

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 15th June 2020

REPORT OF THE BUSINESS MANAGER – DEVELOPMENT MANAGEMENT



Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Business Manager. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

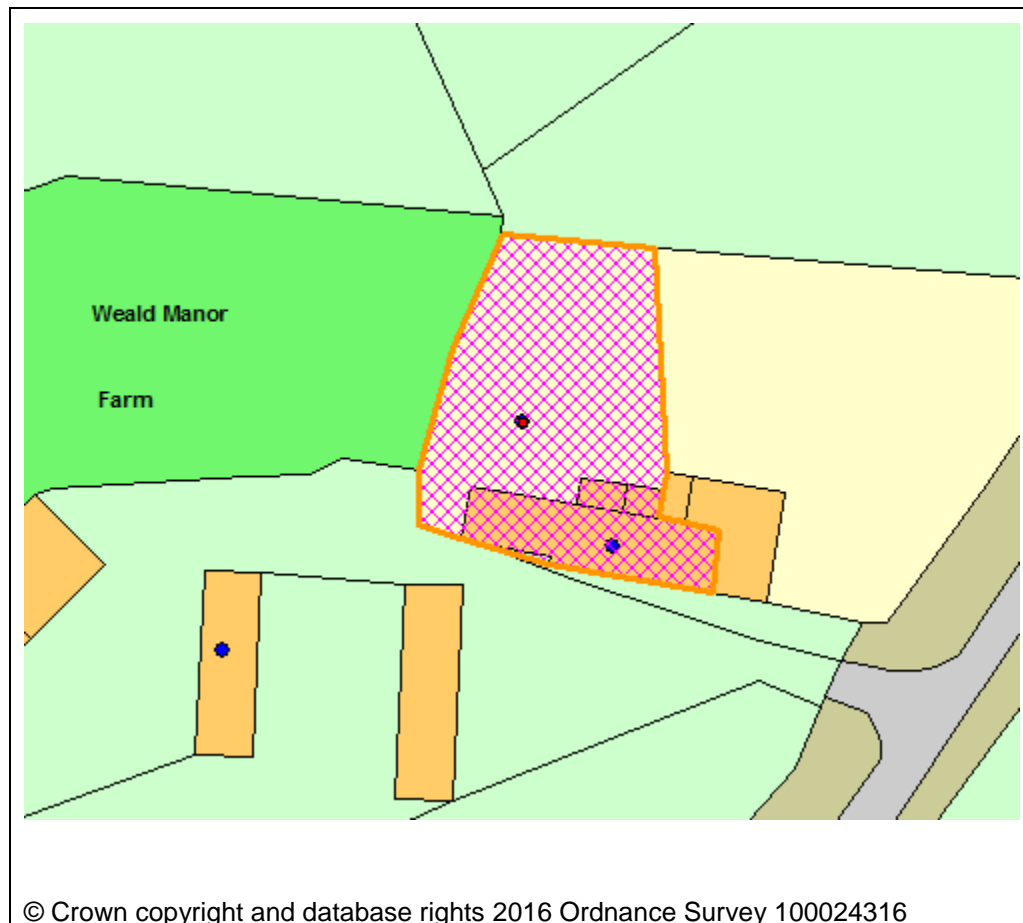
Please note that:

1. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings; and
2. A "presentations pack" containing the slides which will be referenced during the meeting will also be published – follow the links from www.westoxon.gov.uk/meetings

Application Number	Address	Page
16/01851/FUL	Barn at Weald Manor Farm, Weald, Bampton	3
19/02736/RES	Land North and West and East of Belclose Cottage, Witney Road, North Leigh	9
20/00244/OUT	Fairseat, Arkell Avenue, Carterton	27

Application Number	I6/01851/FUL
Site Address	Barn At Weald Manor Farm Weald Street Weald Bampton Oxfordshire
Date	2nd June 2020
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Bampton Parish Council
Grid Reference	431065 E 202597 N
Committee Date	15th June 2020

Location Map



Application Details:

Conversion of barn to dwelling.

Applicant Details:

Weald Manor Trust, Weald Manor, Weald, Bampton, Oxfordshire, OX18 2HQ

I CONSULTATIONS

- I.1 OCC Highways Drainage I cannot demonstrate sufficient harm in terms of highway safety and convenience resulting from the proposal that would warrant the refusal of a pp.
The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network. No objection
- I.2 Conservation Officer No Comment Received.
- I.3 Ecologist No Comment Received.
- I.4 WODC Env Services - Engineers The applicant will need to submit a plan showing the location and size of the storm cell units, ensuring that all water will be contained on site, with no water being able to flow on to the public highway. The applicant has stated that the property will remain in the hands of the estate and all drainage will be the estates responsibility to maintain.
Subject to a satisfactory plan showing the location and size of the infiltration units and clearly indicating that all water will be contained on site being received before a planning decision being made, I would not expect a surface water condition to be required.
- I.5 Parish Council Following great discussion there was a vote of 5 with no objections and 3 objections, however there was unanimous agreement that this should be the last permitted development at this site, and as this is purported to be for an estate manager this should be formalised with an agricultural tie on the premises.

2 REPRESENTATIONS

- 2.1 5 letters of objection were received. The comments have been summarised as;
- 2.2 I am writing to register my strongest objection to the most recent development proposal.
- Not because it is a monster development of disproportionate scale. Not because it is completely flawed from a planning perspective. Not because it is an unsustainable project in isolation. I am writing because this application is the unacceptable face of mission creep and threatens an urbanisation "tipping point" to Weald's rural environment. Put it another way, as the additional number of dwellings proposed in Weald Manor's original applications were rejected by WODC as unsustainable and disproportionate then it seems to me completely logical and consistent that WODC should similarly reject this most recent additional dwelling proposal (even though it is "only" one dwelling).
 - The manager is Chris Collett who has owned his own house, in Bampton, for decades. He does not need a new home. This is just a spurious way of getting yet one more house built.
 - Construction noise issues
 - The traffic in Weald Street is already too much for what is for the most part a single track road. Please don't allow yet one more dwelling.

- You will I know be completely aware of the reasons for the residents of Weald's concerns about this development from the outset concerning urbanisation of a rural area, limited vehicle access, unsustainability etc as many of them were confirmed by WODC too and so I won't list them all but they are still relevant.
- Weald street is not designed to deal with higher volume traffic. The head of the lane in particular is prone to collisions and strict control of the number of residents is required.
- We are concerned with the real risk of 'development by creep'. We understood that approval of the reduced scheme (which we supported) was on the basis that it did not represent a precedent for approval of further development, which would change the character of Weald irreversibly.
- Receipt of an application for an additional property so soon after the original scheme's approval demonstrates how quickly creep can occur.
- A proposal for an additional house in this site first appeared as application 15/04152/FUL, but such was the level and validity of objections that the applicant requested in January that "it be treated as withdrawn".

It has now, inexcusably, a few months later, been resubmitted as application 16/01851/FUL. I consider it would be just if the letters of objection submitted against the original proposal should also accompany this new equivalent submission, since they are still valid.

- We were thus disturbed to learn that this application to build a further house on this site was being considered. This is precisely what the residents of Weald Street feared - once a few houses had been built in that area, they would set a precedent, and more would follow, turning what is a narrow rural single lane byway in a conservation area, used by horse riders, joggers, walkers and cyclists into a dangerous urban road, with no speed limit, no pedestrian path and no passing places (other than mounting and damaging the grass verge) for traffic travelling in opposite directions.
- I think this new reapplication is outrageous, completely unacceptable, and you should reject it immediately. In fact, I think you should go further and make it quite clear to the applicant that 6 houses are the maximum number that can be built on this site and that you will refuse to accept and consider any applications for further dwellings there.

3 APPLICANT'S CASE

- 3.1 Emails have been received by another agent acting on behalf of the application. The contents of the emails have been summarised as;
- 3.2 The occupier of the dwelling in question carries out necessary maintenance work across the whole of the Weald Manor estate, and the applicants are happy to tie the occupation of the dwelling to somebody who fulfills that role. I understand that it was on that basis that encouragement was given to the applicants back in 2016 when the planning application was submitted.
- 3.3 However, there is also a practical problem with the request to include all of the pink land with the S106. The ownership of the overall Weald Manor estate is split between a number of different trusts. The applicants, the Weald Manor Trust, do not own or control a large part of the pink land. The trustees of the Weald Manor Trust, therefore, cannot require or expect the trustees of the other trusts to sign up to the S106. This seems to be why nothing has moved forward for a while.
- 3.4 So, please can I suggest a way forward. The planning application was submitted to provide a home for the manager of the Weald Manor estate, and my understanding is that the Council is

prepared to grant planning permission subject to the occupation of the new dwelling being restricted to that of the estate manager. Such a restriction, however, does not have to be secured by a S106.

- 3.5 In accordance with guidance, the obvious solution would be to impose a condition restricting the occupancy of the dwelling to the Weald Manor estate manager

4 PLANNING POLICIES

OS2NEW Locating development in the right places

T4NEW Parking provision

E3NEW Reuse of non residential buildings

EH10 Conservation Areas

EH11 Listed Buildings

EH3 Biodiversity and Geodiversity

H6NEW Existing housing

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within Weald which is a small village within the open countryside. It is also within a Conservation Area.

This application is for the substantial re modelling and subsequent conversion of a barn to form a three bedroom dwelling for the estates manager. Members of the Lowlands Area Planning Sub-Committee resolved to approve the application subject to a legal agreement in July 2016. However a decision has not yet been issued due to issues preventing the signing of a Section 106 Agreement which the Council required to restrict the occupancy of the new dwelling. The agreement sought to tie land to the building but part of the applicant's case is that the ownership of the overall Weald Manor estate is split between a number of different trusts.

- 5.2 The applicants now wish to only have a condition which restricts the occupancy of the barn conversion.

- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle of development

- 5.4 Your officers consider that when the application was first presented to Members in July 2016, the principle of a "pure" barn conversion in this location was acceptable. However the barn had been largely destroyed by fire and as such there was considerable rebuild/new build such that in isolation it would not have been fully policy compliant at the time in 2016, or now with the adopted Policies E3 and H2 of the West Oxfordshire Local Plan, where the Policy discusses the re-use of non residential buildings. However , the barn conversion was to provide accommodation for the estate manager who is a member of the current staff in association with Weald Manor Farmhouse. The estates manager will manage and maintain all of the buildings and

land associated with Weald Manor Farmhouse and the six new dwellings which were approved in 2015. It was stated that there were no other properties on the estate that could be used for this purpose. Existing dwellings on the estate are let on long term tenancies. The statement continued to state that it was important that the estate manager was on site 24 hours to respond to any emergency situation that arise on the estate such as electrical and plumbing breakdowns, security issues, storm damage and sewage treatment plant breakdowns.

At the time of the application, the estate were willing to enter a legal agreement which officers considered necessary to ensure that, as has now happened, the land were not subdivided or sold off and thus undermined the case for a dwelling in this location.

- 5.5 It has been confirmed that the works to the building have already been completed and the estates manager is already occupying the barn, in breach of planning permission in that the attendant 106 has not been signed.
- 5.6 Your officers consider that the recommendation for approval at the original time of the application was effectively justified as an exception in the same way as an agricultural dwelling application and as per Policy E3 of the current adopted West Oxfordshire Local Plan. However it now appears that the land that justified the estate manager is not under the whole control of the applicant. As such your officers consider that were we to recommend approval of the application with just a condition, the applicants could then apply to have the condition lifted advising that it was not justified as there was no estate in the same control. Your officers would find it difficult to counter that in the same way that an agriculture tied farmhouse with no farmland would struggle to keep its agricultural occupancy.

Siting, Design and Form

- 5.7 The existing barn is attached to Weald Manor Farmhouse and adjacent to the site where the six new dwellings were permitted. The Farmhouse is not Listed.
- 5.8 At the time of the application, your officers considered that the proposed design and works to the barn to form a dwelling was acceptable.

Highways

- 5.9 OCC Highways were consulted at the time of the application and had no technical objections to the proposal.

Residential Amenities

- 5.10 Given that the barn is located away from neighbouring residential dwellings, your officers do not consider that an undue impact will result to these properties.

Conclusion

- 5.11 Your officers recommended an on balance approval at the time the application was considered in 2016. Given that the applicant was also willing to enter a legal agreement to ensure that the barn conversion is tied to the Manor, your officers considered that the proposal complied with the relevant policies.

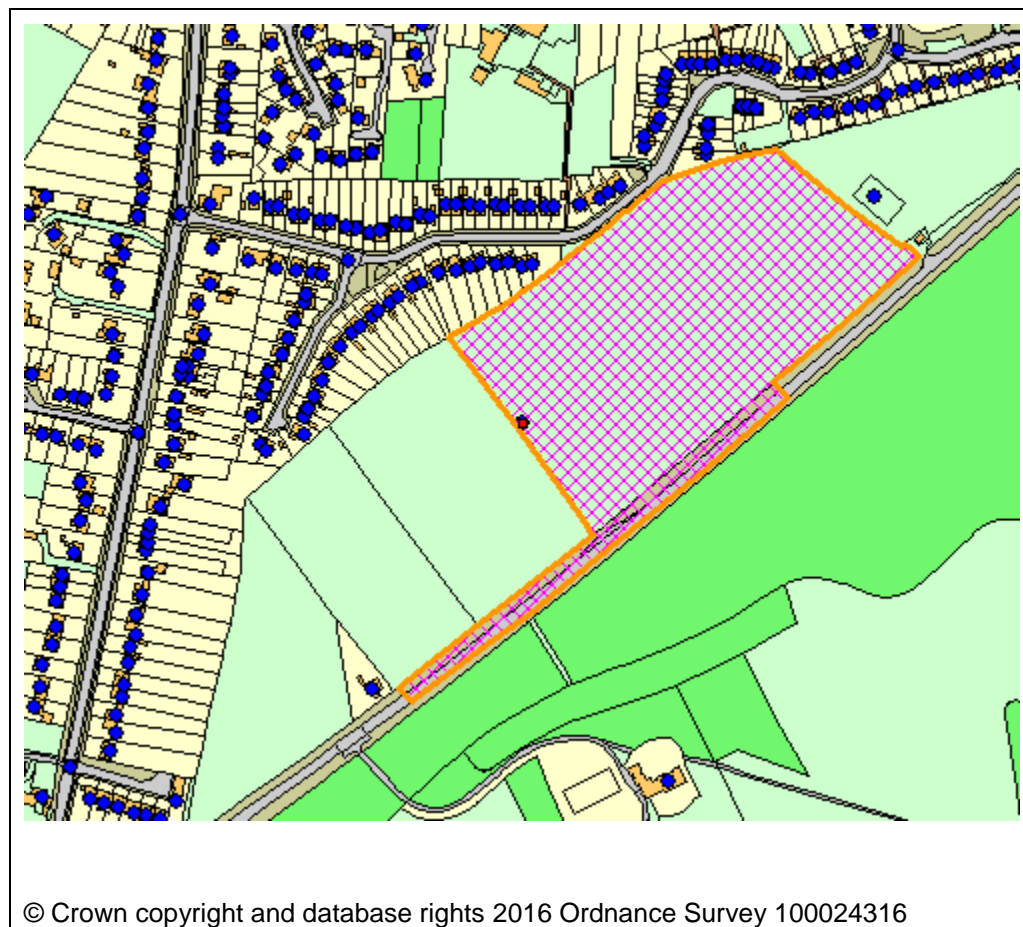
- 5.12 However given that the applicant does not wish to enter a legal agreement, which would give adequate control in ensuring that the now retrospective accommodation does not become separated from the Manor, or that unauthorised occupancy takes place, your officers consider that the original justification for such a dwelling can not be demonstrated and is now contrary to Policies OS2 and E3 of the adopted West Oxfordshire Local Plan.

6 REASON FOR REFUSAL

- I. In the absence of a legal agreement to ensure that sufficient land remains available to justify the creation of a dwelling in a location where one would not normally be allowed, and due to the extensive rebuild and remodelling of the building itself, it has not been demonstrated to the satisfaction of the LPA that the retrospective occupancy of the now converted barn is justified on its planning merits and as such it is contrary to Policies OS2, H2 and E3 of the adopted West Oxfordshire Local Plan that seek to control unjustified dwellings in unsustainable rural locations and the provisions of the NPPF 2019.

Application Number	19/02736/RES
Site Address	Land North And West And East Of Belclose Cottage Witney Road North Leigh Oxfordshire
Date	2nd June 2020
Officer	Chris Wood
Officer Recommendations	Approve
Parish	North Leigh Parish Council
Grid Reference	438829 E 212578 N
Committee Date	15th June 2020

Location Map



Application Details:

Reserved matters pursuant to 16/04234/OUT- landscaping, appearance, layout and scale and the discharge of planning conditions 7, 8, 9, 14, 15 and 20. (Amended)

Applicant Details:

Bewley Homes
C/O Agent

I CONSULTATIONS

- I.1 Major Planning Applications Team Initial Proposal
Transport: Object because: (1) The layout as proposed fails to maximise the opportunities for sustainable transport both within the scheme and in neighbouring areas; and (2) The proposed layout has not been demonstrated to be safe and suitable for all users. (conditions also recommended)
- Local Lead Flood Authority: Object because: (1) No provision for sustainable drainage features; and (2) Flood risk issue on the North and East boundary not managed through site. No access to existing drainage ditch will be available post development from the site.
- Archaeology: No objections.
- I.2 Biodiversity Officer No comments received relating to the initial proposal
- I.3 WODC Landscape And Forestry Officer Initial Proposal
Detailed comments identifying multiple concerns about the landscape approach including: (1) inadequate thickness of landscaping along A4095 Woodstock Road boundary; (2) lack of parkland character in main southwestern area of POS; (3) access arrangements to playground to the northeast; (4) treatment of swales; and (5) unsuitable locations/ species of some trees within the estate. Also lack of information relating to future maintenance/ management arrangements.
- I.4 WODC Env Services - Waste Officer No Comment Received.
- I.5 Conservation Officer Initial Proposal
No written comments but was involved in discussions to improve the proposed house designs. Initial concerns primarily related to house designs failing to adequately reflect wider District vernacular, including excessive use of hipped and half hipped roofs, half-dormers, use of multiple materials and lack of chimneys and limited proportion of stone dwellings.
- I.6 Natural England Initial Proposal
No comment on the application or the discharge of conditions; unless the proposal is amended in a way which significantly affects its impact on the natural environment.
- I.7 Thames Water Final Revised Plans
Foul water condition can be discharged based on the information submitted.
The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no

objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future Thames Water would need to review our position.

No objection to the discharge of foul water drainage related condition provided that details of site drainage works, as laid out in Drainage layout ref 6001-MJA-SWXX-DR-C-001 dated Jan 2020, are adhered to.

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| I.8 | Major Planning Applications Team | First Revision

Transport: No objections to proposal subject to conditions.
Discharge of Conditions acceptable.

Local Lead Flood Authority: Objection - further information required. |
| I.9 | Biodiversity Officer | First Revision:
Additional details that will need to be provided before a positive determination of the application include: (1) Ensure hedgerows are retained within the public realm and buffers of at least 5m are present alongside all hedgerow boundaries; (2) Further compensation/ enhancement measures to be provided (e.g. infilling of retained hedgerows with native species); (3) Amend Lighting Layout Plan to ensure illumination is minimised along the southeastern and northeastern hedgerow boundaries as well as in the southwestern area of the site; (4) Consideration of the off-site impacts to surrounding designated sites and recommendations for mitigation measures; and (5) Further detail to clarify the contribution towards the objectives and targets of the Conservation Target Area. |
| I.10 | WODC Landscape And Forestry Officer | First Revision
Revisions reduce the visual impact of the development from the principle public viewpoints along the A4095 and alter planting mixes to more closely reflect vegetation types found in the local area.
Planting plans acceptable. |
| I.11 | WODC Env Services - Waste Officer | No Comment Received. |
| I.12 | Conservation Officer | Final Revised Proposal
No written comments but the proposed house designs now more in keeping with wider District vernacular including plain gable ends, single materials, higher proportion of stone, traditional formers and chimneys among other improvements. |
| I.13 | Natural England | No Comment Received. |
| I.14 | Thames Water | No Comment Received. |
| I.15 | TV Police - Crime | First Revision |

Prevention Design Advisor	<p>Pleased to see layout of the parking for Plots 24-27 has been re-designed and previously proposed rear court has been removed, which will help prevent crime and anti-social behaviour (ASB). Remaining concerns include: (1) all private drives should be lit; (2) rear parking areas to plots 17-19 are not overlooked - if retained, rear boundary treatments should be restricted to maximum 1.5m height; (3) side and rear boundaries adjoining the public realm should be provided with anti-climbing topping; (4) trees should be at least 2m from fences or walls to prevent their use as climbing aids; (5) planting near the Windmill Road pedestrian access should be restricted in height to prevent views being blocked and/or these accesses being narrowed; and (6) vehicular access from Windmill Road should be prevented.</p>
I.16 Parish Council	First Revision: No comments received
I.17 TV Police - Crime Prevention Design Advisor	<p>Initial proposal Should incorporate the principles and physical security standards of the police's Secured by Design (SBD) scheme. Various suggested improvements relating to matters such as: (1) natural surveillance of parking areas; (2) robust treatments where private gardens adjoin public open space (e.g. 1.8m fencing) and robust rear access gates; (3) street lighting not obstructed by trees.</p>
I.18 Major Planning Applications Team	No Comment Received.
I.19 Parish Council	<p>Initial Proposal:</p> <ol style="list-style-type: none"> <li data-bbox="597 1140 1377 1236">1. The Planning Layout differs greatly from that originally approved. A number of details have been removed to the detriment of the community facilities. <li data-bbox="597 1241 1377 1337">1.1 The public open space and play area at the north side has been reduced in area to accommodate large houses with garages and extensive gardens. <li data-bbox="597 1341 1403 1404">1.2 The swale, water attenuation feature, at the south west has been removed. <li data-bbox="597 1409 1317 1472">1.3 Access to the play area at the eastern edge has been removed. <li data-bbox="597 1476 1422 1677">1.4 The S106 requirement for a detailed specification, agreed layout and management scheme for a LEAP and public open space on the site have not been submitted. The applicant has proposed a sum of £71,916 (not indexed linked as required) instead. The applicant does not offer consultation with the Parish Council as required. <li data-bbox="597 1682 1422 1845">1.5 The applicant suggests a sum of £57,000 towards a multi games area within the village. This is £800 short of the contribution of £57,800 required in the S106 agreement. The applicant does not offer consultation with the Parish Council as to the location and details of the facilities to be provided. <li data-bbox="597 1850 1084 1877">2 On the matter of highway safety:

- 2.1 There are no details of the cycle/footpath to be provided on the A4095 between Park Road and Common Road.
- 2.2 The Parish Council proposes an extension of the A4095 40mph limit from the Park Road junction through to the Common Road junction.
- 2.3 The potential effects of proposed road changes at the entrance to Eynsham Hall should be recognised.
- 2.4 A pedestrian crossing/ dropped kerb is suggested on the Windmill Road exit from the site.
- 2.5 The Parish Council is concerned that lessons have not been learned from other local developments in which residents show a preference for on-street parking on streets thus obstructing access by service and emergency vehicles. The Parish Council suggests all roads and streets on the site shall be a minimum of 5.5m wide.
- 2.6 S106 agreement requires £16,460 plus £2,100 (each indexed linked) for 2 no. bus shelter/stop facilities on Park Road. The Parish Council requires confirmation from the applicant and OCC that the Parish Council will be fully consulted prior to installation.

I.20 Parish Council

Final Revised Proposal

The Parish Council is disappointed that our earlier comments to Bewley and WODC regarding the provision of play facilities on this site have not been heeded. The site area has been reduced from earlier proposals and detailed specification, agreed layout and management scheme for the LEAP have not been submitted let alone discussed with the Parish Council.

North Leigh Parish Council will continue to object to this development until we are satisfied that our concerns have been fully addressed.

Additional more detailed concerns include:

- a) The extent of open space and play area adjoining Windmill Road has been severely reduced compared to illustrative layout in outline consent - clearly referred to in the Design and Access Statement (DAS) para 2.1 where "the northern open space is to serve as a focal point for existing and proposed development." It singularly fails to achieve that (NB detailed concerns expressed in relation to this issue include comment that LEAP is far too cramped to permit social distancing).
- b) Foul Drainage
- c) request for dimensioned drawings;
- d) no detail on climate change eco friendly standards for new dwellings;
- e) concerns about the construction noise and construction traffic management plans;
- f) accesses to adjoining land, suggest possibility of future development; and
- g) Materials should reflect Orchard Gardens in Park Road rather

than the non-vernacular Bellway Homes sites.

2 REPRESENTATIONS

- 2.1 2 letters/ email representations were received objecting to the initial proposal.
- 2.2 The first from a resident in Windmill Close listed general concerns about: (1) Impact on local ecology; (2) Design and layout Issues; (3) Highways; (4) Increase danger of flooding; (5) Landscape; and (6) Neighbourliness.; and objected specifically to the name Marlborough Gardens, which the objector considered inappropriate because: "we are nothing do with Woodstock or Blenheim. Our local landowners are the Masons and the name of the development should reflect this".
- 2.3 The other representation from a resident in Park Road objected to the following:
- i) Highways concerns, including Access to and from A4095 during construction with heavy plant and lorries; Bellway not abiding by an agreement to keep the roads free from mud; increased traffic on the A4095; and increased risks of accidents atr the new access onto the A4095.
 - ii) Increased danger of water draining off the planned estate and flooding the A4095; and
 - iii) The behaviour of Bellway at their developments in the western part of North Leigh (including ignoring conditions; Nuisance arising from dust in the summer months and mud in the winter; no wheel wash on site; construction traffic not obeying rules associated with driving through the village; poor road cleaning standards; and building houses higher than the permission they had been granted).
- 2.4 2 further letters/ email representations have been received objecting to the amended plans.
- 2.5 The first from the same resident in Windmill Close again referred generally to (1) Impact on local ecology; (2) Design and layout Issues; (3) Highways; (4) Increase danger of flooding; (5) Landscape; and (6) Neighbourliness and objected specifically to:
- The width of the footway into Windmill Road is too wide, as it should be for pedestrian use only (perhaps concrete bollards be used to correct this);
 - The new development should not be overlit as the village has a minimal number of lamp posts and it will be annoying to original properties.
 - Would this not be the best time to cut the number of developments down as with the current affairs there will not be much call for properties now as mortgages will not be readily affordable?
- 2.6 The other representation was from a resident in Windmill Road, objecting generally to: (1) Design and layout; (2) Neighbourliness; and (3) Policy/ Principle; and objecting specifically to the failure to provide a park as the objector believed had been promised in the original plans.

3 APPLICANT'S CASE

- 3.1 The Conclusion of the Design and Access Statement submitted in support of the Reserved Matters application reads as follows:
- 3.2 This document has demonstrated how the detailed proposals for the residential development comply with the Illustrative Masterplan and the design principles set out in the Design & Access

Statement. This document provides details of layout, scale, appearance, landscaping and revisits the detailed design of the primary site access.

- 3.3 Where the proposals vary slightly from the Illustrative Masterplan, sound justification is provided.
- 3.4 The proposal represents an improvement on the Illustrative Masterplan, delivering much needed housing within a more efficient use of the land while maintaining and increasing the amount of public open space proposed within the development.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

EH7 Flood risk

EH8 Environmental protection

EH9 Historic environment

EH11 Listed Buildings

EH14 Registered historic parks and gardens

EW10 Eynsham- Woodstock sub area

OS4NEW High quality design

OS5NEW Supporting infrastructure

H2NEW Delivery of new homes

H3NEW Affordable Housing

H4NEW Type and mix of new homes

T1NEW Sustainable transport

T2NEW Highway improvement schemes

T4NEW Parking provision

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH4 Public realm and green infrastructure

EH5 Sport, recreation and childrens play

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal seeks approval of landscaping, appearance, layout and scale, representing the full reserved matters ("RMs") relating to application ref. 16/04234/OUT, which granted outline consent on 16 August 2018 for: Erection of up to 50 dwellings including highway access arrangements from A4095 Witney Road, open space and associated physical infrastructure.
- 5.2 Means of access was the only matter specified at that stage;
- 5.3 Planning permission was granted subject to 21 conditions and the signing of a S.106 agreement.
- 5.4 The S.106 agreement controlled the provision of affordable housing (AH); provision and maintenance of on-site public open space, including a locally equipped area for play (LEAP); and contributions towards maintaining the LEAP; public art; community facilities (to be used towards

the provision of a multi-use games area/ MUGA in the parish); and a habitat management scheme. Commitments to the County Council included contributions towards public transport (including a contribution towards local bus services; bus shelters and bus stops with information units on Park Road), primary education, a cycle link strip within the site and highway works.

- 5.5 The conditions included a number of Grampian conditions, in relation to which this RMs application also seeks discharge of conditions 7, 8, 9, 14, 15 and 20, relating to the following matters:
- Details of the means of pedestrian access between the land and the highway, which shall be constructed, laid out, surfaced, lit and drained as required before first occupation of the dwellings approved, with construction to commence in accordance with the approved details. (Condition 7)
 - Details of the junction between the proposed road and the highway, with no highway work to begin until such details have been approved and no occupation of any building permitted until the junction has been constructed in accordance with the approved details. (Condition 8)
 - Details of the proposed pedestrian link between the development and the highway boundary on the southern side of Windmill Road (including the terms agreed with the owners of any third party land over which pedestrians must pass, and details of the lighting, surfacing, dimensions and drainage of the access), as required Prior to the commencement of development; with details to be approved prior to the commencement of the development; and the access to be constructed in accordance with the approved details prior to the occupation of any dwellings. (Condition 9)
 - A plan to show that an 11.6m long refuse collection vehicle can turn in and exit the development in forward gear, required prior to commencement of development;. (Condition 14)
 - Organisation and implementation of an archaeological investigation, to be undertaken by a professional archaeological organisation in accordance with an approved Written Scheme of Investigation prior to development commencing (Condition 15)
 - Plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings to be approved prior to commencement of development. (Condition 20)
- 5.6 The site is on the north-western side of the A4095 at North Leigh opposite the Eynsham Park Woods and principally comprises a single field with an area of approximately 3.84 hectares.
- 5.7 The field is bounded to the northwest by Windmill Road, including a boundary hedge and the rear/ side gardens of 24-40 and 42 Windmill Road. It is bounded to the northeast by a slightly neglected area of public open space and to the southwest by a further field that adjoins Belclose Cottages, as referred to in the description of development.
- 5.8 The proposed access will be taken from the A4095 at the southernmost corner of the field, as approved at outline stage.
- 5.9 As noted, the land opposite the site is part of the grade 2 listed historic park and garden of Eynsham Hall (Eynsham Hall itself is as grade 2 listed building some 500m from the nearest part of the site).
- 5.10 There are no public rights of way within or near to the site or nearby.

Principle

- 5.11 The site lies outside the village in an area where development has previously been resisted; but alterations to then outline application resulted in Members agreeing the suitability of the site for housing in principle.
- 5.12 Further to the approval of the outline permission, officers consider that the previous planning history associated with the site is no longer relevant to the acceptability of the scheme in principle.
- 5.13 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Siting, design and form
 - Trees, landscaping and ecology
 - Heritage
 - Highways Safety
 - Drainage
 - Other Matters (including POS and S.106 issues)

Siting, design and form

- 5.14 Condition 3 of the outline approval referred to the reserved matters needing to be in general accord to the principles established through the revised master plan submitted during the processing of the application and the ecological mitigation measures that accompanied the outline application.
- 5.15 The proposed layout has been altered from the originally approved parameters plan but it retains large areas of public open space in the southwestern, south-eastern and north-western areas of the site, with the POS to the southwest providing a parkland-style entrance into the estate; the LEAP is located in the north-western part of the site and will be visible from Windmill Road, thereby making it more likely to be used by both existing and new residents of the village; and the POS in the south-eastern part of the site will be used to located landscaping buffer to maintain the woodland character of this part of the A4095, to screen the development and to provide the attenuation ponds and the cycle strip required by OCC.
- 5.16 All of this and the access from the site into Windmill Road and the POS to the northeast are as set out in the parameters plan; and, as such officers consider that the proposal is in general accord to the principles established through the revised master plan submitted during the processing of the outline application and accompanying ecological mitigation measures.
- 5.17 Officers take from the above that the LPA is fully entitled to require high standards for this development at reserved matters stage, with particular reference to (a) design, including external appearance, scale, materials and layout; (b) landscaping; (c) external lighting; (d) surface water and other drainage systems; and (e) protection and enhancement of ecology/ biodiversity.
- 5.18 The proposal has been subject to amendments that have resulted in:

- Altered house designs in many locations that have established a reference to local vernacular, with greater use of stone, plain gable ends, single materials in most buildings and a significant proportion of chimneys;
 - A wider planting bed along the south-eastern boundary that features both large specimen trees and understorey planting subject to the other requirements of the proposal, including attenuation ponds and provision of space within the site for the cycle way, if this is taken up; and
 - Introducing specimen trees within the southwestern area of open space to provide a reference to the nearby parkland within Eynsham Hall and elsewhere
 - Making the LEAP more visible and more accessible from Windmill Road with a wider, more welcoming access, with the aim of helping integrate the new housing into the village as a whole.
- 5.19 The scheme shows that 50 dwellings can readily be accommodated on the site, whilst leaving large areas of open space (which includes an equipped area for play) and landscaping that are both acceptable in terms of overall amount for a development of this size and provisions to manage floodwater. There would thus appear to be no need to seek to reduce the number of units. Making the best use of land is important in reducing the pressure to release further sites.
- 5.20 The built form would be relatively low density with all plots having a suitably sized garden area in relation to the size of the dwelling. Plots do not encroach into peripheral areas of the site.
- 5.21 There is some integration of open market and affordable units but the Council does not have a policy requiring affordable units to be distributed throughout a development, and social housing providers tend to find properties easier to manage where they are grouped together.
- 5.22 For all these reasons, whilst the layout differs materially from the approved parameters plan, officers consider that it nonetheless complies with this condition; and, as it also reflects similar layouts approved elsewhere by the LPA and/or allowed at appeals in recent years, it is acceptable in broad terms and in your Officers opinion represents a suitable basis on which to proceed.
- 5.23 All buildings (mainly houses but with a small number of apartments) would be 2-storey with slate or tiler roofs. 34 of the dwellings (almost 70%) would be constructed of artificial stone, with the remainder being built of red brick with some rendered sections.
- 5.24 Further to the revised house designs and other alterations achieved through negotiation, officers consider the design and form of the proposal to be acceptable; and to reflect and complement the character and appearance of the area and the District more widely.

Trees, Landscaping and Ecology

- 5.25 The site is principally an open field with some trees and hedgerows along its boundaries. These hedgerows permit views into the site, many of which from the A4095 and the east also include views of the built edge of the village.
- 5.26 Under the proposal, the great majority of trees would be retained and the hedgerow along the south-eastern boundary with the A4095 would be greatly enhanced to reflect the wooded character of this part of the A4095, particularly on the south-eastern side of the road but also in places on the north-western side.

- 5.27 This part of the proposal has been the subject of very significant improvement through the negotiation process and although there will be glimpses of housing through the landscape buffer, officers consider that the overall impact once established is likely to be beneficial, compared to the slightly untidy built edge of the village that is currently visible.
- 5.28 Views of housing from the access (the other main viewpoint from the A4095) will be filtered by the large area of POS in the southwestern part of the site and the planting of specimen trees to give this area a semi-parkland character.
- 5.29 In the north-western part of the site, an increased area of POS will incorporate a LEAP, with a wide access and open views from Windmill Road. Existing trees will be retained but the hedgerow will be replaced by railings to improve visibility.
- 5.30 The amended layout also incorporates tree planting within the site that has been altered to minimise likely impacts on the new dwellings, thereby reducing future pressure for them to be removed.
- 5.31 Further to these alterations, the proposal is now considered acceptable by the Council's Trees and Landscape Officer.
- 5.32 The proposal includes a range of ecological enhancements and further improvements are being discussed with the Council's Ecology/ Biodiversity team to address any outstanding matters, which can be the subject of an additional condition if necessary and/or can be dealt with through the terms of the Habitat Management Scheme required under the S.106 agreement. As such, officers consider the proposal acceptable in these terms.

Heritage

- 5.33 Officers consider that once the landscaping improvements negotiated have been implemented and become established, there will be a beneficial impact on the character, appearance and setting of the grade 2 listed Eynsham Hall historic park and gardens and that even whilst this is becoming established any short term adverse impacts (particularly during the construction phase) would be outweighed by the public benefits of the proposal in providing new homes, including affordable dwellings, noting both that (1) housing has been approved in principle at this site so that the main issue is how to bring that housing forward effectively whilst minimizing adverse effects; and (2) in uncertain times for the economy, officers consider that generating economic activity may also be regarded as a public benefit.
- 5.34 Officers consider that Eynsham Hall is sufficiently distant from the proposed development and sufficiently screened from it that (other than any impact on the setting of the historic park and garden), the proposal would have no significant adverse effect on the setting and/or significance of the hall itself as a grade 2 listed building (and again, having regard to the relevant legislation, officers consider that the settings of the Listed Buildings would not be significantly affected; and the public benefits of the proposal, principally its contribution to the overall housing land supply and provision of affordable housing, would outweigh any such limited harm).

Highways

- 5.35 The principle of the means of vehicular access from the A4095 was established as part of the outline consent. The details of the highway layout for the development are now considered generally acceptable by OCC and the Highways Officer has no objections to the proposal.
- 5.36 The pedestrian links through the site are considered desirable in providing a degree of connectivity to the existing village and pedestrian (but not vehicular) access into Windmill Road has been improved by negotiation, with the LEAP in particular highly visible from Windmill Road.
- 5.37 The layout also leaves open the future possibilities of a cycle link through the southeastern part of the site and/or access into the land to the northeast.
- 5.38 Matters in relation to adequacy to the access and impacts on the local highway network were considered under the outline application and do not need to be revisited under reserved matters as there has been no change to the number of dwellings.

Drainage

- 5.39 Drainage details have been reviewed by OCC as the local lead flood authority in this case; Negotiations are proceeding with regard to the details of the drainage scheme, as is required to satisfy the relevant condition applying to the outline approval; but it is not anticipated that this will give rise to any considerations that would require alterations to the proposed layout or prevent the approval of this reserved matters application.
- 5.40 Concerns have been raised relating to disposal of both rainwater and the interrelated issue of foul sewage; but Thames Water has confirmed that the proposal is acceptable with foul sewage being directed through the pumping station close by on the A4095 to the northeast.

Other Matters

- 5.41 The Parish Council has raised a number of concerns in its original response relating to the contributions required under the S.106 agreement, including the contribution towards the LEAP and community facilities.
- 5.42 However, it appears to officers that at least some of these concerns may have arisen from a misunderstanding and/or a poorly worded description in the application documentation and that in any event the appellant remains bound by the terms of the S.106 agreement.
- 5.43 Thus, in particular, the S.106 agreement requires the provision of details of the LEAP to be submitted, agreed and implemented prior to occupation of any dwellings and the £71,916 referred to by the parish council is required in addition as a commuted sum for future management of the LEAP. Similarly the full £57,800 payable towards the provision of a MUGA in the parish is required under the S.106 (similar comments apply to the provisions of the agreement in relation to public transport, including the bus shelter/stop/ information units in Park Road). from the applicant and OCC that the PC will be fully consulted prior to installation.
- 5.44 Concerns have also been raised about the area of POS adjacent to Windmill Road compared to that shown in the illustrative masterplan submitted as part of the outline approval. Whilst this

area is smaller and not as deep, it is wider and now connects to the large area of POS to the SW (whereas in the illustrative layout, housing extended as far as the rear of 38-40 Windmill Road and the POS to the southwest would be inaccessible to existing residents).

- 5.45 The LEAP will be located directly adjacent to and will be highly visible from Windmill Road so that it is likely to be well used by existing and new residents using the LEAP; and there will be clear views of the large area of POS to the southwest, emphasizing the better connectivity within the site. As such, officers consider that the difference in usable POS is at most limited and in particular is not sufficient to justify refusal of the overall scheme.
- 5.46 Third parties have also raised matters involving the possible future name of the development and the behaviour of Bellway Homes during the construction of the residential developments to the west of the village. These are not planning considerations but: officers understand that the name of the development has not yet been finally set; and the applicant is Bewley Homes rather than Bellway Homes and construction noise and traffic management plans that are the subject of other applications will control the construction process.

Conclusion on Reserved Matters Application

- 5.47 The applicant is seeking reserved matters approval for appearance, landscaping, layout, and scale. All matters of principle, including means of access, were addressed at the outline stage.
- 5.48 The layout and design are acceptable with reference to the principles set out in the parameters plan approved at outline stage; and house designs have been renegotiated so that they are now regarded as acceptable and complementary to the local and District-wide vernacular in this setting.
- 5.49 There would be no unacceptable impact on residential amenity arising from the scale, layout and design proposed.
- 5.50 Surface drainage is dealt with in existing conditions attached to the outline approval which requires among other things an assessment of the hydrological and hydro-geological context of the development.
- 5.51 Built form and hard surfaces are set away from boundaries and there would be no unacceptable loss of trees and hedgerow subject to replacement planting in an appropriately sized, renegotiated landscape buffer along the south-eastern boundary. Appropriate ecological enhancements are provided or can be secured by condition.
- 5.52 The proposed 50 dwellings can be comfortably accommodated on the site without significant detriment to the character and appearance of the area, indeed the proposal is low density.
- 5.53 Similarly, there would be no significant harm to the significance and setting of any nearby heritage assets; and once the landscape buffer is established, officers consider that there will be a benefit to the setting of the historic park and garden nearby. Any less than substantial harm in heritage terms is outweighed by the public benefits of delivering new housing (including affordable housing) and the economic and social benefits that are associated with new development and an increased resident population.

5.54 The proposal is considered acceptable and is accordingly recommended for approval subject to conditions.

Grampian Conditions to be Discharged

5.55 As noted above (and as specified in the description of development), the application also seeks to discharge conditions 7, 8, 9, 14, 15 and 20.

5.56 The means of pedestrian access between the land and the highway required by condition 7 are as shown in the external works (and other layout) plan. They have not been the subject of an objection by OCC as Highway Authority.

5.57 Details of the junction between the proposed road and the highway required by condition 8 are as shown in the submitted plans. They are consistent with the detailed matters approved at outline stage and have not been the subject of an objection by OCC as Highway Authority.

5.58 Details of the proposed pedestrian link between the development and the highway boundary on the southern side of Windmill Road (which the applicant now controls, according to the extent of the red line site area, which is the subject of a "certificate A" declaration of sole ownership) (including the terms agreed with the owners of any third party land over which pedestrians must pass, and details of the lighting, surfacing, dimensions and drainage of the access), as required by condition 9 are as shown in the layout plans. They have been altered to improve accessibility but do not permit use by vehicles. As such, they are considered acceptable in planning terms by your officers and they are also considered acceptable by OCC as the Highway Authority.

5.59 Vehicle tracking plans to show that an 11.6m long refuse collection vehicle can turn in and exit the development in forward gear, required by condition 14 have been submitted and have not been the subject of an objection by OCC as Highway Authority.

5.60 The County Archaeologist has confirmed that the archaeological investigation that has taken place, as detailed in the submitted report is acceptable in compliance with condition 15.

5.61 Plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings to be approved prior to commencement of development. (Condition 20).

5.62 These have been reduced compared to the originally submitted plans but a small number of dwellings are still elevated significantly above natural ground levels, which as the applicant has explained, is necessary as a result of the need to ensure effective sewage disposal for residents of those dwellings. Nonetheless, officers consider that the adverse impacts of this in terms of prominence of the proposed dwellings as seen in the context of the estate as a whole

5.63 Finally, the Committee should note that comments on other matters dealt with by condition (including in particular the proposed construction noise and traffic management plans) are not part of the current application (although comments received will be taken into account when discharging those conditions).

6 CONDITIONS

1. The development shall be commenced within either five years from the date of the outline permission granted under reference , or two years from the date of this approval, or where there are details yet to be approved, within two years from the final approval of those matters. REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development shall be carried out in accordance with the approved plans listed below:

- LOCATION PLAN ref. 1426/102
- PLANNING LAYOUT ref. 1426/100
- PLANNING LAYOUT (COLOURED) no ref.
- PARKING STRATEGY PLAN ref. 1426/103
- EXTERNAL WORKS LAYOUT ref. 1426/110
- House Type Chilworth Elevations ref. 1426/ HT-Ch-01 rev. B
- House Type Chilworth Floor Plans ref. 1426/ HT-Ch-02 rev. A
- House Type Chobham Elevations ref. 1426/ HT-Co-01 rev. D
- House Type Chobham Floor Plans ref. 1426/ HT-Co-02 rev. A
- House Type Donnington Elevations ref. 1426/ HT-Do-01 rev. C
- House Type Donnington Floor Plans ref. 1426/ HT-Do-02 rev. A
- House Type Eversley Elevations ref. 1426/ HT-Ev-(x2)-01 rev. C
- House Type Eversley Floor Plans ref. 1426/ HT-Ev-(x2)-02 rev. A
- House Type Godstone Elevations ref. 1426/ HT-Go-01 rev. C
- House Type Godstone Floor Plans ref. 1426/ HT-Go-02 rev. A
- House Type Lambourne Elevations ref. 1426/ HT-La-01 rev. C
- House Type Lambourne Floor Plans ref. 1426/ HT-La-02 rev. B
- House Type Longstock Elevations ref. 1426/ HT-Lo-01 rev. D
- House Type Longstock Floor Plans ref. 1426/ HT-Lo-02 rev. C
- House Type Marlborough Elevations ref. 1426/ HT-Ma-01 rev. D
- House Type Marlborough Floor Plans ref. 1426/ HT-Ma-02 rev. A
- House Type Oakley Elevations ref. 1426/ HT-Ok-01 rev. C
- House Type Oakley Floor Plans ref. 1426/ HT-Ok-02 rev. A
- House Type Oakley (stone) Elevations ref. 1426/ HT-Ok-03
- House Type Ripley Elevations ref. 1426/ HT-Ri-01 rev. C
- House Type Ripley Floor Plans ref. 1426/ HT-Ri-02 rev. A
- House Type Stanford Elevations ref. 1426/ HT-St-01 rev. E
- House Type Stanford Floor Plans ref. 1426/ HT-Ch-02 rev. B
- House Type Stanford (stone) Elevations ref. 1426/ HT-St-03
- House Type Maisonettes - A2B3P & A1-2B4P & 2B-2B4P Elevations ref. 1426/ HT-A-A1-2Bx2-01 rev. B
- House Type Maisonettes - A2B3P & A1-2B4P & 2B-2B4P Ground Floor Plans ref. 1426/ HT-A-A1-2Bx2-02
- House Type Maisonettes - A2B3P & A1-2B4P & 2B-2B4P First Floor Plans ref. 1426/ HT-A-A1-2Bx2-03
- House Type 2B4P(SE)x2-2B4P Elevations ref. 1426/ HT-2B(SE)x2-2B-01 rev. B
- House Type 2B4P(SE)x2-2B4P Floor Plans ref. 1426/ HT-2B(SE)x2-2B-02
- House Type 2B4P(SE), 2B4P & 3B5P Elevations (1) ref. 1426/ HT-2B(SE)-2B-3B-01 rev. B

- House Type 2B4P(SE), 2B4P & 3B5P Elevations (2) ref. 1426/ HT-2B(SE)-2B-3B-02 rev. B
- House Type 2B4P(SE), 2B4P & 3B5P Floor Plans ref. 1426/ HT-2B(SE)-2B-3B-03
- House Type 2B4P-2B4P(SE) Elevations ref. 1426/ HT-2B-2B(SE)-01 rev. B
- House Type 2B4P-2B4P(SE) Floor Plans ref. 1426/ HT-2Bx2B(SE)-02
- House Type 2B4P(SE)x2-2B4P Elevations (2) ref. 1426/ HT-2B(SE)x2-2B-01 rev. B
- House Type 2B4P(SE)x2-2B4P Floor Plans ref. 1426/ HT-2B(SE)x2-2B-02
- House Type 3B-3B5P Elevations ref. 1426/ HT-3Bx2-01 rev. B
- House Type 3B-3B5P Floor Plans ref. 1426/ HT-3Bx2-02
- House Type 2B4P & 3B-3B5P Elevations ref. 1426/ HT-3B-2B-3B-01 rev. B
- House Type 2B4P & 3B-3B5P Floor Plans ref. 1426/ HT-3B-2B-3B-02
- STREET SCENES ref. 1426/ 51 rev. C
- SITE SECTIONS ref. 1426/ 52
- WALL & FENCE DETAILS SHT 1 OF 2 ref. 1426/ 54-1
- WALL & FENCE DETAILS SHT 2 OF 2 ref. 1426/ 54-1
- GARAGE DETAILS ref. 1426/ 55
- LANDSCAPING LAYOUT SHEET 1 OF 4 ref. 1426/ 101-1 rev. E
- LANDSCAPING LAYOUT SHEET 2 OF 4 ref. 1426/ 101-2 rev. E
- LANDSCAPING LAYOUT SHEET 3 OF 4 ref. 1426/ 101-3 rev. E
- LANDSCAPING LAYOUT SHEET 4 OF 4 ref. 1426/ 101-4 rev. E
- ENTRANCE FEATURE FROM WINDMILL RD ref. 1426/ 90-2
- POND DETAIL ref. 1426/ 90

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

3. Prior to the commencement of construction, samples of all external walling and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed fully in accordance with the approved details. The external walls shown as to be constructed of artificial or natural stone shall be built in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any such artificial or natural stone external walls are commenced and thereafter the sample panel shall be retained until the development is completed.
REASON: To ensure appropriate use of materials and ensure that the mix and colour of mortar, and coursing of the artificial stone walling is satisfactory in order to safeguard the character and appearance of the area.
4. Notwithstanding the submitted Street Lighting Layout plan ref. 6001-MJA-SW-XX-DR-C-003 rev. P2 and/or External Works Layout plan ref. 1426/110, the lighting layout is not approved. None of the dwellings hereby approved shall be occupied until lighting has been provided and is operational in accordance with details of an alternative lighting layout that has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure adequate visibility within the site, to protect the security of residents and to minimise impacts on wildlife/ biodiversity.
5. Notwithstanding the provisions of Schedule 2, Part 2, Class A (gates, fences, walls etc.) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure above 1.5m in height shall be erected; and all hedges shall be maintained below 1.5m in height to the rear of plots 17-19.
REASON: Control is needed to provide natural surveillance of parking areas.

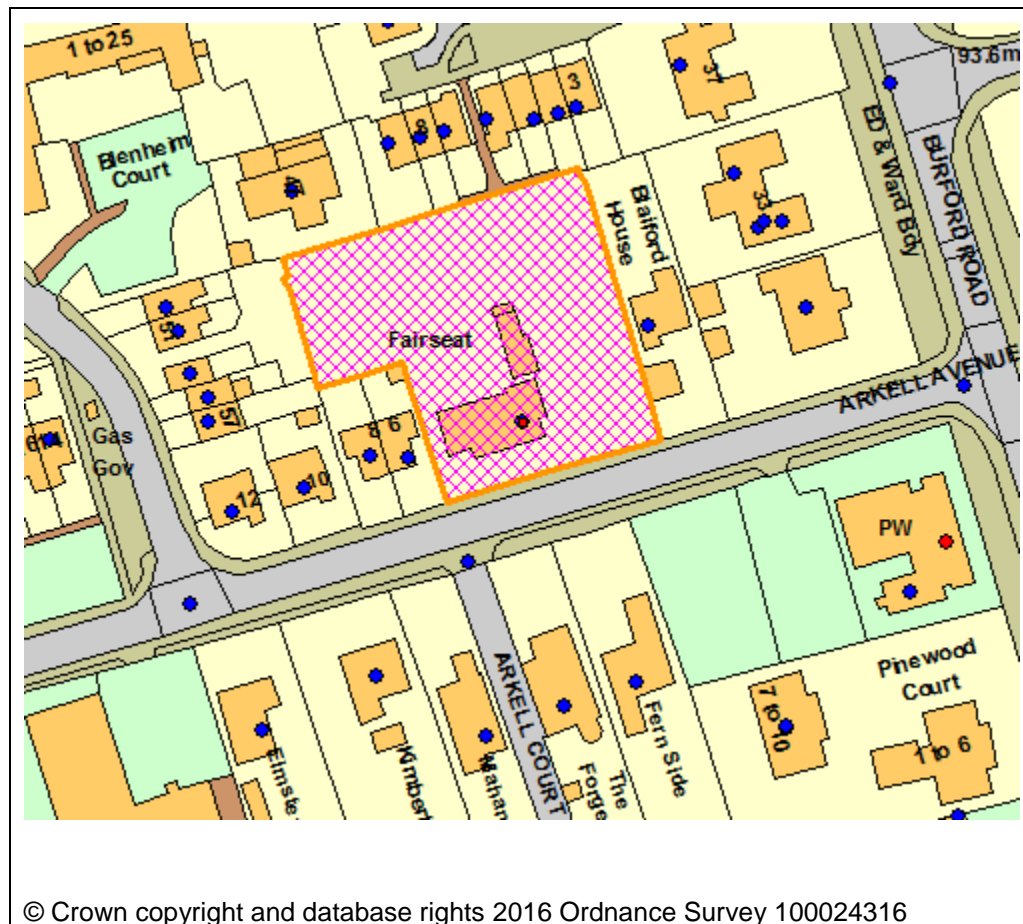
6. Notwithstanding the submitted details the proposed landscaping between the LEAP and footway/cycleway shall be maintained so as to be no higher than 600mm above adjacent ground level and not to encroach onto the width of the foot/cycle path.
REASON: In the interests of pedestrian and cyclist safety.
7. Notwithstanding the submitted details prior to the footway/cycleway being completed 45 degree visibility splays shall be provided extending 2m from the back edge of the existing footway in to the site at each edge of the proposed path and shall be maintained as such thereafter.
REASON: In the interests of pedestrian and cyclist safety.
8. Prior to works commencing on site details of measures to prevent the use of the proposed foot/cycle link by unauthorised vehicles shall have been submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall then be constructed prior to completion of the link.
REASON: In the interests of highway safety.
9. Prior to first occupation of any dwelling, all bathroom/WC windows to that dwelling shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the neighbouring properties.
10. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.
REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.
11. Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.
REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.
12. Condition 7 (Details of the means of pedestrian access between the land and the highway) is discharged with reference to External Works Layout plan ref. 1426/110; and Footpath Connection plan ref. 6001-MJA-SW-XX-DR-C-006 rev. P1, subject to provision of improved measures to prevent vehicular access from Windmill Road in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. This access (including the approved measures to prevent vehicular access) shall be constructed, laid out, surfaced, lit and drained as required before first occupation of the dwellings approved, with construction to commence in accordance with the approved details.

REASON: To provide safe pedestrian access into the site and for the avoidance of doubt as to what is permitted.

13. Condition 8 (Details of the means of vehicular access between the land and the highway) is discharged with reference to Section 278 Works General Arrangement plan ref. 6001:6002. No building shall be occupied until the junction has been constructed in accordance with the approved details.
REASON: To provide safe vehicular access into the site and for the avoidance of doubt as to what is permitted.
14. Condition 9 (Details of the means of pedestrian access between the land and Windmill Road) is discharged with reference to Entrance Feature from Windmill Road plan ref. 1426/90-2 rev. A; Footpath Connection plan ref. 6001-MJA-SW-XX-DR-C-006 rev. P1; and External Works Layout plan ref. 1426/110, subject to provision of improved measures to prevent vehicular access in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
This access (including the approved measures to prevent vehicular access) shall be constructed, laid out, surfaced, lit and drained as required before first occupation of the dwellings approved, with construction to commence in accordance with the approved details.
REASON: To provide safe pedestrian access into the site and for the avoidance of doubt as to what is permitted.
15. Condition 14 (A plan to show that an 11.6m long refuse collection vehicle can turn in and exit the development in forward gear, required prior to commencement of development) is discharged with reference to Refuse Vehicle Tracking plan ref. 6001-MJA-SW-XX-DR-C-090 rev. P1. Thereafter, the internal access roads shall be built and maintained so that the swept path tracking shown on this plan can be achieved in accordance with the approved details.
REASON: To provide safe pedestrian access into the site and for the avoidance of doubt as to what is permitted.
16. Condition 15 (Organisation and implementation of an archaeological investigation, to be undertaken by a professional archaeological organisation in accordance with an approved Written Scheme of Investigation prior to development commencing) is discharged with reference to WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL EVALUATION: Land adjacent to the A4095 North Leigh, Near Witney, Oxfordshire (September 2019).
REASON: To avoid harm to archaeological assets and for the avoidance of doubt as to what is permitted.
17. Condition 9 (Plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings, to be approved prior to commencement of development) is discharged with reference to Levels Layout plan ref. 6001-MJA-SW-XX-DR-C-002 rev. P4. The development shall be carried out in accordance with these agreed levels, with no dwelling to have a finished floor level in excess of that is shown on the approved plan.
REASON: To protect the character and appearance of the nearby area and for the avoidance of doubt as to what is permitted.

Application Number	20/00244/OUT
Site Address	Fairseat Arkell Avenue Carterton Oxfordshire OX18 3BS
Date	2nd June 2020
Officer	Miranda Clark
Officer Recommendations	Approve subject to Legal Agreement
Parish	Carterton Town Council
Grid Reference	427949 E 207008 N
Committee Date	15th June 2020

Location Map



Application Details:

Demolition of existing dwelling and outbuildings. Construction of residential development comprising of 5 houses and 7 flats together with associated works and formation of new vehicular access. (Outline application with some matters reserved) (Additional Plan)

Applicant Details:

Mr Johnathan Pearman, 2 Swain Street, Watchet, Somerset, TA23 0AA

I CONSULTATIONS

- I.1 TV Police - Crime Prevention Design Advisor
The Design and Access Statement (DAS) does not adequately address crime and disorder as required by CABE's 'Design & Access Statements- How to write, read and use them'. This states that DAS' should; 'Demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime'. Should the proposals come forward at reserved matters, I recommend that the application includes more detail on crime prevention design and that the applicants provide a commitment to achieving accreditation under the police's Secured by Design (SBD) scheme.
In the meantime, to assist with this and to ensure that the opportunity to design out crime is not missed, I request that a condition be placed upon any approval for this application.
- I.2 Major Planning Applications Team
Objected to original scheme.
- I.3 WODC Landscape And Forestry Officer
No Comment Received.
- I.4 Major Planning Applications Team
Amended Plans;
No objection subject to:
S106 Contributions as summarised and justified in this Schedule:
An obligation to enter into a S278 agreement
Planning Conditions
Note should be taken of the informatives

The previous response recommended an objection due to a lack of car parking spaces within the development. The latest revision of the Proposed Site Layout drawing, Rev. A, has responded to this by increasing the total number of spaces to an acceptable level whilst removing tandem parking for the one-bedroom flats. It is slightly unfortunate that two of the five visitor spaces are accessed directly from
Arkell Avenue so may effectively become third bays for Plots 8 and 12 unless they are clearly designated as visitor bays for shared use. Access via garden gates has been rearranged for the houses so that all are usable despite the presence of parked cars. Increased space has been allocated for cycle parking facilities and for bin storage for the flats, and this is now within a suitable distance from the road for the collection service to operate.

£12,444 Public Transport Service Contribution
- I.5 Biodiversity Officer
No Comment Received.

- 1.6 Town Council Carterton Town Council felt that there would be insufficient access for emergency vehicles, no environmental gains and insufficient parking.
- 1.7 Thames Water No objection

2 REPRESENTATIONS

2.1 Five letters have been received. The main issues are summarised as follows;

- Parking issues
- Overlooking
- I think the building is of historical interest to Carterton. I would like to see a preservation order considered or a Grade 2 listing.
- Has the building been checked for bats?
- Would wish to continue with some privacy after the development
- Any damage to the wall will need to be rectified
- Tree need to be pollarded
- Amount of vehicles
- Confirmation of units 5, 6, and 7 - design and scale
- Tree issues
- Arkell Avenue houses the single largest swift colony in Carterton and surrounding area - swift boxes should be installed
- Please make sure that nature benefits as well

3 APPLICANT'S CASE

- 3.1 A Planning and Design Statement has been submitted as part of the application. It has been summarised as follows;
- 3.2 The site is in an established residential area surrounded by other relatively modern housing. The NPPF makes clear the objective of the planning system is to contribute towards sustainable development. At the heart of the system is the presumption in favour of sustainable development.
- 3.3 No harm will be caused by this proposal which promotes the development of under utilised land and optimises land use.
- 3.4 The proposed design is all two storey with a mix of artificial stone, render and brickwork under pitched roofs.
- 3.5 We believe that the proposal is appropriate for the site and location, has due regard to the amenity of neighbouring properties and will not have an undue visual impact in relation to its surroundings.
- 3.6 It is sympathetic to the established character of the area, the form, setting and scale of adjoining and nearby buildings. It will add to the character and appearance of the area.

- 3.7 The Council will have control over the design and appearance of the development, including its landscaping at reserved matters stage.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H6NEW Existing housing

H4NEW Type and mix of new homes

T4NEW Parking provision

EH3 Biodiversity and Geodiversity

OS3NEW Prudent use of natural resources

H3NEW Affordable Housing

OS5NEW Supporting infrastructure

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within a mature residential area of Carterton. The site has one dwelling which is vacant, on a site of 0.2Ha.
- 5.2 The proposal is seeking approval for an outline permission, with only the access, layout and scale being part of the planning submission. Other matters such as the appearance and landscaping will be assessed in a reserved matters application.
- 5.3 The application is to be heard before the Members of the Lowlands Area Planning Sub-Committee as the Town Council has objected to the application.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.5 Carterton is categorised as a Main Service Centre in the adopted West Oxfordshire Local Plan. Such settlements are considered to offer the widest range of services and facilities, have suitable and deliverable development sites available, are accessible by a choice of transport modes (other than rail) and offer a good range of job opportunities. Your officers consider that the principle of development in this location is acceptable and in accordance with policy H2 which states that new dwellings will be permitted in main service centres on previously developed land within the built up area where it would not conflict with any other policies.
- 5.6 As part of the general principles of Policy OS2 of the Local Plan, all development should be of a proportionate and appropriate scale to its context, form a logical complement to the existing scale and pattern of development and/or the character of the area, be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants, and be provided with safe vehicular access and pedestrian access to supporting services and facilities.

- 5.7 The proposal is for a total of twelve dwellings comprising of seven flats and five dwelling houses. The amended layout plans shows that the five houses will front on to Arkell Avenue, with an access road into the rear of the development in between, which leads to the two flat buildings.
- 5.8 With regards to affordable housing, as twelve units are proposed, 35% on site affordable housing provision is required to accord with policy H3. However at the time of writing, officers are yet to receive a response from your housing officers regarding the requirement in this instance. It is anticipated that your officers will verbally update Members at the Committee meeting.
- 5.9 Policy H4 of the adopted West Oxfordshire Local Plan discusses the mix and range of homes needed. The proposed development is considered to have a good mix of homes. The proposed flats are one bed units and the houses to the front of the site are a mix of three bed and two bed dwellings. Your officers consider that this mix and type of units are acceptable for this location and the application site.
- 5.10 Having assessed the proposal against these policies, your officers consider that the principle of such a development is acceptable.

Siting, Design and Form

- 5.11 The layout of the proposed development is considered to complement the existing pattern of development's character and context. The proposed dwellings to the front of the site continue the general building line at existing properties at No 8 and 6. The proposed dwellings are shown to be set off the boundaries with the existing residential properties along Arkell Avenue.
- 5.12 To the rear of the site, the two flat buildings have been located away from the existing development to the rear, and to the rear of the new properties fronting onto Arkell Avenue. As such your officers do not consider that there the scale of the proposed development will appear out of character with the existing form and scale of the surrounding development.
- 5.13 Whilst appearance is not a matter to be discussed as part of this application, illustrative plans have been submitted. Your officers consider that the general form is acceptable in principle.
- 5.14 Your officers have included the condition requested by the Crime Prevention Design Advisor.

Highways

- 5.15 In terms of the Town Council's comments, OCC raised objections to the original scheme as the proposed development included an insufficient number of car parking spaces, and further consideration need to be given to cycle parking, bin storage and collection.
- 5.16 An amended plan was received from the applicant's agent, and OCC Highways have removed their objection to subject to conditions and informative.
- 5.17 The applicant has agreed to the Section 106 contribution towards Public Transport and the proposal is considered to accord with the relevant local plan policies.

Residential Amenities

- 5.18 As this is an outline application, whereby appearance is a reserved matter, amenity will be assessed once a formal reserved matters application is submitted. However, in terms of the layout plan submitted, your officers consider that the site can acceptably accommodate the proposed number of dwellings without detriment to neighbour amenity.

Conclusion

- 5.19 In view of what is to be assessed within the outline application, your officers consider that the proposed layout and scale of the development is acceptable for this location. The modest scheme will not adversely affect the visual appearance of the streetscene. Your officers consider that the proposed development will not appear as an over development of the site.
- 5.20 In terms of the access, OCC have not raised further objections to the scheme.
- 5.21 Whilst your officers are still in discussions regarding the affordable housing provision, officers consider that notwithstanding this issue, the proposal is considered to comply with the relevant policies of the adopted West Oxfordshire Local Plan and the relevant paragraphs of the NPPF.

6 CONDITIONS

1. a) Application 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.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. Details of the appearance and landscaping (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.
REASON: The application is not accompanied by such details.
3. 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.
4. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the adjoining highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. This shall include a simple priority bellmouth junction at the western access and a raised table mini roundabout junction at the eastern access. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.
REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.
6. parking facilities shall be provided prior to the occupation of the development hereby approved, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
REASON: To encourage the use of sustainable modes of transport.
7. Prior to commencement of above ground works, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of accreditation has been received by the Local Planning Authority.
REASON: These details have not been provided.
8. Prior to the first trench being dug, a full surface water management plan which shall include sustainable drainage systems shall be first submitted to and approved in writing by the Local Planning Authority. The design of which Details shall include the principles from the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire" published by Oxfordshire County Council. The development shall be constructed in line with the approved details.
REASON: Such details have not been submitted, and to ensure that suitable drainage is maintained and flood risk can be managed appropriately.
9. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.
REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.
10. Prior to the commencement of development above ground level, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development 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 use of the development premises and retained in place thereafter.
REASON: In the interest of improving connectivity in the District.

NB Council will be able to advise developers of known network operators in the area.

NOTES TO APPLICANT:

1. Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team by email - roadagreements@oxfordshire.gov.uk
2. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>
3. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.