

**Democratic Services**

**Reply to:** Amy Barnes  
**Direct Line:** (01993) 861522  
**E-mail:** amy.barnes@westoxon.gov.uk

5 June 2020

**SUMMONS TO ATTEND**

**MEETING:** LOWLANDS AREA PLANNING SUB-COMMITTEE  
**PLACE:** TO BE HELD VIA VIDEO CONFERENCING BECAUSE OF SOCIAL DISTANCING REQUIREMENTS AND GUIDANCE (see [note](#))  
**DATE:** MONDAY 15 JUNE 2020  
**TIME:** 2:00 pm

---

Membership of the Sub-Committee

Councillors Ted Fenton (Chairman); Carl Rylett (Vice-Chairman); Owen Collins, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, Steve Good, Jeff Haine, Nick Leverton, Kieran Mullins and Harry St John

---

**RECORDING OF MEETINGS**

The law allows the council's public meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Officer know before the start of the meeting.

---

**A G E N D A**

- 1. Minutes of the meeting held on 26 May 2020 ([copy attached](#))**
- 2. Apologies for Absence and Temporary Appointments**
- 3. Declarations of Interest**

To receive any declarations of interest from Councillors relating to items to be considered at the meeting, in accordance with the provisions of the Council's Local Code of Conduct, and any from Officers.
- 4. Applications for Development (Report of the Business Manager – Development Management – [schedule attached](#))**

Purpose:

To consider applications for development, details of which are set out in the attached schedule.

Recommendation(s):

That the applications be determined in accordance with the recommendations of the Business Manager – Development Management.

**5. Planning Application 19/02809/FUL, Land south of Milestone Road, Carterton (Report of the Locality Lead - Development Management – [copy attached](#))**

Purpose:

To reconsider the above application following the resolution in March 2020.

Recommendation:

That the application be refused for the reasons referred to in paragraph 3.6 of the report.

**6. List of Applications Determined under Delegated Powers, Withdrawn Applications; and Appeal Decision (Report of the Business Manager – Development Management - [copy attached](#))**

Purpose:

To inform the Sub-Committee of the list of applications either determined under delegated powers or withdrawn, together with an appeal decision.

Recommendation:

That the report be noted.



Giles Hughes  
Chief Executive

This agenda is being dealt with by Amy Barnes Tel: (01993) 861522  
Email: [amy.barnes@westoxon.gov.uk](mailto:amy.barnes@westoxon.gov.uk)

Note: Councillors will be sent an invitation to the remote meeting via Cisco Webex. Members of the public may view the meeting via [Facebook Live](#). A Facebook account is not required.

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Lowlands Area Planning Sub-Committee**  
held via video conferencing at 2.00pm on **Tuesday 26 May 2020**

PRESENT

Councillors: Ted Fenton (Chairman), Carl Rylett (Vice Chairman), Owen Collins, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, Steve Good, Jeff Haine, Nick Leverton, Kieran Mullins and Harry St John.

Officers: Phil Shaw (Business Manager Development Management), Abby Fettes (Interim Locality Lead Officer Development Management), Miranda Clark, (Senior Planner Development Management), Keith Butler (Head of Democratic Services) and Amy Barnes (Senior Strategic Support Officer).

1. MINUTES

Councillor Leverton advised that one of the paragraphs of Minute 61 on page 7, outlining his address to the Committee, was inaccurate. He was not the Ward Member for the area and requested that the minutes be amended to read as follows:

“Councillor Leverton advised that he was aware that lengthy attempts with the applicant had been made to request compliance but unfortunately, this had not been achieved.”

The Chairman advised that the content of the minutes had been queried the applicant of the Milestone Road proposal, however, officers were content that it captured the main issues debated and the advice given. The Business Manager Development Manager provided Members with a brief update and advised that the application would likely return to Committee for deliberation in due course.

**RESOLVED:** That the minutes of the meeting of the Sub-Committee held on 16 March 2020, copies of which had been circulated, be approved as a correct record and signed by the Chairman subject to the amendment above.

2. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

3. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Business Manager – Development Management, giving details of an application for development, copies of which had been circulated.

**RESOLVED:** That the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

### **3 19/02616/FUL - Manor Dairy Farm, Shilton**

The Business Development Manager, Mr Shaw, introduced the application and took Members through the report and presentation slide pack. He advised that a number of communications had been received by the Leader of the Council, including photographs of the site, but the content of the communication was not relevant to the discussion and decision required.

Mr Shaw explained that a representation had been received by the British Horse Society and their concerns had been covered by conditions. This was a part retrospective application and Members were advised that the activity on site did not require planning permission if carried out in an initial 28 day period. Officers had assessed the application as a new building due to the level of work already carried out and did not feel that the structure looked incongruous in the setting.

With regard to the issue of noise and impact on safety, there was no record that any accidents had been reported in the previous ten year period.

Officers were recommending approval of planning permission and the Committee was reminded that any matters raised in the press relating to criminal activity were not a material consideration in this instance, permission would be granted to the land use and not the land user and any decision could be considered unlawful if taken on anything but the planning merits of the case.

Mr Shaw highlighted that condition 8 of the report would be amended to clarify the winter and summer months, thereby reflecting the wording used in Condition 3.

Following a question from Councillor St John, Mr Shaw described the access as a rough track with some residential properties leading off it. The concrete track developed into a farm track further down and most people would access the area on foot after the hardstanding finished.

Councillor Leverton queried the presence of a bath in the drawing on page 7 of the presentation pack and asked if this could be amended to deter the applicant from using the building as a dwelling. Mr Shaw advised that this had been queried by officers and they had been advised that the building was solely to be used as a clubhouse and not residential. He also reminded Members that if there was any indication that it was being used as a dwelling in the future, the Council would be able to take appropriate enforcement action.

In response, Councillor Leverton queried if there could be a time limit added to the conditions, stopping the applicant asking for a change to residential use for the next twenty years. Officers advised that an applicant could continue to submit applications and pay the fee accordingly. The matter would be scrutinised appropriately each time.

Following a question from Councillor St John, Mr Shaw advised that the permission was for silent flight aircraft and, having assessed the case, Environmental Health were satisfied with the conditions being applied.

Councillor Crossland stated that although she was reticent to retrospective applications she felt the application could be supported if controlled with careful conditions. She was not content with the inclusion of the bath in the drawings and proposed the officers

recommendation, subject to negotiations with the applicant regarding the removal of the bath from the plans.

This was seconded by Councillor Leverton.

Councillor Mullins raised concerns about the reference in the report to re-using the existing structure and received clarity from the officers as to the sections of the building that had been retained. He suggested limiting the number of members to the club as he felt too many would have a detrimental impact on parking and the bridleway.

Mr Shaw highlighted the condition restricting the number of aircraft in flight at one time but felt that limiting the number of people allowed on site could be difficult to enforce. He suggested amending the wording to Condition 10, limiting the number of cars on site to five at any one time and advised that the size of the building would naturally limit the number of attendees.

The option of limiting the number of annual events held on site was discussed but some Members felt this was not necessary.

It had been proposed and duly seconded that the application be granted as per officers' recommendations with an amendment to the wording in Condition 8, an amendment to Condition 10 to refer to a maximum of five cars on site at any one time and subject to officers liaising with the applicant regarding the removal of the bath from internal drawings.

The recommendation of approval put to the vote and was carried.

Approved

## **18 19/00266/S73 - Bournmead, Clanfield Road, Weald, Bampton**

The Planning Officer, Ms Clark introduced the application.

Information contained in the follow on report advised that Section 3 (Applicant's Case) of the Committee Report, was incorrect and the accurate wording of paragraphs 3.1 to 3.4 were detailed.

The Planning Officer then presented her report containing a recommendation of approval. She advised that the applicant was seeking consent for design changes and the provision of accommodation remained unchanged. Permission was subject to Conditions 1 to 9 as outlined in the report.

Councillor Ted Fenton proposed that the application be granted as per officers recommendations as he felt the changes provided a more balanced design.

This was seconded by Councillor Rylett.

Councillor Crossland raised an issue with size of the drawings provided which she found difficult to view. She therefore did not feel she was in a position to make an informed decision and advised she would abstain from voting.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

**23 20/00382/FUL - Land South East of Grayshott House, Bampton**

The Planning Officer, Ms Fettes introduced the application containing a recommendation of approval.

Information contained in the follow on report outlined a response received from WODC Drainage Engineers on 12 May 2020 advising on type and location of grate and stating that a wayleave agreement would be required.

A public submission had been received and was read out on behalf of Mr Paul Slater. All Members had also been emailed directly on 22 May 2020 and were sent 3D drawings of the site. A summary of his submission is attached as Appendix A to the original copy of these minutes.

The Planning Officer then presented her report and advised that the main issue raised was the design of the proposed dwelling in that location. However, the Conservation Officers had considered the proposal and were satisfied. The materials would be stone and slate and the dwelling sat well down in the site. Ms Fettes highlighted the drainage issues raised and advised that the conditions would be amended to reflect the up to date information received.

Councillor St John proposed that the application be granted as per officers' recommendations, subject to the amendment to the drainage conditions.

This was seconded by Councillor Haine who was content that the original insertion of a 2m fence was to be replaced with hedgerow planting.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

**32 20/00824/FUL - 87 High Street, Standlake**

The Planning Officer, Ms Clark introduced the report which contained a recommendation of approval. The application sought renewal of the 2017 approval for a new building to be used as an annexe.

The report was being considered at Committee due to an objection having been received from Standlake Parish Council who felt this was overdevelopment of the site. The Parish Council had requested that a condition be attached stating that the annexe must remain as an annexe to the main property and not sold as a separate dwelling.

Officers had included a condition clarifying that the accommodation would be occupied by members of the family or staff employed at the dwelling house known as The Limes, 87 High Street.

Following a question from Councillor St John, the Chairman clarified that the residential location of the applicant was not a planning concern.

Councillor Good proposed that the application be granted as per officers' recommendations and stated that he had noted the concern from the Parish Council and was comfortable with the condition proposed by officers.

This was seconded by Councillor Eaglestone.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

4. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined under delegated powers was received and noted.

The Planning Officers outlined the appeal decisions recently received and Members noted that the Inspector had agreed with Members on all three of the decisions made as noted in the report.

Prior to the close of the meeting, the Business Manager, Development Management, Mr Shaw took the opportunity to thank all staff for their continued dedication to the team during the recent Coronavirus crisis. He highlighted the large number of applications that had been dealt with under delegated powers and he praised officers for their hard work.

In response, Councillor Good felt that all Members should express their gratitude to the planning team who had been working hard under the current circumstances.

The meeting closed at 3:45 pm.

CHAIRMAN

# 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:

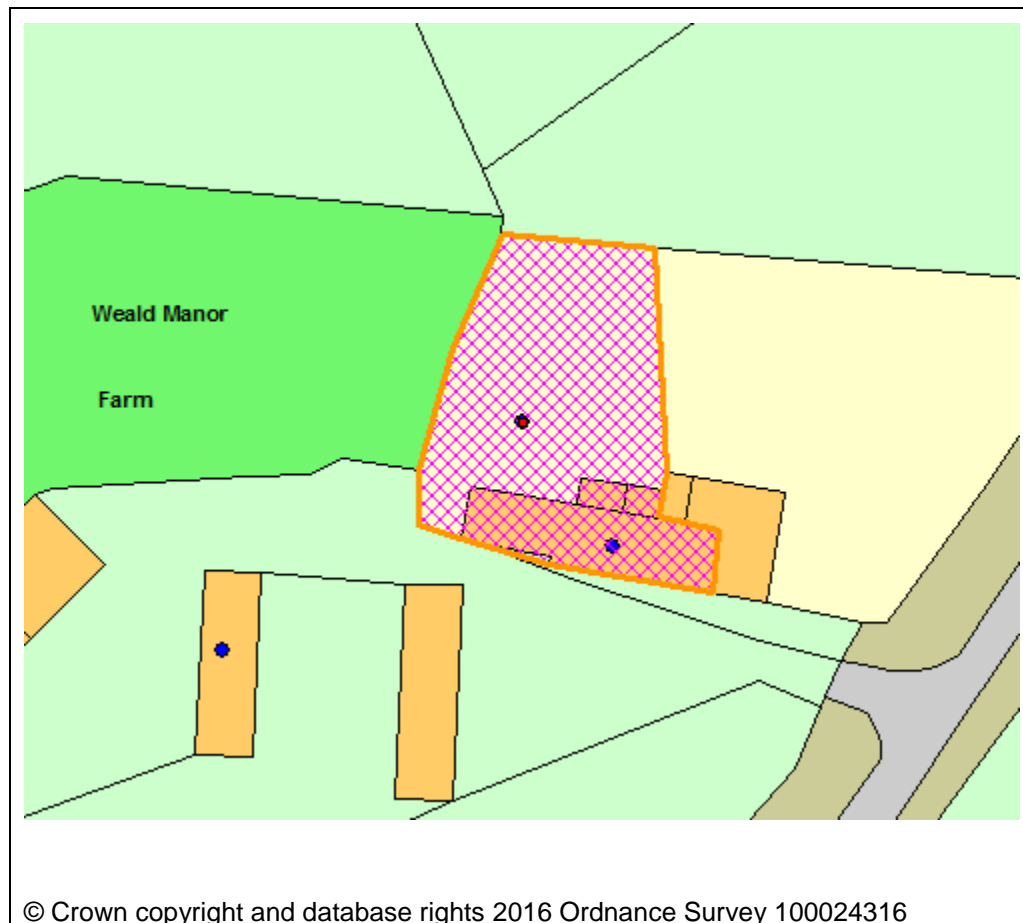
1. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from [www.westoxon.gov.uk/meetings](http://www.westoxon.gov.uk/meetings); and
2. A "presentations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



<b>Application Number</b>	<b>Address</b>	<b>Page</b>
16/01851/FUL	<a href="#">Barn at Weald Manor Farm, Weald, Bampton</a>	3
19/02736/RES	<a href="#">Land North and West and East of Belclose Cottage, Witney Road, North Leigh</a>	9
20/00244/OUT	<a href="#">Fairseat, Arkell Avenue, Carterton</a>	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.

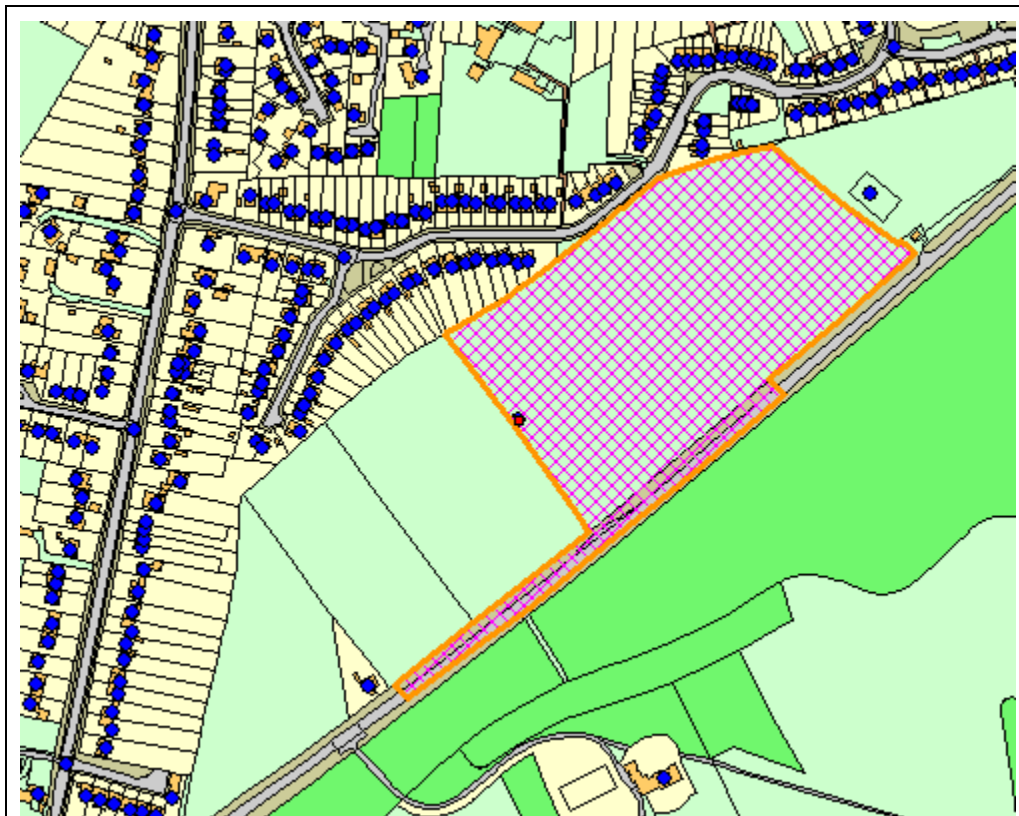
- 5.12 However given that the applicant does not wish to enter a legal agreement, which would give adequate control in ensuring that the now retrospective accommodation does not become separated from the Manor, or that unauthorised occupancy takes place, your officers consider that the original justification 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**



© Crown copyright and database rights 2016 Ordnance Survey 100024316

**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.

- |      |                                     |   |
|------|-------------------------------------|---|
| I.8  | Major Planning Applications Team    | First Revision<br><br>Transport: No objections to proposal subject to conditions.<br>Discharge of Conditions acceptable.<br><br>Local Lead Flood Authority: Objection - further information required.   |
| I.9  | Biodiversity Officer                | First Revision:<br>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<br>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.<br>Planting plans acceptable.   |
| I.11 | WODC Env Services - Waste Officer   | No Comment Received.  |
| I.12 | Conservation Officer                | Final Revised Proposal<br>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	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.
I.16 Parish Council	First Revision: No comments received
I.17 TV Police - Crime Prevention Design Advisor	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.
I.18 Major Planning Applications Team	No Comment Received.
I.19 Parish Council	Initial Proposal: <ol style="list-style-type: none"> <li data-bbox="597 1136 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> <li data-bbox="597 1241 1377 1341">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> <li data-bbox="597 1346 1403 1404">1.2 The swale, water attenuation feature, at the south west has been removed.</li> <li data-bbox="597 1409 1317 1472">1.3 Access to the play area at the eastern edge has been removed.</li> <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> <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> <li data-bbox="597 1850 1084 1877">2 On the matter of highway safety:</li> </ol>

- 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.

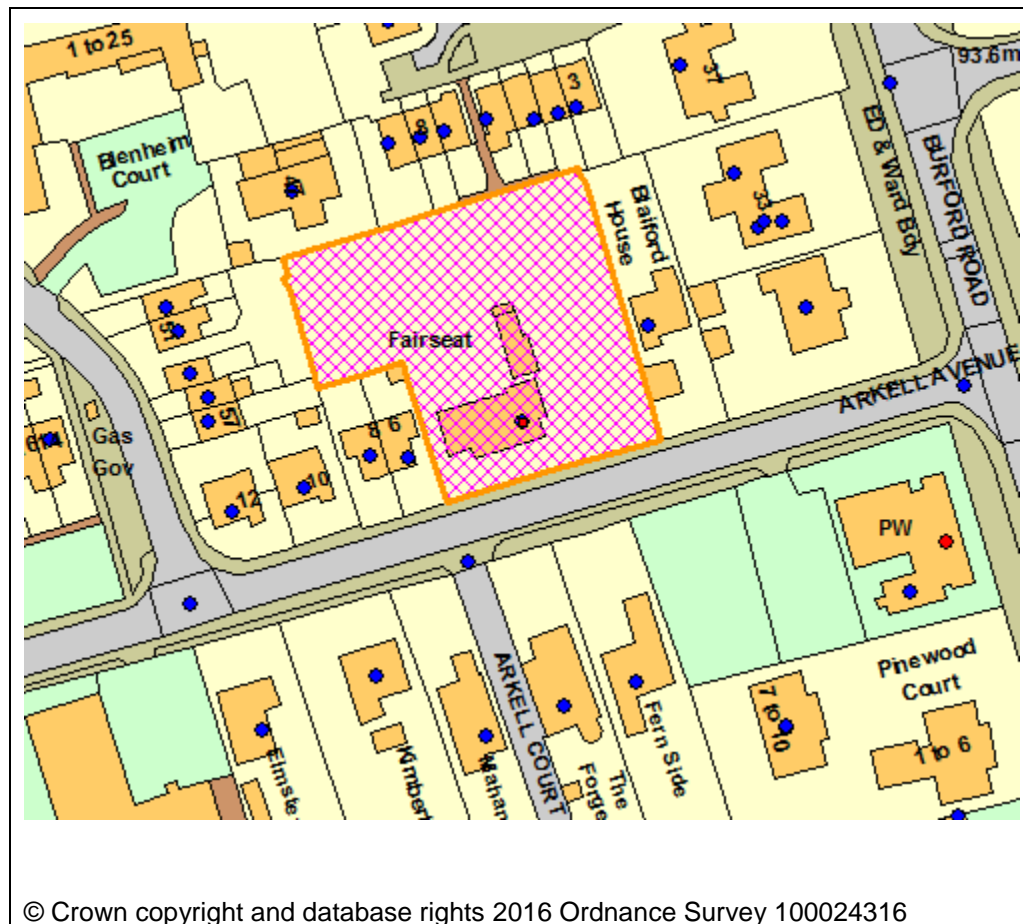


REASON: To provide safe pedestrian access into the site and for the avoidance of doubt as to what is permitted.

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 (>24Mbs). 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](mailto: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](https://thameswater.co.uk/buildingwater).



WEST OXFORDSHIRE  
DISTRICT COUNCIL

**West Oxfordshire District Council**

Name and date of Committee	<b>Lowlands Area Planning Sub-Committee Monday 15 June 2020</b>
Report Number	<b>Agenda Item No. 5</b>
Subject	<b>Planning Application No. 19/02809/FUL: Erection of 214 dwellings with associated landscaping, surface water attenuation and parking (amended description and plans); land south of Milestone Road, Carterton.</b>
Wards affected	Carterton South
Accountable member	N/A
Accountable officer	Abby Fettes, Locality Lead – Development Management Tel: 01993 861684; Email: <a href="mailto:abby.fettes@westoxon.gov.uk">abby.fettes@westoxon.gov.uk</a>
Summary/Purpose	To reconsider the above application following the resolution in March 2020
Annexes	<a href="#">Annex A</a> : Report to the Sub-Committee on 16 March 2020 <a href="#">Annex B</a> : Extract from additional representations report for 16 March 2020
Recommendation	That the application be refused for the reasons referred to in <a href="#">paragraph 3.6 below</a> .
Exempt	No
Consultees/ Consultation	As specified in <a href="#">section 2</a> of the report

## **1. BACKGROUND**

- 1.1. This application was considered by the Sub-Committee on 16 March 2020. At that point there was significant pressure for the applicants to meet a 31 March funding deadline from Homes England and the application was brought before members before Officers considered it was ready to be fully considered with all the relevant technicalities resolved.
- 1.2. At that meeting, the Sub-Committee resolved to delegate to officers, in conjunction with the Chairman, to approve the application, subject to no further technical objections, where officers deem it necessary for Sub-Committee input, any changes members may require of the design, and the necessary infrastructure contributions being secured (and/or reducing the amount of affordable housing in order to increase the contributions to an appropriate level).
- 1.3. Your officers consider that the County Council and Ecology objections specified in the following section are technical objections and Members should reconsider the application in light of these comments.
- 1.4. The report to the Sub-Committee meeting of 16 March is included at [Annex A](#) (beginning on [page 4](#)); and the relevant extract from the report of additional representations is included at [Annex B](#) (beginning on [page 22](#)).

## **2. TECHNICAL OBJECTIONS**

- 2.1. The consultation responses referenced in paragraph 1.3 above are as follows:

### **Oxfordshire County Council**

- On the basis that the applicant is unable to fund the required S106 financial obligations and / or S278 highway works, the county council objects to the application for the reasons outlined in the response below.
- The county council considers that a S106 agreement including an obligation to enter into a S278 agreement is required to mitigate the impact of the development plus planning conditions.
- In November 2019, the Education department responded to a previous version of this application, with 91% affordable housing, advising on the s106 contributions which would be required to mitigate its impact.
- The applicant has sought advice as to whether these contributions would be required for a 100% affordable scheme.
- The proposed amendment to 100% affordable housing would be expected to slightly increase the numbers of pupils generated.
- As previously advised, additional school capacity will be required in this area as a result of housing development.

### **Ecology**

- The Biodiversity net gain calculation shows the total net % change to be -87.74%, with 42.21 habitat units lost. This is a significant loss in biodiversity units and I recommend that additional biodiversity measures are incorporated into the proposed scheme to ensure that there is no net loss but a net gain in biodiversity

## **3. MAIN POINTS**

- 3.1. Officers consider that a policy compliant scheme as defined by policy CA2 of the West Oxfordshire Local Plan would be viable and able to bear all the costs of the obligations requested.
- 3.2. Whilst the proposed scheme would provide 100% affordable housing, it is a departure from the Local Plan and it would not contribute to the highways, education, health, sport or

public art infrastructure that is considered necessary to mitigate the impacts of this development.

- 3.3. Furthermore, the biodiversity net gain is at a significant deficit and we have yet to hear from the applicants how they intend to address the matter. Off-site mitigation will also be a significant financial cost.
- 3.4. In your officers assessment the implication for Highways and Education would be serious and would normally be sufficient to justify a recommendation for refusal. Similarly the requirement in the NPPF to secure net biodiversity gains from all developments has not been met and the applicants have not indicated how they seek to address this. Again, your officers would be concerned at the precedent that avoiding the net bio requirements would be claimed by other developers and undermine the purposes of this policy. This is particularly the case in that the usual way to compensate when on site mitigation is not possible is to make financial contributions for off-site improvements. However, again it appears that finances will not be available to cover this.
- 3.5. Members will need to decide whether a policy compliant scheme that can adequately address all of its mitigations/impacts and does not cause technical or other harms should be set aside in favour of a development that provides 100% affordable housing but is a departure from the plan and does carry technical and other precedent concerns.
- 3.6. Your officers consider that the application will not sufficiently mitigate against the impacts it will have on local infrastructure and would recommend refusal based on the following grounds:
  - It does not comply with the criteria of policy CA2: Land at Milestone Road
  - It does not comply with the general principles of policy OS2: Locating development in the right places - especially in relation to biodiversity
  - It does not comply with the general principles of policy OS4: High Quality Design - especially in relation to biodiversity
  - It does not comply with policy OS5: Supporting Infrastructure

#### **4. FINANCIAL IMPLICATIONS**

- 4.1. The loss of the S106 package means a loss of £4,811,781 towards highways improvements, education, health, sport and public art infrastructure.

#### **5. LEGAL IMPLICATIONS**

- 5.1. None at this point.

#### **6. RISK ASSESSMENT**

- 6.1. None at this point.

#### **7. CLIMATE CHANGE IMPLICATIONS**

- 7.1. The lack of biodiversity net gain will obviously impact climate change.

#### **8. ALTERNATIVE OPTIONS**

- 8.1. None at this point.

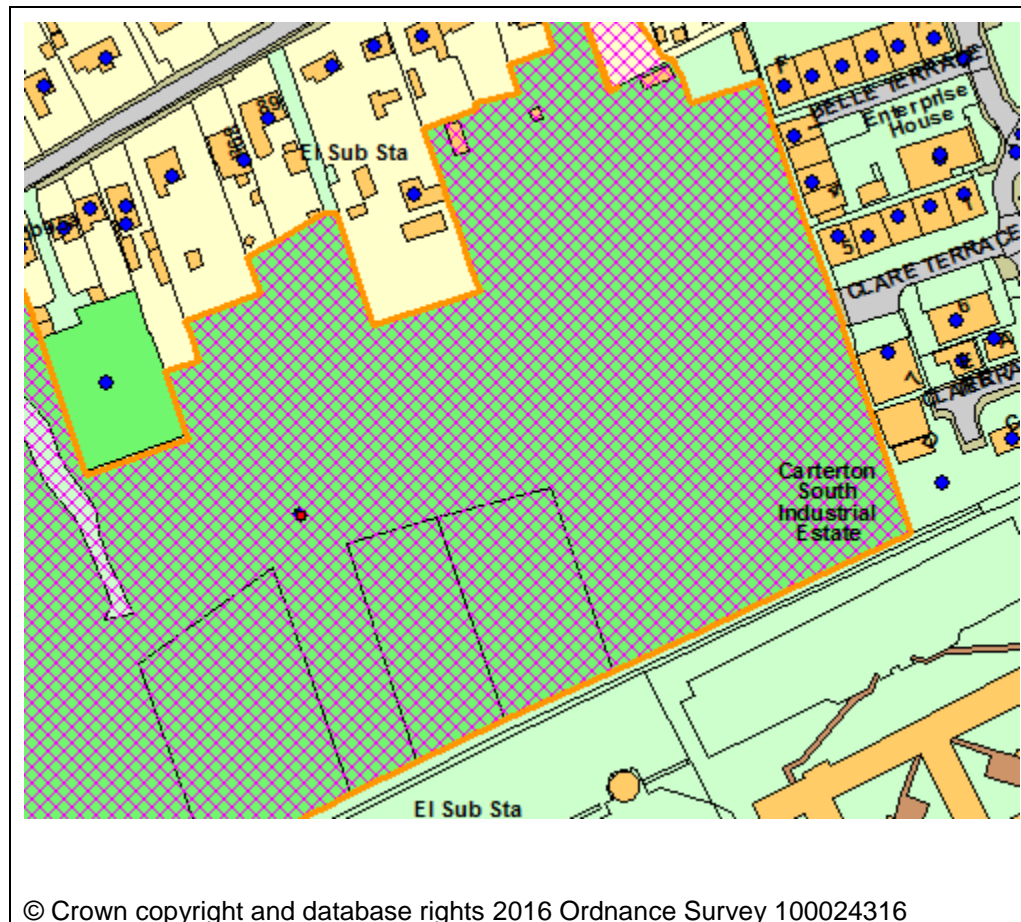
#### **9. BACKGROUND PAPERS**

- 9.1. These documents will be available for inspection at the Council Offices at Elmfield during normal office hours for a period of up to 4 years from the date of the meeting. Alternatively then can be viewed on the WODC website [https://www.westoxon.gov.uk/planning-building-links/planning-applications-\(1\)/](https://www.westoxon.gov.uk/planning-building-links/planning-applications-(1)/).

## Extract from Additional Representations Report: 16 March 2020

Application Number	19/02809/FUL
Site Address	Land South of Milestone Road Carterton Oxfordshire
Date	4th March 2020
Officer	Abby Fettes
Officer Recommendations	Defer
Parish	Carterton Town Council
Grid Reference	427742 E 205940 N
Committee Date	16th March 2020

## Location Map

**Application Details:**

Erection of 214 dwellings with associated landscaping, surface water attenuation and parking (Amended description and plans).

## Applicant Details:

Partner Construction Ltd, C/O Agent.

### I CONSULTATIONS

- |     |                                  |   |
|-----|----------------------------------|---|
| I.1 | Major Planning Applications Team | Comments awaited. Reconsultation expires 20th March   |
| I.2 | MOD - Landowner - Safeguarding   | Comments awaited. Reconsultation expires 20th March   |
| I.3 | MOD MOD (Brize Norton)           | Comments awaited. Reconsultation expires 20th March   |
| I.4 | WODC Env Health - Lowlands       | <p>I note with interest the Drawings now released for the proposed dwellings. In terms of acoustic design, I see that acoustic trickle vents (37 dB Dn.e.w) and enhanced glazing reduction (38 dB Rw) details are stated on some of the drawings.</p> <p>I welcome these design considerations given the acoustic challenges of the site.</p> |

I have re-iterated my comments and advice of the 26 November 2019 below, which I do not propose to amend in light of the new drawings. For the avoidance of doubt, I do Not Object in principle to the 241 dwellings but acoustic comfort by appropriate design must be delivered. In this respect, I should flag to you the new 'Residential Design Guide ('Acoustic Ventilation and Overheating' by ANC/loA Jan 2020). I think this should naturally follow as an Informative (see below)

Comments and response of 26 November 2019:

I have undertaken a site visit and read professional noise report submissions from the applicant in relation to the design of new homes to address noise primarily from the adjacent MoD RAF Brize Norton base/aircraft movements and engine ground running. I also note the representation made by the latter organisation in relation to acoustic design of houses for this plot.

Recommended noise criteria limits and conditions for new dwellings for this site:

Acoustically treated trickle vents shall be incorporated into all habitable rooms (bedrooms and livingrooms) so as to provide a sound attenuation of 37 dB Dn,e,w

Acoustically treated glazing with a minimum sound reduction performance value of 38 dB Rw +Ct,r shall be incorporated into all bedrooms.

' Thermal double glazing with a sound reduction performance value of 30 dB Rw + Ct,r shall be installed for all other habitable rooms.

' Indoor ambient noise levels for new dwellings shall accord with British Standard BS. 8233:2014 'Guidance on sound insulation and noise reduction for buildings'

The indoor criteria are - bedrooms 30 dBA Leq and living rooms 35 dBA Leq (07:00-23:00hrs). For a reasonable standard in bedrooms at night, individual noise events should not exceed 45 dBLmax

' An acoustic barrier of height 2.6m shall be erected on the eastern boundary of the site adjacent the existing commercial business on Clare Terrace, Carterton. The barrier shall be imperforate, sealed at the base and have a minimum mass of 10kg/m<sup>3</sup>

' No dwelling shall be occupied until a pre-occupation validation noise survey has been carried out, in order to demonstrate that the noise mitigation measures that have been incorporated, are effectual in reducing external (aircraft) noise to the internal criteria levels and a certificate of compliance by an approved acoustic assessor has been submitted to the Local Planning Authority to demonstrate that the noise levels required under BS 8233:2014 have been achieved.

#### INFORMATIVE:

A new "ACOUSTICS VENTILATION AND OVERHEATING. Residential Design Guide (IoA/ANC) Jan 2020" is now available and should be considered for the design of these dwellings to prevent noise ingress and issues relating to overheating.

Comments awaited. Reconsultation expires 20th March

I.5 Major Planning  
Applications Team

28th November 2019 response:

#### Highways

Objection for the following reasons:

- The application has failed to demonstrate safe and suitable access. Visibility splays and vehicle tracking is required, and the county council also requests an amendment to the type of junction proposed.
- The Transport Assessment is not robust does not assess the development's traffic impact.

#### Drainage

##### Objection

Key issues:

- Submission is not aligned with Local or National Standards nor best practice.
- Key information missing to enable a full technical assessment of the drainage, flood risk, SuDS usage for the proposal.

#### Education

No objection subject to:

- S106 Contributions as summarised in the tables below and justified in this Schedule. (totalling £4, 293,526)

#### Archaeology

No Objection.

3rd February response.

Highways

Objection for the following reasons:

- Further detailed vehicle tracking is required.
- The visibility splays shown at the proposed access junctions are insufficient.
- Further information is required on the traffic impact assessment.

Drainage

Objection

Key issues:

- No new information identified as having been submitted to address comments made under previous objection.
- Submission is not aligned with Local or National Standards nor best practice.
- Key information missing to enable a full technical assessment of the drainage, flood risk, SuDS usage for the proposal.

Local Member View (Cllr Handley)

The roundabout at junction of new homes and verge area on north side of milestone rd to be tarmacked and made into a footpath , via 106 type funding by the builders

- |      |                      |  |
|------|----------------------|--|
| I.6  | Conservation Officer | Design changes required before we can support  |
| I.7  | WODC - Arts          | Should this proposal be granted planning permission, then the Council would favour the following approach:<br>A contribution of £24,990 towards off-site artist-led activity in the vicinity of the site which engages the community.  |
| I.8  | Wildlife Trust       | No Comment Received.   |
| I.9  | Environment Agency   | The planning application site falls within 250m of a COMAH site. We have reviewed the application and have no comments to make.  |
| I.10 | Biodiversity Officer | In summary, the following are required before a positive determination of the application: <ul style="list-style-type: none"><li>- Southern boundary hedgerow and associated 2m buffer management proposals</li><li>- Consideration of alternative site layout proposals to retain the southern boundary hedgerow within the public realm or a larger buffer</li><li>- Back garden boundary form of enclosure along the southern edge of development to provide protection of the hedgerow and buffer area</li><li>- Consideration of the use of a covenant for hedgerow protection</li><li>- Biodiversity net gain details</li><li>- Reptile survey and mitigation strategy</li></ul> |



- Great crested newt habitat assessment (and full survey) or confirmation as to whether the applicant will be joining the NatureSpace district licensing scheme
- Mitigation strategy for other protected species, including badgers, bats and nesting birds

I.11 ERS Env. Consultation Sites

While the information provided with the application goes some way to characterising the site it is not considered sufficient to negate the need for a pre-commencement contamination condition. It is noted that the former breakers yard in the west of the site does not appear to have been highlighted in the correct position on the exploratory hole location plan. The method for installing the ground gas monitoring points is not clear, it appears as though the monitoring wells were installed into trial pits. Section 8.3 of British Standard BS8576 indicates that it is preferable to install monitoring points into boreholes.

Given that further investigation may be necessary please consider adding a condition to any grant of permission.

I.12 WODC Env Health - Lowlands

I have no objection in principle to the residential development at this site.

I have undertaken a site visit and read professional noise report submissions from the applicant in relation to the design of new homes to address noise primarily from the adjacent MoD RAF Brize Norton base/aircraft movements and engine ground running. I also note the representation made by the latter organisation in relation to acoustic design of houses for this plot.

Recommended noise criteria limits and conditions for new dwellings for this site:

- Acoustically treated trickle vents shall be incorporated into all habitable rooms (bedrooms and living rooms) so as to provide a sound attenuation of 37 dB Dn,e,w
- Acoustically treated glazing with a minimum sound reduction performance value of 38 dB Rw +Ct,r shall be incorporated into all bedrooms.
- Thermal double glazing with a sound reduction performance value of 30 dB Rw + Ct,r shall be installed for all other habitable rooms.
- Indoor ambient noise levels for new dwellings shall accord with British Standard BS. 8233:2014 'Guidance on sound insulation and noise reduction for buildings'

The indoor criteria are - bedrooms 30 dBA Leq and living rooms 35 dBA Leq (07:00-23:00hrs). For a reasonable standard in bedrooms at night, individual noise events should not exceed 45 dBLmax

- An acoustic barrier of height 2.6m shall be erected on the eastern boundary of the site adjacent the existing commercial business on Clare Terrace, Carterton. The barrier shall be imperforate, sealed at the base and have a minimum mass of

10kg/m<sup>3</sup>

- No dwelling shall be occupied until a pre-occupation validation noise survey has been carried out, in order to demonstrate that the noise mitigation measures that have been incorporated, are effectual in reducing external (aircraft) noise to the internal criteria levels and a certificate of compliance by an approved acoustic assessor has been submitted to the Local Planning Authority to demonstrate that the noise levels required under BS 8233:2014 have been achieved. The measures incorporated in the design and construction and so certified, shall thereafter be retained.

I.13 Health And Safety Executive

No Comment Received.

I.14 WODC Housing Enabler

No Comment Received.

I.15 MOD MOD (Brize Norton)

1. Provision for surface water discharges:

Included below are the relevant extracts from the response from Ancala who manage the water and drainage for the MOD at RAF Brize Norton. As you will see the conclusion is that there could be a very small risk of increase in flooding arising from the proposals, but the conclusion from the RAF Brize Norton perspective is that has been appropriately mitigated by the developer. You may wish to flag to the developer that they will need to agree with Thames Water how the RAF Brize Norton site is accessed to provide the necessary connections within its boundary. We will also presume that Thames Water have responded separately to confirm that sufficient upgrades and capacity will be available, if not we would have additional concerns.

2. Noise:

Included below are the relevant extracts from the response from DIO's Subject Matter Expert. I'd draw your attention in particular to the recommendation that "acoustically treated glazing with a minimum sound reduction performance value of 38dB Rq should be incorporated into all bedrooms of the properties"; ... "the proposed ventilation for bedrooms should be incorporated into all habitable rooms"; ... consideration be given to extending the 2.3m acoustic fence along the length of the southern boundary; and ... "should permission be granted ... an informative is added" using the suggested wording below.

Since our Subject Matter Expert has commented, we have also obtained detailed information on the number of aircraft movements at RAF Brize Norton. The station records on the number of aircraft movements (each take-off and landing being counted as one movement) indicate that broadly the 474 counted in the July 2019 period chosen for the noise survey was similar to that for the June and August of this year. However, when compared to previous years it was approximately half the level that could be expected for this time of year (907 in July 18 and 863 in July 17). It is currently

envisaged that RAF Brize Norton will return to seeing the higher levels of movements seen in previous years. It should be noted that these movement records do not include some elements such as circuits / fly pasts; but have been chosen to ensure numbers are provided on a comparable basis.

Accordingly, noise modelling and mitigation levels should reflect the higher levels of movements expected rather than the low average recorded.

#### I.16 MOD - Landowner - Safeguarding

##### Obstructions and Aviation Safety

RAF Brize Norton hosts the RAF's largest station accommodating the Strategic and Tactical Air Transport forces as well providing support for overseas operations. In the interests of safety, the airspace above and around aerodromes is safeguarded to maintain an assured, obstacle free environment for aircraft manoeuvre.

The application site is within an area of protected airspace known as the transitional, inner horizontal and approach surface for RAF Brize Norton. The transitional, inner horizontal, approach and take off climb surfaces are required to be kept free of obstruction from tall structures to ensure that aircraft transiting to and from or circuiting the aerodrome can do so safely.

The site of the proposed housing development also occupies the statutory technical height safeguarding zones that serve to ensure air traffic approaches and the line of sight of transmitter/receivers navigational aids are not impeded.

In this case the proposed dwellings should be no higher than 10m above ground level in order to not infringe the aerodrome height and technical safeguarding criteria.

It is recognised that cranes are likely to be used in the construction of the development that forms the subject of this application. The construction process and specifically the use of cranes and other tall plant, has the potential to have a significant impact on aviation safety. In the event that consent is granted, a condition should require that the developer submits a Construction Management Strategy in order to minimise the risk to aviation safety. A suggested wording for that condition is provided below:

##### Submission of a Construction Management Strategy

No development shall commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with MOD. The construction management strategy should include, but not be limited to, providing comprehensive details of the location (whether within or adjacent to the application site), type and dimensions of any plant or crane to be

utilised in the implementation of the development along with details of any obstacle lighting.

Development shall be carried out strictly in accordance with the details laid out in the approved construction management strategy (or any variation approved in writing by the Local Planning Authority) and shall be implemented for the duration of the construction period.

**REASON:** To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

#### Birdstrike

The MODs main concern relates to the creation of open water bodies, and the potential introduction of habitat that could attract or support flocking bird species deemed hazardous to aircraft safety.

The planning documents illustrate a sizeable attenuation pond to the south west of the proposed development, the applicant has provided assurance to the MOD this will be permanently dry and designed for the 1:30 year climate change (storm event) and water will dry down within 72 hours.

The proposed landscaping includes tree species such as Oak and Scots Pine, these are canopy forming trees which have the potential to attract and support arboreal and flocking birds deemed hazardous to aircraft safety. Therefore the MOD seek these species of tree be removed from the landscape plan.

There is also reference to berry bearing plant species, these also provide exploitable food source for flocking bird species deemed hazardous to aircraft safety. Therefore, the MOD require no more than 10% of the planting palette be berry bearing. To minimise the risk of birdstrike, a condition should be added requiring the submission and approval of a Bird Hazard Management Plan (BHMP). A suggested wording for that condition is provided below:

No development shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with MOD. The Bird Hazard Management Plan should contain, but not be limited to:

- Means of managing the site during construction. During construction it is anticipated the recently turned earth, and any imported material has the potential to expose preferred food sources for flocking birds; as well as create temporary ponding or puddling which may also be an attractant to bird species deemed hazardous to aircraft safety
- Details of the maintenance regimes proposed for planting and

managing landscaped areas to include the heights and species to be used (care should be taken to avoid a proliferation of berry bearing shrubs or plants and (reduce the planting palette by 10% and those species that provide ideal roosting or feeding environments for starlings, pigeons or corvids)

- Means of monitoring any standing water within the site, whether temporary or permanent to ensure the attenuation pond drains down within 72 hours

The development and operation of the site shall be carried out in strict accordance with the details laid out in the approved Bird Hazard Management Plan (or any variation approved in writing by the Local Planning Authority) and those requirements and activities set out in the Bird Hazard Management Plan shall be implemented, operated and complied with in perpetuity, or until RAF Brize Norton is no longer operational.

Reason: To minimise and mitigate the potential for development to attract and support birds of such species that could endanger the safe movement of aircraft and the operation of RAF Brize Norton.

Noise:

The MOD advises that the proposed development will be exposed to noise from aircraft activities at RAF Brize Norton, which some residents, when living on the development, may find disturbing. My colleagues in the DIO Town Planning section will be submitting separate representation on noise issues in respect of this application.

In summary, the MOD has no safeguarding objections to this application subject to the conditions requiring the housing to be no higher than 10m agl, the submission of a construction management plan and a bird hazard management plan as outlined above to ensure the application does not impact on the operation of RAF Brize Norton.

I would be grateful if you could confirm receipt of this letter and confirm that a relevant condition covering the MOD's requirements is included in any consent granted. You are reminded that under the provisions of Planning Circular 01/03:Safeguarding Aerodromes, Technical Sites and Military Explosive Storage Areas, should West Oxfordshire District Council resolve to grant planning permission contrary to MOD advice or to omit recommended conditions, notification should be provided to the MOD no less than 28 days prior to that decision being formalized.

I.17 Natural England

Thank you very much for this additional information; my main concern is not with flooding at Alvescot Meadows, but that water is not taken out of the catchment of the SSSI/Shill Brook so that the hydrological regime of the SSSI is maintained. Therefore it would be

helpful to understand whether the surface water sewer that will take run off discharges within the catchment of the Shill Brook or whether it will remove water from that local system elsewhere?

- I.18 WODC Planning Policy Manager No Comment Received.
- I.19 TV Police - Crime Prevention Design Advisor
- Although I do not wish to object to the proposals, I do have some concerns in relation to community safety/crime prevention design. If these are not addressed I feel that the development may not meet the requirements of;
- The National Planning Policy Framework 2018, Section 12 'Achieving well-designed places', point 127 (part f), which states that; 'Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. And;
  - HMCLG's Planning Practice Guidance on 'Design', which states that; 'Although design is only part of the planning process it can affect a range of objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: safe, connected and efficient streets... crime prevention... security measures... cohesive and vibrant neighbourhoods.'
- In addition, the Design and Access Statement (DAS) does not adequately address crime and disorder as required by CABE's 'Design and 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'.
- Therefore, to address these concerns and ensure that the opportunity to design out crime is not missed I request that the following (or a similarly worded) condition be placed upon any approval for this application;
- Prior to commencement of above ground works, an application shall be made for Secured by Design (SBD) 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 authority.
- I.20 WODC - Sports No Comment Received.
- I.21 Thames Water No Comment Received.
- I.22 WODC Env Services - Waste Officer No Comment Received.
- I.23 Oxford Clinical Commissioning Group NHS Oxfordshire Clinical Commissioning Group objects to this proposal unless there is additional investment in expanding local

- NHS primary medical care capacity. Primary care is at capacity in Carterton and requires additional infrastructure to provide capacity for population growth. OCCG's published formula for developer contributions to health infrastructure is dwellings x average occupancy x £360. We would seek a £189,216 contribution for this development. OCCG would allocate resources to expand existing mehealth facilities rather than create new standalone provision.
- 1.24 Town Council Carterton Town Council: welcomed the development but would like to see the flats moved further away from the bungalows in Milestone Road, as well as improvements to the junction and footpaths to address concerns over access and public safety.

## 2 REPRESENTATIONS

- 2.1 Over 30 letters of objection have been received and are summarised as follows:

### Highways

- Exit/entrance to the houses it will create too much traffic on Milestone Road
- An alternative route should be made maybe onto Black Bourton Road
- Milestone Road and Corbett Road is already a rat run for the local RAF personal
- The two accesses for the number of houses is small and will cause problems to an already busy road
- There are no parking restrictions on Milestone and if cars are parked on either side of the street 2 cars cannot pass and extra traffic will only exasperate the traffic problems.
- The proposed access between 77/75 Milestone Road is not sufficient for the proposed number of homes and vehicles
- The speed limit is not widely obeyed on Milestone Road and the additional traffic could be a danger unless Highways standards are upgraded
- The A40 is a concern especially within increase of accidents in their due to added housing
- My children can't play outside due to the current amount of vehicles speeding up and down
- My car has been hit three times in the last few years and more cars will make it worse
- the noise levels would increase both day and night and change the whole character of the community
- The Road infrastructure, particularly the A40, cannot cope with traffic travelling into Oxford as it is and that's without Brize Meadow being fully populated
- have lived in Milestone Road for approximately 55 years & during that time have seen the volumes of traffic increase to dangerous levels
- Access to the towns two larger supermarkets will cause queuing traffic on Black Bourton Road
- The access from this development is onto Milestone Road this will cause traffic chaos to the southern side of town
- reference to the fact that the south side of Milestone Road has a footpath that extends its full length is equally misguided
- There are a number of areas where residents and visitors currently park half on the road and the path.

- the footpath actually becomes unusable in places because of this and therefore, parents with prams, disabled users, joggers and walkers are forced to walk in the road at various points

### Principle

- This amount of houses will have a massive impact on the community and the local wildlife
- Unacceptably High Density. 219 homes represents a significant number of homes for the site
- Living immediately adjacent to the proposed development, i am horrified NOT to have not received, nor to my knowledge, any other properties in the immediate area, any details direct from WODC re the application
- There are too many homes being proposed for the site and no provision for self build. 5% of the developable plots are required to be self build.
- The density and lack of diversity in the housing options, combined with the proximity of the development to the RAF Base, will have an overall negative affect on the local neighbourhood, effectively creating a suburb of perceived lower quality housing
- Inclusion of at least 5% self build options would not only change the dynamics of the sight but also provide an alternative method for introducing diversity and community
- I for one have always wanted the opportunity to build locally and believe this provision should be included
- What was once a village has significantly increased into a town with the addition of Shilton Park, Swinbrook Park and Brize Meadows
- Its another attempt by greedy landowners and developers to make a quick buck at the expense of the community
- An ever increasing population need houses, but squeezing so many in is just ridiculous and greedy
- How many new housing developments do we need in Carterton?
- There are much more suitable areas around Carterton for a development of this size
- Large increase in housing developments in West Oxfordshire is also having a potential further impact in the current housing market
- Homes for sale in Carterton appear not to be selling quickly and the property prices are in some cases having to be drastically reduced to make them competitive
- Squeezing more in without the infrastructure already in place to support it is both foolhardy and unsafe both for the current residents and the potential residents who may end up in 'affordable' housing that does not provide the quality of life they were hoping for

### Infrastructure

- Wonder if the people who grant these proposals take into consideration the infrastructure of the town?
- Schools are full to capacity and most Carterton residents are waiting sometimes more than three weeks for a Doctor's appointment
- If there were less houses more spaces to park (each house with 3 spaces) and building of doctors and park /childrens play ground it may be more appropriate to the area of town
- Increased strain on schooling, medical and dental care that needs to be accounted for
- How can increasing population numbers further be sustainable to the local community and existing residents access to services



- One bank machine to service the whole of Carterton and no bank, police station rarely staffed and lack of jobs for existing residents alone

### Design

- Will the houses be built with the in keeping of the existing road as per I had to adhere to when construction of my house and of extensions as well as others I know on the road
- It seems its a development of squeeze them in to every space possible like most new estates these days, I suppose its all about the money for them, more they build more they make
- The proposed house types on the Milestone Road boundary are completely out of keeping with existing properties in the area, not least of all, plots 68/69/70/71/72 and 73 as well as plots 74/75/76/77/78 and 79.
- To put an ugly housing estate over looking these matured and well landscaped properties is completely out of keeping with the area
- If this area were to be developed it should be done within the style of the houses which it flanks. Bungalows, not high density housing and flats
- The layout and density of the proposed development is also inappropriate and not in keeping with the existing properties along Milestone Road

### Residential amenity

- I have 2 windows on that elevation (1 ground and 1 first floor) both will have their privacy compromised
- The proposed construction would be approximately 1 metre from my boundary fence.
- Worried as to whether the strip of land next to our property Nr 89, is going to be used as a thoroughfare by the new residents, as our bedrooms are directly next to this piece of property
- The density and quantity is such that, in some cases there is the potential for loss of light, overshadowing, overlooking and loss of privacy of neighbouring properties and their boundaries.
- The development is also planned on the boundary of the RAF base and also an Industrial estate which I would imagine won't be very pleasant for residents
- Visual disturbance including light pollution caused by such a dense number of properties, their vehicles and street lighting.
- The light pollution along the south of Milestone Road is already high due to the light produced from the buildings situated on RAF Brize Norton running parallel to Milestone Road
- The houses are planned to be built much too close to existing properties.
- The noise from the airfield, although better than in previous years, is still too great to allow residents acceptable comfort.

### Environment

- Significant concerns regarding the local environment from a wildlife habitat, surface water attenuation and run off

- Developing the area will result in the loss of a significant amount of green space, trees and the open aspect of the neighbourhood, removing the habitat for many species
- The local drainage system is already under significant strain and is not proving to be a sustainable drainage system
- Although there is provision being made for a pumping station, it will only serve to move the problem further downstream
- The current unpaved site significantly slows the rate at which surface water enters sewers and water courses and it significantly reduces the risk of downstream flooding in the Shill Brook and on RAF Brize Norton Air Base
- Flooding is a concern due to the constant increase of climate change
- If this development gets the go ahead you may as well say bye bye to what wildlife we have in the area
- Areas of the land have been exposed to 'serious' contamination by Japanese Knotweed and the area adjacent to Milestone Road is contaminated by the historic use as a 'scrap yard' .... as identified by previous planning applications.
- There is a lot of wildlife in that land, badger and fox sets also, and breeding red kites
- Am extremely concerned with flooding due to drainage and surface water!
- We already see rivers of water coming down the road (The Crescent) and down our drives during heavy rain with garages and gardens flooding
- One of our neighbours also required Thames water to come out to carry out a waste clean up operation in their back garden due to the drains overflowing washing human waste all over the garden!
- With the increase in climate change there is a danger of more frequent severe weather resulting in further flooding to our properties.
- This land is currently dense in trees, shrubs and other foliage which is habitat to and currently rich in many species of birds and wildlife.
- This planning proposal will remove this habitat entirely causing a decline in the population of birds and wildlife in the area; birds and wildlife which play a vital part in regenerating the local flora throughout Carterton
- Many existing trees along Milestone Road have been un-accounted for on this site plan which is a cause for concern
- The proposed development includes very little landscaping other than areas of allocated garden space which may or may not be retained as 'green space' by new residents
- it's been known for otters frequent the gardens in Milestone Road
- increase in housing developments in Carterton is reducing green space and areas to relax and enjoy themselves
- people have to travel further away from Carterton in order to enjoy green spaces
- Muntjac deer currently residing in this area

#### Other

- When we first moved into this property the Surveyor notified us of the high Radon levels on the property, and while this is a natural gas, the proposed houses are even nearer to the airfield so it is questionable as to whether the levels are acceptable
- we (the Town People) were told over a period of many years, the land was to be used as a burial ground - this would solve the already overcrowding of the cemetery in Black Bourton
- I understand that areas adjacent to the Airfield were subject to a covenant restricting future development - this dates back to the occupancy by the USAF

- Our suggestion would be to reduce the number of properties on the new proposed development, lessening the impact on the surrounding roads, town, infrastructure and local amenities. We suggest removing the strip of properties directly adjacent to the existing Milestone Road properties on the south side. In their place we would propose a wide buffer strip rich in green space, to include tall trees, shrubs, hedges and plant life which would retain some of the natural environment, bird and animal life as well as providing essential privacy for all effected residents of Milestone Road. It is our suggestion also that the properties along milestone road be adequately fenced off to the south side (with solid adequate height fencing) from any new development to retain privacy and security as well as reduce noise and light disturbance

2.2 One letter of support has been received from the landowner of 79-81 Milestone Road which forms the rest of the allocated site.

My first knowledge of this Planning Application was to see the formal notice fixed to the telegraph pole next to 75/77 Milestone rd. I happen to be the owner of 79/81 Milestone rd the former Doris Watts Care Home, which is in this allocated site, and was approved a planning consent on the 5th December 2011, planning reference No 11/1916/P/FP, but I was not consulted as part of this Application process by the owners! I am fully aware of the 'Rat-Run' and the increased traffic flow from this development, and would suggest that the following Highway improvements be provided by the Developers.

1. A wider Vision Splay for the access between 77-75 Milestone Road which will avoid vehicular accidents.
2. An offset mini roundabout, as a traffic calming measure.

Should land not be available at this location, then I am prepared to negotiate with the Developer and to provide items 1 & 2 to support improved Highways Infrastructure, as I have noted the comments that have been recorded so far by other Residents of Milestone Road.

The Benefits to this whole Community are indeed astounding, to make such an Affordable Housing provision considering the Housing Waiting List is truly commendable, and combined with true Conservative objectives, this Government have promised that all tenants in RSL/Housing Association Houses can have "Shared Ownership" giving our young families a chance to become homeowners and to contribute to our society with the distinct pride in eventually owning their own Homes.

However Highway matters are very important for the safety of our children, so with the improved suggestions by others, I am happy to contribute to this Allocated Site in a positive way, and it is only down to the Developer accepting the Highway advice as it comes from local knowledge of this part of Town, and from caring people.

### **3 APPLICANT'S CASE**

3.1 The proposal is accompanied by a number of supporting documents which are available to view online. The Planning Statement submitted with the application is concluded as follows:

- The development plan for the purpose of this application is comprised of the West Oxfordshire District Council's Local Plan 2031 (adopted September 2018). The principle of

residential development in this location is established by Policy CA2 'Land at Milestone Road, Carterton' of the Local Plan which allocates the site for around 200 dwellings.

- It is considered that the proposals deliver an appropriate density (a density of 38 dwellings per hectare) on a scheme of high quality design and comply with the relevant policies in the adopted Local Plan. There are no material considerations which indicate that the application should not be determined in accordance with the development plan.
- In the context of the three dimensions to sustainable development: economic, social and environmental (listed in the NPPF) the proposal will:
  - provide jobs associated with the construction of new homes;
  - lead to additional expenditure in Carterton to the benefit of local services and facilities boosting their vitality and viability;
  - boost the supply of housing including 200 affordable homes;
  - reduce the need to travel by private car through providing residential development in a sustainable location; and
  - have excellent access to a range of services, facilities and public transport modes.
- In conclusion, the proposed development is in accordance with the relevant policies of the development plan as well as the National Planning Policy Framework. There are no insurmountable technical issues that should prevent permission being granted and therefore, it is respectfully requested that planning permission is granted without delay.

#### **4 PLANNING POLICIES**

CA2NEW Land at Milestone Road, Carterton

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

OS5NEW Supporting infrastructure

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

H4NEW Type and mix of new homes

H5NEW Custom and self build housing

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH4 Public realm and green infrastructure

EH5 Sport, recreation and childrens play

EH6 Decentralised and renewable or low carbo

EH7 Flood risk

EH8 Environmental protection

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T2NEW Highway improvement schemes

T4NEW Parking provision

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

## 5 PLANNING ASSESSMENT

### Background Information

- 5.1 The proposal seeks full planning consent for 214 dwellings with associated landscaping, drainage and parking. The application has been amended in terms of the description (it was initially for 219 dwellings) and submitted drawings to address a number of consultee concerns.
- 5.2 The site is to the south of Milestone Road and immediately to the north of RAF Brize Norton. It was formally rear gardens to properties in Milestone Road but it is fenced off and is currently grassed over. The Carterton Mobile Home Park is to the west and Carterton Industrial Estate to the east of the site.
- 5.3 In terms of planning history, in 2012 committee considered a full planning application (12/1019/P/FP) for a 93 bed Extra Care unit and an outline application for the erection of residential development and formation of access road (12/1020/P/OP) and resolved to approve both but the legal agreements were never signed and the applications were finally disposed of.
- 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 The site is allocated in the Local Plan 2031 under policy CA2 for around 200 houses on a slightly larger site area which included 79-81 Milestone Road. Unfortunately they have not come forward as a comprehensive scheme but we have to consider the scheme as submitted. The proposal is for a mix of 1-4 bed houses and apartments, ranging from single storey to three storey.
- 5.6 Policy CA2 requires that proposals for development should be consistent with the following:
- a) provision of a mix of house types and tenures including affordable housing in accordance with Policy H3 - Affordable Housing;
  - b) provision of satisfactory vehicular accesses from Milestone Road via a through road and appropriate pedestrian and cycle connections;
  - c) appropriate provision of and contributions towards essential supporting infrastructure, including the provision of supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas and other key destinations.
  - d) development to take account of the height, scale and density of surrounding buildings;
  - e) where necessary, provision of noise mitigation measures to take account of potential noise from RAF Brize Norton
  - f) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.
  - g) demonstrate the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.

h) the developer will be required to set aside 5% of the developable plots for those wishing to undertake custom/self-build.

- 5.7 In terms of criteria a) the scheme is proposing 91% affordable provision which is significantly higher than the 35% sought by the policy. Because of this the proposal cannot bear all of the S106 contributions that have been requested by 3rd parties including the Oxfordshire Clinical Commissioning Group and OCC as they total £4,727,972. We have commissioned an independent viability assessment to consider what the scheme can bear in terms of contributions so we can balance the provision of affordable housing with the provision of infrastructure that is required for the additional 214 dwellings, effectively weighing up criteria a) and criteria c) of the policy above.
- 5.8 The applicants requested that the application be considered at the March committee as they are seeking grant funding which requires a planning permission by the end of March. Additional information was requested by the independent assessors on the 13th February and unfortunately the applicants did not respond for two weeks so there has been a delay in this assessment. Until the outcome of the assessment is known, officers are not in a position to make a recommendation.
- 5.9 In respect of criteria d) above, the initial scheme was not considered to be of a high enough quality in terms of its design and layout. Alternative schemes have been drawn up to address officer concerns and a final version was submitted on Friday 28th February. This has been readvertised and further consultations have been undertaken and the expiry date of that extended period is the 20th March. It is hoped officers may be able to update members further in the additional representations report but clearly the chances of being in a position to make a recommendation are slim, and it would normally be expected that a development of this scale would not be pushed through in advance of adequate consultation.

### Conclusion

- 5.10 At the time of agenda preparation there are still key consultation responses outstanding on the amended plans and the viability assessment has not been received so the S106 package has yet to be finalised. Officers are therefore presenting the application in order that Members can advise as to whether there are any further key issues that they would wish the final report to address.
- 5.11 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers do not consider that the proposed development is yet in a position to receive a recommendation and as such would advise that it is DEFERRED pending a full report and recommendation in due course.

## **6 RECOMMENDATION**

The application is recommended for deferral to await the outcome of the viability assessment and the conclusion of the reconsultation period.

## Extract from Additional Representations Report: 16 March 2020

Application Number	19/02809/FUL
Site Address	Land South Of Milestone Road Carterton Oxfordshire
Date	4th March 2020
Officer	Abby Fettes
Officer Recommendations	Defer
Parish	Carterton Parish Council
Grid Reference	427742 E 205940 N
Committee Date	16th March 2020

**Application Details:**

Erection of 214 dwellings with associated landscaping, surface water attenuation and parking (Amended description and plans).

**Applicant Details:**

Partner Construction Ltd  
C/O Agent

**Additional Representations:**1.1 **OCC**

It is understood that the highways and drainage engineers have removed their technical objections but a formal consultation response has yet to be received from the County Council.

1.2 **MOD Safeguarding**

Comments have yet to be received on the amended plans

**2 Additional Representations**

## 2.1 A further letter from Harry Watts commenting:

*Having now had the chance to fully read the updated Response from Oxfordshire County Council dated 3rd February 2020 in regard to Application No. 19/02809/FUL-2, I would make the following observations, as they relate not only to that Planning Application, but also to property which I own, and other properties which I have control over:*

*I specifically refer to the Report from Tim Peart - Interim Principle Transport Planner, dated 30th January 2020, and which forms part of the County Council's Representation dated 3rd February 2020.*

*Under the section of Tim Peart's Report, headed Key Points, the Interim Principle Transport Planner clearly states that there is a requirement for 'A raised table junction at the eastern site access and a traffic calming build out on Milestone Road are required' (3rd point).*

*In addition, under the section of Tim Peart's Report, headed Access, he clearly states that 'The visibility splays shown in the plan at Appendix 4 of the Supplementary information document at the site access junctions are insufficient for the speed of Milestone Road' (Paragraph 1).*

*Paragarph 1 goes on to state that since traffic speeds along Milestone Road have been recorded at 29.6mph, Visibility Splays of 2.4m x 43m are requird for the junctions, and not*

2.4m x 25m as have been designed by the Applicant's Highway Consultants, as Milestone Road is a 30mph road, and not a 20mph road.

*'Therefore visibility splays of 2.4m x 43m are required' (end of Paragraph 1).*

*With regard to the eastern access junction, through Paragraph 3 of the Access section of Tim Peart's Report, he outlines that 'I note that the applicant proposes a raised table junction in this location to provide traffic calming. This would be acceptable - provided appropriate visibility splays can be achieved.....'*

*Tim Peart goes on to outline in Paragraph 4 of the Access section that 'The application documents have not demonstrated that sufficient visibility splays can be achieved at the site access junctions and therefore I must object to the application'*

*Bearing all of the above in mind, I turn back to the Objection and comments made by Tim Peart with regard to the inadequate visibility splays being proposed for the eastern junction of the proposed development.*

*I draw your attention to Plan 1 attached to this Statement, where I have drawn on the 2.4m x 43m County Highways visibility splay requirements, to scale.*

*As can be clearly seen from Plan 1 attached to this Statement, the Visibility splays will need to cross Third Party land in the form of the front garden/areas of Nos. 75, 77, 79 and 81 Milestone Road, in order to be deliverable/achieved.*

*I am the Freehold owner of 79-81 Milestone Road, and have control over Nos. 75 and 77 Milestone Road, which I can purchase once a suitable and implementable planning application is achieved, in some form.*

*I have previously stated, and which is on public record, my Support for Application No. 19/02809/FUL, even though that Planning Application for 219 dwellings did not include 79-81 Milestone Road within the Red Line boundary, albeit part of the Milestone Road Housing Allocation for around 200 units outlined via Policy CA2 of the Adopted West Oxfordshire Local Plan (September 2018).*

*I have tried to contact the Applicant (Partner Construction Ltd) on several occasions in order to help with their Planning Application in any way that I could.*

*Now that Tim Peart has clearly stated the County Council's requirement for not only a raised table, but also the 2.4m x 43m visibility splays, I can help the Applicants (Partner Construction Ltd) to achieve this County Highways requirement, and am prepared to reach a fair and amicable financial settlement with the Applicant (Partner Construction Ltd) ( for not only 79-81 Milestone Road, which I own, but also for 75, and 77 Milestone Road, which I have control over.*

*I would reiterate again that if the Applicants (Partner Construction Lts & IBIS) had included Nos. 77, 79 and 81 Milestone Road within their red line planning application boundary, as per the Policy CA2 Housing Allocation, then this matter of inadequate visibility splays would not have arisen.*

*Naturally things have now moved forwards into OCC accepting a visibility splay of 33m on Tims letter of the 10 March 2020, provided that the other Traffic Calming measures are put in place: Raised Table Calming Build outs.*

*The Transport Plan No . ITP-810-001 DATED 10TH March 2020 does not clearly show the Raised Table and Traffic Calming Build Outs on the main eastern access into the site which are required by OCC Highways , as far as I can tell.*



### **3 Applicants case**

#### **3.1** The applicants agent has submitted the following statement:

*Members will be aware that 91% of the homes to be provided through this scheme will be affordable. The funding for these affordable homes has been secured in principle via a Homes England grant, however this needs to be drawn down before 31 March 2020 in order to avoid losing the grant funding, and the applicant cannot draw down the funding unless planning consent has been secured in principle. Members should also be aware that the Council itself is also directing funding towards this site. At the time of writing this report, the recommendation by officers is that the application be deferred, but officers and the applicant have agreed to continue seeking to address the outstanding matters over the next week so that additional information, and if appropriate an amended recommendation, can be presented to members via a late items agenda update note before the day of the committee.*

### **4 Planning update**

**4.1** At the time of the preparation of this report officers are being put under considerable pressure to bring this application forward for approval. However, there are a number of critical issues that at present are not been resolved or where the advice of a key consultee has yet to be received or where the necessary negotiation/arbitration has not occurred. Critically despite being advised as to the necessity to provide sufficient financial information (eg. Existing land values) for an independent viability assessment the applicants have only provided part of the information and much of it very late in the day. This viability assessment is required so a balance between the provision of affordable housing and contributions towards the necessary infrastructure can be found, in order for the proposal to comply with the infrastructure requirements set out in policy CA2. Whilst the provision of 91% affordable housing is welcomed, it needs to be demonstrated that this will not adversely impact existing infrastructure issues/shortages in the area. Officers also retain a number of design and amenity reservations that were raised at pre app stage last year and during the course of this application.

**4.2** In these circumstances the recommendation would normally have been that the application was not in a position to be determined and as such should be deferred so that members could receive a full report where all the issues are properly balance and an informed decision could be made. The applicants are pushing for a determination at this meeting for the reasons set out in their case above.

**4.3** In your officers consideration this leaves the following options:

a) the application be refused on the grounds it does not comply with the relevant policies (and following the presentation any other reasons that members consider necessary)

b) the application be deferred to await submission of all the relevant information and consideration in due course in the normal fashion

c) that members resolve to approve the application – albeit its not exactly clear what is being approved or what the S106 package would include

d) that members delegate authority to officers to approve the application- subject to no further technical objections, any changes members may require of the design, and the necessary infrastructure contributions being secured (and/or reducing the amount of affordable housing in order to increase the contributions to an appropriate level)

**4.3** Officers will present the most up to date position at the meeting and seek guidance from members as to how they wish to proceed.

West Oxfordshire District Council – DELEGATED ITEMS

Application Types Key

<u>Suffix</u>		<u>Suffix</u>	
ADV	Advertisement Consent	LBC	Listed Building Consent
CC3REG	County Council Regulation 3	LBD	Listed Building Consent - Demolition
CC4REG	County Council Regulation 4	OUT	Outline Application
CM	County Matters	RES	Reserved Matters Application
FUL	Full Application	S73	Removal or Variation of Condition/s
HHD	Householder Application	POB	Discharge of Planning Obligation/s
CLP	Certificate of Lawfulness Proposed	CLE	Certificate of Lawfulness Existing
CLASSM	Change of Use – Agriculture to Commercial	CND	Discharge of Conditions
HAZ	Hazardous Substances Application	PDET28	Agricultural Prior Approval
PN42	Householder Application under Permitted Development legislation.	PN56	Change of Use Agriculture to Dwelling
PNT	Telecoms Prior Approval	POROW	Creation or Diversion of Right of Way
NMA	Non Material Amendment	TCA	Works to Trees in a Conservation Area
WDN	Withdrawn	TPO	Works to Trees subject of a Tree Preservation Order
		FDO	Finally Disposed Of

<u>Decision Code</u>	<u>Description</u>	<u>Decision Code</u>	<u>Description</u>
APP	Approve	RNO	Raise no objection
REF	Refuse	ROB	Raise Objection
PIREQ	Prior Approval Required	P2NRQ	Prior Approval Not Required
P3APP	Prior Approval Approved	P3REF	Prior Approval Refused
P4APP	Prior Approval Approved	P4REF	Prior Approval Refused

**West Oxfordshire District Council – DELEGATED ITEMS  
Week Ending 7th May 2020**

	Application Number.	Ward.	Decision.
1.	<b>20/00146/HHD</b> Affecting a Conservation Area	Witney South	APP
	Alterations and erection of single and two storey extensions to garage/workshop. <b>22 Church Green Witney Oxfordshire</b> Mr P Stout		
2.	<b>20/00147/LBC</b> Affecting a Conservation Area	Witney South	APP
	Alterations and erection of single and two storey extensions to garage/workshop. <b>22 Church Green Witney Oxfordshire</b> Mr P Stout		

3. **20/00285/ADV** Ducklington APP  
 Erection of various illuminated signs. (Amended).  
**Former Art Royal Caravan Site New Close Lane Ducklington**  
 Lidl Great Britain Ltd
4. **20/00361/FUL** Eynsham and Cassington APP  
 Change of use of land from agricultural to domestic and erection of outbuilding. New gates and fencing to western boundary.  
 (Amended Description)  
**Salutation Barn Barnard Gate Witney**  
 Mr Christopher O'Regan
5. **20/00466/HHD** Standlake, Aston & Stanton REF  
 Harcourt  
 Erection of a three bay garage with ancillary space above, new site entrance and associated parking.  
**4 Chimney Farm Cottages Chimney Bampton**  
 Mrs Rowland
6. **20/00480/HHD** Standlake, Aston & Stanton APP  
 Harcourt  
 First floor rear extension with Juliet balcony, single storey extensions to rear and side, alterations to front porch and insertion of roof light.  
**11 The Downs Standlake Witney**  
 Mr And Mrs Parker
7. **20/00520/HHD** Eynsham and Cassington APP  
 Affecting a Conservation Area  
 Replacement of front boundary fence with metal railings, construction of replacement single storey rear extension (amended).  
**25 Acre End Street Eynsham Witney**  
 Mrs J Cox
8. **20/00521/LBC** Eynsham and Cassington APP  
 Affecting a Conservation Area  
 Internal and external alterations to include replacement of front boundary fence with metal railings, construction of replacement single storey rear extension, changes to internal layout. Removal of detached outhouse (amended).  
**25 Acre End Street Eynsham Witney**  
 Mrs J Cox
9. **20/00553/HHD** Witney North APP  
 Single storey extension (retrospective)  
**6 Hoyle Close Witney Oxfordshire**  
 Mrs Katie Collis

- |     |  |                                      |     |
|-----|--|--------------------------------------|-----|
| 10. | <b>20/00596/FUL</b><br>Affecting a Conservation Area   | Alvescot and Filkins                 | APP |
|     | Demolition of existing bungalow and erection of new replacement dwelling with covered parking, garage and store. Associated landscaping works to include closure of one existing and enlargement of remaining vehicular access.<br><b>Paddock View Station Road Alvescot</b><br>Ms Lisa Liddle |                                      |     |
| 11. | <b>20/00615/HHD</b>  | Brize Norton and Shilton             | APP |
|     | Erection of conservatory to side of property.<br><b>5 Timms Lane Brize Norton Carterton</b><br>Mr Yallop   |                                      |     |
| 12. | <b>20/00626/FUL</b>  | Carterton South                      | APP |
|     | Erection of attached dwelling, off street parking and access. (Revised Scheme).<br><b>65 Mayfield Close Carterton Oxfordshire</b><br>Mr Dave Haines  |                                      |     |
| 13. | <b>20/00635/HHD</b>  | Witney East                          | APP |
|     | Erection of single storey rear extension. (amended)<br><b>72A Woodstock Road Witney Oxfordshire</b><br>Mr Stuart Haley   |                                      |     |
| 14. | <b>20/00669/HHD</b><br>Affecting a Conservation Area   | Eynsham and Cassington               | REF |
|     | Erection of single storey rear extension.<br><b>26 Newland Street Eynsham Witney</b><br>Mr & Mrs Nick & Annie Relph  |                                      |     |
| 15. | <b>20/00670/LBC</b><br>Affecting a Conservation Area   | Eynsham and Cassington               | REF |
|     | Erection of single storey rear extension.<br><b>26 Newland Street Eynsham Witney</b><br>Mr & Mrs Nick & Annie Relph  |                                      |     |
| 16. | <b>20/00747/HHD</b>  | Witney West                          | WDN |
|     | Dormer window to side elevation (Retrospective)<br><b>274 Thorney Leys Witney Oxfordshire</b><br>Mr Phil Edney   |                                      |     |
| 17. | <b>20/00745/FUL</b><br>Affecting a Conservation Area   | Hailey, Minster Lovell &<br>Leafield | APP |
|     | Construction of detached garden room to provide separate classroom space.<br><b>Hailey Church Of England Primary School Middletown Hailey</b><br>Mrs Debbie Davies   |                                      |     |

18. **20/00754/CLP** Carterton South APP  
Certificate of lawfulness (Erection of single storey rear extension and reposition garage door from side to rear elevation).  
**12 Oakfield Road Carterton Oxfordshire**  
Mrs Natalie Collett
19. **20/00767/HHD** Standlake, Aston & Stanton APP  
Harcourt  
Erection of single storey extension.  
**The Firs Cogges Lane Stanton Harcourt**  
Mr And Mrs A Clarke
20. **20/00798/HHD** Hailey, Minster Lovell & APP  
Leaffield  
Affecting a Conservation Area  
Erection of single storey side extension and front entrance porch. (Amended).  
**7 Giernalls Road Hailey Witney**  
Mr Paul Granger
21. **20/00780/FUL** Brize Norton and Shilton WDN  
Erection of a two-storey detached dwelling and associated works  
**Land North West Of Elm Grove Brize Norton**  
Christ Church, Oxford
22. **20/00800/HHD** North Leigh APP  
Erection of single storey rear extension  
**Ammonite Cottage Church Road North Leigh**  
Mr And Mrs A And S Pettorino
23. **20/00793/HHD** Eynsham and Cassington APP  
Alterations and erection of side extension with front porch.  
**25 Stratford Drive Eynsham Witney**  
Mr And Mrs John And Michaela Hatton
24. **20/00810/HHD** Witney East APP  
Affecting a Conservation Area  
Alterations and conversion of loft space into living accommodation with the addition of two new roof lights and a front dormer window. (Amended)  
**69A Newland Witney Oxfordshire**  
Mr Clifford Jones
25. **20/00936/LBC** Witney North APP  
Affecting a Conservation Area  
Internal and external alterations including creation of en-suite to master bedroom at first floor level. (Part retrospective) - (Amended)  
**50 West End Witney Oxfordshire**  
Mr Carl Stowe

26. **20/00819/HHD** Bampton and Clanfield APP  
Affecting a Conservation Area
- Alterations and conversion of loft space into living accommodation with rooflights. Lean to area for storage to side of property (amended).  
**Cornerstones Cheyne Lane Bampton**  
Mr And Mrs J Easterbrook
27. **20/00821/HHD** Alvescot and Filkins APP
- Alterations to replace various windows and doors, insertion of flue and changes to internal layout to include mezzanine floor, balcony and new staircase.  
**The Barn Old Rectory Westwell**  
Mr And Mrs Garvn And Steffanie Brown
28. **20/00822/LBC** Alvescot and Filkins APP
- Internal and external alterations to replace various windows and doors, insertion of flue and changes to internal layout to include mezzanine floor, balcony and new staircase.  
**The Barn Old Rectory Westwell**  
Mr And Mrs Garvn And Steffanie Brown
29. **20/00848/HHD** Witney South APP
- Alterations and single storey front extension.  
**18 Mountfield Road Witney Oxfordshire**  
Ms Katerina Scott
30. **20/00839/HHD** Alvescot and Filkins APP
- Internal and external alterations to include new windows and doors and reconfiguration of internal layout.  
**Caretakers Cottage Westwell Burford**  
Mr & Mrs Garvin and Steffanie Brown
31. **20/00840/LBC** Alvescot and Filkins APP
- Internal and external alterations to include new windows and doors and reconfiguration of internal layout.  
**Caretakers Cottage Westwell Burford**  
Mr & Mrs Garvin and Steffanie Brown
32. **20/00838/HHD** Standlake, Aston & Stanton APP  
Harcourt
- Affecting a Conservation Area
- Removal of conservatory and erection of single storey rear extension.  
**17 Saxel Close Aston Bampton**  
Mr And Mrs Clark
33. **20/00865/HHD** Hailey, Minster Lovell & APP  
Leafield
- Single storey extension to side and rear  
**Wytham New Yatt Lane New Yatt**  
Mr Paul Wright

34. **20/00866/HHD** Witney Central APP  
Affecting a Conservation Area
- Replacement conservatory  
**15 Gloucester Court Mews Witney Oxfordshire**  
Mrs Rosie Jones
35. **20/00888/HHD** Hailey, Minster Lovell & APP  
Leaffield
- Erection of timber garage (retrospective)  
**164 Brize Norton Road Minster Lovell Witney**  
Mr And Mrs Shirley
36. **20/00856/S73** Hailey, Minster Lovell & APP  
Leaffield
- Affecting a Conservation Area
- Non compliance with condition 2 of planning permission 17/03146/HHD to allow change to roof pitch.  
**25 Giernalls Road Hailey Witney**  
Mr Karl Madden
37. **20/00890/HHD** Carterton North East APP
- Single and two storey rear extensions.  
**8 Barley Crescent Carterton Oxfordshire**  
Mr Edmunds
38. **20/00984/S73** Brize Norton and Shilton APP  
Affecting a Conservation Area
- Variation of condition 2 of planning permissions 17/03676/HHD, 18/01726/HHD and listed building consent 17/03677/LBC to allow the gable end of the car port and gables above the double garage (both to the South elevations) to be horizontal oak boarding in place of the previously approved glazing and oak mullions.  
**Bridge House Bridge Street Shilton**  
Mr Mark Smith
39. **20/00859/HHD** Witney West APP
- Proposed rear conservatory  
**6 Winfield Drive Witney Oxfordshire**  
Mr And Mrs Wheatland
40. **20/00874/FUL** Alvescot and Filkins APP  
Affecting a Conservation Area
- Construction of riding menage and stables for private use only.  
**Park Farm Lower End Alvescot**  
John Harter

41. **20/00880/FUL** Eynsham and Cassington APP  
Affecting a Conservation Area  
  
Erection of single storey extension to garage to form storage.  
**The Chequers Inn 6 The Green Cassington**  
MR B ODEDRA
42. **20/00881/HHD** Hailey, Minster Lovell & APP  
Leaffield  
Affecting a Conservation Area  
  
Erection of replacement garage, shed and porch with new garden room to rear.  
**Wychwood Cottage Wood Lane Hailey**  
Mr Shaun Waters
43. **20/00887/HHD** Witney East APP  
  
Erection of single storey rear extension  
**86 Manor Road Witney Oxfordshire**  
Mr Jono Franklin
44. **20/00889/FUL** Carterton North West APP  
  
Erection of detached dwelling with associated parking - resubmission of expired original planning approval (ref:17/01152/FUL)  
**4 Rock Close Carterton Oxfordshire**  
Mr And Mrs Grove
45. **20/00895/HHD** Eynsham and Cassington APP  
  
Alterations and replace garage with single and two storey front extension. Erection of two storey rear extension.  
**Shuttles Cottage Chapel Road South Leigh**  
Mr And Mrs Baish
46. **20/00926/NMA** Witney West APP  
  
Non-material amendment to alter the description of development contained within planning permission 19/02768/S73 to read: Variation of condition 2 of planning permission 18/01782/RES to allow the re-planning of plots 284 - 292 to form 12 x 1 bed and 6 x 2 bed self contained apartments.  
**Land At West Witney Downs Road Curbridge**  
Mr Sam Garland
47. **20/00908/HHD** Carterton South APP  
  
Alterations and single storey side extension and new roof lights on the front elevation (Amended).  
**62 Corbett Road Carterton Oxfordshire**  
Mr And Mrs McLoughlin
48. **20/00947/PN42** North Leigh WDN  
  
Erection of single storey rear extension (5m X 3.25m X 2.7m)  
**9 Perrott Close North Leigh Witney**  
Mr And Mrs Goodman



49. **20/01052/AGR** Eynsham and Cassington P2NRQ  
Erection of agricultural building  
**Twelve Acre Farm Chilbridge Road Eynsham**  
R G Blake Partnership
50. **20/01066/PIP** Bampton and Clanfield REF  
Affecting a Conservation Area  
Erection of dwelling  
**Burrington House Weald Bampton**  
Mr Simon Collins

### **APPEAL DECISION**

APPLICATION NO: 19/00115/OUT

Outline application for 4 dwellings with access Clover Court , Bushy Drive, **CLANFIELD**.

**APPEAL APPROVED – COSTS DISMISSED**

---