodstock, Oxford Road, Woodstock

Mr A Maltman SLP

The Chair asked the Planning Officer to explain what SLP meant. The Planning Officer responded by explaining that SLP meant a split decision referring to applications to discharge conditions where some are acceptable and some are not acceptable so a split decision is made.

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45. 22/00897/FUL Chipping Norton

Affecting a conservation area.

Replacement of existing stone walling to car park with timber close boarded fencing. Car park to the rear of 11 Burford Road, Chipping Norton.

Burford Management Co. APP

Councillor Poole disclosed that is her residence. Councillor Haine confirmed that Councillor Poole did not have to disclose.

The Chair asked that it be noted the Members wished to thank Kim Smith for all her work over the years as an Enforcement officer.

The Meeting closed at 3.46 pm

CHAIR