

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 16th November 2015

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

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Report of Additional Representations

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|-------------------------|--|
| Application Number | I5/03070/FUL |
| Site Address | Thames Water Plc 1 Dark Lane Witney Oxfordshire OX28 6LE |
| Date | 12th November 2015 |
| Officer | Miranda Clark |
| Officer Recommendations | Approve |
| Parish | Witney Town Parish Council |
| 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

Additional Representations

With regards to the requested contributions, the applicant's agent has sent the following email which has been summarised;

I can confirm that my client is happy to agree to pay the contributions to leisure/Town Council; however, bearing in mind that their comments were made on the basis of a 14 unit scheme, and now the scheme is for 13 units only, I'd expect the required contribution to be lowered in proportion.

My client is also happy to pay for 5no. Welcome to Witney planters up to £1,200 per unit (inc vat). He would wish to receive those invoices of course for the costs there incurred.

His contribution to off-site affordable housing is set at £16,000. This is based on the 2 units over the 11 (at or below which it is acknowledged that no affordable housing can at all be legitimately levied) being valued at £200,000 each and expecting to make a 10% developer profit on them, and so then arriving at a net profit of £40,000. Using your Council's 40% affordable housing policy as a basis then for the calculation, that works out at the offered £16,000. The calculation is set out below:

$$2 \times £200k = £400K \times 10\% = £40K \times 40\% = £16K$$

In terms of the leisure contribution in relation to the amended scheme, the following sum has been agreed to be paid by the applicant;

$$£716.10 \times 13 = £9,309.30$$

OCC Drainage comments have now been received and summarised as;

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

Discharge Rates

Discharge Volumes

Maintenance and management of SUDS features (including name & address of any management company)

Sizing of features – attenuation volume

Infiltration in accordance with BRE365

Detailed drainage layout with pipe numbers

SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)

Network drainage calculations

Phasing

Officers would suggest that this condition is added to the draft conditions set out in the main report.

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| Application Number | 15/03118/FUL |
| Site Address | The Woodyard Elmwood Farm Burford Road Black Bourton Bampton Oxfordshire |
| Date | 13th November 2015 |
| Officer | Stephanie Eldridge |
| Officer Recommendations | Approve |
| Parish | Black Bourton Parish Council |
| 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

Additional Representations

- **Cllr Ted Fenton** - There is deep concern in the village of Black Bourton about the increase in Heavy Goods Vehicle traffic that would be caused if the application to increase the amount of wood processed at Elmwood Farm.

Despite its designation, the Burford Road is not suitable for frequent use by heavy goods vehicles and the safety of other road users will inevitably be compromised, something that OCC highways has partially acknowledged in its recommendation to prevent such vehicles using the road in the mornings and evenings during week days. Journeys to and from school and work are, of course, important and it is very welcome that OCC highways recommend that these times be avoided. However, if the committee is minded to approve this application I would ask that they consider a slight change to condition 3 to the effect that HGVs may only use the road after 9.00am and before 3.00pm and only on weekdays. There is no footpath along the road for much of its length and residents, including children making their way to the playground, need to walk along the edge of the carriageway. I would suggest that there should be no HGV movements permitted at the weekend.

A question that concerns residents is one of enforcement and I would urge the committee to consider carefully how any conditions that are imposed should the application be approved will be enforced. Will there be a compulsory clause in any contract with hauliers advising them of the restrictions? Who will monitor these terms and what will the consequences be should they not be respected? I note that the applicant has also agreed to liaise with the church and to suspend HGV movements when weddings, funerals and other large services take place. I would urge that if the application is approved that such liaison be made a formal condition of the approval.

Despite the officer's recommendation it is still clear that this is not a road designed for or suitable for HGVs and an increase in such traffic through the village will have a significant impact on it. A reasonable compromise would seem to be to make permanent the lapsed temporary permission for 1400 tonnes of wood to be processed rather than allow the increase by more than double to 4000 tonnes.

- **Natural England** – No objection in respect of SSSI or Protected Species.

- **Environment Agency** – Raised no objection but made comments on the issue of ground water pollution advising that if soakaways are proposed to manage surface water drainage that this must not pose a risk to ground water quality.
- **Ministry of Defence** - No objections raised but biggest concern is fire safety which is to be considered by Oxfordshire Fire Service for determining level of risk and assessing any appropriate mitigation. (NB. Officer at Oxfordshire Fire Service has been contacted for comments and chased but no comments received. However, consultation response in March 2015 for withdrawn OCC waste application (MW.0046/15) for processing 19000 tonnes of wood said “*Oxfordshire Fire and Rescue Service offers no adverse comments to this planning application. It is deemed that the site is complying with the requirements placed upon it by the Regulatory Reform (Fire Safety) Order 2005.*”)
- **OCC Footpaths** - No objections raised - ‘Therefore if the application is to be granted I would ask that a condition is added that looks at providing measures to aid in public safety. These should look at including the options below.
 - One the right hand side as you walk down there is a hedgerow which should be cut back closer to the fence-line, giving some much required extra space.
 - There currently exists a fence along the both sides of the footpath, which actually prevents walkers from leaving the pathway, if an HGV approaches. I would suggest that the fencing on the south side of the footpath (which is in a bad state of repair) could be taken down and re-built 2 to 3 metres to the south, and a suitable surface laid for the "pedestrian escape strip". This would require negotiation with the owner of the fence but would provide a more permanent solution than the continual management of the hedgerow growth.
 - Suitable signage should be erected warning the HGV drivers and the pedestrians of each other’s presence.’

We have included a condition to ensure suitable signage is in situ along the public footpath that runs along the access track to the site so members of the public are aware of the possible presence of HGV’s using the road to access the site. This condition reasonably addresses the issue of public safety when walkers are using the footpath.

- **Additional conditions to be added**

1. No chipping of wood in association with the storage and processing of virgin wood hereby approved shall take place within the storage barn contained within the application site area.

Reason: To minimised the adverse impact of noise generated by the operations on the local community.

2. The noise emitted at any time from the site shall not contain any discrete continuous note, ie. Whine, hiss, screech, hum etc. or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) freefield at any point at least 1m from the façade of any noise sensitive properties in the locality.

Reason: To minimise the adverse impact of noise generated by the operations on the local community.

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| Application Number | 15/03165/FUL |
| Site Address | Northmoor Park Church Road Northmoor Oxfordshire OX29 5UH |
| Date | 12th November 2015 |
| Officer | Phil Shaw |
| Officer Recommendations | Refuse |
| Parish | Northmoor Parish Council |
| 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

Additional Representations

Mr Parker has written a further letter of objection raising concerns regarding

The impact on future use, light and privacy of plot 1

That the plans he was shown at pre app stage by the applicant were different

The Environment Agency has written advising it has no objection subject to the imposition of conditions requiring the floor levels to be raised to no lower than 63.71 AOD, noting that the dwellings lie within flood zone 2 with a medium probability of flooding to the proposed units and requiring the LPA to carry out the sequential test that seeks to direct development to sites of lowest

flood risk. As such the applicant would need to demonstrate that there were no reasonably available sites within zone 1

The WODC Business Development Officer confirms in an e-mail response that “I did not submit separate comments on this application as I am fully supportive of Phil Shaw’s reasons for refusal, in particular the need to retain an existing and active employment site in the village.”

The WODC Policy Manager advises in an e-mail sent to the agent “Having read the committee report however I have to say I find it difficult to disagree with Phil’s arguments and conclusion. Whilst our economic snapshot report makes several references to the concept of live-work these are quite general and made in the context of the relatively high level of homeworking in the District. It doesn’t suggest where such provision should be sought but I would suggest it needs to be in sustainable locations and Northmoor doesn’t rank particularly highly in that respect. Given that you would be losing a number of existing active employment uses for a primarily residential scheme with a small element of flexible workspace that may or may not be occupied I cannot see how the scheme is supportable in policy terms. I know from experience elsewhere that live work units often remain unoccupied only to be followed by a later application to become fully residential.”

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| Application Number | 15/03676/HHD |
| Site Address | 140 Burwell Drive Witney Oxfordshire OX28 5NA |
| Date | 12th November 2015 |
| Officer | Cheryl Morley |
| Officer Recommendations | Approve |
| Parish | Witney Town Parish Council |
| 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

Additional Representations

Town Council Comments

No Objection.

Additionally Officers propose the following informative to be added to the recommendation:

The grant of planning permission does not override the personal property rights of neighbours, landowners and other interested parties.