

# Public Document Pack

## Climate, Biodiversity & Planning Advisory Committee Meeting of Witney Town Council



**Tuesday, 29th June, 2021 at 6.00 pm**

To members of the Climate, Biodiversity & Planning Committee - R Smith, A Prosser, J Aitman, O Collins, L Duncan, V Gwatkin, M Jones and A McMahon (and all other Town Councillors for information).

You are hereby summonsed to the above meeting to be held in the **Virtual Meeting Room via Zoom** for the transaction of the business stated in the agenda below.

### Admission to Meetings

All Council meetings are open to the public and press unless otherwise stated.

As an Advisory Committee of the Council this meeting will take place virtually via Zoom. All decisions of this meeting will be recommendations to Full Council.

Zoom login details of this meeting will be published on the Council's website prior to the meeting.

### Recording of Meetings

Under the Openness of Local Government Bodies Regulations 2014 the council's public meetings may be recorded, which includes filming, audio-recording as well as photography.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Town Clerk or Democratic Services Officer know before the start of the meeting.

### Agenda

#### 1. Apologies for Absence

To consider apologies and reasons for absence.

Committee Members who are unable to attend the meeting should notify the Democratic & Legal Services Officer ( [democracy@witney-tc.gov.uk](mailto:democracy@witney-tc.gov.uk) ) **prior to the meeting**, stating the reason for absence.

**Standing Order 309a)(v)** permits the appointment of substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have informed the Proper Officer **before** the meeting that they are unable to attend.

#### 2. Declarations of Interest

Members are reminded to declare any disclosable pecuniary interests in any of the items under consideration at this meeting in accordance with the Town Council's code of conduct.

#### 3. Public Participation

The meeting will adjourn for this item.

Members of the public may speak for a maximum of five minutes each during the period of public participation, in line with Standing Order 42. Matters raised shall relate to the following items on the agenda.

#### 4. Planning Applications (Pages 3 - 8)

To receive and consider a schedule of Planning Applications from West Oxfordshire District Council.

Date of Publication 22 June 2021

5. **Planning Appeal Decisions** (Pages 9 - 16)

To receive and consider notification of the following planning appeal decisions:

- a) APP/D3125/D/21/3269962 - 85 Barrington Close, WITNEY, OX28 5FJ
- b) APP/D3125/W/21/3266509 - Ash Close, Gloucester Place, WITNEY, OX28 6LB

6. **Licensing Application W/21/00207/PRMA - 62A High Street Witney Oxfordshire OX28 6HJ** (Pages 17 - 36)

To receive and consider a premises licence application - W/21/00207/PRMA - 62A High Street Witney Oxfordshire OX28 6HJ.

7. **Application for Variation of Premises Licence - Cineworld Multiplex Marriotts Walk Witney, Oxfordshire OX28 6GW** (Pages 37 - 58)

To receive and consider an application for the variation of a premises licence at Cineworld Multiplex Marriotts Walk, Witney, Oxfordshire, OX28 6GW

8. **R3.0079/21 - Request for Scoping Opinion for the proposed 'Access to Witney' scheme** (Pages 59 - 64)

To receive and consider a consultation document from Oxfordshire County Council.



Town Clerk

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4.1 **WTC/093/21** Plot Ref :- 21/01418/HHD Type :- HOUSEHOL  
Applicant Name :- . Date Received :- 02/06/2021  
Parish :- CENTRAL Date Returned :-  
Location :- 9 WOODFORD MILL Agent  
WOODFORD MILL  
WITNEY  
Proposals :- Replacement of existing rear entry door and adjacent windows with French Doors.  
Observations :-

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4.2 **WTC/094/21** Plot Ref :- 21/01828/HHD Type :- HOUSEHOL  
Applicant Name :- . Date Received :- 02/06/2021  
Parish :- NORTH Date Returned :- 14/06/2021  
Location :- 30 NEW YATT ROAD Agent  
NEW YATT ROAD  
Proposals :- Rear extension. Addition of bay window at 1st floor to front elevation.  
Observations :- While Witney Town Council does not object to this application in terms of material concerns, it notes the loss of permeable drainage and would ask that mitigating measures are considered to help decrease the possibility of surface water flooding in this area, in accordance with policy EH7 of the West Oxfordshire Local Plan 2031.  
  
Members ask that the proposal does not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties - can Officers pay due regard to ensuring that the development does not cause a harmful loss of light to neighbouring properties.

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4.3 **WTC/095/21** Plot Ref :- 21/01836/HHD Type :- HOUSEHOL  
Applicant Name :- . Date Received :- 02/06/2021  
Parish :- SOUTH Date Returned :- 14/06/2021  
Location :- 250 COLWELL DRIVE Agent  
COLWELL DRIVE  
Proposals :- Demolition of conservatory and erection of single storey rear extension.  
Observations :- While Witney Town Council does not object to this application in terms of material concerns, it notes the loss of permeable drainage and would ask that mitigating measures are considered to help decrease the possibility of surface water flooding in this area, in accordance with policy EH7 of the West Oxfordshire Local Plan 2031.

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4 . 4	<b>WTC/096/21</b>	Plot Ref :- 21/01652/FUL	Type :- FULL
	Applicant Name :- .		Date Received :- 02/06/2021
	Parish :- SOUTH		Date Returned :-
	Location :- WELCH WAY	Agent	
	WELCH WAY		
	Proposals :-	Provision of two storage units within a fenced compound.	
	Observations :-		
4 . 5	<b>WTC/097/21</b>	Plot Ref :- 21/01734/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 02/06/2021
	Parish :- NORTH		Date Returned :-
	Location :- 17 VINER CLOSE	Agent	
	VINER CLOSE		
	Proposals :-	Front single storey extension to garage with enclosed porch. Rear single storey extension. Re-roofing & Re-cladding of existing roof & Box Dormer windows.	
	Observations :-		
4 . 6	<b>WTC/098/21</b>	Plot Ref :- 21/01931/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 02/06/2021
	Parish :- NORTH		Date Returned :-
	Location :- 121 SCHOFIELD	Agent	
	AVENUE		
	SCHOFIELD AVENUE		
	Proposals :-	First floor extension over garage and a loft conversion.	
	Observations :-		
4 . 7	<b>WTC/099/21</b>	Plot Ref :- 21/01868/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 02/06/2021
	Parish :- WEST		Date Returned :-
	Location :- 1 TIGER MOTH PLACE	Agent	
	TIGER MOTH PLACE		
	Proposals :-	Single storey extension to side and rear.	
	Observations :-		
4 . 8	<b>WTC/100/21</b>	Plot Ref :- 21/01664/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 07/06/2021
	Parish :- EAST		Date Returned :-
	Location :- 28 CAMPION WAY	Agent	
	CAMPION WAY		
	Proposals :-	Erection of single storey rear and side extension.	
	Observations :-		
4 . 9	<b>WTC/101/21</b>	Plot Ref :- 21/01886/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 07/06/2021
	Parish :- SOUTH		Date Returned :-
	Location :- 43 THE CROFTS	Agent	
	THE CROFTS		

Proposals :- Erection of single storey rear extension and re-roofing existing building.

Observations :-

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4 . 10     **WTC/102/21**     Plot Ref :- 21/01710/ADV     Type :- ADVERTISIN

Applicant Name :- .     Date Received :- 07/06/2021

Parish :- SOUTH     Date Returned :-

Location :- 13 HIGH STREET     Agent  
HIGH STREET

Proposals :- Installation of one fascia sign, one projecting sign and one ATM tablet (all internally illuminated) and the siting of one double sided non-illuminated A Board sign.

Observations :-

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4 . 11     **WTC/103/21**     Plot Ref :- 21/01966/LBC     Type :- LISTED BUI

Applicant Name :- .     Date Received :- 08/06/2021

Parish :- SOUTH     Date Returned :-

Location :- 51 MARKET SQUARE     Agent  
MARKET SQUARE

Proposals :- Repairs to first floor structural timbers.

Observations :-

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4 . 12     **WTC/104/21**     Plot Ref :- 21/01959/HHD     Type :- HOUSEHOL

Applicant Name :- .     Date Received :- 08/06/2021

Parish :- EAST     Date Returned :-

Location :- 10 WOODBANK     Agent  
WOODBANK

Proposals :- Erection of single storey conservatory.

Observations :-

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4 . 13     **WTC/105/21**     Plot Ref :- 21/01577/HHD     Type :- HOUSEHOL

Applicant Name :- .     Date Received :- 08/06/2021

Parish :- SOUTH     Date Returned :-

Location :- 34 WILMOT CLOSE     Agent  
WILMOT CLOSE

Proposals :- Demolition of conservatory. Erection of single storey rear extension.

Observations :-

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4 . 14     **WTC/106/21**     Plot Ref :- 21/01560/FUL     Type :- FULL

Applicant Name :- .     Date Received :- 16/06/2021

Parish :- WEST     Date Returned :-

Location :- ABBOTT DIABETES     Agent  
CARE  
RANGE ROAD  
WINDRUSH IND PARK

Proposals :- Erection of side stores extension, Alterations and extension to the existing roadway to allow access around building and provide vehicular turning area.

Observations :-

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4 . 15	<b>WTC/107/21</b>	Plot Ref :- 21/01565/FUL	Type :- FULL
	Applicant Name :- .		Date Received :- 16/06/2021
	Parish :- NORTH		Date Returned :-
	Location :- 35 TAPHOUSE AVENUE	Agent	
		WITNEY	
	Proposals :-	Sub division of dwelling to form a Large House of Multiple Occupation and a self contained studio flat and associated works (Retrospective).	
	Observations :-	_____	
4 . 16	<b>WTC/108/21</b>	Plot Ref :- 21/01882/FUL	Type :- FULL
	Applicant Name :- .		Date Received :- 16/06/2021
	Parish :- SOUTH		Date Returned :-
	Location :- 43 DUCKLINGTON LANE	Agent	
		DUCKLINGTON LANE	
	Proposals :-	New 1 no. Bedroom Dwelling.	
	Observations :-	_____	
4 . 17	<b>WTC/109/21</b>	Plot Ref :- 21/01703/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 16/06/2021
	Parish :- WEST		Date Returned :-
	Location :- 3 PAINSWICK CLOSE	Agent	
		PAINSWICK CLOSE	
	Proposals :-	Conversion of garage within a coach house to gain access to garden and install a kitchen.	
	Observations :-	_____	
4 . 18	<b>WTC/110/21</b>	Plot Ref :- 21/01933/FUL	Type :- FULL
	Applicant Name :- .		Date Received :- 16/06/2021
	Parish :- SOUTH		Date Returned :-
	Location :- 1 BEECHGATE	Agent	
		BEECHGATE	
	Proposals :-	External alterations to flats 1, 2, 5 and 9 to include the insertion of two external doors and a roof light.	
	Observations :-	_____	
4 . 19	<b>WTC/111/21</b>	Plot Ref :- 21/02062/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 16/06/2021
	Parish :- NORTH		Date Returned :-
	Location :- 1 OLD PLUMBERS YARD	Agent	
		CRAWLEY ROAD	
		WITNEY	
	Proposals :-	Single Storey Rear Extension.	
	Observations :-	_____	

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4 . 20	<b>WTC/112/21</b>	Plot Ref :- 21/01538/LBC	Type :- LISTED BUI
	Applicant Name :- .		Date Received :- 16/06/2021
	Parish :- NORTH		Date Returned :-
	Location :- 69 WEST END	Agent	
	WEST END		
	Proposals :-	Replacement of Front door with a new hard wood door.	
	Observations :-		
4 . 21	<b>WTC/113/21</b>	Plot Ref :- 21/02048/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 16/06/2021
	Parish :- SOUTH		Date Returned :-
	Location :- 1A CORNDELL	Agent	
	GARDENS		
	CORNDELL GARDENS		
	Proposals :-	Replace door and windows.	
	Observations :-		
4 . 22	<b>WTC/114/21</b>	Plot Ref :- 21/02107/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 21/06/2021
	Parish :- EAST		Date Returned :-
	Location :- 35 MANOR ROAD	Agent	
	MANOR ROAD		
	Proposals :-	Two storey side extension.	
	Observations :-		
4 . 23	<b>WTC/115/21</b>	Plot Ref :- 21/02114/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 21/06/2021
	Parish :- EAST		Date Returned :-
	Location :- 9 MEADOW VIEW	Agent	
	MEADOW VIEW		
	Proposals :-	Proposed re-design of kitchen, single storey extension as approved under 21/01155/HHD.	
	Observations :-		
4 . 24	<b>WTC/116/21</b>	Plot Ref :- 21/02095/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 21/06/2021
	Parish :- EAST		Date Returned :-
	Location :- 8 BROOK LANE	Agent	
	BROOK LANE		
	Proposals :-	Single storey rear extension.	
	Observations :-		
4 . 25	<b>WTC/117/21</b>	Plot Ref :- 21/02132/HHD	Type :- HOUSEHOL
	Applicant Name :- .		Date Received :- 21/06/2021
	Parish :- NORTH		Date Returned :-
	Location :- 21 HOYLE CLOSE	Agent	
	HOYLE CLOSE		

Proposals :- Proposed single storey rear garden room extension. First floor extension over garage and conversion of garage to study.

Observations :-

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4 . 26

**WTC/118/21**

Plot Ref :- 21/01605/HHD    Type :- HOUSEHOL

Applicant Name :- .

Date Received :- 21/06/2021

Parish :- WEST

Date Returned :-

Location :- 30 SPRING MEADOW    Agent  
                  SPRING MEADOW

Proposals :- New single-storey extension at the rear of the existing property consisting of a flat roof with a roof lantern and bi-fold doors opening on to the existing garden.

Observations :-

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## Appeal Decision

Site Visit made on 25 May 2021

**by Tamsin Law BSc MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 June 2021**

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**Appeal Ref: APP/D3125/D/21/3269962**

**85 Barrington Close, WITNEY, OX28 5FJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Gavin Carter against the decision of West Oxfordshire District Council.
  - The application Ref 20/02682/HHD, dated 5 October 2020, was refused by notice dated 22 January 2021.
  - The development proposed is a shed in the garden for storage.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The shed has been constructed and therefore I am considering this appeal retrospectively.

### Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

### Reasons

4. Barrington Close is a residential housing estate characterised by a mix of housing types and styles finished in mostly buff stone interspersed with houses finished in red and buff brick. Houses mostly front onto the road or courtyard parking areas. The appeal site is part of a unique section of the estate with its front elevation overlooking an area of open space and its rear garden adjacent to the estate road to the rear. The area has a pleasant character with courtyards, open spaces and landscaping.
5. The rear garden is highly visible from the adjacent estate road which curves around the side and rear of the site. The development is located to the rear of the garden and protrudes above the boundary wall. Its location is prominent when travelling along the estate road, and this combined with its height and size creates an incongruous feature in the street scene which detracts from the pleasant character and appearance of the area.
6. From my site visit I viewed a number of other sheds in the area; however, these were not as tall as the development being considered and were in less prominent locations. Nevertheless, the particular circumstances of individual cases are likely to be different and direct parallels are not easily drawn.

7. The appellant has referred to development that could be undertaken using their permitted development rights, but I have seen nothing to suggest they would genuinely pursue this option or that such a development would be similar to, or worse than, the current development. As such, I afford this little weight.
8. The appellant has also suggested that further hard and soft landscaping could be erected on top of the existing wall to screen the development, and I have considered whether a condition could overcome the harm identified. However, the height of additional fencing or landscaping required to screen the development in this prominent location would be harmful to the character and appearance of the area.
9. For the reasons above, I conclude that the proposal harms the character and appearance of the area contrary to Local Plan policies OS4 and H6 and the West Oxfordshire Design Guide which seeks to ensure development respects the character of the surrounding area and protects the quality of the public realm. The proposal is also at odds with the advice set out in para 127 of the Framework.

### **Conclusion**

10. For the reasons given above I conclude that the appeal should be dismissed.

*Tamsin Law*

INSPECTOR



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# Appeal Decision

Site Visit made on 20 April 2021

**by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 June 2021**

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## **Appeal Ref: APP/D3125/W/21/3266509**

### **Ash Close, Gloucester Place, WITNEY, OX28 6LB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Sarah Beresford and Mr James Nellist against the decision of West Oxfordshire District Council.
  - The application Ref 20/00858/FUL, dated 18 March 2020, was refused by notice dated 15 September 2020.
  - The development proposed is the construction of a pair of semi-detached dwellings to the side of existing house.
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## **Decision**

1. The appeal is allowed and planning permission is granted for the erection of two semi-detached dwellings at Ash Close, Gloucester Place, WITNEY, OX28 6LB in accordance with the terms of the application, Ref 20/00858/FUL, dated 18 March 2020, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans, including the following:
    - 20-ASH-P-020
    - 20-ASH-P-021
    - 20-ASH-P-022
    - 20-ASH-P-023
    - 20-ASH-P-090
    - 20-ASH-P-054
    - 20-ASH-P-070
  - 3) Prior to their use in the development hereby approved, details/samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details/samples.
  - 4) No building hereby permitted shall be occupied until a sustainable drainage system for the site shall have been completed in accordance with the submitted details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
  - 5) No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in

writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- The parking of vehicles for site operatives and visitors
  - The loading and unloading of plant and materials
  - The storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 6) Demolition and construction works shall not take place outside 7.30am to 6.00pm Mondays to Fridays and 8.00am to 1.00pm on Saturdays and shall not take place at any time on Sundays and Bank Holidays.
- 7) The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
- 8) The development shall be completed in accordance with the recommendations in Section 6 of the Preliminary Ecological Appraisal, dated June 2020 prepared by Windrush Ecology, as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales that shall be agreed prior to above-ground works for the approved dwellings.
- 9) Before the erection of any external walls, details of the provision of bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) both integrated within the walls of the new buildings and mounted onto suitable mature trees on site, as well as hedgehog holes/gaps through the fences, shall be submitted to the Local Planning Authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before either dwelling hereby approved is first occupied and thereafter permanently retained.
- 10) Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that light spillage into wildlife corridors will be minimised as much as possible. All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and the external lighting shall thereafter be only in accordance with the agreed

details. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

- 11) Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include native tree and shrub planting as well as other biodiversity enhancements such as the creation of species-rich hedgerows along the boundaries, wildflower meadow areas/flowering lawn and/or a wildlife pond. The details should be submitted along with a 5-year maintenance plan. The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development. The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season.

- 12) Prior to the occupation of the dwelling hereby approved, written and illustrative details of the number, type and location of electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the Local Planning Authority before any of the development hereby approved is first brought into use. The EVCP shall be installed and brought into operation in accordance with the details agreed as above prior to occupation of the development. The EVCP shall be maintained and kept in good working order thereafter as specified by the manufacturer.

### **Main Issues**

2. The main issues are the effects of the development on (1) the character and appearance of the area and the significance of the Witney and Cogges Conservation Area (CA), and (2) the air quality of the vicinity.

### **Reasons**

#### *Conservation Area*

3. The site is within a CA, near the centre of Witney. This CA derives its significance from the historic layout and older well-preserved buildings of this area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas in the exercise of planning functions. The National Planning Policy Framework (the Framework) also advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

4. From the evidence provided I am aware of the planning permission for the single detached house on the site. This is a valid fallback position for the appellant which I have taken into consideration. The main difference with this latest scheme is that this is now a proposal for a pair of semi-detached dwellings. This would result in more plot severance to create Plots A and B, however, these dwellings would still be served by generous garden areas and sufficient parking provision. The dwellings would not appear cramped within this setting, especially considering its town centre location where there is generally a higher density of built development. Furthermore, the proposed dwellings would be clearly seen as a semi-detached pair rather than two detached houses in close proximity.
5. In terms of the visual impact, the semi-detached pair would be like the larger single detached dwelling already approved at the site, as they would have a similar height and footprint. The semi-detached pair would be visible down the access lane, but they would be well set back from the highway and would not be prominent within the street scene.
6. I understand that historically this area may have been more open land, but the character has clearly changed significantly from this. The site is a large garden area surrounded by built development, including the particularly large cinema complex. As such, I do not consider this development to impinge on the interpretation or representation of the past which the site may convey within this CA. There would be some loss of openness, but this would also be the case with the approved single dwelling. I do not regard the provision of the semi-detached pair of housing as having significantly more of an impact to the openness or views through the site than the single approved dwelling.
7. There is a variety of house designs and styles within this area, with no clear uniform approach to follow. The dwellings as proposed would be both contemporary and sympathetic in their design and choice of materials. I do not regard the vertical emphasis as being incongruous within this vicinity, with other examples similar in the surrounding area. Furthermore, the flat roof area between the ridges would not be readily apparent. There is a lack of detail to the side elevations, but with suitable materials this would not detract from the quality of the area, especially as these elevations would not be prominent from public vantage points.
8. Overall, the proposed dwellings would not harm the character and appearance of the area and would also conserve the significance of the CA. The proposal would therefore be in accordance with policies OS2 and OS4 of the adopted West Oxfordshire Local Plan. These policies relate to locating development in the right places, conserve the historic built environments, and be of a high quality design, amongst other things.
9. The proposal also is in accordance with the Framework on issues of heritage and design.

#### *Air Quality*

10. The site is adjacent to the Witney Air Quality Management Area (AQMA). The development would result in traffic generation which would likely increase traffic within the AQMA. In response to this the appellant has proposed electric car charging points that can be required by condition. There is also space

within the plots for cycle storage, although being within a central location within Witney most shops and services are within walking distance.

11. Concern has been raised by the Council with regards the Traffic Regulation Order (TRO) for a 20mph speed limit on Gloucester Place and other adjoining streets that the appellant is willing to fund through a legal agreement. This is in response to County Council Highway comments regarding the intensification of the access use.
12. The appellant has provided evidence which suggests that a 20mph speed limit would not result in issues relating to increased emissions that may reduce air quality. However, there is a lack of substantive evidence to demonstrate that without the 20mph TRO the access would result in a highway hazard. I acknowledge that there are some limitations of visibility at the access, but this is an established access which already serves one dwelling with another dwelling having extant approval. There is no evidence of accidents relating to its use (there is evidence of one accident on Gloucester Place, but not necessarily relating to this access). The road is narrow and from my observations traffic is generally traveling slowly, maybe at less than 20mph in many cases anyway. Whilst a 20mph speed limit would have some benefits, it is not needed in relation to providing a safe access to the proposed development, even with the intensification of use.
13. As such, with regards to the Community Infrastructure Levy Regulations, I do not consider that the legal agreement to fund this TRO is necessary. This decision is not subject to the obligations of the submitted legal agreement to fund the TRO for the speed limit as I do not find that it is necessary to make the development acceptable in planning terms. The obligation therefore does not comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010. Therefore, there is no need for the appellant to provide evidence to show the implications of such a TRO on air quality.
14. With a condition for electric vehicle charging points for the proposed dwellings in this accessible location I would regard the proposed development to not have any significant or discernible impacts to public health as a result of air quality. The proposal is therefore in accordance with policy EH8 of the adopted West Oxfordshire Local Plan which relates to managing and improving air quality, for example. The proposal also is in accordance with the Framework on issues of environmental impacts.

### **Other Matters**

15. The site is adjacent to Gloucester Court Mews. However, the proposed dwellings would be accessed off Gloucester Place with no need to travel or park in the Mews area. As such, the development would not result in parking or traffic issues within Gloucester Court Mews.
16. The proposed car port is adjacent to some mature trees. However, the appellant points out that the carport drawing states that it would be subject to 'no dig construction'. On this basis, there should be no damage to tree roots of mature trees.

### **Conditions**

17. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance (PPG) and the Framework. The

conditions I have included from the recommended list have been subject to some alterations to improve clarity and ensure consistency with the Framework and PPG.

18. I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.
19. As the site is in a confined area adjacent to existing dwellings a Construction Method Statement is necessary and required by condition. Furthermore, for these reasons there should be a restriction on construction times.
20. To ensure suitable levels of parking provision a condition requiring that car parking areas are in place prior to occupation of the houses.
21. To ensure a suitable drainage scheme, details are required to be submitted to and agreed by the Local Planning Authority.
22. In the interests of ecology and biodiversity, the development should be in accordance with Section 6 of the Preliminary Ecological Appraisal. Furthermore, details of bat roosting features and bird nesting opportunities are required, together with lighting details.
23. In the interests of visual amenity and to enhance the CA a landscaping condition is required for the land around the proposed development.
24. A condition requiring electric vehicle charging points is required, in the interests of sustainable transport and air quality.
25. Whilst I note that the site is within a CA, there is no substantive evidence of an exceptional need for a condition to restrict permitted development rights for the two proposed houses. As such this recommended condition has not been imposed.

### **Conclusion**

26. For the reasons given I conclude that the appeal should succeed.

*Mr S Rennie*

INSPECTOR



# Agenda Item 6

**Reply to :** Debra Courtenay-Crane  
Tel : 01993 861000  
Email: [ers@westoxon.gov.uk](mailto:ers@westoxon.gov.uk)

## Council Offices

Woodgreen,  
WITNEY,  
Oxfordshire,  
OX28 1NB  
Tel: 01993 861000  
[www.westoxon.gov.uk](http://www.westoxon.gov.uk)



The Town Council

Your Ref: W/21/00207/PRMA

Date: 15th June 2021

Dear Town Clerk,

## LICENSING ACT 2003

### Application for New Premises Licence

We have received an application for **62A High Street Witney Oxfordshire OX28 6HJ** under the Licensing Act 2003.

The application can be viewed through the online [Public Access Portal](#). If you would like to make formal representation, the closing date is **7th July 2021**

Please ensure that all email correspondence is sent to [ers@westoxon.gov.uk](mailto:ers@westoxon.gov.uk).

Yours faithfully

A handwritten signature in black ink, appearing to read "Michelle Bignell".

**Michelle Bignell (Mrs)**  
**Service Leader**  
**Licensing and Business Support**  
**Environmental and Regulatory Services**

West Oxfordshire District Council may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud under Section 6 of the Audit Commission Act 1998

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\* required information

### Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?  
 Yes  No Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

#### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number   Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

#### Applicant Business

Is your business registered in the UK with Companies House?  Yes  No Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If your business is registered, use its registered name.

VAT number   Put "none" if you are not registered for VAT.

Legal status

**Continued from previous page...**

Your position in the business

Home country  The country where the headquarters of your business is located.

**Registered Address** Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

---

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

<b>Section 3 of 21</b>	
<b>APPLICATION DETAILS</b>	
In what capacity are you applying for the premises licence?	
<input type="checkbox"/> An individual or individuals <input checked="" type="checkbox"/> A limited company / limited liability partnership <input type="checkbox"/> A partnership (other than limited liability) <input type="checkbox"/> An unincorporated association <input type="checkbox"/> Other (for example a statutory corporation) <input type="checkbox"/> A recognised club <input type="checkbox"/> A charity <input type="checkbox"/> The proprietor of an educational establishment <input type="checkbox"/> A health service body <input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales <input type="checkbox"/> A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England <input type="checkbox"/> The chief officer of police of a police force in England and Wales	
<b>Confirm The Following</b>	
<input type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities <input checked="" type="checkbox"/> I am making the application pursuant to a statutory function <input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative	
<b>Section 4 of 21</b>	
<b>NON INDIVIDUAL APPLICANTS</b>	
Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.	
<b>Non Individual Applicant's Name</b>	
Name	<input type="text" value="The Edge Eatery Ltd."/>
<b>Details</b>	
Registered number (where applicable)	<input type="text" value="11822775"/>
Description of applicant (for example partnership, company, unincorporated association etc)	

Continued from previous page...

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth

\* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /

dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /

dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

<p><b>Continued from previous page...</b></p> <p>If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend</p> <div style="border: 1px solid black; width: 80px; height: 20px; display: inline-block;"></div>
<p><b>Section 6 of 21</b></p> <p><b>PROVISION OF PLAYS</b></p> <p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing plays?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<p><b>Section 7 of 21</b></p> <p><b>PROVISION OF FILMS</b></p> <p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing films?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<p><b>Section 8 of 21</b></p> <p><b>PROVISION OF INDOOR SPORTING EVENTS</b></p> <p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing indoor sporting events?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<p><b>Section 9 of 21</b></p> <p><b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b></p> <p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing boxing or wrestling entertainments?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<p><b>Section 10 of 21</b></p> <p><b>PROVISION OF LIVE MUSIC</b></p> <p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing live music?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<p><b>Section 11 of 21</b></p> <p><b>PROVISION OF RECORDED MUSIC</b></p> <p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing recorded music?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<p><b>Section 12 of 21</b></p> <p><b>PROVISION OF PERFORMANCES OF DANCE</b></p> <p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing performances of dance?</p>

<i>Continued from previous page...</i>	
<b>Section 13 of 21</b>	
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>	
<a href="#">See guidance on regulated entertainment</a> Will you be providing anything similar to live music, recorded music or performances of dance? <input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 14 of 21</b>	
<b>LATE NIGHT REFRESHMENT</b>	
Will you be providing late night refreshment? <input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 15 of 21</b>	
<b>SUPPLY OF ALCOHOL</b>	
Will you be selling or supplying alcohol? <input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>Standard Days And Timings</b>	
MONDAY	Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
Start <input type="text" value="09:00"/>	End <input type="text" value="22:00"/>
Start <input type="text"/>	End <input type="text"/>
TUESDAY	
Start <input type="text" value="09:00"/>	End <input type="text" value="22:00"/>
Start <input type="text"/>	End <input type="text"/>
WEDNESDAY	
Start <input type="text" value="09:00"/>	End <input type="text" value="22:00"/>
Start <input type="text"/>	End <input type="text"/>
THURSDAY	
Start <input type="text" value="09:00"/>	End <input type="text" value="22:00"/>
Start <input type="text"/>	End <input type="text"/>
FRIDAY	
Start <input type="text" value="09:00"/>	End <input type="text" value="22:00"/>
Start <input type="text"/>	End <input type="text"/>
SATURDAY	
Start <input type="text" value="09:00"/>	End <input type="text" value="22:00"/>
Start <input type="text"/>	End <input type="text"/>



**Continued from previous page...**

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve  
9:00am - 1:00am

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="W/21/00237/PERA"/>
Issuing licensing authority (if known)	<input type="text" value="West Oxfordshire District Council"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start  End   
Start  End

WEDNESDAY

Start  End   
Start  End

THURSDAY

Start  End   
Start  End

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve, Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

- . set and run through necessary Risk assessments with staff.
- . Train Staff to deal with drunk People in the right manor.
- . make sure designated Personal license holder on site at all times

b) The prevention of crime and disorder

- . Alcohol Limits
- . Supervisor on site at all times

c) Public safety

- . Alcohol Limits
- . Awareness of possible unsafe acts E.g. Drink Driving...
- .

d) The prevention of public nuisance

- . Alcohol Limits
- . Ensure Alcohol not being taken off premises

e) The protection of children from harm

- . Make sure Children are accompanied by an Adult at all times.
- . ID Anyone looking under 25.
- .

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

**Continued from previous page...**

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my \* licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

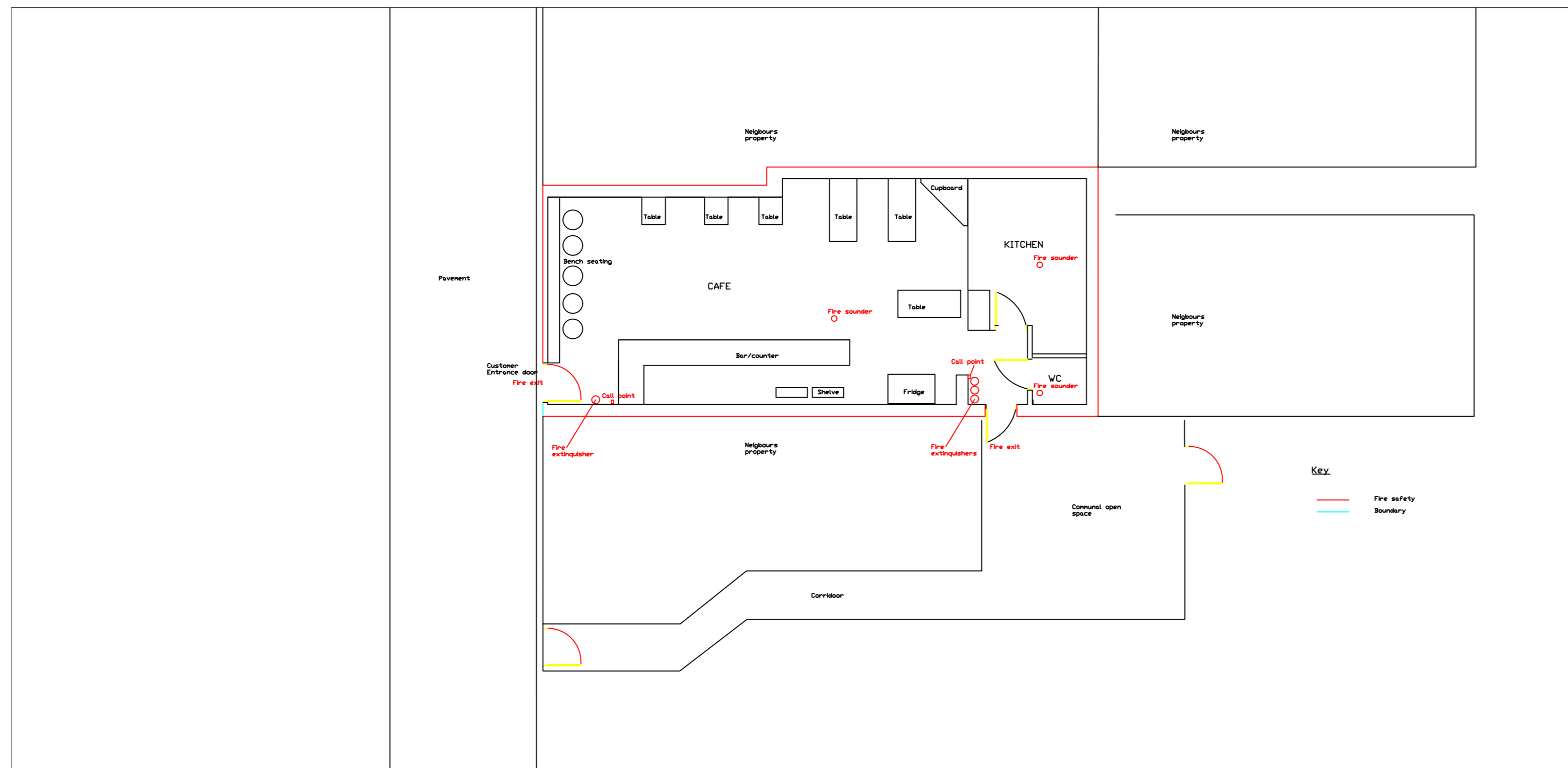
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/west-oxfordshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**



REV	DATE	AMENDMENT

**Piper Heating Ltd**  
 MECHANICAL SERVICES - PLUMBING - BOILER MAINTENANCE  
 62 Mill Street, Eynsham, Witney, Oxfordshire, OX29 4JU  
 Tel (01865) 880251 Fax (01865) 883378  
 www.piperheatingltd.co.uk Email:piperheatingltd@aol.com

Client  
**Tom Pickett**

Project  
**THE EDGE EATERY**

Title  
**Cafe layout  
 Fire strategy**

Drawn SP	Scale 1:100 © A2	Job P	Drawing GH01	Rev
Date 22/04/21				

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**Reply to :** Andrea Thomas  
Tel : 01993 861000  
Email: [ers@westoxon.gov.uk](mailto:ers@westoxon.gov.uk)

**Council Offices**  
Woodgreen,  
WITNEY,  
Oxfordshire,  
OX28 1NB  
Tel: 01993 861000  
[www.westoxon.gov.uk](http://www.westoxon.gov.uk)



The Town Council

Your Ref: W/21/00428/PRMV

Date: 15th June 2021

Dear Town Clerk,

## LICENSING ACT 2003

### Application for Variation of Premises Licence

We have received an application for **Cineworld Cinema Cineworld Multiplex Marriotts Walk Witney Oxfordshire OX28 6GW** under the Licensing Act 2003.

The existing condition that reads, "The designated premises supervisor or duty manager is to ensure the effective overall management of regulated entertainment from the cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times"

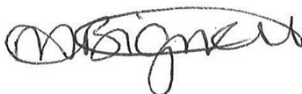
is to be deleted and replaced with the following condition that reads, "The premises will operate in accordance with the noise management plan submitted to and agreed with the Senior Environmental Health Officer on 1st October 2020."

The noise management plan is appended to this application.

The application can be viewed through the online [Public Access Portal](#). If you would like to make formal representation, the closing date is **13th July 2021**

Please ensure that all email correspondence is sent to [ers@westoxon.gov.uk](mailto:ers@westoxon.gov.uk).

Yours faithfully



**Michelle Bignell (Mrs)**  
**Service Leader**  
**Licensing and Business Support**  
**Environmental and Regulatory Services**

West Oxfordshire District Council may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud under Section 6 of the Audit Commission Act 1998

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\* required information

## Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

- System reference  This is the unique reference for this application generated by the system.
- Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes       No

### Applicant Details

- \* First name
- \* Family name
- \* E-mail
- Main telephone number  Include country code.
- Other telephone number
- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

- Is the applicant's business registered in the UK with Companies House?  Yes       No
- Registration number
- Business name  If the applicant's business is registered, use its registered name.
- VAT number   Put "none" if the applicant is not registered for VAT.
- Legal status
- Note: completing the Applicant Business section is optional in this form.

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status



*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

206,000

### Section 3 of 18

#### VARIATION

Do you want the proposed variation to have effect as soon as possible?  Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To replace an existing unenforceable condition with a new condition agreed with the Licensing Authority and Environmental Health Officer.

### Section 4 of 18

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

### Section 5 of 18

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

### Section 6 of 18

#### PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

### Section 7 of 18

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

### Section 8 of 18

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

### Section 9 of 18

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

### Section 10 of 18

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

### Section 11 of 18

#### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

### Section 12 of 18

#### PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

AGE RESTRICTED FILMS

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The existing condition that reads, "The designated premises supervisor or duty manager is to ensure the effective overall management of regulated entertainment from the cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times"

is to be deleted and replaced with the following condition that reads,

"The premises will operate in accordance with the noise management plan submitted to and agreed with the Senior Environmental Health Officer on 1st October 2020."

The noise management plan is appended to this application.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

*Continued from previous page...*

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

b) The prevention of crime and disorder

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

c) Public safety

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

d) The prevention of public nuisance

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

e) The protection of children from harm

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

*Continued from previous page...*

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 18 of 18**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

635.00

**DECLARATION**

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Ticking this box indicates you have read and understood the above declaration



*Continued from previous page...*

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="GOSSCHALKS LLP"/>
* Capacity	<input type="text" value="SOLICITORS ON BEHALF OF THE APPLICANT"/>
* Date	<input type="text" value="15"/> / <input type="text" value="06"/> / <input type="text" value="2021"/>
	dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/west-oxfordshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="MCJ/MJM/86310.371"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

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A Premises **Noise Management Plan** shall incorporate the following steps:

**A. External acoustic doors:**

(i) External emergency exit doors (acoustic doors) to all screen auditoria shall be of a design, mass and construction specification which prevents the transmission or leakage of airborne sound at the low, middle and high frequencies spectrum (Hz).

(ii) The acoustic doors shall be of a construction that ensures that doors and their seals retain their structural integrity, damping performance and sound insulation characteristics over time.

**B. Periodic testing of sound insulation performance of external acoustic doors:**

(i) At intervals of every four years, the sound insulating performance of the acoustic doors shall be tested, verified and checked by measurement.

(ii) A noise verification report shall be presented to the Council Licensing Authority of the measurement results for their approval and consideration. The Licensing Authority will determine if replacement or maintenance of acoustic doors is warranted. Acoustic doors shall be maintained in good working order.

(iii) Measurements shall involve the use of a proprietary acoustic camera, positioned externally from the acoustic door fascia (i.e façade measurement) and 1.2-1.5 m above the ground. With the acoustic door in the closed position any sound leakage at either low, middle or high frequencies spectrums (Hz) will be surveyed, measured and the data presented in a noise assessment report. A continuous sound source shall be reproduced inside each screen auditorium, equivalent to the loudness and frequency spectrum of a representative cinematic action film experience. The tests shall use a constant source of reproducible reverberant sound, in third octave bands. And representative of films for their loudness, definition (clarity of sound), resonance (fullness of tone), balance, blend and echoes. All acoustic doors shall be assessed.

(iv) Personnel for sound tests: Competent persons should take the noise measurements and carry out the assessment. Guidance on what constitutes appropriate training for competency can be obtained from the Institute of Acoustics or the Association of Noise Consultants. Both bodies will provide a list of their members on request.

**C. Permanent speakers:**

(i) Numbers, location and mounting of permanent speakers shall be arranged so that any transmission and leakage of structure and airborne noise externally, through acoustic doors, external walls or ceiling is minimised.

**D. Wall covering/surfaces:**

(i) Where necessary wall surfaces within auditoria shall be covered with low frequency acoustic absorbent material and be effective at low and middle frequency spectrum range of absorption. Treatments will be dependent on the tuning of the auditoriums, with specific attention on bass response according to the outcome of the noise assessments.

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WEST OXFORDSHIRE  
DISTRICT COUNCIL

**LICENSING ACT 2003  
PART A – PREMISES LICENCE**

**Premises Licence Number**

W/19/00167/PRMDPS

**Part 1 – Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Cineworld Multiplex  
Marriotts Walk  
Witney  
Oxfordshire  
OX28 6GW

**Telephone number**

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

Supply by Retail of Alcohol	Every day	10:00 - 01:00
Performance of Dance	Every day	00:00 - 00:00
Films	Every day	00:00 - 00:00
Similar Live recorded music and dance	Every day	00:00 - 00:00
Live Music	Every day	00:00 - 00:00
Recorded Music	Every day	00:00 - 00:00
Plays	Every day	00:00 - 00:00
Late Night Refreshments	Every day	00:00 - 00:00

**Non Standard Timings**

**The opening hours of the premises**

Every day 00:00 - 00:00  
(Open 24 hours)

**Non Standard Timings**

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

On and Off

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder(s) of premises licence**

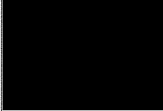
Cineworld  
8th Floor  
Vantage London  
Great West Road  
Brentford  
TW8 9AG

**Registered number of holder, for example company number, charity number (where applicable)**

01915767

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mr Stephen Wright



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence No.: PERS/1496/V

Licensing Authority: Vale Of The White Horse District Council

**Signature of Issuing Officer:**

A handwritten signature in black ink, appearing to read 'Matthew Widy'.

**Service Leader Business Support**

**Date of Determination:**

**28th February 2019**

**Date of Issue:**

**28th February 2019**

**(See Annexes and Plans attached for conditions relating to this Licence)**

**Issuing Authority**

**West Oxfordshire District Council, Woodgreen Witney, Oxon OX28 1NB**

**Annex 1 – Mandatory conditions**

1. No retail sale or supply of alcohol may be made under this licence:
  - a. at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every retail sale or supply of alcohol under this must be made or authorised by a person who holds a personal licence.

**Annex 2 – Conditions consistent with the Operating Schedule**

As per operating schedule plus

The designated premises supervisor or duty manager is to ensure effective overall management of regulated entertainment from the cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times.

In the Auditoria alcohol shall only be sold at times when the house lights are fully illuminated  
A colour digital CCTV system will be installed and maintained and images recorded and maintained for a period of 28 days.

In the Auditoria alcohol will be sold from trays or trolleys and will only be dispensed in plastic bottles or plastic glasses.

The designated premises supervisor or duty manager is to ensure effective overall management of regulated entertainment from the Cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**Annex 4 – Plans**

AS SUBMITTED WITH THE APPLICATION

**LICENSING ACT 2003  
PART B – PREMISES LICENCE SUMMARY**



**Premises Licence Number**

W/19/00167/PRMDPS

**Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Cineworld Multiplex  
Marriotts Walk  
Witney  
Oxfordshire  
OX28 6GW

**Telephone number**

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

Supply by Retail of Alcohol	Every day	10:00 - 01:00
Performance of Dance	Every day	00:00 - 00:00
Films	Every day	00:00 - 00:00
Similar Live recorded music and dance	Every day	00:00 - 00:00
Live Music	Every day	00:00 - 00:00
Recorded Music	Every day	00:00 - 00:00
Plays	Every day	00:00 - 00:00
Late Night Refreshments	Every day	00:00 - 00:00

**Non Standard Timings**

**The opening hours of the premises**

Every day 00:00 - 00:00  
(Open 24 hours)

**Non Standard Timings**

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

On and Off



**Part 2**

**Name, (registered) address of holder(s) of premises licence**

Cineworld  
8th Floor  
Vantage London  
Great West Road  
Brentford  
TW8 9AG

**Registered number of holder, for example company number, charity number (where applicable)**

01915767

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Stephen Wright

**State whether access to the premises by children is restricted or prohibited**

A Challenge 21 Policy will be in place

**Signature of Issuing Officer:**



**Service Leader Business Support**

**Date of Determination:**

**28th February 2019**

**Date of Issue:**

**28th February 2019**

**Issuing Authority**

**West Oxfordshire District Council, Woodgreen Witney, Oxon OX28 1NB**

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## **Request for Scoping Opinion for the proposed 'Access to Witney' scheme involving the construction of two new west-facing slip roads at the Shores Green junction of the A40.**

### **Introduction**

Oxfordshire County Council (OCC) are consulting on the above proposals in order to prepare an Environmental Impact Assessment (EIA) Scoping Opinion. The link to the consultation is here: <https://myeplanning2.oxfordshire.gov.uk/Planning/Display/R3.0079/21?cuuid=815BC684-3CA2-447E-91E3-4393DF49E67D>

Members are asked to consider the information and formulate a response on which topics you consider the EIA should address. Please note this is not a planning application and this consultation is to determine the scope of the EIA. If a planning application is subsequently made we will be consulted again.

### **Background**

OCC are looking for a written response outlining any planning matters that members feel are not already adequately covered by the proposed EIA, or perhaps there are questions about the methodology of a particular technical topic. There is much more detail in the full document and this document is not intended to be a summary of the full information, rather just an outline of what the document covers and the variety of topics that might be of interest.

This EIA Scoping Report sets out the proposed scope of the EIA to be undertaken in respect of the A40 Access to Witney project. The Applicant has chosen to undertake an EIA and to submit an Environmental Statement (ES) to accompany the planning application for the proposed development.

EIA scoping forms one of the early stages of the EIA process and refers to the activity of identifying the elements of the environment that should be considered within the EIA.

EIA scoping initiates the process of defining the potential for significant environmental effects, which in turn results in the identification of the environmental factors that require consideration and assessment as part of the EIA.

### **The objectives of this EIA Scoping Report are to:**

- set out the proposed scope of the EIA (i.e. identify which environmental topics are to be 'scoped in' or 'out'), taking into account what is currently known about the site and the proposed development;
- facilitate consultation with the Authority and other relevant statutory bodies on the environmental issues to be addressed as part of the EIA and design development process;
- set out what additional information needs to be collected (i.e. through desk-based studies or field survey work) to characterise the baseline environment of the site;
- define the assessment methods to be used to determine the likely significant environmental effects of the proposed development;
- identify potential environmental impacts and effects and opportunities for mitigation; and EIA Scoping Report Access to Witney
- set out the proposed structure of the ES.

## **EIA Methodology**

5.4 This section outlines the general methodology to be used throughout the ES. The approaches for individual technical topics are provided in the technical sections of this EIA Scoping Report (Sections 6 to 16).

5.5 Each technical chapter of the ES will define the baseline against which the likely significant environmental effects of the proposed development will be assessed. Study areas for defining baseline conditions will vary according to the technical assessment, available baseline information and the nature of potential impacts. The study area for each topic has been defined within the technical sections of this EIA Scoping Report.

5.6 Following on from the definition of the baseline conditions, the impact of the proposed development will be assessed during the enabling works and construction phase, and during operation of the completed proposed development. Mitigation measures will be identified to eliminate, mitigate or reduce adverse effects and following the incorporation of mitigation measures, the significance of any remaining residual effects will be defined by applying a standard set of significance criteria. Cumulative effects will then be assessed (see below for further details).

5.7 In summary, each technical chapter of the ES will:

- outline regulatory and policy framework relevant to the assessment;
- outline the assessment methodology;
- describe the baseline conditions;
- describe environmental mitigation measures that have been implemented into the design of the proposed development to reduce environmental effects (i.e. embedded mitigation);
- report the assessment of the likely effects of the proposed development with embedded mitigation in place;
- particularly where significant adverse environmental effects are identified, advise on additional mitigation and monitoring measures required (i.e. essential mitigation);
- report the likely effects of the proposed development again with essential mitigation and monitoring measures also in place; and
- report the likely effects of the proposed development together with likely effects arising cumulatively with other relevant schemes.

## **Consideration of Alternatives**

5.25 The EIA process provides an opportunity to consider alternative development options with their respective environmental effects before a final decision is taken on the design. In accordance with the EIA Regulations and DMRB LA 104 Environmental assessment and monitoring, the ES will describe those alternatives that were considered by the Applicant and project team, including:

- ‘Do nothing scenario’ – The consequences of no development taking place on the site;
- ‘Modal alternatives’ – The rationale behind choosing this type of solution;
- ‘Location alternatives’ – The rationale behind choosing the site; and

- ‘Design alternatives’ – The ES will summarise the evolution of the design of the proposed development; the modifications which have taken place to date and the environmental considerations which have led to those modifications. A summary of the main alternatives considered, will be presented together with a summary justification for the final design.

**Eleven technical topics are covered**, with detail on existing baseline, potential impacts, assessment methodology, significance criteria etc. The topics are laid out in the following sections:

6. Air Quality
7. Biodiversity
8. Climate Change
9. Cultural Heritage
10. Geology and Soils
11. Landscape and Visual
12. Material Assets and Waste
13. Noise and Vibration
14. Population and Human Health
15. Road drainage and the Water Environment
16. Traffic and Transport

**A summary of the proposed scope of the EIA is given in Table 17-1.**

This summarises the conclusions of this EIA Scoping Report in terms of the environmental topics that are considered likely to give rise to significant environmental effects.

**Proposed Scope of the EIA**

*Table 17-1 Summary of the proposed scope of the EIA*      **Scoping summary**

**Topic**

Air Quality

A qualitative construction phase dust assessment and quantitative operational phase local air quality assessment have been **scoped in**.

If it is determined that the construction programme is likely to be longer than 24 months duration, then a quantitative construction phase local air quality assessment will be **scoped in**.

Biodiversity

A biodiversity assessment for both construction and operation has been **scoped in**.

A separate biodiversity net gain assessment will be included with the application and the results cross-referenced in the ES.

An assessment of lifecycle greenhouse gas impacts and an assessment of the

Climate Change	vulnerability of the proposed development to climate change has been <b>scoped in</b> .
Cultural Heritage	<p>An assessment of built heritage during construction and operation has been <b>scoped in</b>.</p> <p>An assessment of buried archaeology during construction has been <b>scoped in</b>.</p>
Geology and Soils	An assessment of geology and soils has been <b>scoped in</b> to the EIA. This will comprise an assessment of effects during the construction phase only on bedrock geology and superficial deposits, including any geological designations present; loss of soil resources and agricultural land; and the effects from contamination on human health, surface water and groundwater.
Landscape and Visual	An assessment of landscape and visual impacts during both construction and operation has been <b>scoped in</b> .
Material Assets and Waste	An assessment of material assets and waste use during the construction of the proposed development has been <b>scoped in</b> .
Noise and Vibration	<p>A noise and vibration assessment, comprising a construction noise and vibration assessment, a construction traffic noise assessment, a qualitative operational vibration assessment and a quantitative operational traffic noise assessment, has therefore been <b>scoped in</b> to the EIA.</p> <p>Should sufficiently detailed information on construction activity and construction traffic be made available, the corresponding assessments would be quantitative in nature; otherwise qualitative assessments will be conducted.</p>
Population and Human Health	An assessment of population and human health has been <b>scoped in</b> .
Road Drainage and the Water Environment	An assessment of road drainage and the water environment during construction and operation has been <b>scoped in</b> .

Traffic and Transport

An assessment of traffic and transport has been **scoped in**.

Major Accidents and Disasters

An assessment of major events has been **scoped out**. Where relevant, the risk of major events will be reported in other ES chapters. Road traffic accidents will be captured in the Transport Assessment. Ground stability, structures assessment, fire, safety and security will be considered in other documents to be submitted with the planning application.

The full document also includes helpful maps, layout options, public rights of way, site boundary etc.

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