

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Uplands Area Planning Sub-Committee**  
Held in the Committee Room 1 at 2.00 pm on **Monday, 24 July 2023**

### PRESENT

Councillors: Julian Cooper (Chair), Rizvana Poole (Vice-Chair), Lidia Arciszewska, Andrew Beaney, Jeff Haine, David Jackson, Tim Sumner, Dean Temple and Mark Walker

Officers: Emile Baldauf-Clark, Abby Fettes (Interim Development Manager) and Max Thompson

Other Councillors in attendance: Elizabeth Poskitt and Colin Dingwall.

### **80 Minutes of Previous Meeting**

The minutes of the previous meeting held on Monday 26 June 2023 were approved and signed by the Chair as a correct record subject to minor amendments proposed by Councillor Beaney who;

Highlighted two points that had not been included in the Minutes of the Previous Meeting.

1. Concerns over the Unicorn Public House – Councillor Beaney had proposed that concerns be raised over the ongoing case of the Unicorn pub in Great Rollright, and asked that these concerns be raised with the Executive Member for Planning and Sustainable Development. The Chair seconded the proposal. Democratic Services committed to email Councillor Carl Rylett with Committee's comments.
2. Councillor Beaney proposed that the Members are offered planning enforcement training. This was seconded by Councillor Ashton. Democratic Services to arrange a training session for all Members with the department.

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

Apologies for Absence were received from the following Councillors:

- Alaa Al-Yousuf and Hugo Ashton.
- Councillor Elizabeth Poskitt substituted for Councillor Hugo Ashton.
- Councillor Colin Dingwall substituted for Councillor Alaa Al-Yousuf.

### **82 Declarations of Interest**

Declarations of Interest were received as follows:

There were no declarations of Interest raised at this point in the meeting (see item 4 for a declaration raised in relation to application 23/01493/FUL 7 Hughes Close, Charlbury.

### **83 Applications for Development**

23/00860/FUL Land Formerly Known as The Square, Church Enstone.

James Nelson, Planning Officer, introduced the application for the erection of a single dwelling. The Planning Officer drew the Committee's attention to the Additional Representation Report with no objections from the Council's Legal Team regarding a minor amendment to wording of clause 4.2 in the Unilateral Undertaking. The Planner continued with the presentation and highlight the key points of the application as follows:

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- Tree Preservation Orders;
- Listed buildings in the surrounding area;
- The site is presently undeveloped;
- Public rights of way highlighted;
- Proposed site plan with access;
- Elevations which included a dual pitched design;
- The proposed use of Zinc and Solar Panels;

John Pritchard spoke in objection to the application. The Chair invited questions of clarification from the Committee. Of which there were none.

Roger Burton spoke as the applicant for the application. The Chair invited questions of clarification from the Committee. Councillors asked for the following points to be clarified;

- Current application being similar to the design of a house built in Stockport in 2018 built by the applicant;
- When using materials to keep the design net zero carbon, timber would be used to keep the building's character with those in the surrounding area;
- Materials used would be from a renewable resource;

The Planning Officer continued with the presentation which clarified the following points.

- Brought Members attention to Policies OS2, H2 and H5 in the Local Plan and paragraph 11D of the NPPF. Members were to consider these policies when deciding on the application;
- Proposed materials to be used including timber cladding, zinc and solar panels would give the building a contemporary look;
- Potential impact on surrounding areas, dwellings and heritage assets. Due to the location of the site being set back from the road it would result in a neutral impact on the appearance of the area;
- The site would provide ecological enhancements;
- The dwelling would be self-custom built unit as secured agreed by legal agreement;

The Chair invited the Committee to discuss the application and the following points were raised:

- The materials used were sustainable and renewable and were in keeping with the demands of changing environmental factors;
- Retention of trees under the Tree Preservation Order;

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- The site was set back and had greenery surrounding it however was not in keeping with the local character of other dwellings within the local village;
- Supportive of passive housing and fitted quota for self builds;
- Design in conflict with Local Plan Policies OS2, H2 and H5.
- Design not in keeping with the local character of the village, especially the proposed materials to be used. Limestone not considered as a potential material for the design and build.

Councillor Haine proposed that the application be refused in line against the Officer's recommendations. This was seconded by Councillor Beaney and was put to the vote. There were 6 votes for and 4 against with 1 abstention and the application was therefore refused by the Committee.

Councillor Poskitt abstained from the vote.

Committee **Resolved** to:

I. Refuse the application on the following grounds / in line with the following policies;

- I.1 The proposed dwelling, by reason of its design, form and use of materials, would not respect the architectural and historic character of the locality and would appear as an incongruous addition in this location to the detriment of visual amenities of the area. The proposal would also result in 'less than substantial' harm to the setting of the Grade II Listed Tulip Cottage, The Manor House, and Rose Cottage, that is not outweighed by the public benefits arising from the scheme. Therefore, the proposal does not accord with West Oxfordshire Local Plan 2031 Policies OS2, OS4, EH11 and EH13 as well as the guidance contained in the NPPF 2021 and Sections 4 and 11 of the West Oxfordshire Design Guide 2016.
- I.2 The proposed location of the dwelling within the 'small village' of Church Enstone would result in the provision of a unit of residential development in an unsustainable location in conflict with housing locational strategy of West Oxfordshire Local Plan 2031 Policies OS2 and H2. The proposal is therefore contrary to Policies OS2, H2 and H5 of the adopted West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF.

23/01493/FUL 7 Hughes Close, Charlbury.

Councillor Colin Dingwall declared an interest as the application was in his son's name and confirmed he would not be present for the hearing of the application. Councillor Dingwall left the Committee Room 1 at 2.45pm.

Emile Baldauf-Clark, Planning Officer, introduced the application for erection of detached dwelling and widening of existing dropped kerb, with amended plans.

Within the presentation the Planning Officer clarified the following points:

- The new access would be from Sturt Close;
- Currently the site is not in use and over grown;
- The site is in the AONB and the Charlbury Conservation Area. There would be no impact on the AONB;
- The garden has been separated from 7 Hughes Close;
- The dwelling would be a brick build with a slate roof;
- There had been a previously approved application but this had been amended;
- The property was in keeping with the design and scale of other properties in the area;
- The dwelling was suitable for the site as the land was previously developed;
- Windows that overlook surrounding properties would have obscured glazing by condition;

Councillor Temple declared for the purpose of transparency, his that Aunts live in the same street as the application proposed.

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

- Noted comments from Charlbury Town Council who did not object to the application;
- No objections from Highways or neighbours;
- Could have improved sustainability by including solar panels or heat pump;
- Clarification over obscured glazing and fencing. The Planning Officer confirmed that there were no concerns over fencing and there had been an amendment from the previous application which had resulted in request for obscured glazing to be a condition;

The Chair proposed that the application be approved in line with the Officer's recommendations. This was seconded by Councillor Temple, was put to the vote and unanimously approved by the Committee.

Committee **Resolved** to;

- I. Approve the application in line with the Officer's recommendations.

Councillor Dingwall returned to the meeting in Committee Room I at 3pm.

**84 Applications Determined under Delegated Powers and Appeal Decisions**

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

Councillors asked for clarification on the following items;

- Page 54, Item 37; clarification on whether this application was an item for Lowlands Area Planning Sub-Committee.
- Page 56, Item 50; Clarification regarding ventilation dormer windows. It was clarified that these had been added to the proposal.

Committee **Resolved** to

1. Note the report containing details of applications determined under delegated powers.

Abby Fetes, Development Manager and James Nelson, Planning Officer outlined the Appeal Decisions report and provided an update on the current position with each application.

1. APP/D3125/D/23/3317994 – 15 Oxford Road, Woodstock and APP/D3125/D/23/3315946 – 31 Oxford Road, Woodstock. Both appeals were dismissed on the grounds of having a detrimental impact on character of the existing properties and the conservation area.
2. APP/D3125/W/22/3313665 – Westfield Farm, Church Road, Chipping Norton. Application to change agricultural buildings to a holiday home. Appeal allowed on the grounds of proposed alternations to building would be minor and not impact the AONB and had no concerns on the retention of the building as it was a modern farm building. Committee Members asked for clarification on enforcement in relation to land nearby, this would not be affected.
3. APP/D3125/C/22/3306729 and APP/D3125/W/22/3308506 Diddly Squat Farm, Upper Court Farm and Curdle Hill Farm, Chadlington. Appeal against enforcement notice on 11 August 2022, breach of planning control and extension of car park. An outline was given of the appeal decision. Committee asked for clarification on which part of appeal was refused and which was granted. Committee requested that a copy statement read out by the Development Manager be circulated to Committee Members.

The Meeting closed at 3.07 pm

CHAIR