

# **WEST OXFORDSHIRE DISTRICT COUNCIL**

## **LOWLANDS AREA PLANNING SUB-COMMITTEE**

**Date: 17th August 2015**

### **Report of Additional Representations**



---

**WEST OXFORDSHIRE  
DISTRICT COUNCIL**

---

## Agenda Index

Please note that if you are viewing this document electronically, the agenda items below have been set up as links to the relevant application for your convenience.

15/01934/OUT	<a href="#">Land South of New Yatt Road, North Leigh</a>	3
15/01968/OUT	<a href="#">Land South of Burford Road, East of Downs Road Witney</a>	5
15/02057/FUL 15/02058/LBC	<a href="#">The Butchers Arms, 104 Corn Street, Witney</a>	9
15/02165/HHD	<a href="#">Fishers Bridge Cottage, Buckland Road, Bampton</a>	10
15/02221/FUL	<a href="#">Rosebank Care Home, High Street, Bampton</a>	11
15/02517/FUL	<a href="#">Land South Of Garston Court, Burford Road, Brize Norton</a>	13

## Report of Additional Representations

<b>15/01934/OUT</b>	<b>Land south of New Yatt Road, North Leigh</b>
Date	13.8.15
Officer	Phil Shaw
Recommendation	<b>Refuse</b>
Parish	NORTH LEIGH
Grid Ref:	438228 213001

### Application details

Outline application for residential development of up to 76 Dwellings (means of access to be considered at this stage)

### Applicant

Gladman Developments Ltd

### I Additional Representations

- I.1 Six further letters of representation have been received, reiterating comments made by previous objectors that are summarised in the main report.
- I.2 The main points are that the Transport Assessment is flawed and that OCC have failed to take this into account, other reports are flawed, the road network and local facilities are at capacity.
- I.3 An email has been received from Hanborough Action Group:

*Hanborough Action Group objects to this proposal on the basis that it will significantly increase traffic on the A4095, particularly at peak flow times on week days.*

*Oxfordshire County Council's Transport Development Control acknowledges that at such times the road already operates over capacity. A development of this size, if approved, will generate substantial traffic movements leading to further congestion, pollution, and noise for the inhabitants of Hanborough and other settlements along this highway.*

*In the wider context, because the A4095 is the major route between the market towns of Witney, Woodstock, Banbury and Bicester it will add to the peak journey times of all road users (both by car and bus) travelling between these destinations, leading to a significant loss of productive time and subsequent degradation to the economy of West Oxfordshire.*

*We therefore respectfully ask that you refuse this application*

### 2 Consultations

- 2.1 WODC Leisure and tourism

#### **Sport/Recreation Facilities**

Offsite contributions are sought for sport/recreation facilities for residents based on the cost of provision and future maintenance of football pitches (the cheapest form of outdoor sports facility) over a 15 year period at the Fields in Trust standard of 1.2ha per 1,000 population.

Based on a football pitch of 0.742ha, a provision cost of £80,000 (Sport England Facility Costs Fourth Quarter 2013) and a commuted maintenance cost of £200,400 per pitch (Sport England Life Cycle Costings Natural Turf Pitches April 2012), this would equate to £453,477 per 1,000 population or £1,088 per dwelling (at an average occupancy of 2.4 persons per dwelling).

### **Contributions**

**£1,088 x 76 = £82,688 off site contribution towards sport/recreation facilities within the catchment. This is index linked to first Quarter 2014 using the BCIS All in Tender Price Index published by RICS.**

### **Play Facilities**

The proposal includes the onsite provision of a Neighbourhood Equipped Area for Play (NEAP). Agreement with the Parish Council or a management company will need to be secured regarding ownership and management.

Page 39 of the Design and Access Statement refers to the Equipped Play Area as being 0.04ha in size. Please note this is the minimum size required for a Local Equipped Area for Play (LEAP) not a NEAP, a NEAP should be a minimum of 0.1ha in size. Therefore the area allocated to the NEAP will need increasing to a minimum of 0.1ha.

### **Contributions**

**£340,769 for the provision and maintenance of an onsite NEAP. This is index linked to first Quarter 2014 using the BCIS All in Tender Price Index published by RICS.**

### **Errata ref TW comments**

The Grampian condition referred to in the comments from Thames Water requires that the developer undertake a full analysis of the sewage infrastructure before development commences and that any remedial works are completed before any of the houses are occupied.

## Report of Additional Representations

Application Number	<b>15/01968/OUT</b>
Site Address	Land South Of Burford Road And East Of Downs Road Witney Oxfordshire
Date	14th August 2015
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Crawley Parish Council
Grid Reference	433170 E 210562 N
Committee Date	17th August 2015

### Application Details:

Outline application for up to 51 First Time Buyer and/or Shared Equity dwellings (means of access only)

### Applicant Details:

Witney Developments Ltd  
Queen Anne House  
Bridge Road  
Bagshot  
Surrey  
GU19 5AT

### Additional Representations

**Since writing the report two further late reps have been received which comment as follows:**

More first time buyer housing is required in Witney. I currently rent but would really like to buy on this development!

While I welcome the plans for first time buyer homes in Witney, it is important that the same standards of design apply to this development as to others. As such it is disappointing to see the almost total lack of green infrastructure on the plans for the residents of this development. I hope if permission is granted this will be rectified.

### WODC Housing has commented as follows:

Having reviewed the Council Housing Register I can confirm that there are in excess of 700 households in need of affordable rented accommodation in Witney. The Homebuy (South) Agent, who administer the register of those seeking shared ownership and help to buy, have confirmed that they know of 177 households seeking to purchase low cost housing in Witney.

However the vast majority - 80% - of those seeking an affordable home in Witney are in need of rented accommodation. My advice would be to seek the relevant policy quota for affordable housing in Witney and apply a ratio of 2 : 1 for affordable rent and intermediate housing to those on the Council's waiting list and the Homebuy Agent's register.

Due to the high demand for new affordable housing in Witney, it could be construed as imprudent to allow an opportunity to secure affordable homes of the right type on this proposed development, to be missed.

### **WODC Policy has commented as Follows:**

The site to which the planning application relates is a broadly triangular shaped site to the north of the Downs Road industrial area to the west of Witney. The site is flanked by industrial and business uses to the south and east. There is a small cluster of 3 houses located adjacent to the north west corner of the site.

The site is not allocated for any use either within the adopted Local Plan or emerging Local Plan for West Oxfordshire.

Part of the site is currently in use as a car park (south part of site), associated with the Witney motor auctioneers which operates from Downs Road. The application does not include this element of the site and it appears that the car park would be retained.

### **Principle of Development**

Witney is classified as a rural service centre in accordance with the adopted Local Plan for the District. In terms of residential development, Policy H7 permits new housing where it would constitute infilling, rounding off, the conversion of appropriate existing buildings or on sites specifically allocated for residential development.

The development proposal does not conform with any of these criteria. Approval would therefore represent a departure from policy.

The emerging Local Plan which has now been submitted to the Planning Inspectorate for consideration provides more flexibility for determining applications for residential development on the periphery of rural service centres, in accordance with the NPPF and the presumption in favour of sustainable development.

Policy H2 of the Emerging Local Plan states that new dwellings will be permitted at the main service centres on sites allocated for housing, on previously developed land within the built up area and on undeveloped land within or adjoining the built up area.

It could be argued that the site adjoins the built up area although it is recognised that the bulk of development in direct proximity to the site is industrial in nature. The site does not relate well to existing residential development to the west of the town and is segregated from existing housing and associated community infrastructure by business uses and busy distributor roads.

Policy OS2 of the emerging plan sets out a series of general principles that should be applied to all development. The first bullet of the general principles states that development should form a logical complement to the existing scale and pattern of development and the character of the area.

It is not considered that this proposal represents a logical complement to the existing scale and pattern of development in this location, which is quite clearly dominated by industrial uses.

Policy BE2 of the adopted Local Plan states that proposals for new buildings and land uses should clearly demonstrate how they will relate satisfactorily to the site and its surroundings. Proposals will only be permitted where the proposal is well designed and respects the existing scale, pattern and character of the surrounding area.

## The Proposal

The proposal comprises of 51 first time buyer and/or shared equity properties aimed at providing an opportunity for first time buyers to access the property market.

The applicants planning statement indicates that approach taken to developing this proposal is based on the Government's approach to support the development of 200,000 new high quality low-cost starter homes for young first-time buyers.

Although this is considered to be an admirable aspiration and it is recognised that there is a pressing need to deliver more affordable housing throughout the District, it is considered that all new housing should be developed in sustainable locations, with satisfactory access to services and facilities via sustainable means. The delivery of affordable housing should not be the overriding consideration in determining applications in relatively unsustainable locations.

The applicant cites the Ministerial Statement made by Brandon Lewis MP on 2nd March 2015

*'Local planning authorities should work in a positive and proactive way with landowners and developers to secure a supply of sites suitable for housing for first time buyers. In particular, they should look for opportunities to create high quality, well designed starter homes through exception sites on commercial and industrial land that is either under-used or unviable in its current or former use, and which has not currently been identified for housing.'*

The site has not been identified as a housing site and is not subject to any allocation for this use. The site has been considered through the SHLAA process however and was deemed unsuitable for housing. It was considered that this site would form a more logical extension to employment land provision in Witney by virtue of neighbouring land uses.

Although the site has not been developed for commercial purposes, approval was granted for mixed business uses in 2011. It is anticipated that there will be future business interest in developing this location upon the delivery of the Downs Road / A40 junction which will greatly improve accessibility to this part of the town.

Paragraph 20 of the NPPF states that, *'To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.'*

It is important to ensure that there is a sufficient and flexible supply of land to meet the needs of local businesses wishing to expand or locate in the District and to strike a balance between the provision of new housing and the availability of jobs. There is sufficient land allocated for residential development in Witney in both the adopted and emerging Local Plans and it is considered that the proposed site would be better placed to meet the needs of businesses in the future.

It is also important to ensure that the introduction of new development into an area does not prohibit the ability of existing businesses to continue undertaking operations and activities which may conflict with the new use, particularly where new uses may be sensitive to noise, odour and light pollution. It is considered that the introduction of residential development to the edge of an active industrial area may result in future conflicts between uses and activities.

It should be noted that a large proportion of the proposed site is covered by a 'Hazardous Substances Area' designation, which is associated with a gas storage facility in the Downs Road area. Policy BE20 of the adopted Local Plan states that development will not be permitted which will adversely affect safety near notifiable installations.

An application to the north of Burford Road, Witney, was recently refused on similar grounds due to the proximity of a gas storage facility. The safety of future residents should be a key consideration when determining applications in hazardous substances areas.

### **Further considerations**

Access to the development would be served from the existing access point on Downs Road to the west of the site. The applicant's masterplan indicates that new homes would front on to Downs Road, Burford Road and Richard Jones Road (the main vehicular site access) with the remainder of the units arranged in a side to back arrangement. It is apparent that this layout has been determined in response to neighbouring land uses, to mitigate the landscape impacts of development and through the advice of planning officers at the pre-application stage.

The masterplan indicates that trees and hedgerows around the site boundary will be retained and strengthened in places. The site is not subject to any statutory environmental protection or heritage designations.

It is considered that the proposal could result in detrimental impacts on ecology and landscape due to proximity of the Cotswold AONB and sensitivity of the landscape to the north. It is also considered that there could be detrimental ecology impacts due to records of protected species in the vicinity of the site. Due consideration should be given to the applicant's ecology and landscape assessments to determine whether any proposed mitigation is appropriate, to ensure compliance with the Natural Environment policies of the adopted Local Plan.

### **Environment Agency**

No objection subject to conditions

### **Witney Town Council's comments have been amended as follows:**

WTC supports this development but would like to ensure that the appearance is in keeping within the Witney street scene (Cotswold look).

With regards the possible contributions from the developer, WTC would like to request by way of S106, 2 Bus Shelters for increased use on Burford Road plus £2000 per property built towards the Witney Town Councils Sports Facilities Improvement Fund- To provide and upgrade changing and pavilion facilities at all play areas with pitches at King George, West Witney, The Leys and Burwell. The Witney ATC and Cadets are also seeking to move to a purpose built building on land at Edington Square in west Witney- as the development off of Downs Road is in a former aeronautical area and the road near to it is named after a former Battle of Britain and RAF Flight Lieutenant from Witney, it would be fitting if the Developer could build this community facility.

Witney Town Council also welcomes the concerns and comments from the Developer supporting improvements for Pedestrian and Cycle improvement routes from the site towards the Town centre and with the likely future catchment zone for Primary Secondary Education. Additionally, WTC requests that funding be allocated to provide a safe pedestrian and cycle route to the new primary and likely secondary schools on the North Curbridge development.

Application Number	<b>15/02057/FUL and 15/02058/LBC</b>
Site Address	The Butchers Arms 104 Corn Street Witney Oxfordshire OX28 6BU
Date	14th August 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	435220 E 209647 N
Committee Date	17th August 2015

**Application Details:**

Use of first floor as separate flat with new independent access to upper floor with external stair and rooftop walkway. Removal of rendered section of side boundary wall and reinstatement of stonework together with creation of new opening for pedestrian access to the rear. Infill extension to form store room.

**Applicant Details:**

Mr Andrew Cooper  
Avenue 3  
Station Lane  
Witney  
OX28 4BP  
United Kingdom

**Additional Representations**

Email from the agent;

*There is no intention to remove the tree/ shrubs on the boundary. This is supported by drawings PA-01 and PA-05 which locate the tree/ shrubs.*

*I am unsure as to the ownership of the dry stone wall in question. This is something my client will liaise with the neighbours in the future.*

Application Number	<b>15/02165/HHD</b>
Site Address	Fishers Bridge Cottage Buckland Road Bampton Oxfordshire OX18 2AA
Date	14th August 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431973 E 202910 N
Committee Date	17th August 2015

### **Application Details:**

Two storey & single storey extension and detached car port

### **Applicant Details:**

Mrs G Coleman  
Fishers Bridge Cottage  
Buckland Road  
Bampton  
Oxfordshire  
OX18 2AA  
United Kingdom

### **Additional Representations**

Environment Agency response

*We have produced a series of standard comments for local planning authorities (LPAs) and planning applicants to refer to on 'lower risk' development proposals where flood risk is an issue. This replaces direct case by case consultation with us. This planning application is within this category.*

*These standard comments are known as Flood Risk Standing Advice (FRSA). FRSA can be viewed on our web site at <https://www.gov.uk/flood-risk-assessment-local-planning-authorities>*

*Applicants should follow the advice and submit, if applicable, a form as part of their planning application submission. We do not need to be consulted further on this application.*

*We recommend local knowledge and professional advice is sought to ensure that the flood resilience measures are installed to an appropriate height. This should be based on calculated or historic flood levels at the site.*

*Any new boundary walls or fences around the property should be made permeable to flood water so as not to increase flood risk at the site or elsewhere.*

*If the proposed development does not meet the requirements of our FRSA you should refuse planning permission. We will support you at any subsequent appeal.*

*Advice to applicant – Flood Defence Consent*

*Under the terms of the Water Resources Act 1991, and the Thames Regional Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Shill Brook, designated a 'main river'.*

Application Number	<b>I5/02221/FUL</b>
Site Address	Rosebank Care Home High Street Bampton Oxfordshire OX18 2JR
Date	14th August 2015
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Bampton Parish Council
Grid Reference	431755 E 203190 N
Committee Date	17th August 2015

**Application Details:**

Alterations and erection of single and two storey extensions

**Applicant Details:**

Mr & Mrs Roberts  
c/o agent  
United Kingdom

**Additional Representations**

5 letters of objection have been received. The comments have been summarised as;

Insufficient parking for the staff and visitors, overflow on the main road has increasingly become a problem. When leaving the property visibility is obscured to left and right.  
Visitors sometimes park on my private lawn opposite my house.

The traffic of the care home regularly comes up our private road to turn round because there are no spaces for them in the car park and I am forced to witness strangers staring into my home through my front patio doors. Further development can only serve to exacerbate these problems. The volume of traffic will erode the road surface of what is, when all is said and done a private drive. The sheer size of the development will change the environment which we enjoy at present. This application is overdevelopment of the plot.

I have had to replace all the sewers on my land recently and know that our shared sewers are not concrete but made of pitch fibre, These are susceptible to collapses and breaks if the traffic volume and weight increases.

I believe we will be subjected to intolerable inconvenience during the building work which is likely to take a long time. I also suspect that our sewage arrangements will be inconvenienced during the building work.

I am very concerned about where all our rainwater will go.

We cannot be legally inconvenienced in any way as regards access and they do not have any space on which to place materials, vehicles and equipment for the extended period of time this project is anticipated to take. Nor should we be expected to park our cars on the main road as this will exacerbate the parking issue outlined above as well as inconveniencing us.

Refuse collection may be prevented by obstructions and if we are unaware that they are unable to access the site.

The care home does not have right of access to the shared drive beyond their property and the shared owners at the back of the estate.

Originally Rosebank and Ampney Lodge were well separated but the extensive additions made to Rosebank some 15-20 years ago have reduced the gap between us to just a few feet. We are therefore particularly concerned by the proposal to build a two-storey extension on the east side (our side) of the main front block, the original Victorian house of Oathurst. This addition will form a sort of cliff face uncomfortably close to us. The west side of our house is attached to the boundary wall and contains our main bedroom and sitting-room. The windows of these rooms are therefore only a few feet away from the main block of the care home and our bedroom window in particular is highly visible from next-door - and indeed it is also possible for us to see into some of the residents' rooms. We strongly objected to this when the original extensions were built, but to no effect. Rosebank is within the Conservation Area and increasing the height from one story to two stories will have a visual impact, not only to surrounding houses, but also from the road which it fronts. This additional storey will result in loss of privacy and loss of quiet enjoyment of the surrounding properties. In particular Ampney Orchard, Oak House and Oak Lodge will be affected and as their occupants chose their homes for the peaceful seclusion of their gardens it seems unreasonable that someone should come and take this from them.

As a wheelchair user I am unable to park on the road and make my own way to my home (as some of the Oathurst residents have, apparently, had to do on occasion).

On a more subjective note we still feel that this planning application, as with the previous one, results in an awful lot of building on a very small site, changing the view and blocking the light of a neighbour and the potential strain on, as I understand it, an old and frail drainage/sewage system.

Application Number	<b>15/02517/FUL</b>
Site Address	Land South Of Garston Court Burford Road Brize Norton Oxfordshire
Date	14th August 2015
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Brize Norton Parish Council
Grid Reference	429858 E    208016 N
Committee Date	17th August 2015

**Application Details:**

Erection of new dwelling

**Applicant Details:**

Mr Garry Griffin  
The Cottage  
Burford Road  
Brize Norton  
Carterton  
Oxfordshire  
OX18 3NL

**Additional Representations**

**Please note this application has been withdrawn.**