

**PUBLIC ADDRESS TO UPLANDS AREA PLANNING SUB-COMMITTEE
6 JULY 2015**

Re: Little Lees Charlbury planning application, Ref 15/00567/FUL

We have no objection to the erection of these new dwellings, but like many other residents in Little Lees and Lees Heights we are objecting to the planned access road into the new development which we believe is both unsuitable and inadequate.

The current intention is to use the existing access road which serves 8 houses of the development built in 2013, but is, we believe, not appropriately positioned for, nor large enough to effectively handle the traffic from another 22 homes, not to mention the heavy vehicles that will be employed during the building stage.

The "Planning Policy Comments" document and the Transport Statement with the application acknowledge that there are objections to the planned access but say that there are "no significant concerns" with the use of the existing road "which serves the approved development for 15 new homes". This statement is incorrect as it currently serves only 8, not all 15 of the existing houses. There is also mention of a "ransom strip" stopping the alternative access, a ransom strip which we are now given to understand does not exist so should not be part of any deliberation. We therefore suggest that any approval given today could be as a result of incorrect information.

To summarise, we feel the current access road is not appropriate for the planned dwellings and could be unsafe and inconvenient for the following reasons:-

1. It is only 12 metres from the final sharp left turn into Little Lees.
2. The sharp turn into the planned access road itself is narrow with poor sight-lines.
3. Many children from the existing new houses play in the road in this area and will be at considerably greater risk if traffic increases almost fourfold, ie from 8 to the 30 dwellings which would be serviced by this road.
4. This increase in traffic would inconvenience many more residents than the alternative access proposed below.

Our suggestion is that there is an easily available and more straightforward access at the far north-west corner of the site which we believe would be much safer and more suitable, not only for contractors, but also for residents once the development is completed. This would allow vehicles to turn off The Slade and continue in a straight line east into the site rather than turning right, threading through Lees Heights and then turning sharp left into the current access road. We understand OCC Highways also preferred this alternative access road but are not in a position to request this.

There are 16 registered objections to this application, mostly for the same reason, and only 3 support documents, The objections seem to have been ignored, in spite of the fact that they are not objecting to the dwellings, only the present unsafe access.

We believe there is a flaw in a system which does not allow sensible changes to be made despite them being the strong preference of all parties involved. Where there are no legal or safety restrictions to the changes which we suggest, surely the convenience and safety of both current and future residents should not be ignored.

Andrew Greenfield
16 Little Lees, Charlbury.

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Little Lees, Charlbury

15/00567/FUL

Key points:

1. Site is a scruffy piece of left-over land - proposal will make good use of it.
2. Charlbury is a sustainable location to take some additional development.
3. Proposal will not harm the historic core or the rural edge of the CA or the AONB - visually very well contained.
4. Carefully designed to minimise any impact on neighbours.
5. Access is safe - ongoing discussions with OCC about extent of applicant's ownership - but title plans show they own right p to the highway including the area at the entrance - the new road will be adopted.
6. Ecological value of the site is recognised - species rich grassland - hence only proposing to develop half of it and retain the remainder as managed grassland and woodland - discussions are ongoing about an Ecological Management Plan - the proposed condition to address this issue is acceptable.

Mr Tysoe opened his submission by indicating that the Town Council welcomed the decision of the Premier Inn Group to come to the town. However, he went on to reiterate the objections expressed by the Town Council as set out at paragraph 1.1 of the report regarding the design, scale, height and capacity of the proposed building.

He indicated that the Town Council had expressed a preference for alternative design proposals brought forward by the developers but subsequently abandoned in view of concerns expressed by other agencies.

Mr Tysoe invited the applicants to consider a re-design of the scheme in consultation with the Town Council and local community and requested any resubmission contained details of signage, traffic impact and long arrangements for the management of the proposed community car park.

Castle View, Chipping Norton

Proposed Premier Inn

Good afternoon, my name is Stephen Brooker, I am the agent for Premier Inn.

We are very pleased with the favourable recommendation and support in principle from the Town Council, so I want to concentrate on the detailed concerns that have been expressed.

The Town Council is concerned about scale and design

- This is a very difficult and costly site to redevelop
- Premier Inn require c.70 rooms for the development to be viable
- If Premier Inn cannot develop the site it seems likely to go back to the market for residential development, probably flats, probably as large or larger scheme, probably no public parking, certainly no new employment and no £1.1m of secondary economic benefits in the town
- We have relooked at design to reduce height and make the roof more higgledy/piggledy as requested by the Town Council
- We can do that, up to a point, but keeping the viable number of rooms the building foot print increases which means less landscaping
- The building also gets closer and/or presents a wider façade to the Castle and church heritage assets about which Historic England are concerned
- Your officers advised that we were better to stick with the current design in order to avoid unacceptable impact on those heritage interests

So, we are where we are

Historic England feel we should have done more analysis, but I think they just disagree with our conclusions – which are a matter of subjective opinion.

We replace one large modern, semi-derelict very unattractive building which is pretty well screened with a similar sized much more attractive modern building with similar screening on a site that is on the edge of the town so is always going to be developed in some form or another.

Concern has been expressed about the restaurant and bar, but these are primarily intended for guest use, mainly breakfasts, and not to attract public use. Most guests are expected to take any evening meals or drinks in the town, the scheme does not even include a bar servery, drinks are only served to the table.

We have consulted your own officers and Oxfordshire CC, revised the design as a result of those discussions, we had early contact with the Town Council and a Public Exhibition – we are providing a car park intended for local residents, we are improving the footways in Spring Street, we are willing to pay for a new bus shelter in Over Norton Road, we have agreed to reduce the service vehicle size, we provide a new hotel with which almost everyone seems to agree, create new employment and support local businesses with new customers – but we cannot accede to the request to significantly reduce the scheme.

If permission is granted work should start in the Autumn and open in a little over 12 months

Spoken objection to 8a Marlborough Crescent (15/01297/FUL):

As a resident of Marlborough Crescent, I would like to object to this planning application.

Like many of our friends and neighbours we moved to the Barn Piece estate to bring up our families in a safe, rural location with a strong sense of community.

My primary concerns at this development are threefold:

1. Safety:

- The new driveway of 8a Marlborough Crescent will restrict visibility on the corner junction with Mavor Close.
- New resident and visitor cars will appear, triggering parking around this corner and opposite existing driveways.

2. The filling-in of communal spaces

- The proposed new house front (with access) and garage (with drive) will significantly encroach the existing communal green space on Marlborough Crescent
- By building in this intentionally open corner plot, the estate will fundamentally change. Impacting the outlook from existing resident properties.

3. Referencing the previous application for 5a Westland Way as a precedent. This in-fill property was allowed (after appeal), but 8a Marlborough Crescent is different:

- 8a Marlborough Crescent will be a bigger house, located at the heart of the Barn Piece Estate on a more prominent and well used corner.
- 5a Westland Way faces towards a garden wall and trees. 8a Marlborough Crescent will face the houses at 17-23 and these houses currently look out onto communal green space.
- 5a Westland Way did not encroach on communal areas. 8a Marlborough Crescent will build directly next to and across communal green space.

My hope is that each planning application is considered on its own merits. Referring to a precedent as the justification for new builds will only result in the over-development of our estate.

As a Marlborough Crescent resident since 1999 and as the father of two young boys, I object to this application on the grounds of road safety, the loss of communal space and the questionable 'need' for piecemeal in-fill developments. There have been a number of large strategic developments in Woodstock and Witney in recent years, providing many new properties.

To preserve our estate for current residents and future generations, I hope that the views of existing residents are given due consideration, and that this planning application is rejected. Thank you.

Good Afternoon,

I am a resident of the Barn piece estate applying to build a 2-storey side extension to create a separate dwelling within the larger than average garden of No.8

The site is outside the Woodstock Conservation area and Cotswold Area of Outstanding Natural Beauty.

The West Oxfordshire Local Plan, Classifies Woodstock as a Group C settlement, where new dwelling will be permitted through infilling and rounding off. Paragraph 2.7 (housing) of the 2012 West Oxfordshire Local Planning consultation document identifies that "Affordability is a major issue" and that there is a "relative shortage of smaller terraced properties" within the district.

In my opinion, the proposal is infilling and will provide a smaller affordable home ideal for young couples or residents wishing to downsize and stay within the local community. As such, it complies with Policy H7 of the West Oxfordshire Local Plan.

The precedent for infilling already exists; the planning inspectorate permitted a similar 2-storey development on a corner site on the estate in 2011

Other corner sites in the estate have been developed with single and double storey extensions, garages, high fencing and paved concrete areas.

The Highways Authority and Water Agency have no objections to the proposal.

Parking at the site complies with Planning Policy Statement 3 (PPS3). My proposal provides No.8a with two off street parking spaces, one being the garage to the rear and one space to the front of the property. No.8 will have two off street parking spaces to the front.

I appreciated the importance of maintaining 'green lungs' such as the public open space and recreational area to the North of Rosamund Drive and green verges throughout the estate.

My application is to build on the existing concrete paved space to the side of No.8 within the curtilage of No.8; my proposal includes the retention of the mature fruit tree and shrubs within the garden, preserving its Eco structure.

The existing tree on the grass verge to the east of No.8 will remain.

In Conclusion,

I trust that my discussions with the Planning Officer and revised plans already submitted will reassure the committee that the design of the new dwelling will reflect the existing character and style of the estate and uses materials which are in keeping with the local area. (Brick and tiles).

I have taken efforts to ensure that the proposed parking complies with Planning Policy Statement 3 and the Highways Authority have no objections to the proposal.

In my opinion there will be limited impact on the environment. The new dwelling will be constructed within the curtilage of No.8. The proposed garage crossing will be constructed out of environmentally sensitive "grass setts" which allow grass to grow and permit free flow of drainage and would blend into the open space; rather than a concrete driveway like what has been used at No. 11 Westland Way which neither blends or allows drainage.

In my opinion my application does not breach policies BE4 & B2.

Thank you for giving me this opportunity...

Southill Solar – planning application – Committee hearing 6 July 2015**Objection by Mark Hofman**

Besides supporting the submission of the Cotswolds Conservation Board, I would like to make **two points**.

The first is this. We recognise that, so far as planning law and policy is concerned, a balance has to be struck between competing priorities. Nonetheless, there is a strong presumption against a very large, industrialising development like this in an AONB. So, in order for this application to be approved, there would have to be very strong, indeed exceptional, circumstances for that presumption to be overturned. And the applicant has failed to show that there are any relevant exceptional circumstances.

The second point relates to the evidence about the visual impact of the development. The evidence presented throughout the applicant's documentation is either irrelevant or inadequate to support its conclusion about a very limited visual impact. So it would not be reasonable to grant this application on the basis of the evidence presented.

Turning to the first point: are there any exceptional circumstances? The applicant accepts the need to satisfy this 'exceptional' test, and your Planning Officer refers to the applicant's claim that this is the only solar development in the UK where all the economic benefits will be made available for the purposes of the AONB.¹ But even if that is factually correct, that does not mean that the development itself has to be *inside* the AONB in order for the benefits to *go to* the AONB.

The applicant restricted its field of search for a suitable site to the parish of Charlbury, which is within the AONB.² But that is an entirely artificial and unnecessary restriction. The site could be anywhere, and the benefit still flow to the AONB, so long as the developers set it up that way.

And even on the applicant's own terms of wanting this to be a community project, community involvement is not going to be limited just to Charlbury. The applicant's

Planning Statement says that, based on *community consultation*, it is anticipated that equity funding will be fully subscribed within 6 months. But the equity is going to be offered to individuals within a 25 mile radius of Charlbury in the first instance, and even further afield if need be.³ So, if the community for funding purposes is up to 25 miles from Charlbury, why cannot the development itself be up to 25 miles away, such as on a brownfield site in Oxford or Banbury? It certainly does not need to be in the AONB.

So, even if the giving of the surplus to the AONB is an exceptional circumstance, that has no relevance to the siting of the development within the AONB. The applicant has, on its own admission, failed to look for alternative sites outside the AONB. So, the presumption against development in the AONB has therefore not been overturned by the developer's plans for the use of the economic surplus. And, I submit, there are no other exceptional circumstances.

The second point: the evidence of visual impact. The documentation submitted by the applicant states in many places that the assessments of visual impact are based on solar panels with a total height of not more than 2 metres.⁴ But the applicant has applied for permission for panels up to 2.5 metres in height, 25% higher.⁵ The photographs, photomontages and other assessments of visual impact are therefore inadequate to indicate the impact of the development.

Further, all of the photographs, except two, show trees and hedges in full leaf. The other two show them in half-leaf.⁶ Again, the evidence is inadequate and irrelevant to the visual impact for at least half the year, as would be a site inspection at this season.

For these and other reasons I submit that the application should not be approved.

Notes

1. Planning Officer's report, p.94, end of first bullet point.
2. Planning Statement, p.3, para. 1.4.

3. Planning Statement, p.2, para. 1.3.

4. For example, Statement of Community Engagement, p.4, point 11: “The panels are 30% lower in height, from 2.8m to 2.0.” Planning Statement, p.10, para 2.4.2, “Appearance”: “ the height of any module installation will be limited to no more than 2m above ground level.” LVIA, p.5, para 1.17, “The Assessment”, “Ground mounted solar panels arranged in south facing rows approximately 2.0m high.”; p.30, para 4.4, “The arrays will be 0.7m above ground at their lowest point rising to 2.0m.”; p.31, para 4.6, “Mitigation”, “The site design is the mitigation. The extensive visual impact study leading to a very careful site design combined with low (2m at their highest point) profile panel arrays mean that this proposal is largely hidden from view...”

5. Planning Application, para 9: “solar panels mounted onto metal frames, arranged in rows approximately from east to west and at an angle of around 20-30 from the horizontal, up to 2.5m high...”

6. In the LVIA, of the total of 16 views represented, the only views shown in other than full leaf are versions of views 3 and 5, described as ‘winter views’ but in fact showing the deciduous trees with significant leaf remaining. View 10, referred to in the table of contents of the LVIA as also being shown in a ‘winter view’, is not in fact included in the document, at least not in the on-line version. All other photographs and photomontages in all the documentation show foliage in full leaf.

**Statement delivered by Peter Kenrick
at the Upland Planning Committee on Monday 6 July 2015 on behalf of the Charlbury Town Council
in support of the following application: 15/01523/FUL Land West of Fowler Rd Charlbury.**

I am here today as chairman of Charlbury Town Council to represent the view of the council concerning this important application which seeks to supply renewable solar energy from land between Charlbury and Fowler.

The Town Council reaffirms its support for this community-oriented scheme which has demonstrated a significant level of local support. We have been impressed by the professionalism and commitment shown by the team in putting the application together, with the extent of public engagement and consultation and with the efforts taken to assess and address difficult issues, particularly with regard to visual impact.

We recognise the importance and sensitivity of the landscape within the AONB and we acknowledge the genuine concerns expressed by some local residents and by the Cotswold Conservation Board. However, we believe that the current well-documented application demonstrates that careful consideration has been given to the issues raised and that effective changes have been proposed to address and mitigate these.

A comprehensive Landscape & Visual Impact Assessment has been submitted with this application incorporating results from the public participation “Umbrella Day” exercise. The detail contained there gives us a high degree of confidence that the visual impact of the carefully redesigned layout will be within acceptable bounds.

When commenting on the previous application on this site, we asked for adequate screening to be provided for the fencing and ancillary equipment such as CCTV cameras. This is still an important requirement but we do note that the revised design will reduce the prominence of these items considerably – for example by moving them way back from the B4022.

We have considered the conflicting priorities and policies relating to the promotion of renewable energy and protection of the countryside as they affect this application. On balance we have concluded that the careful design, the mitigation measures and plans for increased bio-diversity on the site provide adequate protection and even enhancement for the landscape.

In summary, Charlbury Town Council supports this scheme. We believe:

- it will contribute to delivering renewable energy targets;
- it includes design and mitigation features to safeguard this important and sensitive landscape;
- it will improve bio-diversity on the site and therefore enhance the landscape;
- it seeks to provide support for local communities;
- and it appears to have significant local support.

Thank you for your attention.

Cllr Peter Kenrick – Chairman, Charlbury Town Council



Sustainable Charlbury: Public Speaking at the Uplands Area Planning Sub-Committee for the community solar energy project application ref 15/01523/FUL

Sam Clarke, chairman of the Low Carbon Hub and a Deputy Lieutenant of the County.

Elected Members, this is a substantially transformed scheme to last year's application. They have recognized that there were places that were visible previously, so used the community 'Bring Your Brolly Day' event to redesign where the panels are located. In doing so they have avoided visual impact by reducing the panel area by 40% and the height by 25%. After extensive and regular stakeholder engagement over the last 2 years Southill Solar commands broad support. Also, and perhaps more significantly, it boosts the town's precept by investing £45k p.a. into the AONB. Southill Solar was conceived for the benefit of both the AONB and the residents. They are requesting permission from the committee for this scheme to be granted.

Southill Solar is a not-for-profit community renewable energy scheme. The NPPF supports this principle and is supportive of the scheme because it is proposed by the community and is for its benefit. Other planning authorities within AONBs have given consent for both similar and larger schemes, 5MW at Reydon in Suffolk and 41MW at Wroughton in the North Wessex Downs. This one was granted on appeal by the Secretary of State who agrees that solar farms can be appropriate in AONBs.

The reduced size of the scheme means that it is almost invisible unless actively sought out. It will not be any more visible in the wider landscape than the adjacent railway line - which is itself unobtrusive. I think that it is important to restate that neither Historic England, Natural England nor Charlbury Conservation Area Advisory Committee **want to see the scheme rejected.**

All surpluses will be retained by the community for its use, with each year a third of surplus going towards landscape enhancements within the area and two thirds for community buildings in and around Charlbury. They have committed to entering into a legal agreement with the council to ensure that all the benefits are delivered.

The NPPF says that renewable energy projects which are supported by the community should be granted permission. Southill Solar will be owned and run by the community, delivering significant benefits. There is a national need for renewable energy and the scheme will save over 2,000t CO2 each year of the project's lifecycle, contributing to local and national legally binding carbon reduction targets.

Central to the NPPF is a presumption in favour of sustainable development; the government's recently updated Community Energy Strategy says:
"...local planning authorities should recognize the responsibility on all communities to contribute to energy generation from renewable and low carbon sources, and support community-led initiatives for renewable and low carbon energy projects."

I sincerely hope that the committee supports this innovative community initiative that follows government policy, reduces carbon emissions and delivers significant landscape enhancements to the Cotswolds AONB and to community buildings within the surrounding conservation areas.

Thank you.

I live in Small Acres, the site adjacent to Sunnyside. I would like to explain my and my neighbours' objection to this proposal.

I am grateful to the committee for having taken time to visit the site. You will have seen that the reality is at odds with the planning statement that this proposal is merely "rounding off" an existing development. You will have seen that the site is integral to the Ditchley Road rural landscape, a narrow country lane which is clearly outside the town boundary.

Indeed this has already been established by your committee. A previous application, (not by me), to build just one house in the garden of Small Acres, was rejected twice, as were applications to change the small holiday cottage on the Sunnyside site to a permanent residence. On each occasion, the reason given was that the sites lay outside the boundary of Charlbury; this was deemed **not** to be rounding off and "*would set a precedent for further new housing outside the existing built up area.*"

I cannot see how it is therefore possible to decide that this development of 6 large houses and garages, far bigger and more intrusive than the previous rejected applications is somehow acceptable. This would contradict all previous council decisions.

There is a further inaccurate claim that part of the site is brown field. The records demonstrate there is no evidence for this assertion.

Furthermore, this development is within the conservation area in an area of outstanding natural beauty. By Statute, as you know, the impact of any such development must "*enhance the character and appearance of the Conservation Area*". It cannot be argued that this statutory condition is met in any regard. What is proposed is a suburban cul de sac, built of artificial stone, not natural stone as are the houses on either side, with the trees and foliage between the existing houses being destroyed to maximise the area for development. Furthermore, the developer has told the elderly residents of Sunnyside that he wants them to move out so he can built 8 houses. That is his intention. This plan is flawed, it is in direct contradiction to previous rulings, and extends Charlbury's boundary into the countryside.

I fully understand the need for more affordable housing in the UK and that harm to the conservation area needs to be weighed against the public benefit. However, you will note that this development provides no on-site social housing, rather 6 houses for commuters to Oxford or London.

There is widespread concern at the safety implications. The application makes no mention of Ditchley Road's regular use by very large agricultural machinery from the Ditchley Estate. There are no passing places nearby except my gateway. Any significant widening to the lane would destroy its rural character. When housing was previously considered on the other side of the road, the Council concluded "*Access problematic and development likely to cause harm to the area, AONB and conservation area*". Nothing has changed since then to justify a change of view.

However, if despite the statutory criteria and your previous reasoning, you are minded to approve in principle, I would urge you to require that the detail is rethought – in particular its scale. Above all I would ask you to preserve some wider stretches of trees and undergrowth separating the adjacent sites. This would in some measure retain the overall character of the area as one of houses in a rural landscape, screened by natural breaks between them, rather than the characterless, suburban estate that is now being proposed.

Old Quarry, Ditchley Road, Charlbury – Committee Speech

Address by Dawn Brodie - Savills

Thank you to Members of the Planning Committee for allowing me the opportunity to speak in support of this application.

The planning application proposes six one and a half and two storey dwellings to be constructed of artificial stone under a mix of roof coverings to include slate and plain tile.

Charlbury is identified as a Service Centre in the 2011 Local Plan and is considered to be one of the most sustainable settlements in the District both in the existing and emerging local plan. Providing additional dwellings in Charlbury represents sustainable development and contributes to meeting the Council's five year land supply, through a windfall site. The principle of development on the site is considered to be compliant with the NPPF and is supported by your officers.

A low density scheme is proposed to reflect the character of the vicinity and to reflect the 'edge of settlement' location. Care has been taken with the proposed landscaping scheme in terms of species and the removal of the uncharacteristic leylandi hedges which currently form boundary treatments within and around the site would be a local improvement. The form, scale and massing of the dwellings have been carefully designed as a series of individual properties in response to comments received from your conservation officers at the pre-application stage. The scheme is acceptable in terms of the impact upon the AONB and Conservation Area.

The dwellings proposed respect the private amenity of dwellings in the near vicinity and appropriate scales of development are used to the limit the impact of the development. The separation distances between the proposed development and existing properties have been carefully considered to ensure no harmful overlooking and your officers conclude that the development is acceptable in this regard.

Smallacres - Gardam House – over 45 metres

The scheme will be served by off road parking in accordance with the standards set out in the Local Plan. Additionally, access is provided through the site via footpaths to minimise the length of the single track road which would need to be navigated by pedestrians. Highways officers have confirmed that the traffic generated would not be harmful to highway safety with the incorporation of a passing place.

No significant ecological matters have been identified on site and with some enhancements the scheme would improve the offer of the site.

The applicant has made an offer of a financial contribution towards off site affordable housing provision as set out in the officers report. This is reflective of the emerging policy and the Ministerial Guidance in relation to Affordable Housing from November 2014.

Overall, the scheme provides the opportunity to provide additional dwellings in a sustainable location. The development would not give rise to any material harm which would outweigh the presumption in favour of sustainable development set out in the NPPF.

For this reason we would respectfully ask that Members of the Sub Committee support your officers recommendation and approve this application.

Thank you.