

Public Document Pack

Climate, Biodiversity & Planning

Committee Meeting of Witney Town Council



Tuesday, 13th June, 2023 at 6.00 pm

To members of the Climate, Biodiversity & Planning Committee - A Bailey, G Meadows, R Smith, J Aitman, O Collins, J Robertshaw, S Simpson and D Temple (and all other Town Councillors for information).

You are hereby summonsed to the above meeting to be held in the **Gallery Room, The Corn Exchange, Witney** 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.

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. **Minutes** (Pages 5 - 32)
 - a) To adopt and sign as correct the minutes of the committee held on 28 March, 18 April, 2 May and 23 May 2023.
 - b) Matters arising from the minutes of the above meetings.
5. **Committee Terms of Reference** (Pages 33 - 34)

To receive the report of the Deputy Town Clerk and review the Committee Terms of Reference (TORs).
6. **Committee Objectives and Work Programme for The Municipal Year** (Pages 35 - 40)

To receive the report of the Town Clerk/C.E.O.
7. **Finance Report** (Pages 41 - 46)

To receive the report of the Responsible Financial Officer (RFO).
8. **Planning Applications** (Pages 47 - 48)

To receive and consider a schedule of Planning Applications from West Oxfordshire District Council.
9. **Planning Decisions** (Pages 49 - 54)

To receive and consider a schedule of planning decisions from West Oxfordshire District Council.
10. **Notice of Planning Appeal Decision - Queen Emma's Dyke, Witney** (Pages 55 - 58)

To receive notice of Planning Appeal Decision APP/D3125/W/22/3293742 for 141 Queen Emma's Dyke, Witney.
11. **Notice of Planning Appeal Decision - Land South West of Downs Road, Curbridge Business Park** (Pages 59 - 70)

To receive notice of Planning Appeal Decision APP/D3125/W/22/3307358 for Land South West of Downs Road, Curbridge Business Park.
12. **Application for Minor Variation of Premises Licence - Shell Waitrose Ducklington** (Pages 71 - 82)

To consider an application for a Minor Variation of Premises Licence for Shell Waitrose Ducklington, Ducklington Lane, Witney, OX28 4TT, under the Licensing Act 2003.
13. **Approval of Street Name - Norreys Avenue** (Pages 83 - 84)

To receive notification from West Oxfordshire District Council, that the proposed Street Name 'Norreys Avenue' has been approved. As per Street Name Application SNN2022173.
14. **Witney Lake Fishing Season** (Pages 85 - 86)

To receive the report of the Biodiversity & Green Spaces Officer.
15. **Forest School** (Pages 87 - 90)

To receive the report of the Biodiversity & Green Spaces Officer.
16. **Water Vole Recovery Plan** (Pages 91 - 92)

To receive the report of the Biodiversity & Green Spaces Officer.

17. **Weed Control & Use of Pesticides** (Pages 93 - 96)

To receive the report of the Operations Manager.



Town Clerk

This page is intentionally left blank

**CLIMATE, BIODIVERSITY & PLANNING COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Tuesday, 28 March 2023

At 6.00 pm in the Gallery Room, The Corn Exchange, Witney

Present:

Councillor R Smith (Chair)

Councillors:	A Prosser	V Gwatkin
	J Aitman	P Hiles
	L Duncan	
Officers:	Adam Clapton	Deputy Town Clerk
	Derek Mackenzie	Senior Administrative Officer & Committee Clerk
	Claire Green	Administration Support - Planning & Stronger Communities
	Carl Whitehead	Park Ranger
Others:	1 member of the public.	

P173 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T Ashby & J Aitman.

P174 DECLARATIONS OF INTEREST

There were no declarations of interest from members or officers.

P175 PUBLIC PARTICIPATION

The Committee adjourned for this item.

The committee received representations from a resident of Manor Road in respect of application 23/00689/HHD to be discussed at part of Agenda Item 5.

At the discretion of the Chair planning application 23/00689/HHD was moved up the agenda and discussed after which the member of the public left the meeting.

The Committee reconvened.

P176 MINUTES

The minutes of the Climate, Biodiversity & Planning Committee meetings held on 24 January, 14 February and 7 March were received.

Resolved:

That, the minutes of the Climate, Biodiversity & Planning Committee meetings held on 24 January, 14 February and 7 March be approved as a correct record of the meeting and be signed by the Chair.

P177 PLANNING APPLICATIONS

The Committee received and considered a schedule of planning applications from West Oxfordshire District Council.

In addition, the Committee also discussed planning application 23/00179/FUL for an Anaerobic Digestion Facility in the neighbouring South Leigh parish.

The Committee objected to the application on grounds of transport, road safety and community benefit.

Resolved:

That, the comments, as per the attached schedule and for 23/00179/FUL, be forwarded to West Oxfordshire District Council.

P178 PLANNING DECISIONS

The Committee received and considered a schedule of planning decisions received from West Oxfordshire District Council (WODC)

Resolved:

That, the list circulated advising of WODC planning decisions be noted.

P179 WODC - PLANNING VALIDATION CHECKLIST

The Committee received copies of the new Biodiversity checklist implemented by West Oxfordshire District Council (WODC)

Resolved:

That, that the new Biodiversity checklist be noted.

P180 NOTIFICATION OF PLANNING APPEAL - 118C QUARRY ROAD

The Committee received notice of planning appeal APP/D3125/W/22/3309162 – 118C Quarry Road, Witney.

Resolved:

That, the planning appeal decision be noted.

P181 NOTIFICATION OF PLANNING APPEAL - LAND SOUTHWEST OF DOWNS ROAD, CURBRIDGE BUSINESS PARK, WITNEY

The Committee received notice of planning appeal APP/D3125/W/22/3307358 – Land Southwest of Downs Road, Curbridge Business Park, Witney.

Resolved:

That, the planning appeal decision be noted.

P182 APPLICATION FOR A PREMISES LICENCE - 355C THORNEY LEYS, WITNEY

The Committee received the application from Barry's Food Store, 355C Thorney Leys, Witney for a new premises licence.

Resolved:

That, the Council makes no objection to this application.

P183 APPLICATION FOR A PREMISES LICENCE - 91 CORN STREET, WITNEY

The Committee received the application from Green Mobility Limited, 91 Corn Street, Witney for a new premises licence.

Resolved:

That, the Council makes no objection to this application.

P184 ADDRESS MANAGEMENT - ROAD AT GLENMORE BUSINESS CENTRE, WITNEY

The Committee received correspondence from West Oxfordshire District Council's address management team.

Members confirmed there were no objections to the proposed name of "Norreys Avenue".

Resolved:

That, the correspondence be noted.

P185 MANAGEMENT OF WATERCOURSE - SNIPE MEADOW

The Committee received and considered the report of the Biodiversity Officer.

Members discussed the current impact of the River Windrush and Colwell Brook overtopping their banks during flood events and how this might be prevented to maintain good water quality at Witney Lake. There was the possibility of working with the Environmental Agency (EA) to help alleviate the problem with improved bank maintenance and potential bunds, but this bore significant costs and EA approval was not guaranteed.

Further discussion took place on the wider issue of managing the watercourse over the Council's meadows, neighbouring sites and on contributing to a District Council proposal on how to gain more local autonomy over bank maintenance, with agreement this would be beneficial.

The Committee agreed to the recommendations contained in the report and asked that the Biodiversity Officer prioritised the watercourse stretches requiring the most urgent attention and makes an enquiry to the Environment Agency to ascertain the level of response. Further stretches could then be included in the facility's land management plan and budgeted for accordingly.

Resolved:

1. That, the report be noted and,
2. That, any tree works are to be carried out by the Ranger, the works team and if needed, the Council's preferred tree contractor Town & Country Trees and,
3. That no bank work is to be carried out without exploring the full costs beforehand and,
4. That, the Council reinstates and strengthen the pathway around the lake using binding ballast and,
5. That, the water in the lake be tested to clarify its status and,
6. That, the Biodiversity Officer prioritises the stretches of watercourse banks and enquires to the Environment Agency about the most urgent and,
7. That, the Biodiversity Officer contacts West Oxfordshire District Council regarding the issues of bank works along the watercourse and the difficulty in resolving them.

P186 OPEN SPACES STRATEGY

The Committee received and considered the report of the Biodiversity Officer.

Members heard that progress was underway on the action points relating to the Lake, Country Park, and Open Spaces in the Council's adopted Open Spaces Strategy. There was little more that could be done by officers at this point, however the current work would be expanded on, mostly with the help of volunteers in the coming months.

The Committee welcomed the feedback and were pleased to hear the number of volunteers was growing.

Resolved:

1. That, the report be noted and,
2. That, the Council has a Tree policy which outlines its strategy going forward.
3. That, the Council has a significant resource, and it needs to be made use of and maintained to facilitate use by as wide a range of users as possible.
4. That, the Lake & Country Park should be promoted as a "health and wellbeing" resource.
5. That, the value of volunteers is enormous in both the output of their work and also more importantly the social interactions and wellbeing created in a like-minded, well-motivated and confidently led team.

P187 TREESCAPE REPORT

The Committee received and considered the report of the Biodiversity Officer.

Members were presented with a report which was presented to the Council in 2022 which highlighted the Council's current tree and hedging stock and proposals on how these could be increased over the coming years. The report was comprehensive, and officers were able to utilise many aspects in long term management plans and projects, but there were also some aspects which simply would not be possible due to designated land use.

The Committee agreed that officers should explore projects on a case-by-case basis as and when time allowed to bring the proposals, such as a community orchard to fruition. With the right support and resources, the Council could maximise its potential to increase the natural capital of green spaces.

Resolved:

1. That the report be noted and
2. That each area needed to be looked at on a "case by case" basis.

P188 SWIFT BRICKS

The Committee received the correspondence from the principal planning policy officer at West Oxfordshire District Council (WODC) regarding the consideration of Swift Bricks.

A member also updated that since the correspondence was received on 10 February, discussions have progressed at WODC and that it is an expectation that the use of Swift Bricks will be included in the Local Plan.

Resolved:

That, the correspondence is noted.

P189 WODC - ELECTRIC VEHICLE (EV) CAR CLUB SCHEME AT WOODFORD WAY

The Committee were pleased to hear that an opportunity for residents to experience the use of Electric Vehicles (EV) would be possible under this scheme.

A Member had already heard of the news and reported to the committee that the scheme was not yet live on the Enterprise website but looking at other similar schemes in the area it looked very promising. Members were keen to encourage use as there was no known car share scheme in the witney area.

Resolved:

1. That, the council would actively promote the scheme and,
2. That, the council does not have any feedback for WODC regarding the scheme currently.

The meeting closed at: 8.00 pm

Chair

This page is intentionally left blank

177

Observations : Witney Town Council has no objections regarding this application.

177- 6	WTC/051/23	Plot Ref :-23/00360/HHD	Type :-	HOUSEHOLDE
	Applicant Name :- .		Date Received :-	06/03/23
	Location :- 104 BARRINGTON CLOSE BARRINGTON CLOSE		Date Returned :-	29/03/23
	Proposal : Remove existing conservatory, proposed two storey pitched roof 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.			

177- 7	WTC/052/23	Plot Ref :-23/00451/HHD	Type :-	HOUSEHOLDE
	Applicant Name :- .		Date Received :-	06/03/23
	Location :- 180 FARMERS CLOSE FARMERS CLOSE		Date Returned :-	29/03/23
	Proposal : Proposed first floor extension and two storey side extension. Internal layout modifications.			
	Observations : While Witney Town Council does not object to this application, members ask that the proposed development does not have detrimental impact on the amenity of the neighbouring property.			

177- 8	WTC/053/23	Plot Ref :-23/00471/HHD	Type :-	HOUSEHOLDE
	Applicant Name :- .		Date Received :-	20/03/23
	Location :- 7 SPRING MEADOW SPRING MEADOW WITNEY		Date Returned :-	29/03/23
	Proposal : Single storey rear extension.			
	Observations : Witney Town Council has no objections regarding this application.			

177- 9	WTC/054/23	Plot Ref :-23/00469/FUL	Type :-	FULL
	Applicant Name :- .		Date Received :-	20/03/23
	Location :- ABBOTT DIABETES CARE RANGE ROAD WITNEY		Date Returned :-	29/03/23
	Proposal : Demolition of existing single storey element and erection of extensions to two existing buildings together with associated infrastructure.			
	Observations : While Witney Town Council does not object to this application, Members discussed the proposed mitigations to protect and enhance biodiversity at the site as outlined in the documents accompanying the application. Members ask that the West Oxfordshire District Council Biodiversity Officer makes careful assessment of this to ensure that adequate protection is given for existing habitats and that proportionate opportunities are sought for biodiversity enhancement at the site. In accordance with Policy EH3 of the Local Plan.			

177- 10 WTC/055/23 Plot Ref :-23/00610/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 20/03/23
Location :- 74 WEST END Date Returned :- 29/03/23
WEST END
WITNEY
Proposal : Refurbishment works to include the installation of three roof lights in existing rear roof slope.
Observations : Witney Town Council has no objections regarding this application.

177- 11 WTC/056/23 Plot Ref :-23/00611/LBC Type :- LISTED BUI
Applicant Name :- . Date Received :- 20/03/23
Location :- 74 WEST END Date Returned :- 29/03/23
WEST END
WITNEY
Proposal : Internal and external alterations to refurbish the existing house, including the installation of three roof lights in existing rear roof slope, removal of existing chimney from single storey rear extension together with internal changes to reinstate open fireplace.
Observations : Witney Town Council has no objections regarding this application.

177- 12 WTC/057/23 Plot Ref :-23/00634/S73 Type :- VARIATION
Applicant Name :- . Date Received :- 20/03/23
Location :- 1 ST MARYS COURT Date Returned :- 29/03/23
ST MARYS COURT
WITNEY
Proposal : Variation of condition 2 of permission 21/02628/FUL to allow amendments to the balconies and their roofs and to raise the floor level by 300mm from existing building.
Observations : Witney Town Council has no objections regarding this application.

177- 13 WTC/058/23 Plot Ref :-23/00689/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 21/03/23
Location :- 111 MANOR ROAD Date Returned :- 29/03/23
MANOR ROAD
Proposal : Two storey side and single storey rear extension with associated alterations.
Observations : While Witney Town Council does not object to the proposed extension, Councillors expressed concerns about the proposed new parking space at the rear of the property. The new parking space and associated dropped kerb would impact negatively on the street scene, and the proposed additional driveway space would remove on-street parking in this location for other users. Further, Members discussed the potential removal of the stone wall to create the additional parking space, it is the opinion of this committee that the stone wall forms part of the character of the estate and it is unusual for the boundary walls to be removed or replaced with alternative boundary treatments.
Members ask that any proposals for a driveway at the rear of property 111 Manor Road, take account of the current driveway and access required for 113 Manor Road.

The Meeting closed at : 8:00pm

Signed : _____ Chairman Date: _____

On behalf of :- _____ Witney Town Council

**CLIMATE, BIODIVERSITY & PLANNING COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Tuesday, 18 April 2023

At 6.00 pm in the Virtual Meeting Room via Zoom

Present:

Councillor R Smith (Chair)

Councillors:	A Prosser	V Gwatkin
	J Aitman	P Hiles
Officers:	Adam Clapton	Deputy Town Clerk
	Derek Mackenzie	Senior Administrative Officer & Committee Clerk
	Claire Green	Administration Support - Planning & Stronger Communities
Others:	No members of the public.	

P215 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T Ashby & L Duncan.

P216 DECLARATIONS OF INTEREST

There were no declarations of interest from members or officers.

P217 PUBLIC PARTICIPATION

There was no public participation.

P218 PLANNING APPLICATIONS

The Committee received and considered a schedule of planning applications from West Oxfordshire District Council.

In addition, the Committee received a verbal update from the Deputy Town Clerk in respect of the amended response submitted for 23/00179/FUL regarding a planning application for an Anaerobic Digestion Facility in the neighbouring South Leigh parish.

Resolved:

That, the comments, as per the attached schedule be forwarded to West Oxfordshire District Council.

P219 CONSULTATION FROM OXFORDSHIRE COUNTY COUNCIL - NORTH WESTERN EXTENSION TO GILL MILL QUARRY, DUCKLINGTON, WITNEY

The Committee received correspondence from Oxfordshire County Council inviting comments ahead of the preparation of an Environmental Impact Assessment (EIA) scoping document.

Members discussed the proposal at length and agreed with concerns raised at the meeting by the Biodiversity & Green Spaces Officer in their response. The concerns focused on the proximity of the proposed development to the Country Park and the potential threat this could have in respect of pollution to the lake or loss and damage to the delicate ecosystem.

Resolved:

That, the comments, as per the attached be forwarded to Oxfordshire County Council.

P220 APPLICATION FOR VARIATION OF PREMISES LICENCE - 66 CORN STREET, WITNEY

The Committee received the application from Olive Branch, 66 Corn Street, Witney to vary a premises licence.

Resolved:

That, the Council makes no objection to this application.

P221 SALT CROSS GARDEN VILLAGE AREA ACTION PLAN - INSPECTOR'S REPORT

The Committee received details of the Planning Inspectors Report into the examination of the WODC Salt Cross Garden Village Area Action Plan, members agreed that they had no further comments to add.

Resolved:

That, the report of the Planning Inspectorate be noted.

P222 PERMITTED DEVELOPMENT RIGHTS

The committee received the correspondence from the National Association of Local Councils (NALC) in respect of the response NALC had made to the government's consultation on permitted development rights.

Resolved:

That, the response of NALC be noted.

P223 APPLICATION FOR A NEW PAVEMENT LICENCE - BLIND TIGER BARS LTD, 8 MARKET SQUARE, WITNEY

At the express permission of the Chair the committee discussed an application for a new pavement licence from Blind Tiger Bars Ltd for a new pavement licence under the Business and Planning Act 2020 due to the short timescale of the consultation.

Members had concerns about the location of furniture and the potential obstruction of the pavement if tables were able to be moved by patrons on what is an uneven surface. They were also concerned about the location of the furniture and the impact on sight lines of any vehicles accessing the residential units behind the premises.

Members agreed to carry out a site visit and provide their comments to the Chair for a response to be collated. They also agreed that WODC Licencing Team be asked to carry out a site visit prior to making their decision.

Resolved:

That, members provide individual responses to the Chair of the committee in order for a collated response to be returned.

The meeting closed at: 7.23 pm

Chair

This page is intentionally left blank

218

218- 4	WTC/062/23	Plot Ref :-23/00757/HHD	Type :-	HOUSEHOLDE
Applicant Name :- .		Date Received :-		11/04/23
Location :- 18 TAPHOUSE AVENUE TAPHOUSE AVENUE		Date Returned :-		19/04/23
Proposal : Demolition of existing porch and replacement single storey front extension.				
Observations : Witney Town Council object to this application. The proposed extended frontage is not in keeping with neighbouring properties and will appear incongruous in the streetscene. The proposed development will leave insufficient space for parking, with the potential that vehicles will be encroaching on the available public space, including the footpath. The application does not comply with the General Principles of policy OS2 of the West Oxfordshire Local Plan 2031 - the proposed development does not form a logical complement to the existing scale and pattern of development.				

**CLIMATE, BIODIVERSITY & PLANNING COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Tuesday, 2 May 2023

At 6.00 pm in the Virtual Meeting Room via Zoom

Present:

Councillor R Smith (Chair)

Councillors:	A Prosser L Duncan	P Hiles
Officers:	Adam Clapton Derek Mackenzie	Deputy Town Clerk Senior Administrative Officer & Committee Clerk
Others:	No members of the public.	

P224 APOLOGIES FOR ABSENCE

No apologies for absence were received.

P225 DECLARATIONS OF INTEREST

There were no declarations of interest from members or officers.

P226 PUBLIC PARTICIPATION

There was no public participation.

P227 PLANNING APPLICATIONS

The Committee received and considered a schedule of planning applications from West Oxfordshire District Council.

Resolved:

That, the comments, be forwarded to West Oxfordshire District Council.

P228 PLANNING APPEAL - LAND SOUTH WEST OF DOWNS ROAD, CURBRIDGE BUSINESS PARK

The Committee received the notice of informal hearing in respect of planning appeal APP/D3125/W/22/3307358 – Land Southwest of Downs Road, Curbridge Business Park.

Resolved:

That, the planning appeal decision be noted.

The meeting closed at: 6.15 pm

Chair

227

Page No 3

The Meeting closed at : 6:15pm

Signed : _____ Chairman Date: _____

On behalf of :- _____ Witney Town Council

**CLIMATE, BIODIVERSITY & PLANNING COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Tuesday, 23 May 2023

At 6.00 pm in the Virtual Meeting Room via Zoom

Present:

Councillors:	R Smith	J Robertshaw
	J Aitman	S Simpson
	O Collins	D Temple
	G Meadows	
Officers:	Adam Clapton	Deputy Town Clerk
	Derek Mackenzie	Senior Administrative Officer & Committee Clerk
	Claire Green	Administration Support - Planning & Stronger Communities
Others:	One member of the public.	

In the absence of the Committee Chair and with the election of Vice-Chair on the agenda, the Mayor started the meeting.

P262 APOLOGIES FOR ABSENCE

An apology for absence was received from Cllr A Bailey.

P263 DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers at this point in the meeting.

P264 ELECTION OF VICE CHAIR

The Chair/Mayor called for nominations for the position of Vice-Chair of the Committee.

It was proposed and seconded that Cllr Georgia Meadows be elected Vice-Chair. There being no other nominations it was:

Resolved:

That, Councillor Georgia Meadows be elected Vice-Chair of the Committee for the 2023/2024 municipal year.

The Vice-Chair assumed the position as Chair for the meeting.

P265 **PUBLIC PARTICIPATION**

The member of the public present did not wish to address the Committee.

Councillor D Temple joined the meeting at 18:10pm

P266 **PLANNING APPLICATIONS**

The Committee received and considered a schedule of planning applications from West Oxfordshire District Council.

Cllr D temple declared a personal interest in planning application 5.10 and Cllr O Collins declared a personal interest in planning application 5.12.

Resolved:

That, the comments, be forwarded to West Oxfordshire District Council.

P267 **WITNEY TRAFFIC ADVISORY COMMITTEE MEETING MINUTES - 21 MARCH 2023**

The Committee received the minutes of the Witney Traffic Advisory Committee (WTAC) meeting held on 21 March 2023.

There were comments from Members on the timeframe of the Shore's Green junction in East Witney, the East Witney Strategic Development Area, Community Speedwatch, the public transport fare cap, potential new road crossings and non-working traffic lights.

Resolved:

That, the minutes of the WTAC meeting held on 21 March 2023 be noted.

P268 **PROPOSED EXTENSION TO GILL MILL QUARRY - SCOPING OPINION**

The Committee received Oxfordshire County Council's adopted scoping opinion for the north-western extension to Gill Mill Quarry, Ducklington.

Members were advised the site abutted Witney Lake and several concerns raised by this Committee in response to the scoping document had been included in this report. The contents would help develop the Environmental Impact Assessment for the site.

Officers explained there would be further opportunities for response as the plans progressed through the planning process.

Resolved:

That, the County Council Scoping Opinion be noted.

The meeting closed at: 7.14 pm

Chair

266

Observations : Witney Town Council has no objections regarding this application.

266- 6	WTC/075/23	Plot Ref :-23/00970/LBC	Type :-	LISTED BUI
	Applicant Name :-		Date Received :-	09/05/2023
	Location :-	54 WEST END WEST END	Date Returned :-	24/05/2023
	Proposal :	Demolition of rear lean-to roof and dormer, structural repairs to form new Party Wall and rear wall, formation of new roof to rear lean-to area with 2 dormers and conservation roof lights to attic and stairwell. Proposed single storey rear extension, reduction of rear chimney and internal works.		
	Observations :	Witney Town Council has no objections regarding this application.		

266- 8	WTC/077/23	Plot Ref :-23/00836/LBC	Type :-	LISTED BUILDING
	Applicant Name :-		Date Received :-	09/05/2023
	Location :-	12A WEST END WEST END	Date Returned :-	24/05/2023
	Proposal :	Internal and external alterations to include erection of a single storey rear extension, conversion of outbuilding to shower room and replacement of all timber windows.		
	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.		

Page No 4

Proposal : Erection of a 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. Whilst the development is small, Members expressed concern that surface water is to discharge to existing drainage, with the possibility of this causing increased flood risk elsewhere. Members ask that a SUDS strategy and 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.

266- 10	WTC/079/23	Plot Ref :-23/01057/FUL	Type :-	FULL
	Applicant Name :-	.	Date Received :-	09/05/2023
	Location :-	ABBOT DIABETES CARE RANGE ROAD WINDRUSH IND PARK	Date Returned :-	24/05/2023
	Proposal :	Erection of a two storey car park and associated infrastructure.		
	Observations :	Witney Town Council support this application from Abbot Diabetes Care. Members note that although there is no further loss to permeable drainage at the site, any improvements to surface water strategy that could be incorporated as part of the development would be welcome.		

266- 11	WTC/080/23	Plot Ref :-23/00722/HHD	Type :-	HOUSEHOLDE
	Applicant Name :-	.	Date Received :-	09/05/2023
	Location :-	12A WEST END WEST END	Date Returned :-	24/05/2023
	Proposal :	Erection of a single storey rear extension and conversion of outbuilding to shower room along with replacement of all timber windows.		
	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.		

266- 12	WTC/081/23	Plot Ref :-23/01096/HHD	Type :-	HOUSEHOLDE
	Applicant Name :-	.	Date Received :-	09/05/2023
	Location :-	52 BURFORD ROAD BURFORD ROAD	Date Returned :-	24/05/2023
	Proposal :	Proposed two storey rear extension, alterations to existing windows and doors, rendering of existing house, detached garage addition and enlargement of driveway (to allow reposition of approved garage).		
	Observations :	Witney Town Council has no objections regarding this application.		

266- 13	WTC/082/23	Plot Ref :-23/01107/ADV	Type :-	ADVERTISIN
	Applicant Name :-	.	Date Received :-	15/05/2023
	Location :-	8 LANGDALE GATE LANGDALE GATE	Date Returned :-	24/05/2023
	Proposal :	Erection of two internally illuminated fascia signs and a non illuminated projecting sign.		
	Observations :	Witney Town Council has no objections regarding this application.		

266- 14 WTC/083/23 Plot Ref :-23/01143/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 15/05/2023
Location :- 36 RALEGH CRESCENT Date Returned :- 24/05/2023
RALEGH CRESCENT
Proposal : Erection of a detached double garage with first floor living accommodation ancillary to main house.
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.

266- 15 WTC/084/23 Plot Ref :-23/01117/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 15/05/2023
Location :- PRIORY HOUSE Date Returned :- 24/05/2023
CHURCH LANE
Proposal : Erection of single story garden room 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.

266- 16 WTC/085/23 Plot Ref :-23/01118/LBC Type :- LISTED BUI
Applicant Name :- . Date Received :- 15/05/2023
Location :- PRIORY HOUSE Date Returned :- 24/05/2023
CHURCH LANE
Proposal : Internal and external alterations to erect single story garden room 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.

266- 17 WTC/086/23 Plot Ref :-23/01140/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 15/05/2023
Location :- 36 SCHOFIELD AVENUE Date Returned :- 24/05/2023
SCHOFIELD AVENUE
Proposal : Erection of single and two storey rear extensions.
Observations : Witney Town Council has no objections regarding this application.

266- 18 WTC/087/23 Plot Ref :-23/01153/LBC Type :- LISTED BUI
Applicant Name :- . Date Received :- 17/05/2023
Location :- 72 CORN STREET Date Returned :- 24/05/2023
CORN STREET
Proposal : Internal alterations to change a second floor bedroom to a bathroom, addition of a new waste pipe at the rear of the property and increase the height of a door.
Observations : Witney Town Council has no objections regarding this application.

The Meeting closed at : 7:15pm

Signed : _____ Chairman Date: _____

On behalf of :- _____ Witney Town Council

This page is intentionally left blank

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday, 13 June 2023

Title: Committee Terms of Reference

Contact Officer: Deputy Town Clerk - Adam Clapton

Purpose of the Report

To resolve whether the current terms of reference for this town council committee should remain as they are or be updated.

Background

The terms of reference set out the remit of the Committee and are closely tied to its visions and objectives. They are reviewed annually in May (or at any other point as requested) and help structure the Council's democratic process regarding day-to-day matters which require a Council resolution or longer-term projects and aspirations.

Current Situation

The current terms of reference for the Climate, Biodiversity & Planning Committee are:

Planning & Development

- a) To receive planning applications and to comment on them in the name of the Council within the time limit set by statute.
The Committee may decide, where time for consultation allows, to make a recommendation to the Council on any application considered to have a major impact on the Town.
- b) To consider any planning decisions, appeals, Planning Briefs and Tree Preservation orders, and recommend, if appropriate, any views that should be expressed by the Council, or any action that should be taken, in respect of these.
- c) To consider, and submit appropriate representations on behalf of the Council, applications in respect of Justices, Gaming and Public Entertainment Licences.
- d) To consider, and submit appropriate representations on behalf of the Council, in respect of consultations relevant to the sphere of Planning and Development.
- e) To consider the impact on the environment of all planning applications and comment in the name of the Council accordingly (within statutory consultee guidelines).
- f) To promote sustainable and active travel in the future planning of the town.

Climate & Biodiversity (Environment)

- g) To work to achieve net zero emissions in WTC vehicles, heating and electricity (scopes 1 and 2) by 2028, in line with the Council's Climate Emergency resolution made in June 2019. To identify ways for event's organisers to reduce the carbon footprint of events held on council ground. Any financial or policy change implications should be recommended to the Council.

- h) To manage the Council's Environmental Spaces, including Amenity Areas, Witney Lake and Country Park and Tiny Forest (except recreation grounds). Any financial or policy change implications should be recommended to the Council.
- i) To oversee the management of the Council's tree stock across the town.
- j) To engage with Central Government, West Oxfordshire District Council, Oxfordshire County Council, relevant stake holders and other organisations to initiate local action on climate change (towards achieving net zero carbon emissions) and environmental issues within the town.
- k) To encourage biodiversity and healthy recreation in the environmental spaces.
- l) To explore the expansion of community energy to keep the benefits of our local energy generation in our local economy.

General

- m) The Membership of the Committee shall consist of 6 Members plus the Town Mayor and the Leader of the Council ex officio with voting rights.
- n) The quorum of the committee shall be 4 members.

It should be noted that any Sub-Committees or Working Parties which may be created and are responsible to this Committee will have their own terms of reference presented at their first meeting.

New Councillors may like to refer to the Committee Structure provided in their induction packs for information relating to this and the other Committees of the Council.

The administration of trees has previously provided some confusion, with this Committee historically dealing with the new tree additions and planting to the tree stock with the Stronger Communities Committee dealing with existing tree issues. For the avoidance of doubt, it is recommended that all tree enquiries are dealt with by this Committee (i).

Environmental impact

Having declared a Climate Change Emergency, Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Financial implications

There are no financial implications pertaining to the report. The budgets for each of the areas listed in the terms are covered in cost codes and centres in the accompanying report of the Responsible Financial Officer (RFO).

Recommendations

Members are invited to note the report and consider the following:

1. To amend or agree the Committee Terms of Reference if agreed appropriate.

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday 13 June 2023

Title: **Committee Objectives and Work Programme for the Municipal Year**

Contact Officer: Town Clerk/CEO – Sharon Groth

BACKGROUND

The purpose of this report is to consider this Committee's objectives/priorities. This will enable the Town Clerk and her Officers to draw up a manageable programme of works, which will ensure the necessary resources are available and can be deployed appropriately.

She has also taken the opportunity to update Councillors on the Open Spaces Strategy Action Plan for areas under the responsibility of this Committee.

CURRENT SITUATION

Whilst this Committee leads on Climate and Biodiversity projects, the theory crosses over into everything the Council does, provides or maintains, to try and meet its target of carbon neutrality by 2028.

- ✓ Its has signed up to green utilities for gas and electric where possible;
- ✓ Brought the grounds maintenance contract in house to enable the Council to procure greener vehicles and equipment, have better control over grass cutting and maintenance to better promote biodiversity on its land;
- ✓ Set aside funding for electric vehicles;
- ✓ Employed a full time Biodiversity and Green Spaces Officer who can focus on improving the biodiversity on Council land and in the lake;
- ✓ Created and maintain the Tiny Forest;
- ✓ Increased the number of allotments;
- ✓ Set aside funding for making its buildings more energy efficient;
- ✓ Involved with the LCWIP – Local Cycling and Walking Infrastructure Plan and 20 mph consultations.

There are Earmarked Reserves (EMR) which have been accumulated over several years:

Earmarked Reserve 366 – Climate/Biodiversity the balance of this EMR currently stands at £68,050 which is made up of £23,050 set aside for biodiversity and bank stabilisation works around the lake; and £45,000 for Climate initiatives and making the Council's building energy efficient.

The Operations Manager has commissioned EPC ratings for the Town Hall, Langdale Hall and Burwell Hall.

There is also an Earmarked Reserve 372 – Burwell Hall Heating System set aside £30,000 to replace the gas boiler which was discussed at the recent Halls, Cemeteries & Allotments Committee.

The Council has an Earmarked Reserve 370 – Electric Vehicles which currently stands at £29,200 but there is an electric van on order.

The RFO has provided a comprehensive Finance Report at a separate agenda item, and explains the two cost centres under direct control of this committee.

Other Budget Lines Under Indirect Control – for information

4066/402 – Replacement Trees:

It is Council policy that any trees which must be removed are replaced and therefore the necessary funding needs to be in place to fulfil its objective. A budget line of £8,000 has been set in 23/24.

4067/402 – Tree Survey:

The Council has a rolling programme of surveying its tree stock – which is a requirement for insurance purposes. Within the budget for 23/24 there is also provision for OSS-PO3 Draw up and adopt a comprehensive arboriculture plan.

OPEN SPACES STRATEGY ACTION PLAN

Appendix A provides an extract from the adopted OSS relating to this Committees responsibilities.

ENVIRONMENTAL IMPACT

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make about its facilities and services it operates.

RISK

In decision making Councillors should consider any risks to the Council and any action it can take to limit or negate its liability.

When considering its priorities, the committee should be mindful of all resources – financial as well as human resources – and the competing demands from other Committees. There needs to be a clear programme of works to ensure that the council is realistic in what it can achieve in the next 12 months. Failure to have a plan could result in wasted resources and undeliverable projects.

FINANCIAL IMPLICATIONS

The financial implications are detailed above.

RECOMMENDATIONS

Members are invited to note the report and consider the Committees objectives/priorities for the coming municipal year.

This page is intentionally left blank

PARKS & OPEN SPACES STRATEGY – ACTION PLAN AT AT 13TH JUNE 2023

Key Themes:

PO	Modernising and upgrading our parks and open spaces
SP	Improving and investing in our sporting provision
LP	Improving and investing in our leisure provision
IS	Improving and investing in our infrastructure provision
EE	Working in the most effective and efficient manner

Committees:

CBP	Climate, Biodiversity & Planning
HC&A	Halls, Cemeteries & Allotments
P&R	Parks & Recreation
PGF/PSC	Policy, Governance & Finance
SC	Stronger Communities

Reference	Action	Responsible Committee	Who Involved?	Commencement?	Completion?
CLIMATE, BIODIVERSITY & PLANNING COMMITTEE					
PO 3	Draw up and adopt a comprehensive arboriculture plan	CBP	WTC Staff, Tree Officer	Sep-21	Park Ranger reviewing Tree Policy. Inspection and maintenance programme already in place. ONGOING
PO 4	Identify and implement possible re-wilding areas	CBP	WTC Staff	Dec-21	Various areas identified, and will continue to expand on the success of other areas. ONGOING
LP 5	Prepare an improvement and upgrade plan for angling facilities at the Country Park and Lake	CBP	WTC Staff, Angling Club	Jan-22	Budgeted £5k for fishing platforms in 22/23 budget. Park Ranger started July 2023 working with the Angling club to make improvements- ONGOING
LP 4	Prepare and adopt a comprehensive management and improvement plan for the Country Park and Lake area	CBP	WTC Staff, Tree Officer, Natural England, Specialist Advisors	01/01/2023 (Revised Date)	New Park Ranger started July 2022. Target date now 09/2023
IS 8	Seek to work with partners to achieve a structured, integrated and fully connected footpath and cycle path network around the town.	CBP	WTC Staff, Partners	Apr-22	Consultee on the LCWIP lead by OCC https://letstalk.oxfordshire.gov.uk/witney-lcwip ONGOING

This page is intentionally left blank

CLIMATE, BIODIVERSITY AND PLANNING COMMITTEE

Date: Tuesday 13 June 2023

Title: Finance Report

Contact Officer: Responsible Financial Officer (RFO) – Nigel Warner

Should Members have any queries about this report advance notice would be appreciated, in writing, on this occasion by 4pm on Friday 9 June, to allow for a full response at the meeting.

BACKGROUND

Detailed income and expenditure statements for budgets which are the responsibility of this committee are enclosed; these are the management accounts for this committee. The period to which this report relates is 1 April 2022 to 31 March 2023.

COUNCIL COMMITTEE STRUCTURE, COST CENTRES, NOMINAL LEDGER CODES AND STRUCTURE OF THE FINANCIAL STATEMENTS

The Council has appointed five standing committees which have delegated powers to make decisions, including financial decisions, regarding the services which are included within their terms of reference, subject to the committee having the necessary budget. The Council's coding system and management accounts reflect the committee structure.

Council financial years run from 1 April to 31 March following. Consequently the Council is just over two months in to the 2023/24 year. For the first meeting of the Council year the management accounts presented to each Committee are those based on 2022/23 activity but also showing the 2023/24 budget. It is early in the new financial year so the 2023/24 income and expenditure does not yet yield much meaningful information but if there were significant variances against the agreed budgets these would be reported even at this early stage; yet there are no such variances for this committee for 2023/24.

Within each committee, there are individual cost centres, comprising three digits, typically representing a discrete service entity, to which income and expenditure is allocated against previously agreed revenue budgets.

For the Climate, Biodiversity and Planning Committee the following cost centres are in place:

Cost centre	Service
206	Witney Country Park
403	Planning

Within each cost centre income and expenditure is then allocated to a four-digit nominal ledger code; these codes are common across the cost centres. Nominal ledger codes further define the costs associated with the cost centre and correspond to a specific type of account, such as materials or staffing costs. Codes commencing with “1” are income codes; codes commencing with “4” are expenditure codes.

The report presented to Members has eleven columns, as follows and working from left to right:

1. Four-digit nominal ledger code.
2. Description of the nominal ledger code.
3. 2021-22 Budgeted income and expenditure (I&E).
4. 2021-22 Actual I&E.
5. 2022-23 Total – this is the original budget as agreed in January 2022.
6. 2022-23 Actual YTD – this is the actual I&E shown in the Council’s ledger.
7. 2022-23 Projected – this is the revised I&E projection made in November 2022 and approved by the Council in January 2023.
8. 2022-23 Committed – this column is not currently used within the financial year but if used would show committed I&E in the management accounts e.g. for an order for goods or services which has been issued but which has yet to be invoiced. However note that accruals are made in the financial accounts at year end.
9. 2023-24 Agreed shows the budgets set by the Council at its meeting in January 2023.
10. and 11. These two columns are not currently used but could be if the Council set aside budgets to fund services/ projects from 2024/25 onwards.

A report is submitted to every ordinary meeting of the standing committees and previous reports are available on the relevant committee section of the website.

CURRENT SITUATION

Overall the summary of the management accounts in relation to 2022/23 and 2023/24 are as follows:

	2022/23 Original budget (report column 5) £	2022/23 Projected estimate (report column 7) £	2022/23 Provisional outturn* (report column 6) £	2023/24 This year’s budget set in January 2023 (report column 9) £
Expenditure	110,063	99,859	93,502	126,550
Less income	(1,450)	(1,450)	(1,646)	(1,500)
Net expenditure	108,613	98,409	91,856	125,050

*Note that work in relation to the final accounts for 2022/23 is ongoing albeit substantially complete. This means the outturn figure shown in the summary table above is subject to some variation in relation to any additional accruals identified or earmarked reserve movements.

With regard to the summary table overall the Committee's services, based on provisional outturn were operated within the agreed original budget: expenditure at 85.0% of original budget of £110,063 and income at 113.5% of original budget of £1,450 resulting in net expenditure at 84.6% of the original £108,613 budget.

ENVIRONMENTAL IMPACT

The Council declared a Climate Change Emergency at its meeting on 26 June 2019; with this in mind Councillors should have due regard to the environmental impact of any decisions they make regarding the facilities and services it operates.

Officers are continually assessing the environmental impact of services and assets to ensure that where possible measures are taken to support the Council's climate declaration to achieve carbon neutrality by 2028. This extends to the procurement of goods and services.

RISK

In decision making Councillors should consider any risks to the Council and any action it can take to limit or negate its liability.

Members are reminded that collectively they are custodians of the public purse with most of the funding coming from the council taxpayers of Witney. Therefore, Officers ensure they get best value, value for money, and comply with the Council's Standing Orders, Financial Regulations and Procurement Policy.

FINANCIAL IMPLICATIONS

This report forms part of the Council's due diligence and a process in line with its Financial Regulations. The financial implications are detailed above and in the attached appendices.

RECOMMENDATION

Members are invited to note the report.

This page is intentionally left blank

Annual Budget - By Committee (Actual YTD Month 12)

Note: Management accounts 2022-23: Climate, Biodiversity and Planning Committee 13 June 2023

		<u>Last Year 2021-22</u>		<u>Current Year 2022-23</u>				<u>Next Year 2023-24</u>		
		Budget	Actual	Total	Actual YTD	Projected	Committed	Agreed	EMR	Carried Forward
<u>Climate, Biodiversity & Planni</u>										
<u>206</u>	<u>WITNEY COUNTRY PARK</u>									
1030	FISHING RIGHTS	1,400	1,200	1,450	700	1,450	0	1,500	0	0
1054	EASEMENTS/WAYLEAVES	0	1,500	0	0	0	0	0	0	0
1171	DONATIONS RECEIVED	0	0	0	946	0	0	0	0	0
Total Income		1,400	2,700	1,450	1,646	1,450	0	1,500	0	0
4001	SALARIES	17,217	0	27,852	19,573	21,429	0	32,410	0	0
4002	EMPLOYER'S NATIONAL INSURANCE	1,185	0	2,861	1,925	1,701	0	3,217	0	0
4003	EMPLOYER'S SUPERANNUATION	3,736	0	6,044	4,222	4,650	0	7,033	0	0
4007	PROTECTIVE CLOTHING	0	0	0	392	400	0	400	0	0
4026	BOOKS/PUBLICATIONS	20	0	20	39	100	0	100	0	0
4036	PROPERTY MAINTENANCE	100	34	100	548	500	0	500	0	0
4038	OTHER MAINTENANCE	0	0	0	188	0	0	0	0	0
4040	ARBORICULTURE	2,400	800	2,400	857	2,400	0	1,000	0	0
4042	EQUIPMENT	12,700	620	15,000	11,803	15,000	0	15,000	0	0
4059	OTHER PROF FEES	0	750	1,000	0	1,000	0	1,000	0	0
4064	HEALTH & SAFETY	0	558	1,500	639	1,500	0	1,000	0	0
4099	MISCELLANEOUS	0	0	0	788	0	0	0	0	0
4491	TRANSFER TO EARMARKED RESERVES	0	20,120	0	5,000	0	0	0	0	0
4495	TRANSFER FROM EARMARKED RES	-1,600	-1,600	-4,100	-4,100	-4,100	0	0	0	0
4888	WORKS STAFF SALARY RECHARGE	19,481	14,799	18,707	12,306	6,622	0	0	0	0
4890	WORKS STAFF OVERHEAD RECHARGE	3,517	3,206	3,817	4,228	1,639	0	0	0	0
4891	AGENCY SERVICES RECHARGE	6,151	6,617	3,161	3,161	3,161	0	0	0	0

Continued on next page

Annual Budget - By Committee (Actual YTD Month 12)

Note: Management accounts 2022-23: Climate, Biodiversity and Planning Committee 13 June 2023

		<u>Last Year 2021-22</u>		<u>Current Year 2022-23</u>				<u>Next Year 2023-24</u>		
		Budget	Actual	Total	Actual YTD	Projected	Committed	Agreed	EMR	Carried Forward
4892	CENTRAL SUPPORT STAFF RCHG	1,448	1,763	2,068	1,732	1,838	0	2,246	0	0
4893	CENTRAL SUPPORT OVERHEAD RCHG	0	509	574	567	519	0	647	0	0
4894	GROUNDST STAFF RECHARGE	0	0	0	399	472	0	1,683	0	0
4895	GROUNDST O'HEAD RECHARGE	0	0	0	207	291	0	622	0	0
4896	MAINTENANCE STAFF RECHARGE	0	0	0	3,232	12,463	0	23,179	0	0
4897	MAINTENANCE OVERHEAD RECHARGE	0	0	0	509	1,042	0	2,269	0	0
4899	DEPOT REALLOCATION	0	0	0	0	1,309	0	2,422	0	0
Overhead Expenditure		<u>66,355</u>	<u>48,177</u>	<u>81,004</u>	<u>68,216</u>	<u>73,936</u>	<u>0</u>	<u>94,728</u>	<u>0</u>	<u>0</u>
Movement to/(from) Gen Reserve		<u>(64,955)</u>	<u>(45,477)</u>	<u>(79,554)</u>	<u>(66,570)</u>	<u>(72,486)</u>		<u>(93,228)</u>		
403	<u>PLANNING</u>									
4892	CENTRAL SUPPORT STAFF RCHG	19,948	19,392	22,747	19,054	20,221	0	24,705	0	0
4893	CENTRAL SUPPORT OVERHEAD RCHG	0	5,600	6,312	6,232	5,702	0	7,117	0	0
Overhead Expenditure		<u>19,948</u>	<u>24,992</u>	<u>29,059</u>	<u>25,286</u>	<u>25,923</u>	<u>0</u>	<u>31,822</u>	<u>0</u>	<u>0</u>
Movement to/(from) Gen Reserve		<u>(19,948)</u>	<u>(24,992)</u>	<u>(29,059)</u>	<u>(25,286)</u>	<u>(25,923)</u>		<u>(31,822)</u>		
Climate, Biodiversity & Planni - Income		1,400	2,700	1,450	1,646	1,450	0	1,500	0	0
Expenditure		86,303	73,169	110,063	93,502	99,859	0	126,550	0	0
Movement to/(from) Gen Reserve		<u>(84,903)</u>	<u>(70,469)</u>	<u>(108,613)</u>	<u>(91,856)</u>	<u>(98,409)</u>		<u>(125,050)</u>		
Total Budget Income		1,400	2,700	1,450	1,646	1,450	0	1,500	0	0
Expenditure		86,303	73,169	110,063	93,502	99,859	0	126,550	0	0
Movement to/(from) Gen Reserve		<u>(84,903)</u>	<u>(70,469)</u>	<u>(108,613)</u>	<u>(91,856)</u>	<u>(98,409)</u>		<u>(125,050)</u>		

8

-
- 8.1 **WTC/088/23** Plot Ref :- 23/01237/FUL Type :- FULL
 Applicant Name :- . Date Received :- 31/05/2023
 Parish :- WEST Date Returned :-
 Location :- 355C THORNEY LEYS Agent
 THORNEY LEYS
 Proposals :- Installation of security roller shutters to front elevation.
 Observations :-
-
- 8.2 **WTC/089/23** Plot Ref :- 23/01156/HHD Type :- HOUSEHOL
 Applicant Name :- . Date Received :- 31/05/2023
 Parish :- SOUTH Date Returned :-
 Location :- 8 HOLFORD ROAD Agent
 HOLFORD ROAD
 Proposals :- Proposed single storey rear wrap around extension.
 Observations :-
-
- 8.3 **WTC/090/23** Plot Ref :- 23/01203/RES Type :- RESERVED
 Applicant Name :- . Date Received :- 31/05/2023
 Parish :- WEST Date Returned :-
 Location :- LAND EAST OF Agent
 ISABELLE SPENCER
 WAY
 Proposals :- Reserved matters approval for local centre and associated
 infrastructure pursuant to outline permission 12/0084/P/OP.
 Observations :-
-
- 8.4 **WTC/091/23** Plot Ref :- 23/01206/FUL Type :- FULL
 Applicant Name :- . Date Received :- 31/05/2023
 Parish :- WEST Date Returned :-
 Location :- LAND WEST OF WITNEY Agent
 NORTH OF A40,
 EAST OF DOWNS RD
 CURBRIDGE
 Proposals :- Erection of seventy four dwellings and associated infrastructure.
 Observations :-
-

8 . 5	WTC/092/23	Plot Ref :- 23/01086/HHD	Type :- HOUSEHOL
	Applicant Name :- .	Date Received :- 31/05/2023	
	Parish :- NORTH	Date Returned :-	
	Location :- 191 FARMERS CLOSE	Agent	
	FARMERS CLOSE		
	Proposals :-	Erection of single storey side and rear extensions.	
	Observations :-		
8 . 6	WTC/093/23	Plot Ref :- 23/01390/HHD	Type :- HOUSEHOL
	Applicant Name :- .	Date Received :- 31/05/2023	
	Parish :- SOUTH	Date Returned :-	
	Location :- 33 BLENHEIM DRIVE	Agent	
	BLENHEIM DRIVE		
	Proposals :-	Erection of single storey side and rear extensions (previously approved 23/00018/HHD).	
	Observations :-		
8 . 7	WTC/094/23	Plot Ref :- 23/01362/FUL	Type :- FULL
	Applicant Name :- .	Date Received :- 02/06/2023	
	Parish :- SOUTH	Date Returned :-	
	Location :- BEEKEEPERS	Agent	
	18 - 22 MARKET		
	SQUARE		
	Proposals :-	Installation of new external TV and supporting framework to rear garden.	
	Observations :-		
8 . 8	WTC/095/23	Plot Ref :- 23/00997/HHD	Type :- HOUSEHOL
	Applicant Name :- .	Date Received :- 02/06/2023	
	Parish :- CENTRAL	Date Returned :-	
	Location :- 43 WOODPECKER WAY	Agent	
	WOODPECKER WAY		
	Proposals :-	Erection of an orangery to rear of dwelling and construction of a summer house added to detached garage.	
	Observations :-		
8 . 9	WTC/096/23	Plot Ref :- 23/01202/RES	Type :- RESERVED
	Applicant Name :- .	Date Received :- 02/06/2023	
	Parish :- WEST	Date Returned :-	
	Location :- LAND WEST OF WITNEY	Agent	
	NORTH OF A40		
	EAST OF DOWNS ROAD		
	Proposals :-	Reserved matters application for a sports pavilion and associated infrastructure.	
	Observations :-		

Minute Ref 9

Tue 13 June 2023

District Ref

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

Page No : 1

GRANTED PLANNING PERMISSIONS

E WTC/009/23	Approved	42 THE CROFTS
E WTC/013/23	Approved	PRIORY HOUSE
E WTC/014/23	Approved	PRIORY HOUSE
C WTC/017/23 District COMMENT	Approved	THE ANNEXE, 124 CORN STREET Local COMMENT Witney Town Council object to this application. The annexe, if made a separate dwelling, does not comprise sufficient amenity space for an acceptable level of quality of living.
E WTC/030/23	Approved	ABBOTT DIABETES CARE
E WTC/031/23	Approved	70 HIGH STREET
E WTC/032/23	Approved	UNIT 4 MILLBUCK IND EST
E WTC/033/23	Approved	35 - 37 WOODGREEN
E WTC/035/23	Approved	19 TOWER HILL
E WTC/036/23	Approved	18 PAINSWICK CLOSE
C WTC/039/23 District COMMENT 1 The use hereby permitted shall be for a limited period of 1 year from the date of this notice. REASON: The use is only justified in the light of the special circumstances of the case. 2 That the development be carried out in accordance with the approved plans listed below. REASON: For the avoidance of doubt as to what is permitted. 3 The personal training/gym use shall only be operated for commercial purposes by the occupants of 90 Raleigh Crescent, Witney, OX28 5F and shall not be operated by third party or commercial enterprises. REASON: The application is approved on the particular circumstances of the case and to be used other than its approved use will require further assessment with regards to amenity and parking. 4 The premises shall not be open for clients outside the hours of: Monday and Friday 07:00-18:00; Tuesday, Wednesday, Thursday 10:00 to 20:00; Saturday 08:00-17:00 The premises shall not open for clients on Sundays or Bank Holidays. A schedule of appointments shall be kept and made available to the Local Planning Authority on request.	Approved with Conditions	90 RALEGH CRESCENT Local COMMENT Witney Town Council object to this application. The scale of the operation is inappropriate in this residential area. The associated issues of noise disturbance, light disturbance, excessive vehicle movements and parking are detrimental to residents of neighbouring properties. Policy OS2 requires that development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. Further, Policy OS4 requires that development not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties.

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

Page No : 2

GRANTED PLANNING PERMISSIONS

REASON: Control is required in the interests of protecting neighbouring amenity.

5 The premises shall not be open for clients for more than 35 hours per week. A schedule of appointments shall be kept and made available to the Local Planning Authority on request.

REASON: Control is required in the interests of protecting neighbouring amenity.

6 No more than 8 clients will be received per day, no more than 3 clients will be received in any one session and all clients shall be by appointment only.

REASON: Control is required in the interests of protecting neighbouring amenity.

7 The use hereby permitted shall be limited to the area outlined in green shown on submitted drawing 1620_203p01 (Plan and elevations).

REASON: For the avoidance of doubt as to what is permitted.

8 A noise management plan shall be submitted to the Local Planning Authority for approval within 3 months of the date of this permission. The approved noise management plan shall be implemented in full and shall be adhered to in perpetuity.

REASON: Control is required in the interests of protecting neighbouring amenity.

C WTC/040/23

Approved

District COMMENT Officers consider that the proposed increase in opening hours to be reasonable given the town centre location of the venue. It is recognised that the proposed change in opening hours is likely to prolong the noise omitted from the premises which may be heard by the neighbouring residential properties. However, given the modest increase in the hours proposed, the mitigation measures which are to be included within the condition and that town centres do have higher associated noise levels, officers do not consider that the proposed development would give rise to levels of harm in terms of neighbouring amenity issues, such as noise and disturbance, which would warrant the refusal of this application.

Officers also note that no objection was received from the Noise and Amenities Officer. The Noise and Amenities Officer did request a condition relating to the occupancy of the residential property directly above the site however, this cannot be applied to the consent of this application as the residential property does not fall within the planning unit of this application. The WODC Noise and Amenities Officer did however confirm that even without the occupancy condition suggested, they would have no objections to the proposed increase in opening hours.

8 MARKET SQUARE

Local COMMENT Witney Town Council object to this application for variation of Condition 3 of permission 22/02411/FUL to extend the opening hours. Whilst the consultee comments from ERS are creative they don't alleviate noise and disturbance issues for nearby residential properties. Members are concerned that it is too soon since the premises first opened for the impacts to have been measured, and that the development become better established before extended opening hours be given consideration.

E WTC/041/23

Approved

PRIORY HOUSE

NOTIFICATIONS OF PLANNING DECISIONS FROM West Oxfordshire District Council

Minute Ref 9

Tue 13 June 2023

District Ref

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

Page No : 3

GRANTED PLANNING PERMISSIONS

E WTC/042/23	Approved	PRIORY HOUSE
E WTC/043/23	Approved	THE ANNEXE, 124 CORN STREET
E WTC/044/23	Approved	38 WINFIELD DRIVE
E WTC/045/23	Approved	3 BRIDGE STREET
E WTC/046/23	Approved	35 - 37 WOODGREEN
E WTC/047/23	Approved	70 HIGH STREET
E WTC/048/23	Approved	71 BURFORD ROAD
E WTC/049/23	Approved	34 TOWNSEND ROAD
E WTC/050/23	Approved	107 BURFORD ROAD
E WTC/051/23	Approved	104 BARRINGTON CLOSE
E WTC/053/23	Approved	7 SPRING MEADOW
E WTC/057/23	Approved	1 ST MARYS COURT
E WTC/058/23	Approved	111 MANOR ROAD
E WTC/060/23	Approved	13 WESSEX COURT
E WTC/061/23	Approved	20 WESTCOTE CLOSE
C WTC/062/23	Approved	18 TAPHOUSE AVENUE
District COMMENT The proposed extension is relatively modest and whilst is the first in the locality of a full front extension, it has been considered that it would not obscure the host dwelling nor appear incongruous in this location. It has also been addressed that there would be no additional highways harms as a result of the front extension. In addition, it has been considered that any neighbouring amenity harms would not be detrimental nor warrant a refusal reason.		Local COMMENT Witney Town Council object to this application. The proposed extended frontage is not in keeping with neighbouring properties and will appear incongruous in the streetscene. The proposed development will leave insufficient space for parking, with the potential that vehicles will be encroaching on the available public space, including the footpath. The application does not comply with the General Principles of policy OS2 of the West Oxfordshire Local Plan 2031 - the proposed development does not form a logical complement to the existing scale and pattern of development.
E WTC/063/23	Approved	55 CORN STREET

NOTIFICATIONS OF PLANNING DECISIONS FROM West Oxfordshire District Council

Minute Ref 9

Tue 13 June 2023

District Ref

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

Page No : 4

GRANTED PLANNING PERMISSIONS

E WTC/064/23	Approved	34 ORCHARD WAY
E WTC/065/23	Approved	55 CORN STREET
E WTC/067/23	Approved	26 HAZEL CLOSE
E WTC/068/23	Approved	69 STOW AVENUE
E WTC/069/23	Approved	26 FAIRFIELD DRIVE
E WTC/070/23	Approved	10 TETBURY DRIVE
E WTC/073/23	Approved	7 LIME WALK

REFUSED PLANNING PERMISSIONS

C WTC/022/23 Refused
District COMMENT 1. The application conflicts with Policy

LAND SOUTH EAST OF OXFORD HILL
Local COMMENT Witney Town Council have reviewed the latest documents for this proposed development and acknowledge the amendments, including revisions to building heights and Biodiversity Net Gain. Further to previous consultee comments from this Council, we make the following additional observations:

Members note the increase in Biodiversity Net Gain, however, a more ambitious approach is encouraged for this site, where there is much opportunity.

Members discussed the importance and value of many mature trees on the site. It is the opinion of the Climate, Biodiversity & Planning Committee that these trees are irreplaceable. Members request that should consent be granted, a suitable planning condition is included to ensure that these trees are given adequate root protection during and after construction, and that root protection areas are identified on site by physical barriers for the duration of construction works.

Although already raised in previous comments, Witney Town Council wishes to express the importance of a commitment from Thames Water ahead of any consent being granted. The Town Council has little confidence in the capacity provided by the local water and sewerage company, and ask for reassurances that drainage and sewerage infrastructure for Witney as a whole will be able to absorb the increased capacity required from this proposed major development.

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

Page No : 5

WIT1 (part b) in that it does not propose a comprehensive development which is led by an agreed masterplan.

2 The proposed development fails to demonstrate that the proposed development can be satisfactorily accommodated on the site without significant landscape harm given the proposed building heights, land uses, densities and its sensitive elevated landform. This would be to the detriment of the surrounding rural landscape and the setting of Witney. The views of St Mary's Church would also be negatively impacted up on by the proposed development. The proposal fails to demonstrate a high quality design and development that would be sustainable and that would provide an integrated community that would form a positive addition to Witney in conflict with Policies OS2, OS4, EH2, EH5, EH9, EH11 and EH13 of the West Oxfordshire Local Plan to 2031, the West Oxfordshire Design Guide, relevant paragraphs of the NPPF and the National Design Guide.

3. The proposed development fails to provide sufficient information with regards to demonstrating a measurable biodiversity net gain and the proposed contribution towards local landscape projects is inadequate. The development proposals therefore do not comply with the requirements of Local Plan Policies, EH2, EH3, EH4, WIT1 and WIT6, and relevant paragraphs of the NPPF.

4. The applicant has not entered into a legal agreement or agreements to secure the provision of affordable housing; or contributions to sport and leisure; public transport; highways improvement schemes/connections; education; waste; biodiversity net gain or the Lower Windrush Valley Project. The proposal conflicts with West Oxfordshire Local Plan 2031 Policies H3, EH3, EH4, EH5, T1, T2, T3 and OS5.

Members ask that as far as possible, the developer puts in place the pedestrian and cycle path connections in the earliest phase of development, rather than on its completion.

Finally, Members wanted to reiterate their disappointment in the loss of the Community Hub and ask that all options for this continue to be explored.

C WTC/037/23

Refused

District COMMENT The proposed one and half storey rear extension, by reason of its siting, scale, form and design fails to preserve the character and appearance of the host dwelling or the pattern of development within the locality. As such, the proposed development will appear as an incongruous addition to the detriment of the visual character and appearance of the property. The proposal is considered contrary to Policies OS2 and OS4 of the adopted West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide.

52 BURFORD ROAD

Local COMMENT 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.

C WTC/052/23

Refused

District COMMENT 1. The proposed first floor and two storey extension, by reason of their siting, scale, form and design fails to preserve the character and appearance of the host dwelling or the pattern of development within the locality. As such, the proposed development will appear as an incongruous addition to the detriment of the visual character and appearance of the area. The proposal is considered contrary to Policies OS2, OS4 and H6 of the adopted West Oxfordshire Local Plan 2031, the relevant paragraphs of the

180 FARMERS CLOSE

Local COMMENT While Witney Town Council does not object to this application, members ask that the proposed development does not have detrimental impact on the amenity of the neighbouring property.

NOTIFICATIONS OF PLANNING DECISIONS FROM West Oxfordshire District Council

Minute Ref 9

Tue 13 June 2023

District Ref

' C ' Contrary to District 'CD' Contrary Delegated

Page No : 6

' D ' Delegated

' E ' Endorsed by District 'ED' Endorsed Delegated

REFUSED PLANNING PERMISSIONS

NPPF and the West Oxfordshire Design Guide.

2. The proposed development, by reason of its scale, design and siting in close proximity to the adjoining neighbour no. 181 Farmers Close would give rise to unacceptable levels of harm in terms of overbearing impact, to the detriment of the amenity of the neighbouring property. As such, the proposal is considered contrary to Policies OS2 and H6 of the adopted West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF.

C WTC/055/23

Refused

District COMMENT Insufficient information has been submitted to demonstrate that the need for the proposed development would outweigh the potential harm to the significance of this listed building and Conservation Area. The less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits, and the potential harm which would result from the development is not justified. As such the proposal is contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies OS2, OS4, EH9, EH10 and EH11 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016 and the relevant paragraphs of the NPPF.

74 WEST END

Local COMMENT Witney Town Council has no objections regarding this application.

C WTC/056/23

Refused

District COMMENT Insufficient information has been submitted to demonstrate that the need for the proposed development would outweigh the potential harm to the significance of this listed building. As such the proposal is contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and heritage aims of Policies OS2, OS4, EH9 and EH11 of the adopted West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF.

74 WEST END

Local COMMENT Witney Town Council has no objections regarding this application.

C WTC/059/23

Refused

District COMMENT By reason of the design, massing and scale the erection of a proposed single storey side extension, is considered an incongruous addition to the host dwelling as it is not of a sympathetic scale or form. In addition, the proposed works would result in an over dominating addition to the host dwelling and significantly alters the character of the modest 1 bedroom dwellinghouse. The extension will also have a negative impact on the character and appearance of the locality and will result in harm. The proposal is considered contrary to Policies OS2, OS4 and H6 of the adopted West Oxfordshire Local Plan, the West Oxfordshire Design Guide, the National Design Guide and the relevant paragraphs of the NPPF.

2A SPRINGFIELD PARK

Local COMMENT Witney Town Council are pleased to note that soakaways for sustainable drainage are to be incorporated in this development . Witney Town Council have no objections to this application.

OTHER PLANNING DETAILS

WTC/113/22

Withdrawn

COGGES MANOR FARM

Appeal Decision

Site visit made on 22 May 2023

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2023

Appeal Ref: APP/D3125/W/22/3293742

141 Queen Emmas Dyke, Witney OX28 4DT

- 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 Dr Jianning Liang against the decision of West Oxfordshire District Council.
- The application Ref 21/02618/FUL, dated 27 July 2021, was refused by notice dated 24 November 2021.
- The development proposed is construction of 2 No two-bedroom houses.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide satisfactory living conditions for future occupants, with particular regard to the provision of outdoor garden space for Unit 2.

Reasons

Character and appearance

3. The appeal site is located within an estate of mixed housing types comprising detached, semi-detached as well as bungalows and two-storey properties. The appeal site itself occupies a prominent corner where the road extends into a limb of the cul-de-sac on which it is located. It has a wide side garden in addition to its rear garden, enclosed by a dense hedge. On the opposite corner, 125 Queen Emmas Dyke, which faces towards the side of the appeal site, is also set in from the corner behind an area of open grass and vegetation. This set in from the highway contributes to the open character of the junction. Generally around the estate, properties are set back from the street behind front driveways and gardens which contributes to the spacious character and local distinctiveness of the area.
4. The appeal property has an extant permission for a single dwelling. The proposal is for a pair of semi-detached properties, designed to be similar to the host property. The proposed houses themselves would not be uncharacteristic in terms of size and design. However, due to the limited size of the plot, they

would appear unduly cramped within the plot, with Unit 2 appearing particularly close to the pavement.

5. There are examples of properties within the locality that do abut the pavement. However, the appeal scheme differs from these in that the pavement would sweep around Unit 2, close to its rear elevation, emphasising the limited garden size. In the context of the appeal site, the provision of two dwellings in this limited plot would appear out of scale. This would be at odds with the spacious character of the surrounding area. It would also result in some enclosure of the street and loss of the open character at this junction.
6. Whilst the overall design is not uncharacteristic of other properties, the front doors would be set within the side of a front porch rather than facing the street as is common throughout the area. The reasons for this relate to privacy for the adjoining occupants as well as to address a concern from highways officers in respect of space at the front of the property where off-street parking is proposed. However, this would be at odds with surrounding development and even though a window is proposed to the front elevation of the proposed dwellings, their appearance would be inconsistent, highlighting the cramped nature of the proposal.
7. My attention has been drawn to some bungalows with front doors within their side elevations. However, properties in a similar style to the proposed semi-detached houses have front doors which face towards the street. I also recognise that within the wider estate there are examples of different porches. However, within the examples submitted, I observe that the doors nonetheless face the street. These do not therefore lead me to a different conclusion about the acceptability of the appeal proposal.
8. I conclude that the proposed development would harm the character and appearance of the area. It would therefore conflict with Policies OS2 and OS4 of the West Oxfordshire Local Plan 2031 (the Local Plan) and the National Planning Policy Framework (the Framework). Together these require a high quality of design, development to contribute to local distinctiveness and maintain a strong sense of place, to be proportionate and appropriate in scale and to not involve the loss of any features that make an important contribution to the character and appearance of the area. It would also not comply with the guidance set out within the West Oxfordshire Design Guide 2016 (WODG) and the National Design Guide (NDG) which together set out the requirements for a high quality of design that respects local character, taking into account local context.
9. I have found no specific conflict with Policy H2 of the Local Plan which relates to the delivery and distribution of new homes.

Living conditions

10. Unit 2 would have a rear private garden space of around 50 square metres. This would not be unduly small for a small two-bedroom property as proposed here. However, the garden would be awkwardly shaped, tapering at the rear. Its western boundary would abut the public highway where it would be enclosed by the existing tall hedge in order to provide future occupants with a suitable degree of privacy.

11. Due to its triangular shape, its relationship with the dwelling and the existing hedge, the garden space would feel very enclosed. Furthermore, its irregular shape would reduce the amount of useable space, making it feel cramped. As such, it would not provide a spacious area for sitting out in private, performing a range of outdoor household functions or pursuing domestic leisure activities. It would therefore not provide satisfactory garden space for future occupants.
12. I appreciate that not all occupants would be seeking a large garden. However, for the reasons I have set out, the proposed space would not be suitable for other reasons than its size alone.
13. I conclude that the proposed development would not provide satisfactory living conditions for future occupants. It would therefore conflict with Policy OS4 of the Local Plan which seeks a high quality of design. It would also conflict with the Framework which requires a high standard of amenity for future users. In addition, it would not accord with the guidance set out in the WODG and NDG, which together require consideration to be given to the quality and shape of outside amenity space.

Other Matter

14. The Council can demonstrate a five year supply of deliverable housing land. This has not been challenged by the appellant. The provisions of paragraph 11 d) ii) of the Framework in respect of the tilted balance would not therefore apply. Nevertheless, the provision of two additional market dwellings would be a benefit of the scheme. However, the small scale of the proposal means I can only attribute limited weight to this.

Conclusion

15. The proposed development would be contrary to the development plan and there are no material considerations that outweigh this conflict. Consequently, with reference to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be dismissed.

Rachael Pipkin

INSPECTOR

This page is intentionally left blank

Appeal Decision

Hearing Held on 17 May 2023

Site visit made on 17 May 2023

by Mr Cullum Parker BA(Hons) PGCert MA FRGS MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 May 2023

Appeal Ref: APP/D3125/W/22/3307358

Land at Colwell Green, Witney

Easting 432483 Northing 210231

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Crest Nicholson Operations Ltd against the decision of West Oxfordshire District Council.
- The application Ref 21/03342/OUT, dated 23 September 2021, was refused by notice dated 29 March 2022.
- The development proposed is described as *Outline planning application for a residential development comprising up to 75 dwellings (with up to 40% affordable housing provision) and public open space. All matters reserved.*

Decision

1. The appeal is allowed and planning permission is granted for outline planning application for a residential development comprising up to 75 dwellings (with up to 40% affordable housing provision) and public open space. All matters reserved at Land at Colwell Green, Witney in accordance with the terms of the application, Ref 21/03342/OUT, dated 23 September 2021, subject to the conditions set out in the Schedule of Conditions at the end of this document.

Procedural Matter

2. The appeal has been submitted in outline with access, appearance, landscaping, layout and scale for consideration at a later stage. I have proceeded on the basis that the illustrative plan only shows how the site could be developed and accommodate up to 75 dwellings, rather than how it will necessarily be developed.

Main Issues

3. The main issues are:
 - (i) Whether or not the proposed residential development would conflict with the adopted development plan which seeks to provide specific land for employment land, and;
 - (ii) The applicability of the presumption in favour of sustainable development in light of deliverable housing land supply locally, and;
 - (iii) Whether or not the proposal would make adequate provision for local infrastructure.

Reasons

Employment land

4. The appeal site is around 3.098 hectares in size. The site is situated to the rear (northwest) of the development of Colwell Green, which is subject to ongoing construction to deliver residential development, and lies on the western side of Witney, Oxfordshire. It is situated to the west of Downs Road. The site itself comprises an area of ground cleared and utilised for earth storage as part of the construction process associated with residential development being undertaken immediately to the south.
5. The main parties¹ agree that the site is undeveloped but effectively forms part of the built-up area of Witney. This is because development has been previously approved, has been largely delivered to the south of the site and the site is bounded on three sides by development. They also agree that the site is vacant and not within an existing employment use. As such, the site does not generate current employment in the form of jobs. Having visited the site and its surrounds I concur with this assessment.
6. Policy E1 of the *West Oxfordshire Local Plan 2031 – adopted September 2018* (LP) sets out that:

'Employment Development Land and Employment Sites are those which include predominantly office-based, industrial or storage and distribution activities (B class uses) or related sui generis uses. Including existing commitments, the following Employment Development Land provision is identified to meet employment needs: Witney Sub-Area – 18ha to the West of Witney including 10ha to be provided as part of the West Witney (North Curbridge) urban extension and 8ha within the existing employment area around Downs Road through existing commitments and previous Local Plan Allocations...'
7. Paragraphs 9.2.60-9.2.65, on page 160 of the LP, details that the *'Witney sub-area plays an important role in terms of the West Oxfordshire economy'* and that *'there is around 8 hectares of existing business land'* and *'an additional 10 hectares of new business floorspace will be provided as part of the committed urban extension at West Witney (north Curbridge).'* Figure 9.2h: *Witney Sub-Area Strategy (inset map)* on page 166 of the LP expresses this in plan form. The appeal site does not lie within with the Main existing employment area, nor does it lie within the Committed development area identified on this plan. In answering my questions, the main parties agreed this at the Hearing.
8. I acknowledge that the Council granted outline planning permission (ref 16/01540/OUT) for *'an employment area of up to a maximum of 3,720 sq metres B1(a) offices; a hotel (up to 62 bed); up to a maximum of 257 homes together with public open spaces; landscaping, new access to Downs Road and other associated works'*. As a large part of this permission has been implemented (albeit the residential element only), the local planning authority considers that this means the appeal site has an 'allocated' and 'approved purpose'.

¹ See Agreed and signed Statement of Common Ground (SOCG), dated 3 May 2023

9. At the Hearing, the Council suggested that this meant that the appeal site was a '*de facto employment land site*'. I was not directed to any specific policy provision whereby sites achieve this undefined status through the grant of permission. Indeed, the Council acknowledged that the grant of permission for any different use would, in effect, trump the 2017 permission. The Council also agreed that the 2017 approval had 'lapsed' in terms of the three years in which details relating to reserved matters for the employment use needed to be submitted within. I do not, therefore, find that an earlier permission for the site (and land adjacent) granted back in 2017 provides some form of '*de facto employment land site*' allocation.
10. Put simply, Policy E1 is a policy related to the provision of new employment land (as allocated or identified within the plan such as shown at Figure 9.2h) or existing employment sites. The appeal site is neither. Accordingly, the policy is of extremely limited relevance in this case. Furthermore, in any application of the policy in relation to the proposal, it is clear that the proposal would not conflict with Policy E1 of the LP.
11. I also note that the main parties agree that, in relation to the first main issue, the proposal would accord with Policies OS2, H1, H2 and WIT6 of the LP. Put simply, these are policies that allow for new dwellings at the Main Service Centres on land within the built-up area and general principles for development being supported by infrastructure². I see no reason to disagree with this agreed position of the main parties.
12. My attention has been drawn to Paragraphs 81 to 83 of the *National Planning Policy Framework* (the Framework), which relate to building a strong and competitive economy. Whilst the Framework post-dates the adoption of the LP, it is clear that Policy E1 of the LP reflects the broad aims of these paragraphs by allocating specific land for employment. As considered above, Policy E1 is of very limited relevance in this case and the proposal would not conflict with it. Moreover, the proposal, which seeks up to 75 dwellings and public open space, would support economic growth through direct and indirect jobs and investment in Witney. I therefore find that the proposal would be in accordance with the aims of Paragraphs 81 to 83 of the Framework.
13. Accordingly, I find that the proposed residential development would not conflict with the adopted development plan which seeks to provide specific land for employment land.

Applicability of the 'Presumption in favour of sustainable development'

14. I acknowledge the position of the main parties in that the Council is unable to demonstrate a deliverable five-year housing land supply³. At the Hearing the local planning authority confirmed verbally that its most recent position is that it considers itself to have a deliverable supply of 3.55 years.
15. To the contrary, the Appellant's written evidence sets out that there is only 2.6 years of deliverable supply. This latter figure is not dissimilar to that found in appeal decision ref 3301202 from January 2023 provided in the Council's appendices and referred to in the SOCG at Paragraph 8.14. This indicates that the position was '*closer to a 2.5 year land supply*' in that case.

² Agreed SOCG, paragraph 8.9

³ SOCG, paragraph 8.14

16. Based upon the evidence before me, I consider that a position of around 2.6 years, as suggested by the Appellant, is appropriate in this instance. Consequently, the provision of housing in this respect is afforded significant weight in favour of the proposal.
17. My attention has been drawn to the presumption in favour of sustainable development set out in Paragraph 11 of the Framework. Whilst I have found that the proposal would accord with the development plan, the above local housing land supply position means that the proposal falls to be considered under Paragraphs 11)d)i) and ii) as supported by footnotes 7 and 8 of the Framework.
18. In this case, there are no policies in the Framework that protect areas or assets of particular importance that provides a clear reason for refusing the development proposed. Moreover, there are no adverse impacts that would significantly or demonstrably outweigh the multiple benefits arising from the proposal, including but not limited to the delivery of up to 75 new dwelling in an area where there is currently a shortfall in deliverable five-year housing land supply, when assessed against the Framework as a whole. The presumption in favour of sustainable development weighs in favour of the proposal.

Infrastructure and planning obligations

19. Policy OS5 of the LP sets out that the Council will require new development to deliver or contribute towards the timely provision of essential supporting infrastructure either as directly part of the development, or through an appropriate financial contribution. Policy EH5 of the LP sets out that new development will be expected to provide or contribute towards the provision of necessary improvements in open space, sports and recreational buildings and land.
20. A signed and dated (17 May 2023) Planning Obligation Deed under s106 of the TCPA securing planning obligations has been submitted. Put simply, this would secure monies or land for; a monitoring fee, an Active Travel Contribution, Primary and Nursery Education, Public Transport Services, Secondary Education, Street Lighting, Waste Management, Curbridge Parish Council, Sports Facilities, Local Area of Play, Local Equipped Area of Play, Public Open Space, and a Management Company for Public Open Space. It would also secure affordable housing which Policy H3 of the LP seeks. This would be a policy-compliant level of affordable housing (of at least 40%)⁴.
21. Justification for the above is provided within the Local Planning Authority's evidence before the Hearing and Oxfordshire County Council's *Regulation 122 Compliance Statement* dated 31 March 2023. These include setting out why the contributions sought are considered necessary, directly related to the development, and are fairly and reasonably related in scale and kind to the development. Neither main party takes issue with the monies sought or what they would be provided for.
22. I find that all of the contributions sought would meet the tests set out in Paragraph 57 of the Framework and as set out in Regulation 122(2) of the *Community Infrastructure Levy Regulations 2010*. They should therefore be taken into account in the decision.

⁴ SOCG, paragraph 8.34

23. In particular, the provision of at least 40% affordable homes on the appeal site should be afforded significant weight in any planning balance. This is especially pertinent here, as the Council's figures put before the Hearing suggest there are over 1800 applicants registered or seeking affordable dwellings within this district under the Council's Homeseeker+ system⁵.

Other Matters

24. I note the comments made by interested parties. Concerns have been raised over the highway and footpath between Wheatfield Drive and Curbridge Park Road on Downs Road which narrows for a short stretch. However, this is outside of the appeal site, and it is not within the direct scope of the appellant to widen this part of the public highway. Moreover, contributions have been sought through planning obligations which would address matters such as active transport, public transport services and street lighting.
25. Comments over the sale of the land and/or its use in association with businesses located on Curbridge Park Road have been made. However, these are private matters between the parties involved and beyond my remit which is to consider the planning merits and issues arising from the appeal scheme.
26. Taking in account these and all other comments about the proposed development, I do not find that, whether individually or cumulatively these provide justification for the dismissal of the appeal scheme.

Conditions

27. A list of suggested conditions agreed between the main parties was submitted the day prior to the Hearing. In considering these, and any other conditions, I have taken into account Paragraph 56 of the Framework and guidance provided in the national *Planning Practice Guidance* and the use of planning conditions. The Appellant confirmed verbally at the Hearing (and subsequently, as agreed at the Hearing, in writing), that the use of the pre-commencement conditions suggested are accepted.
28. Conditions requiring the submission of reserved matters, their details and general accordance with the illustrative masterplan, are necessary to provide certainty. A condition relating to superfast broadband will ensure improved connectivity for occupiers and accord with the aims of Policy OS2 of the LP which seeks such connections.
29. Conditions relating to the provision of bird and bat boxes, retaining trees and hedges on the land, details of works to protect and enhance the ecology and biodiversity of the site, and provision of biodiversity net gain are necessary and relevant to planning in order to enhance biodiversity and positively contribute to the character of the area.
30. A condition requiring site investigations in terms of contaminated land and any remediation schemes, is necessary in order to protect human and animal health. The submission of details of ground and finished floor levels is necessary in order to safeguard the character and appearance of the area.

⁵ See document 3, dated 11 November 2021 from the Council's Strategic Housing and Development Officer. Whilst noting the time period elapsed between this document and the date of Hearing, there was no suggestion or detailed information put forward that suggests that this broad figure had reduced in the intervening period.

31. A condition relating to a surface water drainage scheme, as set out in suggested condition 10 is necessary and reasonable in order to ensure that the risk of flooding is minimised. I note that suggested conditions 19 and 20, which are based upon the comments of the Local Lead Flooding Authority (LLFA) provide significantly more detailed requirements. This was discussed at the Hearing, where the main parties considered that it was for the decision-maker to consider which suggested condition(s) of these three should be imposed were permission granted. I am content that the suggested condition 10 would satisfy the requirements of the LLFA and Paragraph 56, whilst not being onerous in the way that suggested conditions 19 and 20 would be. I have therefore imposed suggested condition 10.
32. A condition requiring the provision of details of fire hydrants is necessary and reasonable in order to safeguard the safety of occupiers of the proposal and ensure fire services have adequate provision in terms of public safety. Similarly, the submission and agreement of a scheme for the protecting the occupiers of the proposed development from noise arising from nearby businesses is necessary in order to protect human health and to minimise the impact of existing noise from local businesses on occupiers of the proposal.
33. Suggested condition 14, relating to the provision of a public art plan would not reflect Paragraph 56 which indicates that planning conditions should be kept to a minimum and only imposed where they are necessary and reasonable in all other respects. In this case, no public art has been commissioned or secured for the appeal site, nor is there any specific planning policy requirement identified. It may be that public art could be provided through landscaping or other forms of artwork in agreement between the house builder, the local planning authority and local community. However, I do not find that the imposition of the suggested condition is necessary in this case.
34. A condition requiring a travel plan is necessary in order to ensure that sustainable modes of transport are promoted and supported. A condition requiring a construction environmental and traffic management plan to be submitted is necessary and reasonable given that the likely route for construction vehicles would be through the existing residential development to the south of the site which is now occupied. The submission and agreement of such a plan, including an indication of the hours of traffic movement, is reasonable in order to protect the living conditions of these occupiers.
35. Two conditions have been suggested by Oxfordshire County Council – one relating to cycle parking areas and one relating to a car park layout plan. Whilst layout is a reserved matter, given that the illustrative masterplan shows garden areas serving the proposed dwellings a condition requiring cycle parking areas is not necessary. Similarly, a condition requiring the number of car parking spaces to be in line with a maximum figure is not reasonable or necessary in this case, given that layout remains a reserved matter for the local planning authority to consider at that stage.
36. Conditions requiring confirmation and/or provision of foul and water network upgrades are necessary and reasonable in order to reduce the risk of sewerage flooding and/or pollution and ensure sufficient water pressure and capacity for occupiers.

Overall Conclusion

37. With regard to s38(6) of the *Planning and Compulsory Purchase Act 2004*, as amended, the proposed development would accord with the adopted development plan when considered as a whole. Furthermore, there are no material considerations that indicate a decision otherwise than in accordance with it. Indeed, material considerations such as the Framework, and the provision of both housing and affordable housing in an area which currently has a shortfall against the deliverable five-year supply, weigh in favour of the grant of permission.
38. Accordingly, for the reasons given above, I conclude that the appeal should be allowed.

C Parker

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Peter Goatley KC	Advocate for Appellant
James Yeoman	Planning Matters
Neil Tiley	Housing Matters

FOR THE LOCAL PLANNING AUTHORITY (OR SECTION 106 MATTERS):

Chris Wood	Senior Planner (Appeals), WODC
Will Barton	Business Development Officer, WODC
Judith Coats	Oxfordshire County Council Infrastructure (for s106 session)

Documents submitted at the Hearing

- 1 Cherkley Judgment, Neutral Citation Number: [2014] EWCA Civ 567, DATED 7th May 2014
- 2 Section 78 Appeal, Land adjacent to Witney Lakes Resort, at Downs Road, Witney, Appeal by Crest Nicholson, NOTE by Peter Goatley KC, dated 17th May 2023
- 3 Memorandum dated 11 November 2021 from Strategic Housing and Development Officer to A Fettes, WODC.
- 4 Oxfordshire County Council's Regulation 122 Compliance Statement dated 31st March 2023

Schedule of Conditions imposed 3307358

1. (a) Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission; and, (b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. Details of the access, appearance, landscaping, layout and scale, (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
3. The details submitted at reserved matters stage will be in general accordance with the Illustrative Masterplan, drawing number P20-1309_1 Sheet 3 Rev M) hereby approved.
4. Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every dwelling hereby approved will be able to connect to and receive a superfast broadband service (>24Mbps). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first occupation of the development and retained in place thereafter.
5. Bat and bird boxes shall be installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority before development commences.
6. All existing trees and hedges on the land not shown to be affected by building operations, shall be retained until 3 years from the completion of the development and any plants which die, are removed or become seriously damaged or diseased within that period shall be replaced in the next planting season with others of a similar species.
7. No development shall take place until a site investigation of the nature and extent of any contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.
8. The Remediation Scheme, as agreed in writing by the local planning authority, shall be fully implemented in accordance with the approved timetable of works

and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the local planning authority in advance of works being undertaken. On completion of the works the developer shall submit to the local planning authority written confirmation that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

9. No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the local planning authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
10. A full surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010, as amended, and/or any subsequent replacement legislation.

The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

11. Fire hydrants shall be installed in accordance with details which have first been submitted to and approved in writing by the local planning authority.
12. A scheme for protecting the occupiers of the dwellings hereby approved from noise arising from the adjoining business area shall be submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.
13. As part of the reserved matters, full details of works to protect and enhance the ecology and biodiversity of the site shall be submitted and the said agreed measures shall be implemented in full in accordance with a timetable first agreed in writing by the local planning authority and retained in place thereafter.
14. Prior to first occupation an updated Travel Plan shall be submitted to and approved in writing by the local planning authority.
15. Development shall not begin until a construction environmental and traffic management plan that will include, but not limited to, measures to minimise construction noise and the times and days of the week for such activities, has been submitted to and approved by the local planning authority. The approved

plan shall be implemented and adhered to throughout the period of construction.

16. No dwelling hereby approved shall be occupied until confirmation has been provided to and approved in writing by the local planning authority that either:-
- (i) Foul water Capacity exists off site to serve the development, or;
 - (ii) A development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames Water (or the responsible provider for such provision). Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or;
 - (iii) All foul water network upgrades required to accommodate the additional flows from the development have been completed.
17. No dwelling shall be occupied until confirmation has been provided to and approved in writing by the local planning authority that either:-
- (i) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or;
 - (ii) a development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames Water (or the responsible provider for such provision) to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.
18. No development shall commence until such time that a scheme dealing with the provision of a biodiversity net gain on or offsite, has been submitted to and approved in writing by the local planning authority.

***** END OF CONDITIONS *****

This page is intentionally left blank

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/23/00561/PRMMV

Date: 1st June 2023

Dear Town Clerk,

LICENSING ACT 2003 **Application for Minor Variation**

We have received an application for **Shell Waitrose Ducklington Ducklington Lane Witney Oxfordshire OX28 4TT** 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 **15th June 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

This page is intentionally left blank

West Oxfordshire District Council

Application for a minor variation to a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the Guidance Notes at the end of the form, especially Note 1.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and in black ink. Use additional sheets if necessary.

Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

SHELL U.K. OIL PRODUCTS LIMITED
--

being the premises licence holder(s)/club holding a club premises certificate, apply to vary a premises licence under section 41A/club premises certificate under section 86A of the Licensing Act 2003 for the premises described in Part 1 below.

Postal address of premises (or, if none, ordnance survey map reference, or description) Shell Little Waitrose Ducklington Ducklington Lane	
Post town: Witney	Postcode: OX28 4TT

Part 1 – Premises details

Telephone number at premises (if any)

01993 706968

Premises licence number/club premises certificate number

W/22/01099/PRMMV

Brief description of premises (Please see Guidance Note 2) CONVENIENCE STORE LOCATED ON A PETROL FORECOURT

Part 2 – Applicant Details

I am/we are the premises licence holder/club premises certificate holder. (Please delete as appropriate)

Contact phone number in working hours (if any)

01562 864488 (agents)

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS Shell U.K. Oil Products Limited Shell Centre York Road	
Post town London	Postcode SE1 7NA
Please provide email address if you would prefer us to contact you by email (optional) paolo@lockett.uk.com (agents)	

Part 3 – Proposed variation(s)

Do you want the proposed variation to have effect as soon as possible? Please tick
☒ Yes ☐ No
If not, from what date do you want the variation to take effect? DD MM YYYY
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 3) ☐ Yes ☒ No

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

Details of proposed variation(s) (Please see Guidance Note 4)
1) UPDATE THE INTERNAL LAYOUT PLAN ATTACHED TO THE PREMISES LICENCE. THE CHANGES IN LAYOUT RELATE TO THE REMOVAL OF A PROMO ALCOHOL GONDOLA AND OTHER GENREAL MERCHANDISE LOCATION CHANGES.

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment (please read guidance note 5)

Please tick all that apply

- | | |
|---|--------------------------|
| a. plays | <input type="checkbox"/> |
| b. films | <input type="checkbox"/> |
| c. indoor sporting events | <input type="checkbox"/> |
| d. boxing or wrestling entertainment | <input type="checkbox"/> |
| e. live music | <input type="checkbox"/> |
| f. recorded music | <input type="checkbox"/> |
| g. performances of dance | <input type="checkbox"/> |
| h. anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Provision of late night refreshment ☐

Supply of alcohol ☐

(Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

Please tick to indicate you have enclosed the following:

- | | |
|---|-------------------------------------|
| I have enclosed the premises licence/club premises certificate | <input checked="" type="checkbox"/> |
| I have enclosed the relevant part of the premises licence/club premises certificate | <input type="checkbox"/> |
| I have included a copy of the plan (this is necessary if the proposed variation will affect the layout) | <input checked="" type="checkbox"/> |

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have not enclosed the premises licence/club premises certificate or relevant parts.

Any further information to support your application. (See Guidance Note 6)

CHECKLIST:

Please tick to indicate agreement:

- I have made or enclose payment of the fee. ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have enclosed the plan, if appropriate, of the premises in scale [1mm to 100mm], unless otherwise agreed with the licensing authority. ☒
- I have enclosed the premises licence/club premises certificate or relevant part of it or provided an explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒


I understand that I must now advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day.

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.

Part 5 – Signatures and Contact Details

(See Guidance Note 7)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Note 8). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

Signature	
Date	01/06/2023
Capacity	DULY AUTHORISED AGENTS

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 10)

**Paolo Zaffino
Lockett & Co
Lockett House
13 Church Street**

Post town **Kidderminster**

Postcode **DY10 2AH**

Telephone number (if any)
01562 864488

If you would prefer us to correspond with you by email
your email address (optional)
paolo@lockett.uk.com

Notes for Guidance

1. **General Note:** The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence has effect;
- vary substantially the premises to which it relates;
- specify, in a premises licence, an individual as the designated premises supervisor;
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) of the Licensing Act 2003 in a premises licence.

2. **Description of premises:** For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with 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, the presence of gaming machines etc.

3. 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.

4. **Give full details of all the proposed variation(s).** Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. **(However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation.)** Relevant information includes:

a) **Variations to licensable activities/licensing hours** (all timings should be given in 24 hour clock e.g. 16.00. Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent);
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer; and
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day

such as Christmas Eve.

b) Variations to premises/club layout: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
- impede the effective operation of a noise reduction measure.

c) Revisions, removals and additions of conditions: The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) Variations to opening hours: details of any changes to hours when the premises or club is open to the public.

5. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
- 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- 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.

6. Further information: You should use this box to provide any additional evidence to support your claim that the proposed variation is ‘minor’ and could not have an adverse impact on the promotion of the licensing objectives

7. Signatures: The application form must be signed.

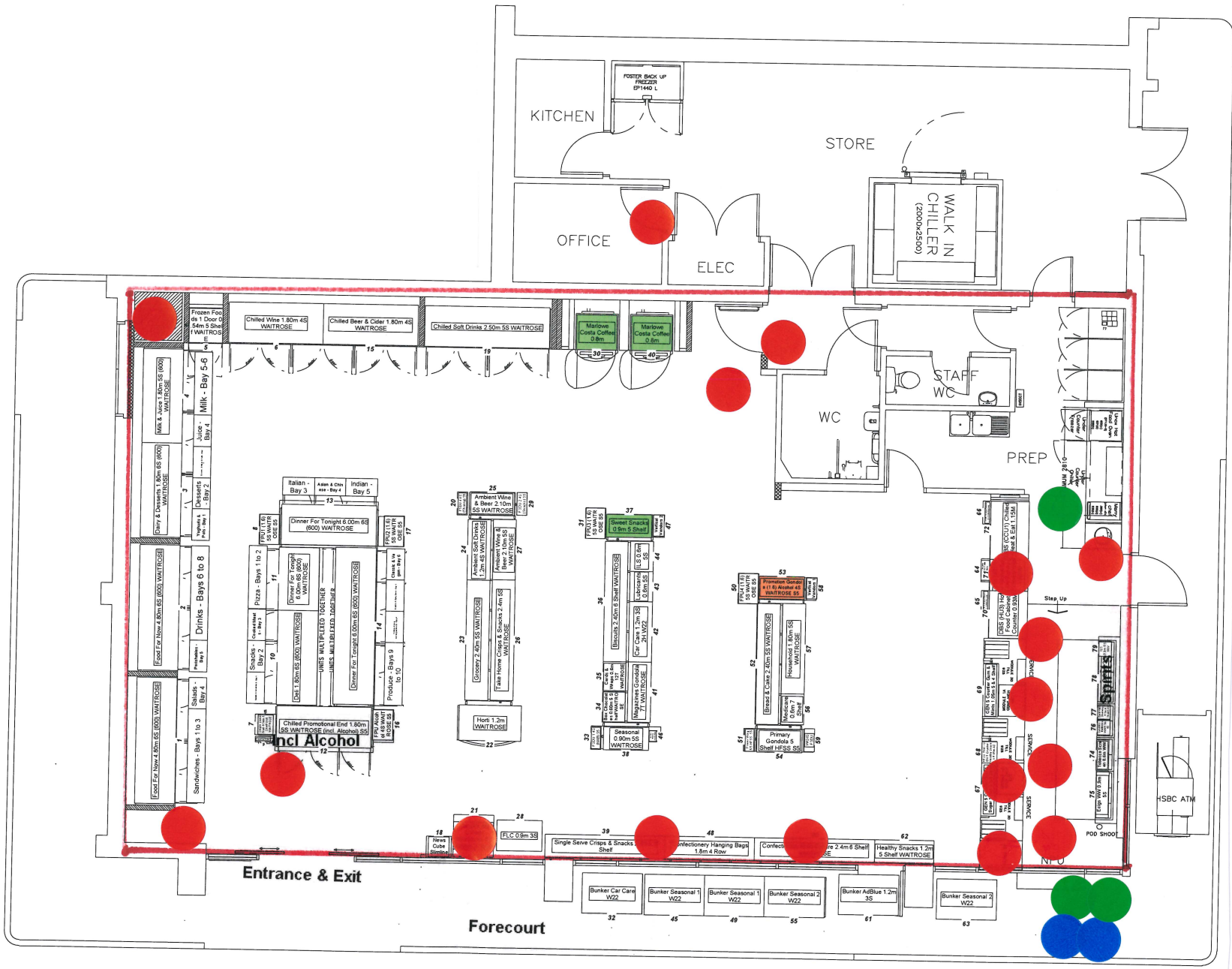
8. Authorised agent: An applicant’s agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

9. 2nd Applicant: Where there is more than one applicant, both applicants or their respective agents must sign the application form.

10. This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided.

This page is intentionally left blank

Shell Little Waitrose Ducklington
Ducklington Lane
Witney
Oxfordshire
OX28 4TT



Key:			
	Area licensed for sale of alcohol for consumption off the premise and Late Night Refreshment (LNR)		
	Fire Extinguisher		CCTV
	Fire Bucket		

This page is intentionally left blank

Good Afternoon

Further to our recent email communication, I am writing to confirm that we have not received any objections to the proposed new street name 'Norreys Avenue' and will now approve the name.

Thank you for your assistance.

Kind regards

Address Management
West Oxfordshire District Council



PUBLICA



INVESTORS
IN PEOPLE



ENHANCED
LEVEL AWARD

This page is intentionally left blank

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday, 13 June 2023

Title: Witney Lake Fishing Season

Contact Officer: Biodiversity and Green Spaces Officer - Carl Whitehead

Background

Witney Angling Society has had rights to fish Ducklington Lake since 1991 and has worked with the Town Council to protect and develop the fish stocks and fishing swims since that time.

Current Situation

The Society would like to make a change to the current fishing season on Witney lake. They propose changing from the traditional closed season which is 9 months angling per season from June 16th to March 14th the following year. This would change the fishing season to allow 11 months angling per season on the lake with a shutdown of 1 month.

The shutdown month would be started once the fish have started to group up to spawn as viewed by the Society – they would inform Members, the Council and signs would be erected at the Lake to make other park users aware, and a post added to social media.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Having taken advice from the Environment Agency, the Biodiversity & Green Spaces Officer has been advised this is a valid and acceptable request. There will be no impact to the fish stock as long as the “closed season” is put into force when required.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

The club needs to re-sign a new tenancy agreement with the necessary inclusions to protect the swims and fish stocks from overfishing.

Financial implications

Described here or as stated in the report above.

- This could have a positive financial gain in that the Council could increase the annual ground rent paid by the Society if it was felt suitable. The current rent stands at £1,500.00 for 9 months.

Recommendations

Members are invited to note the report and consider the following:

1. This will be carefully monitored and reviewed and,
2. There could be a financial benefit to the Council and,
3. The Society will self-police this so no extra officer time would be required.

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday, 13 June 2023

Title: Nature NOW (Nourish Our Wellbeing)

Contact Officer: Biodiversity & Green Spaces Officer - Carl Whitehead

Background

The Hedgehog Club has been running highly successfully for a number of years, along with nature based education including forests schools and childminder training <https://www.thehedgehogclub.co.uk/> The organisers would like to grow and expand the work they have been doing around Witney.

Current Situation

The organisers met with the Biodiversity & Green Spaces Officer to ask if the Council would be able to support them in the work mentioned above. It was agreed the Council has the right areas of land, the country park to facilitate the project, and officers would be happy to support them in selecting the appropriate areas. A proposal is attached as **Appendix A**.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make regarding its facilities and services it operates.

The areas to be used would be pre-agreed with the Biodiversity and Green Spaces Officer and the providers are fully qualified forest schoolteachers, so have an in-depth knowledge of correct and safe use of green spaces and all accompanying safety and protection measures involved in running an event.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

There is a financial risk to the Council in that it would be subsidising a private enterprise for individuals on its land with taxpayers' funds, if agreed.

There is a very low risk of the programme not delivering the required results for public involvement and learning.

Financial implications

Described here or as stated in the report above.

- See attached report.
- There is no existing budget for this enterprise so funds would need to be sought from reserves.
- There would be a cost of officer resources in administering the scheme.
- If the Council were to proceed, it would need to ensure the final arrangement was within its financial regulations. Agreement would be required via the Policy, Governance & Finance Committee.

Recommendations

Members are invited to note the report and consider the following:

1. Consider how much financial support the Council can provide and the confidence that organisers will deliver what they propose and,
2. The value to the adults, children, in terms of knowledge and understanding of the natural world and how to enjoy, encourage and develop themselves and those around them and who they care for, noting it has been shown on many occasions the value to mental health and wellbeing, time spent in nature has.

Document is Restricted

This page is intentionally left blank

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday, 13 June 2023

Title: Water Vole Recovery Plan

Contact Officer: Biodiversity and Green Spaces Officer - Carl Whitehead

Background

The Berks, Bucks & Oxfordshire Wildlife Trust's (BBOWT's) Water Vole Recovery Project, the longest standing local project in the UK dedicated to water vole conservation, has continued to work to help the water vole populations in the three counties.

Working in partnership with the Environment Agency, the Canal & River Trust and Thames Water, they have been monitoring water voles, identifying habitat enhancement opportunities and influencing local landowners to manage sites sympathetically for water voles and implement mink control.

Their work has resulted in a continued increase in the known areas of local water vole activity. In 2018 the National Water Vole Mapping Project, to which the project contributes data, suggested water vole presence had declined by 30% between 2006 and 2015 across England and Wales. By contrast, their known water vole sites have been steadily increasing during this period. In 2008 the total area of water vole activity in the three counties stood at 321km², this increased by 78% over the last 10 years to reach 603km² in 2018.

Current Situation

American mink monitoring

Minks are an introduced predator that can decimate water vole populations. The project advocates the use of mink rafts to monitor and trap mink ready for disposal.

BBOWT work with landowners, providing equipment and trapping advice, and aim to install rafts at 1km intervals in and around our known water vole sites. This ensures that any mink travelling along the watercourse are quickly detected and the water vole populations are protected from predation.

The project is currently co-ordinating 190 mink rafts across the three counties and are looking to expand this in the Council's water vole key areas.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

The loss of a native species to an invasive species on land in its ownership is something the council needs to be aware of and address, if appropriate

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

The decision to cull mink, while endorsed by BBOWT to restore the population of water voles, may be viewed negatively by those who believe all animals have a right to live. Therefore, if agreed, the decision would need to be dealt with sensitively, clearly and the correct information must be given at all stages of monitoring and dealing with the mink.

Financial implications

Described here or as stated in the report above.

➤ None, this is fully funded via BBOWT.

Recommendations

Members are invited to note the report and consider the following:

1. To read the information from BBOWT <https://www.bbowt.org.uk/wildlife/wildlife-conservation/water-vole-recovery-project>
2. Be aware of the status of the mink and water voles and,
3. Look at the improvements in population in areas where this process has been carried out and,
4. Decide whether it is a worthwhile and suitable project for the town to be involved with.

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday, 13 June 2023

Title: Weed Control & Use of Pesticides

Contact Officer: Operations Manager - Angus Whitburn

Background

In 2019 the Council was presented with a policy drafted by STRI (formerly the Sports Turf Research Institute) for the use of pesticides on sporting areas to be used by the former Grounds Contractors. A further update was scheduled for non-sporting areas but due to resources, a final policy on this was not submitted for approval. This has meant that in the years following, all pesticide application in non-sporting areas has ceased in line with the the above policy.

The use of pesticides, mainly herbicides on sporting grounds (bowls greens and cricket squares) is an essential part of their maintenance. Without these applications, the grounds simply won't be playable. The choice of the chemical is carefully made to ensure their usage is kept to a minimum and at some level they biological break down or can be completely absorbed.

Current Situation

Cemeteries

Across Winey Town Council estate, there are areas prone to high weed growth that draw criticism and complaints regularly; these include sensitive areas at the ashes path at Windrush cemetery and the memorial wall area at Tower Hill cemetery. The removal of the weeds in these areas did fall under the ground contract at the time. However, in 2019 when pesticide use ended on non-sporting areas the councils' grounds contractors, Continental Landscapes were asked to provide costings to remove weeds by hand. The huge amount of labour it would have required meant they weren't interested in costing it. The task was instead passed to the council's in-house works team.

The process of removing these weeds by hand consumes a large amount of labour. Depending on how strong the growing season is this can become a monstrous task to keep on top of the two cemetery areas. Windrush ashes path for example can consume up to 100hrs of labour to complete the task once, and if the growing season is strong, the task has to be repeated up to 16 times through the season. Finding 1600hrs of labour is a huge task along with the team's other burial and grounds maintenance obligations so often the team just has to be reactive when complaints are received.

Using weed rippers on brush cutters, a pedestrian weed brush, flame guns and a huge range of tools and materials have all been tried but none have reduced the labour or given an acceptable appearance.

This large amount of labour in comparison to an application of an appropriate herbicide is considerable. Many herbicidal products on the market would reduce this job from the potential 1600hrs to 2-3hrs to apply a residual weed killer twice yearly.

Recreation grounds

Certain other areas that are quite prone to weeds are the hardcourt areas mainly around the leys recreation round. As these aren't quite as prestigious or scrutinised as much as the cemeteries the Operations manager has found that strimming off the growth down to the head is appropriate for the area, but this leaves a messy finish and the vegetation regenerates quickly.

Flower Beds

Flower beds are susceptible to weed growth due to the well-tilled ground, however the maintenance team, are required to prune, water and litter pick these beds on a regular basis so amongst that work the removal of weeds is programmed in with little impact.

Tree's

The ivy growth around trees, killing of tree stumps to prevent regrowth and grass cutting around roots are three jobs that can require herbicide use.

Ivy Growth

Twice a year, the maintenance team remove epicormic growth from trees and will ring the ivy on as many trees as possible in this period. Ringing the ivy is a method to control and kill off ivy growth to ensure trees are not swamped by the plant. Although not perfect this method appears to be an appropriate way to control the ivy growth without the need for herbicides. The Council has also received complaints regarding ivy growth around trees on its estate.

Stump regrowth

Trees that are felled normally require the stump to be treated to prevent regrowth. As much as possible the Operation Manager or Biodiversity & Green Spaces Officer will instruct contractors to stump grind our the sump below ground level preventing regrowth. However, on occasion, this isn't possible and the only way to control the regrowth is to plug in Eco plugs that control and application of glyphosate to the tree stump preventing regrowth.

Mowing around trees

One area the council does receive complaints in, is the damage to tree roots through mowers and trimmers, this does affect the health of the tree so is a concern. In the past this has been avoided through the spraying of growth regulators, reducing the need to cut the grass around trees. Now the use of growth regulators has decreased due to it being seen as an unnecessary herbicide application standard mowing has taken it place. Currently, the grounds maintenance team cut around trees at the same frequency and height as the area of grass

the trees are located in. The Operations Manager would recommend that this be adjusted through policy to allow this grass to be left longer around trees and reduce the cutting frequency to best protect tree roots.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Herbicides have an impact on the environment, some glyphosate-based herbicides don't break down causing unintended damage to the surrounding environment.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

As mentioned in the report the council receives a large number of complaints regarding the ashes path at Windrush Cemetery. And as outlined in the report it is hard to find the labour to keep this problem under control. Without the approved use of the correct herbicide, this area will be difficult to maintain.

Leaving the grass longer around trees could draw criticism as they are popular spots to shelter from the sun. These spots may not be so comfortable when the grass is long and potentially accumulates more litter.

Financial implications

Described here or as stated in the report above.

- There is a sufficient budget to cover the cost of additional herbicides, training and equipment in the ground maintenance budget.
- The cost of the required labour to remove weeds including ivy by hand is considerable compared to the cost of materials.

Recommendations

Members are invited to note the report and consider the following:

1. Approve the drafting of a policy for the use of pesticides based on the information provided in the report and,
2. Provide feedback to officers on the correct approach for herbicide use around trees.

This page is intentionally left blank