

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Uplands Area Planning Sub-Committee**

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB
at 2.00 pm on **Monday, 12 February 2024**

PRESENT

Councillors: Julian Cooper (Chair), Lidia Arciszewska, Hugo Ashton, Andrew Beaney, Colin Dingwall, Jeff Haine, David Jackson Elizabeth Poskitt and Mark Walker

Officers: Abby Fettes (Development Manager), Joan Desmond (Principal Planner) James Nelson (Senior Planner) and Tara Hayek (Conservation and Design Officer), Max Thompson (Senior Democratic Services Officer) and Anne Learmonth (Strategic Democratic Services Officer).

Other Councillors in attendance: Nil.

124 Apologies for Absence and Temporary Appointments

Apologies for absence were received from Councillors Alaa Al-Yousuf, Rizvana Poole, Rosie Pearson and Dean Temple.

Councillor Elizabeth Poskitt substituted for Councillor Rosie Pearson.

Councillor Colin Dingwall substituted for Councillor Dean Temple.

125 Declarations of Interest

Declarations of Interest were received as follows

23/01402/FUL Woodstock Bowls and Tennis Club, Cadogan Park, Woodstock.

Councillor Elizabeth Poskitt declared that she was a member of Woodstock Town Council and would leave the room when the application was debated.

126 Minutes of Previous Meeting

Councillor Jeff Haine proposed that the minutes of the previous meeting, held on Monday 15 January 2024 be agreed by the Sub-Committee as a true and accurate record.

This was seconded by Councillor Andrew Beaney and was put to the vote.

There were 6 votes in favour, no votes against 3 abstentions. The vote was carried.

The Sub-Committee **Resolved** to:

- I. Agree the minutes of the previous meeting, held on Monday 15 January 2024, as a true and accurate record.

127 Applications for Development

128 23/01184/FUL Coopers Croft Barn, Priory Road, Chipping Norton.

James Nelson, Senior Planning Officer, presented the application for a temporary siting of a mobile home for farm worker (retrospective) (amended plans).

David Burson, spoke on behalf of the applicant.

The Chair then invited the Sub-Committee to ask any questions of clarification, which raised the following points:

- The agent confirmed that the mobile home would be static for the duration of 2 years. The mobile home was for the worker and their family only and included all services such as rest room and drainage. The applicant would like to establish a working farm and home on the site, the application was for a short term with a view to establishing a business.

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

- The application was for a dwelling in a rural area with a view to establishing a farm. Policies OS2 and H2 of the Local Plan and paragraph 84 of the National Planning Policy Framework, (NPPF) were relevant to the application given the isolated location of the site.
- The applicant was to demonstrate an essential operational need on the site to enable the family to live on site on a temporary basis. The applicant had submitted a business plan to support the application.
- Livestock enterprises were expected to expand over the coming years and the onsite accommodation would support the rearing of livestock.
- There would be a period of proving to enable the applicant to demonstrate the expansion of the business and for the Council to review the need for accommodation on the land.
- The Council had commissioned an independent assessment which had found that on balance there was a need for accommodation on the site. It was found that the intention was to rear livestock which could find an increase in livestock numbers reaching 90 per annum.
- Onsite accommodation would be needed to cover animal welfare issues, including any emergencies.
- The application demonstrated financial viability in line with policies OS2, H2 and Paragraph 84 of the NPPF. Officers found that there would be a sufficient profit margin based on the applicant's financial projections, which would support a worker on a minimum wage. A proving period would provide a review over time where the figures would be evaluated based on the business in the coming years.
- Officers recommended the approval subject to conditions, in line with the officer's report.

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

- The application was called in by a Councillor Haine due to concerns over the accommodation needs on site.

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- Clarification on condition 3 regarding dependants, including any widowed. The Officer confirmed that this was to protect the occupants if the situation was to arise where in event of a death, the occupants would not be made homeless, which was a standard condition. The Officer brought the Sub-Committee's attention to the application being for a 2-year period only.
- The Sub-Committee asked if it would be more practical to retain the mobile home as a farm office after 2 years rather than remove it from the site. The Senior Planning Officer confirmed there has not been an application for the mobile home to remain on site, as no long-term case has been demonstrated.
- The Sub-committee asked if the period of 2 years would be long enough for the proving of the business. The Senior Planning Officer confirmed that the applicant had proposed the 2-year period and already had a business set up.

Councillor Andrew Beaney proposed that the application be approved in line with the officer's report with condition that the occupation is solely for the person working with the live-stock on the site. This was seconded by Councillor Jeff Haine, was put to the vote and was agreed unanimously by the Sub-Committee.

The Sub-Committee Resolved to:

- I. Approve the application with the condition that the occupation is solely for the person working with the live-stock on site.

129 23/01402/FUL Woodstock Bowls And Tennis Club, Cadogan Park, Woodstock.

2.26pm Councillor Elizabeth Poskitt left the Chamber.

Joan Desmond, Principal Planner, presented the application for installation of sports lighting to serve a block of three tennis courts and a separately enclosed single tennis court.

Mr Anmod Gujral spoke in objection to the application.

Nigel Bryant, Chair of Woodstock Bowls and Tennis Club, spoke on behalf of the applicant. The Chair then invited the Sub-Committee to ask any questions of clarification, which raised the following points:

- The design of the lighting on the court was changed to strip lighting to prevent leakage of light outside the court.
- The timing of the lighting going off would not be past 9.30pm. When not in use the lights would remain off. The lighting would enable later lessons for younger players during the winter months and create more use over the year rather than limited to daylight hours during the summer.

The Principal Planner continued with the presentation, which clarified the following points:

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- The application was in line with policy of E5 of the Local Plan to enable the community access to high quality sport.
- The access to sport supports community well-being.
- The lighting would provide sporting facilities through-out the year and would be more inclusive for younger members of the community as well enabling the hosting of visiting sports teams.
- There were no objections from highways.
- Biodiversity would be covered in a condition to ensure protection of bats and nesting birds.
- The officer recommended the application for approval as set out in the report.

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

- There were concerns that the lighting would intrude on surrounding properties near the Woodstock Bowls and Tennis Club. The lighting was downward lit onto the courts and would therefore limit the spillage of light to surrounding areas.
- Condition 5 in the officer's report covered the times and months when the lighting could be used. When the courts were not in use the lighting should be turned off.
- The Sub-Committee felt that the lights design and quality had been well researched and resourced.
- Clarification on whether the highball lighting was included in the application. The officer advised that there appeared to be some confusion on this matter but a condition could be imposed to ensure that no high level lighting could be installed.

The Chair proposed that the application should be refused against officer's recommendations due to lighting intruding on surrounding properties. There were no seconders for this proposal.

Councillor Lidia Arciszewska proposed the application be approved in line with officer recommendations. This was seconded by Councillor Dave Jackson. This was put to the vote, 7 for the proposal, 1 against, the vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the application in line with officer's recommendations with the additional conditions as discussed.

Councillor Elizabeth Poskitt returned to the Chamber at 2.58pm.

130 23/02188/LBC The Great Barn, 14 Home Farm Close, Shipton-under-Wychwood.

Tara Hayek, Senior Conservation and Design Officer, presented the application for internal and external alterations to replace all casement windows, the dining room door and lounge double door with flush heritage casement windows and doors.

Nicholas Bowman spoke as the applicant for the application.

The Chair then invited the Sub-Committee to ask any questions of clarification, which raised the following points:

- Wooden windows were not as sustainable as UPVC. The windows would not be white but would be a heritage alternative and not easily distinguishable from wooden version.

The Senior Conservation and Design Officer continued with the presentation, which clarified the following points:

- The applicant wished to place the current windows which were in poor quality, with UPVC wooden alternative. These were not in keeping with the character of the agricultural style building.
- The building was of historical architectural significance and UPVC was not suitable for the type of building. Use of timber or metal frames was sustainable and supported in listed buildings.
- The design guidance and relevant policies EH9 EH10 and EH11 had not been considered and the use of UPVC would be of no heritage benefit, only of private benefit.
- The use of UPVC windows would result in a high level of harm to the character and heritage of the building.

The Chair then invited the Sub-Committee to discuss the application,

which raised the following points:

- The Council had a statutory duty to protect listed buildings.
- Looking forwards there was a need to find sustainable materials as wooden materials would not be as available. Agreeing to UPVC would be setting a precedence and would not reflect the heritage of the building.
- The longevity of UPVC windows was shorter than wooden windows.
- There had been similar applications for UPVC windows for Grade II listed buildings, but they have not been approved due to not meeting the guidance or policies.

Councillor Jeff Haine proposed the application be refused in line with the officer's recommendations. This was seconded by Councillor Hugo Ashton, was put to the vote and was agreed unanimously. The vote was carried.

The Sub-Committee **Resolved** to:

- I. To refuse the application in line with officer's recommendations.

131 23/02653/FUL Stonesfield Sports And Social Club, Field Close, Stonesfield.

James Nelson, Senior Planning Officer, presented the application for the erection of 6 lighting columns with 6 floodlighting illuminations with associated works.

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

- The application covered two tennis courts, with the proposed lighting system to feature 8-metre-high columns.
- The site was in the Cotswold National Landscape area.
- On the site there were 3 tennis courts, but the application covered the 2 westernmost tennis courts. There was associated parking on the site however the tennis courts were separated from the parking by a general recreation ground.
- There was screening to the tennis courts by landscaping which helped with limiting the light spillage to the surrounding area.
- The Officer showed the Sub-Committee a light-spill plan and confirmed that artificial light would be contained.
- In accordance with Local Plan policy E5 the Council support outdoor sports for community needs and well-being.
- The lights would enable the tennis courts to be used all year around, rather than limiting the use summer months only in the evening.
- There would be no adverse impact to the setting and there were no objections regarding the ecology in the area.
- The officer recommended the application for approval in line with the recommendations in the officer's report.

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

- The tennis courts would have lighting but the recreational ground between the car park and the courts would not be illuminated for those walking to and from the site.
- There were concerns over the height of the columns and how much light spillage would affect the local area despite the landscaping around the courts.
- The Sub-Committee asked for confirmation over the lighting at the football club and whether this would impact the tennis courts. The lighting at the football club may have been in place for a long period of time and was not a part of the application.
- The application went against policies OS1, OS2, OS4, EH1 and EH8 and paragraph 182 of the NPPF.
- The application supported sports in the local area which was in line with supporting the community and well-being.
- If the applicants came back to the Sub-Committee with a different design of lighting they would be happy to look at the application.

Councillor Jeff Haine proposed to refuse the application against officer recommendations as the application went against policies OS1, OS2, OS4, EH1, EH8 and paragraph 184 of the NPPF. The Chair seconded the proposal. This was put to the vote with 4 for the proposal, 4 against the proposal and 1 abstention. The vote was tied the Chair cast the deciding vote and voted for the proposal to refuse the application. The vote was carried.

The Sub-Committee **Resolved** to:

1. To refuse the application on the grounds that the application went against policies OS1, OS2, OS4, EH2, EH2 and paragraph 176 of the NPPF.

132 Outline Planning Application 23/01504/OUT

The Chair highlighted that the Outline Planning Application 23/01504/OUT had come before the Sub-Committee within the last 6 months and requested with the agreement of the Sub-Committee to suspend Standing Order 16 of the Council's Constitution. The Sub-Committee agreed to suspend Standing Order 16 of the Council's Constitution.

Joan Desmond, Principal Planner, outlined the history of the application. The outline application for the development for up to 40 residential dwellings had come before the Sub-Committee in August 2023. The Sub-Committee had voted to refuse the application and given 4 reasons for their refusal. Refusal reason number 3 was based on to flood risk due to ongoing problems in the village.

Since the Sub-Committee's decision an appeal had been lodged against that particular refusal reason and would be heard at a public inquiry later in February 2024.

At a Case Management Conference with the inspectorate and the appellant, it was made clear that a request for a partial award of costs would be made against the Council for refusal reason number 3. However, the appellant indicated they would like to avoid that situation. The appellant had submitted a technical note regarding flooding and drainage, with a focus on surface water drainage. The appellant would like to demonstrate that a solution could be found, and this could be covered by a condition which would be recommended to the inspectorate at the public inquiry. The in-house technical officer for the Council had looked at the technical note which had been included in the additional representations report and concluded that the flood risk and drainage could be resolved and covered by a condition.

The Report had been to the Sub-Committee for members to decide whether they would like the Council to pursue refusal reason 3 at the Appeal Inquiry, which would result in a partial award of costs to the appellant or to agree not to pursue refusal reason 3 on flood risk grounds at the Appeal Inquiry.

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

- There were concerns about the flooding in the village and the impact on surrounding properties. Flooding had not been an issue in the village.
- Concerns about the Flood Risk Zone categorisation.
- The other refusal reasons were; Lack of Section 106, Heritage impact and within the Cotswold National Landscape.

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- Improvement of conditions to maintain drainage and support water systems. More involvement from Thames Water and a Grampian condition when the application comes to the public inquiry.

Councillor Jeff Haine proposed to approve the recommendations in line with the Officer's report. Councillor Lidia Arciszewska Seconded the proposal and was put to the vote. The vote was unanimous.

The Sub-Committee Resolved to:

1. Agree not to pursue refusal reason 3 on flood risk grounds at the Appeal Inquiry.

133 Applications Determined under Delegated Powers

The report giving details of applications determined under delegated powers was received and noted by the Committee.

134 Appeal Decisions

The report giving details of Appeal Decisions was received and noted by the Committee.

The Meeting closed at 3.54pm

CHAIR