

## WEST OXFORDSHIRE DISTRICT COUNCIL

### Minutes of a meeting of the **Uplands Area Planning Sub-Committee.**

Held in Committee Room One, Woodgreen, Witney, Oxfordshire OX28 1NB at 2.00pm on  
**Monday 11 December 2023.**

#### PRESENT

Councillors: Julian Cooper (Chair), Rizvana Poole (Vice-Chair), Andrew Beaney, Jeff Haine, Dean Temple, Rosie Pearson, Lidia Arciszewska, Elizabeth Poskitt and Hugo Ashton.

Officers: Andrew Brown (Business Manager, Democratic Services), Max Thompson (Senior Democratic Services Officer), Sarah Hegerty (Planning Officer), James Nelson (Planning Officer), Kelly Murray (Principal Planner (Enforcement and Appeals)) and Abby Fettes (Development Manager).

Other Councillors in attendance: Nil.

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

Apologies for Absence were received from Councillors Alaa Al-Yousuf, Mark Walker and David Jackson.

Councillor Elizabeth Poskitt substituted for Councillor David Jackson.

#### **112 Declarations of Interest**

There were no Declarations of Interest made by Members of the Sub-Committee.

#### **113 Minutes of Previous Meeting**

Councillor Julian Cooper proposed from the Chair that the minutes of the previous meeting, held on Monday 13 November 2023, be agreed by the Sub-Committee as a true and accurate record.

This was seconded by Councillor Dean Temple and was put to a vote.

There were 6 votes in favour, 0 votes against, and 2 abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

- I. Agree the minutes of the previous meeting, held on Monday 13 November 2023, as a true and accurate record.

#### **114 Applications for Development**

Ahead of the Applications for Development being considered by the Sub-Committee, the Chair advised that there would be a meeting of Development Control taking place on Monday 5 February 2024 at 10.00am. Members were asked to note this in their diaries. The Chair also advised that further information regarding the meeting would be cascaded by Democratic Services when available.

The Chair also advised the Sub-Committee that applications 23/02619/HHD and 23/02620/LBC (19 Park Lane, Woodstock), would be presented, debated and considered together by the Sub-Committee, and voted on as separate applications.

22/01147/FUL – Land North of Green End, Chadlington, Oxfordshire.

James Nelson, Planning Officer, introduced the application, for a proposed Single Dwelling (Para 80e house), detached gatehouse, garage, office and pumphouse building, landscape enhancements, SuDs/ephemeral ponds, landscaped mounds and associated works (Amended Plans).

Phil Dobson addressed the Sub-Committee as the applicant, which raised points of clarification surrounding structural designs in-keeping with the local area and pre-application discussions regarding sustainability.

The Planning Officer advised the Sub-Committee of an amendment to Condition 8, whereby following discussions between officers and the applicant, references to off-site biodiversity net gain would be removed, as it would be covered in a Section 106 agreement.

The Planning Officer continued with their presentation, which clarified the following points:

- Local Plan Policies OS2 and H2, and Para 80e of the National Planning Policy Framework (NPPF) – The proposed site and dwelling would need to meet specific criteria contained within the policies surrounding ‘outstanding design’, and stated that the dwelling would need to be in keeping with set standards of buildings in isolated settings;
- Structural Designs of the Application – The proposed dwelling would re-use materials from the existing site, and had been overseen by the Council’s Conservation and Design Architect;
- Stages of Design Review – The application had gone through four stages of design amendments with officers, ensuring that area characteristics and features of the proposed dwelling meet aforementioned policies;
- Biodiversity Enhancements – The proposed Section 106 agreement would fall outside of the application site, which would, in turn, help with the biodiversity net gain within the local area. The Development Manager stated that Members would receive further training on Biodiversity in early 2024 owing to new legislation that would be introduced.
- Wider Landscape Settings – Paragraph 80e states that the design would be required to be in keeping with the local area. The proposals were deemed to be sufficient in restoring local area characteristics, whilst also providing mitigation measures against artificial lighting.

The Chair then invited the Sub-Committee to discuss the application, which raised the following points:

- Implications on local wildlife – It was deemed that the proposed dwelling would not be in keeping with Local Plan policy OS2 and would have impacts on wildlife within the area of the proposed site;
- Proposed Dwelling Design and Design Review Panel – Concerns were raised that the plans were not in keeping of other sites and building within the immediate local area, and stated that whilst the designs would meet the criteria of Paragraph 80e of the NPPF, the building would be in isolation and would not enhance the immediate local setting;

- Enhancements of proposed dwelling on the surrounding area – The designs were of excellent quality, were well thought through and that the site would enhance the local area;
- Comments received from OCC Highways – Three proposals had been received from OCC highways as part of the applications, which had raised concerns with individual members when considering the application in its own right;
- Mitigation of artificial lighting – The designs contained plans to help mitigate against excess artificial lighting within the proposed dwelling site.
- Remoteness of the site – Concerns were raised that the proposed dwelling would be isolated in an open setting, and that the dwelling would set a precedence for other future dwelling designs if it met requirements within Paragraph 80e of the NPPF. This was deemed to be an anomaly within the current setting.

Councillor Jeff Haine proposed that the Sub-Committee approve the application, in line with officer recommendations, subject to a legal agreement being signed by the applicant. This was seconded by Councillor Lidia Arciszewska and was put to a vote. There were 4 votes in favour, 4 votes against and 1 abstention. Councillor Julian Cooper took a casting vote from the Chair, and voted against the proposition to approve the application. The vote fell.

Councillor Julian Cooper stated that he would make and support a proposition for refusal, aligned with Local Plan Policies OS2, EH1 and H2. The Development Manager and Planning Officer advised the Sub-Committee that specific reasoning would need to be provided to support a refusal of the application.

After receiving advice from officers regarding reasons for refusal of the application, Councillor Julian Cooper proposed from the Chair that the application be refused, for reasons associated with Local Plan Policies OS2, EH1 and H2. This was seconded by Councillor Dean Temple and was put to a vote. There were 5 votes in favour, 4 votes against and no abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

1. Refuse the application, in line with Local Policies OS2, EH1 and H2.

**REASONS:**

The proposal would be adversely urbanising and transformative in the landscape, failing to significantly enhance its immediate setting, or be sensitive to the defining characteristics of the local area in conflict with NPPF Para 80e and Local Plan Policies OS2 and EH1.

The proposal would not represent residential development of exceptional quality or innovative design in conflict with Local Plan Policy H2.

23/01569/FUL – Land and Building (E) 439518 (N) 226211, Enstone Airfield North Banbury Road, Enstone.

James Nelson, Planning Officer, introduced the application, for the erection of a detached, single and two storey viewing/instruction facility, including associated offices for staff and flying school users, WC facilities and garage for fire and rescue vehicles (amended plans and description).

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The Planning Officer drew the Sub-Committee's attention to the additional representations report, which had been circulated prior to the meeting.

Huw Mellor addressed the Sub-Committee as the applicant, which raised a point of clarification surrounding flying training and instruction offered from the proposed site.

The Planning Officer continued with their presentation, which clarified the following points:

- The business needs for the application – The proposals would provide additional enhancements to flight safety and flight training procedures for both students and instructors;
- Materials used – The proposed building would exhibit a fairly utilitarian design akin to existing development in the locality, using materials in keeping with adjacent built form;
- Enhancement of the Development – The proposals were deemed to be in keeping with the overall site and would not provide urbanisation to the area.

The Chair then invited the Sub-Committee to discuss the application, which raised the following points:

- Process of the application – The process of the application was subject to questioning, which had not been answered by the applicant;
- Land Ownership and Car Parking – A previous, separate planning application had been approved in 2021 relating to on-site car parking;

Councillor Andrew Beaney proposed that the application be deferred, to seek legal advice regarding land ownership, access to pre-existing car parking arrangements and associated S106 agreements. This was seconded by Councillor Elizabeth Poskitt, was put to a vote, and was agreed unanimously by the Sub-Committee.

The Sub-Committee **Resolved** to:

1. Defer the application, to seek legal advice regarding land ownership, access to pre-existing car parking arrangements and associated S106 agreements.

### 23/02619/HHD and 23/02620/LBC – 19 Park Lane, Woodstock, Oxfordshire.

Sarah Hegerty, Planning Officer, introduced the applications, for the erection of two storey and single storey rear extension, raised height of eastern boundary wall and construction of replacement garage together with associated landscaping works, and internal and external works, to include the erection of two storey and single storey rear extension with amended fenestration and changes to internal layout. Raise height of Eastern boundary wall and construction of replacement garage together with associated landscaping works.

The Planning Officer drew the Sub-Committee's attention to the additional representations report, which had been circulated prior to the meeting.

Robert Hathaway, Michael McKie, and Maria Letemendia addressed the Sub-Committee as the applicants, which raised points of clarification surrounding the stone wall designs and height of the stone walling.

The Planning Officer continued with their presentation, which clarified the following points:

- Heritage Enhancements and Amenity Impacts – The designs would re-introduce a traditional dual pitched roof over existing, uncharacteristic flat roofed elements;

- Raising of wall height – The proposal would not have a damaging impact on the current design and the existing structure, and would be in keeping with current states;
- Loss of lighting levels – The applications would not impact light levels on the development, and the site would not be affected by the proposed works;
- Officers were of the belief that the works would provide enhancement to the site and the immediate area, in terms of street scene, and were deemed to be in keeping with the historic landscape of the town.

The Chair then invited the Sub-Committee to discuss the applications, which raised the following points:

- Views raised by Woodstock Town Council – The local Town Council had lengthy discussions at a recent planning meeting regarding the site proposals, and that the applications had been referred to the Sub-Committee by the local ward Member, on advice from the Clerk of the Town Council;
- Blocking of Daylight – The proposed works may have an effect of natural lighting levels of the existing site;
- Height of the current wall – The wall was of substantial height in its current format, and that by raising the height of the wall, it would have impacts surrounding consistency of the brickwork.
- Materials used to raise the height of the wall – The Planning Officer stated that heightening the wall may look at odds with the remainder of the wall initially once construction work had been completed, but over time and through natural weathering, would become more in keeping with the current structure.
- Road Safety – Owing to work ongoing at nearby Woodstock House, the site would be impacted by increased levels of heavy goods vehicles and construction traffic. The cleanliness of the road was also referred to, which Members believed would have a harmful impact on the access roads.
- Biodiversity Impacts – Biodiversity Officers had considered the applications and were content that wildlife associated with the dwelling, such as bats and birds, would be protected as part of the applications.

Councillor Jeff Haine proposed that application 23/02619/HHD be approved, in line with officer recommendations. This was seconded by Councillor Rizvana Poole and was put to a vote. There were 7 votes in favour, 1 vote against, and 1 abstention. The vote was carried.

Councillor Jeff Haine proposed that application 23/02619/HHD be approved, in line with officer recommendations. This was seconded by Councillor Rizvana Poole and was put to a vote. There were 7 votes in favour, 1 vote against, and 1 abstention. The vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the applications, in line with officer recommendations and the inclusion of a Bat Informative and Construction Management Condition.

The report giving details of applications determined under delegated powers, and decisions taken to appeal, was received and explained by Planning Officers, and noted by the Sub-Committee.

The Planning Officers stated they would update Members on Delegated Decisions in Chipping Norton regarding numbers of dwellings associated with applications following the Sub-Committee meeting.

**116 Progress on Enforcement Cases**

Kelly Murray, Principal Planner (Enforcement and Appeals), introduced the report, which provided an update on progress in respect of priority enforcement investigations.

The Principal Planner gave the Sub-Committee an overview of the recent workload of the Enforcement and Appeals Team and numbers of priority cases and detailed the progress and nature of the outstanding enforcement investigations as listed on the report contained within the agenda reports pack.

Members of the Sub-Committee raised various questions regarding the outstanding enforcement investigations as listed on the report contained within the agenda reports pack. The Principal Planner confirmed that requests would be met where local ward Members requested regular updates to progress on cases within their individual wards.

The Sub-Committee noted the content of the report and thanked the enforcement team for their continuing work.

The Meeting closed at 4.06pm.

CHAIR