

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

17th February 2014

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

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Report of Additional Representations

13/I465/P/OPLand to north of New Road Bampton	
Date	14/10/2013 14/10/2013
Officer	Abby Fettes
Recommendation	Provisional Approval
Parish	BAMPTON
Grid Ref:	431962,203580

Application details

Erection of residential development of up to 160 dwellings and creation of vehicular access from New Road

Applicant

Richborough Estates C/O Agent

Statutory Consultees

Additional Bampton Parish Council Comments

"I am sorry for the delay in sending this but the Chairman felt that, due to the groundswell of objections to this planning application, it was important that the whole Council agreed on the projects we would like the applicants to support. I note from your report that Broadband and a footpath to the school have been included. However, the former was not considered a priority and to clarify I have attached our 'agreed' list. Please note that these are in no particular order of priority.

- 1. Improvements to Sports and Play facilities at both the Buckland Road Recreation Ground and the Pembroke Place Play Park (the closest to the site) where the equipment is now some 20 years old. This could include items such as tree and bush thinning on the trim track trail, new equipment for both and drainage improvements.*

Please note that based on telephone and email discussions with Martin Holland and Abby Fettes we have made the assumption that this will be funded from the monies requested by WODC for sports development.

- 2. Funding towards further development of The Old School Community Centre which currently supports Weightlifters, Boxing, Youth Club and an elderly persons support group.*
- 3. Traffic management repairs / improvements where existing and new traffic calming is required e.g. road lining and vehicle activated speed signs on the main roads into Bampton. We would expect that this should be funded through any contribution made to the County Highways Department and request that relevant monies are ring-fenced for them.*
- 4. Additional flood management improvements to provide water attenuation in the Plantation area as proposed by the Bampton Flood Management Group.*
- 5. Footpath repairs / improvements to the school (via the road rather than to the rear of the development) and the Recreation Ground.*
- 6. Funding for a lavatory for the Post Office which without Parish Council support would have been closed several years ago.*
- 7. Funding towards an evening and weekend bus service.*

8. Funding for the library which currently receives no financial support from the County Council but is supported by donation and the Parish Council. As the County Council have requested some £40,000 for libraries we would expect this to be funded through their contribution and request that relevant monies (based on the current licence fees of £8,800 per annum) are ring-fenced for them.
9. A disbursement fund to supply small grants for local groups including Bampton archive, Bampton sports clubs etc.
10. Funding towards Cycle Paths up the Buckland Road to the Thames Path and to Witney utilising the old railway track. Please note that the Parish Council holds some monies for this from a project initiated through Sustrans some years ago."

Aston, Cote, Shifford & Chimney Parish Council

"The members of the Parish Council have read the documents you sent in relation to the Flood Risk Assessment and Pluvial Modelling for the development, prepared by BWB.

As you are aware, my Parish Council's interest in this development is in relation to the management of drainage from the site, with the knowledge that the ditches and brooks into which any water will be discharged from the development flow into Aston and therefore any increase in the water discharge into the drainage system could have a potential direct impact on our parish if there is any possibility that the development could increase the flooding risk.

Having read the documents, the Parish Council has noted, in section 5.5 of the Pluvial Modelling document that BWB states:

"The modelling exercise represents an initial assessment of the pluvial flooding mechanisms and possible mitigation measures. It is recommended that further assessments/investigations and designs are undertaken before any scheme is implemented."

and has further noted, in section 6.3 of the Flood Risk Assessment that BWB states:

In compliance with the requirements of National Planning Policy Framework, and **subject to the mitigation measures proposed**, the development could proceed without being subject to significant flood risk. Moreover, the development will not increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site.

Aston, Cote, Shifford & Chimney Parish Council requests that WODC ensures that the further assessments, investigations and designs are carried out before planning permission is granted, as recommended by the developer's consultants. Without the further work and confirmation that the mitigation measures proposed will be appropriate, we cannot be satisfied that the development will not increase the flooding risk within our parish. I would be grateful if you would ensure that our comments are included in the paperwork provided to the members of the Planning Committee for the meeting at which this application is to be considered."

Report of Additional Representations

I4/0005/P/RM Beaumont House Eynsham Road Sutton	
Date	23/12/2013 23/12/2013
Officer	Mr Phil Shaw
Recommendation	Provisional Approval
Parish	STANTON HARCOURT
Grid Ref:	441504,206482

Application details

Erection of ten dwellings with associated garaging & landscaping.

Applicant

Ralt Engineering Ltd Sutton Farm
Sutton
Oxon
OX29 5RD

WODC Architect

Scheme follows principles previously discussed and are sufficiently varied but will form a co-ordinated group around the new green. Further details of the walling etc are required

Approve subject to conditions

OCC Highways

"Confirm in response to concerns raised regarding the adequacy of the access that road risks will not be unacceptable and that parking exceeds standard and on road parking within the site would be possible or could be secured by condition

No objections subject to conditions regarding access to specification, laying out the estate roads, vision splays, garages retained for parking etc and notes regarding road adoption"

Stanton Harcourt PC

"No objections"

Report of Additional Representations

I4/0016/P/FPMarriotts Stadium Downs Road Curbridge	
Date	23/12/2013 24/12/2013
Officer	Mr Phil Shaw
Recommendation	Provisional Approval
Parish	CURBRIDGE
Grid Ref:	432787,209921

Application details

Erection of temporary spectator stands and other ancillary works.

Applicant

On The Edge Ltd c/o Agent

A very substantial volume of additional information and consequent comment has been received in respect of this application which it is not possible to fully summarise in the time constraints available in producing this report. The details will therefore be reported verbally in some detail at the meeting but an overview is provided in summary below:

Applicants Transport Technical Note

Parking is potentially available on site, at commercial premises near the site and in other car parks. Potentially this could accommodate up to 8000 spaces off street spaces and strategies can be put in place to manage demand to ensure the capacity is not exceeded. Applicant is prepared to pay for a Traffic Regulation Order to prevent inappropriate on street parking

WODC Leisure

This will have a positive impact on development of community sporting opportunities and is fully supported

WODC Env Health

No objections

Sport England

Object that the application would involve the loss of 2 football pitches in an area where there is a shortage of football pitches but sufficient rugby pitch capacity. They request that the pitches are replaced elsewhere

In response to these concerns the agent advises as follows:

- The site comprises one formal pitch and a training area to its rear.
- The site is within private ownership, not available for public use and currently vacant.
- The site is in a very poor state of repair and would take significant effort to bring it back into a useable condition. This would not occur without the investment of London Welsh.
- The proposed stands are temporary, and the pitch and training area to its rear would be returned to their earlier condition following the end of the 2014/2015 season (if a permanent consent were not to be granted). Indeed, the use will return the pitch in a better condition than at present, as it would have been brought up to an appropriate standard and maintained by London Welsh's groundsmen. For the ancillary area to the rear, this will only be used on a temporary basis and the proposed marquee would not have a significant or detrimental effect upon it. This area will also need to be maintained and managed, and could be reused for training purposes with the minimum of remediation.
- London Welsh has a community programme which employs two fully qualified rugby coaches (one of whom also holds a teaching diploma). The coaches currently go into schools and junior clubs throughout Oxfordshire, a programme that will be extended if the club moves to Witney. For instance, summer camps and mini rugby festivals have been held by the club in Richmond, as the Kassam Stadium cannot be so used. This site would, however, be suitable for comparable uses as

it would be wholly within the control of London Welsh, which would enable a similar programme to be rolled-out here.

- Subject to the completion of the trial period, a permanent consent would enhance the opportunity to improve facilities on site and OTE controls adjoining land where the emerging allocation includes recreational uses and the current application represents the springboard for further recreational development.
- If consent should not be granted London Welsh would not, if promoted, be able to play at Witney, and in the absence of any other potential tenant emerging with the necessary financial resources to regenerate the pitch and club house the Downs Road stadium will continue to deteriorate.

As indicated, OTE, as owner, is committed to the redevelopment of its land to incorporate a sporting facility and is keen to engage with the Council to ensure that this is progressed as quickly as possible, and the involvement of London Welsh is crucial to achieving the longer term objective.

WODC Planning policy has also commented with regards to the Sports England objection as follows:

Witney Town Football Club re-located their grounds from their town centre location (in Welch Way - now Marriott's Walk) to the edge of Witney on Downs Road. Witney Town Football Club has had sole use of this stadium since then; I am unaware of it being used by other groups and organisation from the local community.

National/local planning policy

In terms of the current adopted West Oxfordshire Local Plan 2011, one of the key policy considerations is Policy TLC5 on existing outdoor recreational space. In particular criterion a) is pertinent:

'Development proposals should not result in the loss of existing recreational open space (including school playing fields, allotments and amenity areas) unless:

a) the development is for buildings and/or facilities ancillary to, or enhancing, the amenity or recreational value of the open space...'

A similar exception is included within the NPPF and in Sport England's playing fields policy which reads:

'E5. The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields'

As the use of the site will continue to be a privately run stadium, with the proposed development being ancillary and enhancing this use, the application is not considered to be contrary to policy.

Sport England's policy

Sport England's overall policy is that they will oppose development which would lead to the loss of all or any part of a playing field. The reason for this approach is that such development 'would permanently reduce the opportunities for participation in sporting activities'.

In this particular case, the application is for temporary changes and at an existing private facility that has never been used by the wider local community for sporting activities.

Local assessment of current and future needs

Sport England highlight some of the findings of recent recreation/open space studies which show a greater need for further football pitches in the area, rather than rugby provision.

These studies will inform the emerging West Oxfordshire Local Plan, augmenting Core Policy 19 (Public Realm and Green Infrastructure) and the Infrastructure Delivery Plan. The Draft Plan makes clear that additional provision will need to be made, both through new facilities and maximising the use of existing facilities such as schools. Looking specifically at Witney, the Marriott's Stadium lies within the West Witney Strategic Development Area of the Draft West Oxfordshire Local Plan (October 2012); land west of Downs Road is identified for 'leisure/recreation and employment development/redevelopment

appropriate for the town fringe'. Recently, land to the rear of the stadium has been considered for a wide variety of recreational/sporting uses.

The potential exists, therefore, for the provision of new playing pitches close to Marriott's Stadium. As this current application is for a temporary proposal - for one season - it seems unreasonable for full replacement provision to be made for the football pitches, not just because of the temporary nature of the scheme but also because of the time it takes to acquire land, lay it out and then manage it to make it available for use. There would be obvious financial implications too.

In summary

1. The proposed development is a temporary use of a site and facility that is currently not in use
2. The proposal would not result in a permanent reduction in the opportunities for participation in sporting activities
3. Marriott's Stadium was a privately-run football ground, not used by the local community to 'participate in sporting activities', other than as spectators
4. If a subsequent application is submitted for the permanent use of this site as a rugby stadium, a more detailed appraisal will be required at that stage on the implication for current and future playing pitch requirements, including an assessment of the need for replacement pitches.

OCC Highways have responded advising that they have no objections subject to conditions requiring an Event Traffic and Parking management Plan(ETPMP) a coach parking plan, a construction traffic plan and a legal agreement to secure a parking order in Downs Road

It is likely that the application will be brought forward for approval with the conditions and agreement requested by OCC, a condition limiting consent to 1 year and informatives regarding the need to address the Sport England issues and supply a EIA if a permanent consent is sought in future

Report of Additional Representations

14/0042/P/FPI Chapel Cottages Chapel Lane North Leigh	
Date	07/01/201409/01/2014
Officer	Miss Miranda Clark
Recommendation	Provisional Approval
Parish	NORTH LEIGH
Grid Ref:	438656,212989

Application details

Alterations and single storey side extension to reinstate single dwelling.

Applicant

Mrs Zena Salter c/o Agent

At the time of writing, officers have yet to receive more accurate plans and as such request Members that the application is deferred from this month's meeting, to March's Lowlands Area Planning Sub-Committee, to enable re-consultation with OCC Highways, and to neighbouring properties once the plans are received.

Report of Additional Representations

14/0043/P/OPLand at Dark Lane Witney	
Date	08/01/201408/01/2014
Officer	Mr Phil Shaw
Recommendation	Withdrawn Decision
Parish	WITNEY
Grid Ref:	435256,210066

Application details

Residential development comprising of five dwellings with associated vehicular access.

Applicant

Kennet Properties Ltd c/o Agent

APPLICATION WITHDRAWN AT APPLICANTS REQUEST

Report of Additional Representations

I4/0046/P/FP24 High Street Witney	
Date	06/01/2014 0/01/2014
Officer	Mrs Kim Smith
Recommendation	Provisional Refusal
Parish	WITNEY
Grid Ref:	435651,209817

Application details

Alterations to convert the first floor flat into two apartments and existing storage area into one apartment (to include provision of three car parking spaces).

Applicant

Hobart International Ltd 5 Lecky Street
London
SW7 3QP

Statutory Consultees

County Highways- *"This proposal is located in the town centre and if permitted will have no significant effect on the highway network. **NO OBJECTION** subject to parking as on the plan."*

In light of the County Highways comments the verbal recommendation in respect of this application will be one of conditional approval, notwithstanding the committee report recommendation of 'provisional refusal'.

The recommended conditions are based on the following:

1. That the development is commenced before the expiration of three years from the date of the grant of permission;
2. That the development be carried out in accordance with the plans submitted with the application;
3. That the parking is as shown on the approved plan;
4. Notwithstanding the submitted details, prior to the development commencing details of the following (including the timetable for implementation) shall be agreed in writing by the LPA and the agreed details shall be implemented prior to first use of any of the units approved
 - The repair of the boundary walls;
 - Tree protection works during building works;
 - Energy and water saving methods to be employed;
 - Wildlife/ biodiversity enhancement measures to be used;
 - The stone to be used in the re facing/extending of the east elevation of the single unit;
 - The screening of the bin stores;
 - The design and location of cycle parking;
 - The detailed design of the dormers at a scale of not less than 1:20;
 - The upgrading of the rear hard surfaced area.

Report of Additional Representations

14/0071/P/FPLand adj Glebe Cottage Bampton Road Curbridge	
Date	15/01/2014 5/01/2014
Officer	Mr Phil Shaw
Recommendation	Defer
Parish	CURBRIDGE
Grid Ref:	433638,208896

Application details

Erection of four dwellings with associated parking and access, communal outside space and hub to create independent community for people aged 60+.

Applicant

Mr David Keates C/O Agents

Letters of objection have been received from D Stubbs of The Close, Ray Robinson of Dutton House and Andrew and Elaine Hackling of Glebe House. It is considered that their objections may be summarised as follows

- application is for gain rather than to meet needs
- there are few local facilities to meet the needs of the elderly
- it is a mile to the bus stop
- it is not infilling or rounding off
- will affect the spacious character of the village
- hub will end up as a fifth dwelling
- adverse precedent will be set
- foul water drainage is inadequate
- previous refusals in the area
- previous dismissed appeals
- contrary to H6
- road danger will increase
- loss of an open space contrary to H4
- surface water run off will increase