

**Charlbury Town Council**

**Minutes from PLANNING COMMITTEE MEETING**

**Held on Monday 25<sup>th</sup> September 2023 at 8pm in the Green Room, Memorial Hall**

**Present: Cllrs:** Peter Kenrick (in the chair), Liz Reason, Gary Harrison, James Styring, Janet Burroughs, Nick Potter, Tony Merry, Claire Wilding, Emily Algar, David Green, **Town Clerk:** Lisa Wilkinson, 10 members of public

1. **Apologies for Absence** were received from Frances Mortimer and Gareth Epps.
2. **Declarations of Interest:** none received.
3. **Public time to include update from Rushybank**

Adrian Bloor from the developers HarperCrewe, updated the TC on the latest plans for the Rushybank development:

- Works commenced on site in August 2022. This decision was legally challenged by Friends of The West Oxfordshire Cotswolds (FOWOC) and was subsequently found by the High Court to have had procedural flaws in the determination process. The application is now with the District Council for redetermination.
  - A subsequent S73 application to amend details to address the concerns raised in the above legal challenge was approved in March 2023. This has also been legally challenged by FOWOC and has recently been given leave to be heard in the High Court. A date has not yet been fixed for the hearing.
  - Launcelot Investments Ltd now own the land.
  - Launcelot Investments Ltd and HarperCrewe are working up a new full planning application for the development. This will be similar to the previously agreed S73 proposal but with additions to the design, layout and environmental performance of the homes to include a 15-metre buffer from the copse and solar PV which takes the performance of the houses way beyond the Local Plan’s and Neighbourhood Plan’s expectations. S106 contributions remain the same as previously.
- Peter Kenrick reiterated the Town Council Engagement statement and explained the Council would not take a position on this until a planning application comes forward.

Points raised by members of the public and councillors about planning application 23/02399/FUL:

- It is an unsuitable site for house and access is a problem.
- It is a greenfield site.
- Woodstock Road is liable to flooding.
- Support affordable housing but in the right location.
- Needs a better mix of market value and affordable houses on the site

**4. To receive minutes of planning meeting dated 21<sup>st</sup> August 2023**

These were received and signed as a true record.

**5a. Planning applications received:**

Ref no:	Address:	Proposal:	TC Decision
23/02148/HHD	8 Elm Crescent, Charlbury	Erection of single storey front and rear extensions	No objection subject to meeting WODC Net Zero Carbon Toolkit
23/02274/HHD	22 Elm Crescent, Charlbury	Erection of single storey rear extension and garage conversion to create additional living space	No objection subject to meeting WODC Net Zero Carbon Toolkit
23/02411/ADV	Bell Hotel Church Street Charlbury	Erection of lettering wall signage, internally illuminated sign pole with bell attached, flagpole and commemorative stone	No objection but draw attention to the fact that the work has already been undertaken

23/02399/FUL	Land North Of Woodstock Road Charlbury	Erection of a residential development comprising of 28 dwellings (inc. 50% affordable housing), the provision of public open space and landscaping, demolition of existing garages and provision of new garaging, a vehicular access via Woodstock Road and pedestrian access to Hughes Close together with associated works.	Object *See full objection below.
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\* The town council objects to this application for reasons set out below and asks for a site visit to be held and for the application to be referred to the Uplands Planning Sub-committee for a decision. We also ask that full consideration be given to the comments and concerns of immediate neighbours especially those in Little Lees and Hughes Close whose existing homes and gardens lie within a few metres of the proposed development and also residents of Woodstock Road who would be affected by the vehicular access and any surface water runoff.

Notwithstanding our objection, we acknowledge and welcome the applicant’s recognition of Charlbury’s identified requirements and aspirations as described in the Charlbury Neighbourhood Plan 2031 (CNP). In particular we welcome the ambition of the applicant to address the identified housing needs of the parish in accordance with CNP policies CH1 & CH6.

However, in the council’s opinion, the details of the proposed development as presented fall short of our expectations for such a significant development and the proposed scheme fails to comply with CNP policies ECT6, ECT12, NE5 and NE9. On that basis, the council objects to the application.

Further details are provided below including detailed explanations of the council’s objections, suggestions as to how we believe the proposed development could be improved and other general comments. In case WODC is minded to approve, we have included details of conditions and developer contributions that we believe to be appropriate and proportionate.

1. **Children’s Play Area.** The application fails to comply with CNP policy ECT6 and the associated West Oxfordshire Open Spaces Study 2013-2029 in relation to the provision of play space on-site or within the stated access standard walking distance. In this regard we specifically dispute the statements made in paragraphs 5.18 and 5.20 of the Planning Statement attached to this application. Paragraph 5.18 states that *“The proposed development did not deem it necessary to provide on-site provision due to the proximity of other provisions that can cater for need”*. This is clearly not the case as the shortest walking distance to either of the only two existing facilities within the town (Nine Acres Recreation Ground and Ticknell Piece) exceeds 1,000 metres, more than double the access standard of 480m specified in the WO Open Space Study. The distances specified in paragraph 5.20 of the planning statement, which still exceed the access standard, are inaccurate in measuring an “as the crow flies” distance rather than the minimum walking distance. We are particularly concerned about this provision given the number of family oriented homes within this area of the town and are also aware that a request for similar provision in relation to another scheme in the same vicinity, developed by Cottsway (Wilkins Court) was also omitted from the approved scheme. We believe that it would be possible and appropriate to include a small facility on the current site and that, given the proposed pedestrian access to Huges Close, such a facility would also provide benefit to neighbouring estates including Hughes Close, Sturt Close and Wilkins Court.
2. **Energy Efficiency, Renewable Energy Generation and Net-Zero Commitment.** The application makes extensive reference to WODC’s Net Zero Carbon Toolkit which this council supports. However, the proposed development fails to meet the recommended standards **despite stating that it does**, and as such does not comply with CNP policy NE9 which requires proposals for new

buildings to demonstrate how they would achieve excellent environmental performance. The homes have not been oriented to maximise solar gain for winter warmth, and for the installation of PV on the roofs. There are no space constraints on the site so this should have been the first step in the design process. The proposed mechanical extract ventilation does not include heat recovery which would make a significant difference to overall space heating demand and hence to the lifetime running costs of the homes and delivery of the lowest energy bills. No specific details are given of the installation of PV panels on roofs and the plans suggest that opportunities for such provision may be severely limited by the orientation of many units and the extensive inclusion of dormer windows within the designs.

3. **EV Charging Points.** As presented the application fails to comply with CNP policy ECT12 which requires proposals for new homes to include on-site provision for charging points. Although the requirement is acknowledged, no details of any proposed provision are included and it is not clear how this could be achieved and linked to occupiers' power supplies for some of the units where parking provision appears to be remote from the dwellings.
4. **Traffic Calming on Woodstock Road.** Vehicular access will be to a narrow section of Woodstock Road with no pavements and limited verges. The development represents a substantial uplift (essentially doubling) in the number of homes using that stretch of road as their sole vehicular access. This will accentuate road safety issues on an approach road that has a history of speeding traffic. Therefore, if WODC is still minded to approve, it will be essential and proportionate for the applicant to fund the installation of traffic calming measures (e.g. build outs) as well as an extension of the Charlbury 20mph limit area to encompass the entrance to the new development and to include the internal roads within it.
5. **Surface Water Drainage and Rainwater Capture.** The town council acknowledges the surface water drainage strategy included with the application but wishes to make the following comments:
  - a. This development could and should be an exemplar for efficient use of water including provision for rainwater capture for garden use and grey water capture and storage (e.g., for flushing toilets).
  - b. Given the slope of the land towards Woodstock Road, the design and capacity of the attenuation basin are critical. Is it adequate?
  - c. Can we be assured that there are no safety issues relating to the attenuation basin e.g., for children or wildlife.
  - d. The attenuation basin can offer a real opportunity for establishment of wildlife habitats (e.g. wetland, ephemeral ponds) with associated benefits for biodiversity. Can this please be accommodated.
6. **Foul Water Sewage Infrastructure.** In the light of serious concerns about the level of sewage pollution in the River Evenlode, the town council seeks assurance that sewage treatment infrastructure is adequate to support the development by the imposition of a Grampian condition if necessary.
7. **Walking and Cycling.** The town council welcomes the provision of a safe walking and cycling route to the town centre, shops, bus stops, school and other facilities in accordance with CNP policy ECT9. However, we remain concerned that the inherent distance from the town centre will discourage journeys on foot and to compensate for this the provision of positive measures to encourage active travel would be appropriate and welcome. For example, the provision of e-bikes and charging points within the development for the use of residents could significantly reduce the number of car journeys taken and we consider that developer contributions to fund such a scheme would be appropriate and proportionate.
8. **Defibrillator Provision.** In view of the location of the proposed development, the provision of a defibrillator on-site would be appropriate, proportionate and could save lives.

9. **Biodiversity Hedgerows and Trees.** The proposed development site lies adjacent to the Blenheim and Ditchley Conservation Target Area (CTA) as designated by Wild Oxfordshire and referenced in the Oxfordshire Biodiversity Action Plan. Regrettably, this designation is not acknowledged within the Environmental Assessment (EA) or elsewhere within the application. CTAs are areas identified as of highest priority for wildlife conservation and habitat conservation. CNP Policy NE5 requires development proposals adjacent to CTAs to demonstrate that they would have NO detrimental effect on the integrity and biodiversity value of the CTA. However, the proposed development requires the destruction and/or severe width reduction of a significant quantity of existing mature species-rich hedgerow as well as the removal of some trees as confirmed by the submitted plans and the Arboricultural Impact assessment and Method Statement. The mature hedgerows identified for removal and width reduction include protected conservation hedges along the eastern boundary of the site and these provide important habitats and corridors for wildlife including birds, small mammals and reptiles. Removal of these hedgerows will have a detrimental impact on wildlife and biodiversity as will reductions in hedge width because many important species rely on broad dense hedgerow habitats to thrive. In turn this will have a detrimental impact on the integrity of the adjacent CTA and consequently, the proposed scheme fails to comply with CNP policy NE5. We also understand that the ownership of the land occupied by the existing mature conservation hedges along the eastern boundary of the site is disputed and that strict conditions for the care and maintenance of that hedge have been imposed in respect of a smaller planning approval relating to a neighbouring property. More extensive conditions would certainly be appropriate for any approval to the current application given the larger scale and impact of the proposed scheme. We do note that the Ecological Assessment (EA) that accompanies this proposal recognises the significance of the hedges and includes positive recommendations for them (paragraphs 5.2.8 to 5.2.12) but these are clearly not borne out by the proposal itself as presented or by the arboricultural assessment. CNP paragraphs 7.3.5 to 7.3.12 (supporting policy NE5) provide further relevant guidance and if WODC is minded to approve the scheme, then it should be conditional on an agreed management plan for trees and hedgerows that retains mature species-rich hedgerows and reflects the guidance provided in the above mentioned paragraphs of the CNP.

**5b. Planning Outstanding:**

Ref no:	Address:	Proposal:	TC Decision
23/02142/HHD	19 Nine Acres Close Charlbury	Demolition of existing conservatory and replace with single storey rear extension	No objection
22/02970/LBC	Redding Wyck House Market Street Charlbury	Internal and external alterations to replace existing sash windows within northeast (front) elevation.	No objection
23/01637/FUL	Charlbury House, Woodstock Rd, Charlbury	Demolition of existing dwelling house and erection of replacement dwelling with associated outbuildings and landscaping works. Conversion and extension of existing cottage to form pool house with ancillary shower/changing facilities. Repair and extension of field barn (revision to planning approval 22/02066/FUL) to allow for inclusion of new stables and indoor riding arena.	Object

23/01598/FUL & 23/01599/LBC	The Bell Hotel, Church St, Charlbury	Erection of Cotswold stone wall and railings to the front of The Bell.	Object
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**5c. Planning Decisions:**

Ref no:	Address:	Proposal:	Decision
23/01697/HHD	1 Chartwell Drive, Charlbury	Replacement of a flat roof over porch with pitched roof and replacement of flat roof to pitched roof with dormer window	TC -No objection WODC - Approved
23/01745/HHD	14 Hill Close, Charlbury	Create level terrace and parking area on redundant sloping driveway	TC - No objection WODC - Refused
23/01946/HHD	Wychwood View, Stonesfield Lane, Charlbury	Erection of veranda to front elevation	TC - No objection WODC - Approved
23/01432/FUL	Charlbury Cricket Club field, Dyers Hill, Charlbury	Change of use of agricultural land to increase playing area of main pitch together with associated works	TC -No objection WODC - Approved
23/01943/HHD	Zelyan, Sheep St, Charlbury	Proposed extension and conversion to outbuildings and alterations including roof lights	TC - No objection WODC - Approved
23/01740/LBC & 23/01739/HHD	Dyers Hill House Dyers Hill Charlbury	Internal and external alterations to existing fenestration, including replacement dormer windows in West elevation and internal changes to first floor layout.	TC - No objection WODC- Approved
23/01148/FUL	Land west of Wychwood Paddocks, Charlbury	Erection of sports amenities building for Charlbury Primary School with associated works (amended plans).	TC - No objection WODC - Approved
23/01704/LBC & 23/01703/FUL	The Bull, Church St, Charlbury	Internal and external alterations to include the construction of four dormer windows to front roof slope	TC - No objection Withdrawn

**6. Update on Local Plan revision work**

The Local Plan Revision Group (LPRG) have met and started work on the TC response.

It was agreed that the letter (Appendix 1) would be sent to residents.

A Parishes Together meeting will be organised to agree a joint response for a call for sites and ideas. See Appendix 2

Meeting closed: 9.32pm

**Appendix 1**

**Full text of letter to residents:**

**West Oxfordshire Local Plan 2041 – Your Place Your Plan**

As you may already know, WODC is preparing a new Local Plan which will help to shape the future of West Oxfordshire to 2041. Having an up-to-date plan in place is vital because it provides a vision and framework to guide decisions on how, where and when development can come forward and how communities and the built and natural environment can be protected and enhanced for current and future generations.

To help with this process, WODC is currently seeking the views of residents, communities and other stakeholders in three areas through a consultation “Your Place, Your Plan – Ideas and Objectives” which is

open until 25 October and the feedback received will be used to inform a series of preferred policy approaches which will be the subject of further consultation later in 2023.

We strongly recommend you to take part in this consultation and have your say. See “**Have Your Say**” below to find out how to get involved.

### **Charlbury Town Council is engaging with the Local Plan consultation.**

As part of the consultation, WODC is working with town and parish councils including Charlbury Town Council to reflect the aspirations and priorities of local communities. As your elected representatives we will be fully engaged in this process and we would like to hear from you about your priorities for Charlbury in the context of this WODC consultation. As you know, Charlbury already has a Neighbourhood Plan, adopted in June 2021 following extensive involvement and consultation with the community. This Neighbourhood Plan will provide a firm basis for us in our representations to WODC but circumstances and priorities do move on over time and we would welcome your thoughts.

### **Future Pattern of Development in West Oxfordshire**

We are particularly keen to hear your views on the future pattern of development in West Oxfordshire, which is one of the areas covered by this consultation. WODC has set out 8 possible scenarios and wants to know which one(s) you favour and why. The choice of scenario from this list will inevitably have a significant impact on Charlbury and on our own priorities so the town council is also keen to hear your views so please let us know what you think.

As background, the current local plan follows Scenario 1 (Hierarchical) and that approach therefore informed our Neighbourhood Plan. This approach has positive advantages for Charlbury which, under this scenario, is designated as a Rural Service Centre serving surrounding villages and hamlets. This helps us to argue for support and protection for our town centre, community facilities and public transport links as well as a focus on smaller affordable housing for key workers. This is important to keep our community vibrant and active. Tell us what you think!

### **Have Your Say!**

To find out more about the WODC consultation and to have your say, go to the WODC website ( <https://westoxon.gov.uk/> ) and click on “Have your say on the future of our District”. There you can download a copy of the consultation document and also sign up to submit your own comments.

The town council would also like to hear from you, particularly on the future pattern of development and it would be helpful if you could send your comments to us by **Thursday 5<sup>th</sup> October** to enable us to reflect your views in scheduled workshop discussions with WODC. To send details to the town council, please email Lisa Wilkinson, the town clerk at [clerk@charlbury-tc.gov.uk](mailto:clerk@charlbury-tc.gov.uk) .

We look forward to hearing from you.

## **Appendix 2 Letter to Parishes Together**

As you'll know, West Oxfordshire is consulting on its Local Plan. This latest consultation round has three parts:-

- Strategic Objectives
- Spatial Strategy Options
- Call for Sites and Ideas.

We wanted to explore whether there might be scope for exploring ideas as part of that latter piece of work.

As well as the more commonplace call for development sites, the consultation document appears to support calls for interesting collaborative proposals. As this affects us all, it seems a good thing to be able to discuss together.

*This could be for new housing, employment, green space, renewable energy or some other land use. Whether you have a detailed proposal, or just a broad idea, please complete this form and let us know what you think. You do not need to complete every section, just fill in as much as you can. We are open to all ideas but would particularly welcome thoughts on sites or areas of land that may be suitable for:*

- *Nature recovery and biodiversity gain including potential networks of joined-up spaces;*
- *Renewable energy e.g. water, solar and wind;*
- *Community uses such as meeting spaces, sports, recreation and play facilities, coworking facilities and burial space;*
- *New homes including market housing but also affordable housing, self and custom-build and other forms of specialist housing (e.g. for older people and community-led housing projects);*
- *Supporting infrastructure such as new cycling and walking routes, highway improvements, energy, waste, health, education, libraries etc;*
- *Green space including outdoor sport, allotments, parks and gardens, amenity and natural green space;*
- *Employment generating uses such as (but not limited to) offices, research and development, industrial, retail, indoor sport and commercial leisure uses such as cinemas, hotels, leisure centres.*

If you'd like to join us in a Zoom meeting or suggest ideas we could take forward, be they employment, active travel corridors, nature recovery networks or something else, let us know.