

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



Tuesday, 18th April, 2023 at 6.00 pm

To members of the Climate, Biodiversity & Planning Committee - R Smith, A Prosser, T Ashby, J Aitman, L Duncan, V Gwatkin and P Hiles (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. This is a virtual meeting which can be accessed via the following link: <https://us06web.zoom.us/j/82529478357>

Any member of the public wishing to attend the meeting and speak on a particular item should contact the Committee Clerk (derek.mackenzie@witney-tc.gov.uk) in advance.

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 Deputy Town Clerk or Committee Clerk 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 Committee Clerk derek.mackenzie@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 - 4)

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

Prior to submission to West Oxfordshire District Council, Officers reviewed the committee response to application 23/00179/FUL - The construction and operation of an anaerobic digestion facility at Land Southeast of B4022 Oxford Road. An amended consultee response was agreed and submitted, a verbal update will be provided by the Deputy Town Clerk.

5. **Consultation from Oxfordshire County Council - North Western Extension to Gill Mill Quarry, Ducklington, Witney** (Pages 5 - 6)

To receive and consider a consultation from Oxfordshire County Council on a proposal for North Western Extension to Gill Mill Quarry, Ducklington, Witney.

6. **Application for Variation of Premises Licence - 66 Corn Street, Witney** (Pages 7 - 24)

To consider an application for a Variation of Premises Licence for Olive Branch, 66 Corn Street, Witney, OX28 6BS, under the Licensing Act 2003.

7. **Salt Cross Garden Village Area Action Plan - Inspector's Report**

The Inspector's Report into the examination of the WODC Salt Cross Garden Village Area Action Plan (AAP) has now been published online at www.westoxon.gov.uk/gardenvillage . The Planning Inspectorate have asked for feedback about the examination from anyone that has taken part. Members should consider a response if they feel appropriate: <https://forms.office.com/r/vcT3RaRvtY>

8. **Permitted Development Rights** (Pages 25 - 32)

To note the National Association of Local Council's (NALC) response to a Department for Levelling Up, Housing and Communities (DLUHC) Permitted Development Consultation.



Town Clerk

4 . 5 **WTC/063/23** Plot Ref :- 23/00922/LBC Type :- LISTED BUI
Applicant Name :- . Date Received :- 11/04/2023
Parish :- SOUTH Date Returned :-
Location :- 55 CORN STREET Agent
 CORN STREET
Proposals :- Internal and external alterations to replace existing external door in
 South elevation of outbuilding/barn.
Observations :-

4 . 6 **WTC/064/23** Plot Ref :- 23/00821/HHD Type :- HOUSEHOL
Applicant Name :- . Date Received :- 11/04/2023
Parish :- SOUTH Date Returned :-
Location :- 34 ORCHARD WAY Agent
 ORCHARD WAY
Proposals :- Loft conversion to form additional bedroom and ensuite.
Observations :-

4 . 7 **WTC/065/23** Plot Ref :- 23/00768/HHD Type :- HOUSEHOL
Applicant Name :- . Date Received :- 11/04/2023
Parish :- SOUTH Date Returned :-
Location :- 55 CORN STREET Agent
 CORN STREET
Proposals :- Replace existing external door in South elevation of
 outbuilding/barn.
Observations :-



<p>Date: 27 March 2023 OCC ref: MW.0055/23 Mrs Sharon Groth (Clerk) Witney Town Council Witney Town Council, Town Hall Witney Town Council Market Square Market Square Witney Oxfordshire OX28 6AG</p>	<p>Environment and Place County Hall New Road Oxford OX1 1ND Rachel Wileman Director of Planning, Environment and Climate Change</p>
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Dear Mrs Sharon Groth (Clerk)

North Western Extension to Gill Mill Quarry, Ducklington, Witney at Gill Mill Quarry, Ducklington, Witney

I am writing to consult you on the above proposals in order to prepare an Environmental Impact Assessment (EIA) Scoping Opinion.

Click the below link for application details:

<https://myeplanning.oxfordshire.gov.uk/Planning/Display/MW.0055/23#undefined>

And click the 'Documents' tab.

Please could you consider the information and let me know 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 you will be consulted again.

I would appreciate it if I could have your comments no later than **19 April 2023**.

If you have any questions regarding this matter please do not hesitate to contact me, my direct line is 07584 262456.

NOTE Consideration of the development may take place in public and representations may be published. The proposal may be considered by the Council's Planning & Regulation Committee (Only comments relating to planning issues will be taken into account when reaching a decision).

The Town and Country Planning Act 1990 as amended requires the determination of planning applications to be a public process. The Council will make information submitted in relation to planning applications available for public inspection and so it is not possible to take into account in the determination of the application any comments which are submitted confidentially. If you wish to submit any comments regarding this

application, your comments as well as your name and postal address may be disclosed to third parties including those who have submitted the planning application.

Oxfordshire County Council is a data controller for the purposes of the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council dated 27th April 2016). For more details on how the Council will handle your personal information, please use the link below to access our Privacy Notice. Hard copies of this can also be provided on request:

www.oxfordshire.gov.uk/privacynoticedocument

Yours sincerely,

Matthew Case

Matthew Case
Senior Planning Officer
Direct line: 07584 262456
Email: matthew.case@oxfordshire.gov.uk
www.oxfordshire.gov.uk

Agenda Item 6

Reply to : Andrea Thomas
Tel : 01993 861000
Email: ers@westoxon.gov.uk

Council Offices

Woodgreen,
WITNEY,
Oxfordshire,
OX28 1NB
Tel: 01993 861000
www.westoxon.gov.uk



The Town Council

Your Ref: W/23/00180/PRMV

Date: 6th April 2023

Dear Town Clerk,

LICENSING ACT 2003

Application for Variation of Premises Licence

We have received an application for **Olive Branch 66 Corn Street Witney Oxfordshire OX28 6BS** 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 **4th May 2023**

Please ensure that all email correspondence is sent to ers@westoxon.gov.uk

Yours faithfully

Licensing Team
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

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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

Not Currently In Use

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

Your reference

The Olive Branch Witney

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

Ghassan

* Family name

Dilbani

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

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

11661933

Business name

The Olive Branch Witney LTD

If your business is registered, use its registered name.

VAT number

-

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

Legal status

Private Limited Company

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

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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 (£)

10,250

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Date variation to take effect from

/ /
dd mm yyyy

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.

Please see the plan attached

The first room where the counter is I will remove the counter and put in this room about 4 or 5 tables to fit about 20 people so they can sit down and enjoy some Lebanese food with some nice Lebanese wine, beer and Arak

Arak is traditionally made of only two ingredients, grapes and aniseed. Aniseeds are the seeds of the anise plant, and when crushed, their oil provides Arak with a slight licorice taste.

I already have the BIIAB level 2 Award for personal license holders and soon ill have my personal license

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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

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Continued from previous page...

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

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[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

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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

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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

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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

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

- Indoors Outdoors Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Will be playing a calm Lebanese music recorded or played from you tube

State any seasonal variations for playing recorded music.

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

No

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

No

Continued from previous page...

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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

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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

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PROVISION OF LATE NIGHT REFRESHMENT

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

Yes No

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SUPPLY OF ALCOHOL

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

Yes No

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

Continued from previous page...

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

I will be selling the Lebanese wine on Deliveroo and Just eat BUT only with food and for people over the age limit

The proposed Designated Premises Supervisor.(DPS) Will be me Ghassan Dilbani but as I stated n my previous email am still waiting for my personal license as I have already my qualification(BIIAB Level 2 Award for personal license holders).

Non-standard timings. Where the premises will be used for the supply of alcohol 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.

No

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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.

Continued from previous page...

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.

None

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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

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.

None

Continued from previous page...

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.

No

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

None

- 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.

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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.

I will be the proposed Designated Premises Supervisor and I will ensure that all times when the premises is for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the license and for preventing crime and disorder. I will also ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police.
I will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises.
The CCTV system shall conform to the following points:
Cameras must be sited to observe the entrance and exit doors both inside and outside and will capture full frame shots of the heads and shoulders of all people entering the premises capable of identification

Continued from previous page...

Provide a linked record of the date, time and place of any image.
Police will have access to images at any reasonable time.
The equipment must have a suitable export method, CD/DVD writer so that the police can make an evidential copy of the data they require

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.
All emergency exits shall be kept free from obstruction at all time

d) The prevention of public nuisance

As stated before it will small tiny restaurant where responsible mature people will be having some dinner with nice Lebanese wine and beer and i imagine they will quite people but but for the prevention of public nuisance I will make sure to ask all customer to leave quietly.
Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbors.

e) The protection of children from harm

we all staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving license or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.
All staff will be trained for UNDERAGE SALES PREVENTION regularly.
A register of refused sales shall be kept and maintained on the premises

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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.

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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

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

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 (£)

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

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

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:

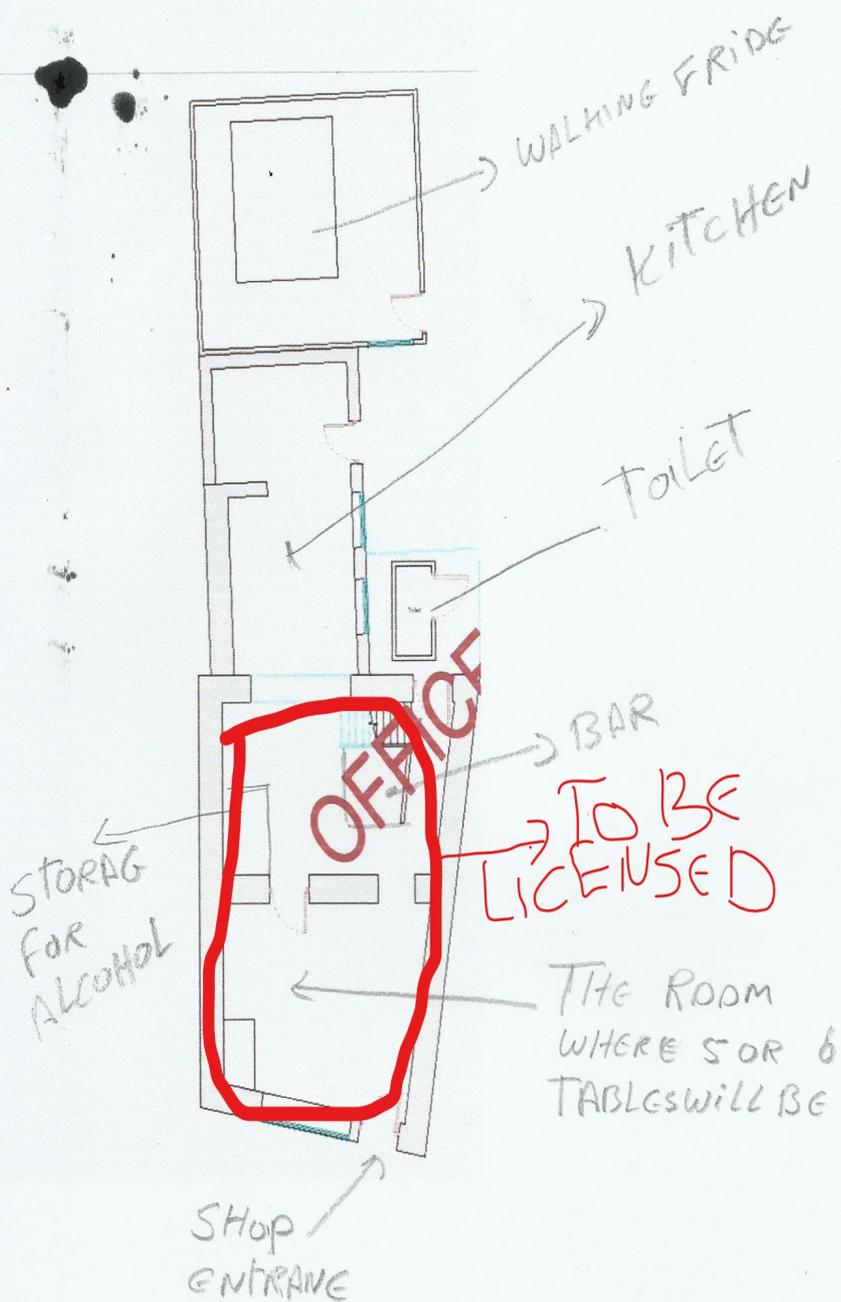
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/west-oxfordshire/change-1> to upload this file and continue with your application.

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.

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Existing-GF-FF-Plans.pdf



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27 MARCH 2023

PR3-23 | PERMITTED DEVELOPMENT RIGHTS

Introduction

We are writing in response to the government's consultation on permitted development rights.

The National Association of Local Councils (NALC) is the national membership body that works with the 43 county associations of local councils to represent and support England's 10,000 local (parish and town) councils.

Local councils and their 100,000 councillors are the first tier of local government, closest to the people, and play an essential part in delivering hyper local services, building strong communities, and strengthening social fabric.

Local councils cover two thirds of England and a third of the population and invest over £3 billion per year to improve and strengthen communities.

Summary

NALC's headline positions on permitted development rights are as below:

- NALC does not support an across-the-board extension of permitted development rights in the planning system. Policies on permitted development rights (PDRs) should be the prerogative of Local Authorities (LAs) in their Local Plans or Neighbourhood Planning Groups.
- NALC supports that Assets of Community Value be subject to the removal of Permitted Development Rights by imposing Article 4. An article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to an area or site, or a development anywhere in the authority's area.
- Permitted development rights should play a minimal role in the planning system because every place is different and the circumstances surrounding it are different.
- Removing the right of local authorities to make decisions on planning applications and that of local councils to comment on them constitutes a further loss of democratic input.

Overarching policy statement

In October 2020 NALC included the below overarching planning policy statement in its response to the three main Planning White Paper consultations launched that summer – these positions still hold true in response to this consultation:

1. NALC has signed up to the proposition that there is a climate emergency and will therefore, as a general principle, promote and support moves and policies which help to mitigate it. For instance, NALC supports the need for Local Plans and large developments to be subject to environmental appraisals and it supports energy efficient homes and more trees.
2. NALC will support a planning system which incorporates a significant role for local (parish and town) councils. It will not support any diminution of local councils' statutory right to comment on planning issues at all stages of their evolution, whether they be development planning matters or spatial planning policies.
3. NALC will support a soundly based planning system which represents the most reliable tool for the sustainable allocation of land, and which represents the three pillars of sustainability equally, i.e., social, economic, and environmental factors.
4. NALC will support changes to the planning system which it perceives will strengthen the system and the voice of democracy and lead to better quality, appropriately sited developments. It will not support planning changes which it perceives will work in the opposite direction.
5. NALC would support a very much strengthened version of the 'duty to co-operate' between neighbouring local authorities or an alternative policy which made it compulsory for neighbouring LAs to work in close co-operation with each other on spatial planning.
6. NALC does not support an across-the-board extension of permitted development rights in the planning system. Policies on permitted development rights should be the prerogative of LAs in their Local Plans or Neighbourhood Planning Groups.
7. NALC supports the recommendations of the Building Better, Building Beautiful Commission.
8. NALC recognises the need for more affordable housing and would welcome initiatives that would enable LAs and local councils to deliver some. In addition, NALC would like to see more housing delivered that is suitable for the disabled and those with mobility impairments and a range of different types of tenures facilitated.
9. NALC wants to see a fair infrastructure levy system which gives local councils a voice and benefits them financially so that they in turn can deliver more for their local communities.

10. NALC has concerns about housing tests based on standard methodologies/ algorithms. It wants to see a planning system which recognises that every planning application and every location is different.

Consultation questions

NALC's responses to the main consultation questions applicable to local councils in the consultation document are below:

2. A new permitted development right for temporary recreational campsites

Q1. Do you agree that a new permitted development right should be introduced that will allow the temporary use of land for recreational campsites and associated facilities?

A1. No. NALC maintains that permitted development rights should play a minimal role in the planning system and that they should remain the prerogative of local authorities.

Q.2: Do you agree that the permitted development right should only apply to the placing of tents?

A2. Don't know. More evidence is needed.

Q.3: Do you agree that the permitted development right should allow up to a maximum of 30 tents to be erected on the land?

A3. Don't know. More evidence is needed.

Q.4: Do you agree that the permitted development right should be limited to up to 60 days per calendar year?

A.4: Don't know. More evidence is needed.

Q.5: Do you agree that the permitted development right should require the provision of temporary on-site facilities to provide waste disposal, showers and toilets?

A.5: Don't know. More evidence is needed.

Q.6: Do you agree that the permitted development right should not apply on land which is in or forms part of sites of special scientific interest, Scheduled Monuments, safety hazard areas, military explosives storage areas and land within the curtilage of a listed building?

A.6: Yes. These decisions should be delegated to local authorities who have a better sense of the local landscape.

Q.7: Are there any other planning matters that should be considered?

A.7: Yes. The impact this new permitted development right could have on the long-term vision local authorities have set out in their local and neighbourhood plans.

Q.8: Do you agree that the permitted development right should require annual prior notification to the local authority of the matters set out above?

A.8 Yes, local authorities and neighbourhood planning groups should always be consulted with regards to PDRs.

Q.9: Do you think that, in areas of flood risk, the right should allow for prior approval with regard to flooding on the site?

A9. Yes. PDRs should be the prerogative of local authorities and tailored to the local circumstances.

Q.10: Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on: a) businesses b) local planning authorities c) communities?

A10. Yes. It will impact on local planning authorities' use of various land within their remit. The local knowledge that goes into designing neighbourhood plans is overridden through permitted development rights and this happens nationally.

Q.11: Do you think that proposed changes in relation to a new permitted development right for temporary recreational campsites could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

A11. Don't know.

3. Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

Q.12: Should the permitted development right for solar on domestic rooftops be amended so that they can be installed on flat roofs where the highest part of the equipment would be no higher than 0.6 metres above the highest part of the roof (excluding any chimney)?

A12. No. NALC opposes the expansion of permitted development rights and recommends that local authorities be consulted on these matters.

Q13. Are there any circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises?

A13. Don't know. More evidence is required.

Q14. Do you agree that solar on a wall which fronts a highway should be permitted in conservation areas?

A14. Don't know. NALC does however support the wider use of renewable energy, in particular solar power.

Q15. Do you have any views on the other existing limitations which apply to this permitted development right which could be amended to further support the deployment of solar on domestic rooftops?

A15. Don't know. More evidence is needed.

Q16. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the dwellinghouse in conservation areas, should be removed?

A16. No. These cases should be dealt with by local authorities in a locally informed case-by-case basis.

Q17. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone domestic solar?

A17. Don't know. More evidence is needed.

Q18. Do you agree that the current threshold permitting the generation of up to 1MW of electricity on non-domestic buildings should be removed?

A18. Don't Know. More sector specific evidence is required.

Q19. Is the current prior approval for solar equipment on non-domestic rooftops (where equipment is over 50kW but no more than 1MW) effective?

A19. Don't know. More sector specific evidence is required.

Q20. Are there any circumstances where it would not be appropriate to allow for the installation of non-domestic rooftop solar where there is no limit on the capacity of electricity generated?

A20. Don't know. More evidence is needed.

Q21. Do you agree that the existing limitations relating to the installation of solar on non-domestic buildings in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

A21. No, these should be considered on a case-by-case basis at the local level. NALC does however encourage the wider use of solar energy.

Q22. Do you have any views on how the other existing limitations which apply to the permitted development right could be amended to further support the deployment of solar on non-domestic rooftops?

A21. Don't know. More evidence of impact is required.

Q23. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the building in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

A23. No. The existing limitations should be retained.

Q24. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone non-domestic solar?

A24. Don't know. More evidence is required.

Q25. Do you agree that permitted development rights should enable the installation of solar canopies in ground-level off-street car parks in non-domestic settings?

A25. No. These decisions should be the prerogative of local authorities.

Q26. Do you agree that a permitted development right for solar canopies should not apply on land which is within 10 metres of the curtilage of a dwellinghouse?

A26. Don't know. More evidence is needed.

Q27. Do you agree that a permitted development right for solar canopies should not apply on land which is in or forms part of a site designated as a scheduled monument or which is within the curtilage of a listed building?

A27. Don't know. More evidence is needed.

Q28. Do you agree that the permitted development right would not apply to article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites?

A28. Yes. Local authorities should be able to take those planning decisions using their local knowledge.

Q29. Do you agree that solar canopies should be permitted up to 4 metres in height?

A29. Don't know. More evidence is needed.

Q30. Do you think that the right should allow for prior approval with regard to design, siting, external appearance and impact of glare?

A30. Yes. Local authorities should be able to assess the impact of the installation within the context of their Local Plans.

Q31. Are there any other limitations that should apply to a permitted development right for solar canopies to limit potential impacts?

A31. Don't know. More evidence is needed.

4. Providing further flexibility to allow local authorities to undertake development

Q34. Do you agree that the permitted development right allowing for development by local authorities should be amended so that the development permitted can also be undertaken by a body acting on behalf of the local authority?

A34. Yes. Local (parish and town) councils should be able to act on behalf of the local authority, as needed, where the development permitted is complemented by the Local Plan and the relevant neighbourhood plan.

For further information on this response contact Fflur Jones via email at fflur.jones@nalc.gov.uk or policycomms@nalc.gov.uk.

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