

**WEST OXFORDSHIRE DISTRICT COUNCIL**

**UPLANDS AREA PLANNING SUB-COMMITTEE**

**Date: 7 October 2019**

**Report of Additional Representations**



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WEST OXFORDSHIRE  
DISTRICT COUNCIL

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Application Number	19/01310/FUL
Site Address	Land East Of South Lawn Swinbrook Oxfordshire
Date	4 <sup>th</sup> October 2019
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Swinbrook and Widford
Committee Date	7 <sup>th</sup> October 2019

**Application Details:** Provision of a facility for rural pursuits comprising stables, forage/machinery stores, hound kennels, and key staff accommodation.

**Applicant Details:** C/O Agent

## I Additional Representations

### I.1 Swinbrook and Widford Parish Council

Further to the publication of papers for Monday's Uplands Planning Committee, I write to summarise key points on behalf of the Parish Council.

The proposed development has proved enormously divisive in our community. While we recognise that it is likely the Committee may well approve the application, we ask that in so doing it looks to mitigate the considerable harm and nuisance that the development could engender, and give recognition to the serious planning issues raised by the Council on behalf of the village. Specifically, we ask the Committee to address the following:

1. Accommodation: the proposed 4 unit accommodation falls outside the Local Plan, and has not been, and cannot be, justified on the basis of essential requirement. We recognise the need for one unit – as is, we understand, provided at the current hunt site – but the remaining on site units (including those earmarked for seasonal workers) are wholly unnecessary. During our own site visit, both the applicant and the landowner commented that their fallback position would be to use estate cottages (thus acknowledging that the additional accommodation is not essential). A number of these cottages are already empty and many are in very close proximity to the site, a matter of a few hundred yards. Accordingly we ask the Committee to approve one accommodation unit only.

2. Provision of water: as your report notes, the provision of a sustainable water supply is of serious concern. We share these concerns. The current natural water supply in the village is fragile – the Swin Brook ran dry last summer - and we are aware that the supply on the estate is especially fragile, with some householders unable to drink their tap water as is, and historical environmental health issues. We have reservations about a solution reliant on a separate borehole, and ask that the Committee require water supply by mains water.

3. Noise disturbance: with 100 or so hounds on site, the kennel will necessarily be very noisy, particularly around feeding and exercise times. Our own on site visit to the existing kennels demonstrated that noise can be heard at least 1 ½ miles away (and we are also aware of noise complaints, albeit not formally recorded by the hunt). We are particularly concerned on behalf of the near neighbours, in tied accommodation, many of whom have felt unable to express reservations in public. We understand the steps made to minimise

noise, but ask the Committee to place a condition on any approval that the hunt schedules activity so as not to routinely give rise to barking prior to 9am on any day.

4. Traffic: in spite of the assurances provided by the applicant, we remain very concerned over the potential impact of traffic through the village – both during development and on an ongoing basis. The lane through Swinbrook is a narrow, winding, single track road, popular with walkers, cyclists and riders, and additional hunt traffic poses an important safety question. We ask that the Committee require that all traffic to/from the site approach via the B4437, on the wider, straighter road to the north end of the village.

5. Fallen stock: we are pleased, for a number of reasons (traffic, smell & disease control), that the agent has confirmed that there is no intention to run a fallen stock service from the new site. In order to codify this safeguard, we ask the Committee to make it a condition of approval that the applicant may not receive, store or process fallen stock on the site.

6. Foul waste: your report rightly discusses surface water strategy but appears to neglect foul waste. 100 hounds will be productive, and we ask that the Committee puts appropriate safeguards in place.

Thank you for your attention to these issues - we cannot over emphasise the importance to us as a community that you act on them.

## 1.2 **Councillor Claire South, Swinbrook and Widford Parish Council**

Further to the publication of papers to brief Uplands Planning Committee on Monday, I would like to provide some supporting points on behalf of the Swinbrook and Widford Parish Council of which I am a member.

I would like to specifically counter the comment made by Savills that half of the village may be considered "indifferent" to the proposal.

The volume of representations, over 100, speaks for itself. More representations than there are houses in the village. The community is highly engaged in all aspects of this application and it is misleading to suggest otherwise. Nationwide, hunting is an emotive subject, as evidenced by the numerous representations coming from people living many miles away, in Swinbrook it is no less so. The pulse-poll the parish council conducted offered villagers a very short window to respond and was only intended to be indicative, even so more than 50% responded within 24 hours.

Councillors have engaged personally with villagers to seek out opinion qualitatively as well as quantitatively and it is important to be aware that north of 35% of houses are owned by the same estate that would lease the land. Whilst some villagers have been prepared to voice their opinions publicly others have chosen not to because of close ties with landowners or friends with a strong view.

The Parish Council have been at pains to keep emotions in check and keep representations focussed on planning issues, but it is important to impress upon the Committee that village life has already been affected - including an ugly incident at a recent village event - and that despite many representations concerning impact on community relations that no mention of this has been made in the agenda notes.

It's essential to community relations that appropriate conditions are applied to the development to contain operations. Overdevelopment for example. At the current Chipping Norton site, whilst there are several residences at close proximity to the kennels,

only 1 of them is home to a staffer, the others are let out to non-employees. Perhaps the truth of that question can be drawn out by the committee.

I hope the committee will do what is possible to safeguard the character of the village, and the neighbourliness that brings it to life, both now and in the future. The specific conditions we would seek are summarised by Sue Meech in her official Parish Council representation.

### **1.3 Councillor Christine Standen, Swinford and Widford Parish Council**

I am writing as the Parish Council representative on The Swinbrook & Widford Environmental Group, to express our concerns regarding the impact of this proposed development on water supplies, water scarcity and wider areas of local ecology. These concerns were raised in the initial Parish Council response and submitted via the planning portal as objections by many residents, who include experts in environmental/ecological issues, scientists and water pollution experts, some individuals being of national and international repute.

Water scarcity and “serious” water stress is a major challenge for our District, as detailed in the Local Plan (8.62) and confirmed in evidence prepared in support of the Local Plan. Policy EH 1 Cotswolds AONB, states that great weight is to be given to conserving and enhancing the area’s natural beauty, landscape and countryside, including its wildlife.

We would ask the Committee to please address the following during their deliberations:

1. Water Provision: An objection was made by the Parish Council on the basis that (i) we had received neither data nor a plan to explain how the applicant would satisfy the increased water demand on the local aquifer and (ii) the need to protect an important village asset, the Swin Brook, which gives our conservation village both its form and its name. To date, we still have received no data and no adequate response to this objection.

We fail to see how this proposal can be described as sustainable development without a sustainable water supply. Nor would it seem to meet the definition of sustainable development, when this matter risks destroying an important ecological asset so that it can no longer be enjoyed by future generations.

The applicant’s response states that our data on the depletion of the aquifer, relating to water usage by the Swinbrook Estate, are “anecdotal”. We must therefore assume that the applicant has numerical data to refute our concerns and can demonstrate that the proposed development will do no harm to the Swin Brook.

The applicant claims that depletion of the local aquifer is a result of “how water is being drawn by Thames Water.” We look forward to receiving details to substantiate this claim, specifically the location of boreholes and annual volumetric consumption by Thames Water.

We would also welcome data on the estimated water consumption by the proposed development site and details of how this aquifer will cope with a new borehole.

In the absence of such data, we request that if this proposal be approved, it will be conditional on the Estate receiving a mains water supply to ensure a safe and reliable water source, as required for animal and human welfare purposes and to protect the Swin Brook. The Brook supports populations of threatened species such as water voles, kingfishers and native crayfish (extremely rare), which are the subject of frequent surveys by the University of Oxford. It is located in a designated Environmentally Sensitive Area as well as being an Area of Outstanding Natural Beauty.

2. Affects on Local Ecology /Biodiversity: We are surprised and disappointed that no comments have been offered with regard to the recommendations presented in the Parish

Council response. The daily exercise of 100 large hounds plus horses/ bikes across this designated Environmentally Sensitive Area would be an Operational Consequence of the proposed development and therefore must be considered by the applicant.

We ask the Committee to address (i) our recommendations for a broader ecological assessment of the proposed hound exercise areas, in order to minimise negative impacts on wildlife - especially on threatened or declining species, including ground-nesting birds such as skylarks and lap-wings known to be present in the area and (ii) to recognise our advice – and that of the applicant’s own surveyors - that a more detailed survey must be conducted across all areas affected by the construction activities at a suitable time of year, prior to work commencing on this site. Only a brief, preliminary ecological survey has been presented to date and this was conducted during September, when there would be few nesting animals on the site. Therefore, without these further ecological assessments, we do not believe the proposals can claim to meet Policy EH3, to protect and enhance biodiversity.

Many thanks for your kind attention in addressing these important local environmental issues.

Application Number	19/01931/FUL
Site Address	Sunny Bank Leaffield Road Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6EA
Date	25th September 2019
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Shipton Under Wychwood Parish Council
Grid Reference	428199 E 217327 N
Committee Date	7th October 2019

### **Application Details:**

Demolition of the existing dwelling and outbuilding. Erection of replacement dwelling and detached double garage with attached log store and store room above. Close existing access and provision of new vehicular access in revised position with entrance gates and boundary walling together with associated landscaping works.

### **Applicant Details:**

Mr And Mrs Humphrey  
Sunny Bank  
Leaffield Road  
Shipton Under Wychwood  
Oxon  
OX7 6EA

### **Consultations**

Following further advice from OCC Highways in regards to the associated fees and legal agreements required for the applicant to carry out the means of access, amended plans have been submitted. These plans show a simple verge crossing shown by straight lines opposed to the previously submitted plans showing radii points. OCC Highways were consulted on the application and have provided the following comments.

The access is acceptable in terms of highway safety and convenience.

The access may now be constructed under a S184 as a simple verge crossing without radii

### **Recommendation:**

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they **do not object** to the granting of planning permission, subject to the following conditions:

- G11 access specification
- G13 close ex access

Please note: If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council.