

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Uplands Area Planning Sub-Committee**  
Held in the Committee Rooms 1 and 2 at 2.00 pm on **Monday, 12 December 2022**

### PRESENT

Councillors: Elizabeth Poskitt (Chair), Rizvana Poole (Vice-Chair), Lidia Arciszewska, Hugo Ashton, Mike Cahill, Jeff Haine, David Jackson, Geoff Saul, Dean Temple and Alex Wilson.

Officers: Phil Shaw (Business Manager - Development Management), Joan Desmond (Principal Planner), Stephanie Eldridge (Principal Planner), Janet Eustace (Democratic Services Manager), Michelle Ouzman (Democratic Services Officer) and Anne Learmonth (Strategic Support Officer).

Other Councillors in attendance: Andy Graham.

### **37 Minutes of Previous Meeting**

The minutes of the meeting held on 14 November 2022 were approved and signed by the Chair as a correct record.

The Chair introduced Phil Shaw the Business Manager - Development & Sustainability, who informed the Committee that there had been a formal complaint made to the Monitoring Officer re predetermination on an application on page 3 of the minutes. After a full investigation the Monitoring Officer found there was no case to answer. Following the investigation Mr Shaw took the opportunity to remind Members they could be pre deposed but must not pre-determine the outcome of a planning application but needed to keep an open-mind. Voting along political lines was not allowed. Members should not deliver pre written speeches, but could use notes or bullet points as a reminder of statistics or policies.

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

Apologies received from Councillors Alaa Al-Yousuf and Andrew Beaney.

The Chair also informed the Committee that Councillor Julian Cooper was registered to attend, however he sent his apologies as he was unwell.

### **39 Declarations of Interest**

There were no declarations of interest received.

### **40 Applications for Development**

The Chair Councillor Poskitt informed the Committee, that the Vice-Chair Councillor Rizvana Poole would be taking the first two application, as the Chair was a resident of Woodstock and wished to play an active role in the discussion

#### 21/00189/FUL - Land East Of Hill Rise Woodstock

The Principal Planner Joan Desmond introduced the application for a hybrid planning application consisting of full planning permission for 48 dwellings, 57sqm of community space (Class E), a parking barn, means of access from the A44, associated infrastructure, open space, engineering and ancillary works; outline planning permission for up to 132 dwellings, up to 57sqm community space (Class E), a parking barn, with associated infrastructure, open space, engineering and ancillary works (amended). The Principal Planner referred Members to the

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late representation report, which included comments from the Landscape Officer, Climate Change Manager, Biodiversity Officer and Campaign to Protect Old Woodstock (CPOW). Corrections were also made to the report. Paragraph 199 should be 202 of the NPPF which relates to the balancing exercise to be undertaken in regard to heritage assets.

Councillor Jo Lamb spoke as a Woodstock Town Councillor.

Andrew Rein spoke as an objector to the application.

Roger File spoke on behalf of the applicant. The following queries were raised by Councillors:

- Had there been consultation with the public or Thames Valley Police re the Parking Barns. Mr File was aware further consultation was to be concluded but informed the Committee that the Parking Barn would be a secure premises with CCTV and only two minutes' walk to any door.
- The planning inspectorate had stated around 120 homes so why is the application now for 180. Mr File confirmed that the land could accommodate 180 homes and that this meant another greenfield site did not have to be developed.
- Would there be solar panels on the Parking Barn as well as homes. Mr File confirmed all roofed constructions would be fitted with solar panels, including the Parking Barn.
- What percentage rate would the homes rental be set at. Mr File confirmed 40% discount of marketable rate would be applied.
- Were there any legal agreements in place. Mr File confirmed that no S106 agreements had yet been assigned or agreed.

Copies of the speeches of those that addressed the Committee are attached to the original copy of the minutes.

The Principal Planner continued with the presentation, concluding that planners advised refusal of the application as per recommendations in the original report.

The Vice-Chair invited Councillors to discuss the application which raised the following concerns and issues:

- Number of homes increasing from 120 to 180
- Parking Barn and Courts, disabled and visitor parking
- Footpath access to A44
- Site lines and views into and out of the site
- Length of time that the application has taken to come to the Committee
- Red and orange brickwork
- Protecting the Public right of way
- Balance of decisions on application
- Operationally net zero carbon
- Appropriate access for pedestrians and cyclists
- Appeal risks

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- Encourage applicant to work with officers to find solutions
- Education provision for increasing population
- Health care provision for increasing population
- Safe access to Town

Following the discussions Councillor Poskitt proposed refusal as per the officers recommendation, in the original report. This was seconded by Councillor Cahill, was put to the vote and was carried.

**Resolved** application was refused as per the officers recommendation in the original report but with a change to Policy EW4 in refusal reason 1.

### 21/00217/OUT Land North of Banbury Road Woodstock

Principal Planner Joan Desmond introduced the application for Outline planning application with all matters reserved except for means of access for up to 235

dwellings with community space and car barns together with associated works (Amended). The Principal Planner referred Members to the late representation report, which included comments from the Conservation and Design Officer, OCC Education, Climate Change Manager, Biodiversity Officer and additional three letters of objection. The late comments received from the Landscape Officer were also relayed to Members. Corrections were also made to the report. Paragraph 199 should be 202 of the NPPF which relates to the balancing exercise to be undertaken in regard to heritage assets.

Councillor Jo Lamb spoke as a Woodstock Town Councillor, there was one point of clarification about congestion around the schools and distance of the schools from the site. Councillor Lamb confirmed cars would be used causing further congestion and that Green Lane not a safe place to access.

Dr Hearne spoke as an objector to the application.

Roger File spoke on behalf of the applicant, there was one points of clarification re current fuel poverty and whether solar panels would be fitted to homes, Mr File confirmed they planned to optimise the number of solar panels to be used on homes.

Copies of the speeches of those that addressed the Committee are attached to the original copy of the minutes.

The Principal Planner continued with the presentation, confirming that the application would be subject to a S106 agreement as set out in the report, plus conditions recommended by the Climate Energy Manager requiring the submission and agreement of an Energy report, concluding that planners advised provisional approval as per recommendations in the original report and agreement on the recommended pre-commencement conditions and addition of the Energy Report conditions.

Councillors discussed the application and raised the following concerns and issues:

- Parking bays

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- Connectivity to town
- Narrow pavement
- Busy roads to Town
- Lengthy time for trees to grow
- Cemetery view to the church would disappear
- Education provision for increasing population
- Health care provision for increasing population
- Site already allocated for housing
- Length of time for application to come before the Committee
- Outline application being considered
- Levelling Up Bill

Following discussions Councillor Poskitt proposed refusal which was against the officers recommendation, this was seconded by Councillor Arciszewska.

The Vice-Chair asked for the refusal policies, Councillor Poskitt confirmed policy EW5, OS2, OS4 and EH2. Was duly put to the vote and failed.

Councillor Saul proposed provisional approval as per the officers recommendation in the original report. This was seconded by Councillor Haine, was duly put to the vote and carried.

**Resolved** application was provisionally approved as per the officers recommendation in the original report and additional conditions.

The Vice-Chair agreed a short comfort break at 4:03pm.

Councillor Jackson gave his apologies and left the meeting.

At 4:09pm the meeting resumed with Councillor Poskitt in the Chair.

### 22/02045/FUL Bluewood Park Churchhill Heath, Kingham

Principal Planner Stephanie Eldridge introduced the application for the construction of twelve additional holiday lodges with associated landscaping (amended description and plans). Since publication of the Agenda a further objection letter had been received.

Alex James spoke as an objector to the application. Copy of Alex James speech is attached to the original copy of the minutes.

The Principal Planner continued with her presentation and informed the Committee that there were still two outstanding consultation responses regarding the impact on the Public Right of Way and drainage, concluding that planners advised that it was recommended that Members grant officers delegated authority to approve the application, subject to the two outstanding matters relating to the PROW and drainage being satisfactorily resolved.

Councillors discussed concerns:

- Number of years it would take for trees to grow to hide site
- Harm to AONB not outweighed the benefits
- Illustrations not a reality of what the units look like
- AONB would be spoilt
- Against policies EH1 and EH2
- Risk of site growing in increments

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- Increased traffic
- No café or shop on site, village not in walking distance
- Against NPPF 176 and 177

Following discussion Councillor Wilson proposed refusal as per policies EH1 and EH2 of the West Oxfordshire Local Plan 2031 and paragraphs 176 and 177 of the NPPF. This was seconded by Councillor Temple, was duly put to the vote and carried.

The development, by reason of its open countryside location, nature and scale, would have a transformative, urbanising impact on the land failing to conserve or enhance the landscape and scenic beauty of the Cotswold AONB. As such, the proposal is contrary to policies OS2, E4, EH1 and EH2 of the West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF; in particular paragraphs 176 and 177.

**Resolved** application refused as per policies EH1 and EH2 of the WOLP and paragraphs 176 and 177 of the NPPF, against the officers recommendation.

### **41 Applications Determined under Delegated Powers and Appeal Decisions**

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

Appeals were summarised by the Principal Planner Stephanie Eldridge and noted by the committee.

The Meeting closed at 4.37 pm

CHAIR