

## 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

INB at 2.00 pm on **Wednesday, 28 May 2025**

#### PRESENT

Councillors: Julian Cooper (Chair), Lidia Arciszewska, Andrew Beaney, Adam Clements, David Jackson, Elizabeth Poskitt, Geoff Saul and Genny Early.

Officers: Stephanie Eldridge (Principal Planner), James Nelson (Principal Planner), Mike Cassidy (Principal Planner), Rebekah Orriss (Planning Officer), Emile Baldauf-Clark (Planning Officer), Andrew Brown (Head of Democratic Services and Elections), Mat Taylor (Democratic Services Officer) and Anne Learmonth (Democratic Services Officer).

Other Councillors in attendance: Councillor Hugo Ashton.

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#### **Election of Chair**

Andrew Brown, Head of Democratic Services and Elections opened the meeting and asked for nominations for Chair of the Uplands Area Planning Sub-Committee.

Councillor Elizabeth Poskitt proposed that Councillor Julian Cooper be elected as Chair of the Uplands Area Planning Sub-Committee for the municipal year 2025-2026. This was seconded by Councillor David Jackson. With no other nominations made, the proposal was put to a vote and was unanimously agreed by the Sub-Committee.

The Sub-Committee Resolved to:

1. Elect Councillor Julian Cooper as the Chair of the Uplands Area Planning Sub-Committee for the municipal year 2025-2026.

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#### **Appointment of Vice-Chair**

Councillor Julian Cooper, Chair of the Uplands Area Planning Sub-Committee, proposed that Councillor Mark Walker be appointed as Vice-Chair of the Uplands Area Planning Sub-Committee for the municipal year 2025-2026. This was seconded by Councillor Geoff Saul.

With no other nominations made, the proposal was put to a vote and was unanimously agreed by the Sub-Committee.

The Sub-Committee Resolved to:

1. Appoint Councillor Mark Walker as Vice-Chair of the Uplands Area Planning Sub-Committee for the municipal year 2025-2026

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#### **Apologies for Absence**

Apologies for absence were received from Councillors Mark Walker, Andy Goodwin, Roger Faulkner and Mike Baggaley.

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#### **Declarations of Interest**

Councillor Andrew Beaney declared an interest and also wanted to put on record that he had not spoken to Friends of the Cotswolds regarding the application even though the points he made were similar.

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## **Minutes of Previous Meeting**

### **The Unicorn Public House.**

Councillor Andrew Beaney asked that the following wording be added to the minutes:

That although there were no new enforcement updates, members commented that it did not mean that there was no update on the state of the building and grounds. Would officers please make contact over this.

### **Use of recording at Sub-Committees.**

Councillor Beaney asked for clarification on sound recordings being played at Sub-Committees when information is presented. In previous years presentations from speakers were included however .

The Chair proposed that the minutes of the previous meeting held on Monday 14 April 2025 be approved by the Sub-Committee. This was seconded by Councillor Elizabeth Poskitt 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 14 April 2025.

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## **Applications for Development**

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### **Land South of Forest Road, Charlbury 23/03071/FUL**

Mike Cassidy, Principal Planner presented the application for the erection of thirty seven dwellings including access road, landscaping and associated earthworks. The principal planner brought the Sub-Committee's attention the following with reference to the Additional Representations report and verbally:

- The wording on the first line of paragraph 5.145 on page 50 of the report should be amended to read "The proposal has a minimal impact upon the ancient woodland".
- The deletion of condition 18 relating to details of a proposed external lighting scheme as this is duplicated in condition 25. Condition 25 was more detailed and robust concerning lighting.
- An additional condition 27 was added at the request of the Parish Council removing permitted development rights of housing plots 26-37 which would adjoin the Ancient Woodlands. This condition would control any building between the house and the ancient woodlands to control the erection of any buildings, including sheds, structures and hard standing in the rear gardens within the 15-metre buffer zone proposed.

The Principal Planner's presentation addressed the following points:

- The site was to the west of the village of Charlbury on the south of Forest Road (B4437) and adjoined the enclave of the development to the rear of the railway station, a Grade II listed building.
- The Site bordered Rushy Bank Ancient Woodland and was within both the Cotswolds National Landscape and the Charlbury Conservation Area which lies on the eastern side of the railway line.

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- The Principal Planner gave a summary of the planning history for the site which went back to 2020. This included the details of the Judicial Review of Hearing which was held on 30 March 2023 as covered in 5.7 in the report. The discharge of condition application was referred back to the Council for determination and remained outstanding.
- The application included a proposed mixed dwellings including self builds, affordable housing, including flats, 7 assisted living bungalows and a space for a local play area. There would also be 66 parking spaces and 12 garages.
- Improvements to footpaths and drainage areas and retention of trees on the site. The road would be accessed from Forest Road and there would be a curved road into the site.
- The site design was in keeping with the character of the area with a 5 metre ecology buffer zone next to the ancient woodland.

James Whitehead and James Clements spoke in objection to the application and raised the following points: the application was part retrospective, and unlawful work had been commenced, the application went against the Neighbourhood Plan policies, the development would result in major development on the edge of Charlbury and would fail to protect ancient woodland.

Laura Bisby from Harper Crew Ltd spoke in support of the application and raised the following points: thanked the officers for their report, explained that the housing would provide affordable housing for local residents, and assisted living for those with various care needs. Improvements to footpaths to access the town and included biodiversity net gains.

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

- Gave an overview of the planning history in response to the speakers. The applicant had improved the scheme by including the 5 metre and 15 metre buffer zones in accordance with the guidance given.
- There was no objection from Natural England to the scheme. The heights of the proposed housing had been reduced and the impact on ancient woodland reduced.
- The benefits of the application were much needed housing with 57% affordable housing provision including assisted living.
- There would be improvements to the footpaths with an increase to 1.2 metres on each side of the road. A new extended woodland area is proposed in the northern part of the site.
- Employment benefits through additional spending in the local economy and jobs created through construction and local investment during construction, as well as longer term expenditure in the local economy.

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- The application was recommended for approval in accordance with planning policy and applying the planning balance, as directed by paragraph 11 of the NPPF, the adverse impacts of the scheme did not significantly and demonstrably outweigh the benefits.

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

- Sub-Committee asked for sight of report from Environment Health (page 16), comments from Tree Officer (page 17) and Archaeological Officer (page 41). Clarification on the contributions towards dual tracking on the railway.
- Members raised concerns about the protection of the site due to its location in the Cotswold National Landscape and Charlbury Conservation Area as well as the Ancient Woodlands.
- Members raised concerns about conflicting information within the report. The Principal Planner drew members attention to the Additional Representations report. He also clarified that all supporting documents and reports, including those requested, had been received and were available to view online.
- Members raised concerns about the buffer zone with the ancient woodland and the adequate protection of it due to gardens being included in the buffer zone rather than outside it.
- Members raised concerns that the development was the size of a 'major development' and sought clarification as to whether it was being considered as such.
- Members acknowledged the benefits of the scheme but requested clarification on legal matters concerning the High Court Judgements and what permissions remain including any timeline lines.
- James Felton, Solicitor for West Oxfordshire District Council introduced himself and clarified the history of the application, the High Court Judgements and what permissions remained for the application, however he could not clarify whether the permission was within a valid timeframe to proceed.

Councillor Beaney proposed the application be deferred to:

1. seek advice/clarification as to what permissions are extent on the site; what weight should be given to previous permissions granted on the site if no longer extant; and what effect(s) have the various judicial reviews relating to the previous permissions granted on the decision-making process.
2. To obtain comment from the Council's Tree Officer on the proposals.
3. To obtain additional information from the applicant:
  - A noise report measuring the impact of noise from the railway line on the proposed dwellings, along with any remediation required as requested by the Council's Environmental Health Noise Officer.

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- A desk study to assess the nature and extent of any contamination as requested by the Council's Environmental Health Contamination Officer.
4. To provide further information on the following points raised in the discussion:
- Whether the proposal is considered to be a 'major development'.
  - Further analysis of the impact of the proposal on the adjoining Ancient Woodland and what needs to be done to protect it.
  - A response to the concern raised by the Charlbury Conservation Area Advisory Committee relating to undue light spillage from the development contrary to policy NE4 on tranquillity and dark skies in the Charlbury Neighbourhood Plan.
  - A more robust response to the objections raised in relation to inappropriate design and harmful impact on the character and appearance of the Charlbury Conservation Area.

This proposal to defer was seconded by the Chair and put to the vote.

**Voting Record** – 6 for the proposal, 1 against and 0 abstentions.

The Sub-Committee **Resolved** to:

Defer the application to:

1. seek advice/clarification as to what permissions are extant on the site; what weight should be given to previous permissions granted on the site if no longer extant; and what effect(s) have the various judicial reviews relating to the previous permissions granted on the decision-making process.
2. To obtain comment from the Council's Tree Officer on the proposals.
3. To obtain additional information from the applicant:
  - A noise report measuring the impact of noise from the railway line on the proposed dwellings, along with any remediation required as requested by the Council's Environmental Health Noise Officer.
  - A desk study to assess the nature and extent of any contamination as requested by the Council's Environmental Health Contamination Officer.
4. To provide further information on the following points raised in the discussion:
  - Whether the proposal is considered to be a 'major development'.
  - Further analysis of the impact of the proposal on the adjoining Ancient Woodland and what needs to be done to protect it.
  - A response to the concern raised by the Charlbury Conservation Area Advisory Committee relating to undue light spillage from the development contrary to policy NE4 on tranquillity and dark skies in the Charlbury Neighbourhood Plan.

- A more robust response to the objections raised in relation to inappropriate design and harmful impact on the character and appearance of the Charlbury Conservation Area.

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**Sydney Cottage, Pytts Lane, Burford 24/03 I50/LBC**

Rebekah Orriss, Planning Officer, presented the application for internal works including removal of internal walls, construction of a new lobby, plaster repairs, renewal of kitchen and sanitary fittings and electrical installations, use of loft as bedroom, full internal redecoration (part retrospective) (amended description).

The Planning Officer's presentation addressed the following points:

- The Town Council had objected to the application in regard to the dormer window being out of alignment on a listed building. Also, the removal of a historic internal wall on the ground floor.
- The application was part retrospective and included the removal of internal walls. The application was amended to remove the rear dormer window the new attic staircase and lessen the amount of ground floor wall between the kitchen and living room.
- The Grade II listed cottage lie within the Burford Conservation Area and the Cotswold National Landscape.
- The conservation officer based on the knowledge of amendments proposed to retain a small part of the wall.
- The first floor landing would be larger and on the second floor there would be loft space for single bedroom and ensuite. A new wall would create a lobby / utility room.
- The proposed design would create a modern living space whilst retaining the historic heritage of the property.
- The application was recommended for approval.

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

- The Sub-Committee asked for clarification on the 4 letters of objection specifically the replacement of the dormer window. The Planning Officer clarified that the dormer window was no longer part of the application.
- The Skylight was a conservation roof light and was of head height for view of the rear garden, but did not overlook other properties.
- On the slides shown to the Sun-Committee the section marked by red dashes was the part of the internal wall to be removed.
- The enclosure of the staircase was referenced in previous plans however within the current application the staircase on the first floor would remain unclosed.

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Councillor David Jackson proposed to approve the application in line with the Officer's recommendations. This was seconded and put to the vote.

Voting record – the vote was unanimous.

The Sub-Committee **Resolved** to:

- I. Approve the application in line with Officer' recommendations.

## **9 Church View Cottage, Church Walk, Combe 25/00793/HHD**

Emile Baldauf-Clark, Planner, presented the application for the erection of first floor side extension (amended plans).

The Planning Officer's presentation addressed the following points:

- The application was before the Sub-Committee as the applicant was a direct relative of an employee of West Oxfordshire District Council.
- The site lay in the centre of the village of Combe and was within both Combe Conservation Area and Cotswolds National Landscape.
- Previous planning history included a replacement of a lean to structure.
- The design was in keeping with the character of Combe village and the proposed materials matched the dwelling.
- There were no heritage impacts on the Grade II listed buildings nearby and no loss of light to the adjacent rear garden.
- The application was recommended for approval.

The sub-committee asked for clarification on whether there had been any objections raised of which there had not.

Councillor Elizabeth Poskitt proposed that the application be approved in line with Officer recommendations. This was seconded by the Chair and was put to the vote.

**Voting record** – the vote was unanimous.

The Sub-Committee **Resolved** to:

- I. Approve the application in line with Officer recommendations.

## **10 Applications Determined under Delegated Powers**

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

24/02961/FUL Land South of 19 Fox Lane, Middle Barton. Councillor Jackson raised concerns about the application and asked for clarification on the call in process.

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Stephanie Eldridge confirmed that call in would have to be done within 29 days of the statutory consultation period and for this application it would be too late. However, the applicant could request pre-application advice if the application were to be re-submitted.

25/00124/S73 The Old Garage, Springfield, Bicester Road.

Councillor Beaney asked for clarifications on whether the Town/Parish council had raised objections. The Principal Planner agreed to check the application and come back with an answer.

25/00535/HHD 2 Water Brook View, Woodstock.

Councillor Poskitt asked for clarification on what work on the property has been done. The Principal Planner agreed to check the application and come back with an answer.

Councillor Beaney thanked Officers for all their work on delegated decisions and confirmed that he now received notifications online as previously requested.

## **11 Appeal Decisions**

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

## **12 Land North of Holliers Crescent, Middle Barton (REF: 24/02901/OUT)**

Stephanie Eldridge, Principal Planner presented the report to seek agreement by the Sub-Committee to a site visit to land north of Holliers Crescent, Middle Barton.

Councillor Jackson felt that the site visit would be most useful. It was unanimously agreed by the Sub-Committee to agree a site visit by members to be held on Thursday 12 June 2025 at 9.30am.

The Sub-Committee **Resolved** to:

- I. Agree to a site visit by members, to be held on Thursday 12 June 2025 at 9.30am.

The Meeting closed at 3.31pm

CHAIR