

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, 23 August 2021**

PRESENT

Councillors: Councillor Jeff Haine (Chairman), Councillor Andrew Beaney (Vice Chairman), Councillor Nathalie Chapple, Councillor Merylyn Davies, Councillor Ted Fenton, Councillor David Jackson, Councillor Elizabeth Poskitt, Councillor Alex Postan, Councillor Geoff Saul and Councillor Dean Temple.

Officers: Nick Dalby (Forestry and Landscape Officer), Joan Desmond (Principal Planner), Stuart McIver (Career Grade Planner), James Nelson (Graduate Planner) and Adrienne Frazer (Strategic Support Officer).

19 Minutes of Previous Meeting

The minutes of the meeting held on 26 July 2021 were approved and signed by the Chairman as a correct record.

20 Apologies for Absence and Temporary Appointments

An apology for absence was received from Councillor Wilson.

Councillor Poskitt substituted for Councillor Cooper.

21 Declarations of Interest

There were no declarations of interest received.

22 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 applications be as indicated, the reasons for approval or refusal to be as recommended in the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

21/00871/FUL - Springfield Bicester Road, Enstone

The Graduate Planner, James Nelson introduced the application for separation of an annexe from the dwelling to form a separate self-contained dwelling and associated

landscaping alterations (amended plans). The Officer then presented his report containing a recommendation of approval. He advised that the proposed scheme accorded with West Oxfordshire Local Plan Policies OS2, OS4, H2, H6, T4 and EH7, the NPPF 2021 and the West Oxfordshire Design Guide 2016. He provided a verbal update from the Highways Department who were not objecting to the proposal.

Following a question from Councillor Beaney regarding Enstone Parish Council's objections, officers confirmed that:

1. The 1.8m fence condition had been added for this to remain in perpetuity;
2. A removal of permitted development rights from existing outbuildings and from any extensions to existing buildings, had been included;
3. Obscured glazing was only required to the bathroom roof light.

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Councillor Chapple raised a concern that the height of the roof lights at 1.7 metres would be too high to see out of.

Officers advised that the intention was to mitigate overlooking of the neighbour and that, in practice, it would be difficult to provide lower roof lights due to the height of the roof.

Councillor Beaney proposed that the application be granted as per officers' recommendations.

This was seconded by Councillor Postan.

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

Approved

21/00898/FUL - Barley Hill Farm Chipping Norton Road, Chadlington

The Career Grade Planner, Stuart McIver introduced the application for the demolition of agricultural buildings to allow for the conversion and extension of the traditional barn to form one dwelling, with associated garaging, access and landscape works.

Mr P O'Brien, the applicant, addressed the Committee.

Mr McIver then presented his report containing a recommendation of refusal. He advised that the proposed extension by reason of siting, scale and design would have a dominating and unduly transformative impact upon the form and appearance of the existing vernacular stone barn, which would be of detriment to the character and significance of the non-designated heritage asset. As such, the development as proposed would be contrary to the provisions of Policies OS2, OS4, EH12, and EH16 of the adopted West Oxfordshire Local Plan 2031, and the relevant paragraphs of the NPPF 2019.

Councillor Temple thanked officers for their work but did not feel that the reference to OS2 was a reason for refusal. He felt that the proposed building was in keeping with character of the site and also did not agree that the proposed size of the building would be too large.

Councillor Temple proposed that the application be approved.

Councillor Jackson commented that the site visit had been very useful. He agreed with Councillor Temple and did not agree that the proposed building would be too large. He therefore, seconded the proposal to approve.

The officer advised that the immediate character of the site was agricultural but the proposal was for a two story residential dwelling which would obscure the existing barn, resulting in a residential look. In addition to this, the barn was classed as semi-permanent whilst the house would be a permanent building.

Councillor Chapple queried whether, with the loss of the barn, there would be a possibility of future applications for more agricultural buildings.

Following questions from Councillors Beaney, Saul, and Poskitt, the officer stated that the non-heritage asset was the existing stone barn; this application was not farm diversification; the house would not have any agricultural occupancy restrictions and would be a stand-alone dwelling, not tied to a working farm and that both barns were in keeping with the surrounding agricultural area.

Councillors Beaney and Postan felt that there was a risk of setting a precedent in agreeing an extension that was much bigger than the existing building and with the existence of a similar site next door, which would be visible if developed in the same way.

Councillor Postan proposed that the application be refused as per officers'

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Recommendations and this was seconded by Councillor Saul.

The proposal that the application be granted against officers' recommendations was put to the vote and was lost.

The Officers' recommendation of refusal was then put to the vote and was carried.

Refused

21/01229/FUL - Lansdowne Bruern Road, Milton Under Wychwood

The Career Grade Planner, Stuart McIver introduced the application for the demolition of the existing bungalow and erection of two detached dwellings together with associated works.

Mr McIver, then presented his report containing a recommendation of approval. He advised that the application complied with the provisions of policies OS2, OS4 H2, EH1, EH3, EH8, T4, and OS3 of the adopted Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2021.

Councillor Haine advised that the site was to the west of the village in an area that was largely undeveloped. He stated that along this road there were a few, large houses on large plots. He noted that all applications on this road had been refused as it was viewed as 'in-filling' and approving this application could set a precedent for future development. He concluded by explaining that Milton under Wychwood was a village, however, this area was more like open countryside with a lot of space.

Councillor Fenton suggested that there was a risk the second property create additional access on to the road from the drive and that this would be unacceptable.

Councillor Beaney declared an interest because his allotment was opposite the site and agreed with the previous statements.

Councillor Postan felt that this site was not open landscape but within a village and felt the Committee could be at risk of an appeal.

Councillor Haine proposed that the application be refused contrary to officers recommendation on the grounds that it was contrary to Policy OS2 because this was open countryside, two houses on the site did not respect the intrinsic character of the area; Policy H2 in that any new dwellings in the open countryside should be on a one for one basis; and EH1 and EH2 which aimed to conserve the scenic beauty and landscape tranquillity and countryside.

This was seconded by Councillor Davies who stated that villages did have areas that tailed off and this needed to be respected. Having been put to the vote the proposal was carried.

Refused

21/01476/FUL - Shabbanoneuk Park Close, Bladon

The Principal Planner, Joan Desmond introduced the application for the demolition of the existing dwelling and the erection of three dwellings with associated works including landscaping and the formation of parking.

The following people addressed the Committee:

Ms H Norrmen and Mrs K Capel objecting to the application.

A submission from Mr J Clack – for the applicant was read out.

Following a question from Councillor Chapple, the objectors confirmed that they agreed with the development of the site but were opposed to the density proposed in this application.

The Principal Planner then presented her report containing a recommendation of approval. She advised that the application was considered to be acceptable and complied with policies OS2, OS3, OS4, H2, H6, EH3, EH9, EH10 and T4 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the NPPF 2019.

Councillor Poskitt felt that two houses on the site would be acceptable but the proposed three houses would increase the housing density beyond what currently existed in Park Close and Lincoln Grove. She noted that Toad Cottage was 1.5 metres lower than the application site and she felt this could be the cause of the objectors' issues. She was also concerned about the validity and accuracy of the light review and asked about the location of the bins in the central house.

The Principal Planner advised that there was bin storage at the front of the central house.

Councillor Poskitt noted that all the objectors resided in Park Close and Lincoln Grove, streets adjacent to the site, and with the site being on a bend in the road, it was important to be able to exit the site in a forward gear. She also noted that Grove Road was prone to flooding and Bladon did not need the third house following other recent developments.

Councillor Poskitt proposed that the application be refused, contrary to officers' recommendation, on the grounds of over dominance and consideration of the neighbours, with policy OS4 relating.

This was seconded by Councillor Davies who stated that she also had doubts about the light survey and felt the development was overbearing, over developed and she would prefer to see an application for two houses to be built on the site.

Councillor Postan stated that visiting the site had been very useful. He noted that the purpose of planning policy was to prevent harm and that the resident of Toad Cottage felt harmed by this proposed development. He also noted that the fence on the boundary in the back garden dominated the garden and yet was lower than the 2 metres allowed.

Councillor Chapple agreed with Councillors Poskitt and Davies, and noted that there was no visitor parking and the number of bedrooms on the site would increase from three to seven.

Councillor Saul felt the terrace of three houses fitted well with the three linked properties next door and was not out of place in the street scene. He noted that there were no Highways Department objections. He stated that this was the third hearing of this application and the applicants had made efforts to respect the neighbours' and officers' requests. He advised that he would support approval.

Councillors Jackson and Temple both expressed concern about the light report.

Councillor Haine agreed with a lot of the comments made, felt that the application was overbearing and particularly noted that the ridge height of any development on the site should be no closer than the existing building.

The Principal Planner reminded Members that the previous reason for refusal was solely on the adverse impact on the neighbour at Toad Cottage.

Having been proposed and duly seconded the proposal for refusal, contrary to officers' recommendations, was put to the vote and was carried.

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Councillor Chapple noted that it would have been helpful to have the applicant present in order for them to respond to Members questions.

Refused

23 Applications Determined under Delegated Powers and Appeal Decisions

The report providing details of applications determined under delegated powers was received and noted.

Councillor Beaney raised a query regarding 21/01789/HHD as to whether the application should have been a /FUL application. The officer advised that his query would be responded to outside the meeting.

Item 20 - 21/01294/HHD

It was noted that this item should be on the Lowlands Delegated Powers list.

Item 30 - 21/01593/LBC

Councillor Chapple asked officers to clarify whether agricultural properties that had no alterations could now be transferred to being residential properties without planning permission. Officers confirmed that this was the case under permitted development rights. However, listed buildings, as in the case of this application, did not have permitted development rights and that was the reason this application had been made.

Councillor Postan thanked officers for their work processing applications through delegated powers at this difficult time.

24 TPO Report - Tithings, Station Road, Shipton under Wychwood

The Sub-Committee received the report of the Landscape & Forestry Officer which provided details of an application to fell a protected tree at Tithings, Station Road, Shipton under Wychwood. He noted that the Tree Preservation Order (TPO) had been made in November 2020 and confirmed by this Committee in January 2021.

Councillor Postan proposed that the application be refused as per officers' recommendations.

Councillor Chapple sympathised with a new resident wanting to improve their garden and noted that the tree would continue to get bigger and put out more suckers and roots. She disagreed with the proposal to allow the tree to remain.

The proposal to refuse the application was seconded by Councillor Temple who stated that since the TPO had only been confirmed in January 2021, it would be expected that the committee uphold it.

The Officers' recommendation of refusal was then put to the vote and was carried.

Refused

20/01165/FUL - Mill House Hotel, Kingham

The Chairman, Councillor Haine, advised the Committee that the decision made by Uplands Area Planning Sub-Committee on 26 July 2021 relating to the above application, had been challenged. It had been agreed that the application would be considered again by the Development Control Committee, at a future date.

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Councillor Haine asked Councillor Beaney to discuss the application with Kingham Parish Council before the Development Control Committee met so that the Parish Council's views could be included in discussing the application.

The Meeting closed at 4.10 pm

CHAIRMAN