

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 16th November 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 |
|---------------------------|---|-------------|
| I5/02407/OUT | Brooklands Nurseries, 47 Shilton Road, Carterton | 3 |
| I5/03070/FUL | Thames Water Plc, 1 Dark Lane, Witney | 21 |
| I5/03118/FUL | The Woodyard, Elmwood Farm, Burford Road, Black Bourton | 32 |
| I5/03148/OUT | Land West of Thornbury Road, Eynsham | 51 |
| I5/03165/FUL | Northmoor Park, Church Road, Northmoor | 59 |
| I5/03676/HHD | 140 Burwell Drive, Witney | 68 |

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|-------------------------|---|
| Application Number | 15/02407/OUT |
| Site Address | Brooklands Nurseries 47 Shilton Road Carterton Oxfordshire OX18 1EN |
| Date | 4th November 2015 |
| Officer | Catherine Tetlow |
| Officer Recommendations | Approve subject to Legal Agreement |
| Parish | Carterton |
| Grid Reference | 427515 E 207860 N |
| Committee Date | 16th November 2015 |

Application Details:

Outline application for residential re-development of up to 15 dwellings and associated works. All matters reserved except for access.

Applicant Details:

Mrs A Ceresa
C/O Agent
United Kingdom

I CONSULTATIONS

- I.1 One Voice Consultations
- Traffic impact**
No information has been supplied regarding traffic generation. However, it is assumed a site of 15 dwellings will generate fewer than 30 2-way peak hour movement. Whilst this is a minor impact in itself, the cumulative effect with other development on Shilton Road, requires mitigation to encourage people to use sustainable modes of transport rather than driving.
- Sustainable transport**
The site is over 1000m from shops and facilities in Carterton. However, Carterton is relatively flat with good potential for walking (for those able to walk that far and who do not have heavy items to carry) and cycling, as long as people feel safe. However, there are no bus services serving Shilton Road so residents would be dependent on the car for longer journeys, so a contribution is requested to pump prime a new bus service.
- Vehicular access**
Whilst the proposed main vehicular access location is acceptable in principle, no details have been supplied on road width or junction geometry and visibility splays. The road width at the access should be a minimum of 5.5m, which can gradually narrow to 4.8m. For the internal road to be considered for adoption it would need to have a minimum of 1.5m footway on one side and an 800mm service strip on the other. The second access for one dwelling only is acceptable.
- Walking & Cycling**
The site fronts the west side Shilton Road, which has no frontage

footway on the west side of the road. Footway is available on the east side of Shilton Road. There are no cycle facilities along this section of Shilton Road.

It is requested that footway is constructed along the site access, and continues south along Shilton Road to join with the existing footway provision.

This application does not contain any speed or accident data for Shilton Road. OCC data from 2013 indicates speeding occurs along Shilton Road.

A contribution is requested of £2254.71 per dwelling to contribute to the cumulative impact of development along Shilton Road. The contribution is requested towards sustainable transport modes including cycle facilities and traffic calming facilities in order to make sustainable modes more attractive for trips from the development site. This is in line with LTP4 Policy CA3.

The Carterton Area Strategy within Local transport Plan 4 states: Policy CA3 - the County Council will improve facilities for pedestrians and cyclists focusing on enhancing links between homes, employment and the town centre.

Improvements will include:

seeking funding from new development sites to ensure they are served by high quality walking and cycling routes to off-site amenities.

Parking

Whilst the layout could be left to reserved matters stage, the indicative layout shows that no dwellings would have more than two parking spaces including garages, which is low for the 4-bed houses. Also some properties have only one space, which in this location is not considered sufficient and likely to lead to obstructive on street parking, which could spill over onto Shilton Road. Due to the constraints of the site it will be difficult to provide more parking with the proposed number of dwellings.

Swept path analysis would be required with any reserved matters application to demonstrate that a large refuse vehicle could turn within the site.

If the Local Planning Authority is minded to grant permission the following would be required:

£2254.71 per additional dwelling towards sustainable transport in Shilton Road including cycle facilities and traffic calming

£1000 per additional dwelling towards improvements to the bus service along Shilton Road

A contribution to provide bus stop infrastructure (flagpole and information case) on each side of Shilton Rd near the development.

Developer to provide footway between site access and existing footway, southwards on SW side of Shilton Road

Archaeology

There are no known archaeological sites or features within or adjacent to the application area.

Part of the application was formerly a quarry.
There are no archaeological constraints to this application.

Education

Based on the notified mix, this proposed development has been estimated to generate 4.56 primary pupils, 3.5 secondary pupils (including 0.46 sixth formers) and 0.09 pupils requiring education at an SEN school.

After a period of low pupil numbers, Carterton's primary schools have experienced rapid and consistent growth in pupil numbers in recent years, which will feed through into the secondary school in due course. The current spare places are therefore expected to be removed as a result of existing demographic pressure. Planned and proposed housing development in addition, including this application, will make necessary the expansion of primary and secondary school capacity as a direct result. Contributions are sought towards the costs of such expansion in a fair and reasonable manner.

Primary education

£52,814 Section 106 required for the necessary expansion of permanent primary school capacity serving the area, at Carterton Primary School and/or Edith Moorhouse Primary School and/or Gateway Primary School.

Secondary education

£61,606 Section 106 required for the necessary expansion of permanent secondary school capacity serving the area, at Carterton Community College.

Special Educational Needs (SEN) education

Due to the small scale of this development, OCC is not seeking Education contributions to mitigate the impact of this development on SEN school infrastructure. This is due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended), and the need to reserve our ability to seek contributions for larger developments than this in the area in future.

Legal agreement required to secure:

£52,814 Section 106 developer contributions towards the expansion of Carterton Primary School and/or Edith Moorhouse Primary School and/or Gateway Primary School by a total of 4.56 pupil places. This is based on Department for Education (DfE) advice weighted for Oxfordshire, including an allowance for ICT and sprinklers at £11,582 per pupil place. This is to be index linked from 1st Quarter 2012 using PUBSEC Tender Price Index.

£61,606 Section 106 developer contributions towards the expansion of Carterton Community College by a total of 3.5 pupil places (including 0.46 6th form places). This is based on Department for Education (DfE) advice for secondary school extension weighted for Oxfordshire and including an allowance for ICT and sprinklers at £17,455 per pupil place and £18,571 per Sixth Form pupil place. This is to be index linked from 1st Quarter 2012 using PUBSEC Tender Price Index.

Property

The County Council considers that the impacts of the development proposal (if permitted) will place additional strain on its existing community infrastructure.

The following housing development mix has been used:

- 0 One Bed Dwellings
- 8 Two Bed Dwellings
- 2 Three Bed Dwellings
- 4 Four Bed Dwellings

It is calculated that this development would generate a net increase of:

37.94 additional residents including:

- 2.54 resident/s aged 65 plus
- 25.32 residents aged 20 plus
- 3.64 resident/s ages 13-19
- 3.76 resident/s ages 0-4

Legal agreement required to secure:

OCC is not seeking property contributions to mitigate the impact of this development on infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended).

If a S106 agreement is required to secure either transport or education contributions then the County Councils legal fees in drawing up and/or completing a legal agreement will need to be secured. An administrative payment would also be required for the purposes of administration and monitoring of the proposed S106 agreement.

I.2 WODC - Arts

Should this proposal be granted planning permission then the Council would favour the following approach:

A S106 contribution of £3,000 towards a facilitated programme of offsite community arts activity, for the benefit of new and existing residents which would aim to improve wellbeing and foster community spirit.

Details

Carterton has a large community of families and young people. It would be valuable to direct support to this segment of the local community. A number of local charities and voluntary sector services are focused on providing services to vulnerable families in the area. The development of opportunities and events developed in conjunction with these organisations and residents can deliver good outcomes and result in stronger bonds between people and a greater sense of community pride.

A detailed plan would be determined in association with key organisations and the Town Council taking account of other town-wide priorities.

In accordance with the NPPF and the National Planning Practice Guidance the Council can contribute to the improvement of the Cultural Wellbeing of the District by implementing such programmes. Furthermore the Council supports public and private sector organisations, community groups, local residents' groups and

individuals with the delivery of and their engagement with such schemes.

- I.3 Ecologist
- Having looked through all the submitted documents and plans, Including the Ecology reports which include The Ecological Appraisal (ACD Ecology June 15) as well as the Protected Species Survey Report (Windrush ecology Sept 15) and the grassland survey letter (Windrush ecology sept 15) the main habitats identified are semi-improved grassland, scrub, hedgerows, traditional orchard, boundary trees and the water course known as the Shill Brook. The semi-improved grassland and scrub were surveyed and no reptiles were found and the bungalow was confirmed as not supporting any bats. However priority habitats identified included the watercourse Shill brook and the traditional orchard as such recommendations are made to protect and enhance these habitats as well as the boundary hedgerows and trees.
- The illustrative plan shows that the orchard will be retained and the Shill Brook protected from this development together with wide scope for enhancement planting. Whilst this is an outline application the plan clearly shows the identified habitats can be retained but this illustrative layout will have to be a condition of the planning permission to ensure protection of these priority habitats.
- If all the recommended enhancements and mitigation are incorporated and implemented, the policy and guidance requirements of Policies in the West Oxfordshire Local Plan, the NPPF (including section 11) and the Habitat Regulations and NPPG are all met.
- I.4 WODC Community Safety No Comment Received.
- I.5 WODC Architect No Comment Received.
- I.6 WODC Head Of Housing
- I have reviewed the application documents, and having regard to the emerging policy for affordable housing in Carterton I can confirm the following;
- There are 133 households who have requested housing in Carterton, Of these 87 would qualify for housing were it available today. Within this overall qualifying figure there are 51 households who are in absolute priority need for housing.
- In accordance with Policy of the emerging Local Plan, the Council is seeking in regard to this development, a total of 35% affordable housing. Specifically; 2 x 2 BH & 2 x 3BH for affordable rent and 1 x 2BH for shared ownership.
- I.7 WODC Landscape And Forestry Officer No Comment Received.
- I.8 WODC Legal & Estates No Comment Received.

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| I.9 | WODC Env Services - Engineers | No Comment Received. |
| I.10 | WODC Drainage Engineers | No Comment Received. |
| I.11 | WODC Env Services - Car Parking | No comments to make. |
| I.12 | WODC Env Health - Lowlands | No objection subject to condition |
| I.13 | WODC Planning Policy Manager | No Comment Received. |
| I.14 | Thames Water | No objection. |
| I.15 | WODC Env Services - Waste Officer | No Comment Received. |
| I.16 | TV Police - Crime Prevention Design Advisor | No Comment Received. |
| I.17 | WODC - Sports | Sport/Recreation Facilities |

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

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

Contributions

$£1,088 \times 15 = £16,320$ off site contribution towards sport/recreation facilities within the catchment. This is index linked to first Quarter 2014 using the BCIS All in Tender Price Index published by RICS.

Play Facilities

WODC endorses the Fields in Trust (FIT), formerly the National Playing Fields Association, standard of 0.8ha of children's play space

for every 1,000 people. It also endorses the FIT guidance on distinct types of play areas to cater for the needs of different age groups (LAPs - Local Areas of Play, LEAPs - Local Equipped Area of Play and NEAPS - Neighbourhood Equipped Areas of Play).

DEVELOPMENT TYPES, THRESHOLDS AND REQUIREMENTS

Of the FIT standard of 8sq m of play space per person, we will expect 5sq m to be casual and 3sq m to be equipped. At an average occupancy rate of 2.4 persons per dwelling this equates to 12sq m of casual space and 7.2sq m of equipped space for every dwelling. We will liaise with the town/parish council to establish the most appropriate form of provision taking account of the location, scale and form of the proposed development. In particular, the type of play facility will need to reflect the minimum sizes for a Local Area for Play (LAP) (100m²), a Local Equipped Area for Play (LEAP) (400m²) and a Neighbourhood Equipped Area for Play (NEAP) (1,000m²) and the need for adequate buffer zones and minimum distances from dwellings. Generally, on developments of fewer than 60 dwellings, we will expect applicants to make provision by way of a contribution to an equipped off-site facility.

Contributions

The cost of providing and maintaining play facilities of the minimum sizes set out above is estimated to be as follows:

| Facility | Provision | Maintenance |
|----------|-----------|-------------|
| LAP | £ 16,000 | £ 22,128 |
| LEAP | £ 68,000 | £ 71,916 |
| NEAP | £ 143,000 | £ 197,769 |

We will assess contributions towards equipped play facilities on the basis of providing and maintaining a NEAP that will meet the needs of 1,000 people. The contribution per person will therefore be £143 for provision and £198 for maintenance. This equates to an overall contribution of £818 per dwelling (at an average occupancy of 2.4 persons per dwelling).

$£818 \times 15 = £12,270$ for the enhancement and maintenance of play/recreation areas within the catchment. This is index linked to first Quarter 2014 using the BCIS All in Tender Price Index published by RICS.

I.18 Town Council

COUNCIL STRONGLY OBJECTS to this application, for the following reasons:

- The density of the site is too high;
- Access for emergency vehicles would be problematic (especially for Plot No 12) as the site is so narrow;
- The development is not in keeping with neighbouring properties;

Flooding is a potential concern.
Council would support some development on this site, but not for as many as 15 dwellings.

2 REPRESENTATIONS

2.1 Eight objections have been received referring to the following matters:

- (i) Impact on the landscape.
- (ii) Increased traffic.
- (iii) Impact on highway safety.
- (iv) Trees and dry stone wall on frontage should be retained.
- (v) 15 houses is far too many.
- (vi) Design and layout not in keeping with the surrounding area.
- (vii) Impact on residential amenity.
- (viii) Impact on streetscene and character of the area.
- (viii) Loss of property value.
- (x) On-street parking would make the road more dangerous.
- (xi) Impact on ecology.

2.2 One general observation has been made referring to the following:

- (i) Concern over the impact on ecology. There is the need to protect the Shill Brook and it's ecology and water purity.
- (ii) There is the need to protect bats on this site through protecting trees and hedges, new planting, light pollution measures and the addition of bat boxes.
- (iii) There are many birds on this site and the area is well used by swallows and swifts that need nesting opportunities.
- (iv) Any reptiles and amphibians require habitat protection and enhancement.
- (v) The semi improved grassland needs retaining at least in part and wildflowers need sowing/planting for pollinators, as do wildlife friendly native shrubs.
- (vi) Without this type of protection and enhancement I do not believe that the development planned should go ahead.

3 APPLICANT'S CASE

3.1 The application site is located within the built up area boundary of Carterton and, therefore, the principle of residential development in line with Policy H7 is accepted, notwithstanding the issues surrounding the Councils 5 year supply of housing land, as confirmed in the pre-application note from the Council (Appendix I).

3.2 The accompanying supporting documents confirm that the developable area of the site is being restricted to that closest to Shilton Road and does not encroach upon the Shill Brook or its valley corridor. This area is shown retained and protected as a wildlife/landscape corridor, which can be enhanced in order to provide environmental benefits. The impact of the possible built form on this site is therefore not considered harmful in terms of landscape harm and subject to final details being secured at reserved matters would not be visually out of keeping with its setting, context and maximises good use of a brownfield site.

- 3.3 The development, although in outline form with all matters reserved except for access, is supported by an indicative planning layout that shows a net developable area of 0.49Ha and seeks up to 15 dwellings (varying in size and tenure). This indicative layout, although not sought for approval, clearly shows a design and layout which can accommodate up to this number of units and provides for adequate car parking, turning, private amenity space and adequate levels of separation to ensure no harm is caused to neighbouring amenity.
- 3.4 Access to the site is considered acceptable for this scale of development, albeit, conditions are likely to be imposed to ensure the access is brought up to highway standard. The use of the secondary access for a private driveway is also considered acceptable.
- 3.5 Finally, the development does not give rise to any harm in respect of neighbouring amenity, flood risk, drainage, trees, and ecology or energy conservation, to justify withholding planning permission.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 NE2 Countryside around Witney and Carterton
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 NE15 Protected Species
 H2 General residential development standards
 H7 Service centres
 H11 Affordable housing on allocated and previously unidentified sites
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 H2NEW Delivery of new homes
 H3NEW Affordable Housing
 EH2NEW Biodiversity
 EH5NEW Flood risk
 CA3NEW Carterton sub-area Strategy
 BE18 Pollution
 EH6NEW Environmental protection
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This is an outline planning application for 15 dwellings with all matters reserved except means of access. The indicative information shows a mix of 2, 3 and 4 bedroom properties mainly accessed from a cul de sac, although one property on the site frontage with Shilton Road would have a private drive from the road.
- 5.2 The site comprises a former nursery with bungalow, numerous outbuildings and its associated land/curtilage. A large area of vegetation including an old orchard which runs along the valley corridor and Shill Brook is to be maintained and enhanced as a landscape/ecological area and acts as a buffer to the site. This land is at a significantly lower level than the red edged site.

- 5.3 The site is located towards the northwest edge of Carterton, which is the second largest town in West Oxfordshire. The town lies on the edge of the Thames Valley and is outside the Cotswolds Area of Outstanding Natural Beauty.
- 5.4 The site is bounded to the north by the residential property and garden of Nos. 49 and 49A Shilton Road. To the east by Shilton Road, with residential properties beyond, and to the southeast by No.39 Shilton Road. Beyond No.39 Shilton Road is new residential development at Trinder Way. To the west is Shill Brook and beyond that open agricultural land.

Background Information

- 5.5 There is no planning history associated with the site, but the scheme was subject to pre-application advice from Officers and accepted in principle.
- 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
 Highways
 Impact on ecology
 Impact on the character of the area
 Impact on residential amenity
 Drainage
 Affordable housing

Principle

- 5.7 Carterton is one of the main settlements in the District and is an acceptable location for new housing development in principle.
- 5.8 Local Plan Policy H7 (Service Centres) allows for new dwellings within the built up area of settlements, such as Carterton, in the following circumstances:
- a) infilling;
 - b) rounding off within the existing built-up area;
 - c) the conversion of appropriate existing buildings; and
 - d) on sites specifically allocated for residential development in this plan.
- 5.9 Relevant to this application is that infilling is defined as "the filling of a small gap in an otherwise continuous built up frontage. However, all gaps may not be appropriate for infill development. Some may form important features in the village and/or allow attractive views to be gained of features beyond the site. In assessing proposals for infill development particular regard will be given to Policy BE4."
- 5.10 Policy NE2 establishes a buffer area around Carterton with the intention of preventing undesirable sprawl of the settlement into surrounding countryside. The site is not located within this area, although the retained blue edged land adjacent to Shill Brook adjoins it.

- 5.11 The site would is not considered a small gap, but neither is it an important area of open space. Emerging Local Plan Policy H2 is less restrictive and allows for the development of undeveloped land adjoining settlements, subject to a number of criteria.
- 5.12 Emerging Policy H1 refers to the sub-area of Carterton contributing 2,600 dwellings to the housing supply over the plan period to 2031. A substantial proportion of this number is large sites identified as planning commitments. The SHLAA provides an indication of where land without planning permission in the District is likely to be developed. The site is identified in the 2014 SHLAA as site number 286 and is assessed as unsuitable for the following reason - "Development of the site would adversely affect the sensitive landscape edge to the town and views to and from the open countryside to the west." However, it should be borne in mind that the assessment was based on development of the whole of the site, rather than the portion that is referred to in the current application. In any event, the SHLAA, is an evolving document which is subject to regular review and update. Whilst the site has not been identified as likely to contribute housing land supply, it is necessary to consider the proposal on its merits. The extent of any visual harm will be identified in detail below. Notwithstanding the SHLAA observations about the site, it is considered that in principle the site could contribute to meeting the windfall allowance for the housing sub-area.
- 5.13 Although much of the site is considered to be greenfield, relatively few previously developed sites come forward in the district and it is necessary to consider greenfield sites in sustainable locations. The site is not within the AONB, or Green Belt, and is outside a Conservation Area. It is not considered by your Officers to be an important area of open space that would need to be retained for recreation or conservation reasons. It does not provide public open space or any formal recreation use. This is consistent with bullet point 8 of emerging Policy H2.
- 5.14 In Carterton, emerging local plan policy H2 allows for housing on undeveloped land within or adjoining the built up area, where the proposed development is necessary to meet identified housing needs and is consistent with a number of criteria, as well as other policies in the plan. The principle is acceptable as the site does adjoin the existing settlement edge and unidentified housing sites are required to contribute to housing land supply.
- 5.15 With regard to the third and fifth bullet points of emerging Policy H2, the development would not lead to the coalescence or loss of identity of separate settlements, and it would form a logical complement to the existing scale and pattern of development in this area. The site is contained between existing residential development to three sides and the western edge is formed by the natural barrier of the Shill Brook valley.

Highways

- 5.16 No information has been supplied regarding traffic generation. However, it is assumed a site of 15 dwellings will generate fewer than thirty 2-way peak hour movement. Whilst this is a minor impact in itself, the cumulative effect with other development on Shilton Road, requires mitigation to encourage people to use sustainable modes of transport rather than driving.
- 5.17 The site is over 1000m from shops and facilities in Carterton. However, Carterton is relatively flat with good potential for walking and cycling, as long as people feel safe. However, there are no bus services serving Shilton Road so residents would be dependent on the car for longer journeys, so a contribution is requested to pump prime a new bus service.

- 5.18 Whilst the proposed main vehicular access location is acceptable in principle, further details on road width, junction geometry and visibility splays are to be considered. The road width at the access should be a minimum of 5.5m, which can gradually narrow to 4.8m. For the internal road to be considered for adoption it would need to have a minimum of 1.5m footway on one side and an 800mm service strip on the other. The second access for one dwelling only is acceptable.
- 5.19 The site fronts the west side Shilton Road, which has no frontage footway on the west side of the road. Footway is available on the east side of Shilton Road. There are no cycle facilities along this section of Shilton Road. Provision of suitable pedestrian access will need to be agreed.
- 5.20 A contribution is requested of £2254.71 per dwelling to contribute to the cumulative impact of development along Shilton Road. The contribution is requested towards sustainable transport modes including cycle facilities and traffic calming facilities in order to make sustainable modes more attractive for trips from the development site. This is in line with LTP4 Policy CA3.
- 5.21 Whilst the layout is a reserved matter, the indicative details show that no dwellings would have more than two parking spaces including garages, which is low for the 4-bed houses. Also some properties have only one space, which in this location is not considered sufficient and likely to lead to obstructive on street parking, which could spill over onto Shilton Road. Due to the constraints of the site it will be difficult to provide more parking with the proposed number of dwellings. Ultimately, this would be addressed in terms of the detailed layout and mix of house types.
- 5.22 The following contributions would be required:
- £2254.71 per additional dwelling towards sustainable transport in Shilton Road including cycle facilities and traffic calming.
 £1000 per additional dwelling towards improvements to the bus service along Shilton Road.
 A contribution to provide bus stop infrastructure (flagpole and information case) on each side of Shilton Road near the development.
 Developer to provide footway between site access and existing footway, southwards on SW side of Shilton Road.
- 5.23 Access to the site is established and it is considered by Officers that there would be no unacceptable impact on highway safety subject to appropriate access widths and visibility splays being provided. However, final comments from OCC Highways are awaited and will be reported at the meeting. The development is capable of compliance with BE3 of the Local Plan and the provisions in the NPPF.

Impact on ecology

- 5.24 Ecological assessments have been provided in the form of an Ecological Appraisal (ACD Ecology June 15), Protected Species Survey Report (Windrush Ecology Sept 15) and grassland survey letter (Windrush Ecology Sept 15).
- 5.25 The Council's Biodiversity Advisor has been consulted. It is noted that the main habitats identified are semi-improved grassland, scrub, hedgerows, traditional orchard, boundary trees and Shill Brook. The semi-improved grassland and scrub were surveyed and no reptiles were found and the bungalow was confirmed as not supporting any bats.

- 5.26 Priority habitats identified included Shill Brook and the traditional orchard. As such, recommendations are made to protect and enhance these habitats as well as the boundary hedgerows and trees.
- 5.27 The illustrative plan shows that the orchard will be retained and the Shill Brook protected from this development together with wide scope for enhancement planting. Whilst this is an outline application, the plan clearly shows the identified habitats can be retained. However, a condition would be needed to ensure protection of these priority habitats.
- 5.28 If all the recommended enhancements and mitigation are incorporated and implemented, the policy and guidance requirements of the Local Plan, the NPPF (including section 11) and the Habitat Regulations and NPPG are all met. In addition, the proposals to retain a significant portion of land as open space is consistent with emerging Local Plan Policy CA3 in relation to the Conservation Target Area.

Impact on the character of the area

- 5.29 The site is located within the built up area of Carterton. Although this part of Shilton Road has historically featured relatively low density development, bungalows in large plots being a feature, there has been new development nearby at higher density.
- 5.30 The area is dominated by modern housing of various types and there is no clear design or layout of development that would need to be adhered to. The new housing to the south east of the site at Owen Place/Trinder Way is of a similar density to that proposed here.
- 5.31 It is understood that the scheme would be 2 storey. However, 1.5 storey height would be more appropriate given the relationship with neighbouring bungalows and the generally low key presence of existing development.
- 5.32 The set-back of the dwellings on the frontage is welcomed as a feature of Shilton Road is generous frontages and an open feel. However, the terrace illustrated is not characteristic of Shilton Road and it will be necessary to revisit the layout and house types at the reserved matters stage.
- 5.33 The site is visible from the west from viewpoints along the public footpath that runs north-south towards the village of Shilton. The impact of the development from these views is considered to be low, as the development would be seen against a backdrop of, and in the context of, existing development, including the visually prominent new housing at Trinder Way. The foreground of the site when viewed from the west would be the retained and enhanced land adjoining Shill Brook.
- 5.34 The rear of the site (western edge) does not sit beyond the existing extent of development at Brooklands Nurseries or the existing development at Trinder Way and The Acre. Therefore there would be no physical or visual encroachment into currently undeveloped land. Existing planting and enhanced planting, where appropriate, is proposed and the impact of the development on the wider landscape is unlikely to be materially harmful.
- 5.35 A full landscaping scheme will be required by condition, but the intentions of the applicant as regards the retention of existing trees is noted. Officers consider that the rebuilding of the dry stone wall to the frontage would be an important element of any reserved matters submission.

Impact on residential amenity

- 5.36 The proposed buildings, as shown on the indicative layout, would not be sited in close proximity to any neighbouring dwellings. Although the layout may be subject to change at the reserved matters stage, there is no reason to believe that an appropriate privacy distance could not be achieved in relation to all existing dwellings.
- 5.37 The distance between the development and nearby buildings is such that there would be no loss of light. This matter would be assessed in full at the reserved matters stage.
- 5.38 Although there may be some relatively short term disturbance during construction, it is considered that general amenity would not be materially affected by the development. A construction management plan can be agreed by condition. Loss of view is not a material planning consideration.
- 5.39 Insofar as amenity issues can be assessed under this outline application, the proposal would comply with WOLP BE2 (c), WOLP H2 (d), and the fourth bullet point of emerging Policy H2.

Drainage and Flood Risk

- 5.40 The site is located in Flood Zone 1 and is at low risk of flooding, despite being within 25m of Shill Brook.
- 5.41 A surface water drainage scheme would be required by condition. Foul drainage would be connected to the existing sewage system.

Affordable housing

- 5.42 In accordance with Policy H3 of the emerging Local Plan, the Council is seeking a total of 35% affordable housing based on a net increase in number of dwellings on the site of 14 units.
- 5.43 Subject to a legal agreement this would make a policy compliant contribution to meeting affordable housing needs.

Conclusion

- 5.44 The application site is located within the built up area boundary of Carterton, but the proposal would not strictly conform with the provisions of Policy H7 as regards infilling and rounding off. However, it lies outside the buffer zone for the settlement identified under Policy NE2, and with reference to the NPPF and emerging local plan, this is considered a suitable location for new development.
- 5.45 The development area would avoid the sensitive land adjacent to Shill Brook and would sit amongst existing development on both sides, including the new development at Trinder Way. The overall landscape impact is acceptable. A detailed layout and design of the dwellings would be considered at the reserved matters stage.
- 5.46 Mitigation for ecology can be secured by condition.

- 5.47 Access to the site is established and it is considered by Officers that there would be no unacceptable impact on highway safety subject to appropriate visibility splays being provided. However, final comments from OCC Highways are awaited and will be reported at the meeting.
- 5.48 The proposal does not give rise to any harm in respect of neighbouring amenity, flood risk, drainage, and trees.
- 5.49 A legal agreement will be required to secure contributions to OCC transport, education, and property, and contributions to WODC in the form of affordable housing, arts funding, and sports and leisure.

6 CONDITIONS

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
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 Details of the appearance, landscaping, layout and scale (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.
- 3 The reserved matters submission shall be limited to a maximum of 15 dwellings and these shall be no more than 1.5 storey in height.
REASON: To ensure an appropriate development density and in the interests of maintaining the character of the area.
- 4 Prior to commencement of development, details of the junction between the proposed road and the highway, including width, visibility splays and geometry, shall have been submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until that junction has been constructed in accordance with the approved details.
REASON: In the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 5 Vision splays shown on the plan approved under condition 4 shall be provided as an integral part of the construction of the access and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.
REASON: In the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 6 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 submitted to and approved in writing by the Local Planning Authority.

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

- 7 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 8 No dwelling shall be occupied until space has been laid out within the curtilage to enable vehicles to enter, turn round and leave the curtilage in forward gear.
REASON: In the interest of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 9 Fire hydrants shall be installed in accordance with details, including the phasing of installation, which have first been submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the safety of occupiers of the proposed dwellings.
- 10 The developer shall provide every dwelling with a Travel Information Pack. This shall be sent to the Travel Plan Team at Oxfordshire County Council for approval before first occupation of any of the dwellings.
REASON: In order to promote sustainable travel.
- 11 Prior to commencement of development (including site clearance and demolitions), a ten year Ecological Management Plan based on the recommendations in Section 6 of The Ecological Appraisal (ADC Ecology June 15) and the Protected Species Survey Report (Windrush Ecology Sept 15) shall be submitted to and approved in writing by the Local Planning Authority. This shall include the management of all the land edged blue on the submitted location plan referenced 38.14.2. and retention of the traditional orchard and a wide buffer zone to the Shill Brook. The Ecological Management Plan and any specific mitigation works therein shall be carried out in accordance with a timescale agreed with the Local Planning Authority and retained thereafter.
REASON: To ensure that bats, birds and their habitats, as well as Priority Habitats, traditional orchard and water courses are protected in accordance with the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 as amended. In accordance with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies NE13 and NE15 and in order for the local planning authority to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 12 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.

- 13 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. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.

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.

- 14 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained on plan MSC19893-01 have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' 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 ensure the safeguard of features that contribute to the character and landscape of the area.

- 15 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins

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.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

REASON: To prevent pollution of the environment in the interests of the amenity.

- 16 This decision relates to location plan 38.14.2, and site layout plans 38.14.1A and 38.14.3 as they relate to the means of access.

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

17 Prior to the commencement of any residential development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a superfast broadband service (>24mbs) to that dwelling from a site-wide network, is in place and provided as part of the initial highway works, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a superfast broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.
REASON: In the interest of improving connectivity in rural areas.

18 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
- II The loading and unloading of plant and materials
- III The storage of plant and materials used in constructing the development
- IV The erection and maintenance of security hoarding including decorative displays
- V Wheel washing facilities
- VI Measures to control the emission of dust and dirt during construction
- VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
- VII Hours of site operation

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

| | |
|-------------------------|--|
| Application Number | I5/03070/FUL |
| Site Address | Thames Water Plc 1 Dark Lane Witney Oxfordshire OX28 6LE |
| Date | 4th November 2015 |
| Officer | Miranda Clark |
| Officer Recommendations | Approve |
| Parish | Witney |
| Grid Reference | 435256 E 210066 N |
| Committee Date | 16th November 2015 |

Application Details:

Conversion of existing building and erection of two further two storey detached buildings to create 13 flats with associated works and car parking. (Amended Plans)

Applicant Details:

Mr Darren Aldworth
15A Woodland View
Oxford Road
Farmoor
Oxon OX2 9NN

I CONSULTATIONS

- I.1 Town Council
Witney Town Council has no objections to this application providing the development is in keeping with the area. By way of Section 106 contributions, Witney Town Council would request £10,000 towards the community play areas at Park Road and Moorland Road within this electoral ward. A further request would be to provide 5 stone "Welcome to Witney" planters to be positioned at the entrances to the town.
- I.2 One Voice Consultations
Transport
Recommendation:
No objection subject to conditions
- Archaeology
Recommendation:
No objection
- Education
Recommendation:
No objection
OCC is not seeking Education contributions to mitigate the impact of this development on infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended), and the need to reserve our ability to seek contributions for larger

developments than this in the area in future.

Property

Recommendation:

No objection subject to conditions

OCC is not seeking property contributions to mitigate the impact of this development for all infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended).

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.

Informatives:

Fire & Rescue Service recommends that all new building including all new dwellings are constructed with fire suppression systems.

Oxfordshire County Council is not seeking a contribution towards local library infrastructure, central library, waste management, museum resource centre or adult day care infrastructure from this application due to the pooling restrictions contained within Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) which took effect from the 6th April 2015.

| | | |
|-----|----------------------------|---|
| I.3 | WODC - Arts | No Comment Received. |
| I.4 | WODC Community Safety | No Comment Received. |
| I.5 | WODC Architect | No Comment Received. |
| I.6 | WODC Env Health - Lowlands | No objection subject to the following condition; I. 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 ensure any contamination of the site is identified and appropriately remediated.

Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF.

- | | | |
|-----|------------------------------|---|
| I.7 | WODC Head Of Housing | <p>There are currently 750 households on the council's housing register, who would qualify for affordable housing were it available. Those on the register require a wide range of accommodation from flatted homes to family housing and also older persons or wheelchair standard.</p> <p>Of all locations in the district, Witney is the most sought after for affordable housing, due in part to the quality of schools, employment opportunities, shopping and healthcare.</p> <p>In policy terms to council seeks a ratio of 2 to 1 affordable rent to shared ownership provision for affordable housing.</p> |
| I.8 | WODC Planning Policy Manager | No Comment Received. |
| I.9 | WODC - Sports | <p>Play Facilities</p> <p>WODC endorses the Fields in Trust (FIT), formerly the National Playing Fields Association, standard of 0.8ha of children's play space for every 1,000 people. It also endorses the FIT guidance on distinct types of play areas to cater for the needs of different age groups (LAPs - Local Areas of Play, LEAPs - Local Equipped Area of Play and NEAPS - Neighbourhood Equipped Areas of Play).</p> |

DEVELOPMENT TYPES, THRESHOLDS AND REQUIREMENTS

Of the FIT standard of 8sq m of play space per person, we will expect 5sq m to be casual and 3sq m to be equipped. At an average occupancy rate of 2.4 persons per dwelling this equates to 12sq m of casual space and 7.2sq m of equipped space for every dwelling. We will liaise with the town/parish council to establish the most appropriate form of provision taking account of the location, scale and form of the proposed development. In particular, the type of play facility will need to reflect the minimum sizes for a Local Area for Play (LAP) (100m²), a Local Equipped Area for Play (LEAP) (400m²) and a Neighbourhood Equipped Area for Play (NEAP) (1,000m²) and the need for adequate buffer zones and minimum distances from dwellings. Generally, on developments of fewer than 60 dwellings, we will expect applicants to make provision by way of a contribution to an equipped off-site facility.

Contributions

The cost of providing and maintaining play facilities of the minimum sizes set out above is estimated to be as follows:

| Facility | Provision | Maintenance |
|----------|-----------|-------------|
| LAP | £ 16,000 | £ 22,128 |
| LEAP | £ 68,000 | £ 71,916 |
| NEAP | £143,000 | £197,769 |

We will assess contributions towards equipped play facilities on the basis of providing and maintaining a NEAP that will meet the needs of 1,000 people. The contribution per person will therefore be £143 for provision and £198 for maintenance. This equates to an overall contribution of £716.10 per dwelling (at an average occupancy of 2.1 persons per dwelling).

$£716.10 \times 14 = £10,025$ for Witney Town Council for the enhancement and maintenance of play/recreation areas for which they are responsible within the catchment. Index linked to first Quarter 2015 using the BCIS All in Tender Price Index published by RICS.

- 1.10 Thames Water No Comment Received.
- 1.11 WODC Env Services - Waste Officer No Comment Received.
- 1.12 Ecologist No Comment Received.

2 REPRESENTATIONS

- 2.1 No comments received to date

3 APPLICANT'S CASE

- 3.1 A Flood report and a Design and Access Statement has been submitted as part of the application. The Statement has been summarised as:-

- The site is now long term redundant and no longer required for its former commercial use. Its redevelopment for housing has already been accepted by the Council in the form of the extant consent for four units. This proposal returns to that principle and looks to deliver a far more efficient and sustainable form of residential development, which goes further towards assisting the Council to meet its housing requirements by providing 14 units in a mix of small apartments across the site.
- The proposal reuses the existing building on site, refurbishes and extends it in a characterful and proportionate manner, whilst at the same time adding a pair of new, detached two storey blocks at the front of the site which complement the domestic scale and appearance of Dark Lane and all carefully designed to be neighbourly all around.
- The Highway Authority accept that there are no highway safety, traffic generation or car parking issues to content with the development as proposed.
- The FRA demonstrates that the proposal creates no flooding risk issues
- The accessible nature of the site and its close proximity to the town centre would allow the occupants of the new units to enjoy a good standard of on and off site amenity, walking and cycling to jobs, shops and services in Witney town centre.

3.2 Since the amended plans were received, a letter has been submitted from the agent clarifying the changes. This has been summarised as:

- The original scheme has been revised in a number of ways, which for clarity and for ease of reference are set out below:
- The original Flat 12 has been removed from Block B. This has the effect of reducing the overall number of units from 14 down to 13;
- Wrought iron railings are introduced along the frontage of the site to Dark Lane;
- Stone lintels and cills are introduced to the front elevations of Blocks B and C;
- Chimneys are introduced to Blocks B and C;
- It is also proposed to increase the height of the side screens on the top 2 corner balconies of Block A to 1.8m in height and set with a satin obscure toughened safety glass (this element was discussed and agreed could be conditioned to this effect).

4 PLANNING POLICIES

H3 Range and type of residential accommodation

H7 Service centres

OS2NEW Locating development in the right places

OS4NEW High quality design

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

E3NEW Reuse of non residential buildings

EH5NEW Flood risk

EH6NEW Environmental protection

H1 I Affordable housing on allocated and previously unidentified sites

BE2 General Development Standards

BE3 Provision for Movement and Parking

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 referred to Committee by officers due to the prominence of the site.

Background Information

5.2 The site is located within a mature residential area, in close proximity to Witney's Town Centre.

5.3 The site was used by Thames Water for a depot and offices. The proposal is seeking consent for the conversion of the existing two storey office building with an extension, and the erection of two detached two storey buildings adjacent to Dark Lane. The original submission was for 14 units. Officers had concerns regarding the close proximity of one of the buildings to the existing neighbouring properties, and as such the number of units has been reduced to 13.

5.4 The most relevant planning history is:

I4/0043/P/OP for 4 houses which has been approved. Therefore the loss of an employment site to residential use has already been established.

- 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 Due to the sustainable location of the site, officers consider that a proposal for redevelopment is acceptable. The site is close to all services and the site will also provide a footpath link to the town centre.
- 5.7 The adopted West Oxfordshire Local Plan policy H11 seeks affordable housing from schemes of 15 or more in the main towns and from schemes of 2 or more elsewhere. This policy technically carries more weight than the emerging policy but it must be recognised that the Council has previously not been able to secure many affordable homes on small sites of less than 10.
- 5.8 In recognition of this (and also reflecting viability evidence) the emerging policy seeks on site-provision only on larger schemes of 11 or more units with the percentage ranging from 35% (low value area) to 40% (medium value area). Witney is within the medium value zone and therefore 40% of the market homes will need to be provided as affordable. This policy continues to state that in some instances, a combination of on site provision and off site financial contribution may be appropriate where necessary and provided the figures can be supported by suitable viability assessments.
- 5.9 In terms of the above, the applicant is prepared to make a financial contribution towards the provision of affordable housing off site. Details of the sum will be reported at the Committee meeting.

Siting, Design and Form

- 5.10 The proposed design of the buildings is a mix of modern and traditional. The conversion of the existing building to the rear of the site will include an extension and will accommodate 9 flats. The resultant design of this building is modern with balconies to provide amenity space for occupants. The materials will be of stone, render and mineral board cladding at the top level. Whilst the design is modern, given the close proximity of the site to the new Doctors building and the Witney and Abingdon College buildings, officers do not consider that the proposed development will appear particularly alien in context.
- 5.11 To the front of the site are two separate new buildings. These are two storey scale and have been amended to reflect a more traditional appearance. The amendments provided details for the window and added a chimney. Officers consider the revisions help to reflect the existing mature housing opposite and around the site. The proposed materials are stone, grey slate roofing, and mineral board cladding to the upper part of the gable ends.
- 5.12 A bin store has been shown on the plans which officers consider is accessible by all of the occupants of the proposed development.

- 5.13 Officers consider that with the conditions as suggested, the design of the development will improve the overall visual appearance of the locality.

Highway

- 5.14 OCC Highways have not raised objections to the proposal, given the location of the site. In addition with the amended plans, further space is provided for 4 vehicles.

Residential Amenities

- 5.15 Officers consider that in terms of Block A, the converted existing building, no adverse impacts will result to either the existing or proposed occupiers. The rear of the building will face towards the hospital area. Whilst there are side windows, as these are not serving living room areas, officers do not consider that an adverse level of overlooking will result. The proposed balconies will have obscure glazing which is to be incorporated into the sides of the balconies.
- 5.16 Officers had concerns with Block B which is located to the front of the site. This proposed building had a wing which continued around the boundary with a small cul de sac off Dark Lane. Although there are existing trees on the boundary, officers did not consider that together with the scale and siting of the proposed building, that the trees would protect the overbearing impact to existing occupiers. After discussions, the applicant has omitted flat 14 which was shown to be over a parking area. Officers now consider that the removal of this part of Block B alleviates the overbearing issue, and provides more space around the whole site.
- 5.17 Any further extensions or alterations will require planning permission, as flats do not benefit from permitted development rights.

Head of Terms

- 5.18 The legal agreement would include the contribution for off site affordable housing provision and for the Leisure/Town Council request.

Conclusion

- 5.19 Officers consider that the proposed development is acceptable in this location. There is a varied range and type of accommodation across the development which officers consider complies with Policy H3 of the adopted West Oxfordshire Local Plan. The designs of the buildings will reflect others in close proximity to the site and will visually enhance the locality. An element of contributions will be given for affordable housing and for leisure which includes the Town Council's request regarding improving the play areas.
- 5.20 Officers will verbally update Members regarding the contributions at the meeting, but notwithstanding this, officers are recommending approval subject to a legal agreement and conditions listed within the report.

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 external walls of the buildings shown to be constructed of stone shall be constructed of local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 3 The external walls of the buildings shown to be rendered shall be rendered, in accordance with a specification which shall be submitted to and approved in writing by the Local Planning Authority before any rendering commences.
REASON: To safeguard the character and appearance of the area.
- 4 The external walls of the buildings shown to be cladded shall be constructed with grey coloured dense mineral board cladding a sample 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.
- 5 The roof(s) shall be covered with dark grey slate; 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.
- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all balconies and external doors and windows; at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the detailing of the buildings reflects the established character of the area.
- 7 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme 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 within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.

- 8 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.
- 9 Prior to the first occupation of any of the units, a residential travel information pack should be produced and submitted to and approved in writing by the Local Planning Authority.
REASON: In the interest of road safety and the amenities of neighbouring properties.
- 10 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.
- 11 Fire hydrants shall be installed in accordance with the requirements of the Fire & Rescue Service in accordance with details, including the phasing of installation, which have first been submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the safety of occupiers of the proposed dwellings.
- 12 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 ensure any contamination of the site is identified and appropriately remediated.
- 13 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 ensure any contamination of the site is identified and appropriately remediated.

- 14 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".

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 12, 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 13.

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 14.

REASON: To ensure any contamination of the site is identified and appropriately remediated.

- 15 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 30 October 2015.
REASON: The application details have been amended by the submission of revised details.
- 16 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.

NOTE TO APPLICANT

Fire & Rescue Service recommends that all new building including all new dwellings are constructed with fire suppression systems.

| | |
|-------------------------|---|
| Application Number | 15/03118/FUL |
| Site Address | The Woodyard Elmwood Farm Burford Road Black Bourton Bampton Oxfordshire |
| Date | 4th November 2015 |
| Officer | Stephanie Eldridge |
| Officer Recommendations | Approve |
| Parish | Black Bourton |
| Grid Reference | 428249 E 205058 N |
| Committee Date | 16th November 2015 |

Application Details:

Use of the land for the storage and processing of virgin wood to produce wood chip

Applicant Details:

Ms D Bradford
c/o agent
United Kingdom

I CONSULTATIONS

I.1 OCC Highways Oxfordshire County Council as highway authority does not object to this proposal. If West Oxfordshire District Council is minded to grant planning permission, it is recommended that the following conditions are imposed:
No operations shall be carried out at the site except between the following times:
7am to 6pm Mondays to Fridays and 7am to 1pm Saturdays.
No operations shall take place on Sundays or Bank Holidays.
Reason: To protect the amenities of local residents.

No Heavy Goods Vehicles (HGV - a vehicle designed to have a maximum weight exceeding 3.5 tonnes when laden) shall enter or leave the site between the following times:
7.30am to 9.00am Mondays to Fridays
3pm to 4pm Mondays to Fridays
Reason: To protect the amenities of local residents and in the interests of highway safety.

There shall be no more than 20 HGV movements in any one week associated with the annual processing of 4,000 tonnes of virgin wood.
Reason: To protect the amenities of local residents and in the interests of highway safety.

From the date of this permission the operators shall maintain records of the monthly traffic movements in and out of their site; such records shall contain the source and destination of the vehicle along with its weight, registration number and the time and date of the movement. Those records shall be made available to the Local Planning Authority at any time upon request.

Reason: In order that the Local Planning Authority can monitor the traffic movements to and from the site.

No loaded HGVs shall leave the site unsheeted.

Reason: In the interests of highway safety and safeguarding the local environment.

Detailed comments

Traffic impact

This proposal is for treatment of 4,000 tonnes per year of virgin wood material (also referred to as Cordwood). Based on previous activity, the supporting information states that on average there would be a total of 5 vehicle movements each day (Monday to Friday) associated with the proposal. This is a very small proportion (less than 1%) of the traffic that a survey has shown uses the Burford Road during the proposed hours of operation of the business. HGVs, including articulated lorries (Gross vehicle weight of 44 tonnes) would be used for deliveries and collection. It is recognised that there have been concerns expressed about the use of Burford Road by HGVs but this small number is not felt to represent a significant issue, particularly given that there are already other HGVs including large farm machinery using the road connected with other local businesses. In the last 5 years there have been no recorded accidents on Burford Road apart from at its junction with Bampton Road where there was one accident involving a bus reversing into Burford Road.

Overall, I do not consider that the impact of these vehicle movements related to the treatment of virgin wood is severe and therefore does not constitute grounds for refusal under the National Planning Policy Framework.

The applicant has expressed a willingness to agree to measures that keep to a minimum the impact of its vehicle movements. This would involve a restriction preventing any HGV movements related to the business during the hours of 8am to 9am and 3pm to 4pm (an HGV is considered by the Highway Authority to be a vehicle designed to have a maximum weight exceeding 3.5 tonnes when laden). This reflects the fact that these are times when local children and their parents are on journeys to and from school. It is considered that the hours of the restriction in the morning should be extended to 7.30am to 9am, the earlier time as a result of the fact that some children travel earlier than 8am to catch the school bus.

The applicant would also submit to the local planning authority a delivery/collection management plan setting out at what points during the day it is planned that HGVs will be moving to or from the business. One element of this would be that no more than one delivery or collection vehicle would be allowed to arrive or leave at the same time in order to keep the impact on the Burford

Road users and residents to a minimum.

The applicant has also committed to liaising with St Mary the Virgin church on Burford Road to understand when weddings, funerals or other large church related events will require HGV movements to be temporarily suspended due to the likelihood of larger amounts of on street car parking taking place.

In addition and in line with the applicants offer, a further condition is recommended that caps the number of movements each week by HGVs that are related to the processing of virgin wood. The suggestion in the applicant's TA is for there to be a maximum of 20 HGV movements in any one week.

Site access

The existing site access onto Burford Road has more than adequate visibility splays.

The 250m length of the site access road is shared with the route of a local footpath. This does not raise any significant concerns given the low level of traffic movement along the access and the fact that there are sufficient opportunities alongside it for pedestrians to stand out of the way if they do happen to meet a vehicle.

Further to updated information received post-committee, the highways officer comments as follows:

I would not have any objections to the suggested change to the condition. You would presumably need to refer to the school terms being those that are published on the Oxfordshire County Council website.

The table giving detail of likely movements by different types of HGVs does not require me to make any change to my recommendation of no objection on highways grounds. The movements are within the cap of 20 HGV movements per week.

- I.2 WODC Env Health - Lowlands
- In respect of the above application I have no objection to make. I have read the acoustic report submitted in support of the application and would ask that the recommendations in respect of the bunding be implemented as part of any planning consent granted.
- Following further questions from Mr Betteridge (see below), Richard Downham (Senior Environmental Health Officer) confirmed:
- No, it doesn't change my recommendation. All reports of this type are open to question but I am satisfied that the methodology used is typical (and suitable) for an assessment of this type.
- I would however, expect the new bunding to be in place prior to the commencement of chipping outside of the current bunded area.

- I.3 WODC Landscape And Forestry Officer I've been consulted on this application. I have been working with Cotswolds Woodfuels for some time to help promote the use of woodchip in the area as part of our work to develop local renewable energy sources and to assist with local woodland management. We have been working on the management of local small woodlands for some time as this can bring improvements to the landscape, biodiversity and help generate local employment. Lower quality timber is collected from local woodlands and processed to make woodchips that are dried and used mainly in biomass boilers. So, I support this application for the wider environmental benefits that it brings.
- I.4 Ecologist The ecology report addresses the issues I would suggest the following condition:
- All of the development works must be carried out as per the impact avoidance strategy recommendations in section 5 of the Great Crested newts Assessment (BSG ecology Oct15). All the recommendations in the impact avoidance strategy must be permanently adhered to unless otherwise agreed in writing by the LPA.
- Reason: To ensure that Great crested newts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, In line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies including EH2 and saved policy NE13 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- I.5 MOD (Brize Norton) No comments received.
- I.6 Parish Council The Parish Council have submitted a 92 page document (including appendices) in regards to the application. Although they do not object in principle to the continued processing of virgin wood to produce woodchip at The Woodyard, the Parish Council do not support the intensification of operation from 1400 tonnes to 4000 tonnes per annum. The main objections have been summarised and concluded below.
- The Material Planning Considerations above are classified as:
- (1) Highways issues: Traffic generation, vehicular access and highways safety.
 - (2) National and Local Planning Policies
 - (3) Noise
 - (4) Pre-application planning consultations
- We set these out in more detail below, in terms of objections, together with suggested amendments and conditions.

OBJECTION I

Highways (traffic generation, highway safety)

The council objects strongly to the intensification of use that this application represents. Up until March 2015, when temporary planning consent MW.0046/15 expired, the permitted annual tonnage of processed wood-chip was 1400 tonnes. The current application seeks permission to process 4000 tonnes pa, taking the annual tonnage to approximately 3x that permitted up until March this year.

The tonnage of wood-chip processed is relevant to this community because an increase in tonnage has an immediate correlation to increased HGV traffic. In rough terms 4000 tonnes, if permitted, would result in a level of HGV traffic 3x that associated with 1400 tonnes.

Because of the nature and condition of the narrow, cul de sac rural road that runs through the heart of the village without footpath, an increase in HGV traffic has a direct impact on the road safety, sustainability and amenity of this village community. Current levels of HGV's, heavy agricultural and business use traffic are considered to already have a severe impact on the village in terms of road safety, sustainability and amenity. With regard to HGV traffic, OCC Highways states (Appendix A) that Burford Road is not suitable for HGV traffic.

Therefore, any application that seeks to increase HGV traffic above current levels should be refused, because to do otherwise would be to permit an increase in the severity of the impact on the village. In fact, to allow CWF to intensify HGV traffic would set a precedent that subsequent applications, whether by CWF or others, could exploit.

Suggested amendment - The annual tonnage of processed virgin wood to make wood chippings will be limited to 1400 tonnes.

Suggested conditions -

- 1) That CWF is required to demonstrate that no intensification of annual tonnage is taking place, by making available to WODC documentation to show compliance. This documentation would also be made available to the Black Bourton PC, on request to the WODC.
- 2) HGV levels will be limited to levels associated with 1400 tonnes pa.
- 3) HGV movements are limited to 6 in any one week (ie 12 x one way movements, where a movement is defined as a single journey either up or down Burford Road). Documentation to show that this limit is not being exceeded is to be made available to WODC. This documentation would also be made available to Black Bourton PC, on

request to the WODC.

- 4) All vehicles carrying woodchip must be covered to prevent spillage on the highway.
- 5) There shall be no HGV movements during school bus times, which are 0730-0900 and 1500-1600 Mon- Fri.
- 6) No sales of woodchip or other wood products to members of the public shall take place from the site.

OBJECTION 2

Pre-application Planning Consultations

The Council does not agree with the statements made at para 3.8 of the Planning Statement concerning agreements between the applicants transport consultants (Mode Transport) and OCC Highways (Mr G Arnold).

We do not agree that a recommendation or decision based on trip-rate is applicable; it is HGV traffic and the level of conflict with other traffic and road users that is the focus here, and trip-rates do not address this.

Therefore, we would suggest that any agreements made between OCC Highways and Mode Transport (representing CWF) during pre-application planning consultations should be set aside.

We are concerned that if the methodology and reasoning used by Mode Transport to support the application were accepted, it could be used to justify a massive increase in HGV traffic in any future applications.

If approved, the proposal could therefore set a precedent for any future development which in equity could prove difficult to resist to the further cumulative detriment to amenity, safety and sustainability.

The Parish Council therefore rejects the conclusions at para 7.2 of the Transport Statement, which says that CWF's operations traffic is negligible and will not have a detrimental impact on the safety of public highway users. 85% of heavy HGV traffic (44 tonne HGVs) along Burford Road is generated by CWF.

The application and our objection should be considered alongside OCC Highway's (Mr Arnold) consultation statement of June 2015 (at appendix A), which was provided against CWF's planning application MW.0046/15 (withdrawn). This states: 'additional HGV movements would increase conflict between highway users and have a detrimental impact upon the highway carriageway and verges, maintainable at public expense.'

OBJECTION 3

Noise.

A detailed review of the applicant's Noise Impact Statement (at Annex C) reveals that the measurement of background noise, the test regime of the wood chipper noise assessment, and the parameters of the proposed acoustic attenuation solution are all open to question.

Therefore, until the acoustic barrier can be conformed as acceptable to the nearest residences, the application to woodchip outside the current earth bunded area should be refused.

The review suggests criteria by which 'acceptable' may be judged.

Suggested conditions-

- 1) The impulsive nature of the chipper noise should be no worse than 'very slightly perceptible' relative to the background noise level at assigned monitoring stations.
- 2) The sound rating level of chipping operation should not exceed the background level LAq90, 8hrs by greater than 3Db at the monitoring locations.
- 3) The applicant shall maintain a record of the hours the wood chipper machinery is in operation and to make this record available to WODC on request. This documentation would also be made available to Black Bourton PC, on request to the WODC.

2 REPRESENTATIONS

2.1 At the time of writing 24 members of the public have written in support of the application. Their comments are briefly summarised as follows:

2.2 Rural Economy

- CWF are a convenient and efficient local business who supply high quality woodchip for biomass energy for private and public uses such as schools, colleges, farms and estates. There are few alternative suppliers locally.
- Reliance on long distance haulage undermines the sustainability argument for using biomass as an alternative energy source. This business provides local supply for local demand.
- The business provides local employment and enhances the rural economy. The refusal of planning permission may lead to the discontinuance of the business and loss in the local economy.

2.3 Environment

- Survival of local woodland depends on responsible management and removal of the low value virgin wood from woodland that is used by CWF to produce wood chips for biomass fuel. The facility and operation at CWF is key to education programs for sustainable forestry.

2.4 Renewable Energy

- The application is in line with government policy on renewable energy and contributes to the UK CEMARS (Certified Emissions Measurement and Reduction Scheme) targets.

2.5 Highways

- Significantly less vehicular movements than the Aylesbury Mushroom Farm that were producing hundreds of vehicle movements daily and was in operations prior to CWF.

2.6 Noise

- The production of woodchip is insignificant compared to the noise produced at the RAF Brize Norton airbase.

2.7 Policy

- Considered NPPF and WODC Local Plan compliant.

2.8 Other

- There is no intensification or increasing impact on Black Bourton village than already exists.
- At the time of writing 53 members of the public have written in objection of the application. Their comments are briefly summarised as follows:

2.9 Highways

- Burford road is very narrow and lacks pedestrian pavements so the road is used frequently by pedestrians, cyclists, horse riders etc. The narrow road means that pedestrians and other vehicles have to mount the grass verges to allow large vehicles and HGV's associated with CWF to pass safely. These grass verges are quickly eroding and become dangerously wet and muddy during the winter. Additionally, lack of street lighting makes it difficult for pedestrians to move on to the grass verges safely to avoid large vehicles using the road. The lack of pavement is a huge public safety concern.
- Many of the driveways on the Burford Road are blind and have low visibility when pulling out. There is a high risk of road traffic accidents occurring. Large trucks and HGV's associated with CWF may struggle to break fast enough due to heavy loads when driving at speed around corners making this potentially more dangerous for road users pulling out of these driveways.
- Regular services, weddings and funerals at the Church generates heavy traffic. People tend to use both sides of the road to park their vehicles when attending the church. This leaves very little space for other traffics to park. HGV's and other large vehicles associated with CWF would struggle to pass through during church services.
- The bus stop positioned by the access to Burford Road generates heavy traffic when parents take children to and pick them up from using the school bus. Parents often park on the roadside during these times. HGV's and other large vehicles associated with CWF would struggle to pass through during these times. The safety of children using the bus stop

is also a concern due to the narrow road causing people to use the grass verges when large vehicles pass. Further concerns regarding public safety have been raised as young children may not be spotted by drivers, or may struggle to climb the raised verges when walking down the narrow Burford Road to use the bus.

- There are large stabling facilities in the area and horses are regularly ridden down Burford Road. The road is too narrow to allow a HGV to pass a horse safely and would put both the horse and rider at risk.
- The RAF Brize Norton emergency crash gate exits on to the Burford Road. Emergency vehicles would require unrestricted access and should not be blocked by large vehicles and HGV's using this narrow road.
- Blocked water drains cause localised flooding on the roads.
- Mr Geoffrey Arnold stated, on behalf of Oxfordshire County Council, that 'Burford Road is not suitable for an increase on HGV traffic on the grounds of safety and sustainability' in regards to the previous county application for the processing of waste wood that was subsequently withdrawn.
- Minimal maintenance of the Burford Road has left it very damaged and with numerous pot holes. Heavy vehicles delivering the virgin wood would likely cause further damage to the roads.
- Burford road is a cul-de-sac with no alternative exit. This doubles traffic movements through the village which subsequently doubles the risks/damage caused by large, heavy vehicles.

2.10 Noise

- Noise levels from RAF Brize Norton have dropped considerably since the ground runs near Black Bourton have stopped. The noise levels produced from the wood chipper would be unacceptable and can be heard from the Bampton Road.
- Noise generated from HGV's and large vehicles driving over damaged and pot-holed road causes unacceptable noise nuisance to nearby residential dwellings.

2.11 Employment

- CWF brings no benefit to the village with no employment opportunities and no engagement within the community.

2.12 Environmental Issues

- Pollution- Increased use of HGV's and other vehicles associated with CWF emit diesel exhaust fumes, dust and litter.
- The virgin wood can emit toxic contaminants such as cyanide.
- The site sits within 50m of the aviation fuel store of RAF Brize Norton. There are concerns over the potential fire hazard of wood chip storage so close to fuel storage.

2.13 Public Safety

- Concerns over the safety of stacked virgin wood.

2.14 Sustainability

- Deliveries to and from CWF are now nationwide - this does not support the sustainability argument for renewable energy providers.
- Increased HGV movements whether local or nationwide are not environmental friendly or sustainable.

2.15 Policy

- Considered contrary to the WODC adopted and emerging Local Plans.

2.16 Other

- The development will ruin the character of the village.
- There are concerns over the council's ability to monitor any future operations on the site.
- Hours of operation conditions are not always complied with. There have been deliveries of virgin wood at 11:30 pm.
- Concerns that an approval of this application could lead to even larger scale development of the site in the future.
- **Additionally, the Black Bourton Environment Committee has submitted a 24 page document objecting to the application. A conclusion summarising their objections is below. The full document can be accessed on the council's website.**
- There can be no guarantee that the proposed site use will not harm the Site of Special Scientific Interest and Conservation Target Area.
- There can be no guarantee of affording the fullest protection to the sites of special scientific interest.
- Producing biomass fuel is not the most efficient way of dealing with timber or wood chip.
- There can be no guarantee that current/future dust emissions are not harming/will not harm plant or human health or the quality of the water supply that is used for our drinking water/water.
- Wood processing is a high fire risk industry and a fire could cause widespread damage to nearby major infrastructure.
- The proposal does not fulfil the criteria of using public transport, ensuring road safety and giving priority to pedestrians and cyclists. Traffic impacts cannot be mitigated.
- Land use for wood chipping is not part of farm activity as the crop is not grown on site. The site is not a brownfield site and is located in open countryside.
- The site does not support an economic, social or environmental role and is therefore not sustainable.
- There is a history of breaking planning conditions.
- There are major health and safety and fire risk concerns.
- The Woodyard has had a detrimental effect on family life in Black Bourton.

3 APPLICANT'S CASE

3.1 The following documents have been submitted in support of the application and have been summarised below. The full documents can be accessed on the WODC Public Access website.

3.2 Planning Statement Conclusion

- In recognition of local concerns, a specific Transport Statement accompanies the submission. The proposed access is suitable and the traffic generated is lower than if the site was in its previous agricultural use. Despite this, the applicant is willing to accept conditions relating to traffic movements and a delivery management plan to further reduce the impact of traffic through the village.
- A noise assessment has been undertaken and further acoustic bunding is proposed to ensure noise from the wood chipper does not have an unacceptable impact on existing residents.
- There will be no significant additional landscape, water, nature conservation, or air quality impacts as a result of the continued use of the site and taking into account the site's location adjacent the RAF Brize Norton airfield and the Carterton Sewage Treatment Works.
- Due regard has been given to the environmental, amenity and traffic generation impacts. The continued use of the site will not have any unacceptable amenity impacts and the provision of wood fuel must be considered an overall environmental benefit.
- The planning balance:
- In conclusion, the proposal seeks planning permission for the continued use of the Woodyard for the storage and processing of virgin wood to produce wood chip.
- Having regard to local plan policies and in accordance with the presumption in favour of sustainable development, the proposal has demonstrable economic, social and environmental benefits.
- There are no significant and demonstrable adverse impacts which outweigh the benefits of the proposal and planning permission should be granted without delay.

3.3 Noise Impact Assessment Conclusion

- Hepworth Acoustics has undertaken a noise impact assessment relating to wood chipping operations at Cotswold Wood Fuels, Black Bourton.
- This has been undertaken in accordance with the guidelines set out in British Standard 4142: 2014
- 'Methods for rating and assessing industrial and commercial sound', and has been based on a set of sound surveys undertaken at the site.
- Noise mitigation measures have been recommended to ensure that proposals will not result in harm to the amenity of neighbouring residents by way of noise.

3.4 Transport Assessment Conclusion

This TS has been prepared in support of a full planning application for the continued use of processing virgin wood (forestry wood) at the Woodyard at Elmwood Farm, Black Bourton in Oxfordshire. As a result of the reviews and analysis carried out for this statement it can be concluded that:

- i. The site conforms to both local and national policies;
- ii. The site will continue to be served by a safe and efficient vehicle access arrangement for all traffic associated with the site;
- iii. The processing of virgin wood has been established on site for a number of years;
- iv. A traffic count survey demonstrated that over a 2 week period out of the 8,319 two-way vehicle movements counted along the Burford Road only 50 were associated with the Woodyard, which is approximately 0.6%.
- v. The site's operating hours of 0700 to 1800, Monday to Friday and 0700 to 1300 on Saturdays is to remain unchanged. The operation restriction stipulating no vehicle movements between 0800 to 0900 and 1500 to 1600 will remain unchanged.
- vi. Cotswold Wood Fuels Limited will accept a planning condition restriction on the number of HGV moments associated with the site;
- vii. Cotswold Wood Fuels Limited is willing to enter into a Delivery Management Plan (DMP) as a planning condition.
- viii. There is no reported accident history within the vicinity of the site on the Burford Road.

In conclusion, it has been demonstrated that the site's existing operations traffic impact on the local highway network is negligible and its continued use will not have a detrimental impact to the safety of public highway users.

This proposal will not create any residual cumulative impacts that are considered severe and therefore in accordance with recent Government advice in the NPPF, the proposal should be considered acceptable in transport terms.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE19 Noise

E7 Existing Businesses

NE15 Protected Species

OS2NEW Locating development in the right places

E1NEW Land for employment

EH2NEW Biodiversity

EH6NEW Environmental protection

T2NEW Highway improvement schemes

NE12 Renewable Energy

EH4NEW Decentralised and renewable or low carbon energy development

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

5 PLANNING ASSESSMENT

- 5.1 This application is seeking planning permission to store and chip virgin wood on an area of land historically used in association with Aylesbury Mushrooms Ltd. The application makes reference to the 'Use of the land for the storage and processing of virgin wood to produce wood chip' and cites two temporary 'County Matter' permissions as the starting point for consideration of this application. It should be noted that the application site area for the storage of virgin wood and chippings in this latest application is significantly greater than that approved under 10/0022/P/CM. Further this application is to process up to 4000 tonnes of cordwood per annum as opposed to a maximum of 1400 applied for under the earlier grants of temporary consents given by the County Council.
- 5.2 Historically the applications were dealt with by the County Council because there was an element of waste disposal involved in the development. This is no longer the case and the matter is therefore now a District Matter.

Background Information

- 5.3 This application was deferred at the Planning Sub-Committee in October to enable officers to seek clarification of the size, volume and tonnage of the HGV's that would be used to service the site and confirm whether it was intended that retail sales would take place.
- 5.4 In accordance with the committees request the applicants have provided an **updated statement** to clarify these requested. This updated statement can be found in full on the Councils website.

Sale of wood to the public

- 5.5 In this document it has been concluded that the woodchip which is produced on site is collected in bulk by customers but there is no retail sale to the public. The details of the vehicles that customers use to collect woodchip have been included in the traffic movement details below and all of these HGV traffic movements are included within the conditioned 20 HGV movements associated with the use.
- 5.6 Objectors have suggested that logs are sold to the public from the site, referring to an old company website for Goodwood Tree Care Limited and inferring that the public can buy bags of logs from the site. This is incorrect. Goodwood Tree Care is not associated with Cotswold Wood Fuels or The Woodyard.

Traffic movements

- 5.7 Table A (submitted with the updated statement) presents a summary of the typical HGV movements associated with processing up to 4,000 tonnes of virgin wood and in compliance with the proposed condition of 20 HGV movements per week.

Typical HGV details

Deliveries of logs (cordwood):

1. Wagon and Drag Lorries are used for log deliveries. These are Class 1 HGVs with a gross vehicle weight of 44 tonnes, a 16-19 tonne unladen weight and will carry 25 tonnes of 'wet' virgin wood timber.

Collections/deliveries of wood chip:

2. Articulated 'walking floor' trucks are used for collections of woodchip. These are Class 1 HGVs with a gross vehicle weight of 44 tonnes, a 16-19 tonne unladen weight and will carry 20 tonnes of woodchip.
3. 8 wheeler tipper trucks are used for woodchip collections (also known as a 'rigid' HGV). These are Class 2 HGVs with a gross vehicle weight of 32 tonnes, a 12 tonne unladen weight and will carry 7 tonnes of woodchip.
4. Walking floor agricultural trailers are used to deliver or collect woodchip very locally (within 5 miles). These carry 5 tonnes of woodchip and are usually towed by tractor. These are included within the proposed limit on HGV movements.

Typical movements

- 5.8 During the 31 winter weeks, in any typical week, there will be a maximum of 20 HGV movements. One 'Wagon and Drag' lorry will deliver logs (cordwood) to the site per week. This counts as 2 movements. Each of the three different types of HGV's used to deliver/collect woodchip (as specified above) will visit the site 3 times each. That amounts to a total of 18 movements for the collection/delivery of woodchip. Over the winter months this would amount to 775 tonnes of cordwood incoming to site and 2,976 tonnes of woodchip outgoing to clients.
- 5.9 During the 21 summer weeks, in any typical week, there would usually be 18 traffic movements. This figure is below the proposed 20 movements to be conditioned if approved. Six 'Wagon and Drag' lorries will deliver logs (cordwood) to the site per week. This counts as 12 movements. Each of the three different types of HGV's used to deliver/collect woodchip (as specified above) will visit the site once each. That amounts to a total of 6 movements for the collection/delivery of woodchip. Over the summer months this would amount to 3150 tonnes of cordwood incoming to site and 672 tonnes of woodchip outgoing to clients.
- 5.10 Overall, the proposed HGV traffic movements would allow for 3,925 tonnes of incoming wood and 3,648 tonnes of outgoing woodchip per annum. This shows that this maximum quantum of wood can be processed whilst complying with the proposed condition of 20 HGV movements per week.

Planning History

- 5.11 Elmwood Farm was previously occupied by Aylesbury Mushrooms Limited until it closed down in 2003. This was a major employer with HGV's carrying compost, raw materials and mushrooms to and from the site. Whilst no longer operational, an extensive complex of buildings remains which can lawfully be used for agriculture or horticulture which could include an intensive activity such as mushroom farming.

- 5.12 The existing steel framed storage building was granted permission for preparing compost in 1985 (Ref W85/0172). A further general purpose agricultural building was granted permission in 1986 (W95/1675) on the south western yard area but not implemented.
- 5.13 Temporary planning permission (06/01765/P/CM) was granted by OCC subject to conditions for the processing of wood from forestry and arboriculture in December 2006. This related to part of the yard now contained by bunds. This temporary consent was subsequently renewed in 2010 under ref 10/0022/P/CM for a further 5 years on 17 March 2010. This temporary consent has subsequently expired in March of this year.
- 5.14 Following expiry of the temporary consent planning permission was sought from OCC in March 2015 for the recycling of waste wood to produce woodchip (MW.0046/15). This was proposed in addition to the existing cordwood operation. This was an expansion of the existing operation but was withdrawn following an objection from OCC Highways.
- 5.15 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

- 5.16 Given the planning history associated with the site and in particular its former use in association with 'Aylesbury Mushrooms', the principle of using the land and adjoining building for the storage and processing of wood is considered to accord with adopted and emerging Local Plan policies, in particular E7 of the adopted WOLP and E1 of the emerging Local Plan 2031.
- 5.17 In light of the above officers consider that the key issues in respect of this application relate to the following:

Highway Safety;
Visual Impact;
Noise;
Ecology.

Highway Safety

- 5.18 Members will note that in respect of this matter there is a large body of objection from local people and the Parish Council. Notwithstanding the objections the Highways Authority are raising no objection to the proposals subject to the following conditions:
1. No operations shall be carried out at the site except between the following times:
7am to 6pm Mondays to Fridays and 7am to 1pm Saturdays.
No operations shall take place on Sundays or Bank Holidays.
REASON: To protect the amenities of local residents.
 2. Except during school holidays no Heavy Goods Vehicles (HGV - a vehicle designed to have a maximum weight exceeding 3.5 tonnes when laden) shall enter or leave the site between the following times:
7.30am to 9.00am Mondays to Fridays
3pm to 4pm Mondays to Fridays

NB: The school holiday dates are those that are published on the Oxfordshire County Council website.

REASON: To protect the amenities of local residents and in the interests of highway safety.

3. There shall be no more than 20 HGV movements in any one week associated with the annual processing of 4,000 tonnes of virgin wood.

REASON: To protect the amenities of local residents and in the interests of highway safety

4. From the date of this permission the operators shall maintain records of the monthly traffic movements in and out of their site; such records shall contain the source and destination of the vehicle along with its weight, registration number and the time and date of the movement. Those records shall be made available to the Local Planning Authority at any time upon request.

REASON: In order that the Local Planning Authority can monitor the traffic movements to and from the site.

5. No loaded HGVs shall leave the site un-sheeted.

REASON: In the interests of highway safety and safeguarding the local environment.

- 5.19 The application was deferred at the last Lowlands Planning Sub-Committee due to members concerns over the exact types and numbers of HGV movements that would be associated with the site. Since then the applicant has submitted a clear **updated statement** and detailed table identifying the types of HGV's to be used showing that the maximum quantum of wood can be processed whilst complying with the proposed condition of 20 HGV movements per week.

- 5.20 This information has been sent to the County Council's highways officer for further consultation and he has stated that this detail does not require them to make any changes to their recommendation of no objection on highways grounds as these movements are within the cap of 20 HGV movements (see applicants case).

- 5.21 In light of the County Council's consultation response the proposals for the site are considered acceptable in highway safety terms.

Visual Impact

- 5.22 The extended site area is to be enclosed by additional log bunds (stacks of logs) along the southern and eastern boundaries of the site. The logs that form the bunds will be drying out prior to being chipped and the bunds will therefore be replaced approx. every 12-18 months. These bunds will provide visual screening for the log storage and chipping operation from views across the fields and from the public footpath that runs along the access track to the site. There is existing well established hedgerow planting along the Burford Road to the east of the site which provides a further visual screening of the site from the public domain. In light of these factors the extended site area for the storage and chipping of virgin wood will not, in your officers opinion, result in unacceptable levels of visual harm to the semi-rural character and appearance of the area.

Noise

- 5.23 Your Environmental Health Officer has raised no objections to the proposals for the site subject to the new bunding to be in place prior to the commencement of chipping outside of the current bunded area.
- 5.24 The comments from the Parish Council in respect of concerns about noise have been passed onto your Environmental Health Officer who has stated that the comments don't change his recommendation as all reports of this type are open to question but he is satisfied that the methodology used is typical (and suitable) for an assessment of this type.
- 5.25 In light of the Environmental Health Officers consultation response the proposals are considered acceptable in noise terms.

Ecology

- 5.26 During the consideration of the application it has come to light that there is a pond in close proximity to the application site area and given the nature of the proposals this has raised some concerns about the potential impact of the development on the habitat of protected species. The applicants have provided an ecology report in respect of the Great Crested Newts which concludes that although the presence of Great Crested Newts is unknown, there are mitigation measures that can be put in place to protect them. The Council's ecologist has raised no objection subject to the following condition:
- I. All of the development works must be carried out as per the impact avoidance strategy recommendations in section 5 of the Great Crested newts Assessment (BSG ecology Oct15). All the recommendations in the impact avoidance strategy must be permanently adhered to unless otherwise agreed in writing by the LPA.
- 5.27 In addition objections submitted with the application make reference to the potential impact on an SSSI located some 400m away to the south west of the site. The council's ecologist has confirmed that due to the siting of the sewage treatment works in between the yard and the SSSI that there is unlikely to be an impact.
- 5.28 In light of the Council's ecologist consultation response the proposals are considered acceptable in ecology terms.

Conclusion

- 5.29 Notwithstanding the great weight of objection to the proposals for an extended operation from the site, key technical consultees have raised no objections to the proposals subject to conditions. Additionally, the applicant has provided the further information requested by members at the previous committee meeting which confirms that the site can operate successfully within the proposed maximum tonnage and the highways conditions stated below. Furthermore, policy NE12 (Renewable Energy) of the adopted Local Plan and EH4 (Decentralised and renewable or low carbon energy development) of the emerging Local Plan 2031 are positively worded policies which weigh in favour of the proposals for the site subject to the environmental impacts not causing unacceptable harms.

5.30 In light of the technical consultees detailed responses which raise no objections to the proposal officers are recommending the application for approval based on the below 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 No operations shall be carried out at the site except between the following times:
7am to 6pm Mondays to Fridays and 7am to 1pm Saturdays.
No operations shall take place on Sundays or Bank Holidays.
REASON: To protect the amenities of local residents.
- 3 Except during school holidays no Heavy Goods Vehicles (HGV - a vehicle designed to have a maximum weight exceeding 3.5 tonnes when laden) shall enter or leave the site between the following times:
7.30am to 9.00am Mondays to Fridays
3pm to 4pm Mondays to Fridays
NB: The school holiday dates are those that are published on the Oxfordshire County Council website.
REASON: To protect the amenities of local residents and in the interests of highway safety.
- 4 There shall be no more than 20 HGV movements in any one week associated with the annual processing of 4,000 tonnes of virgin wood.
REASON: To protect the amenities of local residents and in the interests of highway safety.
- 5 From the date of this permission the operators shall maintain records of the monthly traffic movements in and out of their site; such records shall contain the source and destination of the vehicle along with its weight, registration number and the time and date of the movement. Those records shall be made available to the Local Planning Authority at any time upon request.
REASON: In order that the Local Planning Authority can monitor the traffic movements to and from the site.
- 6 No loaded HGVs shall leave the site un-sheeted.
REASON: In the interests of highway safety and safeguarding the local environment.
- 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 fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site, other than those expressly authorised by this permission, without prior planning permission from the Planning Authority.
REASON: Control is needed to protect the environmental amenities of the area.
- 8 Between the hours of 07:00 and 18:00, the noise levels arising from the development shall not exceed 50 dB (LAeq) (1 hour), freefield at any point at least 1m from the facade of any the noise sensitive properties in the locality.
REASON: To protect the amenities of local residents.

- 9 No operation shall be carried out at the site unless signs warning the public footpath (No. 151B/11) users of site traffic are erected in accordance with locational details to be first submitted and approved by the LPA.
REASON: In the interests of safety and to protect the amenities of the footpath users.
- 10 That during the period of the operation the bunds shall be maintained at the heights specified on the approved site plan - Drawing No. 02 submitted with the planning application unless otherwise agreed in writing by the LPA.
REASON: To minimise the adverse impact of noise generated by the operations on the local community.
- 11 All of the development works must be carried out as per the impact avoidance strategy recommendations in section 5 of the Great Crested newts Assessment (BSG ecology Oct15) . All the recommendations in the impact avoidance strategy must be permanently adhered to unless otherwise agreed in writing by the LPA.
REASON: To ensure that Great crested newts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, In line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies including EH2 and saved policy NE13 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 12 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.
- 13 No sales to members of the public shall take place from the site.
REASON: To protect the amenities of local residents.

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| Application Number | 15/03148/OUT |
| Site Address | Land West Of Thornbury Road Eynsham Oxfordshire |
| Date | 4th November 2015 |
| Officer | Phil Shaw |
| Officer Recommendations | Pending Decision |
| Parish | Eynsham |
| Grid Reference | 442549 E 209439 N |
| Committee Date | 16th November 2015 |

Application Details:

Residential development of up to 160 dwellings (means of access only)

Applicant Details:

Sensecall/Wilmshurst/Sherbrooke
C/O Agent
United Kingdom

I CONSULTATIONS

I.1 Parish Council Eynsham Parish Council

1. The Strategic Housing Land Availability Assessment, June 2014 (SHLAA) refers to this Site (179) as 'Suitable in principle for development ... although access is a key constraint. Could potentially come forward as part of a comprehensive scheme including 187a'. Approval as proposed could seriously frustrate a more comprehensive development of the western edge of the village as identified in the emerging local plan and the SHLAA.
2. This is a short-term opportunistic development proposal which is isolated from and does not relate to the village as a whole or other sites in the village identified for future development.
3. The Site should form part of a comprehensive master plan for the longer term growth of Eynsham with other landowners of sites for sustainable development, which takes into consideration emerging plans by Oxford County Council for improvements to the A40 and identifies key infrastructure provision for local transport (in co-ordination with A40 improvements), schools, healthcare, utilities and social amenities.
4. Little weight should be given to the submitted Traffic Assessment (TA) which fails to identify adequately or at all when the base manual survey data in the Study Area (TA Appendix G) was collected and takes no consideration of term times of Bartholomew School, which has the biggest impact on traffic on Witney Road and Thornbury Road. It is also noticed that the automatic traffic count points selected do not reflect the key congestion points of limited access to the village (for example, Witney Road was sampled between

Thornbury Road and Acre End Street but not between Thornbury Road and the A40, which would reflect the additional traffic from Old Witney Road and Spareacre Lane).

5. Likewise, the comments of OCC on transport should be accorded little weight as these rely on the same flawed procedures and data which it approved in pre-application discussions.

6. The proposed sole access for all vehicular traffic through Thornbury Road to Witney Road is totally unrealistic and impractical. The Applicant is clearly wrong when it asserts the buses parking in the vicinity of the Bartholomew School layby 'do not impede traffic flows on Witney Road' (TA 3.6) or that there is 'excellent visibility' and 'the development is unlikely to conflict with the operation of the layby' (TA 3.7). This is directly contrary to the experience of residents in the vicinity and users of Witney Road, as is reflected in the comments posted on this Application. The addition of 630 vehicles a day (TA Table 5.7) into the mix of school buses, scheduled buses, school generated car traffic, pedestrian and cycle traffic of hundreds of students and others, together with the regular commuter and commercial traffic on Witney Road would not be 'modest' but unsafe and would have an unacceptable degree of impact on the local highway network contrary to BE3, T1 and T6 of LP 2011 and T2 of the draft LP 2031.

7. EPC agrees with the objections of OCC as to the impact the development would have on both the Eynsham primary school and Bartholomew School, both of which are at capacity. It is unacceptable that pupils should be bussed out of the village because development has exceeded the schools' ability for expansion, which would not be satisfactorily remedied by s106 contributions.

8. The Application is further flawed in that it fails to adequately assess the capacity of local healthcare facilities. Eynsham Medical Centre (and its branch at Long Hanborough, which is also subject to significant development proposals) is already rationing patient appointments. The practice has in excess of 13,600 patients and is under strength with most doctors only working part-time.

9. The submitted Flood Risk Assessment (FRA) admits that the Chil Brook presents a flood risk to the southern end of the Site which cannot be used for development. The site has a drop to the Chil Brook of approximately eight metres and further falls off towards a drainage ditch which forms the western boundary of the Site. This ditch runs into the Chil Brook, which subsequently flows through the village to the Wharf Stream and ultimately the Thames. It is intended to use a SUDS drainage system (6.0) but the FRA states (at 2.6) that 'Generally soils are relatively impermeable, resulting in greater run-off towards the watercourse.'

10. The FRA wrongly states (at 4.11) that surface water flooding has not led to flooding of property and omits any reference to associated fluvial flooding by the Chil Brook of properties on Station Road on various occasions (Appendix E, historic flood map). The Site is upstream from known settlement areas at flood risk in the village. These have not been adequately taken into consideration in the SUDS

proposals contrary to NPPF 100 and 103.

11. The Design and Access Statement at 5.1.3 proposes up to three storey development on the middle to high ground of the Site (see also Indicative building height zones drawing). This and a density of 35 dph would have an adverse visual impact upon the soft western edge of the village that would stand out as a hard, incongruous urban extension contrary to BE2, BE4, H2 and H7 of LP 2011 and OS2 and EW2 of draft LP 2031.

12. The Application as proposed should not be approved as its adverse impact on future growth and infrastructure of Eynsham would significantly and demonstrably outweigh the benefits contrary to NPPF 14, LP 2011 BE1 and draft LP 2031 OS1 and EW2.

If the Application is approved:

A comprehensive Construction Travel Management Plan should be required due to the limited and residential nature of Thornbury Road, the nature of Witney Road as a scheduled bus route and the safety aspects of the adjacent Bartholomew School.

The Parish Council requests a developer contribution in the amount of £496,000, indexed linked, towards street furniture, play and recreation areas and facilities or other appropriate village amenities to reflect the additional strain on existing community infrastructure the development will represent.

1.2 One Voice
Consultations

Transport

No objection subject to conditions and S106 and S278 legal agreements

Archaeology

No objection subject to conditions

Education

Objection

Based on the information currently available, this proposed development has been estimated to generate 49 primary pupils, 36 secondary pupils (including 4 sixth formers) and 0.9 pupils requiring education at an SEN school.

Primary school capacity in this area is not sufficient to meet the needs of housing development on this scale. There is not currently an identified solution to increasing primary school capacity in a satisfactory and sustainable manner. The Eynsham Academy Trust and the county council will continue to explore options, but at this stage, the county council does not consider that this scale of growth can be supported.

Property

Request £35,190 towards library infrastructure

1.3 WODC - Arts

No Comment Received.

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| 1.4 | Wildlife Trust | <p>The Ecology Report has concluded that there are few ecological constraints to development at this site, however in section 5.2 it does make a number of recommendations that, should planning permission be granted, I suggest are secured through planning conditions to ensure that the development is compliant with regard to protected species, and that areas of value to wildlife within the development footprint (particularly the Chil Brook and hedgerows) are conserved and enhanced in line with national and local planning policy (NPPF para's 109 and 118, West Oxon Local Plan 2011 NE13 and NE15, and the emerging West Oxon Local Plan 2011-2031).</p> <p>I also suggest that the Council request a Biodiversity Impact Assessment to be undertaken using the DEFRA Biodiversity Metric</p> |
| 1.5 | Ecologist | No Comment Received. |
| 1.6 | WODC Community Safety | No comments from parking |
| 1.7 | WODC Drainage Engineers | No Comment Received. |
| 1.8 | Environment Agency | No Comment Received. |
| 1.9 | WODC Env Services - Car Parking | No Comment Received. |
| 1.10 | WODC Env Health - Lowlands | No comments to make on the above application. |
| 1.11 | WODC Head Of Housing | <p>There are currently in excess of 270 households who would qualify for affordable housing in Eynsham were it available.</p> <p>In policy terms the council would seek as a guide, an overall mix of affordable housing in the following proportions;</p> <ul style="list-style-type: none"> o 65% to be one and two bedroom homes to meet the needs of younger single and couple households, older people and small family households o 35% to be three and four bedroom homes <p>Of this overall mix, and since there is a significantly greater need for rented housing than for intermediate housing, the favoured ratio is 2 : 1 affordable rent to shared ownership.</p> |
| 1.12 | WODC Env Services - Landscape | No Comment Received. |
| 1.13 | WODC Landscape And Forestry Officer | No Comment Received. |
| 1.14 | WODC Legal & Estates | No Comment Received. |

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| I.15 | Thames Valley Police Licensing Office | No Comment Received. |
| I.16 | WODC Planning Policy Manager | No Comment Received. |
| I.17 | WODC - Sports | No Comment Received. |
| I.18 | Thames Water | 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 Grampian style condition imposed. |
| I.19 | WODC Env Services - Waste Officer | No Comment Received. |

2 REPRESENTATIONS

2.1 42 representations have been received objecting to the proposal on the following grounds:

- The road exit is opposite Bartholomew School Lay-by.
- A zebra crossing has just been installed next the exit.
- 9 School coaches use the lay-by and overflow into the Witney Road temporarily reducing the width of the Witney Road to one lane whilst dropping off and picking up pupils at the beginning (8.30 am) and end of each school day (3.00 pm).
- At the same time the S1 service drops off nearby in the morning and picks up in the afternoon numerous pupils from the school.
- All vehicles travelling from the development towards Oxford will have to use Spareacre Lane or the centre of Eynsham, both already heavily congested.
- In addition to the S1 and the 11 bus services and the 9 coaches mentioned above there are numerous private cars and some taxis which park in both the Witney Road and Thornbury Road and drop off their charges in the morning and again in the afternoon these same vehicles park up and wait until the children arrive. Whilst the cars /taxis are parked they of course reduce the road width of both Witney Road and Thornbury Road.
- That means an extra 450-500 cars using Thornbury Road as a means of entering and leaving the development. That is way too many for this small close which was originally built to service only EIGHT houses!!
- Residents are in the main older retired people who have lived there for more than 40 years enjoying the peace and that a CUL-DE-SAC brings.
- As a parent of a pupil of Bartholomew School, Eynsham, I am extremely concerned for the safety of the pupils at the beginning and end of each school day if the above planning application is passed allowing as it will additional traffic from 160 houses to join the already existing chaotic situation.
- There are currently 3 or 4 planning applications on the table. It might be a good idea to construct a new road from Station Road to the A40 creating a western by-pass to alleviate an increase in village traffic.
- WODC policy in the draft Local Plan 2031, SHLAA states that this site is only suitable for housing development if it is part of a comprehensive scheme that resolves access problems. The access from Thornbury Rd was clearly seen as unacceptable in the SHLAA.

- The Village does not have the infrastructure in terms of roads, schools and shops to support a development of this size.
- The wider implications of the proposed development are the impact on both schools, both of which are at full capacity and already having to expand to accommodate existing pupils; the effect on the medical centre with already long waiting lists for appointments; the parking situation in the village; loss of green space which will have a negative impact on wildlife as well as spoiling a popular area for walking.
- The application proposes three storey housing on some of the site. This is not appropriate for this area.
- Unnecessary and oppressive proximity to our boundary.
- A piecemeal development such as that proposed is not in line with the strategic planning for the future of Eynsham. Applications should be more co-ordinated to allow for the provision of infrastructure needed i.e. perimeter road which by-passes the village linking the A40 to Stanton Harcourt Rd., a new primary school, shopping units, further medical facilities, full-size leisure centre etc.
- The developers have no interest in the future or the well being of the local community.
- To allow this application to go through without considering the bigger picture would be irresponsible.
- If Eynsham is to become a town then it would need investment and development as has happened at Carterton in a measured way.
- We urge those responsible for considering this proposal to make a site visit between 2.50 pm to 3.20 pm on a school day before making a decision

2.2 The Eynsham Society object for the following grounds:

- Traffic generated by the proposed access would increase congestion and consequent danger to pupils and others.
- The SHLAA of June 2014 acknowledges the access is a constraint and considered it viable only as part of a larger scheme involving adjacent sites with other means of access.
- The Witney Road junction with the A40 does not provide access to the eastbound A40. No further development of the west side of Eynsham should be permitted until a comprehensive solution to traffic flow has been provided.
- The A40 has been running well beyond capacity for a number of years, no further significant development should be permitted until a comprehensive solution to the traffic flow has been provided.
- The proposed site has severe drainage problems which are unlikely to be solved by sustainable drainage.
- Essential village facilities are at capacity and do not have room to expand.
- The western side of Eynsham is the only soft edge where it is possible to walk into open countryside without crossing a main road, the design of the proposed dwellings with 3 storey buildings on high ground would be incongruous in this setting.

2.3 Local Member Charles Mathew made the following comments:

- The access through Thornbury Road is completely unacceptable; Thornbury Road is too narrow esp during development; it meets Witney Road just by the new Zebra Crossing (next to Bartholomew School) and Witney Road itself is heavily congested at rush hours. It also means that all traffic will go through Acre End Street and the middle of Eynsham- also unacceptable (the other end has a left turn only onto A40 at lights).

- In my opinion this development will cause a dangerous access and exit onto Witney Road and granting of PP on the current plans would be very regrettable.
- It is also very important that all sites West of Eynsham (Fruitlands/Evenlode Nursery/this site) are coordinated and work together in the interests of all parties including residents.

3 APPLICANT'S CASE

3.1 Several supporting documents have been submitted with the application as follows:

Planning Statement
 Design and Access Statement
 Transport Assessment
 Foul Water and Utilities Assessment
 Tree Report
 Ecology Report
 Archaeology Report

Planning statement conclusion

3.2 In terms of paragraph 7 of the NPPF, the application will:

- Fulfil an economic role by helping to ensure that sufficient land of the right type is available in the right place and at the right time to support growth;
- Provide a social role in helping to provide the supply of housing needed to meet the needs of present and future generations in a location that provides accessible local services; and
- Fulfil its environmental obligations through the planned landscape, open space, utilities, transport and drainage strategies, which are an integral part of the scheme.
- The applicants have shown also that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme. It is evident therefore that it accords with paragraph 14 in the NPPF and that consequently there is a clear presumption that this application should be granted permission.

Design and Access Summary

3.3 In summary, this Design and Access Statement has demonstrated how the Land West of Eynsham can be developed as a high quality residential area which:

- Is located in a sustainable location within easy walking distance of village facilities;
- Accommodates an appropriate number of dwellings which reflects densities established in recent developments elsewhere in Eynsham;
- Can support a diverse mix of housing types and markets, including affordable and senior living;
- Provides homes needed for the local area;
- Protects areas identified as being at risk of flooding;
- Provides pedestrian and cycle links to existing routes and networks;
- Can accommodate potential links and connections to any larger west Eynsham extension should it proposals come forward at a later date; and
- Provides usable open space which can have a variety of functions, from natural green space to play area.

4 PLANNING POLICIES

The policies of the adopted and emerging WOLP are of relevance.
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application is in outline with access and principle to be determined at this stage. The site is an area of open land adjoining the existing western edge of Eynsham and the proposed site would be served via an extension of Thornbury Road. It is beyond the Eynsham Conservation area. Part of the site falls within Flood Zones 2 and 3.

Background Information

- 5.2 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:

Principle of development

Piecemeal or comprehensive development west of Eynsham?

Relationship to other recently refused schemes west of Eynsham

Relationship to the emerging Neighbourhood plan and Local Plan

Education impacts

Landscape and recreation impacts

Adequacy of the access to serve this or potentially larger developments

Drainage, archaeology, ecology etc

Impact on capacity of village services and infrastructure

Impact on A 40 congestion

Extent and adequacy of any mitigation package

- 5.3 It had been hoped that the application would be in a position to be recommended at this meeting. However it will be noted that there are still a series of outstanding consultation responses and at the time of agenda preparation the agent has requested a meeting to seek to address the education objections. As such Officers are not in a position to recommend at the present time and will be recommending deferral to enable a more informed report to be presented to a future meeting.
- 5.4 However, in that land to the West of Eynsham is scheduled in the emerging plan to accommodate approx 400 units and given the very strong concerns raised by local residents as to the adequacy and safety of the access and the potential safety impact on schoolchildren at the adjoining Bartholomew School, the report is presented early in order for Members to give consideration as to whether they would wish to undertake a site visit in the interim period such that when the final report is prepared they are fully informed as to the local impacts and the location of the site in relation to the wider potential development west of the settlement.

6 CONDITIONS/REASONS FOR REFUSAL

Deferral is recommended for a site visit and outstanding consultation responses and the resolution of education matters.

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| Application Number | I5/03165/FUL |
| Site Address | Northmoor Park Church Road Northmoor Oxfordshire OX29 5UH |
| Date | 4th November 2015 |
| Officer | Phil Shaw |
| Officer Recommendations | Refuse |
| Parish | Northmoor |
| Grid Reference | 442092 E 202732 N |
| Committee Date | 16th November 2015 |

Application Details:

Demolition of industrial units and the erection of 5 self-build live/work units and a sewage treatment plant.

Applicant Details:

Northmoor Park Ltd
Northmoor Park
Church Road
Northmoor
OX29 5UH
United Kingdom

I CONSULTATIONS

I.1 Parish Council

Four members of Northmoor Parish Council considered the Northmoor park Application on Wednesday 7 October 2015.

The Council sought an assurance from Mr Bull of Northmoor Park Ltd that the scheme would include a sewage treatment plant within the development, and Mr Bull assured the Council that it would not be requesting to join the waste disposal facility provided by Thames Water.

A question was raised as what was meant by self-build, and this was answered that this would be a single builder for all the five properties.

There were concerns expressed on this development coming at the same time as the development at Park Farm of fifteen houses, and Bints Yard of another eight, in a village of less than one hundred dwellings; and the effect this would have on the local infrastructure, such as schools and doctors surgeries, when considered with other local housing development applications in neighbouring villages.

At the conclusion of the discussions Northmoor Parish Council voted by three votes to one abstention not to oppose this Application.

I.2 Ecologist

The submitted ecology report Preliminary Bat Survey & Bat Emergence Survey (4 Acre Ecology lts 25/2/15) identified all the buildings on site as having a low potential for bats as such emergence surveys were carried out which revealed the presence of 3 Soprana Pipistrelle bats roosting in building 1 &2.

The habitats identified on site were mainly hard standing which provides limited ecological value. Due to the finding of bat roosts within the buildings to be demolished a working method statement was included within the report to avoid harm to the individual bats and provide details of the mitigation proposed. Although the mitigation is not shown on the drawings which it should be, the design and access statement confirms the inclusion of integral bat features in the design of the proposed buildings. No landscape details are shown but this would be another way of providing ecological enhancements as a part of this development.

Ideally the mitigation (integral bat tubes in the gable ends) should be shown on the drawings for the new units.

If all the recommendations are implemented, the development will not cause any harm to bats or birds, and therefore the policy and guidance requirements of Policies in the West Oxfordshire Local Plan, the NPPF (including Section 11) and the NPPG and three habitat regulation tests are all met.

Habitat Reg tests required: YES- all three tests met for Soprano bats.

Draft recommendation: No objection subject to conditions

Draft conditions: All of the development works must be carried out as per the working method statement and enhancements in section 7 of the Preliminary Bat Survey and Bat Emergence Survey (4 Acre Ecology lts 25/2/15). All mitigation and enhancement works must be completed before all of the five new self build live/work units are first brought into use and all mitigation must be permanently maintained thereafter.

Reason -

To ensure that bats and their roosts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, In line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies including EH2 and saved policy NE3 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

I.3 OCC Highways

No Comment Received.

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| 1.4 | WODC Planning Policy Manager | No Comment Received. |
| 1.5 | WODC Architect | No Comment Received. |
| 1.6 | WODC Rural Development | No Comment Received. |
| 1.7 | Environment Agency | No Comment Received. |
| 1.8 | WODC Env Health - Lowlands | No Comment Received. |

2 REPRESENTATIONS

2.1 One letter of objection received and summarised as follows:

- The outline of the proposed site is incorrect in so much as it shows to run tight against the front of my Unit 13.
- In actual fact I own the Deeds to the Freehold of Unit 13 together with 8'.0" (Eight Feet) hard standing to the front of my unit giving room for the parking of two vehicles. Title Number: ON138175.
- Applicant offered to buy my unit but we couldn't reach commercial terms on the value of my land.
- On site of pre app drawings I noticed he had the outline of the site wrong as it cut tight in front of my Unit 13 instead of around the perimeter of my site.
- Also looking at the drawing I noticed that he had positioned the House on Plot 1 as I thought, within a fair and moderate distance from my Unit, therefore allowing me to either carry on working from my workshop without causing a nuisance to the new neighbour, or to be able, to maybe submit an Outline Planning Application to develop my workshop into a small, affordable chalet style building within keeping of the rest of the site.
- Upon studying the Full Planning Application it appears that Mr Bull has changed the size and position of the house on Plot 1, making it the largest house on the site, pushing it tight against my workshop unit, to include an outside staircase almost touching my property.
- This would without doubt cut out light from my workshop and likely to cause a noise element problem to the new neighbour from my workshop, should I carry on with my business.
- I would suggest that the proposed position of the new property on Plot 1, to be kept at a fair distance from my Workshop Unit 13.

2.2 Four letters of support received and summarised as follows:

- The site as it stands at the moment is in need of considerable refurbishment and the plans that have been submitted under this application are sympathetic to the surrounding area and still provide the facilities to run a small business.
- We feel very strongly that small businesses in rural villages such as ours considerably help in keeping villages alive and contribute greatly towards the community spirit - this will be further enhanced by the fact that this application is providing accommodation for prospective business owners.

- We would also say that the sewage treatment plant that is part of this application is essential as the main sewer in Northmoor is in need of attention and sometimes struggles to cope with the current waste water resulting with tankers having to be brought in for days at a time.
- The current units are in need of renovation and repair.
- We see this proposal for five self build, live/work homes as imaginative and appropriate.
- It will give opportunities to new families to enjoy and contribute to the unique Northmoor community without exacerbating our two major areas of concern, flooding and sewerage.
- I am fully in favour.
- As a neighbour I support this development as the current owner sought input early on in the design process and reacted well to feedback.
- I think that the developer should make a donation commensurate to the size of his development to Village Hall funds to enable it to become sustainable and to be developed in part as a microbusiness centre utilizing our superfast fibre broadband.
- I believe it to be well thought through, bearing in mind the needs of the owner and of the community.

3 APPLICANT'S CASE

- 3.1 The application has been accompanied by a considerable volume of information including ecology reports, flood risk assessments, viability reports etc. These may all be viewed in full on line. The following conclusions have been identified within the submitted planning and heritage statement:

The saved policies of the West Oxfordshire Local Plan 2011 remain as the development plan for the area and due regard has been given to those policies of relevance to the proposal. In the current context, whereby sufficient housing land supply cannot be demonstrated, the NPPF is an overriding material consideration and dictates that the proposal be considered against the presumption in favour of sustainable development.

This requires an assessment of the planning balance whereby any adverse impacts of the development should significantly and demonstrably outweigh the benefits.

In accordance with paragraph 7 of the NPPF there are three dimensions to sustainable development: an economic role; a social role and an environmental role. The benefits and adverse impacts of the proposal are summarised below under these headings.

An economic role

The proposal will provide much needed housing and working space to address a specific local need, supporting local facilities and associated construction jobs will be of economic benefit to the local area. The proposal has economic benefits and no adverse impacts.

A social role

The development will help to address the shortfall in housing supply, providing a well designed live/work development in a rural yet sustainable location. The NPPF and NPPG are clear that all settlements play a role delivering sustainable development. There is a significant deficiency in the housing land supply in all scenarios but particularly when considered against the objectively assessed needs identified in the Oxfordshire SHMA.

In this context, the provision of 5 dwellings on the site is considered to be of significant benefit with no adverse impacts.

An environmental role

The layout and house designs demonstrate that 5 dwellings can be accommodated on the site whilst respecting and reinforcing the character of the area and special character of the Conservation Area. The proposal will reinforce the farmstead form of development as existing. The hedgerows and cracked willows along the site boundaries will be retained and the proposed development will have bat and bird boxes built into the form, enhancing the local landscape character and biodiversity.

The built form all lies entirely within Flood Zone 1 and a self-contained sewage treatment plant is proposed. All the proposed dwellings and work spaces will meet the relevant sustainable design standards.

Whilst special regard is given to the sites location within the Conservation Area, the character of the area will be preserved and enhanced. The removal of the poor quality buildings and storage areas of the industrial site to accommodate the live/work units and associated garden is considered to offer an enhancement to the site.

Consequently, the proposal is considered to be of overall environmental benefit and there are no significant adverse environmental impacts.

The planning balance

In accordance with the presumption in favour of sustainable development, the proposal has demonstrable economic and social benefits through the provision of much needed housing. There are no significant adverse environmental impacts and the proposal offers an enhancement to the site's environment.

There are, therefore, no significant and demonstrable adverse impacts which outweigh the benefits of the proposal and planning permission should be granted without delay.

4 PLANNING POLICIES

BE2 General Development Standards

E6 Change of Use of Existing Employment Sites

OS2NEW Locating development in the right places

OS4NEW High quality design

E1NEW Land for employment

BE3 Provision for Movement and Parking

BE5 Conservation Areas

NE3 Local Landscape Character

NE6 Retention of Trees, Woodlands and Hedgerows

H2 General residential development standards

T4NEW Parking provision

H4 Construction of new dwellings in the open countryside and small villages

H2NEW Delivery of new homes

EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

- 5.1 This application relates to an existing mostly operational commercial site that gained consent at appeal in 1987 and which is currently occupied by a joiner, a dairy engineer, a mail order business, an upholsterer, a landscape gardener, a bathroom company and one vacant unit. Subsequent permissions have been given for further operational works and to vary conditions. Planning permission is sought to redevelop the site for 5 houses including elements of live work accommodation in space above the garage or small extensions to the proposed houses. An adjoining employment unit in a separate ownership is to be retained in employment use. Parts of the curtilages of some of the plots and the access to the site fall within flood zone 2 and 3 and the site as a whole falls within the conservation area and within the setting of a listed building.

Background Information

- 5.2 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:

Principle

- 5.3 The NPPF (section 3) seeks to support a vibrant and successful economy, including in rural areas. The policies of the adopted local plan seek to retain existing employment sites in employment use in that this aids in retaining a jobs/house balance, helps reduce commuting from dormitory areas to Oxford along the A 4095 and A40 and helps maintain a vibrant and prosperous rural hinterland to the main centres of population - which in turn aids in creating further job opportunities in the rural areas.
- 5.4 The policies of the emerging plan (EI) and policy E 6 of the adopted plan do allow commercial sites to come out of commercial use if they are not capable of employment use, that the site is unsuitable on environmental/highway etc grounds or substantial planning benefits would be secured by allowing alternative use. The agent considers that the lack of a 5 year housing land supply plus the claimed compliance with all three of the tests means that this policy hurdle is passed. Your officers would not agree.
- 5.5 Firstly the district is claiming a 5 year land supply using the methodology it considers most suitable. The agents cite a recent appeal where an Inspector did not accept that methodology but it is equally possible to quote an alternate recent decision where the methodology was not found wanting by the Inspectorate. In essence however, in the absence of the local plan inspector determining the actual housing requirements in the context of the local plan process later this month no-one can definitively demonstrate that there is a shortfall or otherwise. What is clear is that the levels of delivery have increased markedly from the 306 per year requirement of the adopted local plan to the 525 per year requirement of the emerging plan being more than met at present. This clearly represents the step change in delivery required by Government such that even were the agents claim to be proven (which could only happen post the LP process) it is not considered that any residual shortfall is such that it should override the NPPF policies seeking to retain a vibrant and diverse rural economy.

- 5.6 As regards the tests of E6 the Inspector who granted the initial permission clearly considered the site suitable on environmental and highway grounds for employment, the fact that the units are largely currently occupied suggests that they are fully capable of continued use for employment purposes and there are no particular planning benefits that in your officers view would outweigh the benefits of retaining the employment generating potential of the site. Indeed, by locating housing in very close proximity to the retained employment use it is likely that pressure would be put upon that occupier by residents of the new residential units in terms of complaints regarding the impact of the continued employment use upon their residential amenity such that the total loss of employment is likely to be even greater than the loss of the existing trading businesses within the site.
- 5.7 As regards the proposed housing developments Northmoor is a village that is not scheduled in either the adopted or emerging plan for housing development due to its basic lack of facilities and amenities. In developing out one of the remaining employment opportunities in the settlement and replacing this with a primarily residential scheme this is likely to worsen the likelihood of promoting sustainable travel or employment patterns. The retention of some employment in the form of live work units is not considered likely to offset this overarching concern in that experience with other such schemes elsewhere is that the occupation of such units is usually abused very quickly by incoming residents with the facilities used as additional bedrooms or residential space rather than as employment generating floorspace. No affordable housing or contribution towards affordable housing is proposed.
- 5.8 Taking all of the above into account your officers consider that there are policy objections to the loss of the employment site and the creation of housing in its stead and that there is no compulsion given the step change in housing delivery and compliance with the 5 year land supply methodology as utilised by the District pending clarification by the LP inspector as to the exact numbers such that the NPPF principle of supporting the diverse rural economy should prevail. Refusal on this ground is therefore recommended.

Siting, Design and Form

- 5.9 The scheme has been designed in an attractive barn conversion style that would fit comfortably into the conservation area and is not considered would adversely affect the setting of the adjoining listed building. However the existing site was considered acceptable in context by the Inspector when he granted permission and as such the design and form of the new units is not considered to be a particular benefit of the scheme in terms of improving the appearance of the CA. The existing use promotes the character of the village as a working settlement rather than just a dormitory for workers to travel from. In that regard the gentrification of the village arising from the loss of the employment site could be argued to adversely impact upon its character, if not its appearance. The proposal is therefore contrary to policies BE2, H2 of the Adopted Plan and OS2 OS4 and EH7 of the Emerging Plan.

Highway

- 5.10 There are not considered to be any likely highway issues related to the re development of the site. Equally however the redevelopment is not considered likely to provide particular benefits, despite the claims advanced by the applicant's agents, in that the traffic impact has been found to be acceptable when the scheme first secured permission. However the views of OCC as Highway Authority have yet to be received and so a verbal update regarding this matter may be needed at the meeting.

Residential Amenities

- 5.11 The scheme has been designed in a manner that means all the properties have reasonable amenity and outlook. There are however two issues that do fall to be considered. The first is the impact of the retained employment use upon the amenities of plot 1. Reference to the representations received by the occupier of that unit indicates his concerns at the accuracy of the plans and the impact on the future use of his unit. The applicant has tabled revised plans that now accurately show the land ownership and refutes any likely harms. Your officers would however agree with the objector that the location of the retained commercial unit to plot 1 is such that it is likely that there will be disturbance issues arising from their close proximity. This would result in either a poor standard of residential amenity or pressure to curtail the legitimate and lawful ongoing business use to try to improve matters. Additionally parts of the curtilage of plots 2 and 3 and of the access route to the complex as a whole lie in part of the zone 2 and potentially also zone 3 (most at risk) floodplain.
- 5.12 The footprint of the units has been designed so as not to increase the footprint of the development and as such the risk of flooding elsewhere will not be increased. However the NPPF seeks to apply a sequential test that steers residential development away from those areas most at risk of flooding towards areas less at risk. In moving to a residential use this is considered more vulnerable to the adverse risks of flooding than the existing use in terms of flooding potentially occurring when occupiers are asleep and less able to evacuate before the flooding occurs. The fact that part of the egress route lies within the floodplain means that it may be more problematic for emergency services to effect a rescue of stranded residents. These concerns are considered to represent further reasons why retention of the existing commercial use in favour of redevelopment for residential purposes is the preferable use of the site. The proposal is considered to be contrary to BE2 and H2 of the Adopted Plan and OS2, EH6 of the Emerging Plan.

Ecology

- 5.13 The bat survey indicates that the buildings are currently used by three species of bats, albeit not intensively although there are 2 roosts and potential for further roosts. As the buildings are to be demolished these roosts will be lost and therefore a licence would be required before works could be undertaken. To obtain a licence the three derogation tests need to be passed. These are that the works are for imperative reasons of overriding public interest, there is no satisfactory alternative and no detrimental effect. The applicants claim that the redevelopment for housing does provide a case for an imperative overriding interest and that there is no alternative and are suggesting mitigation measures.
- 5.14 These measures are such that the Councils retained ecologist indicates that with conditions to ensure the mitigation is provided that the scheme should not be precluded on ecological grounds. However retention of the buildings would not cause the damage to the bat roosts and clearly there are many alternative sites available where housing can occur without harming a protected species. Thus preserving the status quo would ensure retention of the habitat that clearly the bats are utilising. Essentially the case to cause the interim harms to the protected species has not, despite the potential for longer term mitigation been made out and this adds weight to the above mentioned concerns.

Conclusion

- 5.15 The application seeks to redevelop an existing trading employment site for residential purposes in a small village where residential development is not allowed under adopted or emerging policies. Loss of the employment use would damage the employment base of the area and could result in further pressure on retained employment use. The residential environment created would potentially be harmed by the retained employment use and whilst the scheme would enhance the appearance of the Conservation Area it would detract from the mixed character of the Conservation Area. The site is at risk of flooding and the use is more vulnerable to flooding than the extant use and bat roosts in the buildings would be lost without due cause albeit that mitigation could potentially override this harm. The claimed shortfall against the 5 year housing land supply is disputed but in any event is not considered to outweigh the above mentioned harms. The other claimed benefits of the scheme are similarly not considered sufficient to outweigh the above mentioned harms and as such refusal is recommended.

6 REASON FOR REFUSAL

- I That by reason of the loss of and pressure upon retained employment uses, the siting of houses in an unsustainable rural location where housing is generally not supported, replacing less vulnerable uses with more vulnerable uses in an area at risk of flooding and without a safe means of egress, the harm to the mixed use character of the Conservation Area at this point and the loss of roosts of protected species the scheme is considered to represent unsustainable development that is contrary in particular to policies BE2, BE5, E6 and H4 of the WOLP, policies OS2, OS4, EH7 and H 2 of the emerging plan and the provisions of the NPPF in particular at paragraph 28 to support prosperous rural economies, at section 10 to direct development away from areas at risk of flooding and at section 12 to conserve the character of heritage assets.

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| Application Number | I5/03676/HHD |
| Site Address | 140 Burwell Drive Witney Oxfordshire OX28 5NA |
| Date | 4th November 2015 |
| Officer | Cheryl Morley |
| Officer Recommendations | Approve |
| Parish | Witney |
| Grid Reference | 434513 E 209006 N |
| Committee Date | 16th November 2015 |

Application Details:

Erection of single storey front extension.

Applicant Details:

Mrs Jones
140 Burwell Drive
Witney
Oxfordshire
OX28 5NA

1 CONSULTATIONS

1.1 Town Council No Comment Received.

2 REPRESENTATIONS

2.1 One letter of representation has been received and summarised below:

Ms Edwards - 138 Burwell Drive

- The development will go over the boundary wall;
- Disruption to my property.

3 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
The National Planning Policy framework (NPPF) is also a material planning consideration.

4 PLANNING ASSESSMENT

4.1 The application is to be heard before the Committee as the agent acting on behalf of the application is a member of WODC staff. The proposed works are to help accommodate a disabled occupant.

Background Information

- 4.2 The application site is located within Burwell Drive. The site is not located within any areas of designated control. The proposal is for a small single storey front extension.
- 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:
- The impacts on neighbouring amenity;
 - The surrounding street scene.

Principle

- 4.4 Officers consider that the principle of the single storey front extension is acceptable. The proposed development is small in scale and in keeping with the surrounding street scene and therefore it is considered no detrimental impacts would be caused to the visual appearance of the area.

Siting, Design and Form

- 4.5 The form, design and massing are all considered to be acceptable. The proposed materials are to match the existing dwelling and therefore considered to be appropriate.

Highway

- 4.6 There would be no highways implications as part of the proposed development.

Residential Amenities

- 4.7 The proposed extension would not cause any adverse effects to neighbouring amenity in regards to the loss of light or loss of privacy. The proposed development is also not considered to be overbearing.
- 4.8 Concerns have been raised by the adjoining property in regards to the development encroaching over the existing boundary wall, however according to the submitted plans this is not the case and therefore the objections that have been raised would not warrant the refusal of the application.

Conclusion

- 4.9 Taking all of the above issues into consideration, officers consider that the proposal is acceptable. Suggested conditions have been included in the report.

5 CONDITIONS

- I 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 Before first occupation of the extension hereby permitted the windows to the bathroom; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.