

**Charlbury Town Council
PLANNING COMMITTEE MEETING**

Monday 21st October 2024 at 8pm in the Green Room, Memorial Hall

Present: Cllrs: Peter Kenrick (in the chair), Gary Harrison, Liz Reason, Arthur Sinclair, Tony Vettors, Ed Bradbury, Roy Scott, Tom Greenwood, **Town Clerk:** Lisa Wilkinson, seven members of public.

1. Note from the chair, Peter Kenrick:

Following several requests from objectors to various planning applications recently, Peter Kenrick explained that the Town Council's role, as elected representative, in planning applications is to:

- respond as a statutory consultee to planning applications received from West Oxfordshire District Council.
- defend the Neighbourhood Plan and be transparent and independent in everything it does
- not get involved in supporting objectors, developers or supporters whatever the agreed Council position on a planning application is.

2. Apologies for Absence were received from Katie Ewer.

3. To receive Declarations of Interest: none were received.

4. Public time

24/02171/FUL Land north of Woodstock Road

Three members of public voiced their objections to this planning application:

1.

- This application was previously submitted one of the reasons for refusal was the detrimental impact on the conservation area. Proposed changes to this application are to reduce the development by 2 dwellings and to change the layout which does not effect this reason.
- No planning notice was visible (only after a resident contacted planning officer).
- There is no transparency from the developers
- Much of the documentation is misleading: the plan shows lots of boundary with green trees/hedges but on closer reading virtually all will be removed. There is no specification on what and how much planting will be undertaken.
- Application form has factual inaccuracies. For example, it claims there will be no impact on wildlife.
- The application states 'Unknown' about dealing with sewage.

2.

- Why is no-one aware of this major development? No information has been circulated by the developers
- Flooding is an issue. The figures are projected as there is no way of knowing the capacity of run-off. The houses below could potentially be flooded.

3.

- The ecological aspect has not been appreciated by the developers.
- The proposal is not right for Charlbury as it does not meet many of the Neighbourhood Plan policies and Local Plan policies. The reduction of 2 houses in this application is 3% less in build area so it is a negligible change
- The development is not proportionate or appropriate and it does not form a logical continuation of the built-up area along Woodstock Rd.
- The site is covered by a Tree Protection Order (TPO). The eastern hedgerow is not owned by the landowner so biodiversity net gain is not applicable.
- Highways have issues with visibility splays as Woodstock Road is very narrow.

- Affordable housing – will it benefit Charlbury residents?
- This development sets a dangerous precedent for Charlbury.

5. To receive minutes of planning meeting dated 23rd September 2024

These were received and signed as a true record.

6a. Planning applications received:

Ref no:	Address:	Proposal:	TC Decision
24/02171/FUL	Land north of Woodstock Road, Charlbury	Erection of a residential development comprising 26 dwellings (inc. 46% affordable housing), the provision of public open space and landscaping, demolition of existing garages and provision of new vehicular access via Woodstock Road and pedestrian access to Hughes Close and associated works	*Object. See below for discussion and full text of objection
24/02335/FUL & 24/02336/LBC	The Bull Inn, Sheep St, Charlbury	Internal and external alterations to include replacement rear extension with attached pergola and provision of black cast iron external fire escape staircase together with associated internal changes, regularisation of storage area and retention of front door. (Part retrospective).	The TC supports the proposed changes to the kitchen and fire escape but objects to the regularisation of storage space on grounds that it reduces the parking spaces to 8 from 12 in contravention of Neighbourhood Plan policy ECT7. Resolved.

*24/02171/FUL Land north of Woodstock Road, Charlbury

Peter Kenrick summarised the main differences between this planning application and the previous one:

- Homes and parking areas pulled back from the edges of the site to reduce the impact on boundary hedges and improve neighbourliness.
- Rearranging parking and green spaces to ensure natural surveillance and avoid opportunities for anti-social behaviour
- Reorienting the four homes replacing Cottsway garages to avoid overbearing impact on neighbouring homes in Little Lees
- Some stated increase in replanting of native species to offset loss of existing trees & hedges (but see "matter of significant concern" below)
- Consequent reduction in number of homes from 28 to 26. Proportion of affordable homes reduced from 50% to 46%. Proportion of 1, 2, 3 and 4 bed homes roughly the same.

Matter of significant concern

The issue of proposed tree removal and management - largely unchanged from the previous application - remains a significant concern, particularly as the arboricultural report shows hatched areas of "trees to be removed" around almost the entire boundary of the site - areas explicitly covered in the TPO the Town Council flagged up before. Of particular concern is a new table summarising required tree works, which appears in the revised planning statement (para 4.13) but was not included in the earlier application. This proposes complete removal of trees (contrary to detailed recommendations in the arboricultural impact assessment) and, of particular concern, it proposes the poisoning of laurel stumps by the application of "preparatory systemic brushwood killer".

The Planning Committee unanimously **resolved** to object and to amend its previous objection as follows as the points have not been addressed by the developers:

Charlbury Town Council response to Planning Application 24/02171/FUL for 26 dwellings on land north of Woodstock Road, Charlbury

Having reviewed this new application against the comments submitted for the previous refused application 23/02399/FUL, Charlbury Town Council does not believe the reasons for objection have been addressed and therefore objects to the current application on the same grounds with some modifications. Our modified comments are set out below. We also deplore the lack of further community consultation and minimal notice given to the submission of this application given the refusal of the previous proposal.

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 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. In particular we would seek S106 developer contributions for children's play provision & outdoor sports pitch improvements (see point 1 below), for traffic calming measures (see point 4 below) and defibrillator provision (see point 9 below)

1. **Children's Play Area.** The Town Council disputes the applicant's opinion that the proposal is compliant 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 note that mention of Sports and Leisure provision included within the Planning Statement of the earlier application (paragraphs 5.17 to 5.20) has been omitted from the current version. However, we still specifically dispute the statements made in paragraphs 5.18 and 5.20 of the earlier planning statement and do not believe the current application has answered this matter. Specifically, 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.

If WODC is minded to approve, we ask for developer contributions to be secured by S106 agreement for play space in lieu of on-site provision and also for outdoor sports pitch improvements and we ask that both of the above contributions are allocated to provision within Charlbury. We understand that minimum figures of £15,772 and £52,872 respectively for these two contributions have been mentioned.

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. For example, 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. As a further example, 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. We note that this provision is now a statutory requirement.
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. **Water Supply.**
Noting that Thames Water is not able to guarantee adequate water supply to this development, the Town Council believes that a Grampian condition would be appropriate to ensure adequate provision before development begins. This also informs our comments in item 6 below.
6. **Surface Water Drainage, Rainwater and Grey Water 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). The requirement for this is clearly accentuated by the issues of water supply identified by Thames Water and in item 5 above.
- b. Given the slope of the land towards Woodstock Road, the design and capacity of the attenuation basin are critical. Is it adequate?
 - c. Widespread concerns over the adequacy of sewage infrastructure (see also item 7 below), it is critically important to ensure that ALL surface water generated by the development is captured on site and that none enters the foul sewage infrastructure. Is this assured by the proposed scheme?
 - 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.
7. **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.
8. **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.
9. **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. We note and welcome the willingness of the applicant to fund such a provision as well as an additional one at an appropriate community location (e.g. a sports club). If WODC is minded to approve, please can this provision be included through a S106 agreement?
10. **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 may be 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. In clear contravention of an existing tree preservation order (TPO), the Tree Removal and Protection Plan (Appendix 2 to the Arboricultural Impact Assessment) shows almost the entire boundary hedge of the site hatched to indicate trees to be removed to the ground. In some cases, the application of poison in the form of systemic brushwood killer is proposed (see table in paragraph 4.13 of the Planning Statement). This treatment is totally incompatible with the importance of this hedge-line for wildlife and as a boundary visual shield. Considering the extent of the proposed removal of trees and hedgerows, are the claimed levels of biodiversity net gain credible?

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.

6b. Planning Outstanding:

Ref no:	Address:	Proposal:	TC Decision
23/03071/FUL (amendments only)	Land south of Forest Rd, Charlbury	Erection of thirty-seven dwellings including access road, landscaping and associated earthworks	No objection to amendments with comments
23/03136/FUL	Land And Woodland South Of Watermead Farm Spelsbury Road Charlbury	Change of Use from agricultural to 'glamping' campsite comprising 18 nos. camping units (8 nos. bell tents, 7 nos. shepherds huts and 3 nos. A-frame pods), ancillary facilities (including cafeteria and site reception, 2 nos. toilet and shower blocks, maintenance and storage barn), access and parking, and associated infrastructure	Object and no further comment
24/00432/FUL	Land East Of Fawler Road Charlbury	Upgrading of existing access into agricultural land and provision of trackway to serve proposed new general storage building.	Object
23/03071/FUL	Land south of Forest Rd, Charlbury	Erection of thirty-seven dwellings including access road, landscaping and associated earthworks	Support subject to conditions

Uplands Planning Committee

The planning committee agreed that a councillor could represent the Town Council at the Uplands Planning Committee, if required, for current outstanding applications as long as the TC stance on the application was adhered to.

6c. Planning Decisions:

Ref no:	Address:	Proposal:	Decision
24/01833/FUL	The Bell, Church St, Charlbury	Erection of an external store, erection of a replacement bar and erection of a pizza bar (retrospective)	TC - No objection plus comment Application withdrawn

24/01895/HHD	7 Chartwell Drive, Charlbury	Replacement of wooden shed with steel shed	TC -No objection WODC -Approved
24/02006/S73	14 Hill Close Charlbury	Variation of condition 1 of Planning Permission 23/03112/HHD to retain existing concreted drive	TC – Object WODC - Approved
24/02022/HHD	3 Sturt Road Charlbury	Proposed single storey rear link extension and conversion of outbuilding to habitable space	TC - No objection WODC - Approved
24/02083/HHD	9 Woodstock Rd, Charlbury	Erection of replacement garage	TC - No objection WODC - Approved

Meeting closed: 9.40pm

Signed

Date