

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 15th February 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](http://www.westoxon.gov.uk/meetings)

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Application Number	I5/03956/FUL
Site Address	The Coach House Willowbank 4 Oxford Road Eynsham OX29 4HG
Date	3rd February 2016
Officer	Kim Smith
Officer Recommendations	Pending Decision
Parish	Eynsham
Grid Reference	443471 E 209202 N
Committee Date	15th February 2016

### Application Details:

Erection of two dwellings with modified access/parking arrangements.

### Applicant Details:

Mr Mike Nightingale  
4 Oxford Road  
Eynsham  
Oxfordshire  
OX29 4HG

## I CONSULTATIONS

- |     |                             |  |
|-----|-----------------------------|--|
| I.1 | Parish Council              | No Objections  |
| I.2 | OCC Highways                | No objection subject to conditions.  |
| 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

This application was considered at the January Sub Committee meeting. Whilst Members determined that the principle of the siting and scale of the dwellings as proposed was acceptable they raised various concerns in respect of the application which included the following matters:

Prior to determination they wanted more detailed external elevations in terms of fenestration, dormers, solar panels, external finishes etc. in light of the sketchy drawings submitted as part of the application;

They were unhappy with the close proximity of the front extension and parked vehicles serving the 'Garden House' to a tree located to the front of the proposed dwelling:

Concerns were raised about overlooking from a bedroom window in the side elevation of 'Garden House' overlooking the proposed 'Garden Cottage'.

In light of the above concerns the application was deferred in order to give the applicant an opportunity to address the concerns that had been raised.

At the time of writing your Officers are in discussions with the applicant's agent regarding amendments to seek to address the issues raised by the Committee

### 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, were 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 Notwithstanding the above, a final assessment in respect of the impact of the proposal on the character and appearance of the Conservation Area cannot be made until the additional detailed drawings have been submitted. It is anticipated that the requested additional drawings will have been submitted prior to the date of the Sub Committee meeting allowing for a recommendation in respect of Conservation Area impact.

### Neighbour Amenity

- 5.10 The proposed dwellings are sited and orientated within the site such that there are no unacceptable overshadowing or overbearing impacts on the existing or future occupiers of the dwellings located within the curtilage associated with 4 Oxford Road. Subject to a window serving bedroom 2 of the 'Garden House' being deleted from the application by way of the submission of an amended plan the issue of overlooking raised at the January Sub Committee meeting will have been addressed.
- 5.11 2 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 conditions



can be imposed in respect of obscure glazing the dormer windows 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 can be imposed in order to ensure that the balcony enclosure is designed in the interests of securing the residential amenity of the neighbour.

#### Impact on Highway Safety and Convenience

- 5.13 County Highways has raised no objections in respect of the access arrangements for the proposal which involves utilising the existing access onto the highway without any alteration/extension. However, at the January Sub Committee meeting Members raised concerns about the close proximity of parked vehicles serving the 'Garden House' to a mature tree and the resultant inability/inconvenience of future occupiers to manoeuvre in and out of the car parking spaces as originally proposed. It is anticipated that amended proposals for parking arrangements to serve the new dwelling seeking to address the concerns raised will be submitted for consideration prior to the date of the Sub Committee.

#### Impact on Archaeology, Trees and Ecology

- 5.14 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.
- 5.15 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.
- 5.16 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

- 5.17 In light of the above assessment whilst the provision of two additional dwellings of the scale, siting and materials proposed is considered acceptable, your Officers are unable to make a formal recommendation at the time of writing because of a number of outstanding concerns outlined at para 5.1 of this report that have not been addressed at the time of writing. It is however anticipated that the applicant's agent will seek to address these concerns through the submission of amended plans prior to the date of the Sub Committee meeting, allowing for a verbal update and recommendation to be made.

Application Number	I5/04200/FUL
Site Address	26 High Street Witney OX28 6HB
Date	3rd February 2016
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Witney
Grid Reference	435635 E 209825 N
Committee Date	15th February 2016

### Application Details:

2 Bedroom residential unit to rear of shop

### Applicant Details:

Mr Colin Fenn  
5 Lecky Street  
London  
SW7 3QP

## I CONSULTATIONS

### I.1 Thames Water

#### Waste Comments

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership.

Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

#### 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.

#### 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.

- |     |                            |  |
|-----|----------------------------|--|
| 1.2 | OCC Highways               | The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.<br>No objection                       |
| 1.3 | WODC Env Health – Lowlands | No objections  |
| 1.4 | Witney Town Council        | Witney Town Council conditionally approves this application. However the Town Council wishes to raise concerns about the lack of amenity space, parking and provision for cycle storage. |

## **2 REPRESENTATIONS**

- 2.1 Mr Allen of 25a Corn Street Witney. Comments summarised as;  
Additional property development such as this will increase the amount of heavy traffic in the town during the construction phase. Once built the occupiers will add to traffic in the town. Is this type of development the best solution for the town? What is the policy for building on brownfield sites within the town?  
Other uses should be found for this site.

## **3 APPLICANT'S CASE**

A detailed Design and Access Statement has been submitted as part of the application, which includes marketing information. The full statement can be viewed on line, or via officers. The conclusion has been summarised as;

- In the circumstances and bearing in mind the long thin nature of this building at the rear instead of leaving this part to be storage area, the proposal has been to create an apartment which would be of great value to the housing stock

- The proposal for a 2 Bedroom apartment (unit C) will be an addition to the rear space at the back that has long been used for storage, even when Lloyds Pharmacy possessed the whole shop.
- Therefore this proposal will, in all, keep the charm and attraction of the town.

#### **4 PLANNING POLICIES**

BE2 General Development Standards  
 BE3 Provision for Movement and Parking  
 BE5 Conservation Areas  
 BE8 Development affecting the Setting of a Listed Building  
 H2 General residential development standards  
 NE6 Retention of Trees, Woodlands and Hedgerows  
 BE19 Noise  
 OS2NEW Locating development in the right places  
 SH3 Changes of Use in Town Centres  
 OS4NEW High quality design  
 H2NEW Delivery of new homes  
 E6 Change of Use of Existing Employment Sites  
 EH5NEW Flood risk  
 E5 Re-use of Non-vernacular Buildings  
 T1NEW Sustainable transport  
 EH3NEW Public realm and green infrastructure  
 EH6NEW Environmental protection  
 EH7NEW Historic Environment  
 WIT3 Windrush in Witney  
 The National Planning Policy framework (NPPF) is also a material planning consideration.

#### **5 PLANNING ASSESSMENT**

- 5.1 The application is to be heard before the Committee as the Town Council have stated that they conditionally approve the application.

##### Background Information

- 5.2 The unit has had various planning applications. The most recent are;

13/1530/P/FP - Alterations to convert the first floor flat into two apartments and existing storage area into one apartment. Approved  
 14/0046/P/FP - Alterations to convert the first floor flat into two apartments and existing storage area into one apartment to include provision of 3 car parking spaces. Refused.  
 14/0319/P/FP - Alterations to convert the first floor flat into two apartments and existing storage area into one apartment to include provision of 2 car parking spaces - Approved.  
 15/00220/FUL - Conversion to create 2 retail units - Approved.  
 15/02415/FUL - Change of use from Class A1 (retail) to Class A3 (Restaurants and Cafes) and outdoor seating - Approved.  
 15/03836/FUL - AC condensers on external wall - Approved.  
 15/03837/ADV - New fascia and projecting sign - Approved.

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 application relates to a commercial unit which is located within Witney's town centre and the Conservation Area. The site area is to the rear of this retail unit and has been previously used as a storage area. The rear of the site is located along a service road which serves various commercial units.

The proposal relates to a site to the rear of properties in the High Street which are identified as lying within the Primary Shopping Frontage (PSF); here changes of use to non-retail activities will normally be restricted to upper floors only. Policy SH3 is the most relevant town centre policy. One of the main objectives is to ensure that development proposals would not reduce the vitality, viability or attraction of the town centre. The applicant states that this proposal does not lie within the PSF. However, officers assume at one time this building at the rear was constructed as an extension to an existing business within the High Street and as such supported the function of the PSF.

However officers consider that the applicant has provided sufficient evidence to show that the current retail market could not support this larger unit for a retail use.

#### Siting, Design and Form

- 5.4 Officers have concerns with the proposed change of use to residential. The building itself is small and of no great architectural merit. Officers consider that the level of amenity afforded to the future occupiers of the building will be very limited. Two windows will serve the proposed bedrooms, and the living/dining area will be served by sliding doors. The other accommodation will be served by roof lights. In addition, the car parking shown on the submitted plans are for the occupiers of the first floor flats which have been previously approved, together with a bike store, there is no other amenity space apart from a small patio/terrace area. Whilst this may not be of concern to an occupier of the unit, there is concern from officers due to the existing trees on site.

The trees provide a much needed screen to protect the setting of the Woolgate Car Park and Conservation Area, and to screen the various elevations and service areas of the retail units fronting the High Street. An important part of the character of the Conservation Area in this part of Witney is the presence of trees, often related to the original burgage plots. The trees to the north (over the wall) are included in a TPO. Officers consider that by proposing a patio area/terrace directly beneath these large and sticky trees would lead to pressure to fell or lop the trees. In addition due to the low level of natural light into the building resulting from tree cover, pressure would also result to fell/lop the trees.

As such your officers consider that the loss of the trees would have an adverse impact to the visual amenity and character of the Conservation Area or if retained on residential amenity.

#### Highway

- 5.5 With regards to the Town Council and representation comments received, OCC Highways have no objection the proposed development. Cycle parking has also been shown on the submitted plans. As such officers do not consider that a refusal on highway issues can be supported.

### Residential Amenities

- 5.6 Officers also have concerns regarding noise and disturbance issues. Together with other occupiers using the parking spaces by pedestrian walkways, and the service road being in use from car and lorry traffic, officers consider that the residential amenities of the future occupier will be adversely affected. A further consideration related to this, are any potential impacts arising from the use of the surrounding area, for example noise, lighting, smells from the night-time economy.

The site also lies within Flood Zone 2. National planning policy directs development to areas of low risk from flooding and this use is more sensitive to flooding than the existing use. It is therefore unacceptable on flooding grounds.

### Conclusion

- 5.7 In conclusion, whilst the applicant has provided evidence that the retail use is currently unviable, officers have concerns with the proposed residential use, and as such cannot support the application.

## **6 REASONS FOR REFUSAL**

- 1 By reason of the limited level of amenity afforded to the proposed unit of accommodation in terms of light, private amenity space, noise and disturbance it is considered that the proposal would adversely affect the residential amenities of future occupiers. The proposal is therefore contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011, and Policy OS2 the Emerging West Oxfordshire Local Plan 2031.
- 2 The proposed residential unit could entail future extensive works to, and potentially result in the loss of the adjacent mature trees, some of which are protected by a Tree Preservation Order, due to the proximity of the terrace/patio area. The loss of any of the trees would significantly erode the visual amenity and character of the locality and the Witney Conservation Area. The proposal is contrary to Policies BE2, BE5, and NE6 of the adopted West Oxfordshire Local Plan 2011, and Policies OS2, EH7, EH3 and EH1 of the Emerging West Oxfordshire Local Plan 2031.
- 3 It has not been demonstrated to the satisfaction of the LPA that alternative lower risk flooding sites have been investigated for residential occupation and as such, as the application site lies within Flood Zone 2, the proposal is contrary to the relevant paragraphs of the NPPF and the Sequential Test and Policy EH5 of the Emerging West Oxfordshire Local Plan 2031.

Application Number	I5/04452/FUL
Site Address	Unit 26 Windrush Park Road Windrush Industrial Park Witney OX29 7EZ
Date	3rd February 2016
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Witney
Grid Reference	433254 E 210514 N
Committee Date	15th February 2016

### Application Details:

Demolition of existing end-of-life industrial units and construction of fourteen individual "starter" industrial & storage units.

### Applicant Details:

Mr Jim Yates  
Blenheim Industrial Property Ltd  
The Estate Office  
Blenheim Palace  
Woodstock  
OX20 IPP

## I CONSULTATIONS

- |     |                            |  |
|-----|----------------------------|--|
| I.1 | Witney Town Council        | Witney Town Council - no objections  |
| I.2 | OCC Highways               | The proposal, if permitted, will result in a reduced floor and hence a reduction in the potential to generate vehicular and pedestrian movements.<br>The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.<br>No objection subject to<br>- G36 parking as plan<br>- G31 drive etc. specification<br>- G47 SUDS sustainable surface water drainage details<br>- G212 estate road specification |
| I.3 | WODC Rural Development     | No Comment Received.   |
| I.4 | WODC Drainage Engineers    | No Comment Received.   |
| I.5 | WODC Env Health – Lowlands | No objections or comments to these plans   |

## **2 REPRESENTATIONS**

- 2.1 No representations received to date. The publicity expires after agenda preparation so any comments received will be reported in the additional representations report before the committee meeting.

## **3 APPLICANT'S CASE**

- 3.1 The Design and Access Statement that accompanies the submission is concluded as follows:

- National planning policy is explicit in setting out a requirement for planning to do "everything it can to support sustainable economic growth ... significant weight should be placed on the need to support economic growth" (Paragraph 19).
- The proposal will provide business units fit for the 21st Century. As such, it represents an investment in sustainable economic growth and is directly in line with the Local Plan and the National Planning Policy Framework.
- We believe that this represents a well-designed, policy compliant scheme to replace end-of-life buildings and meet local need. We therefore urge officers and members to support this application.

## **4 PLANNING POLICIES**

BE2 General Development Standards

E3 Individual Premises

OS1NEW Presumption in favour of sustainable development

E2NEW Supporting the rural economy

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

## **5 PLANNING ASSESSMENT**

- 5.1 The application seeks full planning consent for the demolition of existing end-of-life industrial units and construction of fourteen individual "starter" industrial & storage units at Windrush Industrial Park.

### Background Information

- 5.2 The existing buildings on site that are to be redeveloped appear to relate to the former airfield use of the site. Whilst they are largely occupied they have clearly come to the end of their useful life and do not merit modern business standards.

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 site forms part of an industrial estate, is surrounded by land with industrial permissions or uses and is currently in commercial use. As such redevelopment for more modern and suitable



business premises is considered acceptable in principle and supported by both local and national planning policies

#### Siting, Design and Form

- 5.4 The existing buildings are single storey structures that from old maps apparently formed part of the canteen or workshop facilities associated with the use of the site as an airbase in the war. The proposed replacement buildings are still single storey but will be higher to incorporate full height loading doors - albeit that at their highest they will be only 8m. They are to be formed around a small courtyard and built from grey cladding above a brick plinth. In glimpsed views from the Burford Road they will substantially improve the appearance of this part of the Industrial complex

#### Highway

- 5.5 There have been no objections from Highways but your officers have some minor concerns regarding the parking arrangements, landscaping and pedestrian safety. These can be addressed by the imposition of a condition

#### Residential Amenities

- 5.6 There are no residential properties in the immediate vicinity and the openings are directed internally to the site such that the buildings themselves would act as a buffer. Pending any comments from EHO it is not anticipated that there will be a need to restrict hours of use or the particular commercial uses proposed. It is however suggested that a condition be imposed removing any permitted development rights allowing any use other than B1, B2 or B8 given the preponderance of other unneighbourly uses on the adjacent sites

#### Conclusion

- 5.7 This is a welcome investment in the economy of the town that should help to provide space for new businesses and hence reduce unsustainable patterns of commuting from WODC to Oxford. Approval is recommended

## **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 Other than the changes required by condition 3 below the development shall be undertaken in accordance with the plans ref 15/418/003 1 and 15/414/007  
REASON: For the avoidance of doubt
- 3 Notwithstanding the submitted details revised parking, pedestrian and landscaping arrangements to better screen the site frontage, provide more parking associated with the rear units and improve pedestrian circulation shall be submitted to and approved in writing prior to any above ground development and the agreed details shall be provided on site prior to first use of any of the units and be retained as such thereafter  
REASON: To ensure a safe and convenient development

- 4 No storage, industrial or other business use, except the parking, manoeuvring and loading and unloading of vehicles, shall take place outside the building(s).  
REASON: To protect the visual amenities of the locality and to ensure there is no interference with the circulation and manoeuvring of vehicles on the site.
- 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 use other than B1 B2 or B8 shall be undertaken from the site, other than those expressly authorised by a separate planning permission.  
REASON: Control is needed to ensure that inappropriate uses are not established in this commercial area;
- 6 The development shall be constructed with the materials specified in the application.  
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 7 No building shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.  
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

Application Number	I5/04506/S73
Site Address	Park Farm Standlake Road Northmoor OX29 5AZ
Date	3rd February 2016
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Northmoor
Grid Reference	440879 E 202742 N
Committee Date	15th February 2016

### Application Details:

Non-compliance with condition 2 of permission I5/00320/FUL

### Applicant Details:

C/O Agent  
Park Farm,  
Standlake Road  
Northmoor  
Oxfordshire  
OX29 5AZ

## I CONSULTATIONS

- 1.1 Parish Council Northmoor PC - No comments received to date (consult period expires 5.2.16)

## 2 REPRESENTATIONS

- 2.1 No representations have been received to date. Publicity expires after agenda preparation so any comments received will be included in the additional representations report.

## 3 APPLICANT'S CASE

- 3.1 The covering letter submitted to explain the changes is as follows:
- A scheme for 15 units was permitted in December 2015, subject to a Section 106 Agreement. Following further survey work, a Thames Water pumping station and associated pipework was located under the site and in the location of 4 units with the proposed scheme.
  - In response a new layout altering the location of 4 units has been developed to take account of the pipework and easement. No other changes are proposed to the original permission for 15 units.
  - The application only seeks consent to substitute the layout of 4 units as part of the overall submission as specified at Condition 2 of permission I5/00320/FUL.
- 3.2 A revised Flood Risk Assessment is also available to view online.

## **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE3 Provision for Movement and Parking

H5 Villages

H11 Affordable housing on allocated and previously unidentified sites

T1 Traffic Generation

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

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 site is to the west of Northmoor, and relates to the former university research establishment that is located in a well landscaped enclave some distance from the main body of the village. A small enclave of residential properties is located to the front of the site and lies in separate ownership. The application seeks consent to vary the previously approved scheme for 15 dwellings.
- 5.2. The previous application was 15/00320/FUL for a residential development of fifteen dwellings including garages and sewage treatment plant, and it was resolved to approve subject to a S106 and conditions by committee and the decision was issued in December 2015.
- 5.3. During further site investigation, it has become apparent that the units encroached upon the pipework and required exclusion zone. It has therefore been necessary for the applicant to amend the approved layout of the scheme, moving the 4 affected units away from the neighbouring property by an additional 9m such that the separation is now 26m.
- 5.4. Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key consideration for the application is principle.

### Principle

- 5.5. The principle of development has already been accepted under consent 15/00350/FUL. This application only proposes a minor revision to the previously approved scheme. The accompanying FRA shows that the dwelling would still be beyond Flood Zone 2 and it is considered that this submission will not place the dwellings to be relocated at any flood risk.

- 5.6 The proposed changes are not considered to impact on residential amenities. Plots 14 and 15 have been relocated further away from the neighbouring property, increasing the distance of separation from 17m to 26m. Plots 12 and 13 have been further set back, increasing the distance between Plot 14. This is considered to improve the residential amenity of existing and future occupants through improvements to their privacy.
- 5.7 The proposed changes do not have any bearing on highway safety and parking provision.
- 5.8 In respect of the previous S106 associated with 15/00350/FUL, A Deed of Variation will ensure the agreed s.106 packaged is transferred to the new application.

## **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 No development, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
- I The parking of vehicles for site operatives and visitors
  - II The loading and unloading of plant and materials
  - III The storage of plant and materials used in constructing the development
  - IV The erection and maintenance of security hoarding including decorative displays
  - V Wheel washing facilities
  - VI Measures to control the emission of dust and dirt during construction
  - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows/roofights shall be constructed in the external elevation(s) of the building.  
REASON: To safeguard privacy in the adjacent property.
- 5 The development shall be constructed with the materials specified in the application.  
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 6 The walls of the proposed building shall be laid and pointed with 'bagged' joints unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that a traditional practice of the area is carried out in the interests of the finished appearance of the building.

- 7 Notwithstanding details contained in the application, detailed specifications and drawings of all dormers, windows, hoods, glazed screens and chimneys 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 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.
- 9 The garage doors shall be constructed of dark stained timber and retained in that finish unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To protect the character and appearance of the area.
- 10 All new external joinery shall be painted in a colour first agreed by the LPA and shall thereafter be retained in that colour.  
REASON: To safeguard the character and appearance of the area.
- 11 No part of the development shall be occupied until the facilities for refuse bins to be stored awaiting collection have been provided in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.  
REASON: To safeguard the character and appearance of the area and in the interests of the convenience and efficiency of waste storage and collection.
- 12 Bat and bird boxes and all works of ecological mitigation set out in the reports accompanying the application shall be installed/implemented 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.
- 13 Prior to the commencement of any residential development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a superfast broadband service (>24mbs) to that dwelling from a site-wide network, is in place and provided as part of the initial highway works, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a superfast broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.  
REASON: In the interest of improving connectivity in rural areas.

- 14 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.
- 15 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.
- 16 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.
- 17 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 buildings are occupied.  
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 18 No development shall be commenced until:-  
a) A detailed site investigation has been carried out to establish:-  
I. If the site is contaminated;  
II. To assess the degree and nature of the contamination present;  
III. To determine the potential for the pollution of the water environment by contaminants and  
IV. The implication for residential development of the site and the quality of residential environment for future occupiers.  
Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority, and  
b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority, and  
c) A scheme showing appropriate measures to prevent the pollution of the water environment, to ensure the integrity of the residential development hereby approved and to ensure an adequate quality of residential environment for future occupiers in the light of such results and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.  
Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.

REASON: To ensure the means to prevent pollution and secure a safe environment for the development of and future occupiers of the site

- 19 No dwelling shall be occupied until the improvements to the access between the site and the highway, including the clearance of visibility splays, have been made in accordance with the general arrangements in the amended drawings specified in condition 2 above  
REASON: In the interests of highway safety
- 20 No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety.
- 21 All works of mitigation set out in the FRA that accompanied the application shall be implemented prior to first occupation of any of the dwellings hereby approved and be retained in place thereafter  
REASON: To safeguard the dwellings and other properties from flood risk
- 22 Notwithstanding the submitted details , prior to first occupation of any of the dwellings hereby approved a plan detailing additional car parking provision and the location and specification of any ASHP to be used shall be agreed in writing by the LPA and development shall only be carried out in accordance with the said agreed details.  
REASON: Such details were either not supplied or were inadequate.