

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 14th September 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 Strategic Director. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

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

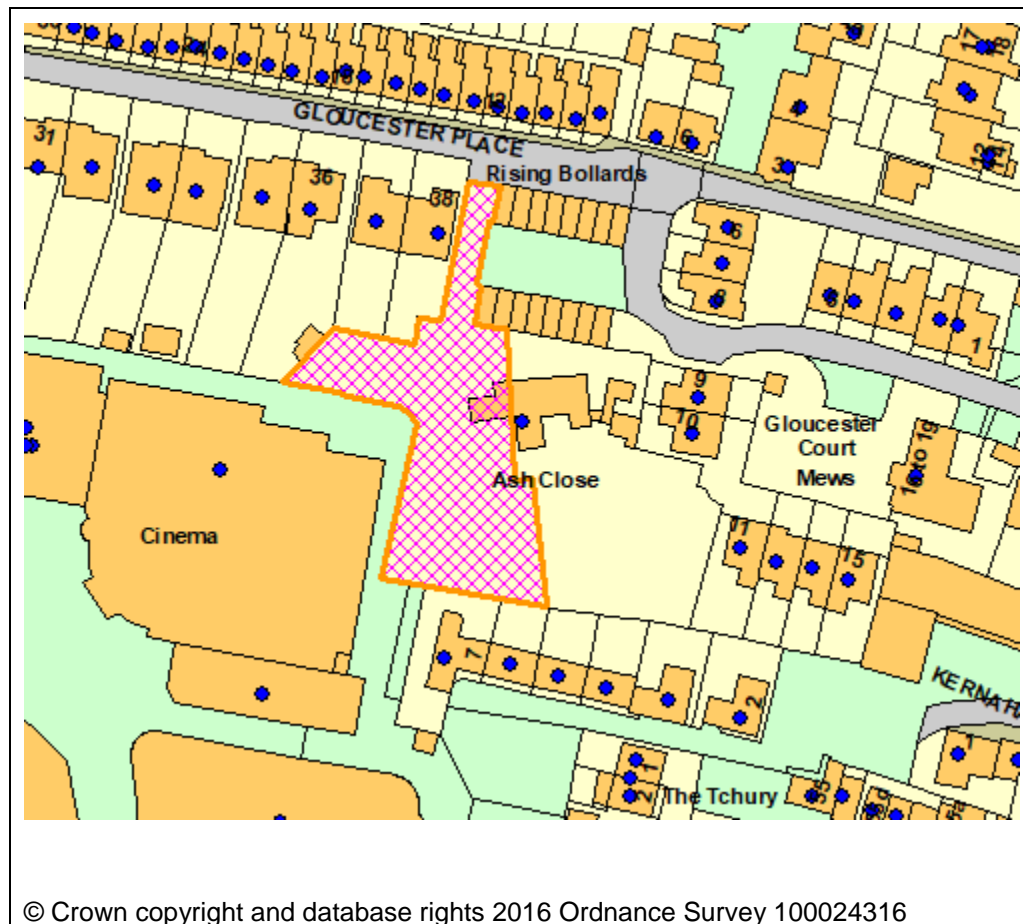
Please note that:

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

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Application Number	20/00858/FUL
Site Address	Ash Close Gloucester Place Witney Oxfordshire OX28 6LB
Date	3rd September 2020
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Witney Town Council
Grid Reference	435597 E 210063 N
Committee Date	14th September 2020

Location Map



Application Details:

Erection of two semi detached dwellings

Applicant Details:

Mrs Sarah Beresford And Mr James Nellist
Ash Close, Gloucester Place, Witney, Oxfordshire, OX28 6LB

I CONSULTATIONS

- I.1 Town Council
- Witney Town Council objects to this application. It finds the conditions and reasons for them laid out in the Appendix of the Gloucester Place Mews Residents' Association entirely justified. The Town Council has one hesitation over proposed condition 8 stating that visitors to the Ash Close properties must not park in Gloucester Place Mews. That seems a stretch too far to enforce, if parking is currently permissible on Gloucester Place Mews. Their points about access via Gloucester Place and Ash Close are well made, particularly the requirement for vehicles to be able to exit Ash Close in a forwards gear.
- There is currently a Keep Clear sign painted on the entrance to Ash Close, so using that access does not change parking for residents of Gloucester Place, but 'improving' that access by widening it or flaring it (proposals are not made in the plans) would likely inconvenience residents of Gloucester Place, who are already very tight for pedestrian and vehicular space.
- The energy efficiency measures are welcome. Please consider providing the infrastructure (i.e. cabling) to enable electric car charging points to be installed, in each parking space.
- The car port should include in the dimensions provision for secure, sheltered cycle parking, one bike space per household bed, or this should be provided elsewhere in the development. This is to enable active travel for public health and in light of the climate emergency.
- The Town Council also requests that an FRA demonstrating the risk to the proposal is carried out as a condition of any possible granting of permission, and that if this demonstrates substantial risk then the application should be reconsidered or permission denied.
- I.2 Biodiversity Officer
- No objection – conditions.
- I.3 WODC Drainage Engineers
- No objections - condition requested.
- I.4 OCC Highways
- Gloucester Place and Puck Lane are narrow roads (considerable lengths are not wide enough for vehicles to pass or a vehicle to easily pass a cycle) lacking adequate footways for pedestrian use. Even though the roads are the subject of an access restriction Road Traffic Order and signing local residents advise these roads are used as a ' rat run ' at peak hours to avoid the Mill St roundabout.
- Visibility at the site access to Gloucester Place is obstructed by 3rd party land to west. Vehicles are parked on the public highway to the east of the access.
- Records show one reportable injury accident on the Puck Lane/Gloucester PI road network for the 5yr period to December 2019.
- It is my opinion the benefit, in terms of highway safety and convenience, resulting from the implementation of the 20mph speed

limit will outweigh any hazard associated with the intensification of use of Gloucester Place and Puck Lane.

- I.5 WODC Drainage Engineers FRA required.
- I.6 Conservation Officer I note that under 17/03285/FUL, we approved a single additional detached dwelling here, which was of a low two-storey form, chiming with the existing house on the site. By contrast, the current proposal is for two semis, of tallish, two-storey-plus-attic form. I would be inclined to agree that this is overdevelopment, on a somewhat constrained site - both in terms of usage and in terms of built volume. I suggest that they revert to a single building of similar height to the existing house.
And in this case, if there is to be a garage or a car port, it probably needs to be part of the new building, or immediately adjacent to it. The currently proposed car port is set amongst significant trees - and we know too well that buildings and trees do not sit happily together in the longer term. There would also be concerns about traffic movement over root zones.
- I.7 ERS Env. Consultation Sites Our records indicate that the proposed development site is adjacent to a former electrical production and distribution site, labelled as "Witney Electric Power Station".

Please consider adding conditions to any grant of permission.
- I.8 WODC Env Health - Lowlands This application for the development of 2 new homes close to the Witney Air Quality Management Area (AQMA), and which it would be reasonable to assume would contribute in some way to the traffic volumes on roads within the AQMA.

I note the proposed reduction in speed limit on local roads that this development is offering to fund (D&A Statement), in agreement with the County Council. This proposed speed reduction is to be applied to several main streets in the centre of Witney including those that fall within the AQMA. This scheme makes no reference to the air quality issue that is major challenge for this area and in particular does not assess the potential effect that it might have on the air quality within the AQMA. There needs to be an air quality assessment carried out to determine the likely effect that modification of traffic speeds will have on the AQMA.

Secondly I am disappointed to see that there are no proposals for making provision for electric vehicle charging, especially considering the development's proximity to the AQMA.

These issues need to be addressed prior to permission being granted.

There is a word missing on my previous comments.
I am of the opinion that permission should NOT be granted until the investigations into noise and odour nuisance have been completed.
Apologies for this error.

At present ERS are investigating a complaint of Noise from the adjacent cinema and odour from the nearby Cafe Rouge restaurant. Whilst Nuisance has not been established these investigations are currently on hold due to the Pandemic situation. I do feel it would be prudent to not grant permission until these investigations have been completed so as not to permit the building houses closer to these sources of complaint. The situation can be reviewed once the investigations have been completed.

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| 1.9 | Biodiversity Officer | Additional information required. |
| 1.10 | Newt Officer | Provided that the precautionary method of working recommended in the PEA is used, I am satisfied that the potential impacts on great crested newts have been addressed. |
| 1.11 | Environment Agency | No comments to make - standard advice submitted. |
| 1.12 | Thames Water | No Comment Received. |
| 1.13 | WODC Landscape And Forestry Officer | No Comment Received. |

2 REPRESENTATIONS

- 2.1 Mr Matthews of 39 Gloucester Place
I object to the application on the omission of any reference as to how the adverse situations that will arise during the construction phase are to be achieved.
P/App 17/03285 was granted on 13/3/2018 for an application with similar 'new build' elements to this current application, with restrictive conditions that set out permitted working hours, construction traffic control, including the extra care required for vehicle manoeuvres in neighbouring properties in Gloucester Place, the containment of debris, loose materials etc. within the site and no bonfires or materials storage in any tree protection area. If WODC are minded to grant this application then I request that it should include those similar conditions again, and if that were to be the case I am happy that this comment should be reclassified as 'neutral'.
- 2.2 Mr Ball Chairman of Gloucester Court Mews Residents' Association.
The site of the application is immediately behind the Mews with its primary vehicular access via a lane off Gloucester Place.
Residence in Gloucester Court Mews (a private development) is limited to people aged over 55. Many of these elderly residents use walking aides of various types and some are unable to swiftly move out of the way of traffic.

One of the reasons for living in the Mews is the absence of traffic. Residents are therefore concerned to ensure that if planning permission is granted, the amount of traffic using the Mews is no greater in the future than at present.

- 2.3 Requests that similar conditions that were attached to the previous approval would be attached to the permission if granted. A list of suggested conditions submitted by the residents is available to view on line on the application's web site.

3 APPLICANTS CASE

- 3.1 The conclusion of the submitted Design and Access Statement has been summarised below; The proposal draws reference from the surrounding built environment in terms of the general form, location and orientation. It is responsive to its location, sensitive to the local vernacular in terms of appearance and well-mannered in the collective composition and architectural detailing.

- 3.2 The proposal has made every effort to address the concerns raised during the consultation for the withdrawn planning application 17/01210/FUL by:

- Reducing the number of proposed new dwellings from 3 to 2.
- Reducing the height of the proposed scheme
- Providing two allocated car spaces per new and existing dwelling and visitor parking so that demand for on-street on Gloucester Place is not increased.
- Proposing a detailed Construction Method Statement for LPA approval in line with the CMS provided for the discharge (18/01982/CND) of planning condition for 17/03285/FUL.

- 3.3 This site provides an excellent opportunity to create a high quality and sustainable residential development that will create diversity and enhance the surrounding area within the central area of Witney.

- 3.4 The proposals have been carefully considered by the applicant in relation to the above points and it is hoped that they will be received favourably by the local planning authority.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

EH10 Conservation Areas

H2NEW Delivery of new homes

NPPF 2019

EH8 Environmental protection

EH3 Biodiversity and Geodiversity

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

5 PLANNING ASSESSMENT

- 5.1 The application site is located within Witney town centre and the Conservation Area. Whilst adjacent to older properties, its boundary is also shared with the Cinema building at Mariotts Walk. The existing building occupies a large plot with one dwelling and a garage located within an existing garage block.
- 5.2 Previous planning history of the site includes;
19/00340/HHD - Alterations and extensions to existing dwelling - Approved
17/03285/FUL - Alterations to existing dwelling and one new dwelling - Approved
17/01210/FUL - Alterations to existing dwelling and three new dwellings - Withdrawn
- 5.3 The application is brought before Members as a member of staff lives in the vicinity of the site. They have had no input into the application or recommendation, and have not submitted any representations, but the application has been referred to the Sub-Committee for determination because of the wish to avoid any perception of any conflict of interest.

Principle

- 5.4 The application site is located within a mature residential area of Witney. Witney is categorised as a Main Service Centre, where new dwellings are acceptable in principle. Policy OS2. This is subject to various criteria which includes;
- 5.5 All development should:
- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
 - Form a logical complement to the existing scale and pattern of development and/or the character of the area;
 - Avoid the coalescence and loss of identity of separate settlements;
 - Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
 - As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
 - Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
 - Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
 - Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
 - Conserve and enhance the natural, historic and built environment;
 - Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.
- 5.6 Given that the previous approved scheme granted one additional dwelling, the principle of such development is considered acceptable. However your officers when assessing this application have assessed the proposed additional dwelling upon the criteria of whether the cumulative development is of a proportionate and appropriate scale to its context.

Siting, Design and Form

- 5.7 Policy OS4 of the adopted West Oxfordshire Local Plan considers design of new developments. This Policy states that;
New development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings.
- 5.8 Your officers consider that whilst the revisions made to the design as part of the current application are not considered to be unacceptable, it is the additional dwelling which officers consider will be of a cramped appearance resulting in an over development of the site.
- 5.9 In terms of the previous application which sought planning consent for three new dwellings, it was noted by your officers at the time, that the two proposed detached dwellings to the West of the existing dwelling house should be of a lower scale, and that one dwelling would be better suited. In addition your officers also noted that the proposed dwellings would bear an awkward relationship to the retained house. In view of these comments, the applicant withdrew that application, and submitted an application for just one dwelling to the West of the existing house, which was approved by your officers. (17/03285/FUL).
- 5.10 Whilst your officers note that the design of the now proposed two dwellings, of a semi detached form and a comparable scale to that of the approved one dwelling, it is the additional separation of the private amenity land to the rear, the additional parking arrangements to serve two additional dwellings, and the space around the physical built form which will result in the proposed development appearing cramped. As such your officers do not consider that these changes overcome the initial concerns of the earlier withdrawn 2017 application.

Conservation Area

- 5.11 Since the application site is within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.12 Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area.
- 5.13 In view of this proposal, your officers consider that some harm will result to the original curtilage of the site and that the scale of development is not sympathetic to the surrounding context.

Highways

- 5.14 OCC Highways were consulted as part of the application and have no objections to the proposal subject to conditions.

Residential Amenities

- 5.15 Your officers do not consider that the proposed dwellings will adversely affect the residential amenities of the existing dwelling on the application site.
- 5.16 Your officers have noted the comments raised by your Environmental Health officers, regarding the close proximity of the existing commercial uses adjacent to the application site. However given that one dwelling has already been granted planning permission also in close proximity of those uses, your officers do not consider that the application should be refused on this issue.
- 5.17 In terms of the consultation response regarding the Witney Air Quality Management Area (AQMA), an air quality assessment has not been submitted. As such your officers consider that given that air quality in this area is a major challenge that the proposal should also be refused on this matter.

Conclusion

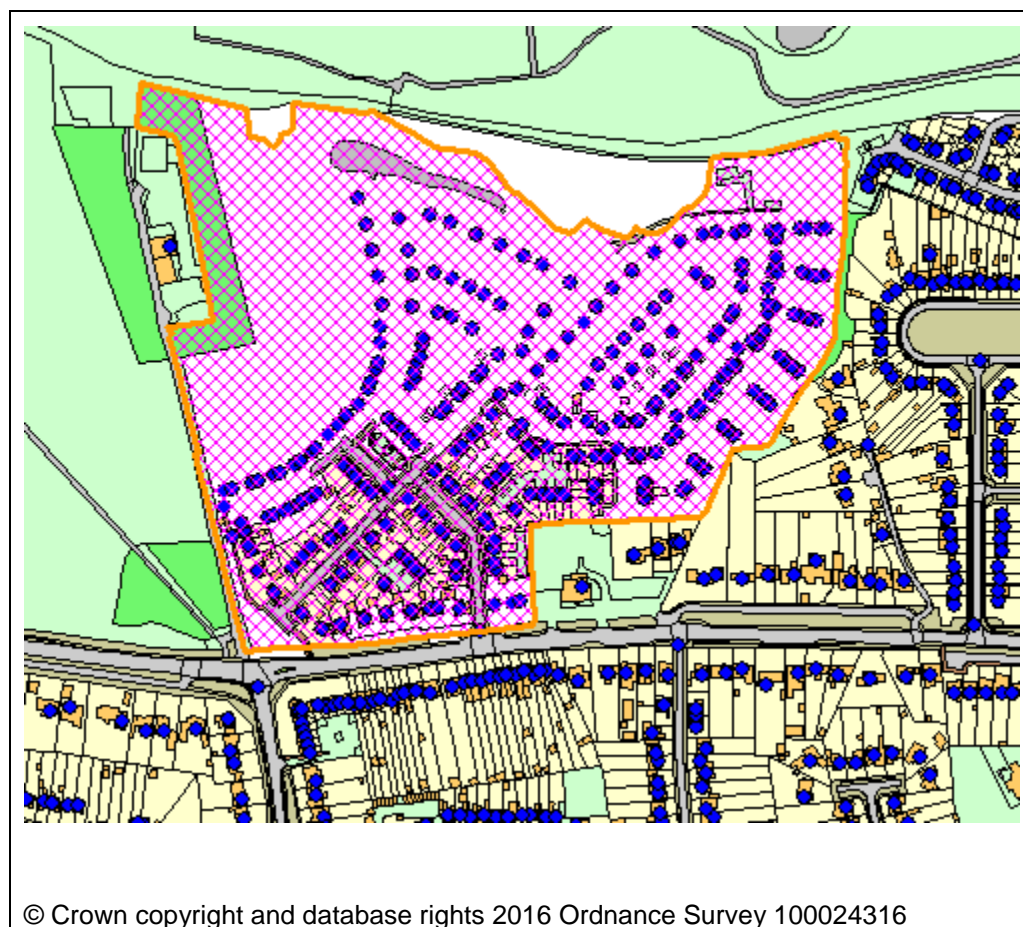
- 5.18 Your officers have carefully assessed the proposal. However given the previous concerns that were raised regarding the 2017 application for three dwellings, your officers still have the same concerns regarding the two dwellings to the West. Your officers do not consider that the proposed dwellings will enhance the character and quality of the surroundings, be of a proportionate and appropriate scale to its context or form a logical complement to the existing scale and pattern of development and the character of the area. In addition the proposal has not demonstrated the likely effects to the air quality from the proposed increase to two dwellings.

6 REASONS FOR REFUSAL

1. By reason of the scale, siting, and additional parking related to two properties, the proposed pair of semi detached dwellings will not enhance the character and quality of the surroundings, be of a proportionate and appropriate scale to its context or form a logical complement to the existing scale and pattern of development and the character of the area. As such the proposal is contrary to Policies OS2 and OS4 of the adopted West Oxfordshire Local Plan and the relevant paragraphs of the NPPF.
2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed scheme for two dwellings would not affect the Witney Air Quality Management Area (AQMA) and the application makes no reference to the air quality issue and nor does it assess the potential effect that it might have on the air quality within the AQMA. As such the proposal is contrary to Policy EH8 of the adopted West Oxfordshire Local Plan and the relevant paragraphs of the NPPF.

Application Number	20/01117/S73
Site Address	Land North Of Burford Road Witney Oxfordshire
Date	3rd September 2020
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	434666 E 210448 N
Committee Date	14th September 2020

Location Map



Application Details:

Variation of condition 5 of outline planning permission 14/1215/P/OP to allow for the development to be constructed on site in line with the description of development and amend the restriction of numbers from 260 dwellings and increase to 270 dwellings.

Applicant Details:

Miss Rachel Clare, Remus 2, 2 Cranbrook Way, Solihull Business Park, Solihull , B90 4GT

I CONSULTATIONS

- I.1 Thames Water Water Comments
On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. 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.
Thames Water confirm that the variation in condition is approved based upon the information submitted.
- I.2 Major Planning Applications Team No objection as amended layout submitted for application 20/01118/S73 addresses our concerns.
- I.3 Major Planning Applications Team OCC Highways - Objection for the following reason:
The proposals will result in a reduction of the number of visitor parking spaces and the availability of on-street parking, causing an unacceptable impact on highway safety.
- I.4 Adjacent Parish Council No Comment Received.
- I.5 Biodiversity Officer I understand that the scheme proposes an increase of 260 to 270 dwellings. These additional dwellings are proposed to be located within the north-eastern corner of the site. Having reviewed the Softworks Proposal plans (drawing numbers DR-001, DR-002 and DR-003), that were submitted for application number 20/01118/S73, I do not consider the proposed changes to have a significant impact on biodiversity as there will be no encroachment into the northern enhancement area. Therefore I have no objection to the proposals in terms of biodiversity impact within the site.
However, I do recommend that additional enhancement features, such as bat and bird boxes, are integrated into the external walls of the new dwellings. The locations of these dwellings will offer suitable opportunities for roosting bats and nesting birds as they will be located nearby to the enhancement area and river corridor. Furthermore, I recommend that hedgehog gaps/holes should be created through any fences or walls within the site to ensure adequate permeability for this priority species. The details of the nesting and roosting features as well as the provision of hedgehog holes/gaps should be submitted to the LPA as a condition of planning consent.
- Although there are no objections in terms of biodiversity within the site, the proposed changes could potentially lead to increased recreational pressure on the proposed open space and in the surrounding area, including the Conservation Target Area and the

river corridor via the existing public footpath. I am therefore unsure whether the increase in housing number should result in an increase in the amount of open space provided or the types of green infrastructure assets that have been provided. I therefore recommend that the Planning Policy team should be consulted to comment on this issue.

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| I.6 | Conservation Officer | No Comment Received. |
| I.7 | WODC Env Health - Lowlands | I have No Objection in principle to the application to vary condition 5 of the permission 14/1215/P/OP. |
| I.8 | ERS Env. Consultation Sites | <p>I have looked at the application in relation to contaminated land and potential risk to human health. I see that a contaminated land condition was added to the original planning application (14/1215/P/OP), the condition appears to have been discharged in July 2018.</p> <p>It appears that this application is for an additional 10 houses to be added to the already approved 260 houses.</p> |
| I.9 | WODC Env Services - Waste Officer | No Comment Received. |
| I.10 | WODC - Arts | No Comment Received. |
| I.11 | WODC - Sports | No Comment Received. |
| I.12 | Thames Water | <p>Due to a lack of information relating to drainage Thames Water is unable to support the variation of this condition. Please see further information outlined below.</p> <p>Water Comments</p> <p>On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. 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.</p> <p>Supplementary Comments</p> <p>Thames water do not agree to the variation of condition 5 which permits the increase from 260 to 270.</p> <p>Thames Water did request the following condition when the outline application was submitted:</p> <p>Thames Water has identified an inability of the existing FOUL WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a position for foul water networks but has been</p> |

unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- 2.

A housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan." Reason -

Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

Unfortunately this condition was not included at appeal but Thames Water still have concerns about the capacity of the network and request that the developer engages with us at the earliest opportunity to ensure development does not outpace the provision of any necessary infrastructure.

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| I.13 | WODC Planning Policy Manager | No Comment Received. |
| I.14 | WODC Housing Enabler | No Comment Received. |
| I.15 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.16 | Health And Safety Executive | <p>Drawing BUR.SLP.RP.000 submitted as part of this application shows the area of the site within which it is proposed to site the 10 additional dwellings. Part of that area lies within the middle zone of the HSE consultation distance around the Flogas Britain Ltd site.</p> <p>HSE would not advise, on safety grounds, against the granting of permission for this application to allow a maximum of 270 dwellings to be constructed on the site, as long as this remains subject to condition 1 of planning permission 14/1212/POP which limits the extent of development within the middle zone of the Flogas Britain Ltd site.</p> |
| I.17 | Town Council | <p>Witney Town Council objects:</p> <ul style="list-style-type: none"> • the Secretary of State limited the development to 260 houses based on advice from the HSE in relation to the Flo Gas site. We cannot see what has changed since then to warrant 270 houses. • the Local Plan is now in place, which identifies suitable sites for building, and this site is not one of them. These houses are not needed here. |

- the documents submitted with this application are unclear and appear to show the playground being moved nearer to the Flo Gas site than in the approved plans. This would not be acceptable.

2 REPRESENTATIONS

- 2.1 14 letters have been received objecting to the application on the following grounds:
- Contrary to the appeal decision to limit the number of houses
 - Increased Congestion - Additional car movements
 - Environment issues - Increased air pollution from the additional cars
 - Increased Pressure on local facilities -Schooling for the additional children - Schools are already full, Medical Centres in Witney are already overflowing,
 - Utilities - Thames Water cannot cope with the current level of sewage and are dumping sewage into the River Windrush causing pollution to the river
 - Flooding - Increased threat of flooding from water running off the site straight into the Windrush Valley.
 - Health and Safety - The Flo-gas site borders this building site and presents a clear hazard to the house holders. It appears that housing will be closer to this hazardous site and decrease the safety zone that was put in place and agreed to.
 - The children's play area will be moved closer to the Flo-gas site and also closer to the attenuation pond with a direct path to it which is a health and safety concern.
- 2.2 One letter has been received commenting on the proposed parking layout recommending parking in the front gardens or the use of shared PRIVATE gardens. Streets should be designed to slow down cars.
- 2.3 County Cllr Price - This was a controversial development when it when it was originally given permission by the Housing Minister after originally being rejected by Town, District and County Council. The variation request has not outlined justification for the increased number of properties. It is a simple reversion to the original proposal for 270 properties, which was revised down to 260 after extensive discussion. This late variation request threatens to undermine the robustness of the planning process and it also gives no detailed information about the revised site. The issue of proximity to the gas plant has not been nullified, and still forms a significant risk. I would be interested to see feedback on this specifically, along with input from the Fire Service. If the safety buffer is to be maintained, how will the additional houses be included without creating over development? As the Highways Authority I believe the additional houses could create issues over on-street parking, which we know are almost impossible to resolve once a development is complete. The proposal to relocate the play area so that it sits beside a road has negative public health implications and poses safety issues - as we have experienced in the Town with the poor placement of Unterhaching Park. I hope that we will give consideration to all of the above and reject the application to vary the number of houses.

3 APPLICANT'S CASE

- 3.1 The supporting statement summarises that the proposal creates an opportunity to facilitate the delivery of additional dwellings in Witney through the more efficient use of development land. This will assist in meeting West Oxfordshire's housing delivery targets without the need to release additional land or loss of open space.
- 3.2 This application should be considered concurrently with the details of how the additional dwellings will be provided. In doing so, it can be seen that the additional dwellings will be delivered in a sustainable manner and will be fully incorporated into the wider scheme. Due consideration has been given to the safety of future residents which will not be detrimentally affected through these proposals.
- 3.3 It is therefore respectfully requested that this planning application be approved.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

H4NEW Type and mix of new homes

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH3 Biodiversity and Geodiversity

EH8 Environmental protection

WIT6NE Witney sub-area strategy

NPPF 2019

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

5 PLANNING ASSESSMENT

- 5.1 This application seeks to vary condition 5 attached to the outline planning permission 14/1215/P/OP. Condition 5 limits the maximum number of dwellings that can be constructed within the site to 260 dwellings. This application seeks to increase the number of dwellings to 270 dwellings as specified in the original description of development.
- 5.2 The site comprises part of the new housing development (Kingfisher Meadows) which is still under construction and now partly occupied. The new housing development lies to the north of Burford Road on the edge of Witney.
- 5.3 The application is to be heard before Committee as the Town Council has objected to the proposal. Cllr Coles has also requested that the application is reported to Committee.

Relevant Planning History

- 5.4 14/1215/P/OP - Erection of 270 dwellings including access, public open spaces and associated works allowed on appeal in August 2016. Condition 5 states:
'Notwithstanding the description of development, the maximum number of dwellings constructed within the site shall be 260.'
- 5.5 The main reason for Condition 5 relates to health and safety issues related to the site's proximity to the Flogas LPG bottling plant. The site is licensed for the storage of LPG and the bottling of gas cylinders.
- 5.6 Reserved Matters (17/03338/RES) for the development was approved in February 2018. Revisions to the layout and House Types have been approved in June 2018 (18/01684/S73) and a revision to substitute affordable housing units was approved in November 2019 (19/02517/S73).
- 5.7 An associated planning application (20/0118/S73) has also been submitted which seeks to vary condition 2 of planning permission 17/03338/RES to introduce new approved plans to reflect the proposed additional 10 dwellings on site.
- 5.8 Taking into account the planning history of the site, other material considerations and the presentations of interested parties your officers are of the opinion that the key consideration of this application is whether an additional 10 dwellings can be safely and satisfactorily accommodated on the site.

Health and safety issues

- 5.9 Policy EH8 of the Local Plan seeks to limit risk to safety and states that development should not adversely affect safety near notifiable installations. As detailed above, the main reason for Condition 5 relates to health and safety issues due to the site's proximity to the Flogas LPG bottling plant. Where development is located close to a hazardous installation, the Health and Safety Executive (HSE) notifies the local planning authority of a required consultation distance which is sub-divided into Zones around the installation. The zones range from Inner, Middle and Outer zones with each zone representing decreasing levels of residual risk from the highest (in the Inner zone) to the lowest (in the Outer zone).
- 5.10 The HSE approach to residential development is based on controlling the numbers of people at risk in the light of the specific sensitivity of residential development, which takes account of the protection afforded by occupiers being inside their homes most of the time that they are on site. The HSE's policy is to Advise Against significant housing in the Inner zone and the Middle zone. Significant housing is codified as 30 or more houses in the Middle zone, or less than 30 dwelling units in the Middle zone, but with a density of more than 40 dwelling units. The number of dwellings and the density in the Middle zone is a measure of the population that enables the numbers of people to be controlled within a tolerable range.
- 5.11 When responding to the appeal proposal in 2016, the HSE advised that, subject to health and safety conditions, the proposed development on the appeal site would be sufficiently low risk to mean that the HSE Does Not Advise Against the grant of planning permission. In summing up the planning balance of the appeal proposal the Inspector concluded that:
'In respect of the effect of the Flogas site on the safety of the future residents of the proposed development, there is no doubt there would be a risk. However, that risk has been minimised by a limitation on the areas for building within the site, along with restriction on density. This has resulted in

the risk being calculated as limited and residual. The HSE, having undertaken that calculation of risk, has then likened it to the everyday risk we carry with us in our day to day lives and Does not Advise Against the granting of planning permission on this basis.

- 5.12 In respect of this application the HSE has referred to other conditions attached to the outline planning permission including Condition 1 which states, inter alia, that:
- there shall be no development within the HSE Consultation Zone - Inner zone as defined on HSE Drawing Ref. H0527 Rev1 (mirrored in dwg no 5857-L-110) and a scheme to prevent public access to this zone shall be included in the reserved matters;
 - no more than 10% of the area proposed for residential development shall be located within the Middle zone of the HSE Consultation Zones, identified on the Development Framework (mirroring that on HSE Drawing Ref. H0527 Rev1); and
 - no more than 26 dwelling units at a density of less than 40 dwelling units per hectare within that part of the residential development that lies within the HSE Consultation Zone - Middle zone identified on the Development Framework (mirroring that on HSE Drawing Ref. H0527 Rev1).
- 5.13 Drawing BUR.SLP.RP.000 submitted as part of this application shows the area of the site within which it is proposed to site the 10 additional dwellings. Part of that area lies within the middle zone of the HSE consultation distance around the Flogas Britain Ltd site. HSE would not advise, on safety grounds, against the granting of permission for this application to allow a maximum of 270 dwellings to be constructed on the site, as long as this remains subject to condition 1 of planning permission 14/1212/POP which limits the extent of development within the middle zone of the Flogas Britain Ltd site.
- 5.14 In terms of health and safety therefore there is no objection from the HSE to the principle of increasing the number of dwellings from 260 to 270 as the development would still be subject to the requirements of Condition 1 attached to the outline planning permission which ensures that a limited number of dwellings are located within the middle zone.
- 5.15 The agent has confirmed that the detailed proposals for the additional 10 dwellings will be in accordance with the restrictions contained within condition 1 of the outline approval in the interests of public safety. The associated application to amend the layout to accommodate the additional 10 dwellings will not increase the number of units within the middle zone.

Layout and Design

- 5.16 Whilst this application solely seeks to increase the number of dwellings from 260 to 270 on part of the housing site, it needs to be considered concurrently with the S73 application to amend condition 2 attached to the reserved matters approval (Ref: 17/03338/RES) as this application details how the additional 10 dwellings will be incorporated into the site. This application also appears on the schedule.
- 5.17 The revised layout which has improved the design quality of the scheme is now considered to be acceptable.

Other Matters

S106 issues

- 5.18 The outline application allowed on appeal in 2016 (14/1215/P/OP) is subject of a Unilateral Undertaking (UU) which was drawn up in the event that planning permission was granted for a scheme of either 260 or 270 dwellings. The required contributions for a scheme of 270 dwellings on the site have therefore already been agreed and are contained within the UU. The UU also applies to any subsequent section 73 application and as such no variation to the UU is required in this instance.

Conclusion

- 5.19 In conclusion, the additional 10 dwellings can be safely and satisfactorily accommodated on the site and the application is thus recommended for approval.

6 CONDITIONS

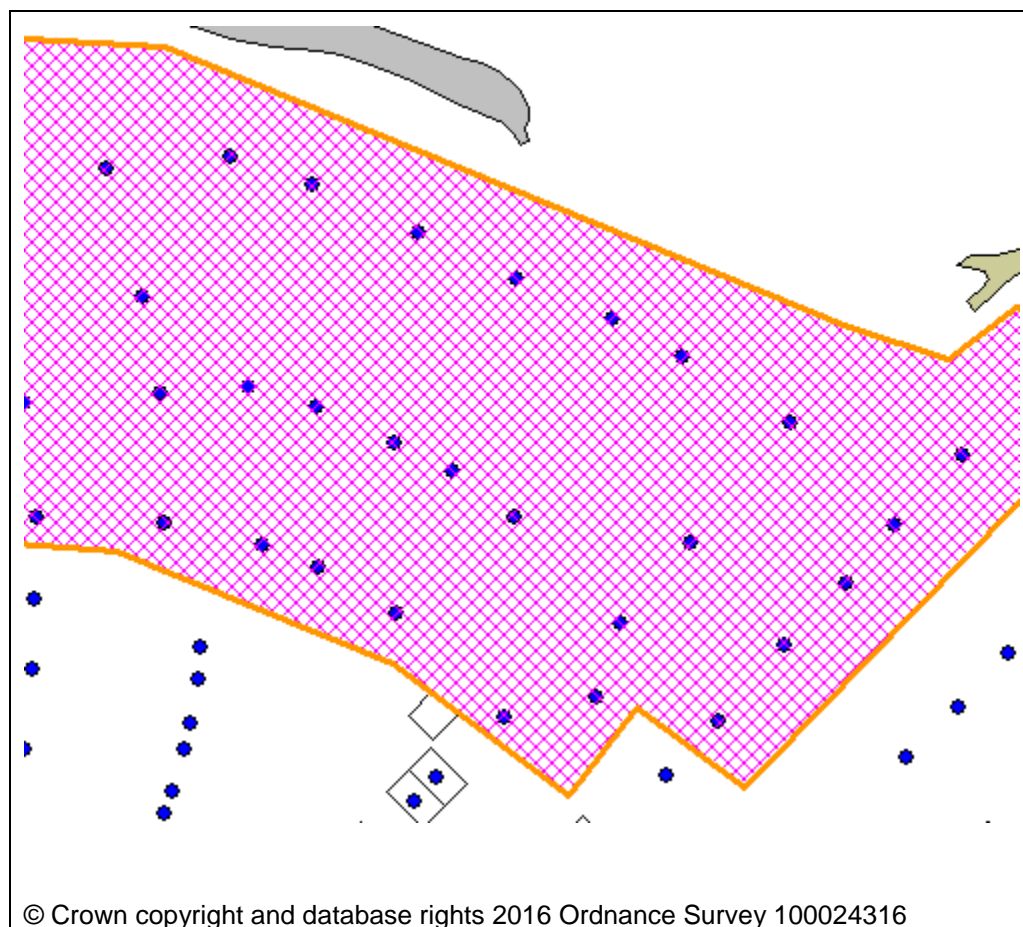
- I. That the development be carried out in accordance with the approved plans under 20/01118/S73, legal agreement and conditions including those already discharged pursuant to outline planning permission ref 14/1215/P/OP, Reserved Matters permission ref 17/03338/RES and 18/01684/S73.
REASON: For the avoidance of doubt as to what is permitted.

NOTES TO APPLICANT:

- I. 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.

Application Number	20/01118/S73
Site Address	Land North Of Burford Road Witney Oxfordshire
Date	3rd September 2020
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	434666 E 210448 N
Committee Date	14th September 2020

Location Map



Application Details:

Variation of condition 2 of planning permission 17/03338/RES to introduce new approved plans to reflect additional 10 dwellings on site.

Applicant Details:

Miss Rachel Clare

David Wilson Homes (Mercia), Remus 2, 2 Cranbrook Way, Solihull Business Park, Solihull, B90 4GT

I CONSULTATIONS

- | | | |
|------|----------------------------------|--|
| I.1 | Thames Water | No Comment Received. |
| I.2 | Major Planning Applications Team | Amended plans - No objection. |
| I.3 | Town Council | No Comment Received. |
| I.4 | Health And Safety Executive | No Comment Received. |
| I.5 | WODC Housing Enabler | The affordable housing provision is unchanged and I therefore remain supportive of the application. |
| I.6 | Health And Safety Executive | As the proposed site layout complies with the requirements of condition 1 attached to the original outline planning permission, HSE does not advice, on safety grounds, against the granting of permission for this application. |
| I.7 | WODC Env Health - Lowlands | I have No Objection in principle to the application variation. |
| I.8 | Major Planning Applications Team | OCC Highways - Objection for the following reason:
The proposals will result in a reduction of the number of visitor parking spaces and the availability of on-street parking, causing an unacceptable impact on highway safety. |
| I.9 | ERS Env. Consultation Sites | <p>Following on from my comments related to planning application 20/01117/S73 I have now found the correspondence relating to the discharge of Condition 13 of planning decision 14/1215/P/OP.</p> <p>Our records indicate that Condition 13 of planning decision notice 14/1215/P/OP has been discharged because the submitted geo-environmental site investigation did not find any significant contamination, including the potential infilled area. Soil gas testing showed low gas concentrations, with no apparently potentially gassing sub-surface materials. There was no soil-borne asbestos found.</p> <p>It appears as though the new dwellings will be placed in the center of the development, the works should be covered by the contaminated land investigation which has already been completed.</p> <p>I therefore have no objection to this proposal.</p> |
| I.10 | Biodiversity Officer | I understand that the scheme proposes an increase of 260 to 270 dwellings. These additional dwellings are proposed to be located within the north-eastern corner of the site. Having reviewed the Softworks Proposal plans (drawing numbers DR-001, DR-002 and DR-003), that were submitted for application number 20/01118/S73, |

I do not consider the proposed changes to have a significant impact on biodiversity as there will be no encroachment into the northern enhancement area. Therefore I have no objection to the proposals in terms of biodiversity impact within the site.

However, I do recommend that additional enhancement features, such as bat and bird boxes, are integrated into the external walls of the new dwellings. The locations of these dwellings will offer suitable opportunities for roosting bats and nesting birds as they will be located nearby to the enhancement area and river corridor. Furthermore, I recommend that hedgehog gaps/holes should be created through any fences or walls within the site to ensure adequate permeability for this priority species. The details of the nesting and roosting features as well as the provision of hedgehog holes/gaps should be submitted to the LPA as a condition of planning consent.

Although there are no objections in terms of biodiversity within the site, the proposed changes could potentially lead to increased recreational pressure on the proposed open space and in the surrounding area, including the Conservation Target Area and the river corridor via the existing public footpath. I am therefore unsure whether the increase in housing number should result in an increase in the amount of open space provided or the types of green infrastructure assets that have been provided. I therefore recommend that the Planning Policy team should be consulted to comment on this issue.

I.11 WODC Housing Enabler

Having had the opportunity to review this application I am able to make comments from an affordable housing point of view.

This application proposes a nett increase of 10 dwellings on the site. Of these dwellings, the affordable housing provision proposed is 40% which reflects policy for schemes in this area. The applicant sought advice on the affordable housing provision from WODC prior to submission of the application and this has been incorporated in to the proposal. I am therefore supportive of this application.

I.12 WODC Landscape And Forestry Officer

No Comment Received.

I.13 Town Council

Witney Town Council objects to this application on the following grounds:-

- the plans for the 43 houses (up from 33 in that road layout) place a higher density of houses in the Flo Gas impact zone;
- increasing the number of properties will cause strain on Witney's traffic, schools, medical practices and sewerage infrastructure;
- these plans do not show the playground as part of the area submitted for redesign - the Town Council asks for clarity on the intentions for the playground.

2 REPRESENTATIONS

- 2.1 Two letters have been received objecting to the application on the following grounds:
- Proposal increases housing density even further exacerbating limits on children play areas and overall community mental health of the development. The proposal ignores the many and wide ranging objections to the original development.
 - Safety concerns as the presence of more properties and the associated people, increases the number of people who would be impacted upon should a safety event occur at our premises.

3 APPLICANT'S CASE

- 3.1 The supporting statement summarises that the layout submitted for approval creates a high quality, sustainable development whilst providing additional open market and affordable dwellings within Witney to support the delivery of new homes in West Oxfordshire.
- 3.2 Appropriate mechanisms within the legal agreements are in place to secure the financial contributions associated with the additional dwellings. The proposals are consistent with the outline planning permission, national and local planning policies. It is therefore respectfully requested that this planning application be approved.
- 3.3 Overall, we believe the amended scheme will provide a high quality living environment for future residents of this scheme, which relates well to the context of this part of the site, and creates a smooth transition from the main body of the site to the outer edge. The scheme also provides 4 additional affordable dwellings that are well integrated into the scheme.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design
H1NEW Amount and distribution of housing
H2NEW Delivery of new homes
H3NEW Affordable Housing
H4NEW Type and mix of new homes
T1NEW Sustainable transport
T3NEW Public transport, walking and cycling
T4NEW Parking provision
EH3 Biodiversity and Geodiversity
EH8 Environmental protection
WIT6NE Witney sub-area strategy
NPPF 2019
DESGUI West Oxfordshire Design Guide
NATDES National Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application seeks to vary condition 2 of planning permission 17/03338/RES to introduce new approved plans to reflect additional 10 dwellings on site. This application needs to be considered concurrently with the S73 application to vary condition 5 attached to the outline planning permission 14/1215/P/OP (Ref: 20/01117/S73) which also appears on the schedule.
- 5.2 The site comprises part of the new housing development (Kingfisher Meadows) which is still under construction and now partly occupied. The new housing development lies to the north of Burford Road on the edge of Witney.
- 5.3 The application is to be heard before Committee as the Town Council has objected to the proposal. Cllr Coles has also requested that the application is reported to Committee.

Relevant Planning History

- 5.4 14/1215/P/OP - Erection of 270 dwellings including access, public open spaces and associated works allowed on appeal in August 2016. Condition 5 states:
- 'Notwithstanding the description of development, the maximum number of dwellings constructed within the site shall be 260.'
- 5.5 Reserved Matters (17/03338/RES) for the development was approved in February 2018. Condition 2 of this approval specifies the approved plans which include the planning layout. Revisions to the layout and House Types have been approved in June 2018 (18/01684/S73) and a revision to substitute affordable housing units was approved in November 2019 (19/02517/S73).
- 5.6 Taking into account the planning history of the site, other material considerations and the presentations of interested parties your officers are of the opinion that the key consideration of this application is whether an additional 10 dwellings can be safely and satisfactorily accommodated on the site.

Health and safety issues

- 5.7 Policy EH8 of the Local Plan seeks to limit risk to safety and states that development should not adversely affect safety near notifiable installations. When determining the outline planning application at appeal, the Inspector limited the number of dwellings that could be erected on the site due to health and safety issues which are addressed in detail on the associated S73 application for this site (see 20/01117/S73).
- 5.8 When responding to the appeal proposal in 2016, the HSE advised that, subject to health and safety conditions, the proposed development on the appeal site would be sufficiently low risk to mean that the HSE Does Not Advise Against the grant of planning permission. In summing up the planning balance of the appeal proposal the Inspector concluded that:
- 'In respect of the effect of the Flogas site on the safety of the future residents of the proposed development, there is no doubt there would be a risk. However, that risk has been minimised by a limitation on the areas for building within the site, along with restriction on density. This has resulted in the risk being calculated as limited and residual. The HSE, having undertaken that calculation of risk, has then likened it to the everyday risk we carry with us in our day to day lives and Does not Advise Against the granting of planning permission on this basis.'*

- 5.9 In respect of this application the HSE has commented that the revised site layout complies with the requirements of condition I attached to the original outline planning permission which ensures that a limited number of dwellings are located within the middle zone. As such HSE does not advise, on safety grounds, against the granting of permission for this application.

Layout and Design

- 5.10 Paragraph 127 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policy OS4 of the Local Plan reflects this advice and encourages development of a high quality design that responds positively to and respects the character of the site and its surroundings. The importance of achieving high quality design is reinforced in the recently published National Design Guide.
- 5.11 Concerns were raised that the revised layout incorporating the additional 10 units would dilute the design quality of this part of the development. In response to these concerns, revised plans have been received to remove the use of red brick dwellings and replace them with additional stone and sandstone materials, to replicate the approved materials plan. All plots fronting the northern edge are proposed as Cotswold Cream Stone to respond appropriately to this more sensitive outer edge. The number of chimneys proposed has also increased across the re-plan area. Specifically, along the northern edge, of the 11 units here, 8 now have a chimney as opposed to 5 as previously proposed. The approved scheme shows two thirds of the units along this edge having a chimney, whilst the new proposals increase this proportion to over 70% to reflect the more rural character of this part of the site. The corner units are now dual fronted with active frontages addressing both streets and/or public open space.
- 5.12 In terms of plot sizes, it has been shown that these are comparable to those that have been approved for similar sized dwellings. The layout has also been amended to provide better relationships between dwellings and improved plot sizes for a number of dwellings across the scheme. As such the revised layout has improved the design quality of the scheme, which is now considered to be acceptable.

Highway/Parking Issues

- 5.13 OCC Highways had originally raised an objection to the revised layout on the grounds that it would result in a reduction of the number of visitor parking spaces and the availability of on-street parking, causing an unacceptable impact on highway safety. In response to these concerns, the layout has been revised to make provision for 7 additional visitor spaces with 15 visitor spaces in total now being provided in this part of the site. The agent also points out that a number of the proposed plots have an over provision of on plot parking which will reduce the demand for visitor parking.
- 5.14 OCC Highways has confirmed that the total number of visitor bays required for this part of the site is 16. All but four of the plots have their own detached garage as well as the tandem parking. These garages have internal dimensions below that required by the OCC standards (6.0m x 3.0m) so technically cannot be counted as parking spaces, but some may be used to accommodate small vehicles. Thus, the updated provision is considered to be acceptable, with a shortfall of just one bay.

Affordable Housing

- 5.15 The outline planning permission requires the provision of 40% affordable housing and this requirement is further supported by the adoption of the Local Plan and Policy H3 which requires in this area the provision of 40% housing. In line with these requirements, the proposals provide for 4 of the 10 additional dwellings to be provided as affordable dwellings. Following advice from the Strategic Housing and Development Officer who has identified that the demand for affordable rented units in Witney is for smaller homes, the affordable units to be provided comprise 2 two bed affordable rent units and 2 three bed shared ownership units.
- 5.16 The location of these plots ensures the affordable dwellings are fully integrated with the open market dwellings and their appearance will be indistinguishable from the market dwellings.

Other Matters

Housing mix

- 5.17 The addition of 10 dwellings into the scheme in the north western corner of the site has been achieved by altering the housing mix and size of units plotted in this area. The Local Plan identifies an imbalance in the housing stock within West Oxfordshire with larger properties dominating the existing stock. The most recent evidence based used to inform the Local Plan, the Oxfordshire SHMA (2014), suggests that future provision of market housing in Oxfordshire should be focussed on delivering smaller family housing for younger households.
- 5.18 This proposal seeks to erect a greater number of smaller dwellings and the 5 bed dwellings in this part of the site have been removed. These changes accord with the objectives of Policy H4 of the Local Plan which seeks to provide a good, balanced mix of property types and sizes.

S106 issues

- 5.19 The outline application allowed on appeal in 2016 (14/1215/P/OP) is subject of a Unilateral Undertaking (UU) which was drawn up in the event that planning permission was granted for a scheme of either 260 or 270 dwellings. The required contributions for a scheme of 270 dwellings on the site have therefore already been agreed and are contained within the UU. The UU also applies to any subsequent section 73 application and as such no variation to the UU is required in this instance.

Play Area

- 5.20 It has been confirmed that the location and details of the play area have not changed from those approved but for the avoidance of doubt, the details as approved have been added on to the revised layout.

Conclusion

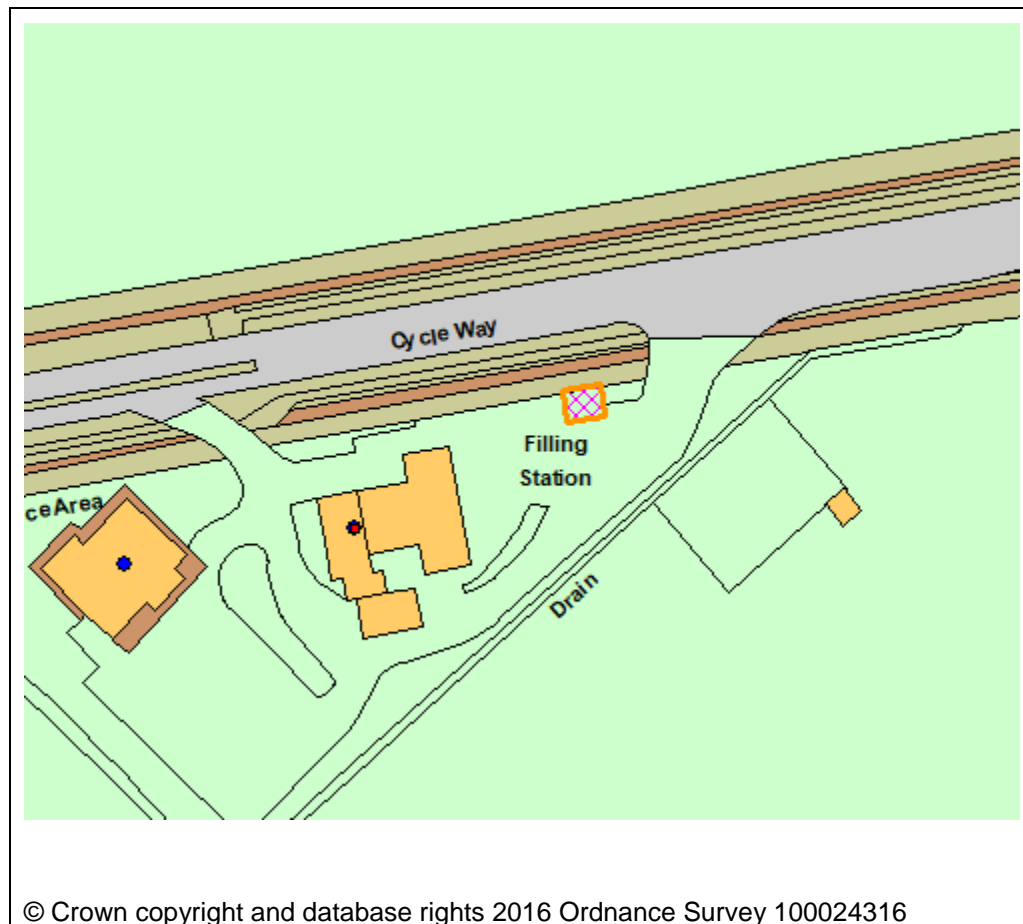
- 5.21 The proposed changes to the approved scheme are considered to be acceptable and the application is thus recommended for approval.

6 CONDITION

- I. That the development be carried out in accordance with the approved plans listed below, legal agreement and conditions including those already discharged pursuant to outline planning permission ref 14/1215/P/OP, Reserved Matters permission ref 17/03338/RES and 18/01684/S73.
REASON: For the avoidance of doubt as to what is permitted.

Application Number	20/01648/FUL
Site Address	Eynsham Filling Station Eynsham Witney Oxfordshire OX29 4EN
Date	3rd September 2020
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Eynsham Parish Council
Grid Reference	443799 E 210128 N
Committee Date	14th September 2020

Location Map



Application Details:

Installation of 2No. Jet Wash Machine and new Air/Water & Vacuum machines.

Applicant Details:

Gladstone Place
36-38 Upper Marlborough Road, St Albans, Hertfordshire, AL1 3UU, United Kingdom

I CONSULTATIONS

- 1.1 OCC Highways Obstruction of view of the pumps or loss of 3 parking spaces may be regrettable however I cannot demonstrate such harm that would warrant refusal of the application for reasons of highway safety or convenience.
- 1.2 Environmental Health (Operational Services) Recommend an hours of use condition.
- 1.3 WODC Drainage Engineers The application does not meet the criteria for us to form comments.
- 1.4 Newt Officer I have no objection to the proposed development. No suitable great crested newt habitat will be lost, the scale of development is small, and the proximity of the site to the A40 significantly reduces the likelihood of newts dispersing to the site. Therefore, no great crested newt mitigation or further information is required.
- 1.5 Parish Council Eynsham Parish Council has no objection to the application. However, as the proposed equipment is directly next to the A40 we request that the area suitably landscaped.

2 REPRESENTATIONS

- 2.1 No comments have been received in respect of this application.

3 APPLICANT'S CASE

- 3.1 The application was not accompanied by any supporting documents and no pre application advice was sought.

4 PLANNING POLICIES

EW10 Eynsham- Woodstock sub area
OS2NEW Locating development in the right places
OS4NEW High quality design
T4NEW Parking provision
EH8 Environmental protection
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is a petrol filling station located adjacent to the A40 to the north east of Eynsham. There is a small retail unit that was formerly a roadside cafe immediately to the west of the site. The site is within the Oxford Green Belt and within Flood Zone 2.

- 5.2 The proposal is seeking planning consent for two jet wash bays and the relocation of the air/water and vacuum machines.
- 5.3 The application is before members as officers recommendation differs from the Parish Council.
- 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:

Siting, Design and Form

- 5.5 The proposal seeks consent for a two bay jet wash and the relocation of the air and water machines to the front of the site adjacent to the A40. It will be sited on an area currently used for customer parking. The jet wash bays will be constructed from 2.6m high glass screens, which will be 6m deep and have an elevation of 9.7m in length fronting the A40. No details have been submitted regarding the air and water machines.
- 5.6 Currently there are 12 petrol pumps, the shop and an existing automatic car wash on site. Officers consider that the site is already quite densely developed and the cumulative impact of adding a jet wash in a visually prominent spot at the front of the site will appear cramped and contrived.
- 5.7 Policy OS4 states that "High quality design is central to the strategy for West Oxfordshire". Officers do not consider that this proposal enhances the character and quality of the surroundings.
- 5.8 Furthermore, the site is within the Oxford Green Belt. The NPPF states that "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations." The application has not been accompanied with any supporting justification for the jet wash and officers consider that the proposal does not fall within the exceptional circumstances set out in para 145 of the NPPF, and that there are no special circumstances that outweigh the potential harm to the openness of the Green Belt by siting the development in this location.
- 5.9 The proposal is therefore considered to be contrary to policies OS2, OS4 and EW10 of the Local Plan and the Green Belt paragraphs of the NPPF.

Highways

- 5.10 OCC as Highway Authority have raised no highway objections to the proposed jet wash or the loss of the customer parking bays.

Environmental Health

- 5.11 WODC Environmental Health officers were consulted and have recommended a condition limiting the operational times of the equipment.

Drainage

- 5.12 The site is within Flood Zone 2 so Drainage Engineers were consulted, however it falls outside of the criteria on which they can comment on applications. Given that there is an existing car wash on site it is assumed that the drainage is adequate.

Ecology

- 5.13 The newt officer was consulted given the proximity of the site to ponds, but has confirmed that no mitigation works will be required as a result of this development.

Conclusion

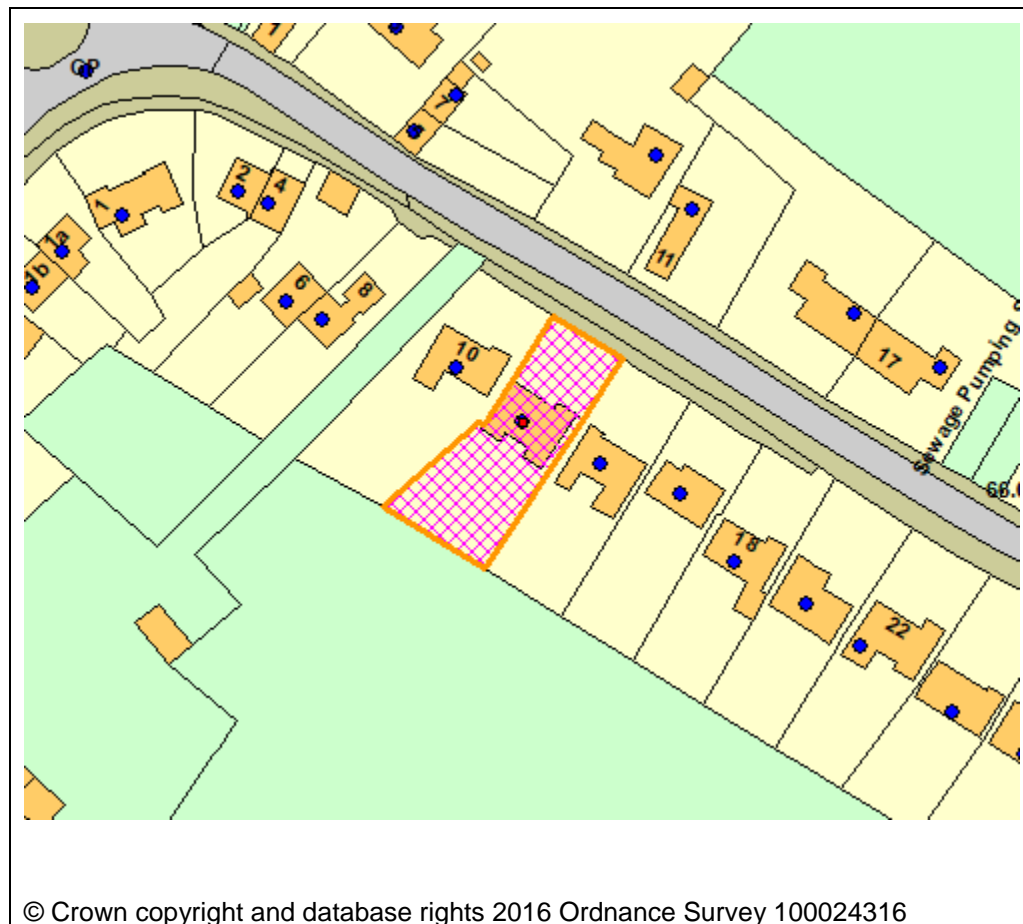
- 5.14 For the reasons stated above, the proposal is considered to be unduly prominent at the front of the site and will affect the openness of the Oxford Green Belt, and is therefore considered to be contrary to policies OS2, OS4 and EW10 of the Local Plan 2031 and the relevant paragraphs of the NPPF 2019.

6 REASONS FOR REFUSAL

1. The proposal, by reason of its prominent siting and utilitarian design, will appear a cramped and contrived addition to the site which is incongruous and visually intrusive, which in turn will affect the openness of the Oxford Green Belt. The proposal would be contrary to policies OS2, OS4 and EW10 of the West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF 2019.

Application Number	20/01815/HHD
Site Address	12 Rack End Standlake Witney Oxfordshire OX29 7SB
Date	3rd September 2020
Officer	Esther Hill
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439951 E 203251 N
Committee Date	14th September 2020

Location Map



Application Details:

Erection of first floor rear extension above existing dining room

Applicant Details:

Mr Geoffrey Le Huray
12 Rack End, Standlake, Witney, Oxfordshire, OX29 7SB

I CONSULTATIONS

- 1.1 OCC Highways Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission.
- 1.2 Newt Officer I have no comments to make regarding great crested newt licensing as this species is highly unlikely to be affected by the proposed development.
- 1.3 Parish Council Standlake Parish Council do not object.

2 REPRESENTATIONS

- 2.1 No representations have been received.

3 APPLICANT'S CASE

- 3.1 No supporting statement was required with this planning application.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

T4NEW Parking provision

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for a first floor rear extension above the existing dining room at 12 Rack End, Standlake.
- 5.2 This application is brought before members of the Lowlands Sub Planning Committee because the agent of the application is related to a member of West Oxfordshire District Council staff.
- 5.3 The application site relates to a two storey detached property, located in a residential area of Standlake.
- 5.4 The application site does not fall within any areas of special designated control.
- 5.5 Relevant planning history:
- Planning application Ref: W92/0463- Erection of two single storey extensions to enlarge kitchen & lounge.- Approved.

5.6 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
- Design
- Impact on visual amenity of the streetscene and locality.
- Residential Amenity
- Highways

Principle

5.7 This application seeks permission for alterations within the residential curtilage of an existing dwelling. The principle of development is therefore acceptable subject to design and amenity issues being carefully considered against the West Oxfordshire Local Plan, West Oxfordshire Design Guide and the relevant paragraphs of the NPPF.

Design

5.8 With regard to design, the proposed first floor extension has a dual pitched roof and matches the form of several existing first floor extensions within the immediate locality. The proposed extension extends beyond the rear elevation of the host dwelling by 2.13m is 4.003m wide and has an overall height of approximately 6.55m. The proposed extension has a window on its south eastern and south western elevations. The proposal also includes the installation of an additional first floor window to the rear elevation of the host dwelling. The proposed materials are to match that of the host dwelling. As such, your officers consider that the proposed development is not out of character with the existing host dwelling or the immediate surrounding area.

Impact on visual amenity of the streetscene

5.9 Given its scale and siting the proposed extension would not be visible on the street scene and therefore your officers consider it would not give rise to any adverse impacts in regards to visual amenity.

Residential amenity

5.10 In terms of residential amenity given the siting, scale and separation distances between the proposed extension and the adjacent properties it is not considered that the scheme would give rise to a potential overshadowing or overbearing impact. In relation to potential overlooking, the window on the south western elevation would face towards the rear garden area for the host dwelling, with other properties to the rear being an acceptable distance away. The proposed window on the south eastern elevation would be approximately 11m away from the neighbouring property to the east. This property's only first floor window on the western elevation is an obscurely glazed window that serves a bathroom. As such, your officers are of the opinion that the proposed extension would not give rise to neighbouring amenity issues such as overlooking, loss of privacy, loss of light and the feeling of overbearing. Also, no objections have been received from neighbours and Standlake Parish Council has commented with no objections to the application.

Highways

- 5.11 OCC Highways have been consulted on the application and have raised no objections in regards to highways safety and convenience. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

Other matters

- 5.12 The WODC Newt officer has been consulted on this application and has raised no objection given the nature of the development and considers that it is highly unlikely to affect the Great Crested Newt species.

Conclusion

- 5.13 In light of the above assessment, the application is recommended for approval as your officers consider it complies with the provisions of policies OS4, OS2, T4 and H6 of the adopted West Oxfordshire Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
3. The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.