

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Uplands Area Planning Sub-Committee**  
Held in the Council Chamber at 2.00 pm on **Monday, 14 November 2022**

### PRESENT

Councillors: Elizabeth Poskitt (Chair), Rizvana Poole (Vice-Chair), Alaa Al-Yousuf, Lidia Arciszewska, Hugo Ashton, Andrew Beaney, Mike Cahill, Jeff Haine, Geoff Saul, Dean Temple and Alex Wilson

Officers: Stephanie Eldridge (Principal Planner), James Nelson (Planner), Phil Shaw (Business Manager for Planning), Barry Clack (Communications Officer), Andrew Brown (Business Manager for Democratic Services), Anne Learmonth (Strategic Support Officer).

Other Councillors in attendance: Councillor Julian Cooper.

### **31 Minutes of Previous Meeting**

The minutes of the meeting held on 17 October were approved and signed by the Chair as a correct record, subject to

1. Page 7 21/03837/FUL Land South of Shaston, The Green, Freeland. The Chair asked for clarity as the officer commented that the appeal was in July, when WODC still claimed a 5YLS. That the inspector was unconvinced by WODC's claim only became public, when her decision and comments were published.
2. Page 8. Resolved as per Officer's recommendations to refuse the application.
3. Page 9. Changed Claire Lock to Claire Locke.

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

Apologies for absence were received from Councillor Dave Jackson, Councillor Julian Cooper substituted for Councillor Jackson.

### **33 Declarations of Interest**

Declarations of Interest were received as follows:

22/1330/OUT. Councillor Beaney highlighted that West Oxfordshire District Council has a corporate interest in the application.

22/02429/FUL. Councillor Saul agreed to leave the Chambers as he present the report to Cabinet with recommendations regarding the application.

### **34 Applications for Development**

22/01330/OUT Land North of Witney Road, Long Hanborough.

Stephanie Eldridge, Principal Planner, introduced the report of an outline application for the construction of up to 150 dwellings with access from Witney Road, open space and additional work. The principal planner read out a statement in relation to further representations.

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There was a statement read out by Councillor Martin Barrow-Starkey, Long Hanborough Parish Council, in objection to the application. A copy of this submission is attached to the original copy of the minutes.

There was a statement read out by Roger File, Blenheim Estates in support of the application. A copy of this submission is attached to the original copy of the minutes.

The Chair invited questions from the Members. The Committee asked what the last year's land supply figures were. Mr File confirmed that the Inspector's appeals had demonstrated that the district had less than 5 years land supply and that was the Council's position. The Committee asked why this site, which is not in the Local Plan was being promoted ahead of other sites of Blenheim Estates which are in the Local Plan. Mr File confirmed other sites were being promoted within the Local Plan, and had some sites that have been in the system for three and half years and were put forward for the December committee meeting. This application had been put forward as it was believed the application would provide additional housing in a sustainable local which would meet the 5YLS.

The Committee asked about the archaeological aspect of the application and wanted reassurances that there would be no construction on the areas of archaeological interest. Mr File confirmed that there had been consultation with the county archaeologist which had informed the parameter plan.

Stephanie Eldridge, Principal Planner continued with the presentation and gave an overview and summary regarding the 5YLS, decision using the tilted balance, the NPPF policy. Considerations around AONB, environment impacts which included traffic use and heritage impacts as well as 50% affordable housing. Officers recommended that the application be approved subject to additional conditions laid out in the late representations report. Also an additional condition secured details of the biodiversity net gain at the reserved matters stage and also completion of the necessary legal agreement.

Councillor Arciszewska proposed to defer the application until after the report on 5YLS had been released. Councillor Julian Cooper seconded this proposal.

There was a discussion regarding the land supply, public benefits of the application and if the application was deferred would this delay the same outcome.

The proposal was put to the vote 2 votes for the proposal and 10 votes against. No abstentions.

Councillor Haine proposed to approve the application. Councillor Saul seconded this proposal.

Councillor Arciszewska made a statement:

Hanborough has undergone rapid growth in recent years; nearly 400 houses were built there since 2015, a 37% increase. Only 25 of these homes were in the Local Plan. Another 300 houses were built in the nearby villages of Freeland and North Leigh. What concerns me is that this rapid growth was not accompanied by development of the necessary infrastructure.

A few more trains leave Hanborough station towards London in the morning, a few more trains arrive from London in the evening. The 233 bus from Burford to Woodstock runs every half an hour throughout most of the day. But Hanborough lost connection to Eynsham and the centre of Freeland and there is no direct public transport to Oxford Parkway and North Oxford.

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The new clinic in Hanborough Gate was funded by the developer, who has received the old clinic in exchange. I understand the developer is planning to turn it into flats. When I contacted the clinic last week; they were very grateful for the new building, but at the same time frustrated that only two years after moving in they are over capacity. This means they are dividing rooms into two to provide more units to see patients.

Should this planning application be approved, the surgery would need to be substantially expanded. In addition, a much larger parking space is absolutely necessary to accommodate staff and patients, who come from nearby villages.

The school has been expanded, and currently has space for an additional 100 pupils. Nevertheless, the current capacity is expected to be filled imminently due to the demographics of residents in the developments already built. However, the school hall can only take the current number of children and will be far too small to accommodate any further intake of new pupils. Provision of a new hall should therefore be secured. Currently there is no mention of any funding to be ring fenced to Hanborough.

My major concern however is the collection of foul water. Church Hanborough Sewage Treatment Works receives effluent from the area extending from Bladdon through to the Hanboroughs, Freeland, North Leigh and New Yatt. Treated effluent is released into the Hanborough stream, which runs into the river Evenlode. The spilling record of Church Hanborough Sewage Treatment Works is abysmal. This record goes back for more than a decade, with the works discharging raw sewage from its storm overflow tanks for on average of 790 hours each year (4 year average). In addition, the station spills untreated sewage illegally even in dry periods. A recent study by the Oxford River Project revealed levels of bacteria in the stream being persistently 50 times greater than the level for safe bathing water.

The catchment of Hanborough STW has seen a number of very large housing developments; over 690 homes since 2015, a 26% increase. The network capacity reported by Thames Water to the Environment Agency UK EU UWWTD in 2018 and the recently 'not yet accessed capacity' are both the current population equivalent of 8,652.

Recently at meetings with the WODC team, TW have confirmed that the Church Hanborough STW is well over capacity and is currently treating only 88% of the required 'Flow to Full Treatment' figure, which means it is operating outside its permit conditions. There is currently no proposal for a significant upgrade to allow for increased local development.

The 150 homes proposed here in addition to the 160 homes within the proposed retirement village development in Freeland would contribute around 100 tonnes of additional sewage to the network every day; this is equivalent in volume to 3 shipping containers. Without suitable upgrades this will be added to the spills volumes.

In their statement at the retirement village appeal hearing last week, 'Windrush against Sewage Pollution' stated: 'Granting of this development will simply endorse its present un-permitted and illegal operation, and will increase further the spilling of untreated and poorly treated sewage into the river Evenlode catchment'.

The Principal Planner confirmed that Thames Water had considered the application and had been in discussions with the developer to secure upgrades with the existing system. She referred to Condition 9 of the additional representations report which covered the Thames Water input.

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There was a discussion around the conditions of the application with focus on contributions to the local community, including enhanced discount on affordable homes. The Committee wanted to know if the NHS had asked for contributions towards health care in the area. The Principal Planner confirmed that £129,600 financial contribution had been requested and would be secured through the S106 legal agreement if the application was approved. The Committee asked that S106 funds should benefit the local community where the development is happening and should cover issues such as primary education provision and affordable housing with focus on right banding to cover needs. Phil Shaw, Business Manager for Planning, clarified that the Parish Council had an opportunity to apply for Section 106 funding but this had been missed. However, as the application was approved with a legal agreement there was still the opportunity for contributions to be included if Officers had delegated powers to engage with the Parish Council to obtain a list of requirements that they wished to have covered with the funding. This was agreed.

The Committee asked for a condition to be included that Thames Water take into consideration the sewage works and to ensure capacity is viable.

The proposal was put to the vote to approve the application 6 votes for the proposal and 5 votes against. 1 abstention.

Councillor Julian Cooper and Councillor Arciszewska voted against the proposal for the approval of the application. Councillor Al-Yousuf abstained from the vote.

Committee **resolved** that the application be approved subject to the addition of an appropriately worded condition in relation to Biodiversity Net Gain details and the completion of the S106 agreement. Officers granted delegated authority to include any additional conditions required by Thames Water and to discuss any additional contributions required by the Parish Council prior to the completion of the S106 agreement.

Councillor Saul left the Chambers at 3.15pm.

### 22/02429/FUL Play Area, Walterbush Road, Chipping Norton.

James Nelson, Planner, introduced the report for construction of eight custom build semi-detached dwellings, along with formation of a new access, landscaping and associated works.

The site is under-developed land and the application would meet current housing needs. The Chipping Norton Plan is highly supportive of the principle of custom built schemes. There would be no material harm regarding the AONB, no harm to the living conditions of adjoining neighbours. There were no objections from Highways, ecology or drainage matters.

Councillor Poole confirmed that the application is supported by the Town Council. The play area was not currently used. The community space would encourage intergenerational use. Councillor Poole proposed the application for approval. Councillor Wilson seconded this proposal.

The Committee discussed the positives of the development focused on the sustainability, with low energy houses. The Committee asked if the maintenance of the community green area would be managed by the community. The Planner confirmed that the community area would be protected through the S106 agreement. The land would be transferred to the community group for management and maintenance.

The Committee asked why this application had come to the committee? It was confirmed that the land was owned by the District Council and would be transferred to the developer.

The proposal to approve the application was put to the vote. The vote was unanimous.

Committee **resolved** to approve the application subject to the completion of the S106 agreement.

Councillor Saul returned to the Chamber.

**35 Update as to progress of 2 applications on allocated sites in Woodstock ref 21/00217/OUT and 21/00189/FUL**

Update as to progress of 2 applications on allocated sites in Woodstock ref 21/00217/OUT and 21/00189/FUL

Phil Shaw, Business Manager for Planning, gave the presentation of the report in the absence of Joan Desmond, Case Officer. The report was to update Members of the progress towards the determination of the above applications. Also to enable Members to have input following site visits such as to reduce the likelihood of the need for further deferrals when the items are considered. It was hoped that the applications can come before the December committee however responses were outstanding from Conservation Officer, Landscape Officer, Biodiversity Officer and policy team. Also the County Council comments on the Hill Rise application were still outstanding. The applicants had agreed to pay for an assessment by the company who worked with the council on the Local Plan. Phil Shaw asked the Committee if there were any items that the Members would want to see included in the reports when the applications come to the Committee for consideration.

The Committee asked if the numbers of dwellings in the application differed from what the Inspector suggested in the Local Plan, pages 288 and 289. The Committee asked the officers at the next meeting, for an explanation of the amendment on the number of dwellings as recommended by the inspector. If numbers are different then these numbers must be explained by the officers. There was a discussion regarding the provision of increase in numbers of dwellings on applications. Also the Committee asked for protection of the listed building on the Banbury Road site. The Committee asked for sections in the reports around sustainability, harms and benefits alongside clarity on provision of GP, schools, parking and police services.

Councillor Julian Cooper asked for an amendment. The Committee put this to the vote which was unanimous. The Committee noted the updated report.

Councillor Beaney left the meeting at 3.40pm

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

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

The report giving details of appeal decisions was received.

Appeals.

The Principal Planner gave an overview of the appeals. Each appeal was dismissed. There were two lengthy applications for floodlights at Beaconsfield Hall, Shipton Under Wychwood, which had both been dismissed due to impact on the neighbours, noise and disturbance and the impact on AONB.

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Councillor Al-Yousuf asked about Enforcement Officers. Phil Shaw, Business Manager for Planning gave an update on recruitment of officers, and confirmed that Kelly Murray had been appointed to the Principal Enforcement Officer role. Phil Shaw explained that there was a project at Cotswold District Council (with a view to start a similar project at WODC) to take on veterans in an enforcement investigator role capacity. Phil Shaw was planning to speak to Veteran's Gateway to move this forward.

Councillor Julian Cooper asked what has happened regarding Unicorn House. Phil Shaw explained that he had an upcoming meeting and expected an update from Property Services.

The Meeting closed at 3.50pm

CHAIR