

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 18th January 2016

**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

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Application Number	I5/03505/RES
Site Address	Land North Of New Road Bampton
Date	6th January 2016
Officer	Abby Fettes
Officer Recommendations	Pending Decision
Parish	Bampton
Grid Reference	431966 E 203773 N
Committee Date	18th January 2016

Application Details:

Construction of 160 dwellings with associated works and landscaping.

Applicant Details:

Cala Management Ltd
C/o Agent

I CONSULTATIONS

- | | | |
|-----|-------------------------------------|--|
| I.1 | One Voice Consultations | Highways: No objection subject to amendments
Archaeology: No objection |
| I.2 | WODC Architect | No Comment Received. |
| I.3 | WODC Env Health - Lowlands | No Comment Received. |
| I.4 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.5 | Thames Water | Waste Comments
The application does not affect Thames Water and as such we have no comments to make. |
| I.6 | WODC Env Services - Waste Officer | No Comment Received. |
| I.7 | Parish Council | The unanimous view was as follows.
1. We do not object to the removal of the phasing.

2. We do object to the reduction of affordable houses. We feel strongly that the original consultation with the village was on the understanding that 50% of the site would be affordable housing. We feel this should remain the case.

3. We do object to the lifting of Condition 13 - biodiversity. Again, this was an integral part of the application and we see no reason to lift it.

As a general principle, we are not happy that conditions are imposed in order to grant permission only to be lifted at a later date. |

2 REPRESENTATIONS

2.1 Representations have been received from one member of the public on the following grounds:

- The hedging that runs on the boundary of the building plot is home to hundreds of small birds. This is clearly evident from a walk along New Road or Mount Owen Road, where bird chatter is clearly audible. The minimum requirement should be to retain all this hedging to protect local bird life.
- The Mount Owen Road and junction with New Road are too narrow to accommodate any increase in traffic volumes. Also this presents a major risk for local children as neither the east end of New Road or Mount Owen road have traffic calming measures like sleeping policeman road bumps.
- Any development on this scale will reduce the capacity of the environment to absorb heavy rainfall, putting greater pressure of the local facilities and raising the risk of local flooding. What extra drainage or flood avoidance measures are being implemented to address this?

3 APPLICANT'S CASE

3.1 A Design and Access Statement has been submitted and the conclusion is as follows:

- This document has been produced by BHP HARWOOD Architects LLP in support of a reserved matters planning application submitted on behalf of CALA Homes (Chiltern) Ltd.
- This document forms part of the reserved matters application submitted on behalf of CALA Homes (Chiltern) Ltd of a residential-led, new community on land to the North of New Road in the Village of Bampton
- It sits within the context of an outline application approved in October 2014 (13/01007/OUT) which set out a strategy for the site as a whole. This application should be considered with reference to the documents and reports which formed part of the outline approval.

The range and mix of house types proposed are as follows:

Affordable

1 -2 Bed Apartments - 15

2 Bed Dwelling - 29

3 Bed Dwelling - 20

Total 64

Private Development

3 Bed Dwelling - 42

4 Bed Dwelling - 38

5 Bed Dwelling - 16

Total 96

Site wide Total 160

The proposed development has been designed to avoid any adverse impact on the adjoining properties.

3.2 In summary, the following key principles have been adapted in the layout and design of the proposed development in support of the submitted Reserved Matters Planning Application:

- Efficient use of land: developing a design with densities in line with the local and national indicative minimum levels as well as enhancing the natural features of the site.
- Provision of an appropriate mix of housing to reflect the local demand, ranging from 1 bedroom apartments to 4 bedroom family rooms.
- Provision of a safe and secure environment through the careful layout and structure of the development proposal, orientating frontages towards the streets, footpaths and spaces to achieve natural surveillance of the public realm.
- Creation of attractive and successful outdoor spaces designed to achieve a sense of place through the avoidance of car dominated road layouts and vehicle through routes.
- In conclusion, it is therefore considered that the development constitutes sustainable development, which should be positively considered in accordance with the provision of the National Planning Policy Framework.
- The proposed development has been sensitively designed with due consideration to the local vernacular to produce a development that sits harmoniously within the wider context of Bampton.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

H7 Service centres

H11 Affordable housing on allocated and previously unidentified sites

NE3 Local Landscape Character

NE13 Biodiversity Conservation

T2 Pedestrian and Cycle Facilities

T3 Public Transport Infrastructure

OS2NEW Locating development in the right places

OS4NEW High quality design

EH1NEW Landscape character

EH3NEW Public realm and green infrastructure

EH2NEW Biodiversity

EH5NEW Flood risk

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application is the reserved matters pertaining to outline application 14/I338/S73. The application was an outline for up to 160 dwellings.

5.2 The planning history is as follows:

13/1465/P/OP - Outline for up to 160 houses (50% affordable) approved 29.08.2014 by committee subject to a condition requiring the build to be phased over a 7 year period.

I4/I338/P/S73 - Removal of phasing condition and a biodiversity condition that had been mistakenly included twice on the decision notice, in December 2014 the committee resolved to approve the removal of the biodiversity condition but retain the phasing condition. The applicants went to appeal and the Inspector removed the phasing condition.

- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.4 The principle of development of this site was accepted when the outline application was approved so this application is to determine the detail of the development. The layout broadly follows the indicative layout proposed at outline stage. However, to date, officers are not satisfied that the layout is of an acceptable form, with an over reliance on car parking courts and erosion of the public spaces. County Highways have also requested amendments and therefore there are on-going negotiations with the applicant to work up an appropriate scheme. Several amendments have been submitted but agreement has yet to be reached.
- 5.5 At the time of agenda preparation a sketch scheme was submitted that officers have yet to consider. It is proposed that an update will be given at committee once it has been considered if reconsultation is required or whether Officers are in a position to recommend the scheme for approval.

6 RECOMMENDATION

Officers to update at committee.

Application Number	I5/03933/FUL
Site Address	Land South Of New Yatt Lane New Yatt Oxfordshire
Date	6th January 2016
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Hailey
Grid Reference	437426 E 212987 N
Committee Date	18th January 2016

Application Details:

Erection of three dwellings and detached car ports together with associated works.

Applicant Details:

Camway Properties Ltd
15 Harefield Road
Maidenhead
Berkshire
SL6 5EA

1 CONSULTATIONS

- | | | |
|-----|-------------------------------------|--|
| 1.1 | OCC Highways | No Comment Received. |
| 1.2 | WODC Architect | No Comment Received. |
| 1.3 | Ecologist | No Comment Received. |
| 1.4 | WODC Drainage Engineers | No objection subject to conditions. |
| 1.5 | WODC Landscape And Forestry Officer | No Comment Received. |
| 1.6 | WODC Env Health - Lowlands | No objection subject to conditions. |
| 1.7 | Parish Council | Hailey Parish Council has no objections to the planning application. |

2 REPRESENTATIONS

- 2.1 No letters of representation have been received.

3 APPLICANT'S CASE

- 3.1 The application was submitted with a design and access statement which can be viewed on line alongside the rest of the application. The conclusion states;

- The form, bulk and materials to be used will allow the proposal to give the impression of a timeless development, sitting in the rural scene without standing out as a recent development and will endeavour to complement its surroundings and buildings and not compete with them.
- Through the careful choice of materials and craftsmanship, it is an example of strong, traditional design, using vernacular materials that are sensitive to its location within the area.

4 PLANNING POLICIES

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

BE2 General Development Standards

H2 General residential development standards

BE3 Provision for Movement and Parking

H2NEW Delivery of new homes

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

- 5.1 The application seeks permission for the erection of 3 dwellings with associated carports. The scheme is a resubmission of a previously approved scheme (ref: 14/1250/P/FP). The main difference in this scheme to the one which was approved is the inclusion of carports to the front of each of the dwellings.
- 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 previous application ref: 14/1250/P/FP established the principle of developing the site for housing. The only difference between the approved scheme and this proposal is the inclusion of a garage to each of the plots and the increase in hardstanding to the front.

Siting, Design and Form

- 5.4 The carports will be located to the front of the dwellings and will be orientated with the gables facing on to the road, the hardstanding arrangements have also been amended to allow for sufficient turning given the inclusion of the new carports.
- 5.5 The carports will be visible on the street scene due to their forward position. The application proposes to plant a new hawthorn hedge which will increase the screening available to the properties and carports once the hedge becomes established. The removal of the existing hedge and the potential delay in establishing a new hedge is considered to exacerbate the buildings visibility and dominance in the street scene. Whilst the new hedge will eventual help screen the site officers are of the opinion that the carports will still likely to be highly visible.

- 5.6 The area is mostly characterised by dwellings set back in the plot with uncluttered frontages. The carports proximity to the front of the dwellings will obscure the main elevations of the houses giving the site a cramped overdeveloped appearance. The carports due to their position is not considered to sit comfortably within the front of the site and would instead dominate the frontage failing to form a visually appropriate relationship with the main house and wider area. The carports will therefore fail to form a logical addition to the pattern of development in the street scene and would be viewed as an incongruous addition due its cramped position between the dwellings and frontage.

Residential Amenities

- 5.7 The carports would be located in close proximity to the downstairs windows of the dwellings. Whilst one of the windows affected is a utility room the rest are considered habitable rooms which will be obscured by the carports. The quality of light available to the room is considered to be impacted as will the outlook due to their proximity.

Highway

- 5.8 The access arrangement is the same as that of the scheme which was approved an is therefore considered acceptable.

Conclusion

- 5.9 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is unacceptable on its planning merits and therefore should be refused.

6 REASON FOR REFUSAL

By reason of the carports visible position within the street scene, their proximity to the road and front elevations of the dwellings, the carports would appear cramped and visually intrusive within the street scene, failing to respect the existing scale, character and pattern of development in the area. In addition the carports proximity to the front elevations of the dwellings would adversely impact both the light and outlook available to future residents. The proposal is therefore contrary to policy BE2 and H2 of the West Oxfordshire Local Plan 2011 and OS4 of the draft West Oxfordshire Local Plan 2031.

Application Number	I5/03956/FUL
Site Address	The Coach House Willowbank 4 Oxford Road Eynsham OX29 4HG
Date	6th January 2016
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Eynsham
Grid Reference	443471 E 209202 N
Committee Date	18th January 2016

Application Details:

Erection of two dwellings with modified access/parking arrangements.

Applicant Details:

Mr Mike Nightingale
4 Oxford Road
Eynsham
Oxfordshire
OX29 4HG
United Kingdom

I CONSULTATIONS

- | | | |
|-----|-----------------------------|---|
| I.1 | Parish Council | No Objections |
| I.2 | OCC Highways | No reply at the time of writing. However at pre app no objections were raised. |
| I.3 | WODC Architect | No comment at the time of writing however at pre app the Council's Conservation architect raised no objections to the design ,scale or siting of the two dwellings. |
| I.4 | Ecologist | No reply at the time of writing |
| I.5 | WODC Drainage Engineers | No objection subject to conditions |
| I.6 | OCC Archaeological Services | The applicant has undertaken an archaeological field evaluation in line with the NPPF and Local Plan Policy. The evaluation has revealed some potentially significant archaeological features. These include a substantial ditch that probably represents the northern boundary of the Abbey precinct. A number of other features including ditches were revealed that date to the Roman period. There is also a considerable depth of made ground overlying all the archaeological features and this appears to have been formed by imported soil that has been deposited to raise the level of the garden and for |

landscaping.

Given the potential importance of the archaeological features within the application area we would suggest that the best approach would be for the dwellings to be constructed using piled or rafted foundations. This will avoid any disturbance of the archaeological features and enable their preservation in situ.

If this approach is not plausible then conditions should be attached to ensure an appropriate level of archaeological recording in advance of the development. If the applicant indicates what type of construction technique is to be adopted then I can then advise as to the most appropriate archaeological mitigation.

2 REPRESENTATIONS

2.1 Mrs Susan Chapman of 13 Newland Street Eynsham Witney has commented as follows:

I am supporting this application. I feel that the plan is sensitive to its setting.

2.2 John Jago of Crabtree Cottage, 14 Newland Street has commented as follows:

I am pleased with the thoughtful detailing applied and I do not feel that the site is being over developed. I own some of the land to the south of the site adjacent to the Nursery, 6 Oxford Road, Eynsham. I am happy to let you know that I have no objections to the application based on the current documentation.

3 APPLICANT'S CASE

3.1 The applicant has submitted a design and access statement which covers issues of arboriculture, archaeology, accessibility and the design approach that has been taken in developing the proposals for the site. The site analysis and context section of the statement advises as follows:

3.2 The proposal contributes to the West Oxfordshire Local Plan aspiration to continue delivering high quality homes in the Eynsham-Woodstock Sub-Area and, more specifically, Eynsham. It is in line with the current support for providing homes for newly forming households. Bringing young families from the area back to the locality contributes to long-term village sustainability and helps maintain the vibrancy of the community.

3.3 The proposals are within the existing built up area in Eynsham - the recreation ground and playground buildings directly east of the site mark the start of the Eynsham settlement as one approaches on Oxford Road, and the existing buildings at Willowbank and adjacent Nursery house are further along that approach. The Local Plan 2011 Housing Policy H7 is in favour of edge of settlement development in service centres such as Eynsham (i.e. that constitute 'rounding off' within the existing settlement as opposed to extending into the open countryside). DLP 2012 reaffirms in 9.111 that Eynsham has scope for further development 'within the existing built up area and on the fringe of the village'.

3.4 On the whole, Eynsham has been earmarked for considerable development in aid of fulfilling the above targets - some of the key proposed development sites are a short distance from Willowbank: the proposed Local Plan Allocation area to the east, as well as the development

site No.210 at Abbey Farm to the west, as shown in West Oxfordshire's SHLAA plan. Both the Local Plan Allocation zone and site No.210 are within the same Conservation Area as the Willowbank site.

- 3.5 The siting, massing and appearance of this scheme takes careful account of the Conservation Area setting, above and below ground archaeology, arboriculture, access, and the overall contribution to local amenities. In line with the Locating Development in the Right Places policy, the proposed site avoids any Green Belt, AONB, Scheduled Ancient Monument and Flood Zone areas.
- 3.6 With regards to the nature of the Conservation Area, the local character and appearance is generally defined by a mix of different building styles over several centuries, predominantly in stone, brick, tile or limewash, with some timber and metal barns, sheds and pavilions; buildings which honestly represents the techniques and building styles of each era. This particular part of the Conservation Area is characterised by many mature trees, stone walls, fields and several buildings in the approach to the town centre - the first buildings that define the start of the built-up area along Oxford Road are the fully visible recreation ground pavilion and outbuilding to the south and playground building to the north. This is followed by the various buildings within the proposed site and neighbouring Nursery house glimpsed through trees, with the prominent residential structures of The Elms pressed up against the street directly opposite. As the road passes the site, buildings on Queen Street and High Street are already clearly visible ahead.
- 3.7 The proposed buildings are high quality additions that are in keeping with the layout/grain/character of their surroundings, respecting and complementing the distinctive character of the site and the wider area. In line with existing, the proposed buildings will be spacious and with sufficient outdoor space as per the recommendations in the West Oxfordshire Design Guide SPD.
- 3.8 Within the grounds, areas of different character are maintained, with the south eastern area of the grounds continuing to act as a secondary setting relating to the main house. Therefore, the new buildings are arranged as subservient dwellings relating to the main house. The forms of the houses are influenced by the area's key character, namely their relationship with surrounding trees, existing buildings, and boundaries. They manifest as two freestanding houses completing a grouped cluster, both acting as 'objects in the landscape' where the landscape setting continues to dominate.
- 3.9 The first dwelling acts as a 'cottage' on the approach from the entrance to the grounds, and is positioned more like a lodge set within the vegetation, separated from the main buildings. It is of a single-storey plus roof, presenting a narrow form as viewed from the eastern approach with a vernacular pitched-roof profile that is typical of the locality. A green roof extends over its ground floor to blend it in with the surrounding greenery, and avoids protected root zones in line with the recommendations in the tree report. The Cottage's height/mass is subservient to the main house, as well as to all the key surrounding buildings including the neighbouring Nursery and the Elms opposite .Parking for this house will be hidden behind additional hedgerow.
- 3.10 The second building is the Garden House which is situated nearer to the existing house - it completes the crescent of secondary buildings around the main house and appears as part of the boundary wall (an approach for which there are numerous precedents in Eynsham). The house

looks into the grounds and increases the visual privacy and screening between Willowbank and the adjacent Nursery site. It consists of a single storey structure along the boundary with a vernacular pitched roof like the Cottage. Its first floor overhangs the ground floor parking area much like the format of a traditional carriage house, and has pillar supports to avoid disturbing the protected root zones. The ground floor's current function as the main parking area is maintained, with an extra car space provided.

- 3.11 The primary objective in terms of design approach is to build eco-homes - therefore, materials were considered from a sustainability point of view, but also needed to sit comfortably with the palette of the existing buildings, site and even the wider context. This suggests natural and earth tones, and materials which weather well.
- 3.12 The full statement is available for viewing on the Councils website.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
BE12 Archaeological Monuments
BE13 Archaeological Assessments
NE15 Protected Species
NE13 Biodiversity Conservation
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
EH2NEW Biodiversity
EH7NEW Historic Environment
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application proposes two relatively small scale dwellings of modern designs, utilising natural materials for the external finishes which include timber, shingles and a green roof. The majority of the existing trees and vegetation within the site will be retained and there will be no changes to the existing stone walled enclosure that fronts the site.

Background Information

Planning History

- 5.2 Historically there have been a number of refusals on the site for additional dwellings:

331/89- Planning permission refused for two dwellings on the grounds that the development adversely affected the special environmental character of the Eynsham Conservation Area, that it created unacceptable living conditions for the adjacent dwellings, it would result in the loss of a significant number of trees and it resulted in an over intensive and cramped form of development with inadequate parking and manoeuvring space.

2009/89- Planning permission refused for a single dwelling and subsequently dismissed at appeal. In considering the appeal the Inspector concluded the following:

- The principle of building a new house in this location is acceptable;
- The presence of a new building within a relatively small and confined plot would be in marked contrast to the adjoining development and would be out of keeping with the more spacious and uncrowded appearance of the surroundings;
- That the proposal would result in the clearance of mature trees and vegetation which would significantly diminish the contribution that this well wooded site makes to the appearance of the edge of town;
- There would be a need to demolish parts of the long standing and visually important boundary wall which makes a significant contribution to the character and appearance of the Oxford Road scene;
- There would be a real possibility of an undesirable precedent being set for other similar developments which would further diminish the environmental quality of the important eastern approach to the historic town;

5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

- Principle
- Impact on the character and appearance of the Conservation Area;
- Impact on Neighbour amenity;
- Impact on Highway safety and convenience;
- Impact on archaeology;
- Impact on ecology.

Principle

5.4 As can be seen from the planning history section of this report the principle of developing part of this site for additional dwellings is considered housing policy compliant.

Impact on character and appearance of the Conservation Area

5.5 The site is within a Conservation Area and as such the Council must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. Further the paragraphs of section 12 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.

5.6 One of the reasons historically for refusing additional dwellings on the site has been that former proposals for the site have resulted in the considerable clearance of mature trees and vegetation and modification to the prominent boundary wall which fronts the highway. These changes, combined with the effect of introducing new buildings onto the site, was considered detrimental

to the character and appearance of the Conservation Area failing to preserve or enhance its character.

- 5.7 This application, the subject of this report, attempts to address the concerns that have resulted in the former refusals of planning permission by seeking to retain a significant amount of the existing trees and vegetation within the site and proposing no modifications to the walled enclosure that fronts the highway.
- 5.8 The buildings that are proposed are of a scale, modern design and siting that pay regard to the wooded context and the spacious and uncrowded appearance of the surroundings. In addition, the proposed materials which consist of timber cladding for the external walls, cedar shingles and a green roof section are considered sympathetic to the wooded site.
- 5.9 In light of the above, Officers consider that the character of the Conservation Area will not be materially affected by the development and as such will be preserved.

Neighbour Amenity

- 5.10 The dwellings are sited and orientated within the site such that there are no unacceptable overlooking, overshadowing or overbearing impacts on the existing or future occupiers of the dwellings located within the curtilage associated with 4 Oxford Road.
- 5.11 Oxford Road is a modern two storey dwelling located on land behind the application site. The rear elevation of one of the proposed dwellings has dormer windows and rooflights that look onto the front elevation of 2 Oxford Road with a separation distance of approximately 19.5m. In order to ensure that this neighbour is not adversely impacted by the development a condition has been recommended which requires the dormer windows to be obscure glazed with limited openings and for the roof lights to have a minimum internal cill level of 1.7m above finished floor level.
- 5.12 One of the dwellings proposes a balcony enclosure at first floor level. Subject to the enclosure being designed in such a way as to not allow for any overlooking of the property to the rear (2 Oxford Road), the principle of the balcony detail is considered acceptable. A condition has been recommended in order to ensure that the balcony enclosure is designed in the interests of securing the residential amenity of the neighbour.
- 5.13 In light of the above the application proposal is considered acceptable in terms of neighbour amenity.

Impact on Highway Safety and Convenience

- 5.14 At the time of writing there has been no formal response from County Highways in respect of the access arrangements for the proposal which involves utilising the existing access onto the highway without any alteration/extension. However, there have been extensive pre application discussions in respect of the provision of additional dwellings on the site utilising the existing access arrangements and OCC Highways has raised no objection at pre application stage.

Impact on Archaeology, Trees and Ecology

- 5.15 The County Archaeologist has raised no objections to the proposals for the site subject to the imposition of a condition which requires that the foundations are of piled and rafted construction.
- 5.16 The arboricultural report submitted with the application confirms that the majority of trees within and peripheral to the site will be retained. Conditions are recommended to ensure that the development is adequately landscaped and that the retained trees are protected throughout the implementation phase.
- 5.17 In that the majority of the trees are to be retained as part of the proposals the impact on any ecology (bats, birds any other species that inhabit trees) is not likely to be material. However, in order to mitigate for any disturbance that may occur a condition has been imposed requiring the provision of bat and bird boxes.

Conclusion

- 5.18 In light of the above assessment, the provision of two additional dwellings on the site is considered to comply with the housing and environmental policies of the adopted and emerging West Oxfordshire Local Plans, the relevant paragraphs of the NPPF and S72 of The Planning (Listed Buildings and Conservation Areas) Act 1990. The application is recommended for conditional approval accordingly.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations and on the roofs of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 Notwithstanding details contained in the application, detailed specifications and drawings of all windows, doors, rooflights, dormer windows, solar panels at a scale of not less than 1:20 with sectional details at not less than 1:5 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 and retained as such.
REASON: In the interests of the visual amenity of the area.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no alterations, extensions or outbuildings other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed in the interests of visual and residential amenity.
- 6 The development hereby approved shall be constructed on a combination of piled and rafted foundations in accordance with details to be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
REASON: In the interests of Archaeology
- 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 No development (including site works and any demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: '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.
- 10 Bat and bird boxes shall be installed in accordance with details including phasing that have been submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard and enhance biodiversity.
- 11 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the dwellings hereby approved are first occupied.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.

- 12 No dwelling shall be occupied until space has been laid out within the curtilage of each dwelling for 2 cars to be parked and such spaces shall be retained solely for parking purposes thereafter.
REASON: To ensure that adequate provision is made for off-street parking.
- 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. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for the design. The development shall be carried out in accordance with the approved details prior to first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 30 % CC event has been submitted to and approved in writing by the LPA. 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 Before first occupation of the 'Garden House' the dormer window(s) on the south elevation shall be fitted with obscure glazing and shall have limited openings in accordance with details to be first approved in writing by the LPA and the dormer windows shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
- 15 Notwithstanding any indication given on the plans hereby permitted, the rooflights in the south facing elevation of the 'Garden House' shall have a minimum internal cill height of 1.7 metres above finished floor level and shall thereafter be retained as such.
REASON: To safeguard privacy in the adjacent property.
- 16 Notwithstanding the application drawings details the balcony enclosure to serve 'The Cottage' shall be submitted to and approved in writing by the LPA prior to first occupation of 'The Cottage' and the balcony enclosure shall be constructed and retained in accordance with the said approved details.
REASON: In the interests of visual and residential amenity.

Application Number	I5/04061/OUT
Site Address	Land South Of Stanmore Crescent Carterton Oxfordshire
Date	6th January 2016
Officer	Phil Shaw
Officer Recommendations	Pending Decision
Parish	Carterton
Grid Reference	428313 E 207175 N
Committee Date	18th January 2016

Application Details:

Demolition of existing no. 54 dwellings and outline consent sought for development of 135 residential dwellings (Class C3) with access via Stanmore Crescent/Upavon Way and Abingdon Road/Brize Norton Road. All matters reserved save access.

Applicant Details:

Mr Ian Hudson
Annington Property Ltd
C/O Agent

I CONSULTATIONS

- I.1 Town Council
- CTC has no objection to this application but stressed that the local infrastructure must be improved to cope with a development of this size. In a separate response they advise that it is critical that the impact of the additional 81 dwellings is mitigated and that this is an opportunity to improve significantly energy efficiency, replace any felled trees, provide adequate footpaths and ensure all power and drainage requirements have been met. CTC request 15k towards town centre improvements and 5k towards signs at the edge of the settlement
- I.2 CPRE
- It is positive that matters are progressing on REEMA land. From the CPRE's perspective, development that leads to betterment is positive and brownfield spaces are preferable to greenfield land.
- Additionally, whilst we totally disagree with developer (promoting a different site around the town) comments at the recent Inquiry that Carterton should get more housing, to save gems like Burford from suffering (albeit that we have objected to the Hallam application in Burford), there is an allocation to REEMA Central in the Draft Local Plan, which we have supported. This application is for less houses than the allocation, so we are satisfied that it does not represent a stretching of Carterton's target. It is therefore welcome in principle.
- We are not clear what the Town Council's Master Plan had in store for this parcel of land in detail, as we know that Councillors had some specific ideas for REEMA, but we feel sure that the principle of

developing this land with the potential to improve the style & feel of this area and consequently the town as a whole, will be welcome with local people and councils in and around the town, which is vitally important. Sometimes, improvements in one area can trigger wider regeneration and bring about a positive vibe and upward spiral. That is what happened in Witney a decade or so ago. The response to this application will reveal the general feeling, but we would hope that the views of the residents of the town and the Town Council are given due weight, in line with Localism. This is a key development that has been a long time in the making after all.

However, we do have comments and concerns as follows:

- The application is for 21% 1 & 2 bed housing and 79% 3 & 4 bed housing with 10% affordable housing. This does not deliver what we need or want.
- We need affordable housing and 10% is not a significant contribution. It's important that opportunities to provide what our community in West Oxfordshire requires are not under-played. Otherwise, we will just be saving up problems for the future.
- Most of the affordable housing need is for small units and the Draft Local Plan calls for roughly 2/3rds to be 1 & 2 bed. It is not clear what size homes are proposed in the 13 or so the developer is offering. In reality, a view could be taken that 100% of new affordable housing should be 1 & 2 bedroom, allowing larger properties to be freed up and a check on whether there are significant numbers of people housed in larger affordable homes are waiting for a smaller home, could be done. This may help the developer offer more affordable homes.
- The market housing mix in the Draft Local Plan is roughly 2/3rds 3 & 4 bedroom and this development delivers too many of these larger houses against the Local Plan. The consequence is that the likely occupancy will be around 3 on average for this development, as homes will not be under-occupied on average in these times of high house prices. The SHMA model is based on an average occupancy of 1.8 (although in a model relying heavily on in-migration, we believe this to be incorrect- nevertheless, it has been used to derive the target). If we target higher occupancies, we will attract more in-migration than intended with too many people for the number of jobs we expect. The SHMA assumes around 0.7 workers per household (7,800 jobs, 9200 workers and 13,200 homes). In WODC's analysis, it's more like 0.57 (6,000 workers in 10,500 homes). This housing could yield around 1.5 workers per home, as in general there is 1 worker per 2 heads of population. If anything, to deliver the SHMA model, we need to give even more weight to smaller homes than in WODC's Draft Local Plan or we will have too many people than planned and more workers than new jobs

or building less houses of a bigger size. If all developments were at such high occupancy, it would encourage the out-commuting ratio upwards, when we should be working to reduce it from 1.18 to 1. New developments need to be tested against the SHMA and WODC models used to derive the housing target.

- If a development of this mix is to go ahead, it should count as more than 135 units, because of the average size and occupancy being higher than assumed in setting the target. 135 homes of an occupancy of 3 would be equivalent to 225 at an occupancy of 1.8. Either that or the housing target should reflect the occupancies that the sites we have in the pipeline will deliver.
- We note that this development is described as delivering 81 extra homes as 54 flats are being demolished. If some or all of these flats are empty, then they should not be counted in the deduction. The housing model is based on providing new homes for a small amount of natural growth and for immigration, so any homes that form part of the 5% of empty houses in the District and so are not contributing to housing the population now, are not relevant. This 5% is carried forward too (conservatively in our view, as it's relatively high and an undesirable trend that should be targeted for reduction), so if it can be reduced, the % allowance in future can be reduced too.
- We would be concerned regarding where the rest of the REEMA Central allocation will come from and when, as it is important that at least 200 is achieved on this site, if not more. The MoD needs 720 homes, which at a density of 12 (JSP scales) should take 64 acres. There are 146 acres of land on all REEMA sites, leaving 84 spare if all MoD houses are rebuilt, so with the right opportunity, this land could deliver more houses. It is of note that due to the relative sizes of properties, this proposal is at a density of 12, where 16 might be expected. We would be interested to know what future plans for this land are, if any information is available on that subject.

1.3 One Voice
Consultations

No transport objections subject to conditions and a legal agreement to secure 2254.71 per additional dwelling to transport improvements, 1000 per dwelling towards strategic public transport, 9000 towards a new bus shelter, 1240 towards travel plan monitoring.

No archaeology or ecology objections

Request 231640 toward primary and 298967 towards secondary education

Request 4740 towards Carterton Library stock and 49390 towards fire and rescue infrastructure

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| I.4 | Environment Agency | No Comment Received. |
| I.5 | Thames Water | <p>With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied -</p> <p>"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".</p> <p>Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community</p> |
| I.6 | TV Police - Crime Prevention Design Advisor | No Comment Received. |
| I.7 | WODC Community Safety | No Comment Received. |
| I.8 | WODC Env Health - Lowlands | <p>While I have no serious concerns in relation to potentially contaminated land, given the scale of the proposed development and the age of the existing development please consider adding the following condition to any grant of permission.</p> <p>1. No development shall take place until a desk study including a site inspection has been produced to assess the nature and extent of any contamination, whether or not it originates on site, the report must include a risk assessment of potential source pathway receptor linkages. If potential pollutant linkages have been identified a site investigation assessing the nature and extent of contamination will be 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.</p> <p>2. 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</p> |

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

Relevant Policies: West Oxfordshire District Local Plan Policy and Section 11 of the NPPF

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| I.9 | WODC Env Services - Waste Officer | No Comment Received. |
| I.10 | WODC - Sports | <p>District Council Priority scheme (adopted facilities plan refers) Carterton LC phase 2 (consisting of building extension for sports hall etc). Capital contributions will be sought towards Leisure Centre based on the following formula:-</p> <p>Capital cost of provision divided by population multiplied by number of residences in the scheme and household average occupancy:-
 $4,500,895/15,000 = 326.33 \times 2.5 = 815.82 \times 135 = \text{£}110,135.70$ offsite contribution towards improvements at Carterton Leisure Centre.</p> <p>The illustrative master plan (DWG No. - A101-LA02 Rev B) features an onsite play area and public open space, the Town Council will need to be consulted regarding the future ownership, management and design should they elect to take over the POS and play area. In accordance with District Council policy should the Town Council elect not to take over the play area and public open space a management company will be necessary. Furthermore the master plan shows play equipment within the smaller areas of public open space and pocket parks. The preferred option is to focus the equipment within the central park POS providing one equipped play area catering for a broad age range.</p> <p>$\text{£}817.85 \times 135 = \text{£}110,409.75$ for the provision and maintenance of an onsite play area.</p> |
| I.11 | WODC Head Of Housing | No Comment Received. |
| I.12 | WODC Planning Policy Manager | No Comment Received. |
| I.13 | MOD (Brize Norton) | No Comment Received. |

2 REPRESENTATIONS

- 2.1 One letter has been received from Mr Hughes who suggests conditions to help wildlife such as pollinators, birds, hedgehogs and other native urban wildlife which would also be of benefit to the local residents

3 APPLICANT'S CASE

- 3.1 Writing in support of the application the agents have submitted a considerable volume of supporting information which may be viewed on line or upon request to the case officer. The summary of the planning case is reported in full below.
- 3.2 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development. For decision-taking this means that proposals that accord with the development plan should be approved without delay or, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or - specific policies in the Framework indicate development should be restricted.
- 3.3 The proposal has shown that it is capable of being accommodated on the application site in an effective and efficient manner that provides a framework for a high quality design-led approach. Careful and thorough analysis has been undertaken of the site's opportunities and constraints in arriving at the illustrative layout that demonstrates it is capable of being delivered.
- 3.4 The proposal has had regard also to extant planning policies and importantly the emerging site specific Policy CA1 REEMA Central. The application submission demonstrates that no adverse impacts of significant arise with regards to traffic impact that would outweigh the benefits of the proposal. Further, as identified through supporting technical studies and assessments accompanying this application, the site is of low risk to flooding, and is not subject to environmental or ecological constraints.
- 3.5 Opportunities for improved pedestrian and cycle connections have been integrated into the masterplan scheme thus meeting one of the key requirements in the emerging policy CA1.
- 3.6 The proposal has taken into account site constraints, along with policy requirements and guidance, to formulate a high quality, sustainable scheme that will provide much needed housing in the area, in accordance with the Council's strategy for delivering homes.
- 3.7 The application proposes development that complies with local and national policy, including the Emerging Local Plan. It entails not only the realisation of the Council's objectives to see this site developed for housing to help meet housing need, but in a manner that will provide a high-quality scheme that makes efficient use of land and engenders wider community benefits.
- 3.8 The precise scope of the relevant obligations will evolve in response to consultation responses to the planning application and dialogue with West Oxfordshire District Council and Oxfordshire County Council and such obligations as may be agreed will be required to meet the tests set out in Regulation 122 of the CIL Regulations 2010. As a consequence, the Applicant reserves the right to amend these Draft Heads of Terms prior to the determination of the planning application.

- 3.9 Provision for a level of 10% Affordable Housing as established and demonstrated through the Affordable Housing Viability Assessment.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

H7 Service centres

OS2NEW Locating development in the right places

OS4NEW High quality design

OS5NEW Supporting infrastructure

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

5 PLANNING ASSESSMENT

- 5.1 This application is in outline and seeks permission to redevelop part of the REEMA central site on land that was in part already developed for flats. The existing retained houses surrounding the site are not part of the application and would be retained. Officers have been exploring means to use this application as a mechanism to seek improvements to the wider area to help reduce the visual impact of the retained system built houses. The application is in outline with only principle and access to be determined at this stage.

Background Information

- 5.2 Of most relevance is an application submitted in 2004 under reference 04/2358 which secured outline permission for the redevelopment of Reema North and Central subject to a legal agreement. That application has been partially implemented by works undertaken at Reema North and so the existence of a partially implemented consent establishes a fall back position in determining the merits of this application.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.4 As advised above the site is already largely in use for housing, has had previous consents granted for redevelopment and in addition is centrally located within the second largest town in the district which has a wide range of services and facilities. The proposal is therefore considered to be acceptable in principle and constitutes sustainable development in the terms set out in the NPPF

Siting, Design and Form

- 5.5 Members will be aware that the existing REEMA system built housing is of no especial architectural merit and has been built out in a less than efficient manner. As such the redevelopment of such sites offers the opportunity for considerable betterment both visually and in terms of the ability to create more efficient use of land in a sustainable location. To set against that advantage the pattern of land disposal employed by the MOD has meant that the site area is somewhat contorted and is not comprehensive in that much of the existing REEMA

housing stock on the site is to be retained. Clearly this lessens the extent of benefit that a more comprehensive development (as envisaged in the 2004 application) would deliver. Non the less the site area is sufficiently cohesive and large that officers consider that it would not be prudent to turn down this opportunity for a partial redevelopment in favour of awaiting a more comprehensive scheme that may never be delivered. Officers have however been seeking plans for betterment of some of the key routes adjacent to the site as a means to try to drive the benefits of redevelopment wider than the immediate site itself.

- 5.6 The applicants have undertaken a comprehensive site analysis looking at key views, constraints, spaces and opportunities and are proposing a scheme comprising a mix of flats and 2, 3 and 4 bedroomed houses. The exact mix could be secured by condition. The illustrative plans show that 36 of the 135 units would be 2.5 storey with the remainder 2 storey other than the central feature building at 3 storey. 272 parking spaces are shown as being capable of delivery, the vast majority are on plot spaces.
- 5.7 Three area of public open space are proposed/retained and the scheme proposes a new road hierarchy that seeks to knit the site into the surrounding road and footpath network. Two main spine roads will be created with a series of lesser roads and cul de sacs in the secondary locations. A feature building is located centrally and prominently within the site.
- 5.8 Clearly much of the information is illustrative and as such much be approached with a degree of caution but with conditions to ensure that the reserved matters were closely aligned with the illustrative scheme your officers are satisfied that the proposals represent a good quality development that will enhance this part of Carterton. Officer will make extensive use of the submitted information as part of the presentation to committee.

Highways

- 5.9 It will be noted that OCC in its capacity as Highway Authority are raising no objections subject to conditions. The scheme takes all available opportunities to tie into the existing road and footpath networks and will facilitate easier access from Shilton Park to the town centre by enhancing routes across the site on desire lines running between the two. With the conditions suggested by OCC there are considered to be no highway objections.

Residential Amenities

- 5.10 In that the site was already developed with flats the impact on neighbours needs to be considered in that context. That having been stated the scheme has been designed such that all the usual privacy etc distances are shown as being capable of being met or exceeded in regards to third party properties. It is perhaps noteworthy in that respect that no objections have been received from neighbours concerned at overlooking/overshadowing etc. As regards the amenity of the proposed residents themselves the illustrative plans also demonstrate that reasonable standards of privacy and amenity and convenient parking and access to open space can be created.

Other matters needing resolution

- 5.11 At the time of agenda preparation and as a result of schedule deadlines in proximity to the Christmas break there are still some issues regarding what mechanisms will be needed and the extent to which the scheme can contribute to enhancing the wider area, the degree to which

the I06 agreement in the fallback application limits the ability to request additional contributions, the mechanisms to ensure that connection to the key through routes is achieved, the potential ecology enhancements, the delivery of fire hydrants, scheme viability as regards to the much lower than usual offer of affordable housing, connections to a potential future access to the east of the site and the housing mix all need further consideration and potentially clarification and negotiation with the agents. It may be that this work has been completed by the time of the meeting whereupon a verbal update and formal recommendation could be made but if not Members may decide that deferral for a site visit or delegation of the final decision to officers is appropriate. Officers will seek Members views at the meeting.

Conclusion

- 5.12 At the time of agenda preparation the principle is considered acceptable but there are some technical and other matters that need further consideration and negotiation before a formal recommendation could be given. A verbal update as to the suggested course of action will be given at the meeting.

6 RECOMMENDATION

Provisional approval subject to the outstanding matters outlined above being resolved.

Application Number	I5/04071/FUL
Site Address	Land At Newland Street Eynsham Oxfordshire
Date	6th January 2016
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Eynsham
Grid Reference	443664 E 209577 N
Committee Date	18th January 2016

Application Details:

Erection of 10 dwellings with associated access, parking and open space.

Applicant Details:

Oxford Homes
C/o Agent

I CONSULTATIONS

- I.1 WODC Rural Development
- If these get approved, please can you condition them to ensure the houses have access to superfast broadband (either by the developers demonstrating that they can connect to an existing network to receive superfast speeds or how they will install an alternative)?
- I.2 WODC Architect
- Firstly, just to be clear about the context, the site lies within Eynsham CA, part of a large area of open space on the eastern side of the settlement. Newland Street/ Cassington Road forms a fairly straight route into the settlement, linking the B4449 to Mill Street in the heart of Eynsham. Before the Newlands Inn is reached in particular, the road has a noticeably gappy, almost country lane-like character, with un-Listed (though what would be designated Locally Listed) C19 structures opposite the site: a small detached stone-built house, a short brick terrace and the unusual hipped-roof Yew Tree Cottage to the west;
- With regards the most recent submission for the site, the first thing to say is that I don't see any logic in the 'splayed' building line being proposed. Given the established arrangement of housing along the street and its linear character, I believe the orientation of structures on the site should respect the established settlement pattern, and respond meaningfully and positively to the street axis;
- Bringing the buildings back into alignment with the street would both allow the dwellings properly to address the street (as the existing housing does along Newland Street) and would mean that parking, bins, access etc. could be discreetly located to the rear (there is a real concern that, as orientated, the scheme would result in a car-dominated/ cluttered/ dead space foreground);

While trickier to control, there is a question mark in my mind about the visual permeability of the scheme, in order that views remain between the units through to the open space beyond. Given the current gappy, country-lane feel of Cassington Lane here, I think it is important (in preservation of CA terms) that the south side of the road is not visually enclosed by built development, and that 'gappiness' somehow remains a characteristic of any scheme here;

In terms of the design of the various units: Plots 5-8: no strong objections to the design (though the slightly afterthought hipped brick wings might be omitted). However, given its landmark pretensions, the quality and detailing of this building will be crucial. Materials, finish and windows will all need to be top drawer. If really well detailed, a building of this type has the potential to enhance the street scene; if not, it could easily be visually harmful in this context;

In summary, given the CA context and the qualities and characteristics set out above, I do not believe the application is currently supportable in CA terms.

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| I.3 | Parish Council | Eynsham Parish Council has no objection. |
| I.4 | One Voice Consultations | Transport - No objection subject to conditions following the amended plan and legal agreement.
Education - No objection subject to legal agreement.
Property - No objection subject to conditions |
| I.5 | WODC - Arts | No Comment Received. |
| I.6 | WODC - Sports | No Comment Received. |
| I.7 | WODC Env Health - Lowlands | No objection to the above proposal but I do have a couple of observations to pass back to the applicant in respect of the design.
1) The open plan design of the living area, i.e. kitchen/living room can lead to an increase in damp, condensation and mould problems.
2) There is no area shown specifically for the drying of clothing, which is something that is required by Housing Act Legislation enforced by this department. |

I have seen the above referenced planning application during review of the parish consult. While I have no serious concerns in relation to potentially contaminated land, given the proposed residential development please consider adding the following condition to any grant of permission.

1. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk

assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority. Reason: To prevent pollution of the environment in the interests of the amenity.
Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF

1.8 Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil polluted discharges entering local watercourses.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

I.9	TV Police - Crime Prevention Design Advisor	No Comment Received.
I.10	WODC Env Services - Waste Officer	No Comment Received.
I.11	WODC Head Of Housing	No Comment Received.
I.12	WODC Planning Policy Manager	<p>The applicants' agent states that the Council does not have a five year housing land supply and thus, even though they are saved, the relevant Local Plan policies for the supply of housing affecting the site are out-of-date. However, the Council's latest housing land supply position statement (dated February 2015) confirms that when assessed against the draft Local Plan housing requirement of 525 homes per annum, the Council is able to demonstrate a five year supply of deliverable housing sites and therefore the Council's adopted local plan policies relating to the supply of housing can be given a good degree of weight (whilst recognising that the policies pre-date the NPPF and were conceived some time ago when speculative, undeveloped greenfield sites were not needed to meet housing targets).</p> <p>Whilst the Local Plan Inspector's preliminary findings indicate that the draft housing requirement of 525 homes per annum is likely to need to be increased, at this point in time it is not known by how much. The Inspector suggests that the housing requirement is likely to be between 525 - 660 homes per annum but that further work would be needed to determine the final requirement.</p> <p>In any event, whilst the application does not fulfill the criteria of adopted Policy H7, it is accepted that this policy is more restrictive than the NPPF which post-dates it and the Council has publicly stated that in order to meet its housing targets some development will be needed on greenfield sites. This is reflected in Policy H2 of the submission draft Local Plan 2031. The strategy of the draft local plan looks to deliver about 1,600 new homes in the Eynsham-Woodstock Area (2011-2031), the majority of which are likely to be delivered in the three rural service centres (Eynsham, Woodstock and Long Hanborough).</p> <p>It is good to see that since the previous application (and its refusal) there has been an amendment to building height, massing and distance from mature trees along Newland Street. However, as acknowledged by the applicant in the supporting planning statement there will inevitably be an impact on the Conservation Area and adjoining Listed Buildings.</p> <p>I question whether the amendments that have been proposed are sufficient and suggest that even this reduced scale of development would have a harmful impact as a result of the partial loss of an important part of open space that makes an important contribution</p>

to the character of this part of the village.

2 REPRESENTATIONS

2.1 There has been a total of 29 third party representations submitted in relation to this application at the time of writing 15 of these were objections which are summarised below:

- This development will impact negatively on what used to be the village of Eynsham, but is now being turned bit by bit into a concreted over dormitory town for Oxford.
- It will spoil the look of the old part of the village being a modern development. The trees in that area are deciduous and in winter the development will be seen clearly from the road.
- I consider this to be overdevelopment of the site which is the last area of open land in the Conservation Area and adjacent to a listed building.
- The line of vision from the proposed access to the east down towards Cassington Road curves and does not allow adequate time to see approaching vehicles.
- The access to the road will spoil the fabulous old wall and could potentially be dangerous, especially with the volume of cyclists using the route.
- These are some of the reasons given in the previous and most recent refusal for a very similar application. There have been no material changes to overcome any of these refusal reasons.
- Increasing the pressure on this road by adding more traffic would be dangerous and unfeasible. This is a busy road with many turnings in different directions that is used by many as a thoroughfare for accessing the primary school.
- The land is significantly higher than the road and the dwellings will be considerably tall.
- I object to these plans because they would irrevocably damage the landscape, heritage and culture of Cassington and Newlands Road.
- There is no justified need for this development.
- The new development would overlook the existing cottages on Cassington Road /Newland St due to the height of the proposed buildings and the considerably raised bank of land on which they would be built.
- There is a wide variety of plants and wild life which will be displaced or lost if this development is approved.
- Light pollution in the village is bad enough but extra light pollution from these houses would have a major impact on the observatory. The proposed development would be due south and on the Zenith line from the observatory this would cause major problems in observing planets and deep sky objects.
- Having a busy development access on Newland Street in the proposed position is not safe for pedestrian access there is no footpath or grass verge on the proposed development side of the road, so pedestrians using the site access/exit emerge straight onto the single lane road on the blind bend, which is already impacted by heavy traffic, poor visibility and is very icy/slippery much of the winter as the sun does not burn off the frost/ice due to the tree canopy on the raised banks.

2.2 There has been 1 general comments and 12 comments of support which are summarised below:

- It is always sad when development encroaches on the setting of one of the village's historic houses, but I am pleased the applicants have responded to the concerns of their neighbours in Cassington Road.
- I feel that this proposal is much improved on previous applications. The issues raised in the past have been addressed sensibly, leading to what should be a pleasant development of a useful mix of housing.
- Pleasant housing for some in a beautiful environment, well thought out and very considerate.
- The plan is such a good idea and makes excellent use of the presently empty field.
- I like the scale of the plan which is allowing for orchard and gardens.
- Much thought and diligence has been given to the amendments to the original plans and this development will provide good residential accommodation, plus a most attractive public space.
- Eynsham there is a serious and urgent need for properties of the type proposed in this plan. House hunters in the district would find the opportunity to live in such proximity to the facilities of the village very attractive.
- I support the proposed application as new housing is desperately needed in Eynsham. The different housing types will appeal to families, individuals and those wishing to downsize in the village. The size and design of the development is also sympathetic to the surrounding area.
- The plan to keep the large remainder of the land as a community orchard is also a wonderful gift to the village.
- My family are currently fortunate to use one of the existing allotment plots on the field. In an ideal world I would love to leave Eynsham exactly as it is - I would love for the field to remain exactly as it is. However the realities of population growth and the need for development is now impacting hugely on Eynsham.
- This revised application has paid careful attention to objections concerning the site itself and the nature and structure of its proposed housing. I recognise the need to provide additional housing in the village and welcome the mix of smaller and larger units and repositioning of the latter to allow improved garden space.
- From the point of view of Green TEA and the Orchard Group we are pleased that the concerns of the neighbours have been addressed, as the orchard is designed to be for the benefit of the community - not a source of contention.
- In my view this is a careful balance between the need to build new homes without overly impacting on character of historical areas. The use of stone along and plans for a communal orchard are all welcome.
- We have been growing fruit trees here for public use around Eynsham for several years. We are very keen to create a productive Orchard on the site for the benefit and enjoyment of the local community.

3 APPLICANT'S CASE

3.1 The application was submitted with a design and access statement which can be viewed on line alongside the rest of the application. The conclusion states:

The application is a resubmission of a previous application (Ref 15/01184/FUL) but includes an amended layout and design. These amendments may be summarised as:

- Reduction from 13 units to 10 units;
- Building heights reduced so that all the buildings are now 1½ to 2 storeys;
- Central Georgian style apartment block reduced to two storeys and reduced in width to reduce its potential prominence in the street scene;- The buildings have been set back in the site behind the access road and parking areas giving more room for the trees and reducing the potential visibility and prominence of the new buildings in the street scene.

3.2 The proposed development has evolved through positive pre-application consultation and has sought to address previous local concerns as much as possible through reducing the scale and height of the development.

3.3 Special regard has been given to the context of the site within the Conservation Area and adjacent to Listed Buildings to ensure that it respects the character of the area, incorporates locally appropriate design and materials and minimises its impact on heritage assets.

3.4 Rather than a large unimaginative development of standard house types, the proposal is for a high quality and distinctive development which has been informed by its context and which:

- Is relatively small (up to two storey) and well-designed, providing visual interest to the area;
- Minimises its impact on heritage assets through focusing development northern and eastern areas, whilst maintaining existing tree belts and a significant open area to the south as a setting to The Gables and Highcroft House;
- Incorporates a mix of houses and apartments, including smaller starter homes/apartments;
- Sympathetically mixes different building styles which have a local reference and uses locally appropriate, natural and high quality materials;
- Retains existing tree belts and stone wall as much as possible and can facilitate the repair and enhancement of this wall;
- Makes provision for wildlife and biodiversity;
- Facilitates the long term provision of a community based orchard.

3.5 In the current context, the NPPF is a 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.

3.6 Through careful design, every effort has been made to ensure the special architectural, historic and environmental character and appearance of the Conservation Area and setting of listed buildings will be preserved in accordance with local and national policies.

3.7 In accordance with the national policy special regard must be given to the conservation of heritage assets and this must also be weighed against the public benefits of the proposal.

- 3.8 The proposal will have a number of benefits including the provision of much needed housing in a sustainable location, high quality design, economic benefits including the employment of local builders and tradesman, and facilitating the provision of the communal orchard.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
H7 Service centres
BE5 Conservation Areas
BE6 Demolition in Conservation Areas
BE13 Archaeological Assessments
NE3 Local Landscape Character
NE6 Retention of Trees, Woodlands and Hedgerows
NE15 Protected Species
H3 Range and type of residential accommodation
BE4 Open space within and adjoining settlements
T3NEW Public transport, walking and cycling
OS2NEW Locating development in the right places
OS4NEW High quality design
EH7NEW Historic Environment
T4NEW Parking provision
EH2NEW Biodiversity
EH1NEW Landscape character
H4NEW Type and mix of new homes
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application is seeking full planning permission for the erection of 10 dwellings (3 x 3 bed houses, 1 x 4 bed house and 6 x 2/3 bed apartments) with the associated access, parking and open space to support such a development.
- 5.2 The application site has been before the Lowlands Sub Area Planning Committee on two previous occasions in 2015 and this amended application seeks to address the previous reasons for refusal.

Background Information

- 5.3 The application site comprises of a 0.4ha parcel of grassland to the south of Newland Street in Eynsham, adjacent to the section of the road where it turns into the Cassington Road. The site is bounded to the north by a dry stone wall and mature tree belt. To the east of the site also exists a mature and substantial tree belt. South of the application site, lies further grassland and allotments within the paddock, and south of this, a further hedgerow. This forms the applicant's boundary to Highcroft House. Highcroft House is a Grade II listed building, immediately to the south of the application site. To the west of the site lies The Gables, another Grade II Listed building.

5.4 The site is within the Eynsham Conservation Area, the 'Lower Windrush Valley and Eastern Fringes' of the West Oxfordshire Landscape Assessment, and within a protected species buffer and within Flood Zone 1, low risk of flooding.

5.5 The relevant planning history to this site is;

08/1504/P/FP for, 'Erection of ten apartments and training facilities for learning disabled plus ancillary shared areas. Fourteen retirement apartments, warden flat and shared areas and garages. New shared access from Newland Street.' The application was refused, citing similar reasons to a similar earlier scheme (ref 07/1024/P/FP) as copied below;

"The proposed development represents the partial loss of one of the few remaining undeveloped open spaces in the village and will change its appearance from that of an agricultural paddock to one dominated by residential development. The works to create the access would involve engineering works that would impact to the detriment of the substantial and attractive wall and tree belt along the site frontage and the unspoilt appearance of the frontage generally. As such the proposals would be harmful to the character and appearance of the Eynsham Conservation Area, and also to the setting of the Listed Buildings in the vicinity of the development, which would be contrary to Policies BE5 and BE8 of the West Oxfordshire Local Plan.

That whilst sufficient case has been made out that the extent of need is such that an approval of the development against housing policy could potentially be justified, it has not been demonstrated to the satisfaction of the Local Planning Authority that the extent of on-site harm identified in the preceding refusal reason has been justified by the extent of need. As such the proposals are contrary to Policy H7 of the West Oxfordshire Local Plan in that the development is not considered to comply with the plan definition of rounding-off and it does cause conflict with other policies of the plan."

15/01184/FUL for 'Erection of 13 dwellings with associated access, parking and open space' The application was refused by the Lowlands Planning Committee for the reasons set out below the first being the same reason cited in the 07 and 08 refusal.

The proposed development represents the partial loss of one of the few remaining undeveloped open spaces in the village and will change its appearance from that of an agricultural paddock to one dominated by residential development. The works to create the access would involve engineering works that would impact to the detriment of the substantial and attractive wall and tree belt along the site frontage and the unspoilt appearance of the frontage generally. As such the proposals would be harmful to the character and appearance of the Eynsham Conservation Area, and also to the setting of the Listed Buildings in the vicinity of the development, which would be contrary to Policies BE5 and BE8 of the West Oxfordshire Local Plan and EH7 of the Emerging Local Plan 2031.

The proposed off site affordable housing and Section 106 contributions are considered insufficient to mitigate the impacts of the proposed development contrary to policy BE1 of the adopted West Oxfordshire Local Plan 2011, OS5 of the Emerging Local Plan 2031 and overarching principles of the NPPF.

- 5.6 The refusal reasons set the context for the assessment of the current proposals. Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.7 The proposal is submitted for a residential development on a previously undeveloped parcel of land within the Village of Eynsham. Eynsham is one of the more sustainable settlements within the district and is classed as a service centre due to its excellent bus links and infrastructure provisions. As such has attracted a fair amount of growth in the recent past. Indeed, the Swinford Green development to the south east of the site has been completed within the last couple of years which was an allocated site within the West Oxfordshire Local Plan 2011. This application site has not been put forward within the Local Plan and was not included in the Strategic Housing Land Availability Assessment.

- 5.8 The previous application was recommended for approval by officers, and whilst the proposals were refused this was not due to the matter of principle but rather of detail. The principle of developing the site has therefore been accepted by officers subject to accordance with the other relevant policies of the plan.

Siting, Design and Form

- 5.9 The site has an established planning history; the most recent application was recommended for approval by officers but was overturned by members at committee.
- 5.10 The proposal has tried to address concerns raised with the previous application by reducing the scale of the development from 13 units to 10 units, reducing the height of the main apartment block and by moving the development further in to the site. The site is still proposed to be accessed from Newland Street.
- 5.11 Officers are of the opinion that the reduction in the scale of the development would be an improvement to the previous scheme in terms of the visibility of the buildings specifically the apartment block. The change in layout would move the majority of the hardstanding to the front of the site with the bin store being located directly beside the access. Whilst the scale of the development will be reduced, it is considered that the increased hardstanding, parking and bin store to the front of the property would dominate the frontage whilst detracting from the setting of the apartment block creating a cluttered frontage.
- 5.12 The previous application sought to retain the landscaping to the frontage allowing for the domestic clutter of parking etc to be screened to the rear of the site and allowing the building line to reflect the pattern of development which is visible in the vicinity.
- 5.13 This application has some differences, the access to the development will still be accessed from Newland Street and would require an area of wall and trees to be removed. County Highways initially objected to this scheme because of inadequate visibility as well as inadequate provision for people walking to and from the development. In order to address highways concerns an amended plan was submitted showing the introduction of a gated pedestrian access and pavement area which will feature a dropped kerb and which will be located beside the vehicular access.

- 5.14 Officers are of the opinion that the revised scheme which now also includes new pedestrian arrangements further increasing the hardstanding at this part of the site frontage failing to mitigate the impact of the access arrangements which was raised as part of the previous refusal reason.
- 5.15 The development of the site has consistently been refused citing the same refusal reason. Officers were of the opinion that the previous application could be supported due to the proposed benefits such as the community orchard, the specific design of the buildings and the pattern of development which is reflected elsewhere in the street scene. Notwithstanding this, given the subsequent 2015 refusal reason, officers are of the opinion that at this stage a more innovative revised proposal may be required to adequately overcome this reoccurring reason for refusal as imposed by members. Whilst there may be an acceptable scheme on the site the revised proposal, on balance, does not fully address the previous reasons for refusal and therefore is still considered unacceptable

Residential Amenities

- 5.16 The development has been moved further into the site, increasing the distance between the proposed development and the properties located on the opposite side of the street. It is considered that the layout of the properties have been positioned as such that there would be very little adverse impact on nearby residential amenities.
- 5.17 The amended plans are considered to provide a better quality amenity space to the future occupiers of the dwellings than that previously proposed by locating the gardens to the rear on plots 1-4. The apartment block would benefit from open space around the building.

Highway

- 5.18 Oxfordshire County Council initially objected to the application due to inadequate visibility splays as well as inadequate provision for people walking to and from the site.
- 5.19 In order to address the issue the applicants agent has provided an amended plan showing an increased visibility splay as well as further provision for footpaths both within the site and as well as a new pedestrian access alongside the vehicular access. County Council Highways has also asked for the applicant to enter in to a S278 agreement to provide an additional tarmac route with tactile paving and dropped kerbs to allow pedestrians to cross from the north side of Newland Street to Queen Street.
- 5.20 An amended plan has been submitted by the applicant's agent showing an improved pedestrian access and the applicant has agreed to enter in to a S278 agreement in order to facilitate the additional crossing point.
- 5.21 Oxfordshire County Highways are satisfied that the scheme has now overcome the previous reason for refusal and have therefore withdrawn their objection.

Biodiversity

- 5.22 At the time of writing the report no comments have been received from ecology therefore a verbal update will be given at committee.

Heritage Impact

- 5.23 The application has been supported by a Heritage Impact Statement which provides an assessment of the heritage assets affected by this proposal, and how significant those impacts are. The previous refusal reasons on this site related to the change to the character of the existing paddock and the changes to the tree belt and boundary wall.
- 5.24 The scheme has sought to address this issue by setting the buildings further in to the site moving the hardstanding and parking to the front.
- 5.25 It is considered that this proposal contains the built development element to a relatively small section of the application site, leaving the rest for community use, which results in a fairly low density development, given the size of the wider site. Leaving the remaining site in a secured community use would be a benefit of the application, protecting the wider site and its setting in relation to the adjacent listed buildings.
- 5.26 Officers are of the opinion that given the previous officer recommendation for approval there may be an acceptable scheme on the site which can successfully preserve the open space and the setting of the Conservation Area. However with regard to this resubmission officers are of the opinion that the scheme has not fully addressed the previous reasons for refusal and whilst the scheme is improved due to its reduced scale with regard to the previous application, it is still not considered to enhance this part of the Conservation Area.

Community Orchard and infrastructure

- 5.27 The proposal includes the provision of a community orchard which is to be known as "the Peace Oak Orchard". Whilst this is not included as part of this application, it is within the applicants control and put forward as a benefit of this proposal.
- 5.28 The creation of the Orchard seeks to preserve the setting of The Gables as well as the preservation, management and conservation of apple and other trees. As with the previous application the land is proposed to be leased to the group known as 'Green Tea' which are a sub group of the Orchard Group, interested in apple growing, grafting and products. A draft unilateral undertaking has been provided as part of the application which states that
- 5.29 "The Owners and their successors in title will grant a lease of the Orchard ('the Lease') with the Orchard Group of Eynsham Green Tea ("the Orchard Group"), or similar organisation, or will transfer the freehold of the Orchard for a nominal consideration into a charitable trust to be set up by the local community ('the Charitable Trust'), for its use as a community based orchard to be known as "the Peace Oak Orchard".
- 5.30 In addition to the above the draft now states that the lease will run for 20years with the option to extend the lease or purchase the freehold of the Orchard for a nominal consideration. The full draft agreement can be viewed in appendix I of the planning, design and access statement.
- 5.31 The community orchard is very much seen as a benefit of this proposal in terms of protecting the setting of the listed building, being a landscape and ecological improvement as well as a benefit for the local community. The applicants are satisfied to enter in to a legal agreement which will tie any approval of this application, to the adjacent site. The wording of the legal

agreement would be such that no planning permission would be released until such time as a legal agreement has been drafted and agreed, to the satisfaction of the Local Planning Authority.

- 5.32 The proposed draft legal agreement also proposes a contribution of £3,100 per dwelling to be paid to the Parish Council in the event that planning permission is granted to be applied towards the cost of infrastructure.
- 5.33 The County Council has also requested financial contributions towards infrastructure improvements as well as Primary education, the applicant has confirmed that the applicant is willing to make financial contributions broadly along the lines requested.

Conclusion

- 5.34 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is unacceptable on its planning merits and therefore should be refused.

6 REASON FOR REFUSAL

The proposed development represents the partial loss of one of the few remaining undeveloped open spaces in the village and will change its appearance from that of an agricultural paddock to one dominated by residential development. The works to create the vehicular and pedestrian access would involve engineering works that would impact to the detriment of the substantial and attractive wall and tree belt along the site frontage and the unspoilt appearance of the frontage generally. As such the proposals would be harmful to the character and appearance of the Eynsham Conservation Area which would be contrary to Policies BE5 and BE8 of the West Oxfordshire Local Plan and EH7 of the Emerging Local Plan 2031.