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

Held on Tuesday, 5 September 2023

At 6.30 pm in the Gallery Room, The Corn Exchange, Witney

Present:

Councillors:	G Meadows R Smith J Aitman	J Robertshaw S Simpson D Temple
Officers:	Adam Clapton Derek Mackenzie Claire Green	Deputy Town Clerk Senior Administrative Officer & Committee Clerk Administration Support - Planning & Stronger Communities
Others:	0 members of the public.	

P458 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bailey & Collins.

P459 DECLARATIONS OF INTEREST

Councillor Smith declared a personal, non-prejudicial interest in Planning Application 23/02024/HHD as she was an acquaintance of the applicant.

P460 PUBLIC PARTICIPATION

The Committee adjourned for this item.

The committee received representations from two residents of Windrush Place concerning Applications 23/01525/S73 and 23/01206/FUL.

The Committee reconvened.

P461 PLANNING APPLICATIONS

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

At the discretion of the Chair, the Applications 23/01525/S73 and 22/01206/FUL were discussed to allow the members of the public to hear the discussion. Members of public left at 7:30pm upon completion of this discussion.

Resolved:

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

P462 **APPLICATION FOR VARIATION OF PREMISES LICENCE - 78 CORN STREET, WITNEY**

The Committee received an application from The Three Horseshoes, 78 Corn Street for a minor variation of a premises licence under the Licencing Act 2003.

Resolved:

That, the Council makes no objection to this application.

P463 **APPLICATION FOR VARIATION OF PREMISES LICENCE - HAILEY EXPRESS 65B HAILEY ROAD WITNEY**

The Committee received the application from Hailey Express, 65b Hailey Road, Witney for a minor variation of a premises licence under the Licencing Act 2003.

Resolved:

That, the Council makes no objection to this application.

P464 **ADOPTION OF DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) - WEST OXFORDSHIRE DISTRICT COUNCIL**

The Committee received the confirmation of the adoption by West Oxfordshire District Council's "Developer Contributions Supplementary Planning Document (SPD)".

Resolved

That, the document be noted.

P465 **COMMUNITY EV MICROHUBS**

The Committee received and considered the Invitation to express interest in joining the Community EV (Electric Vehicle) Microhub Scheme

Members were keen to participate in the scheme and discussed potential sites under the Council's management that they considered suitable. The Leys, Burwell Hall and Madley Park Hall being those best suited for potential externally funded EV Charging points.

Resolved

1. That, the correspondence be noted and,
2. That, Madley Park Hall, Burwell Hall and The Leys recreation ground be suggested as possible locations for EV Charging points.

The meeting closed at: 8.00 pm

Chair

Minute Item P461

Witney Town Council

Planning Minutes - 5th September 2023

461

461- 1 WTC/123/23 Plot Ref :-23/02004/ADV Type :- ADVERTISIN
Applicant Name :- . Date Received :- 14/08/2023
Location :- WITNEY SERVICE STATION Date Returned :- 06/09/2023
WELCH WAY
Proposal : Installation of 7m EV internally illuminated totem pole sign.
Observations : While Witney Town Council does not object to this application in terms of material concerns, Members ask whether it would be possible that the proposed lighting be powered by solar.

461- 2 WTC/124/23 Plot Ref :-23/02023/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 14/08/2023
Location :- 38 BEECH ROAD Date Returned :- 06/09/2023
BEECH ROAD
Proposal : Removal of existing conservatory, garage, outbuilding and front porch. Erection of single storey wrap around extension to the side and rear of existing dwelling and reposition of front door.
Observations : While Witney Town Council does not object to this application in terms of material concerns, it notes the increase in roof size. Whilst the development is small, Members expressed concern that rainwater catchment is to discharge to existing drainage, with the possibility of this causing increased flood risk elsewhere. Members ask that a soakaway be considered to help decrease the possibility of existing drainage becoming overwhelmed.

461- 3 WTC/125/23 Plot Ref :-23/01976/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 14/08/2023
Location :- 2 SNOWSHILL DRIVE Date Returned :- 06/09/2023
SNOWSHILL DRIVE
Proposal : Formation of habitable room in roofspace with front and rear velux rooflights.
Observations : Witney Town Council has no objections regarding this application.

461- 4 WTC/126/23 Plot Ref :-23/02024/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 15/08/2023
Location :- 5 OAKDALE ROAD Date Returned :- 06/09/2023
OAKDALE ROAD
Proposal : Erection of a single storey side extension.
Observations : Witney Town Council has no objections regarding this application.

Applicant Name :- . Date Received :- 15/08/2023

Location :- LAND WEST OF WITNEY
EAST OF DOWNS ROAD
CURBRIDGE Date Returned :- 06/09/2023

Proposal : Erection of seventy four dwellings and associated infrastructure (amended plans).

Observations : Witney Town Council object to this planning application. Members have raised serious concerns about the phasing of the development. The submitted plans are presumptuous in terms of the road layout and development layout, in that they include detail from other proposed schemes, under different application numbers that are yet to be decided. Further, when comparing the red line area for this application against the redline area submitted for application 23/01202/RES some areas of the land, including the access road, drainage ponds, sports pavilion (and associated parking) are shown within the proposed site areas for BOTH developments. Witney Town Council question the validity and accuracy of the plans with these inconsistencies. Given that the applications include essential infrastructure in terms of highways, drainage, and sports provision, it is imperative that there is more clarity over which areas of land fall under each of the applications. There should be no room for doubt over planning obligations and how they relate to specified land parcels.

Witney Town Council request that a Grampian Condition be imposed which requires that this proposed development cannot be commenced until both the Community Hub development (23/01203/RES) and the Sports Pavilion development (23/01202/RES) are complete. Whilst members do not object to the principle of further development at this site, it is imperative that vital promised infrastructure and amenity is delivered as a priority ahead of more housing. West Oxfordshire District Council must protect the interest of residents and use available tools to ensure that the applicant meets the obligations as expected, and by way of solid legal agreement.

When the discrepancies concerning the redlined site areas are resolved, in the event that the Sports Pitches/Pavilion access road forms a part of this application, Witney Town Council seek assurances that the access road will provide safe access in a permanent position and not be hindered by any construction work. It would seem preferable that the access road for the sports pitches is laid and protected under application 23/01202/RES - As shown in the red line area on the application for a sports pavilion and associated infrastructure.

Further, Witney Town Council would support the imposition of a Grampian Condition requiring that Thames Water demonstrate a sewerage capacity for this development before any construction is started.

In an earlier response from Witney Town Council, Members requested that a full Environmental Impact Assessment is sought. Whilst an EIA was prepared some years ago for this development area, Members now consider this information to be out-of-date and not representative of the much-changed biodiversity at the site, including newly established habitats while the land has been unoccupied. The latest consultee response from the Biodiversity & Countryside Officer (1st September 2023) indicates that the details provided by the applicant remain insufficient. Witney Town Council ask that environmental impacts be properly assessed based upon current conditions and habitat, and that information submitted by the applicant be fully scrutinised.

In addition to its previous Section 106 contribution comments, Witney Town Council would like assurances that capital contributions will be made to Henry

Box and Wood Green secondary schools due to the non-delivery of a secondary school for this application site. Members ask that the sums be fairly calculated and based upon current valuations and costs.

461- 6 WTC/128/23 Plot Ref :-23/01891/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 15/08/2023
Location :- 42 OLLEY CRESCENT Date Returned :- 06/09/2023
OLLEY CRESCENT
Proposal : Conversion of existing garage to create an office/storage cupboard and erection of front entrance porch.
Observations : Witney Town Council has no objections regarding this application.

461- 7 WTC/129/23 Plot Ref :-23/02047/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 15/08/2023
Location :- FRIENDS COTTAGE Date Returned :- 06/09/2023
69 WOODGREEN
WOODGREEN
Proposal : Replacement windows and door.
Observations : Providing the proposal receives no objection from the Conservation Officer, Witney Town Council has no objections regarding this application.

461- 8 WTC/130/23 Plot Ref :-23/02048/LBC Type :- LISTED BUI
Applicant Name :- . Date Received :- 15/08/2023
Location :- FRIENDS COTTAGE Date Returned :- 06/09/2023
69 WOODGREEN
WOODGREEN
Proposal : Replacement windows and door.
Observations : Providing the proposal receives no objection from the Conservation Officer, Witney Town Council has no objections regarding this application.

461- 9 WTC/131/23 Plot Ref :-23/02074/HHD Type :- HOUSEHOLDE
Applicant Name :- . Date Received :- 21/08/2023
Location :- 12 NEWLAND MILL Date Returned :- 06/09/2023
NEWLAND MILL
Proposal : Proposed single storey side extension, loft conversion and addition of roof lights.
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.

461- 10 WTC/132/23 Plot Ref :-23/01525/S73 Type :- VARIATION
Applicant Name :- . Date Received :- 21/08/2023
Location :- LAND(E) 432925 (N)209696 Date Returned :- 06/09/2023
DOWNS ROAD
CURBRIDGE
Proposal : Variation of condition 13 of planning permission 21/02364/FUL to refer to lighting plan 2250 P3 C401 A and Southgate Lighting Report. (Retrospective).

Observations : Witney Town Council object to this application.

Members acknowledge the applicant's further documents and response to an earlier representation from the Town Council but would like to make the following additional comments.

1. The applicant states that baffles have been installed on the existing lighting to assist in prevention of light spill. Residents have been consulted on this and have reported no betterment in the situation. The installed lighting remains harmful to residential properties neighbouring the site. The lights are continuing to illuminate gardens and shine into the windows of living areas including living rooms and bedrooms.

2. The applicant states that "The landscape buffer between the employment and residential is not the responsibility of the applicant, it is located outside the redline of the development. The landscaping submitted by the wider consortium was submitted to the council for approval and was considered acceptable". Witney Town Council understand that Planning Permission 21/02364/FUL for this application site includes provision for landscaping obligations at both Condition 14 and Condition 15. It is unclear to the Town Council how landscaping is not the responsibility of the applicant based on the documents available?

3. Given the reported harm of the lighting, Witney Town Council request that measuring and review take place - Members acknowledge the responses from ERS and Environmental Health, but ask if site visits have been carried out by the relevant technical consultees during hours of darkness? It is unclear what, if any, on site assessments have taken place. Witney Town Council are aware that residents would welcome the opportunity for the light spill at their properties be assessed and measured during darkness hours. Witney Town Council request that this monitoring and measuring be carried out by West Oxfordshire District Council before any approval being considered.

4. Witney Town Council do not have the technical expertise to offer up further solutions. Members support business and employment in the town and realise that it is a balancing act to support business whilst offering protection to residential amenity. Members would welcome further positive suggestions on the lighting scheme from the applicant in liaison with Planning Officers and their Technical Consultees. Perhaps what is currently installed is not the best option for commercial sites that closely neighbour residential properties? Are there other forms of lighting design that could meet the operational needs of the business, whilst causing less light pollution outside of the site?

Policy OS2 states that all development should be compatible with adjoining uses and not have a harmful impact of the amenity of existing occupants. Further, Policy EH8 states that new development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise and disturbance. It is clear to Members that the installed lighting is causing considerable distress for neighbouring residents and therefore Witney Town Council do not find this scheme to be policy compliant.

The Meeting closed at : 8:00pm

Signed : _____ Chairman Date: _____

On behalf of :- Witney Town Council