

WEST OXFORDSHIRE DISTRICT COUNCIL

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

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB
at 2.00 pm on **Monday, 14 April 2025**

PRESENT

Councillors: Julian Cooper (Chair), Mike Baggaley, Andrew Beaney, Adam Clements, Roger Faulkner, Rosie Pearson, Elizabeth Poskitt, Geoff Saul and Tim Sumner.

Officers: Stephanie Eldridge (Principal Planner), Mike Cassidy (Principal Planner), Andrew Brown (Head of Democratic and Electoral Services), Ana Prelici (Senior Democratic Services Officer) and Anne Learmonth (Democratic Services).

Other Councillors in attendance: None.

90 Apologies for Absence

Apologies for absence were received from Councillors Lidia Arciszewska, David Jackson and Mark Walker.

Councillor Tim Sumner substituted for Councillor Jackson.

91 Declarations of Interest

Declarations of Interest were received as follows:

The Chair declared that West Oxfordshire District Council owned land near the site of application 24/00769/OUT Land South of Charlbury Road, Chipping Norton.

92 Minutes of Previous Meeting

The Chair proposed that the minutes of the meeting held on Monday 17 March 2025 be approved by the Sub-Committee. This was seconded by Councillor Roger Faulkner was put to the vote and agreed by the Sub-Committee.

The Sub-Committee Resolved to:

- I. Agree the minutes of the previous meeting held on Monday 17 March 2025.

The Unicorn Public House.

The Chair asked why a report on the Unicorn Public House had not been brought to the Sub-Committee as an update on the matter had been requested.

The Principal Planning officer explained that at the last Uplands Sub-Committee meeting the Enforcement Officer had advised that it was a matter for the Estates Team. The Head of Democratic and Electoral Services advised the Sub-Committee that a report had been brought to the Executive in October 2023 which proposed various options for the Unicorn Public House. The Executive had chosen not to pursue enforcement. The Council's agreed position was for the Building Control team to monitor the building by regular visits and for the Estates Team to continue to engage with the landowners. There was no further update, and officers continued to implement the decision the Executive had taken in October 2023.

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Members raised the point that the Estates Team had been asked in August 2024 to come to the Sub-Committee and give an update. The Members asked if the Lendology scheme had been suggested to the landowner. The Head of Democratic and Electoral Services advised that he would take the suggestion away and acknowledged the members concerns and comments.

93 Applications for Development

94 24/00769/OUT Land South of Charlbury Road, Chipping Norton.

Mike Cassidy, the Principal Planner, presented the application for an outline planning application, 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 infrastructure.

The Principal Planner confirmed that no further additional representations had been received. The Principal Planner drew Member's attention to a handout from George Hayman, an objector who spoke at the Uplands Sub-Committee meeting on Monday 17 March. George Hayman was not present at the meeting. The handout, circulated by public speaker Kat Boylan, did not raise any new issues or information.

The Planning Officer's presentation addressed the following points:

- There were 2 key plans submitted: Parameter Plan and Illustrative Master Plan.
- The Parameter Plan showed key elements including access to the site from the highway, Burford Road, the residential development area and landscaping. The public right of way would be retained and there would be improvements to the footway on Charlbury Road.
- The Illustrative Master Plan showed the capacity of the site, the proposed up to 104 dwellings of low to medium density, community growing space and sustainable urban drainage.
- Illustrative Design and Access Statement images showing the overall intended proposed development slides were shown to the Sub-Committee.
- The site was located Southeast of Chipping Norton and was bordered by a sports club to the South, farmland to the allotments to the North and Cotswold Gate development to the West.
- A public right of way was diagonally across the site to Charlbury Road in the southeastern corner. There were no designated heritage assets within the site.
- There was a listed building (Oldner House) some 240 metres to the east of the site and the Chipping Norton Conservation area was some 550 metres to the northwest.

The application had come before the Sub-Committee on Monday 17 March 2024 and had been deferred for written responses to be requested from Oxfordshire County Council Highways (OCC Highways), to explain why a contribution towards Strategic Highway Infrastructure at Chipping Norton (referred to as the link road) had not been sought, and from 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.

The Principal Planner drew Members attention to the response received from OCC Highways included on page 16 of the report in the agenda pack.

It was explained that due to the discovery of the Roman/archaeological remains and scheduling by Historic England, the alignment of the north – south link road had been cast into significant doubt. The developer had demonstrated that the traffic impact of the proposed development would not be severe. In accordance with paragraph 115 of the National Planning Policy Framework (NPPF) the Local Highway Authority would not be able to seek contributions toward the link road to offset the traffic impact of the proposed development as this would not pass CIL tests set out in the NPPF.

The Principal Planner drew Members attention to the response received from the NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board included on page 17 of the report in the agenda pack.

It was explained that there was no objection from the NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board subject to a contribution of £89,856 towards primary health care being secured by a S106 legal agreement in any permission granted. This had been agreed by the applicant.

Kat Boylan spoke as a member of the public in objection to the application and raised the following points:

The noise impact from the Chipping Norton Rifle and Pistol Club situated next to the proposed development, increase in traffic on the Lidstone / Enstone single track road, management of sewage with reference to the Environment Agency's statement that the sewage treatment plant is upgraded before the commencement of the development, the impact on the local countryside and the use of agricultural land for development. Ms Boylan asked to play a recording of the noise from the rifle and pistol club. The Chair explained that this was not common practice at the Sub-Committee and was not agreed.

The Principal Planner continued with his presentation which addressed the following points:

- The conclusion and planning balance, as set out in the original Officer report in Appendix One, remained substantially unchanged.
- Applying the planning balance set out in the NPPF, Officers considered the benefits of the scheme outweighed the harms identified.
- With the agreed additional contribution towards primary health care requested by the NHS, the application was recommended for approval.

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

- Concerns that the proposed land to be developed was greenfield land extended the curtilage of the town towards Burford.
- Concerns there would be a limit on the number of houses that could be built due to the sewage upgrade needed by Thames Water.
- Concerns the traffic would be increased due to no link road, and an increase in traffic from the proposed dwellings. There was no bus stop located near the site.

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- Members felt that the contribution offered to the NHS would barely cover a GP salary for a year.
- Concerns regarding the sewage treatment and adverse impact on the environment.
- Concerns regarding the public right of way and safety of pedestrians crossing busy roads, no continuous pathways or footpath or crossing to Millennium Woods.
- Concerns that the landscape and character of would be impacted and was not in keeping with policies H2, EH2, OS2 and OS4.
- Members highlighted that the Roman archaeological findings had impacted the possible construction of a link road.
- It was highlighted that there were conditions regarding sewage and no objections from Historic England.
- Members asked if there was provision for solar panels, in the report page 26, point 6 the applicant had been encouraged to minimise energy and carbon emissions.

Councillor Geoff Saul proposed the application be refused against officer's recommendations. This was seconded by Councillor Rosie Pearson.

Voting record – 3 for the proposal, 3 against and 3 abstentions. The proposal was not carried on the Chair's casting vote.

Members asked if condition 16 on page 23 of the report relating to foul water capacity could be amended to a pre-commencement rather than pre-occupation condition. The Principal Planner advised that this could be amended.

The Chair proposed to approve in line with the officer recommendation subject to an amendment to Condition 16 – Foul Water Capacity requiring this to be a pre-commencement rather than pre-occupation condition to read as follows:

FOUL WATER CAPACITY

16. No development shall be commenced until confirmation has been provided that either:- 1. Foul water Capacity, including at the Chipping Norton STW, exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

This proposal was seconded by Councillor Tim Sumner and was put to the vote.

Voting record – 4 Votes for the proposal, 0 votes against and 5 abstentions.

The Sub-Committee **Resolved** to:

- I. Approve in line with officer recommendation subject to an amendment to Condition 16 – Foul Water Capacity requiring this to be a pre-commencement rather than pre-occupation condition to read as follows:

FOUL WATER CAPACITY

- I6. No development shall be commenced until confirmation has been provided that either:- 1. Foul water Capacity, including at the Chipping Norton STW, exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

Members asked that the Chair of the Sub-Committee write to OCC highways to express the Sub-Committee's disappointment with the responses and the information provided which had resulted in local residents being impacted and not benefiting from the development. The Chair agreed to this request with guidance from Officers.

95 Applications Determined under Delegated Powers

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

Councillors Beaney and Pearson asked for notifications of delegated decisions in their wards. The Principal Planning Officer confirmed that the planning team would arrange for the notifications to be sent to Councillors Beaney and Pearson going forwards.

96 Appeal Decisions

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

APP/D3125/W/24/3353373 31 Oxford Road, Woodstock.

Councillor Beaney asked for clarification on the whether there would be any enforcement as the application was part retrospective. The Principal Planning Officer agreed to check and respond to the Councillor directly.

The Chair thanked the Planning Officers for all their hard work over the past year and closed the meeting.

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The Meeting closed at Time 2.55pm

CHAIR