

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

16TH FEBRUARY 2015

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

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Report of Additional Representations

Application Number	14/02213/FUL
Site Address	The Blue Cross Shilton Road Burford Oxfordshire OX18 4PF
Date	12th February 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Shilton Parish Council
Grid Reference	426382 E 209982 N
Committee Date	16th February 2015

Application Details:

Erection of new kennel and cattery buildings. Removal of existing exercise runs and refurbishment of existing kennels

Applicant Details:

Mr David Key
The Blue Cross
Shilton Road
Burford
Oxfordshire
OX18 4PF

Parish Council - We accept the OCC highways comments. We also note and accept your comments regarding 106 agreements and CIL payments. We are pleased that Blue Cross have offered to meet with us and we will invite them to do so.

Adjacent Town Council (Burford) – No objections

Application Number	14/02052/HHD
Site Address	Windrush Old Minster Lovell Minster Lovell Witney Oxfordshire OX29 0RN
Date	12th February 2015
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Minster Lovell Parish Council
Grid Reference	431976 E 211025 N
Committee Date	16th February 2015

Application Details:

Realignment of part of boundary wall and erection of new entrance gates.

Applicant Details:

Mr Jonathan Brewer
Windrush
Old Minster Lovell
Minster Lovell
Witney
Oxfordshire
OX29 0RN

OCC Highways – I am concerned about the visibility emerging from the proposed new access looking east back up the one way street. It is made worse by there not being a footway and the road sweeping away out of view. The speed limit is 30mph, one way, and I do not have speed data and so I am edging onto caution and requiring a visibility of 2.4m by 45m. As far as I can tell this is not shown on the drawings and with the wall in the position shown it is not possible. In the interests of highway safety I feel that this proposal should be constructed as shown.

Recommendations

This application should be refused on the grounds that highway safety will be compromised on the basis of the information submitted.

In view of these comments, officers would include a further reason for refusal based on the comments above;

It has not been demonstrated to the satisfaction of the Local Planning Authority that a sufficient vision splay can be provided for and as such will result in highway safety issues for all users of this part of the one way system. The proposal is contrary to Policies BE2 and BE3 of the West Oxfordshire Local Plan 2011 and the relevant paragraphs of the NPPF.

Application Number	14/02252/OUT
Site Address	Land West Of Adams Farm House Main Street Clanfield, Oxfordshire
Date	12th February 2015
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Clanfield Parish Council
Grid Reference	428368 E 201519 N
Committee Date	16th February 2015

Application Details:

Erection of a single dwelling and garage

Applicant Details:

Mr Conlon
c/o JPPC
United Kingdom

OCC Highways - The Highway Authority has No Objection to the proposal subject to the following conditions:

G11 Access to specification

The means of access between the land and the highway shall be formed, laid out and constructed in accordance with the specification of the means of access attached hereto, and all ancillary works therein specified shall be undertaken in accordance with the said specification before occupation.

REASON: To ensure a safe and adequate access. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

G36 Car parking in accordance with approved plans

The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

G37 Retain garages for parking

The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area. (Policies BE2 and BE3 of the adopted West Oxfordshire Local Plan 2011)

G310 Turning space in curtilage

No dwelling shall be occupied until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear.

REASON: In the interest of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

- The surfacing to the parking area should be permeable paving and a condition should be applied to any permission to ensure that prior to occupation the parking area is constructed SUDS compliant. Reason to accord with Sustainable Drainage Systems (SUDS)

- Works to improve/widen the existing access will need to be completed before occupation of the development to Oxfordshire County Council standards, it is likely this will be done under a Section 278 agreement. Please contact our Road Agreements Team for further action/advice by telephone on: 01865 815008 or by email: RoadAgreements@Oxfordshire.gov.uk

General Observations

The proposal is unlikely to result in any significant intensification of transport activity at the property compared to the previous usage. The proposal is unlikely to have a significant adverse impact on the highway network.

It is my opinion that the vehicle movements associated with the proposal does not present “severe harm” as required in the recent Government guidelines in the Nation Planning Policy Framework to warrant a recommendation for refusal on highways grounds.

After investigation and reviewing the supplied documents, the Highway Authority has no objection subject to the above condition(s) being applied to any permission which may be granted on the basis of highway safety.

Additional Representations

A letter has been received from the principal engineer at Glanville on behalf of Mrs Brooke at Kemp and Kemp. The comments have been summarised as;

We write with respect to the amended FRA prepared by Infrastruct CS in relation to the above scheme.

By comparison with the original report it would appear that no fundamental changes have been made that would alter the content or conclusion of the objection letter by Kemp and Kemp dated 19 January 2015.

Changes from Previous Report

Within the body of the report, minor changes have been made to Section 4 to remove reference to the top part of the site being located within an aquifer designation zone and replace with confirmation that the whole of the site is within this zone. Section 5.2 previously stated that “Reference to the Environment Agency Groundwater Aquifer maps shows the area is not sited within any aquifer zones”. The new version confirms that “the area is classed with an aquifer designation zone of the Secondary A associated with superficial deposits with the lower bedrock designation as unclassified”.

The revised report also includes an expanded recommendations section to conclude that overland surface water flooding and poor maintenance of the Clanfield Brook could be attributed to the 2007 flood incident affecting nearby property and that; as the proposed dwelling will be higher in elevation than Adams Farm, it will not be at risk from overland surface water flooding or fluvial flooding.

Comments on Flood Risk Sources

Given the potentially thin nature of more permeable superficial deposits on the site, it is still considered that water is at risk of emergence on the site and indeed this source could also be potentially attributed to flooding of nearby properties in 2007. No attempt has been made to assess the risk from this source through intrusive investigation and in the absence of additional information, it is considered that a risk remains that groundwater could emerge on the site in the future. In particular, the proposed garage which is not proposed to be raised could be at risk of flooding from both this source and also overland flow.

The amended FRA acknowledges in the recommendation section that previous flooding to Adams Farm could be attributed to overland surface water flooding. Whilst the raising of the floor level of the proposed dwelling may offer protection to a new property from overland flow and groundwater flood sources, no attempt has been made to assess how the construction of buildings on land to the west of Adams Farm would affect flow routes through the site and therefore flood risk to Adams Farm itself. It is possible that these sub-surface (groundwater) and overland flow routes could be redirected by the construction of a building in this location and this could increase flood risk to neighbouring properties.

Comments on the Sequential Approach to Development

No attempt has been made to apply the sequential test to this site despite the site being considered at medium risk of flooding from overland flow. It is also considered that groundwater flooding could pose a risk to the site, which should also feed into the application of the sequential test.

Safe Access and Egress

The revised report makes no attempt to quantify flood hazard in accordance with guidance document FD2320 and assertions that safe means of escape will be available to the development site remain unsupported.

Surface Water Drainage

The amended FRA suggests that infiltration potential exists on site but does not provide any information on the depth of more permeable superficial deposits or information on groundwater levels. As groundwater levels are likely to be high or at risk of emergence, surface water drainage through means of infiltration are unlikely to be feasible. The amended report expands on the discussion of general sustainable surface water drainage within the recommendations but does not put forward a robust surface water drainage strategy to ensure that flood risk to neighbouring properties will not increase.

Conclusion

In summary, it is our view that the amended FRA has not fully addressed concerns presented in the objection letter dated 19 January 2015 and the planning submission is therefore either lacking in necessary information or contrary to policy on the following grounds:

- The sequential test has not been applied to the site.
- A suitable Flood Risk Assessment has not been prepared.
- Means of safe access and associated residual risk to people have not been properly considered.
- Robust surface water drainage proposals which demonstrate that flood risk to neighbouring properties will not be increased have not been submitted.