

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Uplands Area Planning Sub-Committee**

Held in the Committee Room 1, Council Offices, Woodgreen, Witney, Oxfordshire OX28
1NB at 2.00 pm on **Monday, 17 March 2025**

PRESENT

Councillors: Julian Cooper (Chair), Lidia Arciszewska, Mike Baggaley, Andrew Beaney, Roger Faulkner, David Jackson, Rosie Pearson, Elizabeth Poskitt and Geoff Saul

Officers: Stephanie Eldridge (Principal Planner), Chris Hargraves (Head of Planning), Nathan Harris (Assistant Planner), Anne Learmonth (Democratic Services Officer), Ana Prelici (Senior Democratic Services Officer) and Mathew Taylor (Democratic Services Officer)

Other Councillors in attendance: Liam Walker

79 Apologies for Absence

Apologies were received from Councillor Mark Walker and Councillor Adam Clements..

80 Declarations of Interest

Declarations of Interest were received as follows:

24/01177/FULL Land East of Wroslyn Road, Freeland

Councillor Roger Faulkner declared that the land subject to the application was within his ward. In addition, Councillor Faulkner declared that he had previously been the Methodist Minister for Freeland Methodist Church and although no longer involved he maintained a personal interest in the building which was adjacent to the proposed site.

81 Minutes of Previous Meeting

Councillor Elizabeth Poskitt proposed that the minutes of the meeting held on Monday 20 January 2025 be approved by the Sub-Committee. This was seconded by Councillor Andrew Beaney, was put to the vote and agreed by the Sub-Committee.

The Sub-Committee Resolved to:

1. Agree the minutes of the previous meeting held on Monday 20 January 2025.

82 Applications for Development

83 24/00769/OUT Land South of Charlbury Road

Mike Cassidy, the Principal Planner, presented the application for outline permission, with all matters reserved other than principal means of access to the highway, for the construction of up to 104 residential dwellings, together with the provision of open space, landscaping and associated infrastructure.

A statement from Councillor Sandra Coleman, Mayor of Chipping Norton, was circulated to members of the Sub-Committee.

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George Hayman spoke in objection to the application and raised the following points: Housing was needed but not such piecemeal ad-hoc development, the application was unsupported by infrastructure, upgrade works would be required to Thames Waters sewage treatment plant, there were concerns around noise from the shared boundary with the rifle and pistol club, The biodiversity net gain would be achieved through land other than on the site itself.

Adam Ross spoke on behalf of the applicant and raised the following points: There was a housing crisis in the District, there was an unmet housing need in Chipping Norton, the Local Plan identified Chipping Norton as a main service centre, Policy H2 stated that new dwellings would be permitted on unallocated greenfield land that adjoins a settlement, the site would deliver forty two affordable homes, there would be a significant biodiversity gain, the site was a sustainable site and outside the Cotswolds Area of Outstanding Natural Beauty.

The Planning Officer's presentation addressed the following points:

- The application was for outline permission for the construction of up to 104 residential dwellings with the provision for open space, landscaping and associated infrastructure.
- The site was immediately adjacent to Chipping Norton and currently comprised undeveloped agricultural land. The site did not sit within, but to the east of, the Cotswold Area of Outstanding Natural Beauty.
- The proposal included a 3.4 hectare residential development area. The remaining 2.6 hectares was dedicated to landscape planting, public open space and a community growing area.
- Proposed access to the site was on Burford Road. Improvements were proposed to Charlbury Road. Oxfordshire County Council had reviewed access arrangements and raised no objections.
- The existing public right of way would be retained.
- Site layout was not being considered at this stage, but the proposed illustrative masterplan was presented to the Sub-Committee.
- The Landscape Visual Impact Assessment demonstrated that the proposals did not give rise to long term significant effects.
- Historic England had no objections in relation to the nearby monument.
- Extensive work had been undertaken to look to mitigate the impact of noise from the rifle club. Proposed mitigation included the reorientation of plots 91-104 and a three-metre acoustic living green barrier was proposed. Further noise mitigation could be required at the reserved matters stage.
- There was an acute housing need in Chipping Norton.
- There would be a 17.99% biodiversity net gain on site.
- Cotswold Landscape Board had raised no objections.
- No objections from the Environment Agency or Thames Water had been received and the developer had addressed any concerns.

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- The proposal was in accordance with national and local policy and in making the decision there was a need to apply planning balance as directed by paragraph 11 of the National Planning Policy Framework (NPPF). Adverse impacts would not significantly outweigh benefits hence the proposal was recommended for approval.

The Chair then invited the Sub-Committee to discuss this application, which raised the following points:

- It should be noted that West Oxfordshire District Council owned the property Greystones, which was near the site.
- This application would be unlikely to have been approved if applying the policies in the Local Plan alone. In particular, in reference to Policy OS2 - scale appropriate, logical compliment, protect and enhance local landscape, loss of open space, supports local infrastructure.
- Acknowledgement of paragraph 11 of NPPF was made. The benefits to be considered were: 42 affordable housing units, energy efficient housing, s106 contributions. The adverse effects noted were: encroachment into landscape, loss of open undeveloped area, increased traffic levels in Chipping Norton.
- The impact of additional traffic generated by the development would be profound with no alternative routes with the exception of Lidstone Road, which was a single-track road and was already dangerous. The West Street bottle neck in the town was acknowledged by Oxfordshire County Council (OCC).
- The accessibility and connectivity of the site to services was not impressive.
- There was a danger of encroachment further south of Charlbury Road which was not the direction envisaged by the Council for development.
- The existing pressure on Chipping Norton's infrastructure, including medical services, schools and sewerage was acknowledged.
- Although Grampian conditions were present, the Environment Agency stated that Chipping Norton did not have capacity to accommodate addition flows from developments. There was uncertainty about how long it would take for Thames Water to undertake necessary upgrades. The possibility of Grampian conditions being applied to the commencement of development was discussed. A Grampian condition already existed on a development that had taken place in the town with necessary works not undertaken to date.
- The biodiversity net gain was only achieved due to additional land off the site.
- It was noted that the nearby Cotswold Gate development was not a suitable site for comparison of the impact of noise from the gun club with the proposed site. This was due to the difference in proximity of the sites. It was also discussed if noise impact testing had been undertaken from the community growing space and with windows of properties open as this was where the impact of noise would be felt.
- The inclusion of solar panels on properties was noted on page 38 of the report, where sustainability was covered, but not mentioned by the Officer.

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- The site had been submitted for consideration in the Local Plan and was therefore running ahead of that process. The Planning Policy Manager had stated that it would be more appropriate to consider this plan more holistically as part of the upcoming local plan.
- The relationship to the nearby archaeological site and its visibility from distance would be changed.
- It was noted that there were no objections from statutory consultees.

Councillor Elizabeth Poskitt proposed refusing the application on the basis of traffic concerns. Councillor Mike Baggaley seconded the proposal.

Councillor Andrew Beaney proposed the Sub-Committee instead defer the decision in order to request a written response from OCC Highways to explain why a contribution towards strategic highways infrastructure at Chipping Norton had not been sought.

Councillor Elizabeth Poskitt withdrew her proposal to refuse if the application.

Councillor Rosie Pearson seconded the proposal to defer.

Voting record – The vote was unanimous.

The Sub-Committee **Resolved** to:

1. Defer the application to request written responses from OCC Highways (or for a representative to attend the Sub-Committee) to explain why a contribution towards Strategic Highways Infrastructure at Chipping Norton (referred to in the Sub-Committee discussions as 'the link road') had not been sought; and from the NHS (formally the Oxford Clinical Commissioning Board and now the NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board) as to whether a contribution towards primary health care was required to be secured by S106 legal agreement in any permission granted.

24/01 177/FUL Land East of Wroslyn Road

Stephanie Eldridge, the Principal Planner, presented the application for development of 78 residential dwellings (Use Class C3), allotments and site access, plus open space, drainage, landscaping and associated engineering works (reserved and additional information received).

Dawn Taylor of Friends of Freeland, and Robert Crocker, spoke in objection to the application and raised the following points: Many objections to the site had been made, the application failed on all three NPPF sustainability objectives, the plan included a sewage pump placed next to adjacent housing, there would be an impact on the outlook of heritage buildings, the site was of importance for connectivity of habitat for species survival.

Peter Foster, Chair of the Parish Council, spoke in objection to the application and raised the following points: The application was speculative development, objections were raised over issues such as: distinct green gaps that characterise the village visually and for wildlife would be lost, the development would add 13% to the population, the layout and building design was

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unimaginative and at odds with surrounding dwellings, the biodiversity net gain was obtained through offsite mitigation.

Frances Keenan, Planning Manager for Spitfire Homes, spoke on behalf of the applicant and raised the following points: The proposal would deliver specific and positive benefits to Freeland and West Oxfordshire, Policy OS2 of the Local Plan allowed for limited development that would respect the village character, there were no defined settlement boundaries in Policy OS2 or H2, a 13% increase was considered limited, the Council could not demonstrate a five year housing supply, less than significant harm to listed buildings, the proposal increased market and affordable housing, provided allotments, public open space and improved bus services.

At the Chair's discretion, Councillor Liam Walker spoke in his capacity as County Councillor in objection to the application and raised the following points: A similar application had been rejected previously and concerns raised on that previous application had not been addressed, the site was unsuitable, there would be an unsustainable impact on infrastructure, the applicant has had no meaningful engagement with the community, the density and design of the application did not reflect the village character, there had been a disregard to Local Plan and principles of sustainable growth, more traffic would be introduced on Wroslyn Road and Pigeon House Lane.

The Planning Officer's presentation addressed the following points:

- Members visited the site in January 2025. It had been originally intended to consider the application in February, however this was delayed in order to allow time for the applicant to submit additional technical information.
- There were a number of listed buildings near the site including the Chapel. The site was in the Wychwood Project area.
- The application followed a previous application for eighty houses refused by members in 2023 for reasons related to a number of technical issues around drainage, transport and biodiversity. The previous application was not considered to be limited, in an accessible location, reflecting the village's character, of an appropriate scale, forming a logical compliment to the existing scale and pattern of development, protecting the local landscape and would result in the loss of an important area of open space and of the harm caused to the setting of the nearby listed buildings. With the previous application paragraph 11.d of the NPPF members was in play, however the adverse effects of the development were not considered to outweigh the benefits of the scheme.
- The key differences in the current application were the removal of two dwellings, removal of the community shop and replacement with community orchard and the configuration of houses in relation to Pigeon House Lane.
- There was a mixture of one-bed, two-bed, three-bed and four-bed properties proposed. The proposal also included affordable housing.
- The applicant had satisfied the Highways Authority's concerns, therefore refusal reason 2 should be dismissed.
- The Council's ecologist had significant concerns around the loss of biodiversity despite additional submissions and so recommended a number of updated refusal reasons set

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out in the additional representations report which should replace refusal reason 3 in the officer report.

- The Council's Conservation Officer had raised concerns.
- There were no other technical objections subject to conditions and financial contributions.
- The Officer raised significant concerns around the impact on character and setting of Freeland and heritage assets and could not consider the development to be limited.
- The layout was considered poorly designed, resulting in a car dominant development.
- Paragraph 11.d of the NPPF was engaged in this case. Benefits must be weighed against adverse impacts in such cases. The benefits considered were a modest contribution to the housing supply, short and long term economic benefit, footpaths and allotments. However, moderate weight was attributed to these. Adverse impacts were an unacceptable urbanising effect, impact on heritage assets and ecological impact.
- The Officer considered that the significant impacts significantly and demonstrably outweighed the moderate benefits of application.
- Refusal was recommended for reasons one and four set out in section six of the Report, and the ecology reasons in the Report of Representations.
- The Officer also recommended that a final additional refusal reason should be included to address the lack of a legal agreement submitted to secure the necessary financial contributions and other matters that would usually be secured via a S106 agreement.

The Chair then invited the Sub-Committee to discuss this application, which raised the following points:

- Freeland was a small village of 750 households and did have a deficit of affordable housing. The proposal did have benefits already mentioned.
- Freeland was a dark sky village.
- The development would impact heritage sites.
- The local housing need was 590 houses per annum, and this would go some way towards that number.
- Highway works to create site access would include traffic calming measures on Wroslyn Road which would require lighting.
- Thames Water had requested a Grampian Condition as they did not have capacity. This should be added as a reason to refuse. The capacity of Church Hanborough sewerage treatment works was discussed. It was noted that there was no objection from the Environment Agency as the statutory body.
- The list of objectors was substantial.
- The application was not very different to the previously refused application.

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- The use of the wording, “modest contribution to housing shortfall”, in the Report should be used carefully. Any housing was considered a contribution.
- The housing mix was discussed with particular reference to size and affordability.
- The bus routes to the village were limited.

Councillor Lidia Arciszewska proposed refusing the application. Councillor Roger Faulkner seconded the proposal.

Voting record – The vote was unanimous.

The Sub-Committee **Resolved** to:

1. Refuse the application in line with officer recommendations and to include an informative outlining concerns of the Council and EA regarding impact on water quality/network capacity.

Councillor Andrew Beaney left the meeting at 16:26.

85

24/03161/HHD 3 Manor Road, Bladon

Nathan Harris, the Principal Planner, presented the application for a proposed single storey front extension, garage conversion and alterations.

The Planning Officer’s presentation addressed the following points:

- The property subject to the application was owned by a member of West Oxfordshire District Council staff, this was the reason for Sub-Committee consideration.
- The property was in the Bladon Conservation Area and the Oxfordshire Green Belt. However, the proposal was of a modest nature and there would be no impact on these areas.
- Oxfordshire highways had raised no objections.
- There would be no adverse level of overbearance.

Councillor Julian Cooper proposed approving the application. Councillor Elizabeth Poskitt seconded the proposal.

Voting record – The vote was unanimous.

The Sub-Committee **Resolved** to:

1. Approve the application in line with officer recommendations

86 Applications Determined under Delegated Powers

The report giving details of the applications determined under Delegated Powers was received, explained by the Officers and noted by the Sub-Committee.

87 Appeal Decisions

The report giving details of the appeals decisions was received, explained by the Officers and noted by the Sub-Committee.

88 Progress on Enforcement Cases

Kelly Murray, Principal Planner (Enforcement and Appeals), introduced the report, which provided an update on progress in respect of priority enforcement investigations.

The Officer explained that a vacancy within the team had been filled which had helped with caseloads and progression of cases.

The Officer explained the current caseload and what stages various cases were at, however where certain cases were sensitive, such as those going to court, these could not be discussed in full.

The Sub-Committee requested an update from Property Services on the Unicorn House in Great Rollright. The Officer advised that she believed that this had been taken off the priority list, however the query would be raised with Property Services.

Members thanked the Officer and team for all their hard work and detailed report.

89 Blenheim Palace World Heritage Site (WHS)

Chris Hargraves, Head of Planning, introduced the item the purpose of which was to respond to the request made on 13 November 2023 that Planning Policy Officers produce a report on the Blenheim World Heritage Site to inform the Local Plan review process.

The presentation made by the Head of Planning addressed the following points:

- The delay in producing the Report was due to the lack of resource in the team and a wish to meet with Historic England to discuss the issues.
- Sections of the report addressed what World Heritage Sites are, and why these are protected.
- Blenheim Palace did not have a buffer zone.
- Each World Heritage Site was required to have a Management Plan. This Plan should be reviewed on a regular basis, typically every ten years. The current plan was adopted in 2017 and was therefore up for review in 2027.
- The International Council on Monuments and Sites (ICOMOS) had undertaken a report on the impact of development (past and potential) on the site and recommend further work should happen which was relevant for development proposed through the Cherwell Local Plan.

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- Officers would meet with representatives of Blenheim Estate to discuss the ICOMOS findings, and how this would feed into a review of the Management Plan, Cherwell's Local Plan and West Oxfordshire's Local Plan.

The Chair then invited the Sub-Committee to discuss the report, which raised the following points:

- It was unacceptable for the Report to have taken so long to be produced.
- The Report was useful information for the Blenheim Management Plan.
- The Management Plan said there should be no solar farms.
- The steering group met annually to review the Management Plan. West Oxfordshire District Council was represented at these meetings.

The Chair thanked the Officer and closed the meeting.

The Meeting closed at 4.47 pm

CHAIR