

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

16 JUNE 2014

Report of Additional Representations



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Report of Additional Representations

13/I494/P/OPLand between Saxel Close & Aston Village Hall Aston	
Date	17/10/201323/10/2013
Officer	Mr Phil Shaw
Recommendation	Grant, subject to the applicant first entering into a legal agreement
Parish	ASTON, COTE, SHIFFORD AND CHIMNEY
Grid Ref:	

Application details

Residential development comprising 38 dwellings. Formation of vehicular & pedestrian accesses.

Applicant

Rebecca Christine Florey & Jonathon Jones c/o Agent

Representations

A letter has been received from Russell La Forte of Alma Villa, 55 Bull Street, Aston. The comments have been summarised as;

- my home is at 55 Bull Street in Aston - probably the property at the greatest risk of flooding and/or sewage infrastructure failure
- the basis of the Applicant's resubmission seems to be the results of a "Foul Drainage Assessment" (FDA) that purports to address the requirement of Thames Water that the sewage system be upgraded and yet the independence of the "specialist agency" employed by the applicant cannot be verified from the documents I have seen
- The views of Thames Water particularly in response to the FDA, its proposed 3 drainage solutions and the applicant's commensurate resubmission, seem not have been sought. This is absolutely central to the issue
- The FDA quotes overall "peak foul flow" for the village as a whole – yet is not the village "as a whole" that is most threatened by flooding and/or sewage infrastructure failure, but rather those properties on Saxel Close and (especially) Bull Street – and particularly those next to the existing pumping station (notably my home)
- question whether procedure and due process have been observed
- Notwithstanding the apparent/alleged shortage in the 5 year housing supply following the recent SHMA, it does not follow automatically that this *particular* development should proceed. I stand by my original formal objection (dated 18 Nov 13) that the proposed development constitutes unsustainable development principally due to the risk of flooding and now (as has subsequently become apparent) sewage infrastructure failure. I respectfully urge the Committee to apply the "Precautionary Principle" and reject the application.

I4/0529/P/OPLand to the North of 71-81 Park Road North Leigh	
Date	11/04/2014 11/04/2014
Officer	Mr Phil Shaw
Recommendation	Refuse
Parish	NORTH LEIGH
Grid Ref:	439203,212961

Application details

Residential development of 20 dwellings with vehicular access and open space.

Applicant

Cover Construction Co Ltd Filkins Mill
 Filkins
 Lechlade
 Glos GL7 3RF

Representations

One letter of support has been received from Mr File. The comments have been summarised as;

- it is an obvious site to address the lack of 5 year land supply within West Oxfordshire
- The site is wholly sustainable and reflects the pattern of development within the settlement such as Wilcote Close

One letter of objection has been received from D S Smith of 81 Park Road & K Hellon of 73 Park Road. The comments have been summarised as;

- the District wide issue of providing enough new housing is not a reason to develop on sensitive rural sites such as this one
- a more measured approach as a District would be to consider further development potential of the three service centres, the seven other centres and then to consider Group A and B villages
- a balance approach would be to suggest looking at North Leigh as a whole. This site exhibits special natural characteristics that may not apply elsewhere in the village
- surely an ecological report is needed?
- it appears an archaeological report is also needed – we understand Roman remains have been found
- the Consultants state the development will merge with the countryside – it will but in a harmful way, seriously degrading the countryside
- the proposed site is part of the Wychwolds Uplands Landscape Character Area. The consultants admin the site “has impact on views”. The land folds over down into the valley. Development would be clearly visible from roads, villages and hills in the far distance. We suggest the impact is a valid reason to refuse consent.

Agent comments

The agent has submitted an email on behalf of the applications in response to some of the recommended refusal reasons. The comments have been summarised as;

Affordable Housing

- The application was submitted with Heads of Terms for a Legal Agreement suggesting 40% affordable housing. Other avenues could also be investigated and negotiated to bring the amount up to 50% provision that is sought if the Committee resolve to grant permission

Ecology

There has been no request for an ecological report to be submitted nor was the application invalidated due to the absence of one. The applicant company would be happy to instruct an Ecologist to carry out an assessment in advance of planning permission being granted and this would incorporate any mitigation measures that would be necessary.

Archaeology

The applicant company is prepared to undertake archaeological investigations before planning permission is granted should the Committee resolve to grant permission.

Negotiated Legal Agreement

In many years dealing with planning applications, I have never see the content of a Section 106 Agreement finalised in advance of a Planning Committee Meeting when the application is first considered as it is usually the subject of a Committee Resolution.

I4/0629/P/FPWestbourne Alvescot Road Shilton	
Date	01/05/2014 01/05/2014
Officer	Miss Miranda Clark
Recommendation	Provisional Approval
Parish	SHILTON
Grid Ref:	426300,208252

Application details

Alterations to convert the loft into living accommodation and insertion of dormer windows. Change of use of part of dwelling to Bed and Breakfast accommodation.

Applicant

Mr & Mrs Handley
Westbourne
Alvescot Road
Shilton
Oxfordshire OX18 4AW

Statutory Consultees

OCC Highways – *No objection subject to previous conditions being repeated.*

Representations

One letter has been received from Mr Christopher Rawlings of Westfield Lodge. The comments have been summarised as;

- My primary concern is with the lack of parking provision. Despite the design and access statement claiming "7 parking spaces with ample turning room", I disagree. I know the property well and if you had to turn within the existing driveway, there are only 3 spaces. Mr Handley has 4 vehicles which he alone drives and they occupy all the driveway. Please see the attached photograph which shows the 4 vehicles in situ and clearly demonstrates a lack of turning space.
- most visitors to Mr Handley park half on the verge and half on the road which makes it difficult for agricultural vehicles to pass. The few that don't park on the verge are in the gateway making it impossible for another vehicle to enter or exit.
- I feel that a new dedicated hard standing should be provided allowing for at least 2 vehicles per letting room, i.e. a minimum of 8 spaces over and above the current need of 4 for personal use.
- In the few years the caravan site has been open I, as the closest neighbour, have not seen a solitary caravan or tent use the site. The only caravan is Mr Handley's own which has been parked in the northern paddock for about a year now. The D&A states that the B&B is to compliment the caravan site. One would therefore have expected the caravan site to be in use and need complimenting?
- Knowing the Handley's well, I also find it absurd that the plans show one first floor bedroom for both Mr and Mrs Handley when they both suffer from disabilities including their knees which would make climbing stairs difficult if not impossible. Maybe this was an honest mistake; however, I don't believe there is an honest intention to run a B&B business from here like there has proved to be no intention with the caravan park.

RECOMMENDATIONS

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 the Town and Country Planning Act 1990.

That the development be carried out in accordance with plans dated 17 April 2014.

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

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.

Prior to the first use of the additional living accommodation, the parking layout shall be laid out, retained and must be appropriately drained following SUDS guidelines.

REASON: To ensure sufficient parking provision is made on site.