

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 18th January 2016

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Agenda Index

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

I5/03505/RES	Land North Of New Road, Bampton	4
I5/03933/FUL	Land South Of New Yatt Lane, New Yatt	6
I5/03956/FUL	The Coach House, Willowbank, 4 Oxford Road, Eynsham	7
I5/04061/OUT	Land South Of Stanmore Crescent, Carterton	8
I5/04071/FUL	Land At Newland Street, Eynsham	11

Report of Additional Representations

Application Number	I5/03505/RES
Site Address	Land North Of New Road Bampton Oxfordshire
Date	15th January 2016
Officer	Abby Fettes
Officer Recommendations	Pending Decision
Parish	Bampton Parish Council
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

Additional Representations

- 1.1 Since the drafting of the committee report officers have considered the amended plans that have been submitted and can report it is now in a form that can be supported. The amount of parking courts has significantly reduced and the design issues have been resolved.
- 1.2 The plans are available to view on the website however Officers will talk through the scheme at the meeting.
- 1.3 Highway comments have yet to be received but the recommendation is to approve subject to no further highway matters being raised and any further conditions that they may request.

RECOMMENDATION

Approve subject to conditions:

- 1 The development shall be commenced within either five years from the date of the outline permission granted under reference I4/1338/P/S73, or two years from the date of this approval, or where there are details yet to be approved, within two years from the final approval of those matters.
REASON: To comply with the requirements of the Town and Country Planning Act 1990.
- 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 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 development otherwise approved by Classes A, B, C or E of Part 1 of Schedule 2 of the Order other than that expressly authorised by this permission, shall be erected

or carried out.

REASON: Control is needed to protect the residential amenity of adjacent properties.

- 4 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations 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.
- 5 The external walls shall be constructed of either artificial stone or natural stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 6 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 7 Notwithstanding details contained in the application, detailed specifications and drawings of all external doors, windows, rooflights and dormers at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 8 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
REASON: To safeguard the character and landscape of the area.
- 9 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance 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.

Notes to applicant

- 1 For roads within the proposed development to be offered for adoption to the Local Highway Authority a S38 Agreement will be required. For any private roads a Private Road Agreement will be required between the developer and Oxfordshire County Council. For guidance and information on road adoptions please contact the County's Road Agreements Team on 01865 815700 or email Road.Agreements@oxfordshire.gov.uk.
- 2 The applicant is reminded that the conditions on the outline application I4/I338/P/S73 and accompanying S106 legal agreement still apply where appropriate.

Application Number	I5/03933/FUL
Site Address	Land South Of New Yatt Lane New Yatt Oxfordshire
Date	15th January 2016
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Hailey Parish Council
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

Additional Representations

Oxfordshire County Council Highways

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

No objection subject to

- G36 parking as plan
- G11 access specification
- G31 drive etc specification
- G47 SUDS sustainable surface water drainage detail

Application Number	I5/03956/FUL
Site Address	The Coach House Willowbank 4 Oxford Road Eynsham Witney Oxfordshire OX29 4HG
Date	15th January 2016
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Eynsham Parish Council
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

Additional Representations

Notwithstanding the Officer recommendation of conditional approval as outlined in the Committee Agenda, given the Conservation Area context of the site the elevational drawings as submitted are considered to be of insufficient detail in terms of fenestration, dormer windows, solar panels, external finishes, green roof etc to determine the application on Monday. In addition it has come to light that the parking arrangements to serve one of the units is likely to result in the loss of tree cover within the site which in the interests of the preservation of the character of the Conservation Area is not something which Officers can support.

In light of the above Officers will be asking Members to consider the principle of redeveloping the site for an additional two dwellings of the scale, siting ,general design and materials submitted with the application.

If members are minded to approve the principle on the basis of the drawings and supporting information submitted to date, it is recommended that the determination of the application be deferred to allow for more detailed elevations to be submitted and the parking arrangements to serve the ‘Garden House’ to be revised such that the trees within the site are not adversely affected by the development proposal.

Consultation Response OCC Highways-

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

No objection subject to

G36 parking as plan

G47 SUDS sustainable surface water drainage details

Application Number	15/04061/OUT
Site Address	Land South Of Stanmore Crescent Carterton Oxfordshire
Date	15th January 2016
Officer	Phil Shaw
Officer Recommendations	Pending Decision
Parish	Carterton Parish Council
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

Additional Representations

Thames Valley Police

Seek funding towards police infrastructure

Agents further comments

You raised a number of points in our telephone conversation and I hope my responses below are of assistance. In the main it is the s106 items that need more detailed discussions but realistically and practically that can happen after the resolution. I presume that minor changes to the heads or financial amounts can be made under delegated authority. So turning to the matters you have raised:

Foul Sewer Discharge

A Services Appraisal was commissioned by the applicant which was submitted as part of the technical information to support the outline planning application. The principle aim of the services appraisal was to establish the following:

- Review the existing utility networks to determine their location and potential to serve the proposed new development;
- Identify strategic proposals for the supply of utilities for the development;
- Identify any need for off-site utility network reinforcements to support the development;
- Identify any potential diversion of apparatus affected by the proposed development.

Section 4.0 of the Services Appraisal addresses 'Foul Drainage'. Paragraph 4.3 notes the existing foul water drainage sewers within the site boundary. Paragraph 4.4 of the report confirms that a new Foul Water Drainage Strategy (FWDS) will be designed in accordance with Thames Water Utilities Ltd requirements. It is anticipated that the existing system has sufficient capacity but this will be investigated as part of the detailed design at reserved matters stage. Appendix E to the Services Appraisal outlines the proposed foul water drainage strategy which is subject to detailed design and capacity testing. Also the existing pitch fibre drains (referred to by you as cardboard sewage pipes) within the site will require further investigation to confirm the location and condition of the sewers prior to detailed design.

Thames Water have recommended a 'Grampian style' condition requiring a drainage strategy to be submitted and approved prior to commencement of works. Given this is an outline planning application and detailed design will be undertaken at the reserved matters stage the imposition of a planning condition as suggested by TW is acceptable.

At this stage and given that this is an outline planning application, no further investigation of foul water capacity can be undertaken. The safeguard is the planning condition that will only allow commencement of development when a satisfactory detailed scheme has been approved by the Council.

S106 Costs

The scope of all the obligations sought will need further discussion pursuant to completing a s106 agreement. The level of financial contributions sought does exceed the allowance made in the affordable housing financial appraisal by circa £44,000. To maintain a viable scheme some saving may need to be explored in the s106 contributions. It is noticed that some of the contributions have been calculated on a full development basis i.e. 135 units rather than the net increase of 81 units. This is a matter that can be discussed and resolved post resolution to grant. With regards to the transport contributions sought we have the following comments:

- Section 106 contribution per additional dwelling of £2254.71 towards the delivery of the Carterton area transport package.

This number appears to be calculated based on the contribution agreed for East Carterton (£1,578,297 for 700 units = £2254 per unit). However, that development included significant employment space, which will also have a traffic impact, so simply applying a factor per unit is not appropriate given that the Annington application has no commercial floor space. It would be better to calculate based the contribution based on the traffic impact rather than unit numbers, in which case, the rate of contribution should reduce. So, the contribution request is reasonable but the amount needs to be revised.

- Section 106 contribution of £1,000 per additional dwelling towards the development of strategic public transport to and from Carterton.

This number also appears to be calculated based on the contribution agreed for East Carterton (£700,000 for 700 units = £1000 per unit). Again, the contribution should be reduced to recognise the lack of employment space for the application site. So, the contribution request is reasonable, but the amount needs to be revised.

- Section 106 contribution of £9,000 to cover the cost of a new bus shelter on the north side of Brize Norton Road – Accepted.

- Section 106 contribution of £1,240 to fund the cost of Travel Plan monitoring for a period of five years – Accepted.

Land Ownership to the South Junction connection

The application boundary was diligently checked by the Annington prior to the submission to ensure that all the application site was within the control of the Annington.

Footway Connections to the Wider Area

The accompanying Transport Assessment sets out in sections 4.6 to 4.15. You specifically asked about the connection to Upavon Way and how this could be delivered. The original reserved matter applications for REEMA Central had a preoccupation condition (12) that required the introduction of an at grade crossing on Upavon Way. The REEMA North reserved matters application had the same condition applied (12). Footway connections will therefore be delivered in this location by one of these previously consented schemes.

With regards to the wider connections paragraph 4.10 of the TA advises that a preoccupation condition 10 was applied to the REEMA Central application and required the existing accesses onto Upavon Way, Burford Road and Brize Norton Road to be improved via the introduction of tactile paving. The applicant will agree to any similar condition being applied to these proposals and will implement the works themselves via a S278 Agreement, subject to detailed design approvals from OCC and confirmation as to the extent of works proposed by East Carterton at the Brize Norton Road / Abingdon Road junction. Adding the tactile to the existing drop kerbs on the existing footways across the site access junctions will add circa £20,000 to the overall s106 costs not already accounted for.

Dwelling Mix

The dwelling mix has been determined to maximise the viability of the scheme and thus underpins the affordable housing offer. A mix that entails a greater proportion of 2 bed units and thus reduces the quantum of family units i.e. 3 and 4 bed houses will negatively impact on the overall viability and thus threaten the affordable housing level. The site location and general market requirement support more family homes as opposed to small units.

Existing Tenants

Rather than leaving the existing properties vacant when they were handed back to Annington by the MoD, Annington decided to let them on a short term and temporary basis thus providing a benefit pending redevelopment. All the tenants are aware of the short term nature of their occupation and they have been given much longer notice periods to vacate than is normally required under a shorthold tenancy. The tenants have been kept abreast of the redevelopment proposals for the site throughout the planning process

Application Number	15/04071/FUL
Site Address	Land At Newland Street Eynsham Oxfordshire
Date	15th January 2016
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Eynsham Parish Council
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

Additional Representations

Additional Comments

Charles Mathew - Oxfordshire County Councillor for the division of Eynsham

I wish to submit some comments on the attached Planning Application 15/04071/FUL-

- I am concerned at the loss of open green space in the middle of Eynsham and the plans for a communal Orchard are again muddled, unclear and is not suggesting a public space. The arrangements for the Orchard need clarification and should be conditioned as permanently orchard and not available for future development.
- Existing trees of all kinds should be protected
- I believe that the exit arrangements are potentially dangerous due to the breadth of Newland Street and the parking thereon at that point and the extra traffic emanating onto a busy road especially in respect of the Eynsham by pass. In addition the wall , which is being breached , is of some antiquity.
- Should Lowlands see fit to give permission, I would be grateful if these matters could be clarified and where necessary covered by conditions. In addition, no deliveries to the site should enter Eynsham Centre and only gain access through Newland Street and not at rush hours.

The Eynsham Society

I am writing on behalf of the Eynsham Society to comment on the above application.

We welcome the changes which the applicants have made to the plans in response to the objections which we and others raised to the previous application 15/01184/FUL.

We do however still have concerns about the proposed access from Newland Street, which is narrow in the vicinity of the access because of cars parked on the road by nearby residents who have no other parking space available. Even if adequate parking is provided within the proposed development, vehicles entering it and leaving it can only add to the congestion and to the risk of accidents due to poor sightlines.

We are also concerned at the loss of visual amenity which would result from the proposed long breach in the stone wall which is a major feature of the property and indeed of the Newland Street entrance to the village

Furthermore, we continue to object in principle to further development on any but the smallest scale in Eynsham unless adequate infrastructure is provided. Both schools are full; the Medical Centre is severely oversubscribed; and both the main routes out of the village (the B4449 Farmoor road and the A40 Witney-Oxford) are hopelessly congested at peak times.

FORMAL CONSULATION RESPONSE TO DEVELOPMENT OF 10 DWELLINGS AT LAND EAST OFF NEWLANDS STREET EYNHAM 15/04071/FUL dated 14th January 2016 BY ROS WILLDER FOR WODC.

Having looked through all the submitted documents and plans, including the Ecology reports Extended Phase One habitat Survey & the more recent Tree Assessment for Bats & Badger Survey the main habitats identified are improved grassland and the two strips of woodland along the eastern and Northern edge.

The majority of the land is improved grassland which is to be developed, the more important ecologically are the strips of woodland along the eastern and western boundaries. The woodland areas are well used by badgers especially the eastern area of woodland and this area of woodland is to be retained undisturbed and unlit with a buffer zone of 5 meters as shown on drawing no PI.02 Rev E.

This application as shown in the proposed site plan identifies that the more important woodland habitat can be retained except for the proposed new access point but all the trees to be removed have been examined and no bat roosts were identified.

A condition of the planning permission will be required to ensure protection of the woodland habitats and the enhancements such as a community orchard, hedgerows bat and bird boxes and the 5m ecological buffer zone provided, not just in the short term but in the longer term otherwise all the trees proposed to be retained and the new hedgerows in the gardens could end up being removed by the new owners if no long term protection mechanisms are provided. The management plan will need to identify the responsibilities for long term management to ensure retention of these features.

If all the recommended enhancements and mitigation are incorporated & implemented, the policy and guidance requirements of Policies in the West Oxfordshire Local Plan, the NPPF (including section 11) and the habitat regulations & NPPG are all met.

Habitat Reg tests required: NO

Draft recommendation: No objection subject to condition

Draft conditions: Before any works begin on site A Ten Year Ecological and Landscape Management Plan & Badger Mitigation strategy based on all the recommendations in The Extended Phase One Habitat Survey & Badger Survey and the Tree assessment for Bats & Badger Survey (November 2015 4 Acre Ecology Ltd) (as illustrated on the Proposed site plan PI.02 Rev E) must be submitted for approval to the LPA. The management plan will identify who will be responsible for the management of all of the retained strips of

woodlands & trees on site. Once approved all the works must be carried out as per approved detailed 10 year management plan and there after permanently maintained.

Reason: To ensure that Bats, Birds, and their Habitats as well as Priority habitats Species rich Hedgerows are protected in accordance with The Conservation of Habitats and Species Regulations 2010 and Wildlife and Countryside Act 1981 as amended, In line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

