

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Uplands Area Planning Sub-Committee** held in
Committee Room 1, Council Offices, Woodgreen, Witney, Oxon
at 2.00pm on **Monday 2 March 2020**

PRESENT

Councillors: Jeff Haine (Chairman), Geoff Saul (Vice-Chairman), Andrew Beaney, Richard Bishop, Mike Cahill, Nigel Colston, Julian Cooper, Derek Cotterill, Marilyn Davies, Ted Fenton (ex-officio, non-voting), David Jackson, Neil Owen, Elizabeth Poskitt and Alex Postan.

Officers: Stephanie Eldridge (Senior Planner), Kim Smith (Principal Planner (Enforcement)), Phil Shaw (Business Manager Development Management)

54. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 3 February 2020, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

55. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies. The following temporary appointment was reported:
Councillor Elizabeth Poskitt for Councillor Nathalie Chapple.

56. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

57. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Business Manager – Development Management, giving details of applications for development, copies of which had been circulated.

RESOLVED: That the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

3 19/02855/FUL The Gables, 10 Enstone Road, Charlbury

The Senior Planning Officer, Stephanie Eldridge, introduced the application. She explained this had been deferred from the previous meeting, the site was in a Conservation Area and the Cotswolds AONB, and confirmed that the distance between the existing and proposed new dwelling was 48m not 20m as previously stated, and that the garage was proposed to be demolished.

Councillor Liz Leffman spoke in favour of the application explaining that the proposed dwelling would be a two bedroom property and would be occupied by the owners of the current house on the site, as they wanted to

downsize. She explained that a neighbourhood plan was being prepared and the village was desperately short of two and three bedroom homes. The emerging neighbourhood plan at paragraph 3.22 stated that unless suitable housing was enabled, older people may choose to leave through lack of suitable housing, which limited the potential for younger people to form households. There was a need for Charlbury to have a community, across all age groups. She explained that the Town Council and the Nine Acres Recreation Ground Association had supported the application and it was important to consider the thriving communities in the AONB quoting policy EH9 of the Local Plan.

Following a question from Councillor Fenton, it was confirmed that the current owners were downsizing and would be selling the existing property.

Mr. Stuart Parker, the Applicant's agent spoke. He apologised to the Sub-Committee that no one was there to greet them on site at the appointed time. He explained that the field at the bottom of the site was an amenity for all of Charlbury, the shared access should not present a problem, it was a single dwelling and would not have an impact on the AONB, it was not cramped or contrived, the land after subdivision was in accordance with the design guide, the property would have photo voltaic panels, was down the road from the community centre and unlikely to create a precedent as other houses along the same road had extensions. He explained that as the Council had declared a climate emergency, this dwelling could be an example of how future buildings could adhere to this declaration.

The Planning Officer presented her report, quoting the following planning policies in the Local Plan 2031; H2-delivery of new homes; BCI-Buford-Charlbury sub-area; OS2-Locating development in the right places, which she explained that due to its siting the development would fail to form a logical complement to the design of development within the area, it was contrived and cramped, it would set a precedent and would be detrimental to the AONB, the impact on the residential amenity and was in close proximity to occupiers of properties close to the development.

Councillor Beaney proposed that the application be refused as per officer's recommendation, quoting Local Plan Policies; EH1; EH9 and BCI. Councillor Davies seconded this proposal.

Members' concerns relating to this development were; once the garage was moved there would be little turning space, larch boarding was unusual, loss of amenity to existing house, the building would be prominent in the open landscape, it would obscure views of the landscape. It was considered by Councillor Postan that the site was ideal for an earth house which would not intrude on the landscape.

The Officer recommendation of refusal was then put to the vote and was carried with one abstention.

Refused

9 19/03513/ADV Land East of Woodstock, Oxford Road, Woodstock

The Principal Planner (Enforcement), Kim Smith, introduced this application and explained that it was a retrospective application for two illuminated signs which were advertisements for a new housing development on the land. Officers were recommending approval, and there were no objections raised by the Highway Authority.

Members indicated that the signs had been illuminated recently and they were unobtrusive.

Councillor Cooper proposed that the application be approved as per officer's recommendation, as it was significant that the Highway Authority was not raising objections. Councillor Poskitt seconded the proposal and highlighted that Blenheim Estates should stop submitting retrospective applications and requested that officers ask the developers to turn the lights off in their show home at night to avoid complaints from neighbours.

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

Approved

12 19/03539/FUL 17 Bear Close, Woodstock

The Senior Planning Officer, Stephanie Eldridge, introduced the application, and explained that it was for the erection of two flats with associated parking and gardens. The Highway Authority had not objected to the scheme, but the Town Council had. Photos of the site and application were presented to the Sub-Committee.

Mr. Lee Turner, the Applicant's Agent spoke, explaining that the design was appropriate for the area, the existing dwelling had been retained, highways had no objection, parking had been provided for the existing and proposed dwelling, there was a range of dwelling types in the area and affordability was required in Woodstock, other properties in the area had been divided into flats, it was important that each dwelling had separate gardens, bin stores and secure cycle storage would be provided.

For clarification Members questioned the space for bins and whether there would be a clear path into the properties. They also sought clarification on the properties which had been made into flats.

The Planning Officer continued her explanation of the application quoting Local Plan Policy OS2. The previous approval (18/03457/FUL) on the site had been considered to be acceptable, this application would respect the development in the street scene, it had private amenity space and both flats would need to meet housing standards.

Councillor Cooper clarified that one of the properties mentioned by Mr. Turner had not been turned into flats and considered this application was a step too far and Bear Close had not got the facilities for development.

He was also concerned about separating the garden space, and proposed that the application be refused, quoting policy H6.

This was seconded by Councillor Poskitt who was concerned about the amount of development on the site, that it was not in keeping with the rest of the area, over manoeuvrability of cars outside the properties as the road was full of parked cars, and refuse vehicles having difficulty accessing properties.

Members expressed concerns in relation to the parking and the loss of a three bedroom house, although it was recognised that there was a need for one and two bedroom flats.

The proposal for refusal was put to the vote and was lost.

The Officers' recommendation to approve was then proposed, seconded and put to the vote. This was carried.

Approved.

18 20/00181/S73 Land at Church End, Swerford

The Principal Planning Officer (Enforcement), Kim Smith introduced this application, which had been submitted as a result of a complaint that the development for a storage building had not been built in accordance with the approved drawings. Photos of the building were shown to the Sub-Committee with the details of the approved building, which was used for storage purposes and a lawful development certificate had been issued for storage of building materials on the land. This application was for the insertion of doors, window and rooflights. She explained that this development, as a storage building, in the conservation area was considered acceptable.

Members were concerned that this application was the start of the building being turned into a house. The Chair reiterated that this application was approved for storage purposes and if the owners were to start using it as a house they would need to seek planning permission, and it would be unlikely that officers would recommend approval.

Councillor Beaney proposed that the application be refused quoting Local Plan Policies OS2 (bullet points 4 and 5); OS3 (bullet point 1); OS4 (bullet points 1,2 and 4); EH9 reiterating that this was more like a dwelling than a shed.

Councillor Colston seconded this proposal, as his concern was that the building would be converted to a dwelling and if it went ahead it would set a precedent for dwellings to be built by stealth.

The Business Manager Development Management, Phil Shaw highlighted that Officers had no evidence that the building was being proposed as anything else other than a storage building and planning permission would need to be sought to change to a house.

Members expressed concern that the building had been built to a high standard, with the windows and doors being the start of a dwelling, as electricity had been added and the start of drains on the building could be seen on the photographs. The Sub-Committee considered that if the building required doors, perhaps a person door could be built into the wooden door already in the building.

Officers explained that if it was discovered that a dwelling was being formed it would be likely to be expedient to take enforcement action, and that neighbours in the area would be monitoring the site. It was also highlighted that Condition 2 on the decision notice had been imposed for the avoidance of doubt. If the application was refused there would need to be extremely strong reasons at appeal.

The proposal to refuse was put to the vote and lost.

Councillor Cotterill proposed that the application be approved, as per officer's recommendation, with Condition 2 being intended, for the avoidance of doubt, to ensure compliance with the decision, with the applicant producing evidence that the approved work had been carried out. Councillor Postan seconded the proposal.

Councillor Beaney requested that Condition 7 relating to the tree should remain to ensure the damson tree was protected.

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

Approved.

Councillors Beaney, Bishop and Colston wished it recorded that they had voted against the decision.

58. PROGRESS ON ENFORCEMENT CASES

The Sub-Committee considered the report of the Business Manager Development Management, which advised of the current situation and progress in respect of enforcement investigations.

59. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

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

The meeting closed at 3.50pm

CHAIRMAN