

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 21st September 2015

**REPORT OF THE HEAD OF PLANNING
AND STRATEGIC HOUSING**



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

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 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

Application Number	Address	Page
15/00647/FUL	<u>Land At Thorney Leys, Witney</u>	3
15/01973/FUL	<u>Land At Edington Square, Witney</u>	22
15/02099/FUL	<u>Land East of 200-202 Corn Street, Witney</u>	28
15/02276/S73	<u>63 Burford Road, Carterton</u>	37
15/02281/FUL	<u>40 Corbett Road, Carterton</u>	41
15/02316/FUL	<u>Unit 1e Network Point, Range Road, Windrush Industrial Park, Witney</u>	47
15/02317/ADV	<u>Unit 1e Network Point, Range Road, Windrush Industrial Park, Witney</u>	51
15/02410/FUL	<u>9 - 11 Burford Road, Carterton</u>	53
15/02415/FUL	<u>24 High Street, Witney</u>	58
15/02489/FUL	<u>Badgers Car & Commercial, Corn Street, Witney</u>	63
15/02568/FUL	<u>Gateway House, Windrush Park Road, Windrush Industrial Park, Witney</u>	67
15/02590/S73	<u>Barn 3, Goodfellows Yard, Filkins</u>	71
15/02879/FUL	<u>Land East of Brize Norton Road, Minster Lovell</u>	78
15/02818/S73	<u>Morrisons, 20 Black Bourton Road, Carterton</u>	83
15/01968/OUT	<u>Land South of Burford Road and East of Downs Road, Witney</u>	86

Application Number	I5/00647/FUL
Site Address	Land At Thorney Leys Witney Oxfordshire
Date	9th September 2015
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Witney
Grid Reference	434074 E 208858 N
Committee Date	21st September 2015

Application Details:

Erection of 25 residential units including associated parking, new vehicular access, landscaping and informal open space.

Applicant Details:

Mr Steve Wood
Abbey House
2 Southgate Road
Potters Bar
Hertfordshire
EN6 5DU
United Kingdom

I CONSULTATIONS

I.1 One Voice
Consultations

Transport

No objection subject to conditions

Key issues:

Improved bus stop/service provision.

Pedestrian crossing point required adjacent/opposite site.

Legal Agreement required to secure:

A section 106 agreement to contribute to the strategy for enhancing and improving the Carterton-Witney-Eynsham-Oxford bus route, including frequency enhancements, extended hours of operation and priority measures for buses, at a cost of £1000 per dwelling = £26,000 contribution.

A section 106 agreement to fund bus infrastructure improvements, subject to the agreement of Witney Town Council for ongoing maintenance; these to include a new bus shelter and cycle racks at the Carterton bound stop on Curbridge Road. The cost of this would be in the region of £10,000.

Conditions:

I. Parking provision must be in accordance with the current Oxfordshire County Council 'Residential Road design Guide' standards and completed prior to each associated dwelling becoming occupied. The parking spaces shall be laid out in accordance with the approved details and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site and the car parking spaces shall be retained in accordance with this condition for the parking of vehicles at all times thereafter.
REASON - In the interests of highway safety and flood prevention

II. Prior to the first occupation of any of the dwellings approved, all of the estate roads and footpaths/footways (except for the final surfacing thereof) shall be laid, constructed, lit and drained in accordance with Oxfordshire County Council 'Conditions and specifications for the Construction of Roads' and its subsequent amendments.
REASON - In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development

III. Prior to the first use of any new footpaths, the new footpaths shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with specification details which shall be firstly submitted to and approved in writing by the Local Planning Authority.
REASON -In the interests of highway safety and public amenity

IV. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off street drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.

V. No development shall commence on site for the development until a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development. This plan is to include wheel wash facilities, a restriction on construction & delivery traffic during construction and a route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.

VI. Prior to the first occupation of the proposed development the proposed access works between the land and the highway shall be formed, laid out and constructed strictly in accordance with the Local Highway Authority's specifications and that all ancillary works

specified shall be undertaken.

Archaeology

No objection

Education

Recommendation:

No objection subject to conditions

Key issues:

£89,066 Section 106 required for necessary expansion of permanent primary school capacity in the area. Queen Emma's Primary School is the catchment school for this development.

Education contributions required to mitigate the impact of the development on infrastructure but which, due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended), OCC cannot require a s106 obligation in respect of:

Secondary infrastructure

SEN infrastructure

Legal Agreement required to secure:

Conditions:

Planning permission to be dependent on a satisfactory agreement to secure the resources required for the necessary expansion of education provision. This is in order for Oxfordshire County Council to meet its statutory duty to ensure sufficient pupil places for all children of statutory school age.

Property

No objection subject to conditions

Conditions:

The County Council as Fire Authority has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There will probably be a requirement to affix fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highway, water main layout and size. We would therefore ask you to add the requirement for provision of hydrants in accordance with the requirements of the Fire & Rescue Service as a condition to the grant of any planning permission.

- I.2 WODC Head Of Housing Having reviewed the documents submitted in support of this application, and checked the Council's housing register, I can confirm that there are sufficient households in need who would qualify for this development were it available today.
- In short there are in the region of 178 households who are in priority need of housing in Witney, and of these 86 require 2 bedroom accommodation. Therefore the proposed mix of affordable housing, namely 1 x 1B Flat and 9 x 2 Bed Flats will go some way to meeting this outstanding need.
- I am therefore able to support this residential application.
- I.3 WODC Env Services - Engineers At the current time the Environmental Protection team do not have objection to the application for residential, but recommend robust and strict conditions to manage the noise environment. I have read the applicant's Noise report (I requested this report).
1. British Standard (BS 8233. 2014) provides guidance in respect of indoor ambient noise levels. The recommended internal noise levels within dwellings contained in Table 4 of the standard and tabulated below must be achieved and this requirement must form a condition for this site:
- Activity Location 07:00- 23:00 23:00-07:00
Resting Living room 35 dB LAeq 16 hr -
Dining room 40 dB LAeq 16 hr -
Sleeping Bedroom 35 dB LAeq 16 hr 30 dB LAeq 8 hrs
- I would tend to agree with the Cole Jarman- Noise report (14/0324/RI), that through suitable building layout design, acoustic external noise levels can be achieved within gardens that meet the requirements of NPPG and guidance provided by WHO and BS 8233. To ensure this actually happens a condition is strongly recommended:
- "Any development of the site for residential dwellings shall be designed and laid out such that buildings shall screen gardens behind them. Furthermore a proprietary acoustic noise barrier (of minimum height 3 m) shall be installed along the full southern site boundary and where necessary along other site boundaries, to allow for an external ambient noise level no higher than 55 dB LAeq, 16 hr at all times"
- I.4 WODC - Arts No Comment Received.
- I.5 WODC Community Safety No Comment Received.
- I.6 WODC Architect No Comment Received.
- I.7 WODC Planning Policy Manager No Comment Received.

- I.8 WODC Env Services - Waste Officer No Comment Received.
- I.9 Adjacent Parish Council The Parish Council has no comments to make on this application.
- I.10 OCC Rights Of Way Field Officer No Comment Received.
- I.11 Town Council
 Original Submission: Witney Town Council has no objections but requests section 106 contributions

 Amended Submission: Witney Town Council are concerned with the latest version of proposals at this site. The previous proposal was a better design and more in keeping with the local amenity areas with sloping roofs instead of flat ones. The Town Council would also object to the inclusion of carports /sheds as in the short term they will fall in to disrepair.
- I.12 WODC Env Consultation Sites
 While I have no serious concerns relating to contaminated land given the proposal for residential development please consider adding the following condition to any grant of permission.

 1. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.
 REASON: To prevent pollution of the environment in the interests of the amenity.
- I.13 WODC Drainage Engineers
 If full planning permission is granted, could you please attach the following condition:-

 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

1.14 Town Council No Comment Received.

2 REPRESENTATIONS

2.1 Mr Mark Franklin, Mr Anthony Coy, Daphne Wright, Mrs and Miss Badnell, Mrs Candida Truby, Mrs Kyly Harper, Mr Justin Webber, Mr Forward, Mrs Bev Smart, Mrs Debbie Lock, Mrs Linda Savory, Mr Steven Harris, Mr Phillip Hinton-Smith, Mr Richard Stockting, Mrs Julie Hinton-Smith, Mrs G Sewell and Ms SM Simpson have written in respect of the application. Their comments are briefly summarised as follows:

2.2 Highways

- As stated by OCC above, If this development generates 65 residents, that could generate approx. 50 more cars. How can OCC further state that the increase in traffic will be insignificant on Thorney Leys road!!!!
- This development will add to the very busy thorny leys road which will come under additional pressure when Coral Springs opens. The curves on this road mean there are frequent near misses. Cycling along this road is very difficult.
- Access to the Thorney Leys road will need to be controlled through a roundabout or traffic turning right out of the site will cause accidents due to the few breaks in traffic flow.
- With the development due to be built on Dear Park this is going to add to the already existing traffic that uses Thorney Leys road leading to more noise, pollution and the increase for potential accidents.
- This additional development would be one development too many for this area.
- The main Thorney Leys road is already heavily used. The Burwell Hall turning into/out of Thorney Leys opposite the development is a very busy junction and turning right is already hazardous.
- The increased road safety hazards in an area containing many young children should not be overlooked.
- I strongly object to this proposed development. The road is way over used, it is difficult to access it either; (a) School runs (b) work (c) pleasure, everyday living.
- The road inlet does not help in a place where there has already been a fatality and a number of serious accidents.
- The Thorney Leys road is extremely busy already, including large haulage and transport vehicles to and from Deer park and Bromag Ind. Estates not including the increased traffic from the Coral Springs development)

- Over the past few years there have been numerous accidents including a death!!!
- This development will increase the traffic flow even more. Although Thorney Leys/Station Lane traffic lights have been upgraded in the last few months it still cannot cope with the amount of traffic and there are still long queues and delays.
- The proposed development has underestimated the vehicle ownership and has not provided an adequate number of parking spaces.
- This is nowhere near the number estimated in the application. There is no reason to assume that vehicle ownership in the proposed development would be any less. The consequence of these extra vehicles will be a) vehicles will be unable to park within the development and so will park on the approach road, causing obstructions to sightlines with a consequent increase in risk of road traffic accidents.
- b) We will see an increase in the number of vehicles parking in the neighbouring estate roads, i.e. Thorney Leys, which are already at times congested. At weekends in particular, there is an increase in the number of parked vehicles mainly relating to football teams on Thorney Leys field. A lot of the participants do not part in the car park supplied at Burwell Hall but park in the streets around our estate increasing the congestion with the consequence that vehicles park on the pavements and footways, causing obstructions that are not policed!
- Oxfordshire Local Transport Plan 2011 -2030 Tackling congestion Objective 2 states that: We will be seeking to make the most efficient use of current road space through ensuring that roads and junctions are operating as efficiently and effectively as possible and will be tackling congestion by seeking to implement a range of measures, including: traffic reduction
- The proposed development of 26 dwellings is likely to add at up to 90 cars with only one possibility of egress onto the main Thorney Leys road, which is already very busy at peak times. Visual evidence suggests that the majority of houses on the existing Thorney Leys estate have at least 2 cars, with many rented properties having 4 cars, so the actual increase in traffic is likely to be far greater than allowed for in the application. As the probable demographic of the new development will be single or cohabiting working people, the impact on current traffic at peak times will be considerable.
- It is hard to reconcile this with the core planning principles of the National Planning Policy Framework, to: Support the transition to a low carbon future in a changing climate;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Road safety Objective 3 states that Oxfordshire County Council will develop an updated road safety strategy to reduce the number of road accident casualties.
- For pedestrians coming from the proposed new development, there are currently no plans for a pedestrian walkway on that side of the road leading to the nearest crossing point. The proposed pedestrian crossing will be very close to a bend with limited visibility. The current speed limit on that section of the road is 30mph, rising to 40mph a short distance away, and is often breached.

- This represents a significant risk to the safety of pedestrians and cyclists coming from the proposed development.
- I do not feel enough parking spaces have been allocated and my worry is where will the overspill park?. Thorney Leys has a huge problem with parking as it is.
- The Thorney Leys roadway cannot take on more traffic - the improved junction is already showing signs of damage and the roadway approach is in need of resurfacing.
- The proposed junction is too close to existing junctions and therefore will create a hazard.
- We have conducted a local survey which suggests that the average number of vehicles per household is 3.2, many of which are commercial vans. This is nowhere near the number estimated in the application. There is no reason to assume that vehicle ownership in the proposed development would be any less. The consequence of these extra vehicles will be twofold: a) vehicles will be unable to park within the development and so will park on the approach road, causing obstructions to sightlines with a consequent increase in risk of road traffic accidents.
- At present, there is nothing to prevent a vehicle from parking on the main highway, nor is there mention in the application of the need to provide double yellow lines to prohibit parking; b) we will see an increase in the number of vehicles parking in the neighbouring estate roads, which are already at times congested. At weekends in particular, there is an increase in the number of parked vehicles as visitors arrive, with the consequence that vehicles park on the pavements and footways, causing obstruction. Indeed, we have seen mothers with pushchairs and elderly residents being forced to walk into the road. Such pavement parking has continued unpoliced for years, and there is no reason to suppose that parking enforcement measures will be provided.

2.3 Residential Amenity

- Will seriously damage those that live opposite the flats existing privacy - its one thing to move into a property when you know its overlooked - a very different thing to have it imposed on you. It will be like living in a goldfish bowl.
- The proposed 4 storey development would result in the residents being able to see into our back gardens, which have enjoyed privacy for 30 years. Reducing the building to 2 storeys would overcome that.

2.4 Design and Scale

- This development is too cramped and the flat roofed 3 story blocks are quite out of keeping with nearby housing. They will also overlook nearby housing and dominate the area. This type of building is not what the rest of Witney has to put up with. It is not in keeping with the rest of the buildings in this country town.
- Also the 2 1/2 storey houses are excessive for this area of Witney where most housing is 2 or 1 1/2 storey.
- This development is not needed and will look out of place.

- The character of this area is already experiencing substantial changes with the development of the Richmond Retirement Village, Springfield Nurseries site and eventually the West Witney development.
- The proposed site is the one remaining green space within this populated area and provides a practical and necessary buffer zone between the Thorney Leys estate and the very busy A40 as well as being a wildlife habitat.
- The design of the block of flats, although changed, is no better than at the time of the original submission - in that it is still completely out of step with any buildings in the vicinity, and remains a significant privacy concern given that it still overlooks our property.
- There is over development of an already built up area, parking is a huge problem in this area. The design is not compatible with this environment. It's an over intensification of the area. This will destroy the look of the immediate area which has trees and shrubs.
- I have seen the revised drawings and they are no better than the previous proposal.
- The people living in Thorney Leys are desperate to have a little bit of green area left opposite what is very intensive housing estate.
- The boulevard along the main road still remains intact because other developments such as Coral Springs are screened by very large established trees.
- This site does not benefit from this screening as most of the cover is quite low and the proposal is to build close to main road.
- This will be a total eye sore and will drag the area down. The development is unattractive with tall flats.
- The people of Thorney Leys will feel let down if this plan is passed by the Council. It is visually unattractive and is destroying our environment we have to live in.
- "Type C2" are three storey, which will overlook the existing Thorney houses on other side of the road. Coral Springs is already near completion with a further 1,000 dwellings etc. off Deer Park/Range Road. This area, Thorney Leys, is becoming very congested, need some "breathing space"; this proposal does not help in the least.
- My main concern is the fact this development is 4 storeys high!!
- This will be very intrusive to the houses opposite in Thorney Leys.
- What is the reason for 4 storeys apart from a greedy developer trying to squeeze as many properties in to the smallest area possible for the most profit with no regard for neighbouring properties!!!!
- Whilst the proposed development does not technically qualify as cramming, it nevertheless suggests that the Council is determined to use every available greenfield space for development.

- This development will erode the local amenity, environmental quality and privacy of current residents, whilst failing to secure a satisfactory level of amenity for future residents.
- With two bends in the road approaching I feel vision would be an issue. The road is already overloaded with many unreported accidents leaving glass and debris.

2.5 Need

- I understand the need for housing but this is not an appropriate site. Yes, houses could be built on the site but do we as a community want WODC residents to live between two busy roads, experience poor air quality, constant noise disturbance and daily travel disruption? The future social and health implications should be taken into consideration when dealing with the location of new homes.
- The development of this site can only be detrimental to the residents and infrastructure of this area of Witney.
- This is not a good place for housing and there has been far more suitable locations identified in the plan. Parking places are inadequate even in the amended plan and the increase in traffic is unacceptable.
- WODC are in the process of approving a 1000 home development the other side of Deer park road. 500 yards from this proposed site, therefore this development is NOT required!!!!
- The proposed development does not address an identified need for housing in the local area. Paragraphs 5.15 and 5.16 of the document 'Witney Planning Issues Need for Housing' make it clear that current plans to meet housing needs in West Oxfordshire already exceed the guidelines set out in the National Planning Policy Framework, with 5.6 years of planned housing supply.

2.6 Ecology

- The local ecology would still be significantly impacted, with increased noise, light, and vehicle pollution.
- Finally the effect on wild life has been catastrophic and sad with rabbits, hedgehogs, fox forced to retreat from Coral Springs to the sanctuary of the last bit of green (the proposed site). There has already been one human fatality and numerous accidents. I have picked up so many dead cats from this road and want children to be safe and to learn about wildlife not from finding animals dead on the road.
- I would like to object to this application on the grounds that the development will destroy the landscape and natural ecology of this narrow area of green land between the Thorney Leys estate and the A40 dual carriageway.
- The road adjacent to Thorney Leys used to be an attractive tree lined boulevard with some grassy hills.
- There was wildlife like owls, foxes, toads, rabbits etc. I myself have worked with the woodland trust to plant daffodils on the hills opposite Burwell playing field.

- We are now seeing this systematically destroyed by development. The development at Coral Springs of old people residence has being an absolute nightmare with facilities being interrupted, drains being blocked, footpaths shut, rubble being left on the roads, roads disruption and wildlife carnage. The legacy will be tall buildings double siding the road and making the feel of the estate even more intensive but at least there was some screening by established trees. We were more or less promised that Coral Springs would be the end of development on that side of the road. Imagine how we now feel as residents to find out more is planned.

2.7 Other

- I think it highly inappropriate to be consulting on Section 106 payments from the developer when there is clearly a depth of feeling against this development.
- Developers have already applied for planning permission for this piece of land:
- Document 'Land off Thorney Leys, Witney: Planning Statement, February 2015' The section Planning History 2.8 states that the original application for planning permission was rejected on the following grounds:
 - The proposals involve the development of a key open space that in its undeveloped state contributes in a positive way to the visual amenity of the locality. This is considered to be contrary to Policies BE1, BE3 and BE4 of the adopted Local Plan and BE2 and BE4 of the emerging Local Plan 2011.
 - A subsequent appeal (Ref: APP/D3125/A/06/2031535) was dismissed on 3rd October 2007, stating that: In summary, it seems to me that although, in the future, the character of Thorney Leys Road might change through the development of the Coral Springs site, the proposal on the appeal site, in isolation, would be harmful to the existing character and appearance of the area.
 - The document '2014 Air Quality Progress Report for WEST OXFORDSHIRE DISTRICTCOUNCIL' focuses on West Oxfordshire District Councils commitment to improve air quality in the Bridge Street and Mill Street areas of Witney. Traffic congestion in the centre of Witney has already led to an increase in both commuter and commercial traffic along the main Thorney Leys road. Whilst there are no measures of air quality available for this area, it is reasonable to assume that any further traffic generated by the proposed new development in addition to the potential traffic from the Coral Springs development - will contribute to deterioration in air quality around the existing residential developments.
- Paragraph 14 of the planning application wrongly states that the land is not currently vacant.
- Whilst the land is clearly under private ownership and surrounded by a perimeter fence, there is no building, business or agricultural use which might render the property 'occupied'. This is therefore a potentially misleading statement in the planning application.
- Noise levels from the A40 for those who would live on the new development if it was approved.

- Witney would lose another green space.
- The habitat has already been destroyed adjacent to this proposed plot and I for one think that the barrier between the new build elderly residential plot and the A40 is one worth keeping. Leave it alone please!
- Light and noise pollution will increase. We would have to put up with noise construction vehicles and dust.
- I don't see that putting up a barrier will stop all of the noise from the A40.

3 APPLICANT'S CASE

- 3.1 As part of this application, Barton Willmore LLP have produced this Planning Statement which supplements the application in addition to the following supporting plans and documents:

Design and Access Statement, prepared by NC Architects Limited;
 Access Statement, prepared by Odyssey Markides Ecology Report, prepared by ACD Ecology;
 Flood Risk Assessment & Drainage Strategy, prepared by Cole Easdon;
 Tree Report, Arboricultural Impact Assessment & Method Statement, prepared by ACD Arboriculture;
 Noise Survey Report, prepared by Cole Jarman; and
 Sustainability Assessment, prepared by Environmental Economics.

- 3.2 The executive summary of the ecological report submitted with the application advises as follows:

The site comprises of a parcel of land site bordered by the A40 to the south, Thorney Leys Road to the north and east and a field to the west with development work for a residential home being carried out. Plans are being drawn up to re-develop the site for a residential scheme.

A Phase I Habitat survey was carried out and the habitats on site comprise of ditches, scrub, ruderal vegetation, scattered trees and improved grassland.

No further survey work is recommended. The site has limited opportunities to support protected species; however it does have the potential to support breeding birds, and GCN terrestrial habitats around the boundaries of the site.

Habitat recommendations include sensitive vegetation clearance under the supervision of an ecologist and it is recommended that exclusion fencing is installed around the perimeter of the site, leaving a buffer corridor of 2m around the site boundary and a 3m buffer from the eastern boundary ditch.

Plans involve the retention of a green space within the southern area of the site. Recommendations for this area include wildlife pond creation, scrub management and wildlife beneficial planting. Trees should be incorporated along the southern boundary to enhance commuting routes for wildlife.

Management of this area should be focussed on encouraging wildlife to the area, in addition to public enjoyment.

Implementing the recommendations will ensure that there are no significant impacts upon protected species and that the proposals will be in conformity with relevant legislation and policy.

3.3 The FRA concludes as follows:

The site is located within Flood Zone 1 and is considered to be at low risk of flooding from rivers or sea. The site is at low risk of flooding from groundwater.

The NPPF guidance classifies the proposed 'residential' use as 'more vulnerable' and considers suitable within Flood Zone 1.

Limited possibility remains of overland flow and sewer overflows entering the development via site entrance from Thorney Leys. Accordingly, Precautionary measures as follows should be considered:

The new entrance is to be designed to fall towards Thorney Leys to prevent sewer overflows and overland runoff from entering the site;

Raised finished floor levels; and provision of adequate gullies or interceptor drains at low points and property entrances.

Such measures would also help to mitigate against residual flood risks associated with extreme events and drainage blockages scenarios.

Assessment of Flood Risk Arising from Surface Water Discharge from the Proposed Development

The application site (1.0ha) comprises an undeveloped grass field, with 1:100 year runoff of 13.7l/s.

The proposed development with 0.36ha of hard areas can potentially increase surface water runoff from the site. However, the development will include adequate control measures to ensure that surface water runoff and flood risks are not increased as a result of the development.

Surface water runoff from the developed site will be disposed of using attenuation based SuDS (storage basin) with controlled discharge into the Colwell Brook or alternatively into TWU sewer. Flow will be controlled to 5l/s using a Hydrobrake or similar flow control device.

Onsite storage will be designed to cater for the 1:100 year + 30% event. Accordingly, 170m³ of storage will be required on site.

Accordingly, the proposed drainage strategy for the site will ensure that the development does not increase post developed runoff, and does not exacerbate flooding in the local area.

Residual Flood Risk

Should the proposed drainage system block/fail or under extreme events of flooding exceeding the design standard, floodwaters would follow the onsite roadways towards the open space

provide within the southern extent of the site, and finally into the Colwell Brook. No properties would be affected.

Conclusions

We can therefore conclude that the development proposal can be suitably accommodated without increasing flood risks within the site or the locality. The development proposal meets with the requirements set by the NPPF and the EA and should be considered acceptable in terms of drainage and flood risk grounds.

3.4 The Planning Statement concludes as follows:

The NPPF is clear in stating that there will be a presumption in favour of sustainable development from an economic, social and environmental perspective.

The Proposed Development has been designed with the NPPF in mind in addition to the documents which form the Development Plan for WODC. Specifically in relation to the latter, the Applicant is aware of the designation of the site as an AOS/SLA through West Oxfordshire's Local Plan 2011, although it is worth noting that the AOS/SLA designation has not been brought forward into the emerging Local Plan. On this basis particular consideration has been made to ensure that the layout of the proposal maintains the function of the AOS/SLA running around the southern and western edge of Witney.

This Proposed Development includes providing a significant area of publically accessible informal open space to south of the proposed residential units, designed to enhance the ecological opportunities of the site including the addition of a balancing pond and additional tree planting. Furthermore this open space will be publically accessible for all proposed and existing residents which will enhance the amenity value of the site.

The Proposed Development provides 25 residential units providing a mix of dwellings types and sizes in addition to providing affordable housing. These dwellings will be developed to a high standard of design to ensure that they integrate with the surrounding locality.

The proposed new housing is considered to be within a sustainable location, with a number of existing and proposed employment opportunities and access to services within a 2km radius of the site. The site also has good access to existing non-car related modes of transport, in addition the design features of the Proposed Development also encourages sustainable travel.

In conclusion the Applicant strongly considers that this Proposed Development on Land off Thorney Leys, Witney is a sustainable development in line with the NPPF by providing enhanced amenity opportunities for both existing and proposed residents in addition to providing a mix of dwellings to the advantage of the town and the surrounding area.

3.5 Planning History

An application (WODC Ref: 05/2099/P/OP) for the erection of buildings to be used for business, general industrial and storage or distribution use on Land off Thorney Leys, Witney was validated by WODC on 24th November 2006. The application (submitted on behalf of Abbey Developments Ltd) was refused, with the decision issued on 24th January 2006, for the following reason:

The proposals involve the development of a key open space that in its undeveloped state contributes in a positive way to the visual amenity of the locality. This is considered to be contrary to Policies BE1, BE3 and BE4 of the adopted Local Plan and BE2 and BE4 of the emerging Local Plan 2011.

It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal is adequately served by both pedestrians and vehicular accesses. As such the proposals are contrary to Policy BE4 of the adopted Local Plan and BE3 of the emerging Local Plan 2011.

The proximity of residential properties to B2 and B8 uses is likely to give rise to unacceptable levels of nuisance contrary to Policies BE2 and BE18 of the West Oxfordshire Local Plan 2011.

The Applicant subsequently appealed the decision. The appeal (Ref: APP/D3125/A/06/2031535) was dismissed on 3rd October 2007 with the Inspector concluding:

In summary, it seems to me that although, in the future, the character of Thorney Leys Road might change through the development of the Coral Springs site, the proposal on the appeal site, in isolation, would be harmful to the existing character and appearance of the area. Until the impact of any development at Coral Springs has been properly assessed and quantified, I find no reason to set aside the presumption against the development of the appeal site found in Local Plan policy BE4 and its inclusion within the AOS/SLA.

An application (Ref: 12/1037/P/FP) for the erection of a retirement community comprising of sixty care bedrooms, forty six care suites and seventy nine care apartments, on land to the west of the site, known as 'Coral Springs', was granted planning permission on 17th September 2012 and is currently under construction.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE4 Open space within and adjoining settlements
BE13 Archaeological Assessments
NE3 Local Landscape Character
NE6 Retention of Trees, Woodlands and Hedgerows
NE13 Biodiversity Conservation
H2 General residential development standards
H3 Range and type of residential accommodation
H11 Affordable housing on allocated and previously unidentified sites
T3 Public Transport Infrastructure
OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS5NEW Supporting infrastructure
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
EH1NEW Landscape character
EH2NEW Biodiversity
EH6NEW Environmental protection

5 PLANNING ASSESSMENT

- 5.1 This application is supported by a number of documents including a Planning Statement, a Design and Access Statement, an Ecology Report and a Flood Risk Assessment. A very brief summary of these documents is provided in the body of this report. The detailed statements can be accessed on the Council's website.

Background Information

- 5.2 This application as amended proposes the erection of 25 residential units , public open space , landscaping and an acoustic fence on land off Thorney Leys, Witney. 11 of the units are a mix of affordable housing and will go some way to meeting local housing needs.
- 5.3 The site forms part of an area of Area of Amenity Open Space/Structural Landscape Area within the West Oxfordshire Local Plan 2011. This designation has not been carried forward in the emerging Local Plan.
- 5.4 This site was considered through the SHLAA (published 2014) and the conclusion made that it is not suitable for development because it is 'an important area of green space, providing a setting for the town and a buffer to the A40.
- 5.5 There is a planning history of refusal on the site for a commercial use of the land which was dismissed at appeal in 2006 on the grounds that the development of the appeal site **in isolation** would be harmful to the existing character and appearance of the area. Since that appeal decision the land to the west of the site is being developed for a retirement community consisting of sixty care bedrooms, 46 care suites and 79 care apartments. The context of the site has therefore changed significantly since the 2006 appeal decision.
- 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

Siting, Design and form

Highways

Impact on Open Space/Trees, Landscaping and Ecology

Drainage

Residential Amenity

Affordable Housing and I06 Contributions

Principle

- 5.7 Under the adopted policies of the West Oxfordshire Local Plan 2011 the relevant housing policy for Witney (H7) limits residential development within the town to infilling, rounding off and site specifically allocated for residential development within the plan. In this regard the development proposal appears at first glance as non-compliant with the adopted housing policies for the District.

- 5.8 However, members will be aware that whilst the adopted housing policies for the District remain extant, they were adopted against an expectation that there was a lower housing need and that greenfield sites would not be required to meet that need. As such adopted housing policies are not being given full weight albeit that they act as a useful proxy for those settlements where housing can be more sustainably located.
- 5.9 The greenfield application site falls within the Witney Sub-Area Strategy as defined in the emerging Local Plan, 2031 where the focus of new housing will be in Witney. Proposals for development in this sub - area should be consistent with a strategy which includes delivery of around 3,700 new homes focused on Witney to include affordable housing and homes designed to meet a range of different needs. The emerging policies allow for residential development within the town subject to a series of environmental criteria. The emerging plan is now with the Inspector but its policies have yet to be fully tested and as such they can similarly not be given full weight.
- 5.10 At the current time the Council is claiming a 5 year land supply against its methodology for assessing the housing needs of the District. Whilst this is queried by both developers and those against development as being either too low or too high respectively, in the absence of a defined target being set through the local plan process there is no more reliable or less criticised means to assess the need and supply
- 5.11 Taking all the above into account and having regard to the general sustainability objectives of the NPPF, your officers consider that there is no 'in principle' objection to allowing this site to be redeveloped for housing at this time subject to there being no objection on environmental grounds and subject to the provision of both an adequate level of affordable housing and 106 contributions.

Siting, Design and Form

- 5.12 The amended plans deliver a housing scheme which your officers consider is appropriate for the context of the site in terms of the scale, design, layout and materials of the dwellings proposed. However, a three storey 'landmark' building is proposed as part of the development which has been the subject of a number of design amendments. At the time of writing officers are still not happy with the design but are in discussions with the applicants and anticipate that the building can be remodelled without too many changes in order to obtain a favourable officer recommendation.

Highway

- 5.13 Members will note from the consultation response from OCC that notwithstanding the issues raised in the representations received, the Highways Authority has no objection to the proposals for the site subject to conditions and a 106 Agreement.
- 5.14 The conditions relate to off street parking provision, estate roads being constructed prior to first occupation, footpath construction, drainage works, the provision of a Construction Traffic Management Plan and the access being constructed prior to first occupation.
- 5.15 The 106 Agreement requires a financial contribution towards the strategy for enhancing and improvement of the Carterton-Witney-Eynsham-Oxford bus route and to fund bus infrastructure improvements in respect of the provision of a new bus shelter and cycle racks at the Carterton bound stop on the Curbridge Road.

Impact on open space / Trees, landscaping and ecology

- 5.16 Witney is the main service centre in West Oxfordshire and has long been the focus of new development in the District. With a wide range of services and facilities, the town is our most sustainable settlement and, in both our adopted Local Plan and emerging Plan, continues to be the location for strategic development. Being a sustainable settlement does not, however, mean that building on any area of land in the town constitutes sustainable development. In this regard a careful assessment is needed as to whether the proposal represents a sustainable development opportunity in terms of evaluating the role of this area as green open space.
- 5.17 The proposed layout for the site has been designed so as to maintain an area of public open space to the south of the residential units. This will ensure that the AOS/SLA is maintained and continues to form a buffer along the southern edge of Witney by integrating with the area of open space that has been provided as part of the Coral Springs development to the west. This area of informal open space has been designed to improve the amenity value of the area by ensuring that it is publically accessible and incorporating features such as an attenuation basin and tree planting to make it an attractive space with improved ecological value.
- 5.18 In light of the above and that the context of the site has changed following the grant of planning permission for the substantial retirement development to the west of the site and additionally that in policy terms the AOS/SLA designation of the site has not been carried over to the emerging local plan, officers are of the opinion that the loss of part of this green open space to residential development is not so demonstrably harmful to the visual character and appearance of this part of the town such as to justify a reason for refusal.

Drainage/ Noise/Contamination

- 5.19 These issues have been addressed through technical assessments submitted with the planning application and your technical officers have raised no objections on the above grounds subject to conditions.

Residential Amenities

- 5.20 In terms of impact on residential amenity there three issues to consider which are as follows:

Impact of the proposed residential units on each other

- 5.21 The proposed layout has been designed to ensure that there is no unacceptable overbearing or overlooking relationships between the dwellings and three storey flats.

Impact of the proposed residential units on existing occupiers in Thorney Leys

- 5.22 Whilst a number of existing occupiers of properties at Thorney Leys which have back gardens fronting on to the site have raised concerns about the impact of the three storey block on their residential amenity, the distances between the windows serving the first and second floors of this building and the rear elevations and gardens serving those existing dwellings are such that a refusal on the grounds of unacceptable levels of overlooking cannot be substantiated in your officers opinion.

Impact of noise and disturbance from the A40 on future occupiers

- 5.23 As part of the proposals an acoustic barrier is proposed that surrounds the site. Your environmental health officer has confirmed that such an acoustic barrier will be adequate to protect the amenity of the future occupiers.

Affordable Housing and 106 contributions

- 5.24 The applicants are proposing that 11 of the 25 dwellings are affordable housing units. This accords with the requirements of the affordable housing policy (H3) of the emerging Local Plan.
- 5.25 In terms of 106 contributions requested by the County Council and Witney Town Council, the applicant is broadly in agreement to pay financial contributions along the lines requested. At the time of writing the precise details of the contributions are still under discussion.

Conclusion

- 5.26 In light of the above officers are recommending that subject to the following two matters being resolved that the application be approved subject to conditions and a legal agreement to cover financial contributions and provision of 11 units as affordable units.
1. The design of the three storey 'Landmark' building be remodelled to reflect officers discussions with the applicant;
 2. The applicant agrees to pay financial contributions by way of a legal agreement in order to mitigate for the development in accordance with the requests of OCC and Witney Town Council.

The Conditions that are considered appropriate in respect of this application relate to the following;

Amended Plans

Materials;

Those requested by OCC in respect of access, road, footpath construction and a Construction Traffic Management Plan;

Drainage;

Landscaping;

Retention of POS;

Construction of acoustic barrier prior to first occupation;

Contamination

Mitigation works in respect of ecology.

Application Number	I5/01973/FUL
Site Address	Land At Edington Square Witney Oxfordshire
Date	9th September 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney
Grid Reference	433987 E 209860 N
Committee Date	21st September 2015

Application Details:

Erection of single storey building for Army Cadet and Air Training Corps use.

Applicant Details:

Mr Tshering Lama
Seely House
Shoe Lane
Aldershot
Hampshire
GU11 2HJ
United Kingdom

I CONSULTATIONS

- | | | |
|-----|-------------------------------|---|
| I.1 | OCC Highways | No Comment Received. |
| I.2 | WODC Env Health -
Lowlands | No Comment |
| I.3 | Town Council | <p>Witney Town Council fully supports the principle of this development. However the committee objects to the proposed appearance and fabric of the building which is totally unacceptable and does not blend with the neighbouring streetscene.</p> <p>The committee also objects to the proposed fencing around the site and restricting of public use of the un surfaced car park.</p> <p>The committee would like to suggest that the building could be a stone built building with tiled roof set back amongst the trees, resulting in a larger car park and parade area with possible external funding, that could then have a secondary use in West Witney for other events such as a polling station to alleviate pressure on West Witney Primary School etc. and by surfacing the car park it still can support the community whilst providing a parade ground for the cadets.</p> |

2 REPRESENTATIONS

- 2.1 3 letters of support have been received. The comments have been summarised as:-

2.2 Mr Dan Holden of 41b Gravel Walk Faringdon

Knowing how much benefit uniformed youth organisations bring to local communities it is exciting to see the local council supporting the Witney Air Cadets. They attend so many of the community events helping out and well known for their assistance, positive manners and providing young people with a stable structure. Knowing that the ATC provides these young people with qualifications and experiences outside of the education system I fully supported the squadrons application to at last get their own premises which I hope sees more young people able to get involved.

2.3 Mrs Caroline Mackay of 44 Stanway Close Witney

I think this is a fantastic use of a bit of waste land. Perhaps if just the building and not the car park was fenced off, this might overcome any objections based on school overflow car parking issues.

2.4 Mr Michael Caffrey of 41 Bramble Bank, Witney

Witney Air Cadets have existed in the town since 1943, and have been without a permanent home for the past ten years. This proposed build is an exciting step forward for the Squadron and will enable the staff to provide enhanced training opportunities for the young men and women of Witney aged 12 to 20.

In the past twelve months, the local cadets have achieved the Duke of Edinburgh's Award, participated in local acts of remembrance for both the Armistice and VJ day, assisted the Commonwealth War Graves Commission with the cleaning of local headstones, supported Witney Carnival, raised money for the new Splash Park on the Leys, assisted with LibFest, the opening of the Corn Exchange and many other Witney Town Council events.

In the next twelve months, the Squadron will deliver all of this again, and so much more despite having one hand tied behind their backs in their temporary accommodation. Imagine what they could do in a permanent facility.

The proposed design is modern and compliments the existing Deer Park development, and acknowledges the Cotswold stone build with what appears to be a sensitive colouring to match local buildings across 50% surface area. The modern roof seems no different to those properties in the area that have solar panels. By bringing a modern design to the housing development, it shows a clear historical timeline and will no doubt raise property values as the area continues to attract community facilities and further investment.

The plans show the fence line to be around the building and therefore opening the car park up to daytime use; if this is correct then I believe this to be a positive step forwards and provide a more suitable parking area for those using it for drop off and collection of West Witney Primary School.

Noting the objections of the Witney Town Council Planning Committee, I'm certain that the Air Cadets and Army Cadets would accept any funding they were offering.

At recent Cadet expansion events (Jun 2014), the following comments were made which I would encourage planning committees to consider with regard to the existence of Cadet units in residential areas:

The Prime Minister (Rt Hon David Cameron) said:

"Being a cadet is a fantastic opportunity that gives young people the skills you need to get on in life. I want many more people to gain this type of experience no matter what their background.

Education Secretary Michael Gove said:

The new cadet units will teach discipline, self-confidence and teamwork essential skills for succeeding in school and in life.

Defence Secretary Philip Hammond said:

This will help more young people develop important life skills such as leadership, self-reliance and endurance whilst increasing their self-confidence so they can reach their full potential at school and beyond."

Research shows children who have been cadets: increase their academic achievement and decrease anti-social behaviour through an improved attitude; improve school attendance and classroom behaviour; and have higher self-esteem, self-confidence and organisational skills. Surely we want this in Witney in a permanent facility and not 'lodging' elsewhere with limited access to training materials?

One objection letter - comments summarised as:-

2.5 Mr Hands of 7 Stanton Close Witney

The parking around this area is already ridiculous, this area is supposed to be used for west Witney primary school parking so by building this on the land will only increase the parking on the roads around the school which are already jammed. Thanks! We had planning rejected on this land for flats for the same reason

3 **APPLICANT'S CASE**

3.1 A Design and Access Statement has been submitted as part of the application, and has been summarised as:-

- The site lies to the south-west of Edington Road, fronting the car park located at Edington Square.
- It currently acts as overspill parking, most notably for the local school, and is gravelled. It is screened to its northern boundary by managed trees and hedges and to the south by a small copse of woodland. A recycling station is located to the immediate boundary with Edington Road. The site has a total area of 1030m².
- The site is located on a residential estate, Deer Park, to the west of Witney which was constructed between 1988 and 1992 approximately. The upper end of the estate is of slightly newer construction and it includes an amenity complex comprising a Medical Centre, a local Tesco and several other small retail units. Located south-west of Edington Road, the complex is known as Edington Square.
- The buildings in Edington Square are constructed in reconstructed buff coloured stone with artificial slate and tile roofs to echo the local vernacular.
- Use of the building will be limited to ACF and ATC units on separate evenings. Some minimal use at weekends - as a transit point to undertake activities off site - is to be expected. It is not anticipated that there will be significant impact on transport infrastructure.
- A large proportion of cadets walk to site and therefore the new vehicular activity likely to be generated will amount to small number of additional drop-offs and pick-ups.

- No noise related issues are anticipated with cadet evenings generally finishing by 9:30pm and the proposals leading to an increased use of the site in the number of operational nights only (4no nights).
- There are no directly adjacent residential premises.
- There are not believed to be any existing utilities on site and new connections will have to be made.
- The proposals involve the provision of 1no new build ACF/ATC building (320m²), new hard standing and a new perimeter fence.
- The proposed building is located to the rear of the site with hard standing to the northern half at the boundary to Edington Square. It is proposed that the hard standing continues in its usage as a drop off/pick up point for the adjacent school with an entry to the north and an exit to the west clearly demarcated. A palisade fence is to enclose the cadet hut portion of the site and it is understood by the client that the LA will be relocating the recycling station.
- The new building is intended to be approximately 25.5m x 12m in size with a total GIA of 280m². The building is single storey and houses dedicated ACF/ATC classrooms and ancillary functions as per MoD scaling (see Joint Service Publication (JSP) 315, Volume 3, Service Accommodation Code, Scale 80)
- The new building will be of modular construction with plastisol coated steel finish to the elevations and a powder coated profiled metal roof. External walls will be a combination of render and metallic effect cladding panels. Windows will be aluminium, double glazed types.
- A managed grass curtilage is considered appropriate around the building, whilst asphalt/tarmac hardstanding to the parking zone would be beneficial for drop off/pickups at the school. The existing shrubbery to the Edington Square frontage would remain as is.
- The proposed cadet building is one level throughout and possesses level access at both entrances. A Part M compliant WC is included within the scheme with ambulant compliant WC cubicles provided within both the male and female facilities. 10no parking spaces and 1no disabled parking space are provided.
- Foul drainage will link into the nearest existing services and a soakaway is proposed for storm water-run off and dispersal. The area of hard standing will be of a permeable nature.

3.2 Further information has also been submitted after officers had concerns with various parts of the proposal. It has been summarised as:-

- 1) The proposed fence around the building will be erected with consideration and to the rear of the site would be erected from 'our' side to try and minimise damage/ disturbance to the trees/ wildlife in the area.
- 2) The proposed building has been designed as a modular building and lightweight materials are used to complement this type of building. The idea is that as much of this building is built in a controlled environment (Factory) so by adding in wet trades (stone work/ brickwork) would not only add cost to the project but also time implications. The building is built to meet current building regulations and to achieve a 'very good' rating on the MoD's DREAM assessment procedure, which is broadly equivalent to BREEAM.
- 3) The proposed new Joint Cadet Facility will provide a single building with dedicated office, storage and lecture accommodation for each of the ACF and ATC units, along with a shared hall and ancillary facilities including WCs and servery. The building will be occupied by the ACF and ATC units on alternative nights so the level of occupancy on any individual night will remain unchanged with the collocation of the units.

Currently the ACF are in an old building which is under scaled for requirements and requires improvements, the ATC are in a hiring on a flexible lease agreement. This new building will provide the cadets in the local area a new purpose built building and lift the profile of the cadets in the local community.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

TLCI New Tourism, Leisure and Community Facilities

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

5 PLANNING ASSESSMENT

- 5.1 The application is to be heard before the Committee as the Town Council have raised objections. The area of land subject to this application is also owned by WODC.

Background Information

- 5.2 An application in 2012 was withdrawn:
12/0600 Erection of dwellings with associated parking and access.

The application site is located within the modern estate of Deer Park at Edington Square, adjacent to existing community facilities. The area of land is used for informal car parking. The proposal is for the erection of a single storey building for Army and Air Cadet training accommodation.

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

- 5.3 Officers consider that in principle, such a use is acceptable, given the existing community facilities nearby and that the use will not result in conflict with other existing uses.

Siting, Design and Form

- 5.4 The current layout of Edington Square is of a courtyard appearance with the buildings set out as such. This is a strong pattern which officers consider the new proposed building should follow instead of being sited at a slight angle. The applicants have agreed and amended plans now show the building to follow the existing pattern of development.
- 5.5 Officers also had concerns regarding the appearance of the building which the Town Council have also made comment. The proposed materials were to be render, metallic effect cladding panels and profiled metal roofing. Due to the type of building, it is not feasible for the building to be constructed of artificial stone. Officers have therefore advised that the building should be constructed using stone coloured render panels and alternative roof covering. Amended plans have now been received showing the suggested materials.

- 5.6 The new fencing will not enclose all of the site but just the building. This results in an area for informal car parking and drop offs during the daytime. An entry and exit point is also proposed. New fencing is also proposed to the rear and will be erected from the site, to ensure that no trees are adversely affected.
- 5.7 Officers are also requesting as part of the suggested conditions, that a plan is submitted showing how the parking connects to the existing parking.

Highway

- 5.8 No comments have been received from OCC Highways to date. However as car parking will still remain for the whole of Edington Square, officers are not anticipating an objection.

Residential Amenities

- 5.9 As the siting of the building is set away from residential properties, officers consider that the building and its use will not adversely affect residential amenities in terms of noise or disturbance. A condition has been suggested to restrict the use to only uses within the DI Use Class Order.

Conclusion

- 5.10 The proposed building is considered to be acceptable in terms of its scale and appearance. The use will serve the local community and utilise an underused area of land which will improve the overall appearance of Edington Square.

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 the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 The development shall be carried out in accordance with the plans accompanying the application as modified by the agent's emails dated 4 September 2015 and accompanying plan(s).
REASON: The application has been amended by the submission of revised details.
- 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.
- 4 The building shall be used for Army Cadet Force and Air Training Corps accommodation and other uses within Class DI and for no other purposes.
REASON: The site is only suitable for the use specified because of the special circumstances of the site.
- 5 Prior to the first commencement of development, a detailed parking layout plan showing how the Parking connects to the existing parking and access on site shall be first submitted to and approved in writing by the Local Planning Authority and the parking layout shall be as such thereafter.
REASON: To ensure that the parking relates to the existing uses on site.

Application Number	15/02099/FUL
Site Address	Land East Of 200 -202 Corn Street Witney Oxfordshire
Date	9th September 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney
Grid Reference	434962 E 209819 N
Committee Date	21st September 2015

Application Details:

Erection of six two storey dwellings.

Applicant Details:

Miss Kirsten Johnston
6 Rose Court
Olney
Buckinghamshire
MK46 4BY

I CONSULTATIONS

- I.1 Town Council
- Witney Town Council are concerned that the infrastructure here does not support this application. The committee are concerned for pedestrian and road safety as there is a clear issue with access at the rear of the property which is through a very narrow brick gateway with a high wall leading onto a busy road and pavement. The committee are also concerned that emergency vehicles would have difficult in accessing the site.
- The access to the development would be totally unacceptable, especially when taken in conjunction with planning application 15/02489/FUL which would result in the combination of both an unsafe and impractical entrance to the dwellings along with the locality of the bus depot. A better solution would be to access from the existing road entrance to the west and through providing a new entrance with a safer junction.
- Witney Town Council considers this to be contrary to Policy BE3 of the WOLP 2011.
- I.2 OCC Highways
- The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
- No objection subject to
- G11 access specification
 - G36 parking as plan
 - G31 drive/parking space specification

I.3 WODC Env Health -
Lowlands

Some potential contamination has been identified on the site and it is agreed that further investigation will be necessary to determine the level of risk posed to the identified receptors.

Please consider adding the following conditions to any grant of permission.

1. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages
- (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
- (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems.

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the

natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria,

an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under

Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

4. Reporting of Unexpected Contamination In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and

development must be halted on the part of the site affected by the unexpected contamination.

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2. .

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

Reason: To prevent pollution of the environment in the interests of the amenity. Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF

1.4 WODC Drainage Engineers

How is the roof water to be collected and disposed of by soakaways or discharging into the permeable paving? Is it included in the calculation for storage volume required?

Permeable paving should not usually be considered as permanent attenuation due to its tendency to clog up, other on-site measures may also be required. Off-site discharge to a surface water sewer will need agreement from Thames Water / OCC as appropriate, or from the EA if to the main river culvert.

Suggested conditions included.

2 REPRESENTATIONS

2.1 No comments received at the time of writing.

3 APPLICANT'S CASE

3.1 A Design and Access Statement has been submitted with the application and has been briefly summarised as:-

- The accompanying submission seeks full planning approval for the erection of six 2 bed cottages with associated parking and alterations to the existing access of Corn Street. The application is a replica of the approved scheme 11/1612/P/FP however with a variation as the commercial units have been omitted.
- Access is made via Corn Street to the South of the site through an iron gate attached to a 1.2m high natural stone wall. This is to remain the same although the entrance will be widened to 5m to allow two vehicles to pass through at the same time.

Refuse

- Bin storage is to the front of the property on Welch Way where there is a cupboard for each property within the enclosed front garden.

Parking

- Two parking spaces will be allocated to each dwelling and will be situated in the rear gardens.

Cycle storage

- Cycle storage will be provided in the form of a garden shed within the rear garden. Visitor spaces are proposed to be in the front enclosed garden with an
- anchor point on either the wall or in garden space.

Transport links

- There are 36 bus services in and around Witney and coach services to London Gatwick and Heathrow Airports. The nearest train station is in Finstock or Oxford.
- We are proposing to re-use a previously developed site to make an effective use of the land. The site is located close to the town centre of Witney. The residential element will be sited on a vacant overgrown parcel of scrubland fronting Welch Way, exactly the type of site which should encourage such development.
- The FRA report has been updated since the last submission.
- The ground floor living area will open up onto a rear walled garden with two parking spaces to the south-east; these will be accessed from the shared access way coming off of Corn Street. To the front will be a small enclosed garden with pedestrian access from Welch way. From Welch Way there is a pedestrian pathway to the rear which runs alongside plot 6.
- The new dwellings will mimic the approved layouts in height and therefore will be appropriate in scale and design in the setting. The cottages have been designed to match the local vernacular, in a linear fashion along the Welch Way road frontage both to reflect the design and layout of the adjacent social housing development and to provide interest and enclosure in the street scene which currently lacks definition and form.
- The roof and entrance canopy will be covered using blue black artificial Riven slates. Artificial Cotswold walling stone will be used for the exterior of the house as well as the garden walls and boundary walls. The string course, lintels, cills and corbels will be made using artificial cast ashlar stone with the chimneys finished with red brick. A white PVCu will be used on the windows.
- Landscaping (soft + hard) - This will form a crucial part of the development both in terms of the use of hard and soft landscaped areas. A detailed landscape scheme will be produced detailing native trees and shrub species to be planted to enhance the area which is appropriate in terms of scale and design, once approved. The existing trees to the South West which mark the boundary to the social housing development will remain unaltered.
- The Welch Way development offers an opportunity to enhance the surrounding area. The scale, layout and visual appearance of the site have been carefully considered in order to construct the dwellings which embrace high quality materials to enhance the surrounding area. There is very little change to the scheme from the residential approved submission.

3.2 Further information has been provided by the agent following consultation responses. This has been summarised as:-

1. Drainage

- It is proposed to have the finished floor levels at 80.6 AOD, which complies with the required 150mm above surrounding ground levels.
- We are in agreement with the conditions proposed.

2. Public Protection Services

- The open plan living accommodation will be supplied with adequate ventilation methods which would eliminate any potential mould or condensation problems.

- The kitchen area will be provided with a washing/condenser dryer therefore no need for a utility.
- The plans will include as part of the Building Control process with air extraction/ ventilation systems. We are A* rated developers with NHBC and will comply with all relevant building regulations and will provide 10 years warranty with the properties as a standard.
- The proximity to the bus station has been dealt with via the Noise Assessment report whereby providing the required acoustic fencing.

3. Contamination

- We are in agreement with conditions proposed.

4. Town Council

- The accompanying proposal is a replica of the approved schemes in 2009 and 2011. The existing access is to be upgraded, with the entrance widened to ensure two vehicles can pass each other at one time.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE18 Pollution

BE19 Noise

H2 General residential development standards

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

5 PLANNING ASSESSMENT

- 5.1 The application is to be heard before the Lowlands Planning Sub-Committee as the Town Council have raised objections to the proposal.

Background Information

- 5.2 Various planning applications have been previously approved on this site. The most recent approval was:-

11/1612/P/FP -Erection of six dwellings and conversion of existing car workshop to light industrial (class use B1) and storage & distribution (class use B8) with associated parking and alterations to existing vehicular access. Approved.

This application is a variation of the above approval as the commercial part has been omitted which was to be accommodated within the existing building on site. An application for the change of use of the existing building to retail, is also to be heard before this Committee. The application reference number is 15/02489/FUL.

The site area has two parts; one part is located between the petrol station and social housing at Welch Way, and the other is adjacent to the bus depot at Corn Street. Access to the site is from Corn Street. The area of land at Welch Way is open but overgrown. At the Corn Street site is an existing building which was occupied by a car body repair workshop. The site is not located within Witney's Conservation Area.

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

- 5.3 Officers consider that as previous applications have been approved on the site for 6 cottages, that the principle of the proposal is acceptable. The 6 cottages will be seen amongst existing residential properties, and will improve the general appearance of the site. Officers also consider that the cottages will improve the visual appearance of this part of Welch Way.

Siting, Design and Form

- 5.4 The actual design and form of the cottages has not significantly changed and follow the design established in the previous consent. The internal arrangements have changed to allow for more open plan living.

Highway

- 5.5 The access is to be taken from Corn Street and on-site parking is provided. OCC Highways have no objection to the scheme.

Residential Amenities

- 5.6 As the commercial use has now been omitted from the scheme, officers consider that the residential amenities of the proposed occupiers will not be adversely affected in terms of noise and disturbance. The information within the application states that secondary glazing or high quality double glazing will be used to protect from the traffic noise to the front and the bus depot to the rear. A boundary wall between the development and the petrol station will reduce the noise pollution at the side of the site. Your Environmental Health officers have no objection to the scheme.

Conclusion

- 5.7 Officers consider that the proposed development of the site for residential will enhance this part of Welch Way. The loss of the commercial element will further protect the residential amenities of the proposed occupiers. As such your officers are recommending approval of the proposal and have included suggested conditions.

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 the Town and Country Planning Act 1990 as amended by 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 external walls shall be constructed with a form of artificial stone that will best match the colour, texture and method of laying of the natural stone to be found in the locality. A sample

of such artificial stone shall be submitted to and approved in writing by the Local Planning Authority before any such material is used on site.

REASON: To safeguard the character and appearance of the area.

- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 5 All new external joinery shall be painted or stained in a colour that has been submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained in that colour.
REASON: To ensure that the building details are in keeping with the local vernacular style.
- 6 Notwithstanding any indication contained in the application, a detailed schedule of all hard surface materials, shall be submitted to and approved in writing by the Local Planning Authority before any hard surfacing work commences. The surfaces shall be constructed in accordance with the approved details before occupation of any associated building.
REASON: To safeguard the character and landscape of the area.
- 7 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the use hereby permitted is commenced.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 8 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).
- 9 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:
 - (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages
 - (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
 - (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, and service lines and pipes,
 - adjoining land,

- groundwaters and surface waters,
- ecological systems.

REASON: To prevent pollution of the environment in the interests of the amenity. Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF.

- 10 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON: To prevent pollution of the environment in the interests of the amenity.
Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF
- 11 Implementation of Approved Remediation Scheme The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details".
REASON: To prevent pollution of the environment in the interests of the amenity.
Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF
- 12 Reporting of Unexpected Contamination In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination. An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 10. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 11.
REASON: To prevent pollution of the environment in the interests of the amenity.
Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF
- 13 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.

- 14 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.
- 15 The buildings shall not be occupied until the drive, parking spaces and manoeuvring areas shown on the approved plans; have been drained, constructed and surfaced in accordance with a detailed plan and specification that has been first submitted to and approved in writing by the Local Planning Authority. Those areas shall be retained thereafter and shall not be used for any purposes other than for the parking and manoeuvring of vehicles.
REASON: To ensure that a usable parking area is provided and retained.

NOTES TO APPLICANT

- 1 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
- Flood and Water Management Act 2010 (Part 1 Clause 27 (1))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
 - The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after June 2014. As per the Flood and Water Management Act 2010 (Part 1 Clause 9 (1)).
- 2 Where communal drainage schemes are proposed approval of the scheme will probably be required from Oxfordshire County Council sometime after March 2015 and the scheme will need to be adopted under the Flood and Water Management Act.

Application Number	15/02276/S73
Site Address	63 Burford Road Carterton Oxfordshire OX18 3AQ
Date	9th September 2015
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Carterton
Grid Reference	427934 E 207246 N
Committee Date	21st September 2015

Application Details:

Non-compliance with condition 17 to allow amended landscaping scheme and removal of condition 18 to allow removal of trees fronting Burford Road.

Applicant Details:

Matthew Homes Ltd
Matthew House
45-47 High Street
Potters Bar
Hertfordshire
EN6 5AW
United Kingdom

1 CONSULTATIONS

- 1.1 Town Council COUNCIL was concerned at the removal of healthy and viable trees and would like assurance from either the District or County tree officer that this is warranted.
- 1.2 WODC Landscape And Forestry Officer It involves removing the remaining trees growing along the road frontage and replacing them with 5 semi-mature ones and a new hedge. I'm satisfied that this is ok in the circumstances. My understanding is that the developer has come forward to say that they wish to remove them on safety grounds as they have been damaged by development activity and a lack of protection during the course of the works - although this does not appear to be mentioned in the documents.

2 REPRESENTATIONS

- 2.1 One letter of representation has been received and summarised below:
- 2.2 Mr Timms - 63 Burford Road
- Objection to the removal of mature trees;
 - Form part of the boundary to the road;
 - There will be no trees left;

- Developer and gas board have dug trenches within and along root protection areas on works relating to site works.

3 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

H3 Range and type of residential accommodation

H7 Service centres

NE6 Retention of Trees, Woodlands and Hedgerows

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

4 PLANNING ASSESSMENT

- 4.1 The application has been submitted following the planning permission 13/0249/P/FP for the erection of 14 dwellings which was granted in May 2013. This subsequent application is part retrospective for the removal of condition 18 to allow the removal of trees fronting Burford Road (which have already been removed) and non-compliance with condition 17 to allow an amended landscaping scheme. Conditions 17 and 18 are detailed below:

Condition 17: A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall include the retention of any existing trees and shrubs and planting of additional trees and shrubs, all ground surface treatments and materials, means of enclosure, car parking layouts and other vehicle and pedestrian access and circulation areas shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To safeguard the character and landscape of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

Condition 18: No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2005: "Trees in Relation to Construction" and has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To safeguard features that contribute to the character and landscape of the area. (Policy NE6 of the adopted West Oxfordshire Local Plan 2011)

Background Information

- 4.2 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:

Landscape impacts.

Principle

- 4.3 There have been concerns raised throughout the process of this planning application with regards to the removal of the trees fronting the Burford Road as they have already been removed. However, as identified by the Local Authority Tree Officer the developer has come forward and informed the local authority that the trees have been removed on safety grounds as they have been damaged by development activity. The trees that have been removed were not protected by a Tree Preservation Order and although the developer has breached the planning condition 18 of application I3/0249/P/FP there is no enforceable control on their actions as the trees are not protected and have already been removed.
- 4.4 The amended landscaping scheme is therefore the next approach forward with this application. The landscaping scheme includes 5 semi-mature trees and a new hedge to replace the trees that have been removed fronting the Burford Road. It is visually clear along the Burford Road that a key characteristic along the street scene is the linear tree alignment on both sides of the road. The new proposed landscaping scheme does include 5 semi-mature replacement trees along this frontage to replenish the greenery that has been lost, additionally the stone boundary wall along this frontage is to be replaced with a boundary hedge which will further emphasis a green linear influence along the street scene and will preserve and enhance the surrounding area.
- 4.5 The Local Authority Tree Officer is satisfied with the proposed landscaping scheme. As such the proposed landscaping scheme is also considered an adequate replacement to the previously approved scheme and it is on this basis that the proposed development is considered to be acceptable by officers.
- 4.6 A condition has been suggested as part of officer's recommendation to enforce that the proposed new trees are retained thereafter and any of which that die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species.

Conclusion

- 4.7 Taking into account all matters raised including the case made for the development by the applicant and the representations received to date, for all the above reasons your officers recommend the approval of this application.

5 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 the Town and Country Planning Act 1990 as amended by 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 Unless otherwise agreed in writing by the Local Planning Authority, all proposed new trees; and trees; on the land not shown to be affected by building operations, shall be retained thereafter from the completion of the development and any trees; which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most current British Standard, in the first planting season following the occupation of the last dwelling or on the completion of the development, whichever is sooner.
- REASON: To safeguard features that contribute to the character and landscape of the area.

Application Number	15/02281/FUL
Site Address	40 Corbett Road Carterton Oxfordshire OX18 3LE
Date	9th September 2015
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Carterton
Grid Reference	427474 E 206198 N
Committee Date	21st September 2015

Application Details:

Erection of two storey attached dwelling.

Applicant Details:

Mr Michael Lowe
40 Corbett Road
Carterton
Oxfordshire
OX18 3LE
United Kingdom

I CONSULTATIONS

- | | | |
|-----|----------------------------|--|
| I.1 | Town Council | COUNCIL OBJECTS TO THIS APPLICATION because it constitutes an over-development of the site and would be out of keeping with the other properties in the area. |
| I.2 | OCC Highways | The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.

No objection |
| I.3 | WODC Env Health - Lowlands | No Comment Received. |
| I.4 | WODC Architect | No Comment Received. |

2 REPRESENTATIONS

- 2.1 9 letters of objection have been received. The objections were thorough in their responses and the full versions can be viewed on line. The main objections relate to
- The information provided within the application is incorrect.
 - The proposal will impact the hedge and trees on site.
 - If the hedge is damaged the privacy will be reduced between properties.

- The removal of the trees will have a knock on impact on the privacy of surrounding properties.
- Property will overlook neighbouring properties.
- Any damage to the trees will be detrimental to the wildlife in the area.
- Proposal will damage trees in neighbouring garden.
- Property will be out of keeping with other properties in the road.
- The removal of a well-established hawthorn tree (*Crataegus monogyna*) has the potential to impact biodiversity
- The new dwelling will be in complete contrast to all of the other properties in this well established grouping which are all either detached or linked detached.
- The proposed property will have a detrimental impact on the current streetscene and leafy suburban streetscape.
- Worried that the plans submitted do not accurately show the impact the proposed dwelling will have on neighbouring properties.
- Any separate dwelling would be an over-development of such a small site.
- The storage of waste and recycling is not shown and is contrary to policy.
- If soakaways are used they will damage the existing trees on site.
- Not all details have been provided as part of the application.
- The applicant has stated there are no important habitats or other biodiversity features.
- There appears to be no mention of this or indeed the tree in the current application. As a tree with a growth rate of between 30cm - 45cm per year, surely an up to date survey needs to be completed?
- The applicant does not appear to be concerned about 'safeguarding the leafy character of the site' .
- Inaccuracies within the design and access statement.
- Development does not follow the current housing line, respect local character, impacts on the appearance of Corbett Road as a 'leafy suburban streetscape' and will also reduce the open nature of the immediate area.
- The proposed 2 bed dwelling we feel would be an overdevelopment of the site, as it is such a small tapering plot.
- Should this development be approved it could set a negative precedent.
- Proposal will see an increase on vehicles on Corbett Road.
- The plot size given on the application form does not appear to correspond with the actual size of the plot.
- Corbett Road already suffers from a "rat run" morning and evenings and additional traffic is not needed or welcome.
- This building is not vital to ease the housing shortage.
- Does not respect the scale or design of neighbouring properties.

3 APPLICANT'S CASE

- The applicants have suggested a traditional form of dwelling that will blend in with the character of the site and its surroundings, while adding to new house numbers in a very popular location. It also adds to the housing mix.
- The intention is to renew the previous approval, whilst safeguarding the leafy character of the site and its surroundings.
- We believe the proposal addresses the key issues and would enhance the site, and adds a sustainable dwelling in an appropriate location..

- Since the previous approval early in 2012, the need for new housing sites has become more urgent, not a reason to approve, though where the key issues are satisfactorily resolved, the addition of another dwelling plot appropriately sited, helps in meeting the new housing need locally.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 H2 General residential development standards
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 H2NEW Delivery of new homes
 OS4NEW High quality design
 T4NEW Parking provision
 H7 Service centres
 NE6 Retention of Trees, Woodlands and Hedgerows
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

5.1 The application seeks permission for an attached dwelling.

Background Information

5.2 In 2011 planning permission (ref 11/1951/P/FP) was granted for an attached dwelling on the application site. Earlier this year planning permission was refused for a detached dwelling on the site ref 15/01083/FUL, the refusal reason for this application was:

By reason of the contrived design and scale, the proposed dwelling will appear as incongruous addition to the site and will also appear visually intrusive within the street scene to the detriment of the visual character and appearance of the area. The proposal is thereby considered contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and Policies OS2, OS4 and H2 of the emerging West Oxfordshire Local Plan.

5.3 The applicant has now reverted back to the general design of the previously approved scheme.

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:

Principle

5.5 Officers are of the opinion that given the previous approval, the creation of a new dwelling on the site has been established, and as no substantial changes have been made to the site or to planning legislation the principle is still considered acceptable.

Siting, Design and Form

- 5.6 Corbett Road is characterised by a variety of detached and semi-detached dwellings, which are similar in appearance and scale. The application site is a wedged shaped piece of land adjacent to the main dwelling.
- 5.7 A number of objections have been received in relation to the design of the dwelling. They state that the proposed design is out of keeping with the houses in the area and the proposal would be an over development of the site.
- 5.8 The dwelling would be attached to the main dwelling with the front door being located to the side of the property. The dwelling will be highly visible from the street scene. Whilst officers acknowledge that the design would not be a replica of those in the street scene, the form of the new dwelling is considered to create a visually appropriate relationship with the main house. The scale and proportions of the house are much more in keeping and are not considered to have an adverse impact on the site or the wider character of the area.
- 5.9 In addition the only changes to the design from the previously approved application, is that this application includes two windows at ground floor level on the side elevation and no longer features a porch. These changes in design are not sufficiently different to those that were previously approved to now warrant a refusal based on design or over development, as there have been no significant changes to the Councils design policies since that decision was made.
- 5.10 A number of objections also refer to the Maple Tree located to the front of the property as well as the general landscaping. The trees referred to in the objections are not subject to a tree protection order. Notwithstanding this, the application does not propose to remove any of the existing trees on site and a block plan has been provided showing the Maple Trees retention. Additional planting of two Cherry trees has also been proposed and the existing hedge will be retained. A condition will be added requiring further protection details to be provided. Officers are of the opinion that the retention of the landscaping will allow the character of the area to be preserved.

Highway

- 5.11 Oxfordshire County Council has been consulted on the application and raises no objection. There is no change proposed to the front hardstanding as shown on the block plan.

Residential Amenities

- 5.12 A number of the objections refer to impact of the dwelling on neighbouring amenity specifically the privacy afforded to neighbouring properties.
- 5.13 Given the orientation of the property, the dwelling will be set in from the rear elevation of the main house. The dwelling will feature two windows to the rear at first floor level. The dwelling is proposed to be sufficiently separated from the dwellings located to the rear so not create unacceptable levels of overlooking. There are no windows proposed in the side elevation at first floor level. Officers are of the opinion that there will always be a level of mutual overlooking in built up residential areas, and the position of dwellings in this part of Corbett Road/The Maples already features properties which comprise different orientations on the plots creating differing outlooks. The addition of two windows at first floor level is not considered to unacceptably increase the level of overlooking given the existing layout. At ground floor level

the side windows will serve non-habitable rooms and will be screened by the existing fence located on the boundary.

- 5.14 Both the main dwelling and proposed dwelling will have sufficient outside amenity space to serve the dwelling.

Other Matters

- 5.15 A number of other objections have been received with regard to the application. There are no protected species on site and other planning concerns such as bin storage will be addressed via condition.

- 5.16 With regard to precedent, each application is considered on its own merits.

Conclusion

- 5.17 Given the above, your officers consider this planning application to be in accordance with Policies H7, H2, BE2, BE3 and NE6 of the West Oxfordshire Local Plan 2011 and policies OS1, OS2, H2, OS4 and T4 of the Emerging Local Plan 2016. As such, your officer's recommendation is one of approval, subject to conditions.

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 the Town and Country Planning Act 1990 as amended by 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 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2005: "Trees in Relation to Construction" and has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
REASON: To safeguard features that contribute to the character and landscape of the area.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) no extension or roof extension shall be constructed.
REASON: To avoid over-development in an area of high density housing.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows shall be constructed in any elevations of the approved dwelling.
REASON: To safeguard privacy in the adjacent property.
- 7 No part of the development shall be occupied until the facilities for the storage of refuse at the site have been approved in accordance with details first approved by the Local Planning Authority.
REASON: To safeguard the character and appearance of the area.
- 8 No building shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- I. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - II. include a timetable for its implementation; and
 - III. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- REASON: To secure an adequate and sustainable means of disposing of surface water from the site and to avoid flooding.

Application Number	15/02316/FUL
Site Address	Unit 1e Network Point Range Road Windrush Industrial Park Witney Oxfordshire OX29 0YD
Date	9th September 2015
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Witney
Grid Reference	433088 E 210037 N
Committee Date	21st September 2015

Application Details:

Erection of a B8 storage building with ancillary retail sales, illuminated signage, a new vehicular access, and associated parking and landscaping (amended plans).

Applicant Details:

Unit 2 Forest Works
Forest Road
Charlbury
OX7 3HH
United Kingdom

1 CONSULTATIONS

- | | | |
|-----|----------------------------|---|
| 1.1 | WODC Env Health - Lowlands | There are no adverse comments or observations regarding this application |
| 1.2 | OCC Highways | The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.

No objection subject to

- G11 access specification
- G36 parking as plan
- G31 drive/parking space specification |
| 1.3 | Town Council | Witney Town Council has no objection. |

2 REPRESENTATIONS

- 2.1 No letters of representation have been received.

3 APPLICANT'S CASE

- The planning statement submitted with the application outlines the applicant's case in full which can be viewed as part of the application, the conclusion states:
- The proposed building would allow the applicants` operations to expand efficiently and would comply with both national and local employment policies to
- encourage the development of small businesses in sustainable locations, within existing industrial estates. Indeed the government are relying on such small businesses to develop in order to fuel the country's economic recovery.
- In terms of sustainability, the proposed development would make full use of an existing vacant employment site which is sustainably located close to Witney town centre, a major public transport hub, with good pedestrian and cycle links to the application site from the town centre.
- The simple, functional design of the proposed building will mirror the scale, pattern and character of the large B2 and B8 buildings adjacent and have no detrimental visual impact on the character of the surrounding area or the wider industrial estate.
- The building has been provided with off-street parking and turning areas in accordance with adopted standards and as the site lies within a major industrial estate, it is not anticipated there will be any highway safety issues arising from the proposed development.
- As the proposed development complies with the requirements of the development plan and as there are no other material planning considerations, it is considered that there are no reasonable grounds for refusing planning permission.

4 PLANNING POLICIES

BE2 General Development Standards

E3 Individual Premises

BE3 Provision for Movement and Parking

NE6 Retention of Trees, Woodlands and Hedgerows

OS2NEW Locating development in the right places

OS4NEW High quality design

E1NEW Land for employment

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

- 5.1 The application seeks permission for the erection of a B8 storage building on the edge of the Windrush Industrial Estate.
- 5.2 The application site is located between Downs Road and Book End and is located between two other businesses. The land that the building is to be located has never been developed. The site is currently well screened by vegetation.
- 5.3 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

- 5.4 Policy E3 states that new sites for employment will be permitted within Witney. The building will mainly facilitate bulk storage and self-storage with a small area being used to sell storage related items such as boxes etc.
- 5.5 The site is located within an existing industrial estate where new employment uses is considered acceptable. The proposed scale of development is in keeping with neighbouring businesses and given the location, the principle of developing the site is considered acceptable.

Siting, Design and Form

- 5.6 The building will feature a pitched roof and will face gable on to the roads, a new access road will be created from Book End. Given the size and position of the building, the building will be visible from Book End and Downs Road.
- 5.7 Book End and Downs Road features industrial sized building on both sides. The design and position of the building is considered to be of a scale which is in keeping with those in the vicinity, its orientation also allows the impact of the building to be lessened in from public vantage points.
- 5.8 The initial application proposed to take out some of the vegetation along the boundary facing Downs Road. In addition the building was proposed to be located much closer to the boundary. Officers wanted to ensure that the rural character of Downs Road was maintained, therefore amended plans were provided showing a 10m buffer between the building and the boundary, as well as showing the screening to be retained. Additional planting is also proposed to the front to soften the impact of the building on Book End.
- 5.9 Although the Industrial Estate features a range of large buildings, the site has managed to retain an unassuming presence due to the level of screening on Downs Road. It is considered that the proposal will maintain the character of the area, and will sit comfortably between the two adjacent businesses. The proposal is therefore not considered to have an adverse impact on the site or the character of the wider area.

Highway

- 5.10 A new access will be created on to Book End to serve the business and the site will provide 10 parking spaces. Oxfordshire County Council Highways have been consulted and raise no objection to the proposal subject to conditions.

Conclusion

- 5.11 Given the above, your officers consider this planning application to be in accordance with Policies E3, BE2 and BE3 of the West Oxfordshire Local Plan 2011 and policies OS1, E6 and T4 of the Emerging Local Plan 2016. As such, your officer's recommendation is one of approval, subject to conditions.

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 the Town and Country Planning Act 1990 as amended by 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.
- 4 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 5 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.
- 6 No building shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that building has been constructed, laid out, surfaced, lit and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety.
- 7 The existing hedges, together with the new plants, shall be retained and so tended to grow to and remain and any plant which dies shall be replaced in the next available planting season.
REASON: To safeguard a feature that contributes to the character and landscape of the area.
- 8 The premises shall be used for B8 storage as specified in the application and for no other purpose (including any other purpose in Class B of the Schedule to The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: The site is only suitable for the use specified because of the special circumstances of the site.

Application Number	I5/02317/ADV
Site Address	Unit 1e Network Point Range Road Windrush Industrial Park Witney Oxfordshire OX29 0YD
Date	9th September 2015
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Witney
Grid Reference	433088 E 210037 N
Committee Date	21st September 2015

Application Details:

Halo Lettering & signage in relief backlit with LED lighting

Applicant Details:

Unit 2 Forest Works
Forest Road
Charlbury
OX7 3HH
United Kingdom

1 CONSULTATIONS

- 1.1 Town Council No objection.
- 1.2 OCC Highways No objection.

2 REPRESENTATIONS

- 2.1 No letters of representation have been received.

3 PLANNING POLICIES

OS4NEW High quality design
BE2 General Development Standards
BE15 Advertisements and Signs
The National Planning Policy framework (NPPF) is also a material planning consideration.

4 PLANNING ASSESSMENT

- 4.1 The application seeks advertisement consent for a variety of illuminated and non illuminated signage.

Background Information

- 4.2 The application is made in association with application for the erection of a new B8 building ref I5/02316/FUL.

- 4.3 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:

Visual Amenity

- 4.4 Four adverts are proposed in total with the signage proposed to the front elevation and rear elevation being illuminated. Through negotiations the illumination has been removed from the West elevation which faces on to Downs Road, to ensure that the semi rural character of the road is maintained. In addition the lighting has been amended from internal to external lighting to be more in keeping with the advertisements in the surrounding area.
- 4.5 The signage is proposed to be located in logical locations on the building. There are a variety of adverts present in the area given the industrial estate location and therefore the specific design and size of the adverts are not considered to have a adverse impact on the site or wider area.
- 4.6 The adverts proposed to the side elevation and front elevation will be externally illuminated and given the position within the industrial estate officers are of the opinion that the level of illumination is acceptable.

Highway Safety

- 4.7 The adverts are not considered to have an adverse impact on highway safety and County Highways raise no objection.

Conclusion

- 4.8 Given the above, your officers consider this planning application to be in accordance with Policies BE15 and BE2 of the West Oxfordshire Local Plan 2011 and policies OS4 of the Emerging Local Plan 2016. As such, your officer's recommendation is one of approval, subject to conditions.

5 CONDITIONS

- 1 This consent shall operate for a period of five years from the date of this notice.
REASON: By virtue of the Advertisement regulations.
- 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.

Application Number	15/02410/FUL
Site Address	9 - 11 Burford Road Carterton Oxfordshire OX18 3AG
Date	9th September 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton
Grid Reference	428026 E 206869 N
Committee Date	21st September 2015

Application Details:

Proposed redevelopment of existing ground floor retail units to allow A1 and A3 use and two no. flats above. (Amended)

Applicant Details:

Mr Jason Rockett
C/O Agent

I CONSULTATIONS

- I.1 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
No objection
- I.2 Thames Water Waste Comments
Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
Water Comments
On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.
- I.3 WODC Env Health - Lowlands No objection to the proposed application, but I have the following observations on the proposed dwellings that could be fed back to the applicant.
1. The proposed open plan design of the living area and kitchen may lead to an increased risk of condensation and consequent mould growth problems.
2. There is no area shown that is vented to external atmosphere for the drying of clothes, which is a requirement of Housing Act Legislation.
3. There is no mechanical extract ventilation shown to the bathrooms or kitchen areas.
4. In the second bedroom, one of the single beds is shown as being against the wall underneath the window. The position of radiators is not shown and if it is under the window (which is the usual location) then this will lead to a hazard for the occupant as well as reducing the efficiency of the heating.

1.4 Town Council

COUNCIL RAISED STRONG OBJECTIONS to this application for the following reasons:- Council do not feel a piecemeal approach to development in the centre of town is helpful or compatible with the aspirations that have informed the recently completed Masterplan for the town. A piecemeal approach is detrimental to the proper planning of what could be a larger area suitable for development. This proposal only takes account of a small section of a larger parcel of land, possibly resulting in incompatible, unplanned and unsympathetic development.

Council is concerned that if this development is allowed, a precedent will be set and it will be difficult for the planning authority to refuse a similar development on a similar site, thus compounding the risk of the above.

Council believes there is economic potential to increase the numbers and/or scale of commercial enterprise in this part of the town and a piecemeal approach will not allow for such growth.

Council ask that this application be referred to the Full Lowlands Planning Committee.

2 REPRESENTATIONS

2.1 No comments received at the time of writing

3 APPLICANT'S CASE

3.1 A full Design and Access Statement has been submitted with the application. It has been amended to take into consideration the change of use from A1 (Retail) to an A3 use (Cafes and Restaurants.) Class. The submission can be viewed in full on line or by contacting officers. It has been briefly summarised as:-

- The site is located in the town centre of Carterton, along Burford Road. Stretching from Burford Road through to the playing fields at the back of the site, the linear site is currently occupied by a double shop frontage and unused storage sheds at the rear, accessed by an existing side road. The existing two storey element of the site has two shops at ground floor with storage rooms on the first floor. A number of windows have been blocked up and the storage above is of limited use. A small single story element projects from the main building. The rear of the site has a number of lean-to sheds, predominantly block work with some timber cladding. The sheds are used at storage and external workshop areas.
- The frontage is a double shop unit containing two shops with storage above. Parking is provided at the front of the site for the shops and visitors. This area is shared with the other units in the row. A public path runs along the south side of the site and connects the main road and the park. Both side of the path are lined by buildings and small walls, rising in height towards the park. None of the surrounding units face onto the park, with most units facing away from the park. To the north of the site the adjoining unit has a rear garden used for storage. This area has a few trees and dense planting, however none are on this site. The current surrounding boundaries are a mixture of block work walls, stone low level walls and fencing.
- The ground floor will consist of an A1 unit and A3 unit. Access is as existing, alongside the shop and next to the footpath. Replacing the boundary with a low wall will help strengthen both routes and secure pedestrians on the footpath side. Moving into the site, there is

access to a yard area for the shops units with storage. Next to this is access for the 2 flats above, secure bin and bikes racks are located at ground floor level next to the parking spaces. The flats are access up a set of steps onto a roof terrace area. Each flat has an individual area of terrace, surrounded by treated timber fences with areas for planters.

- A new boundary will be required to the site; this is intended to be a low wall along the access road and to the rear of the site. The new boundary will drastically improve the potential for future developments. It will also enhance the current site boundary aesthetically and for security.
- The existing building will be re-rendered and new shop front windows fitted, the existing roof tiles will be examined and replaced as required. The roof terraces for the flats will be timber to keep the materials soft and natural, with allowance for planting.
- The ground floor will consist of an A1 unit and and A3 unit with storage and access at the rear. The existing first floor is proposed at two flats with individual roof terraces. All have unallocated parking, bin and bike racks as well as some private amenity space roof terrace.
- The proposed development would provide a total of 2 dwellings which will consist of 2 flats and would be delivered through the remodelling of the existing two-storey building.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

CA2NEW Carterton Town Centre Strategy

SH3 Changes of Use in Town Centres

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

5 PLANNING ASSESSMENT

- 5.1 The application is to be heard before the Lowlands Planning Sub-Committee as the Town Council have raised objections.

Background Information

- 5.2 Members will recall that a previous application on this site was refused earlier this year. The application proposed the redevelopment of the existing retail unit with 2, 2 bed flats above, 1, 2 bed flat over parking, 2 x 2 bed houses, and 1, 3 bed house including associated bin and bike stores, private amenity space and parking. The application was refused for the following reason;
- 5.3 The proposed development by reason of its form, density, scale and layout will result in an over development of the site and fails to have regard to the Carterton Town Centre Strategy's aims as per Policy CA2 of the emerging West Oxfordshire Local Plan. In addition the layout of the proposed development will adversely affect the residential amenities of the proposed occupiers of the new accommodation and as such the proposal is contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and Policy CA2 of the Emerging West Oxfordshire Local Plan.
- 5.4 This current application has been amended to include change of use from a retail use to cafe and restaurant use for one of the ground floor retail units.

- 5.5 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

- 5.6 The proposal to create 2 separate flats above existing commercial uses within town centres is supported by current and emerging Local Plan policies. This is due to the town centre being a sustainable location. There are numerous flats above various commercial uses within Carterton Town Centre.
- 5.7 In terms of the Town Council's comments, officers have had regard with the design strategy for Carterton town centre. This was to provide guidelines for key sites in the town centre, and the Burford Road area has been identified as one with opportunities for improvement.
- 5.8 The strategy states that, 'The parade of shops along Burford Road and area behind provides an opportunity to increase connectivity east-west through to the town centre, better integrate the back-land areas around the recreation ground, improve the retail offer for the town as a whole, and improve the quality and image of the built environment along this part of the main street'.
- 5.9 The same area has been identified in the proposed submission Local Plan as a 'Potential Development Area' within the town centre. Policy CA2 of the emerging plan aims to provide more active and vibrant frontages and efficient use of available space potentially through mixed-use development of complementary uses. It also includes that the side elevation of the building and application site which has the existing footpath link to the recreation field, play area and car park to have improved frontages.
- 5.10 Officers consider that with the reduction of development which is now proposed, there is still opportunities for improvement to the immediate area and the area behind, which will not compromise the residential amenities of the proposed occupiers of the flats. There are proposed to be roof top amenity areas, but due to the distance between those and to the rear of the site, officers do not consider that any future development would result in harm to the occupiers' amenities.
- 5.11 The proposed uses at ground floor are for the retention of one of the existing retail units (A1), and for an A3 use. As the application is only for a change of use, there are no full details of any future occupier or the type of cafe or restaurant use. This use does not include takeaway use. Any extraction mechanism or flues will require separate permission, and officers have included a note within the recommendation.
- 5.12 In addition officers have also included a condition to restrict the opening times of both units to protect the residential amenities of the proposed flats and existing occupants. If any changes are required, a separate application is also required.

Siting, Design and Form

- 5.13 The only external changes to the building are for it to be re-rendered, new shop fronts, and new openings to be installed. Officers do not consider that the changes will adversely affect the visual amenity and appearance of the existing streetscene.

Highway

- 5.14 OCC Highways have no objection to the proposal. There is an existing car park to the front of the shops, and a car park to the rear.

Residential Amenities

- 5.15 Officers consider that there would be limited impact to existing residential properties. Officers have included various conditions to protect residential amenity of both the existing and proposed occupiers of residential flats within this area.

Conclusion

- 5.16 Officers consider that this proposal is significantly less harmful than the previous refused scheme. It allows for new development to the whole parade and to the area behind. The footpath to the recreation ground will retain its open character.
- 5.17 The commercial uses at ground floor, A1 and A3, will add to the mix of units along this area and will encourage people to use the existing shops and the services they provide. As such officers recommend approval with suggested conditions.

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 the Town and Country Planning Act 1990 as amended by 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.
- 4 Details of the design and specification of all means of enclosure for the decking area shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the flats are occupied.
REASON: To safeguard the character and appearance of the area.
- 5 The premises shall be used for Class A3 uses only and for no other purpose (including any other purpose in Class A of the Schedule to The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: The site is only suitable for the use specified because of the special circumstances of the site.
- 6 The premises shall not be open for customers outside the following hours: -
0900 - 17.30; Mondays - Fridays
0900 - 17:00; Saturdays
REASON: To safeguard living conditions in nearby properties.
- 7 Prior to the first use of the A3 unit, details of any extraction ducts/systems and flues shall be first submitted to and approved in writing by the Local Planning Authority. The installation of any such equipment shall be carried out in accordance with those details.
REASON: Control is needed to protect the residential amenities of nearby residential properties.

Application Number	15/02415/FUL
Site Address	24 High Street Witney Oxfordshire OX28 6HB
Date	9th September 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney
Grid Reference	435632 E 209818 N
Committee Date	21st September 2015

Application Details:

Change of use of Unit A on the ground floor from class use A1 (shop) to class use A3 (restaurant and cafes). Provision of outdoor seating area and installation of extract and ductwork system.

Applicant Details:

Mr Colin Fenn
5 Lecky Street
London
SW7 3QP

I CONSULTATIONS

- I.1 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
No objection

- I.2 WODC Architect No Comment Received.

- I.3 WODC Env Health - Lowlands No objection to the above application in principle, but there are no details submitted of the proposed extract ventilation system. I would therefore ask that conditions be attached to any consent granted along the following lines.
No work shall be started until full details of the proposed extract ventilation system are submitted and approved by the Local Planning Authority. Information shall include details of odour abatement (which shall be suitable for the type of foods to be prepared) and of noise levels that will be produced along with proposed noise attenuation measures. Noise attenuation shall include vibration where appropriate.
Hours of use of the extract ventilation system shall be restricted to 10.30- 22.00 Mondays to Fridays, 10.00 to 23.00 on Saturdays and 11.00 to 21.00 on Sundays.

- I.4 WODC Building Control Manager This will be subject to building regs

- I.5 WODC Licensing No Comment Received.

- 1.6 Town Council Witney Town Council strongly objects to the change of use from A1 (shop) to A3 (Restaurant and cafes) due to the loss of retail space in a prime town centre location in the High Street.
The committee also objects to the provision of outdoor seating as it falls inside a pedestrian crossing zone and seating in the area will also restrict the flow of pedestrian traffic, in particular for parents with push chairs and disabled people.

2 REPRESENTATIONS

- 2.1 5 letters of objection have been received. In addition a petition of over 300 signatures has been received from Larry and Jan Bowes of the Bakehouse Diner.

- 2.2 The comments have been summarised as:-

- We have enough coffee shops in Witney. It's in a very central position and needs to be something that will attract people to want to come to Witney.
- As both a Witney resident and local independent business owner I object to the proposed change of use for these premises. Witney already has an abundance of places to eat and drink, from free hot drinks in Waitrose to one of the 4 (soon to be 5 with Coffee#1's arrival) chain coffee shops to various independent cafes, pubs and restaurants - there is plenty of choice for the average Witney local or visitor.
- This is disproportionate to the number of retail shops in the town centre. By allowing another chain restaurant with a very similar menu to some of the other chains in Witney (Como Lounge, Bills..), there is no benefit to the people of Witney. Further restaurants do not compliment existing independent food providers, whereas retail shops tend to specialise and therefore supplement each other (be they chain or independent). For example, in buying an outfit, one may visit one shop for shoes, another for clothing, another for accessories.
- It is my opinion, and that of many others I have spoken to in Witney, that another chain restaurant will not add positively to the diversity of the High Street in Witney.
- I live in a village local to Witney and work in Witney. I shop and socialise in Witney with family and friends. I have seen Witney develop in the 15 years I have worked here and it is a town which retains much of its character whilst meeting the needs of the local community.
- One of the things which makes Witney unique to other local towns and cities is the independent shops and cafes, mixed with some chains. My concern with opening a big chain café would be that it impacts the trade of many of the fabulous independent local cafes. There are a lot of cafes in
- Witney, offering different things. We already have sufficient chain cafes - lets try to keep things local, keep Witney unique and retain our independent cafes and small businesses. I don't have any connection to local cafes and businesses - other than being a regular customer at a number of them.
- We already have many coffee shops in Witney and a chain coffee shop dilutes the character and individuality of the town. You could be on any high street in any town. The independent cafes we do have excel themselves with the service they provide and the food and drink they serve. A coffee shop with outdoor seating would block the pavement and make it hard for ALL pedestrians to navigate the area. The high street is a busy road with lots of buses and cars travelling up and down and stepping out onto the pavement would be extremely hazardous.

- A simple question, the pavement was widened on the high street but all that caused was puddles along that area and now the above application has applied for seating outside the premises. This will cause more congestion.
- Which defeats the object of having a wide pavement with puddles. Then you will get someone with a pram sitting outside causing more problems.
- The next thing you will get the Bake House Café saying if they can have seats outside so can we.
- Where does it stop with all this outside seating areas? I hate to think what Witney is becoming.
- We have over 40 places to eat and drink in Witney Town Centre.
- Witney is in danger of becoming a cloned town and independent shops are in the desperate struggle to survive against the chained stores and on regular months of extreme hardship having to put their own savings in just to stay afloat as are we. Is this what the people of Witney really want. We know its not, we have heard different. Over 300 of our customers don't think so and know doubt many more. Please stop this change of usage now, for the sake of the true shop owners and people of Witney.

3 APPLICANT'S CASE

A Design and Access Statement has been submitted with the application. It has been summarised as:-

- This application follows the planning permission to split the ground floor into two retail units, unit A and unit B, and this Design and Access Statement is in support of the planning application to change the use of the unit A from shop, use class A1, to restaurants and cafes, use class A3, whereas unit B will still remain an use class A1 (See the appendices).
- The proposal is to convert the Unit A (see appendix B) on the ground floor in a restaurant and cafe space with dining, kitchen, bar and an outdoor seating area on the rear of the buildings.
- With the change of use to restaurant and cafe there will need to be extract and ductwork installed through the first floor to the middle flat in accordance with all environmental and building regulation requirements (see appendix B).
- It is proposed to use part of the area at the rear for restaurant but the car parks will still remain but as two spaces.
- It is most certain that the restaurant will be the Boston Tea Party restaurant and unit B will be Jigsaw.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

SH3 Changes of Use in Town Centres

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

5 PLANNING ASSESSMENT

- 5.1 The application is to be heard before the Lowlands Planning Sub-Committee as the Town Council have raised objections to the proposal.

Background Information

- 5.2 The application site is located along the High Street and located near to the pedestrian crossing. It is within the Conservation Area, but the building itself is not Listed. The building used to be Lloyds Pharmacy and has had permission granted to be separated into two retail units. This application is for the change of use of one of those units to an A3 use. Also proposed is outdoor seating, this is to the rear of the building, and not to the pavement to the front at High Street.
- 5.3 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

- 5.4 In principle, the change of use from retail to restaurant/cafe uses are generally permitted. Although the concerns expressed in response to the application have been taken into full consideration, officers have to assess the proposal on planning issues in terms of amenity issues and so forth. Issues such as the number of existing A3 uses and the type of use cannot be considered.
- 5.5 Officers consider that the proposed use would not harm the vitality and viability of the existing town centre.
- 5.6 The new legislation brought in by the current Government has also allowed such uses to become permitted development subject to conditions. As an extract system is proposed as part of the application, a formal planning application is needed in this instance.

Siting, Design and Form

- 5.7 A previous application has been approved for changes to the shop front. This was considered acceptable by the Town Council and your Conservation officers. The siting of the outdoor seating area is to the rear of the unit.

Highway

- 5.8 OCC Highways have not objected to the scheme.

Residential Amenities

- 5.9 In terms of noise and amenity issues, your Environmental officers have no objections to the scheme but have requested conditions to be included as part of any approval. These are included with the list of suggested conditions.
- 5.10 The outdoor seating area is to the rear, and although a development at first floor level has been approved for residential, due to the type of use, officers do not consider that issues regarding noise and smell would result. No opening times have been included, but officers have included a condition requesting this information prior to the first use.

Conclusion

- 5.11 Officers have noted all of the comments received from the representations. However your officers consider that the proposal is compliant with the relevant shopping policies of the WOLP in that such a use would be of benefit to the town centre in terms of increasing its vitality and viability.

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 the Town and Country Planning Act 1990 as amended by 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 Prior to the first use of the hereby approved use, details of the opening times shall be first submitted to and approved in writing by the Local Planning Authority. The approved times shall be hereafter adhered to.
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.
- 4 The premises shall be used for a restaurant and cafe use and for no other purpose (including any other purpose in Class A; of the Schedule to The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: The site is only suitable for the use specified because of the special circumstances of the site.
- 5 No work shall be started until full details of the proposed extract ventilation system are submitted and approved by the Local Planning Authority. Information shall include details of odour abatement (which shall be suitable for the type of foods to be prepared) and of noise levels that will be produced along with proposed noise attenuation measures. Noise attenuation shall include vibration where appropriate. Hours of use of the extract ventilation system shall be restricted to 10.30- 22.00 Mondays to Fridays, 10.00 to 23.00 on Saturdays and 11.00 to 21.00 on Sundays.
REASON: To safeguard living conditions in nearby properties.

Application Number	15/02489/FUL
Site Address	Badgers Car & Commercial Corn Street Witney Oxfordshire OX28 6BZ
Date	9th September 2015
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Witney
Grid Reference	434944 E 209769 N
Committee Date	21st September 2015

Application Details:

Change of use of bodyshop from car repairs (sui generis) to AI retail, alterations to existing vehicular access and associated parking (amended plan).

Applicant Details:

Mrs Kate Pollard
35 Bridge Street
Witney
Oxon OX28 1DA
United Kingdom

I CONSULTATIONS

1.1 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.

No objection subject to
- G11 access specification
- G36 parking as plan
- G31 drive/parking space specification

1.2 WODC Drainage Engineers No Comment Received.

1.3 Town Council Witney Town Council has no objection to the change of use in principle but without the correct infrastructure and access challenges, has to object.

The committee are concerned about how the retail unit is going to be serviced. There is no safe entry and exit or turning facilities at the site, in particular for any deliveries of large HGV's or any facility for parking. The committee were further concerned about the restrictive access this would give to the properties in the locality along the bus stop.

Witney Town Council considers this to be contrary to Policy BE3 of the West Oxfordshire Local Plan 2011.

2 REPRESENTATIONS

2.1 No letters of representation have been received.

3 APPLICANT'S CASE

3.1 The planning statement submitted with the application outlines the applicant's case in full which can be viewed as part of the application, the conclusion states:

- The proposed change of use would allow the applicants` business to expand efficiently and would comply with both national and local employment policies to encourage the development of small businesses in sustainable locations, within rural towns. Indeed the government are relying on such small businesses to develop in order to fuel the country's economic recovery.
- The application site is sustainably located close to Witney town centre, a major public transport hub, and is on a major transport route into the centre with the town`s bus depot adjacent. There are also good pedestrian and cycle links to the town centre from the application site
- The proposed change of use will create the opportunity for a well-established and respected retail business to replace the established car repair use on the site and the itinerant businesses which have used the building over recent years. In order to attract customers, the applicants will improve and maintain the building and its curtilage, thereby considerably enhancing the visual impact of the site in the immediate area.
- The proposed use will be a far more compatible use to the adjoining residential occupiers to the west and the proposed new housing to the north, removing the noxious odours and noise which emanate from car repair workshops.
- The building has been provided with 7 off-street parking spaces and a turning area as well as ensuring that access is maintained to the new housing development to the north. It is not anticipated therefore that there will be any highway safety issues arising from the proposed development.
- As the proposed development complies with the requirements of the development plan and there are no other material planning considerations, there are no reasonable grounds for refusing planning permission.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

SH3 Changes of Use in Town Centres

OS2NEW Locating development in the right places

E6NEW Town centres

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

- 5.1 The application seeks permission for the change of use of a car repair and body shop business (sui generis) to a retail shop (use class A1) along with alterations to the existing vehicular access. There are no changes proposed to the appearance of the building.
- 5.2 The application site is accessed from Corn Street and currently comprises a large warehouse building. The site is located between the existing bus depot and Corn Street which comprises residential development. In addition the site located directly behind the site has been subject to a number of planning applications relating to residential development which is also on today's agenda.

- 5.3 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

- 5.4 Policy SH3 supports the change of use of existing premises to use Class A1 in Witney. Therefore the principle of the change of use of the building is considered acceptable subject to compliance with the other relevant policies detailed within the development plan.

Siting, Design and Form

- 5.5 There are no external alterations proposed to the building.

Highway

- 5.6 The Town Council have objected to the development on highway grounds, specifically how the retail unit is going to be serviced by HGV and the impact this will have on the site and neighbouring properties.
- 5.7 The application proposes to widen the existing access and provide 7 parking spaces. The parking spaces will be located to the front of the site to allow the access to the side to remain free. The widening of the access to 5m is considered acceptable to allow sufficient visibility for those cars entering and leaving the site
- 5.8 Oxfordshire County Highways have been consulted on the application and raise no objection to the proposal or highway arrangement subject to conditions requesting additional information.
- 5.9 Officers are therefore of the opinion that given highways response the proposal is considered acceptable on highway grounds.

Residential Amenities

- 5.10 It is considered by your officers that there would be no impact by the change of use of the building to the detriment of the immediate neighbouring properties.

Conclusion

- 5.11 Given the above, your officers consider this planning application to be in accordance with Policies SH3, BE2 and BE3 of the West Oxfordshire Local Plan 2011 and policies OSI, E6 and T4 of the Emerging Local Plan 2016. As such, your officer's recommendation is one of approval, subject to conditions.

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 the Town and Country Planning Act 1990 as amended by 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 means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 4 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.
- 5 The building shall not be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that building has been constructed, laid out, surfaced, lit and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety.

NOTE TO APPLICANT

Please note that any external alterations to the building or associated adverts would require separate permission/consent.

Application Number	I5/02568/FUL
Site Address	Gateway House Windrush Park Road Windrush Industrial Park Witney Oxfordshire OX29 7EY
Date	9th September 2015
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Witney
Grid Reference	433443 E 210435 N
Committee Date	21st September 2015

Application Details:

Erection of terrace of industrial units with associated parking.

Applicant Details:

Mr Jim Yates
The Estate Office
Blenheim Palace
Woodstock
Oxfordshire
OX20 1PP

I CONSULTATIONS

I.1 OCC Highways

1. Parking and Manoeuvring Details

The proposed parking layout seems okay. However, I shall need tracking details showing manoeuvre of vehicles in/out of parking spaces with a stationary HGV.

2. Pedestrian and Cycle Infrastructure

Having examined the drawings submitted, I have noticed an absence of pedestrian infrastructure on site which raises a safety concern given the fact that the site is well accessible by public transport. My recommendation is that I have no objections in principle to the proposals subject to planning conditions being added to any approval along these lines:

Conditions

1. Parking and Manoeuvring Area Details

Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surface finish and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety and to comply with the Government guidance contained within the National Planning Policy Framework.

2. Pedestrian Footway Provision

Prior to the first use of occupation of the development hereby permitted, pedestrian facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Highway Authority. Thereafter, the pedestrian facilities shall be permanently retained and maintained for walking by staff and visitors in connection with the development. Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

- | | | |
|-----|------------------------------|---|
| 1.2 | WODC Planning Policy Manager | No Comment Received. |
| 1.3 | WODC Env Health - Lowlands | No Comment Received. |
| 1.4 | Town Council | Witney TC has no objection but would like to secure section 106 contributions towards a second access to the West Witney Sports complex and use as an overflow car park at weekends |

2 REPRESENTATIONS

- 2.1 None received at the time of agenda preparation but if any are received they will be reported by way of the additional representations report or verbally at the meeting.

3 APPLICANT'S CASE

- 3.1 Writing in support of the application the agent advises as follows:

- The new multi-unit industrial scheme replaces an under-utilised storage yard with single storey office and stands in a prominent position at the entrance to the Windrush Industrial Estate. This is a landmark site and its redevelopment will assist in elevating the profile of the estate as a whole.
- The scheme of four individual units would help alleviate the inadequate supply of industrial units in the Witney area. They will be built to the required modern operating and environmental standards and will give occupational flexibility from 660.7 sq metres to 2,801.6 sq metres GEA in total.
- As well as the scheme being the first multi-unit industrial development in over five years in Witney, it will form an integral part of the master plan for Windrush Industrial Estate aimed at providing a cross section of unit sizes, thereby facilitating the growth of locally based small and medium sized businesses, as well as attracting new employers into Witney. The Windrush Industrial Park is part of the principal emerging employment area in west Witney, and its evolution will be central to the growth of that area.
- The supply of high quality, modern industrial space in the District is running at a very low ebb.
- According to the Commercial Property supplement of the Business Barometer published by Meeson Williams Phillips in the Oxford Times In Business, between March 2014 and April

2015 the supply of industrial units in Witney of between 465 sq mtrs and 929 sq mtrs has represented roughly 1/3 of the total number of units on the market. In May 2015 there were only three units on the market within this size range, all of which were older buildings. Benedicts and Meeson Williams Phillips are currently registering eleven local businesses with requirements in this size range, although the availability of newly built units would almost certainly generate additional direct enquires from both local businesses and further afield, due to the limited supply elsewhere in the county.

4 PLANNING POLICIES

BE2 General Development Standards

E2 New Employment Sites in Towns and Larger Villages (Group C)

OS4NEW High quality design

E1NEW Land for employment

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

5 PLANNING ASSESSMENT

- 5.1 This application relates to a vacant plot of land located at the entrance to the Windrush Park industrial estate. It seeks demolition of the existing security building and erection of a series of industrial units on part of the existing communal car parking area. Additional displaced car parking is to be provided elsewhere on the estate.
- 5.2 The building proposed is essentially a large flat roofed box with a series of entrance features on the elevation facing towards the main site access. 4 units are proposed each with its own servicing and parking arrangements. A landscape buffer is proposed to the frontage of the site to enhance the main approach to the estate as a whole. The sides and rear of the building will be clad with metal cladding in a silver colour and the frontage will be fairfaced concrete blockwork or similar. The site backs onto the West Witney sports facility.

Background Information

- 5.3 The site originally functioned as the communal car park for the estate as a whole and has been the subject of previous applications for commercial development.
- 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:

Principle

- 5.5 The site forms part of one of the key industrial complexes in the town. The communal car park is no longer required as the use of the site has become more fragmented and the existing main user is to have a dedicated car park provided to the rear of their premises where it is more closely located to serve the business. In this regard the proposal is considered to represent a key indicator that the general location is attractive to business occupiers and a welcome expression of confidence in the commercial attraction of the location and the town more generally. The principle is thus considered acceptable.

Siting, Design and Form

- 5.6 The building is not of any great architectural merit being a functional box that will be suitable to meet a wide variety of potential commercial occupiers. That having been said its scale and form are not overly assertive and the provision of additional landscaping along with the retention of the established frontage landscaping will both help to ensure that the buildings are assimilated into the overall streetscene.

Highway

- 5.7 Highways have raised no objections subject to the imposition of conditions. Your officers are satisfied that the parking and manoeuvring arrangements appear satisfactory and will enable the building to operate without highway harms.

Residential Amenities

- 5.8 There are no residential properties in the locality. However users of the bowls club and tennis facility at West Witney Sports complex will notice a change in outlook in that the current open car park will be replaced with effectively a two storey building. However the impact is not considered so great that it would amount to a reason for refusal.

Other issues

- 5.9 It is not considered that the request from the Town Council would amount to a reason to refuse permission were the applicant not to allow shared access to the car park but equally the request may help alleviate congestion at the sports ground and so if the applicant were willing to offer shared use this would be welcomed. At the time of agenda preparation this matter is still under negotiation and as such a verbal update will be given at the meeting.
- 5.10 Members will also note that a separate application has been tabled for use of the gatehouse as a gym. The use as a gym would preclude its demolition and negate the benefits that replacement with landscaping would provide. Officers understand that the gym use is intended to be an interim solution and that dependant on the take up of the units the subject of this application the gym use would cease. Conditions would be needed to ensure that the two consents were not operated concurrently.

6 CONDITIONS

Subject to clarification of the Town Councils request for use of the site for overspill parking and greater certainty regarding the gym use it is anticipated that the scheme will be recommended for approval subject to conditions to cover:

Time limits
Approved plans
Highway conditions
Materials samples
Advertisement zones
Provision of landscaping
Non concurrent use of this scheme with the gym scheme
Restricting use to class B only
Etc

Application Number	15/02590/S73
Site Address	Barn 3 Goodfellows Yard Filkins Lechlade Oxfordshire GL7 3JG
Date	9th September 2015
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Filkins And Broughton Poggs
Grid Reference	423647 E 204250 N
Committee Date	21st September 2015

Application Details:

Variation of condition 2 of planning permission 14/0175/P/FP to allow design changes also discharge of conditions 3, 6 and 7.

Applicant Details:

Mr Neil McIntyre
Home Farm
Bradwell Grove
Burford
Oxon
OX18 4JW
United Kingdom

1 CONSULTATIONS

- 1.1 WODC Architect No objection
- 1.2 Parish Council

Our only objection to the variations proposed is the change in roofing material. The design and access statement asks for blue/black slates rather than imitation stone slate. The original permission stated "the roofs of the existing barns shall remain of natural stone slate and a sample of such to be used for barn 3b shall be submitted to...etc.

The condition indicates natural stone roofing which specifically described on p12 of the design and access statement in the originally approved application, not "imitation stone slates".

The overall natural stone walling and roofing materials is consistent and an important feature of this significant group of buildings in our conservation area. The original sheeting to be removed is of a very similar colouring; blue/black slates would, in our opinion, be totally unacceptable in the building group and visible from the road and from the village centre across the land behind the site.

2 REPRESENTATIONS

- 2.1 Comments have been received from Ms Cowburn of Goodfellows Cottage. The comments have been summarised as:-

- The revised layout seems logical and is an improvement.
- Proposed Roof finish to Barn 3B.
- I understand the current permission calls for diminishing course natural local stone slates to match existing elsewhere. Blue slates as a finish are alien to this location. The current roofing material is a close colour match and blends well with the other roofing materials in this group of buildings. A blue slate finish will always stand out as a much darker contrast at variance with the mellow stone surroundings.
- This Barn is very clearly seen from the Village Centre across the field directly behind Barn 3B and also from the Village Street and access driveway to Goodfellows Yard group of buildings, to which it belongs. The roof pitch is 32.5 degrees which is perfectly suitable for the stone slates as first approved but may need a sarking under layer to guard against wind driven snow or rain.
- Alternatively well selected reconstructed diminishing course stone slates could be used. Bradstone produce a 'Cotswold' slate which is suitable down to a 30 degree pitch.

Bats

- Barn 3B was identified in the current permission as being required to house protected bats within its roof voids.
- If this is not now the case where are they to be housed ? The design for Barn 3B suggests a vaulted ceiling internally which appears to be in conflict with the current permission as it may eliminate accommodation space for bats.

Fenestration

- Window W5, Barn 3A has not been identified on drawings as having obscure glazing as previously agreed with the planning officer during consideration of the current permission.

3 APPLICANT'S CASE

3.1 A Design and Access Statement was submitted as part of the application. It has been summarised as:-

- The current permission relates to the 'Conversion of agricultural buildings to form 3no. dwellings. Erection of two car parking barns and ancillary outbuildings. Change of use of agricultural land to form residential curtilage'.
- The site is being sold in 3 lots and this application relates to Barns 3A & 3B referred to in the above permission.
- Proposed variations:
- Barn 3A: Revised internal layout to make better use of the existing volume of the structure with the main alteration being the positioning of a bedroom & en suite in the roof space. Externally this has meant two additional rooflights which face into the courtyard on the North elevation. During planning officer pre-application consultations these proposed variations were considered acceptable as they had no impact on the street scene elevations.
- Barn 3B: Revised internal layout and subsequent repositioning of door and window openings together with an additional rooflight in the South elevation into the courtyard. The vertical glazed panels on the courtyard elevation maintain an agricultural feel to the conversion and the glazed doors at both ends of the main room will allow glimpses through the building to the rear garden from Barn 3A. A woodburner is shown to provide supplementary carbon neutral heating with a black powder coated flue pipe where visible above the roof surface (see below). A natural blue/black slate is proposed and is considered more appropriate (and traditional) for the existing roof pitch rather than an imitation stone slate as required under Condition 3 of the existing approval. These variations were considered acceptable through planning officer pre-application consultations.

- As part of this application we also request consideration for the variation/discharge of pre-commencement conditions namely:
Condition 2: Revised drawings
Condition 3: Blue/black roof slate sample
Condition 6: External joinery details
Condition 7: Means of enclosure

3.2 Further comments were also received regarding the use of blue/black slate. These have been summarised as;

- '.....We also met the builder working on Barn 2 yesterday. He was born in the village and used to work for the builder that occupied Barn 1. He has maintained all the barns for years and knows everything about them. He is of the opinion that the cart lodge was built in the 30s (or maybe a smaller building replaced) at the same time as the bowling club etc when Sir Stafford Cripps had just bought Goodfellows and was investing in the village. The original survey for the site suggested that the building may have been altered more recently when the RSJ was inserted, possibly in order to reduce the number of bays. In any case, it is considered less important than the 3 main barns, it's only interest being that it is part of the group.....'
- '.....According to the latest draft West Oxfordshire design guide, the council disapprove of imitation stone tiles or of changing the pitch of a roof to accommodate them. They also state that there is absolutely nothing wrong with slate..... the Methodist Chapel (the other side of our neighbour) and the bowls club which is in sight of our barn, and the woollen weavers all have slate roofs and are all prominent buildings in the village'

4 PLANNING POLICIES

NE15 Protected Species
BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
BE10 Conversion of Unlisted Vernacular Buildings
H2 General residential development standards
H5 Villages

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

5 PLANNING ASSESSMENT

5.1 The application is to be heard before the Committee as the Parish Council have objected to the proposal.

Background Information

5.2 The application is seeking approval for variation of condition 2 of a previously approved application:

14/0175/P/FP - Conversion of agricultural buildings to form 3 dwellings, erection of two car parking barns and ancillary outbuildings, change of use of agricultural land to form residential curtilage.

- 5.3 Condition 2 relates to the approved plans. The proposed changes include alterations to the internal layout, repositioning of doors and windows, insertion of roof lights, addition of flue, and use of natural blue/black slate. Also included is information to discharge certain conditions attached to the previous approval.
- 5.4 The application site is located within the village of Filkins and the Conservation Area. Of the three barns, Barn 2 has recently had permission granted for variations to the approved plans. This application refers to barn 3A and 3B. Barn 3A is sited adjacent to Chapel Lane and of single storey form.
- 5.5 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

- 5.6 With all barn conversions, it is important that any modifications needed to successfully convert the buildings to domestic use, are sensitively carried out and the openings etc are kept to a minimum. This is to ensure that the former traditional appearance of the buildings is retained.
- 5.7 Officers consider that the internal changes are acceptable. The comments received from the representation are discussed under Residential Amenity.
- 5.8 In terms of 3A, the new roof lights are situated to the inner slope (North elevation) and are to be of conservation types - smaller than the usual domestic roof light. The roof lights will not be visible from outside of the development and as such the rural appearance from Chapel Lane will be retained. The number of roof lights (2) are considered to be minimal and not to clutter the roof space. The number of roof lights proposed are minimal, and are considered much more sympathetic than a domestic dormer window.
- 5.9 Barn 3B is located further into the site. The revised internal layout and repositioning of a door and window openings with the additional roof light to the south elevation are considered acceptable. Also proposed are vertical glazed panels which officers do not consider adversely affect the appearance of the building.
- 5.10 The insertion of the flue has been sited sympathetically to the existing building and will have a black powder coating to further minimise its impact.

Siting, Design and Form

- 5.11 With regards to the proposed roofing material for Barn 3B, this barn was originally a secondary barn to the main farm buildings on the site. Its current roofing is corrugated sheeting due to the low roof angle. The proposal to use a muted black/blue slate is considered by your officers and Conservation officer to be acceptable. It is considered that the use of such a material will differentiate the main building at 3A from the ancillary use for Barn 3B and it is a material which is seen on other agricultural buildings.
- 5.12 The comments received have been noted and as such the applicants are seeking a more muted colour of slate. A sample is anticipated to be viewed before the meeting. Officers consider that a natural roof covering which is able to be used on a lower angled roof slope is a better approach than to use alter the existing roof slope to accommodate artificial slates. Due to the positioning of Barn 3B, officers do not consider that the building will be significantly visible

Chapel Lane and the Conservation Area. Although the group of buildings can be viewed from the village centre from across the fields to the rear, officers do not consider that it will detract and erode the character and appearance of the village as a whole.

Highway

- 5.13 There are no proposed changes that will alter the approved car parking or access.

Residential Amenities

- 5.14 In terms of the window to Barn 3A, there was not a condition requesting it to be obscurely glazed as part of the approval of the previous consent. Having reassessed the window and the proximity of the neighbouring property, officers consider that the window will not adversely affect issues of overlooking to the front of that property.
- 5.15 With regards to ecology and the presence of bats, a condition was attached to the original decision requesting details of bat and bird boxes. This condition has been formally discharged with the sites shown for the boxes to be located. As such officers consider that the use of the roof space will not interfere with the bat/bird habitats.

Conclusion

- 5.16 Officers have considered all of the comments received, but consider that the alterations proposed, have been carefully positioned and designed so as not to have an adverse impact to the former traditional barns appearance and character. Officers have also received confirmation from the Conservation officer that the details submitted for the discharge of conditions are also acceptable. Conditions have been repeated for this approval where needed.

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 the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 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.
- 3 All external rainwater goods shall be in cast iron or aluminium.
REASON: To safeguard the character and appearance of the area.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions, porches, conservatories and so forth other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed to retain the former agricultural character and appearance of the barns and overall locality.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows/roof lights shall be constructed in the any of the elevations of the buildings.
REASON: To safeguard privacy in the adjacent property and to retain the former agricultural character and appearance of the barns and overall locality.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road or footpath shall be constructed or erected, other than those expressly authorised by this permission.
REASON: To safeguard the open plan character of the development/ to safeguard the character and appearance of the area.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fences, gates or walls or other means of enclosure shall be constructed or erected other than those expressly authorised by this permission.
REASON: To safeguard the character and appearance of the area.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no outbuildings, sheds, greenhouses and other such buildings, flues and any form of security lighting other than those expressly authorised by this permission, shall be erected or fitted.
REASON: Control is needed to retain the low key rural character of the locality, and to protect the residential amenities of the adjacent properties.
- 9 The carport(s) shall not be altered or enclosed and 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.
- 10 Vision splays shown on the submitted plan shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.9 metres above the level of the access they are provided for.
REASON: In the interests of road safety.
- 11 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling has been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety
- 12 The external walls of the main barns shall be constructed with natural stone, with the outbuilding to Barn 1 and car ports to be of timber, samples of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the area.

- 13 The ancillary accommodation hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling or for commercial purposes.
REASON: A separate dwelling in this location would harm the residential amenities of adjacent properties and would intensify the existing access resulting in highway safety issues.
- 14 No building shall be occupied until the sustainable urban drainage scheme for the site has been completed in accordance with details which shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. <Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset.> The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.
- 15 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.

Application Number	I5/02879/FUL
Site Address	Land East Of Brize Norton Road Minster Lovell Oxfordshire
Date	9th September 2015
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Minster Lovell
Grid Reference	431488 E 210913 N
Committee Date	21st September 2015

Application Details:

Erection of six dwellings with associated works.

Applicant Details:

Mrs J Edginton and Mr D Howells
22 Rowell Way
Chipping Norton
Oxon
OX7 5BD

I CONSULTATIONS

I.1 Parish Council

This site has been the subject of a number of planning applications over recent years - the previous application resulting in a refusal decision which was upheld by the Planning Inspectorate. The Planning Inspectorate felt that the parcel of land in question was valued for its open character in the Village that added to the streetscene in general. The previously proposed application was considered to have an undue urbanising influence harming the amenity of neighbouring dwellings.

Minster Lovell Parish Council recognises the need for more houses in the District and wishes to support this as much as possible. Whilst it is considered an 'acceptable' location for small scale development, the Council is very concerned that the proposed access point of the development is located at a dangerous bend in an area where there is a substantial amount of existing traffic movement (from St Kenelm's Hall and Crescent Stores Spar Shop).

Also of concern is the capacity of vehicles on the Brize Norton Road and the application will add a further 18 cars to the existing volume. An increasing number of HGVs use the road and when two medium/large vehicles meet, the footpath has to be mounted in order to do so which compromises pedestrian safety.

In view of the above, the application is considered contrary to policy BE3 (Provision for Movement and Parking) of the Local Plan 2011, T1 of the Emerging Local Plan and point 32 of the NPPF.

Please see Appendix A (Planning Obligation) in the event that the application is approved.

The Parish Council is not the planning authority and the decision to

approve or refuse this application is out of its control. In the event that the application is approved, the Parish Council seeks contributions for community facilities as detailed below:-

- A contribution is sought towards the refurbishment costs of Ripley Avenue Play Area (LEAP). The Play Area is c.14 years' old and the Parish Council is saving towards refurbished/new facilities for the area. The Ripley Avenue LEAP serves approximately 45 properties and is very well used. The safety surface continues to be repaired and along with the play equipment, has exceeded its expected life by 4 years. It is estimated that new equipment and surfacing will cost in excess of £50,000.
- A contribution is sought towards the procurement of a new Village Burial Ground. There are c.40 usable plots left at St Kenelm's Church and the Parish Council is currently identifying a suitable parcel of land to meet demand in the coming years. Funding will be spent on purchasing land, access/car parking provision and any other associated requirements. The costs are currently unknown as the project is in its infancy.

1.2	WODC Architect	No Comment Received.
1.3	OCC Highways	No Comment Received.
1.4	WODC Planning Policy Manager	No Comment Received.
1.5	WODC Head Of Housing	No Comment Received.

2 REPRESENTATIONS

2.1 Letters have been received from the Smith, Pateman Bentley and Cridland Households along with the Minster Lovell Playing field trust. The comments raised may be summarised as follows:

- Plot 1, The garage is situated too close to the neighbouring boundary.
- The proposed scheme would over develop the site and local area.
- The site was previously identified by West Oxfordshire as unsuitable.
- Poor access and egress from the proposed development. The development is on an extremely
- Busy road and the entrance is on a very tight bend. There is also no footpath on this side of the Road for development, which would mean pedestrians including children would need to cross this busy dangerous road. (policy BE3)
- The road has previously been identified as a priority for upgrading to A road status.
- No affordable housing has been identified.
- CIL and section 106 contributions would need to be heavily considered.
- We need more time to consider the proposals and should have been directly consulted.
- SPML object due to road and pedestrian safety issues.
- Density of development has resulted in compromises e.g. bin collection store at entrance.
- Playing field Trust request monies for renewal of the play equipment at St Kenelms Hall which will cost approx 20 k.
- Site was not identified in SHLAA.

- Site is not rounding off and not previously developed.
- It should not be a windfall site.
- NPPF states development in conflict with an up to date plan should be refused.
- Site is not needed.
- Adjoining laybys are busy.
- Playgroup and school are at capacity.
- Whilst design is largely acceptable site entrance will cause problems and a valuable open space will be lost.

3 APPLICANT'S CASE

Writing in support of the application the agent advises (in summary):-

- Site design has evolved following discussions.
- Existing planting will be retained.
- Space will be managed as a private open space.
- Entrance to the village will remain open in appearance.
- Proper bin storage and collection facilities are provided.
- Scheme respects Chartist bungalow design with a simple frontage and two wings.
- They will fit the building pattern of the road.
- They will have Cotswold stone plinths and render above under a blue slate roof.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 H2 General residential development standards
 H6 Medium-sized villages
 EH3NEW Public realm and green infrastructure
 H2NEW Delivery of new homes
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 T2NEW Highway improvement schemes
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application relates to a site located to the rear of the Public House fronting the main road, opposite the shop. It seeks consent to redevelop an area of open space for a development of 6 detached bungalows designed to reflect the Chartist origins of the settlement. The buildings are set along the building line with parking largely provided to the rear. An area of open space adjoining the frontage trees will be retained and access is to be taken on the outside of the bend in the Brize Norton Road to a new private drive.

Background Information

- 5.2 The site was subject to an application in 1990 which was refused and later dismissed at appeal with the inspector concluding that the development would have been contrary to the general policy of restraint then applying in the village and that the site in its undeveloped state formed an important gap separating two parts of the village REF 1736/90.

- 5.3 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

- 5.4 The fact that there was a previous refusal that was supported at appeal is clearly material in assessing the merits of the application. That having been said the policy contexts are widely different in that there was a policy of restraint operating then whereas at present the Government is seeking a step change increase in housing supply. The scheme does not accord to the restrictions set out in the adopted plan - albeit Members will be well aware that these policies are increasingly out of date and as such can be accorded less weight. The scheme is much more compliant with the aims of the emerging policy and the NPPF to site development in sustainable locations. In that regard the village is located between the two largest settlements in the District, is on a good bus route and has a variety of services and facilities- some of which are very close at hand to this site. Thus in principle Officers consider that there is no strategic reason why development of this general scale and nature should not be allowed in the village.

Siting, Design and Form

- 5.5 The applicant has designed a bespoke scheme with a house type specifically designed to reflect the Chartist origins of the settlement. The key vegetation, views and building line are all respected and in your officers opinion if consent is granted the scheme would fit comfortably onto the site. As to the concerns expressed in the previous appeal your officers consider that the retention of all the trees and a substantial area of open space at the frontage of the site strikes an appropriate balance between the concerns that were at the heart of the Inspectors reasoning and the more permissive regime now in operation.

Highway

- 5.6 The respondents have raised vehicle and pedestrian safety as key concerns. The access is located on a corner in the road and where there is congestion associated with cars parking to use the shop. The roadway itself is relatively narrow. To set against this the applicant has sited the access where maximum visibility is provided and has detailed more than adequate parking and manoeuvring space such that the scheme should not make congestion worse. However, critically the views of OCC as Highway Authority have yet to be received and given the degree of concern it is not considered appropriate to formalise a recommendation until such time as their technical advice is received.

Residential Amenities

- 5.7 In that the scheme is single storey and follows the building line it is not considered that there would be any defensible refusal reasons to do with the impact on adjoining neighbour amenity. The houses themselves similarly have generous parking and garden areas and a communal open space such that they should be attractive places to live.

Other matters

- 5.8 No technical objections have been received and there are not understood to be any drainage, ecology or water supply reasons to withhold consent. Members will note that the PC and local trust have made requests for funding. As the scheme does not exceed 10 units Government

advice discourages LPA seeking contributions for that level of development but Officers are approaching the agent to ascertain whether he wishes to voluntarily contribute. An update regarding that aspect will be given at the meeting.

Conclusion

- 5.9 In principle your officers consider that a development of broadly this form would be acceptable and would overcome the reasons why development was previously resisted. However the views of OCC as Highway Authority are still awaited and the option of the applicant voluntarily meeting some of the Parish requests is still under negotiation. A verbal update will need to be given to the meeting when these matters will hopefully be more resolved.

Application Number	15/02818/S73
Site Address	Morrisons 20 Black Bourton Road Carterton Oxfordshire OX18 3HA
Date	9th September 2015
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Carterton
Grid Reference	428091 E 206614 N
Committee Date	21st September 2015

Application Details:

Variation of condition 1 of 14/0498/P/S73 to change delivery hours

Applicant Details:

WM Morrison Supermarkets PLC
Hilmore House
Gain Lane
Bradford
West Yorkshire
BD3 7DL
United Kingdom

I CONSULTATIONS

- I.1 Town Council
- COUNCIL OBJECTS to this application for the following reasons:
Morrisons have stated that the change in delivery hours is to bring the store in line with other Morrisons stores around the country. Members do not consider this to be a valid argument as Carterton is unique and each store should be considered on its own merits. The proposed change in delivery hours could set a precedent with other large retailers in the town. If there has been no change to opening hours, why the need to change delivery times? Morrisons have not given sufficient reasons for overturning the original planning restrictions on delivery times.
- I.2 WODC Env Health - Lowlands
- I would recommend refusal of the above application for the following reasons:
1. There is no supporting documentation (e.g. an acoustic report) to show that the change in delivery times will not have an impact on the noise levels in the area.
 2. Most of the economic factors mentioned seem to be to benefit the company rather than the local residents.
 3. The argument that customers will go elsewhere if the store does not have "fresh" produce available at the time of opening, causing more traffic problems, is slightly misleading as the other two stores locally are both within walking distance of this store.
 4. Although the company may have "quiet" delivery policies these are not "silent" deliveries and there will still be some noise produced.

- 1.3 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.

2 REPRESENTATIONS

- 2.1 One letter of objection has been received from Mrs Logan of Wycombe Way who comments that this application will allow Morrisons to deliver, with subsequent disturbance to people living on Wycombe Way. Traffic noise will increase overnight and disturb sleep patterns as will off load noise.

3 APPLICANT'S CASE

- 3.1 Writing in support of their application the agent has produced a noise analysis that may be inspected in full on line. The summary/conclusion advises:

The analysis demonstrates that:

- (a) the proposed variation of Condition I attached to planning permission ref: 14/0498/P/S73 will not increase the potential for noise harm to neighbouring residents and or any other residents in the locality; and
- (b) the variation of Condition I has a number of benefits in respect of the three dimensions that form sustainable development and can therefore be classed as sustainable development.

As such it can be concluded in relation to relevant planning policy that the proposal is compliant with the provisions of the Policies SH4 and BE19 in the West Oxfordshire Local Plan 2011 and Policy EH6 in the emerging West Oxfordshire Local Plan 2031 Plan.

In addition, the proposal is consistent with national planning policy contained in the NPPF and Planning Practice Guidance (Noise) and the Noise Policy Statement England.

Accordingly, with the above in mind, it is respectfully requested that as stipulated at paragraph 14 of the NPPF, the application to remove Condition I from planning permission ref: 14/0498/P/S73 is approved without delay.

4 PLANNING POLICIES

BE19 Noise

BE2 General Development Standards

OS4NEW High quality design

EH6NEW Environmental protection

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

5 PLANNING ASSESSMENT

- 5.1 This application seeks to extend the hours for servicing the store by a further hour in the mornings to commence at 0500 rather than 0600 as currently permitted. The original hours were as requested by Morrisons when the store first gained consent and there have been subsequent applications to extend the hours-some approved and some refused.

Background Information

- 5.2 The current permitted hours are 0600- 2400 Mon to Sat and 0700- 2300 on Sundays and bank holidays and the application seeks an hour earlier start on Weekdays.
- 5.3 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 is whether the extended hours would cause unreasonable noise impact to neighbours. In balancing the impact the fact that the store was originally given the hours that it requested and has subsequently been allowed to extend those hours with a view to easing any operational concerns is material. Since that easing of the hours the flats that immediately adjoin the service yard have been occupied.
- 5.4 Morrisons assert that the additional flexibility that the additional morning hour would give them would ease operational issues and help them stagger the use of the service yard thereby ensuring a more efficient delivery system. However when they sought consent they were happy to suggest that they could operate with some restrictions on the hours and the Council has agreed to vary those hours with a view to assisting their operation. Your Environmental Health Officers are concerned that the start at 5am has not been justified and that the impacts on neighbours, when background noise levels will be particularly low, could give rise to unreasonable living conditions for those living adjoining the store or whom are sited upon the route to it.
- 5.5 Refusal is therefore recommended.

6 REASON FOR REFUSAL

- I It has not been demonstrated to the satisfaction of the LPA that then extension of opening hours will not give rise to unacceptable noise impact to neighbours adjoining the store or sited along the delivery route and as such the proposal is considered contrary to policies BE2 and BE10 of the WOLP, OS4 and EH6 of the emerging Plan and the provisions of the NPPF.

Application Number	I5/01968/OUT
Site Address	Land South of Burford Road and East of Downs Road Witney Oxfordshire
Date	10th September 2015
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Crawley
Grid Reference	433170 E 210562 N
Committee Date	21st September 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

I CONSULTATIONS

- | | | |
|-----|-------------------------|---|
| I.1 | One Voice Consultations | <p>Transport</p> <p>No objection subject to conditions</p> <p>Archaeology</p> <p>No objection</p> <p>Property</p> <p>No objection subject to condition</p> |
| I.2 | Adjacent Parish Council | <p>Curbridge and Lew - The Parish Council has no objection to this development. We would, however, like to put our hand up for any developer funding (principally for traffic calming measures in Curbridge) that might be available, having been thwarted on other occasions, as you know.</p> |
| I.3 | WODC - Arts | <p>We have considered the scale and mix of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site</p> |
| I.4 | Wildlife Trust | <p>No Comment Received.</p> |
| I.5 | Ecologist | <p>No objection subject to a condition and review of layout to include a green infrastructure/additional landscaping to act as a buffer to the</p> |

		retained boundary habitats
I.6	WODC Community Safety	No Comment Received.
I.7	WODC Architect	No Comment Received.
I.8	Environment Agency	No objection subject to conditions
I.9	WODC Env Services - Engineers	<p>The intrusive investigation and report were completed in 2008 and site conditions may have changed since this time. While the report goes some way towards conceptualising the site in relation to potential contamination the works completed to date are considered to be insufficient. The report considers the commercial use of the site, the proposed development is for residential, a more sensitive land use that requires further consideration. The report also states that the area in the south-west of the site was inaccessible at the time of the investigation, and has been used for the storage of old vehicles, scrap metal etc.</p> <p>As further investigation is required please consider adding conditions to any grant of permission.</p>
I.10	WODC Env Services - Car Parking	No Comment Received.
I.11	WODC Env Health - Lowlands	No Comment Received.
I.12	WODC Head Of Housing	<p>I can confirm that there are in excess of 700 households in need of affordable rented accommodation in Witney and 177 households seeking to purchase low cost housing in Witney. However the vast majority 80% of those seeking an affordable house are in need of rented accommodation. My advice would be to seek the relevant policy quota for affordable housing for affordable rent and intermediate housing to those on the Councils waiting list and the Homebuy Agents register</p>
I.13	WODC Landscape And Forestry Officer	No Comment Received.
I.14	Natural England	Natural England has no comments to make regarding this application.
I.15	WODC Planning Policy Manager	<p>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.</p> <p>The site is not allocated for any use either within the adopted Local Plan or emerging Local Plan for West Oxfordshire.</p> <p>Part of the site is currently in use as a car park (south part of site),</p>

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.

- I.17 TV Police - Crime Prevention Design Advisor No Comment Received.
- I.18 Thames Water
- Waste Comments
- Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like a following 'Grampian Style' condition imposed.
- Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- Water Comments
- Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developers cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services for further information.
- I.19 Town Council
- Witney Town Council supports this development but would like to ensure the appearance is in keeping with the Witney Street Scene (Cotswold look).
- With regard to possible contributions, WTC would like to request 2 bus shelters for the increased use on Burford Road plus £2000 per property built towards the Witney Town Council Sports Facilities Improvement Fund. The Witney ATC and Cadets are also seeking to move to a purpose built building on Edington Square in Deer Park - as the development off Downs Road is in a former aeronautical area and the road near it is named after a former flight lieutenant from Witney, it would be fitting if the developer could build this community facility. WTC 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.

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.

2 REPRESENTATIONS

2.1 Three letters of support received, summarised as follows:

- Interested in buying a property on this development. We need more affordable housing to be built.
- I welcome plans for first time buyers in Witney but 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.

3 APPLICANT'S CASE

3.1 Members have separately had a full package of supporting information from the agent and as such this summary only covers the key Planning Statement conclusion to help set the remainder of the report in context.

Planning statement

3.2 The application for outline planning permission seeks consent for a development scheme that is sustainable, by way of its location, effective in terms of providing locally needed homes of mixed type, for those seeking first time buyer homes at an affordable price, and in a manner that is contextual in form and layout. The NPPF and the emerging West Oxfordshire Local Plan 2011-2031, have at their heart, a key aspiration for the delivery of housing that meets local needs. In this case, the proposals can go some way to meeting a key need for local Witney households, in the first instance, who have a working income, but are in need of initial help up onto the property ladder.

- 3.3 Given the merits of the scheme, as outlined in this statement, it is considered reasonable that the local planning authority should consider the application favourably.
- 3.4 An ecology report, a geo tech report and a contamination report have also been submitted and along with the full planning statement are all available to view online or upon request to the case officer.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.
BE2 General Development Standards
NE13 Biodiversity Conservation
H2 General residential development standards
H7 Service centres
H11 Affordable housing on allocated and previously unidentified sites
E6 Change of Use of Existing Employment Sites
OS2NEW Locating development in the right places
OS4NEW High quality design
H2 General residential development standards
H3 Range and type of residential accommodation
E1NEW Land for employment
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application relates to a site located at the junction of Burford Road with Downs Road that benefits from consent for commercial/industrial development. Under that consent the car auction site has been developed out as has the new building for Jason Hydrolics. This application seeks consent to develop the unused portion of the site for residential use comprising starter homes. Apart from the newly constructed commercial/industrial buildings the land comprising the SE boundary of the site is made up of general industrial uses, as is the undeveloped portion of the western boundary. A small enclave of 3 houses sits at the junction/traffic lights and the northern boundary abuts the Burford Road with the Windrush valley and AONB lying off to the north.
- 5.2 The proposal is in outline with the means of access to be determined at this stage. This is to be taken off the existing industrial estate access road shared with the car auction. Illustrative plans show a mix of 3 and 2 storey units of predominantly terraced form with the majority of parking in parking courts.
- 5.3 Officers will make reference to the illustrative plans as part of the presentation to Committee and it is understood that Members have been separately contacted by the developer with a detailed package of supporting information which they may also wish to review.
- 5.4 The application was deferred at the last meeting in order for members to undertake a site visit and for officers to explore with the agents whether there were amendments that they would make or clarifications that might overcome some of the concerns regarding the application.

Background Information

- 5.5 The site secured consent for B1 B2 and B8 purposes under application ref 07/ 0454. This was approved in 2011 as the legal agreement securing contributions towards the Downs Road junction from the additional commercial traffic generated was not originally entered into by the owner. Subsequently the car auction and Jason Hydroliic building have been approved and developed on site.
- 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

- 5.7 The site lies outside of the areas allocated for housing development in the local plan. It has consent for employment use. Policy E6 of the adopted plan and E1 of the emerging plan seek in general terms to retain employment sites in employment use. This is in recognition of the need to retain the employment base of the District to ensure that it does not become a dormitory area for Oxford and that additional commuting is not forced onto the already congested A40 and A4095 to access the main centres of employment in the County from the rural hinterland. In that regard the applicants assertion that developing the site will "help hard working first time buyers" may prove counterproductive in that it would deprive the town of one of its largest remaining undeveloped industrial opportunities. It is argued that the site gained consent in 2007 and has lain vacant and that as such it is essentially unused and available. This is somewhat disingenuous in that the 106 agreement was not signed until 2011 due to the financial crisis and since that time two of the plots have been sold and developed. Additionally, with the forthcoming opening of the new junction from Downs Road direct to the A 40 it is anticipated that the site will prove even more desirable to commercial operators. Your officers consider that development of the site would be contrary to policies E6 and E1.
- 5.8 To set against this is the announcement by Government that it wishes to see developers build starter homes. These are not affordable houses but are sold at a 20% discount for the first 5 years following construction whereupon they revert to open market. In order to encourage such schemes the Government state that builders who develop commercial and industrial land that is either unusable or surplus for the new starter homes will not have to make any affordable housing offer but must offer a 20% discount to market price to those under 40 who are first time buyers. Clearly this intent runs counter to the Councils aim to retain its economic prosperity/employment base. The site is clearly not unusable for commercial use in that parts of it have been developed as such in the recent past. Officers would also argue that it has not been demonstrated that the site is surplus given the ongoing expressions of interest in developing in the District and the likely attraction of the site to commercial operators- particularly once the new junction has opened. It is however clearly a factor that needs to be weighed in the balance of assessing the merits of the application

Update

- 5.9 Since the last meeting your Officers have sought the advice of the Councils Economic Development Officer and the agent and their comments are reported below:

Agent

- 5.10 I believe that you have over emphasised the importance of the site as an opportunity to provide for jobs. I do accept that there is an existing outline consent for employment generating uses, and that in planning and design terms, development for commercial uses would be acceptable. However, since the site has been actively marketed since 2007, no real interest has been expressed in bringing it forward for development. A small section at its southern end has of course been laid out for car storage in support of an existing auction business. This is, however, a matter of demand for more space from an existing business rather than the creation of new jobs.
- 5.11 I accept that there is a healthy market for the take-up of commercial space in West Oxfordshire. However, there is extensive floor space available on the commercial market for the take-up by variety of different businesses. That is also supported by outstanding permissions for new industrial floorspace that have yet to be implemented.
- 5.12 The issue of commercial land provision however, must be balanced against the need for housing in the district. West Oxfordshire has gone its own way in seeking to define its housing need as part of the local plan review. This runs against the approach taken by other districts in Oxfordshire who have followed the conclusions drawn from the strategic housing market land availability assessment (SHMAA). The local plan inspector has rightly sought for justification and more information as to why the district Council has gone its own way in this regard. Moreover, I am concerned that the district will find itself having to accept that its plan is un- sound given that it is under providing for housing land, and constraining the delivery of homes to meet need.

Economic Development Officer

- 5.13 Unfortunately I was not aware of this application when it came in otherwise I would have lodged a vehement objection.
- 5.14 The site is already part of the West Witney Industrial area it is bounded by the Windrush Industrial Park on one side, Bromag Industrial Estate on the other and already has planning permission for commercial development.
- 5.15 The bulk of the time that the site has been available has been characterised by a deep recession during which very limited commercial development took place. Despite this, several businesses have tried to acquire plots of land on the site and have been frustrated in their attempts to do so by the terms offered by the owners. Some (for example Minster Paving) have ended up having to move out of Witney.
- 5.16 As well as the recession, there has been significant uncertainty in the commercial market in West Witney while the protracted negotiations for the legal agreement which include the provision of the Downs Road / A40 Junction remained un-concluded. Now that agreement is very close and there is a real likelihood that the junction will be built, there is likely to be an increase in demand for industrial land in Witney. We are already aware of several businesses in the town looking to expand into new premises.
- 5.17 Windrush Industrial Park which bounds the south east boundary of the site is likely to undergo phased redevelopment as an industrial estate in the near future. Residential development adjacent to the Park could hinder this important redevelopment.

- 5.18 There is a chronic shortage of available employment land in Witney. The site is unsuitable for an isolated residential development and it would be tragic to lose an important employment site just as the demand for such land is picking up. West Witney is a key employment area for Witney and West Oxfordshire and I really hope this important plot of land is not lost to residential. I should also add that it is entirely wrong for the applicants to imply there is low demand for the site. The site was under offer to commercial developers with a scheme for small business units similar to Glenmore. The offer had been accepted and they were apparently pretty close to exchange when the landowners pulled out to pursue a residential alternative.

Updated comment

- 5.19 The above comments from the EDO confirm the view first outlined by Officers that the loss of this estate to residential use would not be as a result of lack of demand and reinforces the potentially very adverse consequences for the economic base of the town. It will also have been noted that the concerns about lack of premises are shared by the commercial developer of the adjoining site that appears elsewhere on this agenda where he cites the supply of modern commercial space "running at a very low ebb" and that further development of this area of the town will be provide space with eleven local businesses on their books and enquiries from other local businesses and further afield likely due to the "limited supply" Quite simply your Officers consider that with so much other housing land available it is not good planning to use a viable and attractive employment site for housing when the supply of such land is already of some concern in terms of the economic viability of the town and where the site at issue appears to be viable and attractive to prospective purchasers.

Siting, Design and Form

- 5.20 The layout of the development is essentially an extended cul de sac based on the existing industrial road access. Whilst the scheme is illustrative, in order to achieve the numbers proposed it is highly likely that a development of broadly the form detailed on the illustrative plans would be needed and as such it has been accorded some weight in assessing the merits of the application. In and of itself the scheme is considered broadly acceptable, albeit with a somewhat excessive use of parking courts which tend not to be used and lead to problems of on street parking. What is more problematic is the impact of the scheme as proposed in context.
- 5.21 Members will recall that much of the residential skyline development along the Burford Road at this point is of bungalows or low slung two storey units. Three storey units are only encountered much closer to the town centre and your officers have concerns regarding the incongruous impact such high/intense built forms would have on the approach to the town along the Burford Road and also on the prominent skyline ridge when viewed from the north. Similarly the design and density is much more akin to that on the denser parts of Madely Park or Marriotts Walk than this urban fringe location. Having such a dense urban form sitting away from the main centre of the town and sat amongst one of the main industrial complexes of the town would also not appear as a logical compliment to the existing pattern or grain of development but would appear illogical and incongruous.
- 5.22 The density is also such that in order to accommodate the units and associated parking and access ways the scheme sits beyond the building line and very tight to the very important hedgerow that comprises the northern boundary of the site and helps at present to screen the industrial complex beyond. Pressure to thin or remove that hedge would substantially open up the site to view and compound fears about the impact of the scheme on the wider landscape.

Equally the main approach to the scheme is through the industrial estate and one side of the main street is formed by the palisade fence providing security for the car auction site. This will comprise a very unsatisfactory built form and outlook for the occupiers of the houses fronting onto that security fence.

Update

5.23 In response to the above concerns the agent advises as follows:

Location

- 5.24 As outlined in the submitted planning statement, the application site is in a relatively sustainable location that is well served by means of public transport and a cycle path that links the site directly to Witney Town Centre. The site already sits within the urban fabric that characterises the South side of Burford Road as it runs eastwards into Witney. It is arguably a brownfield site that can accommodate some form of development. It should also be noted that it sits in close proximity to significant employment generating uses which means it would comply with objectives of reducing travel to work distances.
- 5.25 In comparison with potential allocated sites that are subject of the current debate pertaining to the district local plan review, the application site stands up positively to scrutiny based on proximity to facilities and impacts on the countryside. This issue is very much borne out by the lack of any response from objectors who are concerned with the protection of the countryside. All responses have recognised the benefits that this application exhibits.
- 5.26 Both your comments, and some of those raised by members concern layout, car parking and building lines. There was a view expressed against car parking courts, whilst you raised the issue of buildings beyond an existing 'building line'. Firstly, it must be stressed that this is an outline application for up to 51 first time buyer homes. Whilst an illustrative layout has been submitted, granting permission does not tie the developer to committing either to the current layout or the number of units illustrated. The layout has been produced to demonstrate that 51 units are feasible, and in a manner that provides for sufficient parking and protection of residential amenity. There are nevertheless opportunities to consider a number of layout variations and options, that will allow for public amenity space, play areas and alternative parking arrangements. Precise layout and design details will of course be a significant consideration at the reserved matters planning application stage. I do not agree with your comments regarding a layout forward of the existing building line. This is an over emphasised point given that a wide buffer strip is maintained to separate new buildings from the edge of Burford Road as a means to reduce noise impacts. Importantly, this element of the scheme can be altered if the building line is such a critical issue. I must say however, that there is no clearly defined building line that characterises the built form on the southern side of Burford Road in this location. Car parking arrangements can be revised to enable a closer relationship between houses and allotted parking provision. This is of course much harder to achieve where flats are proposed, and parking courts are the most efficient and appropriate form of parking provision in these cases

Updated comment

- 5.27 In response to the agents comments your Officers would caution against an argument based upon sorting out the issues at some future point when no evidence has been provided to demonstrate that in for example resolving the layout issue it does not mean higher buildings. The number of units is not fixed but clearly if the numbers are reduced to seek to overcome the concerns identified then the viability of the discounted houses, the extent of other 106

payable and the return to the landowner all would be impacted. In the absence of a suitable alternative illustrative plan your officers are not persuaded that a scheme in anything like the submitted form could be accommodated on the site without the harms identified or other harms arising from increased intensity of built form.

Highway

- 5.28 The County Council in its capacity as Highway Authority has raised no objections to the scheme in highway safety terms albeit it has expressed reservations regarding the relatively unsustainable location away from the main facilities of the town and the likelihood of children playing in the residential cul de sac coming into conflict with the HGV and other traffic accessing the car auction site. Thus whilst there is not a highway based refusal reason the impact on the residential amenities of the occupiers and the incongruity of the location for housing development is a recurring factor.

Residential Amenities

- 5.29 The adjoining businesses are classed as B2 uses. These are by definition uses that cannot be carried out in a residential area without detriment to that area by way of noise, dust, grit, smell, smoke etc. Thus were this application approved it is highly likely that the residences would suffer a poor standard of amenity. The applicant's noise assessment indicates that most noise is generated by road traffic but members will be well aware of the impacts arising in terms of smell etc from existing uses in the vicinity and the fact remains that the sites enjoy consent for unneighbourly uses irrespective of how they are currently operating. There is the prospect that incoming residents could have legitimate concerns about lawful business operations and that this would lead either to them living in unsatisfactory conditions or to pressure being brought to bear to redevelop or relocate the "offending" uses to the further detriment of the employment base of the area.
- 5.30 When added to the likely noise and disturbance of the activities associated with the car auction which trades into the evening and the concern for any children getting mixed amongst the traffic serving the car auction your officers do not consider that the site represents an appropriate place to provide for the housing needs of the area- particularly when there are other preferable sites that have been allocated or that are coming forward to meet that need without the above stated consequences for employment levels or residential amenity.

Updated agent comments

- 5.31 Comments made regarding effects on residential amenity derived from industrial processes on site, have not been backed up by any tangible evidence of either odour or noise leading to an unacceptable impact. Moreover, the comments were based on an assumption that industrial uses create noise and smells. I am producing a schedule of uses in the immediate adjoining area that will serve to assure you and members of the local planning authority that there are few risks of residential impact being affected to a detrimental level. Importantly, you should be aware that a noise impact assessment has already been undertaken and submitted in support of the application, and its conclusions taken on board fully in the illustrative layout. The greatest noise generating use is Burford Road itself rather than any existing industrial uses. I would also like to point out that there are existing residential properties that line Burford Road and which back onto the industrial estate. Amenity for these properties is maintained.

Officer comment

- 5.32 The B2 uses adjoining are by definition capable of causing harm to residential amenity. A number of members cited the noise and smell issues associated with the estate and merely because an existing operator does not cause harm does not mean that will be the case in perpetuity as the B2 use runs with the land and other more onerous uses could lawfully operate in future without planning consent being required but causing all the attendant harms that B2 uses have associated with them.

Planning benefits

- 5.33 The applicants are citing the delivery of the starter homes as a key planning benefit and clearly this is a positive factor - albeit that there will be no affordable housing provision and the benefit would only last for 5 years and not in perpetuity. New Homes Bonus would apply. Equally there would normally be contributions towards education etc although the NPPG advises that "It also encourages local planning authorities not to seek section 106 affordable housing and tariff-style contributions that would otherwise apply". However in that the adjoining school is at capacity it is not considered appropriate were consent to be granted that these requests be set aside. Curbridge Parish Council and Witney TC have also sought contributions but these have not been fully quantified or justified and the impact of the contributions on the ability of the developer to provide the necessary discount is not yet known, as is whether the absence of any such contributions would lead to the respective Councils not supporting the scheme. In the absence of a signed 106 it is necessary to raise the lack of clarity as to the necessary mitigation package as a refusal reason such that it can be properly resolved in the event of an appeal.

Further agent comments

- 5.34 This application matches the criteria set by government in its push to deliver 200,000 first-time buyer homes on sites that have failed in the commercial land market. It is disappointing that your report dismisses this approach and fails to acknowledge this site as an opportunity to meet these objectives. It is also disappointing to note that your further questioning of the district councils housing enabling Officer (Ffiona Macewan) led you to cite her comments as a reason for objection. Her view, quite clearly, is that this site represents an opportunity, and if it were to be solely for shared equity housing, which is a form of affordable housing, I have no doubt she would support it. The government scheme requires that first-time buyer homes, marketed as a 20% discount price, should be promoted in lieu of affordable housing. There is also no doubt that this would benefit working households in the Witney locality, in need of homes.

Officer comment

- 5.35 The Housing Enabling Officer confirms that in her view this form of temporary affordable housing where the incoming resident benefits from a windfall in equity when the 5 year restriction lapses is not the form of affordable housing that she considered appropriate or required. She re affirms there were this site to be considered acceptable for housing in principle then she would prefer a lesser amount of conventional affordable housing that lasts in perpetuity than the model being promoted as part of this application.

Other matters

- 5.36 There are no ecological reasons why the site should not be developed and mitigation can be addressed by condition. Issues have been raised regarding contamination of the land which has had a number of unauthorised uses on it in recent years with the potential for contamination.

This could be addressed by imposing a suitable Grampian style condition albeit as advised above this may add to the costs and reduce the viability of the scheme. Thames Water themselves require a Grampian style condition imposed requiring a full investigation and remedial works to be undertaken to the sewer network. Again this adds to cost and potentially impacts upon viability and additionally raises questions as to timing and the extent to which this scheme would add to the 5 year land supply if it were precluded by sewerage infrastructure issues. The impact on the residential amenity of the adjoining occupiers of the residential properties adjoining the site is capable of being properly addressed at reserved matters stage.

Officer update

- 5.37 The agent has been asked to confirm whether his client is prepared to meet the OCC, Parish and Town Council section 106 requests but at the time of agenda preparation has not confirmed what his position is. A verbal update will be given regarding this aspect at the meeting.

Conclusion

- 5.38 The site seeks to deliver against a new provision that the Government has introduced to use unviable or underused employment sites for a form of discounted housing. However your officers do not consider that the site is not capable or desirable for use for employment purposes and were it to be lost to housing when there are many other housing sites currently proposed and allocated have concerns that it would undermine the employment base of the town, detract from the attractiveness of the town as an opportunity site for business and add to commuting pressures to Oxford. The scheme itself would in your officers opinion appear incongruous on the approach to the town and detract from the low key rural aspect of the site as it abuts the countryside to the north. The residential environment created would be of a poor quality with some danger to children from the interaction with commercial vehicles and those using the car auction site and by reason of the location adjoining what are by definition non conforming B2 unneighbourly uses. There are planning benefits that weigh in favour of the scheme but these are more than outweighed by the above mentioned planning harms. The period of further negotiation has not resulted in an improved scheme and the additional confirmation from the EDO and independent corroboration by the agent for the development of the adjoining site adds weight to the concerns about loss of employment capacity and the consequences for out commuting on already congested roads Refusal is therefore again recommended.

6 REASONS FOR REFUSAL

- 1 That by reason of the location density and scale of the development it would appear as an incongruous and illogical addition to the housing stock of the town and detract from the pleasant approach to the town and the visual amenity of the countryside to the north. This is contrary to policies BE2, H2, and H7 of the adopted plan, OS2 OS4 and H2 of the emerging plan and the provisions of the NPPF.
- 2 By reason of the poor quality of residential environment in close proximity to trading unneighbourly uses with their attendant disturbance and danger the location is considered to offer an unacceptably low standard of residential amenity detrimental to the residential amenity of the occupiers of the proposed units and contrary to policies BE2 and BE19 of the adopted plan, EH6 of the emerging plan and the provisions of the NPPF.

- 3 By reason of the loss of a viable and attractive employment site and likely pressure from incoming occupiers to limit the impact on their amenity arising from adjoining trading businesses the proposal is considered damaging to the employment base and attractiveness of the town to business and would further more give rise to additional out commuting from the district to centres of work adding to the existing levels of congestion on the routes to Oxford. As such the proposal is contrary to policy E6 of the adopted plan, policies OS2, E1 and T1 of the emerging plan and the provisions of the NPPF.
- 4 In the absence of an agreed legal agreement the adverse impacts of the scheme have not been fully and properly mitigated and as such the scheme is contrary to policy BE1 of the adopted plan, OS5 of the emerging plan and the provisions of the NPPF.