

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 6 July 2015

PRESENT

Councillors: J Haine (Chairman), A C Beaney, R J M Bishop, C Cottrell-Dormer, A M Graham, T J Morris, T N Owen, A H K Postan, Dr E M E Poskitt, W D Robinson and G Saul

Officers in attendance: Phil Shaw, Catherine Tetlow, Abbey Fettes, Gemma Smith and Paul Cracknell

11 MINUTES

RESOLVED: that the Minutes of the meeting of the Sub-Committee held on 1 June 2015 be confirmed as a correct record and signed by the Chairman.

12 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr T B Simcox and the Chief Executive reported the following resignations and temporary appointments:-

Mr W D Robinson for Mr N G Colston
Mr A H K Postan for Mr D A Cotterill

13 DECLARATIONS OF INTEREST

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

14 APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Head of Planning and Strategic Housing giving details of applications for development, copies of which had been circulated. A schedule outlining additional observations received following the production of the agenda was circulated at the meeting, a copy of which is included within the Minute Book.

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 Head of Planning and Strategic Housing, subject to any amendments as detailed below:

(In order to assist members of the public, the Sub-Committee considered the applications in which those present had indicated a particular interest in the following order:-
15/00567/FUL; 15/01095/FUL; 15/01183/FUL; 15/01297/FUL; 15/01523/FUL and 15/01563/FUL.

The results of the Sub-Committee's deliberations follow in the order in which they appeared on the printed agenda).

3 I5/00567/FUL Land North of Little Lees, Charlbury

The Planning Officer introduced the application and made reference to the observations of Historic England set out in the report of additional representations.

Mr Andrew Greenfield then addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

Mr Mike Gilbert, the applicant's agent, then addressed the meeting in support of the application. A summary of his submission is attached as Appendix B to the original copy of these minutes.

In response to questions from Mr Beaney and Mr Robinson, Mr Gilbert advised that it was intended that the area of the site to be retained as grassland and woodland would be managed by a management company established by the individual owners of the properties.

The Planning Officer then presented her report.

Mr Graham indicated that it was regrettable that the applicants had not considered an alternative access to the site as, whilst the scheme had merit in itself, the proposed access would have an adverse impact upon existing residents. He suggested that, should the application be approved, appropriate conditions be imposed to minimise disruption during construction.

Mr Robinson concurred; suggesting that consideration of the application be deferred to enable the applicants to explore the possibility of taking an alternative access to the site and to provide further details of the legal agreement relating to the retained land which he considered should remain undeveloped in perpetuity.

Whilst acknowledging Members' concerns, the Planning Officer advised that the proposed access was considered acceptable by the Highway Authority and the remaining issues could be addressed by conditions and through the legal agreement. Accordingly, she questioned whether a deferral would be justified.

Mr Postan expressed concern over the adequacy of off-street parking and Mr Beaney suggested that it would be appropriate to defer the application for further information on the terms of the proposed legal agreement.

Dr Poskitt questioned whether the areas of land that were to remain undeveloped represented the optimum ecological habitat and whether the projected level of additional traffic movements generated by the development was accurate.

The Planning Officer explained that the applicants had considered the alternative access suggested by objectors and decided that they did not wish to pursue that option. No rare or protected species had been identified on the site and it was proposed to include a condition requiring the submission and approval of an Ecological Management Plan that would ensure the on-going management of the retained open area.

The Area Planning Manager suggested that a deferral would enable further details of the Heads of Terms of the legal agreement to be provided and offer the County Council the opportunity to explain why it considered the proposed access to be acceptable.

In response to a question from Mr Bishop it was confirmed that there were no known constraints of ownership precluding use of the alternative access.

It was proposed by Mr Robinson and seconded by Mr Graham that consideration of the application be deferred to enable further details of the Heads of Terms of the legal agreement to be provided and offer the County Council the opportunity to explain why it considered the proposed access to be acceptable. On being put to the vote the proposition was carried.

Deferred

17 15/00797/FUL Land at New Road, Kingham

The Planning Officer presented her report containing a recommendation of conditional approval and confirmed that, as a rural exception site, the affordable housing provided would be secured for local people in perpetuity.

The Officer recommendation of conditional approval was proposed by Mr Beaney and seconded by Mr Graham and on being put to the vote was carried.

Permitted subject to the conditions set out in the report and to the applicants entering into a legal agreement to secure the affordable housing provided for local people in perpetuity.

27 15/01095/FUL Boulters Barn Farm, Churchill Road, Churchill

The Planning Officer introduced the application.

Mr Sweeting then addressed the meeting in opposition to the application. He indicated that the existing farm buildings were adequate and that he considered the proposed building was unnecessary. He believed the new access would be dangerous, requiring vehicles to cross both lanes of the highway. He expressed concern over the loss of agricultural land to development and suggested that the existing buildings should be used in preference to a new facility that would set a precedent for further development in the future.

The Planning Officer then presented her report. In response to a question from Mr Postan it was confirmed that, whilst the access was a private road it was subject to a public right of way.

Mr Owen indicated that he could see no grounds upon which to refuse the application and proposed the Officer recommendation. In seconding the proposal, Mr Graham suggested that the proposed development should be constructed of materials to match existing buildings. It was noted that the proposed conditions included a requirement to submit a schedule of materials for approval.

Mr Beaney suggested that the building should be retained in agricultural use in perpetuity. Mr Owen accepted this suggestion and modified his proposition accordingly. On being put to the vote the revised recommendation was carried.

Permitted subject to the following additional condition:-

- 5) The building hereby approved shall be used for agriculture and for no other purpose.
REASON: The site is only suitable for the use specified because of the special circumstances of the site and the needs of the applicant.

31 15/01183/FUL Castle View, Spring Street, Chipping Norton

The Planning Officer introduced the application and drew Members' attention to the additional condition regarding ecological issues and the suggested amendment to condition 10 set out in the report of additional representations. In addition, she suggested that a further condition regarding the management of the car park and signage be applied. The Planning Officer also confirmed that the applicant had no intention to provide a separate restaurant, the facility proposed being ancillary to the hotel use.

Mr Mike Tysoe then addressed the meeting on behalf of the Chipping Norton Town Council in opposition to the application. A summary of his submission is attached as Appendix C to the original copy of these minutes.

Mr Stephen Brooker, the applicant's agent then addressed the meeting in support of the application. A summary of his submission is attached as Appendix D to the original copy of these minutes. Mr Brooker confirmed that the additional and revised conditions proposed were acceptable to his client.

The Planning Officer then presented her report and advised that, in addition to the additional conditions referred to above, should the application be approved, a further condition relating to the highway requirements the subject of the proposed legal agreement could be required and sought authority to include such condition(s) as may be required by the Highway Authority.

Mr Saul indicated that, whilst he supported the proposed development in principle, he had concerns with regard to the design and scale of the building in this sensitive location and its potential impact upon the adjoining conservation area.

Mr Saul circulated copies of an alternative design prepared by the applicants which he considered to represent a more acceptable form of development and proposed that consideration of the application be deferred. He drew attention to the concerns expressed by the Council's biodiversity advisor and went on to suggest that staff parking should be provided on the site. Mr Saul also suggested that the applicant's offer to allow public car parking on the site should be extended beyond the 10 year period put forward.

The proposition was seconded by Mr Postan.

The Planning Officer acknowledged that the scale of the proposed building was challenging but advised that she considered that the design did its best to address local concerns whilst continuing to meet the operational needs of the applicant. Whilst the more recent revisions circulated by Mr Saul would reduce the bulk of the building, they would result in an increased footprint and extension of the Western elevation. The view of the gable from Spring Street would be unchanged and she considered the revisions would not give rise to any significant positive benefit whilst increasing the bulk of the building when viewed from the AONB.

On balance, the application was considered acceptable; it did not give rise to 'substantial harm' in terms of the NPPF and the public benefits arising from the development were considered to outweigh objections. The Planning Officer indicated that she did not consider it necessary to restrict the hours of operation or offer of the restaurant. There was not sufficient space to provide additional staff parking on site and a green travel plan was to be implemented. The applicant's offer to allow public car parking on the site was a goodwill gesture that did not go to the heart of the application and it would be unreasonable to seek to require an extension to the 10 year period offered. Whilst the Council's biodiversity advisor had expressed some concern, this had to be balanced against other considerations and, whilst there was some loss of wildlife habitat, no protected species would be directly affected and mitigation could be addressed through the suggested ecological condition.

Mr Graham and Dr Poskitt also expressed concern as to the scale and design of the development. Mr Cottrell-Dormer suggested that the scheme could be improved by incorporating the land occupied by The Chestnuts and the use of underground parking. He expressed concern over the design of the windows and indicated that lighting in the car park should be kept at low level.

Mr Owen, Mr Robinson and Mr Bishop expressed their support for the scheme and Mr Morris indicated that questions of design were largely subjective and, to a great degree, the function of a building dictated its form.

In response to questions from Mr Beaney, the Planning Officer advised that the Council's Environmental Health Service was satisfied that conditions relating to the operation of air conditioning would not be required. She also outlined arrangements for the operation of the public car parking but indicated that, as this was not a fundamental element of the scheme, it would not be appropriate to seek to apply conditions. Finally, she noted that a condition was proposed to control works during the construction period and advised that the introduction of parking restrictions on the access road was a matter for the County Council as Highway Authority and outside the application area.

On being put to the vote the recommendation of deferral was lost.

The Officer recommendation of conditional approval was then proposed by Mr Robinson and seconded by Mr Owen and on being put to the vote was carried.

Permitted subject to the following conditions and to the applicants entering into a legal agreement to provide improvements to pedestrian facilities in the local area as detailed at paragraph 5.42 of the report:-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2) That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3) No highway work shall begin until details of the junction between the proposed road and the highway have been submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until that junction has been constructed in accordance with the approved details.
REASON: In the interests of road safety.
- 4) The car parking areas, including 72 spaces for the hotel, shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 5) No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of dust and dirt during demolition and construction
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works
 - VIII Working hours during demolition and construction
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

- 6) The operation of the hotel shall have full regard to the submitted Travel Plan dated March 2015. Prior to the hotel being brought into use, a travel information pack, or display, shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be made available to all staff and hotel guests.
REASON: To promote use of non-car modes of transport.

- 7) Prior to the hotel being brought into use, a car park management plan for the hotel car park shall be submitted to and approved in writing by the Local Planning Authority. This shall include directional signage to advise of the main route out of the site to the Over Norton Road.
REASON: In the interests of highway safety.

- 8) Prior to the hotel being brought into use, a car park management plan for the public car park shall be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.

- 9) No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.

- 10) Prior to commencement of the development, evidence of a wayleave agreement to discharge surface water into the adjoining field ditch to the west of the proposed development site, and a management plan setting out the maintenance of the drainage asset shall be submitted and approved by the Local Planning Authority.
REASON: To ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality.
- 11) Notwithstanding the submitted details, no floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.
REASON: To safeguard the character and appearance of the area.
- 12) Before above ground building work commences, a schedule of materials, including samples, to be used in the elevations and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 13) Prior to the commencement of above ground works, sample panels of all stonework, brickwork and other facing materials, including junction details between contrasting materials, shall be erected on site and approved in writing by the Local Planning Authority. The walling shall be constructed as approved and the sample panels shall be retained on site until the construction of the building is completed.
REASON: To safeguard the character and appearance of the area.
- 14) Notwithstanding details contained in the application, detailed specifications and drawings of all cladding, windows, external doors, and other external features at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is installed. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 15) Notwithstanding the submitted details, a scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include the location, size and condition of all trees and hedgerow to be retained. It must show details of all planting areas, including plant species, numbers and sizes.

The proposed means of enclosure and screening should also be included, together with details of any mounding, walls, fences and hard surface materials to be used throughout the development. Details of all retaining structures shall also be provided. Any gabions proposed shall be filled with local limestone, and a sample of this stone provided for approval. The scheme shall have been fully implemented by the end of the planting season immediately following completion of the development, or the site being brought into use, whichever is the sooner. The scheme shall thereafter be maintained in accordance with the approved details. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To safeguard the character and landscape of the area.

- 16) No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

- 17) Prior to installation of the kitchen extraction system, details of the extract ventilation and filter shall be submitted to and approved in writing by the Local Planning Authority. The extract ventilation and filter shall be installed in accordance with the approved details before the kitchen is brought into use and maintained in accordance with the approved details and the manufacturer's recommendations. Any noise emission from the kitchen extract shall be less than 5dBA below the existing background noise level, at all times, as measured 1 metre from the façade of the nearest noise-sensitive premises.

REASON: To protect the amenity of those living or working in the vicinity.

- 18) The development shall be carried out in accordance with the conclusions and recommendations contained in Section 5.0 of the "Ecological Appraisal and Bat Phase 1 and 2 Surveys" dated March 2015 and updated June 2015. With reference to these conclusions and recommendations, prior to commencement of development, including any works of demolition or site clearance, a full ecological mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include location plans and specifications for all mitigation works to be carried out, as well as a

timescale for implementation of all elements of the strategy. The approved strategy shall have been fully implemented in accordance with the approved details and timescales before the development hereby approved is brought into use.

REASON: In accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, in line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies NE6, NE13 and NE15, and in order for the Local Planning Authority to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

49 15/01297/FUL 8 Marlborough Crescent, Woodstock

The Planning Officer introduced the application, made reference to the observations set out in the report of additional representations and reported receipt of further observations received from Mr S Parnes, Mr P Jay and Mr B Yoxall.

Mr Richard Soanes then addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix E to the original copy of these minutes.

Mr Richard Bennett, the applicant, then addressed the meeting in support of the application. A summary of his submission is attached as Appendix F to the original copy of these minutes.

The Planning Officer then presented her report.

Dr Poskitt expressed her concern with regard to highway safety, parking provision and the layout of both the proposed and existing properties and proposed that the application be refused as being contrary to Policy OS4NEW of the emerging Local Plan.

In response, the Area Planning Manager advised that internal layout was regulated through Building Control, not Planning and to a great extent a matter of personal choice. Adequate car parking replicating that of the neighbouring property was to be provided and the County Council had not raised objection on highway grounds. Finally, he confirmed that there would be no loss of public open space.

Dr Poskitt's proposition failed to attract a seconder and it was then proposed by Mr Graham and seconded by Dr Poskitt that consideration of the application be deferred to enable a site visit to be held to give Members the opportunity to assess the impact of the proposed development. On being put to the vote the proposal was carried.

Deferred to enable a site visit to be held.

58 15/01320/FUL Land at Foxfield Court, Chipping Norton

It was noted that this application had been withdrawn at the request of the applicant.

71 15/01572/FUL Highway Hotel, 117 High Street, Burford

The Area Planning Manager presented the report containing a recommendation of conditional approval. The Officer recommendation was proposed by Mr Cottrell-Dormer and seconded by Mr Robinson and on being put to the vote was carried.

Permitted

76 15/01573/LBC Highway Hotel, 117 High Street, Burford

The Area Planning Manager presented the report containing a recommendation of conditional approval. The Officer recommendation was proposed by Mr Cottrell-Dormer and seconded by Mr Robinson and on being put to the vote was carried.

Listed Building Consent be granted

80 15/01630/FUL The Veterinary Hospital, Albion Street, Chipping Norton

The Planning Officer presented her report containing a recommendation of conditional approval.

Dr Poskitt expressed concern as to the adequacy of parking provision. The Area Planning Manager advised that the proposed arrangements were considered adequate and that traffic generation from the proposed residential use would be less than that occasioned by the current commercial use.

The Officer recommendation was proposed by Mr Saul and seconded by Mr Morris and on being put to the vote was carried.

Permitted

86 15/01523/FUL Land West of Fawler Road, Charlbury

The Area Planning Manager introduced the application.

Mr Mark Hofman then addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix G to the original copy of these minutes.

In response to a question from Mr Owen, Mr Hofman noted that, whilst the supporting documentation indicated that panels would not be more than 2 metres in height, the application made reference to panels up to 2.5 metres in height.

Mr Peter Kenrick then addressed the meeting on behalf of the Charlbury Town Council in support of the application. A summary of his submission is attached as Appendix H to the original copy of these minutes.

Mr Sam Clarke, then addressed the meeting on behalf of Sustainable Charlbury in support of the application. A summary of his submission is attached as Appendix I to the original copy of these minutes.

The Area Planning Manager then presented his report and made a recommendation of conditional approval subject to the applicants entering into a legal agreement regarding arrangements for the distribution of surplus monies to local AONB and Green projects and conditions as circulated at the meeting. He noted that the adjoining Parish Council had indicated that it had not been consulted on the application. However, the Council's records indicated that consultation documents had been sent and, whilst the Parish had been aware of the application since 24 June, no observations had been received.

In proposing the Officer recommendation of conditional approval Mr Graham noted that this community project had a high level of public support. The application had been revised to take account of earlier concerns and the panels were effectively screened. Although permission was sought for a 25 year consent, the development was effectively temporary and reversible. The proposition was seconded by Dr Poskitt.

Mr Beaney indicated that the application was finely balanced and sought details of the legal agreement designed to secure community benefits. The Area Planning Manager advised that it was intended to create a trust to plough back any surplus generated by the scheme to local community AONB and green energy projects. The arrangements had been agreed in principle and the mechanism by which funds would be allocated would be specified through the legal agreement.

Mr Cottrell-Dormer expressed his opposition to the development and to the location of solar farms in the open countryside. Mr Robinson concurred.

Mr Postan emphasised the need to ensure that the legal agreement provided clarification of funding arrangements and costs in order that any surplus could be clearly calculated and defined.

Mr Owen, Mr Morris and Mr Saul expressed their support for the application and on being put to the vote the recommendation of conditional approval was carried.

Permitted subject to the applicants entering into a legal agreement to ensure the establishment, management and oversight of the Community fund to distribute surplus monies to local AONB and Green projects in the vicinity of the site and to the following conditions:-

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The site shall be constructed and decommissioned fully in accordance with details first agreed in writing by the LPA prior to first use of the site as a solar farm.
REASON: To ensure that the panels and associated equipment are installed and removed from the site in a manner that will not have an adverse impact on highway safety or the landscape of the AONB.
- 3) Within 26 years of the commencement of the development or within 6 months of the cessation of the use of any solar panels for electricity generating purposes without replacement, whichever is sooner, the solar panels together with any supporting apparatus, mountings, cabling, foundations, inverter stations, fencing, CCTV cameras and other associated equipment and buildings shall be removed from the land and the land shall be restored to agricultural use.
REASON: To protect the character and appearance of the area.
- 4) Except as provided for by other planning conditions, the development hereby approved shall be implemented in accordance with the plans accompanying the application as clarified by the accompanying documentation.
REASON: For the avoidance of doubt.
- 5) No development shall take place until a Construction Traffic Management Plan has been first agreed in writing by the LPA and the development shall only be implemented in accordance with the said plan.
REASON: In the interests of Highway safety and residential amenity.
- 6) No floodlighting or sound emitting burglar alarms shall be installed.
REASON: To protect the character and appearance of the area and the amenity of residents.
- 7) The development shall not commence until the landscaping detailed on the submitted landscaping scheme has been fully implemented, and in the planting season following such implementation a review of the effectiveness of such planting shall be undertaken jointly by the LPA and operator and (if required by the LPA) a further landscape scheme shall be submitted to and approved in writing by the local planning authority; which scheme shall also include native structural hedge

planting and also the reinforcement of gaps in the existing hedges in order to screen the panels from the adjacent road and footpath network. The approved revised landscaping scheme shall be completed by the end of the planting season immediately following the first export of electricity from the solar farm.

REASON: To ensure that the landscaping is carried out, to enable the planting to begin to become established at the earliest stage practical and to minimise the landscape impact.

- 8) The new hedgerows in the submitted landscape proposals shall be allowed to grow to a height of not less than 2.5m and all hedgerows shall then be maintained at between 2.5 and 3m in height. The landscaping shall otherwise be maintained for the life of the development in accordance with the submitted landscape details and any revisions to those details that have first been submitted to and approved in writing by the local planning authority. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed and wild flower areas which become eroded or damaged, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority has first approved in writing an alternative means of replacement.

REASON: To ensure that the planting becomes established and is retained to screen the development.

- 9) The development hereby approved shall be completed in accordance with the recommendations of the submitted ecological appraisal, recording and mitigation schemes. The recommended measures shall be implemented in full before the development is first brought into use, and shall be thereafter retained for the lifetime of the development.

REASON: In the interests of bio-diversity.

- 10) The walls and other landscape features shown as restored or rebuilt shall be completed prior to first use of the solar farm.

REASON: To ensure that the parallel landscape benefits are delivered.

- 11) Within three months of the first export of electricity from the solar panels the use of any temporary compound or temporary access shall cease and it shall be removed and restored in accordance with the approved landscaping scheme.

REASON: A compound is considered not to represent an appropriate permanent form of development in the open countryside and permission is granted solely to meet the needs of the development during its construction phase, in the interests of highway safety and to preserve the character and appearance of the landscape.

- 12) Prior to their installation the transformer enclosures, grid connection building and electrical cabinets shall be finished in accordance with materials first agreed in writing by the LPA and shall be permanently retained as such thereafter.

REASON: To ensure that the development is finished in a manner that will minimise its impact on the character and appearance of the landscape.

- 13) The development hereby approved shall be carried out in accordance with a written Scheme of Investigation for archaeological works first agreed in writing by the LPA.

REASON: To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework.

- 14) No solar panel on site shall exceed 2.1 m in height and the framing and supports for the panels shall be coloured matt black.

REASON: To minimise visual impact.

100 15/01551/HHD Cottage Farm, Taston

The Officer recommendation of conditional approval was proposed by Mr Cottrell-Dormer and seconded by Mr Owen and on being put to the vote was carried.

Permitted

104 15/01563/FUL Land North of Ditchley Road, Charlbury

The Planning Officer introduced the application and drew attention to the further observations received and additional condition proposed as set out in the report of additional representations. She also reported receipt of the observations of the Council's Pollution Control Officer recommending the inclusion of a further additional condition.

Mr Tim Gardam then addressed the meeting in opposition to the application. A summary of his submission is attached as Appendix J to the original copy of these minutes.

Ms Dawn Brodie, the applicant's agent, then addressed the meeting in support of the application. A summary of her submission is attached as Appendix K to the original copy of these minutes.

In response to a question from Mr Graham Ms Brodie advised that, whilst the Leylandi boundary hedge to the North East of the site was not under the applicant's control, an agreement had been reached with the landowner by which it would be removed.

The Planning Officer then presented her report. She acknowledged that the site lay outside the existing settlement but reminded Members that there was a need for the Council to release land to meet its housing requirements.

Mr Graham expressed his concern over the scheme and the precedent set by development outside the existing settlement. The application did not constitute rounding off and the use of artificial stone did not reflect the materials used in neighbouring properties. Mr Graham also expressed concern over the absence of a pedestrian footway to serve the site and questioned where the commuted sum for affordable housing would be applied.

In response, the Planning Officer advised that Charlbury had been identified as being an appropriate location for growth. The town was expected to grow in order to meet the District's housing targets and the challenge was to identify suitable sites. Officers considered the proposed site to be acceptable and, whilst acknowledging concerns regarding precedent, future applications would have to be considered on their own merits in light of the then current planning policies.

Whilst the use of natural stone might be considered preferable, the applicants had delivered successful schemes elsewhere utilising reconstructed stone and appropriate materials conditions were proposed. It would not be possible to create a footway without removing existing trees/hedgerow on the frontage of the site. The reconstruction of the stone wall would require footings to be dug, also affecting the health of the trees/hedge along the frontage. Finally, she advised that the financial contribution would be applied to the Council's housing enabling fund for use as appropriate throughout the District.

Mr Graham questioned whether the funds could be reserved for use within the Parish. In response, Mr Robinson explained that the application of funding was not a question for the Sub-Committee but a policy issue. Further, he advised that funds were applied as schemes came forward and noted that contributions had been made by the enabling fund towards recent affordable housing development in the town.

Mr Beaney questioned how the proposed contribution of £71,000 had been calculated. The Planning Officer advised that there was no set formula for calculating affordable housing contributions; each being considered on a case by case basis taking account of the impact upon the viability of the scheme. In this instance, the Council's Housing Enabling Manager was content with the contribution proposed.

The Area Planning Manager reminded Members that both the local and national planning policy context had changed. Whilst acknowledging the changes that had taken place and the need for all settlements to take their share of development, Mr Morris suggested that the current scheme did not represent a logical compliment to the existing settlement.

The Officer recommendation of conditional approval was proposed by Mr Postan and seconded by Mr Owen and being put to the vote was carried.

Permitted subject to the applicants entering into a legal agreement to secure a developer contribution of £71,000 towards the provision of affordable housing and to the following conditions:-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2) That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3) Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4) The external walls shall be constructed of either artificial stone or natural stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 5) The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 6) Notwithstanding details contained in the application, detailed specifications and drawings of all windows, external doors, garage doors, dormers rooflights, eaves, verge, ridge, chimneys, and flues at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before their installation. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

- 7) No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.
- 8) Notwithstanding the submitted details, a scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include the location, size, and condition of all existing trees and hedgerows on and adjoining the site to be retained, together with measures for their protection during construction work. It must show details of all planting areas, including plant species, numbers and sizes. The proposed means of enclosure, hedges and screening shall be included together with details of any mounding, retaining structures, walls, fences and hard surfaces to be used throughout the development. The scheme shall have been fully implemented as approved by the end of the planting season immediately following completion of the development or the dwellings being brought into use, whichever is the sooner. The scheme shall be maintained in accordance with the approved details. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To safeguard the character and landscape of the area.
- 9) No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.
- 10) The development shall be carried out in accordance with the ecological recommendations contained in Section 5 of the Extended Phase I Report V2 dated April 2015 by Lockhart Garratt. Details for the provision of bat and bird boxes within the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. Planting of native species-rich hedgerow or equivalent scrub and tree planting along boundaries and within the developed area shall be provided in accordance with a scheme to be

submitted to and approved in writing by the Local Planning Authority. All details so approved shall have been implemented in full by the end of the planting season immediately following completion of the development or the dwellings being occupied whichever is the sooner.
REASON: To ensure biodiversity is protected and enhanced.

- 11) No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.
REASON: To safeguard the character and appearance of the area and in the interests of protecting wildlife.
- 12) No highway work shall begin until details of the junction between the proposed road and the highway have been submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until that junction has been constructed in accordance with the approved details.
REASON: In the interests of road safety.
- 13) No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety.
- 14) No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.
- 15) The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 16) A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall

include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.

The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality.

- 17) Prior to their installation, details of the siting and external appearance of the pumping station and bin store shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the scale and design of these buildings is appropriate.

- 18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, and G, and Schedule 2, Part 2, Classes A and B shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to maintain the character and appearance of the approved buildings and the site in general because of its location in the Cotswolds AONB and Charlbury Conservation Area.

- 19) Prior to the commencement of any residential development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a superfast broadband service (>24mbs) to that dwelling from a site-wide network, is in place and provided as part of the initial highway works, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a superfast broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.
REASON: In the interest of improving connectivity in rural areas.

- 20) No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of dust and dirt during demolition and construction
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works
 - VIII Working hours during demolition and construction
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

21) I. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages;
- (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
- (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems.

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site

management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination.

An assessment must be undertaken in accordance with the requirements of Part 1 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Part 2 above.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with Part 3 above.

REASON: To ensure any contamination of the site is identified and appropriately remediated.

117 15/01911/FUL 10 Roosevelt Road, Long Hanborough

The Officer recommendation of conditional approval was proposed by Mr Cottrell-Dormer and seconded by Mr Owen and on being put to the vote was carried.

Permitted

15 APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined under delegated powers together with appeal decisions was received and noted.

The meeting closed at 6:00pm.

CHAIRMAN