

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 18th July 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

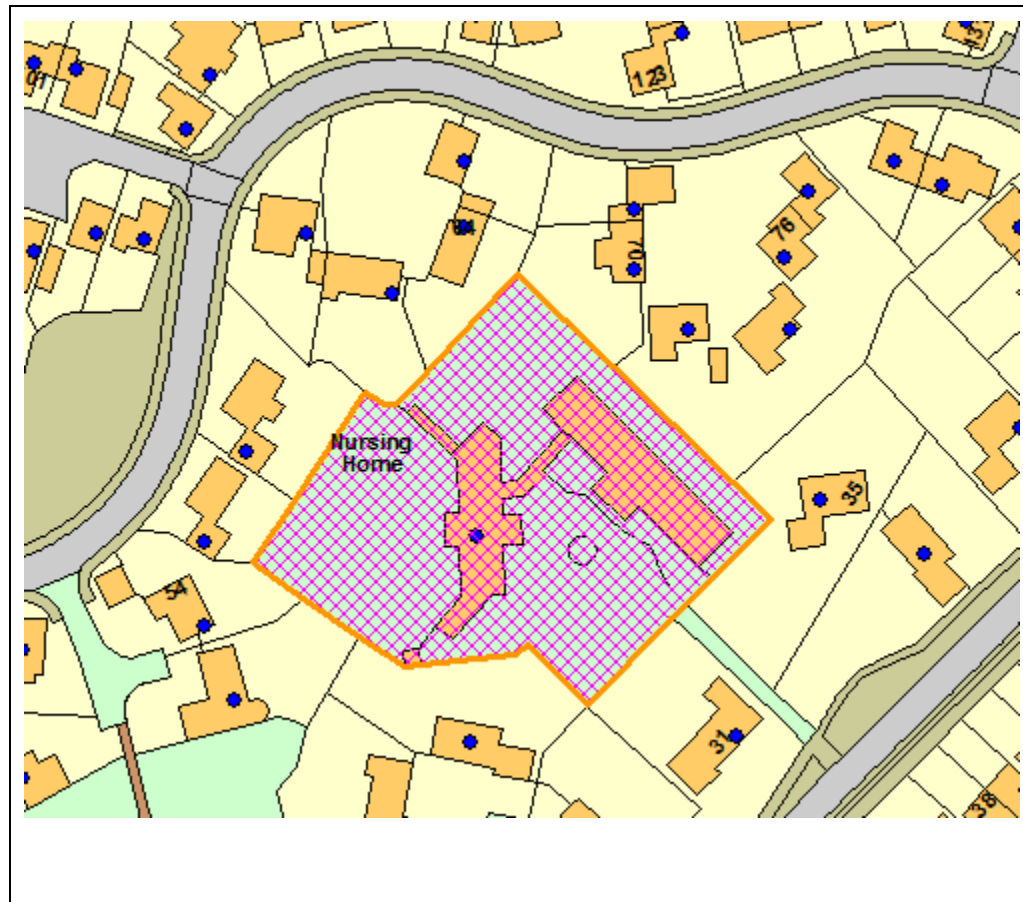
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
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Application Number	I6/00408/FUL
Site Address	Merryfield Nursing Home 33 New Yatt Road Witney Oxfordshire OX28 1NX
Date	6th July 2016
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	436207 E 210940 N
Committee Date	18th July 2016

Location Map



Application Details:

Extension to roof of annexe to provide five bedrooms and staff rest area at first floor level.

Applicant Details:

Mr Anil Dhahani
Merryfield Nursing Home
33 New Yatt Road
Witney
Oxfordshire
OX28 1NX

1 CONSULTATIONS

- | | | |
|-----|----------------|-------------------------------------|
| 1.1 | WODC Architect | No objection to the revised scheme. |
| 1.2 | OCC Highways | No objection. |
| 1.3 | Town Council | No objection. |

2 REPRESENTATIONS

- 2.1 Two letters of representation have been received and are summarised below:

P D and J Smith

- Loss of light - we have previously raised our concerns with the council over daylight restrictions caused by the protected trees and therefore feel the development will make the garden unusable;
- Proposed development will dominate our recreational amenity given the proximity to the garden;
- Increase noise.

G Dyer - 72 Vanner Road

Wishes to place no response.

3 APPLICANT'S CASE

The applicant has provided a detailed Planning, Design and Access Statement that is available online, the document has been summarised below:

- The proposal to provide an additional five bedrooms within the roof space of the existing annexe to Merryfield giving much needed additional accommodation for the elderly within the area.
- When taking up such accommodation, new residents will leave their existing, under occupied, family home, thus increasing the supply of such homes within the District.
- The increase in bedrooms will replace the beds lost as a result of recent legislation changes, which required the provision of en-suite facilities within each bedroom, together with the minimum size requirement for double bedrooms, which made those at Merryfield redundant.
- The increased viability of Merryfield Nursing Home will ensure its survival and enable funding of much needed repairs to the listed building.
- There would be no loss of privacy or overlooking as a result of the development.

- There are a number of mature trees within Merryfield, none of which would be affected by the proposed loft conversion.

4 PLANNING POLICIES

BE2 General Development Standards

BE8 Development affecting the Setting of a Listed Building

OS2NEW Locating development in the right places

OS4NEW High quality design

EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for the extension to roof of annexe to provide five bedrooms and staff rest area at the first floor level. Merryfield Nursing home is a Grade II listed building the annexe itself is not listed.
- 5.2 This application was deferred for a site visit to be undertaken and also for further discussions to be had prior to the next committee meeting which looked into alternative designs that might be more supportable.
- 5.3 The applicant has now amended the scheme to a design of which officers now are of the opinion could be supported and therefore are now recommending the application for approval.

Background Information

- 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 considerations of the application are:

Siting, design and form;

The impacts to the listed building;

Highway Safety;

The impact to neighbouring amenity.

Principle

- 5.5 This application is a resubmission of applications 15/01853/FUL & 15/01854/LBC which were withdrawn following concerns raised by your officers and the Conservation Officers in terms of the scale, design and massing. In terms of principle officers originally considered a dormer extension of this volume is not acceptable and could not be supported, the applicant has now amended the design to include gabled ends and 4 obscured windows on the dormer element of the application to break up the blank massing of the original design.

Highway

- 5.6 As part of the application process the Local Highways Authority were also consulted on the application and have identified that if the proposal is permitted, there will not be a significant

detrimental effect (in terms of highway safety and convenience) on the local road network and therefore raise no objection.

Residential Amenities

- 5.7 Officers still have some concerns in terms of the visual impacts upon outlook that could be caused to the closest neighbouring properties and in terms of further enclosing the neighbouring properties amenity space and creating further loss of light, however on the basis of the amended design and that the windows are conditioned to be obscure glazing, officers no longer feel that the proposed development would cause an undue adverse effect to neighbouring amenity to justify the refusal of the application and therefore on balance is now considered to be acceptable.

Conclusion

- 5.8 In light of the above the proposed development is now considered to be on balance acceptable in terms of the scale, design and massing and officers are therefore recommending the application for approval.

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 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 Before first occupation of the development hereby permitted the windows to the north elevation located on first floor and on the dormer; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.

Application Number	I6/00409/LBC
Site Address	Merryfield Nursing Home 33 New Yatt Road Witney Oxfordshire OX28 1NX
Date	6th July 2016
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	436207 E 210940 N
Committee Date	18th July 2016

Application Details:

First floor rear extension to annexe to create five additional bedrooms and staff rest area.
No demolition or alterations to listed building.

Applicant Details:

Mr Anil Dhahani
Merryfield Nursing Home
33 New Yatt Road
Witney
Oxfordshire
OX28 1NX

I CONSULTATIONS

- I.1 WODC Architect No objection to revised scheme.
I.2 Town Council No objection.

2 REPRESENTATIONS

- 2.1 Two letters of representation have been received and are summarised below:

P D and J Smith

- Loss of light - we have previously raised our concerns with the council over daylight restrictions caused by the protected trees and therefore feel the development will make the garden unusable;
- Proposed development will dominate our recreational amenity given the proximity to the garden;
- Increase noise.

G Dyer - 72 Vanner Road

Wishes to place no response.

3 APPLICANT'S CASE

The applicant has provided a detailed Planning, Design and Access Statement that is available online, the document has been summarised below:

- The proposal to provide an additional five bedrooms within the roof space of the existing annexe to Merryfield giving much needed additional accommodation for the elderly within the area.
- When taking up such accommodation, new residents will leave their existing, under occupied, family home, thus increasing the supply of such homes within the District.
- The increase in bedrooms will replace the beds lost as a result of recent legislation changes, which required the provision of en-suite facilities within each bedroom, together with the minimum size requirement for double bedrooms, which made those at Merryfield redundant.
- The increased viability of Merryfield Nursing Home will ensure its survival and enable funding of much needed repairs to the listed building.
- There would be no loss of privacy or overlooking as a result of the development.
- There are a number of mature trees within Merryfield, none of which would be affected by the proposed loft conversion.

4 PLANNING POLICIES

BE2 General Development Standards

BE8 Development affecting the Setting of a Listed Building

OS2NEW Locating development in the right places

OS4NEW High quality design

EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Conclusion

- 5.1 This application was deferred for a site visit to be undertaken and also for further discussions to be had prior to the next committee meeting which looked into alternative designs that might be more supportable.
- 5.2 Please see the report in respect of application reference: 16/00408/FUL. The proposed development is considered to now be on balance acceptable in terms of the scale, design and massing.

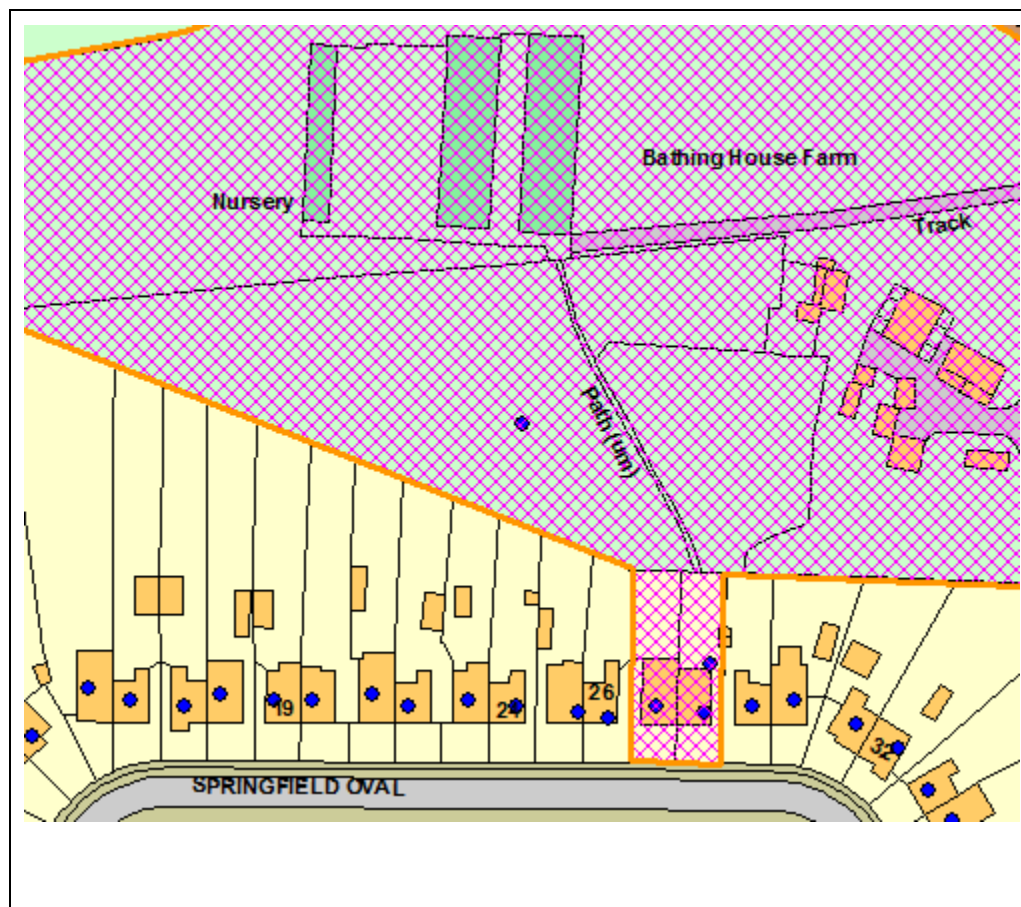
6 CONDITIONS

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.
REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.

- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

Application Number	16/00602/FUL
Site Address	Land North of Springfield Oval Witney Oxfordshire
Date	6th July 2016
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Witney Parish Council
Grid Reference	434994 E 210588 N
Committee Date	18th July 2016

Location Map



Application Details:

Demolition of existing buildings and erection of 75 no. dwellings (1, 2 & 3 bed houses and flats) with associated access, parking, landscaping, and public open space.

Applicant Details:

C/O Agent

I CONSULTATIONS

I.1	One Voice Consultations	<p>Transport Objection Key Issues Pedestrian connectivity and distance to bus stops * Vehicle tracking *Drainage Scheme *Inadequacy of immediate highway network *Cycle infrastructure including storage * Clarification on Trip distribution arising from the site *Risk of overspill parking Archaeology No objection Education No objection subject to conditions £171,724 Section 106 developer contributions towards the expansion of West Witney Primary School. £169,776 Section 106 developer contributions towards the expansion of Wood Green School. Property No objection subject to conditions</p>
I.2	WODC - Arts	No Comment Received.
I.3	Wildlife Trust	No Comment Received.
I.4	WODC Building Control Manager	No Comment Received.
I.5	Ecologist	<p>Having received the outline mitigation strategy and the JK management plan and having looked through them I have the following comments:- The JK management plan is acceptable and the outlined mitigation plan appears to be broadly acceptable especially as it involves the enhancement of ponds 2,3 & 4 and creation of a wildflower meadow and new native hedgerow planting although as some of these are off site and outside of the proposed development boundary this may be difficult in planning terms. The other mitigation for bats and reptiles and GCN on site needs to be shown on the proposed site plan. In addition why was the lofts of buildings 8 not accessed and have they subsequently been? as I understand it these will be required to be demolished for access onto the site.</p>
I.6	WODC Community Safety	No Comment Received.
I.7	WODC Architect	No Comment Received.

I.8	CPRE	<p>*It's not helpful to have a landscape report based on a site visit where access was unavailable, with no photos or montages or views from vantage points. It is of note that the site is close to the Windrush and so may be in a pleasant setting- it's hard to tell.</p> <p>*The ecology report suggests some sensible mitigation measures and further surveys, but the site is quite habitat rich with a good few trees and bushes, so the potential harm of loss of habitat must be considered.</p> <p>*Traffic is not so much of an issue for the CPRE, except where it spoils rural character, but I notice that trip rates are low and there is no data on existing traffic.</p> <p>*There does not seem to be a flooding report, although it's mentioned in the D&A report. It seems sustainable drainage is to be used, but it's not clear what that means. The soakaway tests in section 15 of one of the Appendices to the geotechnical report appear to have been done at bedrock and so at an inappropriate level and more tests would be needed for shallower soakaways. Therefore, the feasibility of SUDS is not proven.</p>
I.9	Environment Agency	No Comment Received.
I.10	WODC Env Health - Lowlands	<p>Contamination</p> <p>A desk study report to consider any potential land contamination has not been submitted with the application. A condition is therefore recommended for this development.</p> <p>Public protection</p> <p>The application is short on detail in terms of assessing the character of the existing sound environment and corresponding creative design detail for the proposed dwellings to afford health and wellbeing of its residents.</p> <p>I think the Council should ask for a noise report or at minimum a 'technical note'/letter by a qualified Acoustic Consultant professional. The summary should evidence that there are no existing noise sources which may affect the occupancies.</p> <p>This summary would also need to reference the current Noise Policy Statement for England and Planning Practice Guidance (Noise). Also I would want to see that consideration is given to protecting existing areas of tranquility.</p> <p>When the applicants have considered the sound environment and how it proposes to protect it and embrace it, then I can realistically consider the application.</p>
I.11	WODC Head Of Housing	No Comment Received.
I.12	WODC Landscape And Forestry Officer	No Comment Received.
I.13	Natural England	Natural England has no comments to make on this application.

- I.14 WODC Planning Policy Manager No Comment Received.
- I.15 WODC - Sports £1,088 x 75 = £81,600 off site contribution towards community/sport/recreation facilities within the catchment. This is indexed using the BCIS All in Tender Price Index published by RICS. £818 x 75 = £61,350 for the enhancement and maintenance of existing play/recreation areas within the catchment and/or onsite provision. This is indexed using the BCIS All in Tender Price Index published by RICS.
- I.16 TV Police - Crime Prevention Design Advisor No Comment Received.
- I.17 Thames Water
 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 a 'Grampian Style' condition be applied.
- The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend a condition be imposed.
- Insufficient documentation containing confirmed details of the proposed drainage plan could be located on the local authority website. In order for Thames Water to determine whether the existing sewer network has sufficient spare capacity to receive the flows from the proposed development, a drainage strategy must be submitted detailing both the foul and surface water strategies. Details of any proposed connection points or alterations to the public system, including; calculated peak foul and surface water discharge rates for both the pre and post development site, details of any pumped discharges (maximum pump rates), attenuation details with accompanying capacity requirement calculations and details of incorporated SuDS must be included in the drainage strategy. If initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, it will be necessary for the developer to fund an Impact Study, to ascertain, with a greater degree of certainty, whether the proposed development will lead to overloading of existing waste foul and surface water infrastructure, and, if required, recommend network upgrades.
- I.18 WODC Env Services - Waste Officer Refuse - 1 x 180 litre bin - Height (1070 mm); Width (480 mm); Depth (740 mm). Communal bins can be used but this will be dependent on confirmation of whether a shared bin store will be in place.

Recycling - 2 x 55 litre boxes - For 1 box: Height (320mm); Width (530mm); Depth (400mm). They can request more recycling boxes if needed though.

Food Waste - 1 x 7 litre internal and 1 x 23 litre external food caddy.

Garden Waste (if requested) - 1 x 240 litre bin - Height (1070mm); Width (580mm); Depth (740mm).

Access

As always we need to ensure that the turning areas for a 26t RCV are large enough for our waste vehicles.

The actual requirement for these vehicles is a turning circle kerb to kerb of 19.9m, for a wall to wall figure you need to add 1.6m making a total of 21.5m turning area.

Furthermore, the contractors will walk a maximum of 10 metres to collect bins. With this in mind, the roads need to be built to an adoptable standard if our vehicles are to drive on it.

For flats and communal properties there will need to be an adequate bin store on site, depending on the number of flats in this application they would have a number of communal bins with the following dimensions:

660litre bins are as follows: Height (1170mm); Width (1360mm); Depth (770mm).

Please feel free to contact me if you require any further information on this matter.

I.19 Town Council

Witney Town Council

The Town Council strongly objects to this application on several grounds:-

- 1) The proposal of 43 properties per acre is an overdevelopment of the site, contrary to Policy BE2 of the WOLP;
- 2) There is insufficient provision for parking, safe movement of large vehicles as pointed out by WODC environmental department, and will result in an unacceptable increase in traffic in a built up area, contrary to Policy BE3 of the WOLP;
- 3) The loss of natural habitat and danger to wildlife as pointed out by the applicant's ecology survey, with numerous protected species such as but not exclusively water voles, bats, owls & kingfishers contrary to Policy NE1 of the WOLP;
- 4) Springfield Oval suffers pluvial flooding every rain fall, this water is likely to travel down onto this site increasing the risk of flooding, indeed their own transport plan assessment indicates at the date of site visit fluvial flooding was occurring. Parts of this site are known to be within the local flood plain designation and suffers both pluvial and fluvial which is contrary to Policies NE8 and NE9 of the WOLP;
- 5) There is insufficient infrastructure (e.g. doctors and schools) to support a development in this location.
- 6) There is insufficient provision of amenity space including provision for Waste & Recycling bin location and collection access (WODC environment comments), and bicycle storage provision.
- 7) Concern that there is no provision for market value housing on the site. Contrary to the WOLP guide line of 60% market and 40%

affordable housing.

8) The local sewerage providing (waste & surface drainage) in the area currently is insufficient to cope, the addition of a further 75 properties cannot be supported with current infrastructure.

9) Thames water has in their response indicated that the local supply infrastructure is not capable of supply to additional properties.

2 REPRESENTATIONS

2.1 Over 60 letters of objection to the scheme, and they are summarised as follows:

2.2 Principle

- It is very important that WODC do not allow this development to go ahead.
- It is not an allocated site.
- If you allow this development in the Windrush Valley then others will want to build developments along the Windrush.
- We already have enough new builds in Witney.
- Springfield Oval owes a great deal of the closeness and tight-knit nature of its community to being a cul-de-sac.
- Demolishing 27 and 28 Springfield Oval for an access road will irrepressibly damage the character of the area.
- We live in Springfield Oval and not Springfield distorted Oval.

2.3 Transport

- It will cause further congestion on Burford Road, Woodford Way, Mill Street etc and around the town as it is being built and then by the people living there. These are already very busy in the mornings and evenings with a steady build-up of traffic during the afternoons now too.
- As most of the new inhabitants would be commuting to Oxford and there are no immediate plans to improve the A 40, the A4095 or improve public transport, this development would cause major disruption.
- How about putting the infrastructure in first and then building the houses?
- The council insist on adding more and more housing, which I agree is needed, yet fail to improve, or address the traffic situation.
- The narrow road access through Springfield oval to Springfield park and on to the Burford road already has problems with lack of off road parking in Springfield Park.
- Our car has been damaged on a number of occasions by other cars and the buses already.
- It will be dangerous trying to get lorries up and down the road.
- Springfield Oval was never built to accommodate through traffic.
- This would mean an additional 150 plus cars.
- There must be an alternative to access to the housing estate proposed. I have always said that the oval should be reduced in size with parking made available in certain areas on it with speed bumps/restrictions for the traffic that uses it now.
- We have so many cars and vans on the oval now the bus and refuse lorry have a job to get around.
- A road through the oval is not at all suitable.

2.4 Flooding and drainage

- It will impact on mains and sewers which appear to be close to capacity and might lead to pollution of the river when being built.
- The river's water meadows are already at their capacity to absorb run off.
- They have flooded on several occasions this year with the river so high on all its channels (even after the work on deepening the channel under the Bridge at Bridge Street).
- The river can take no further development along the Windrush Valley without risking severe flooding to developments along the river from Woodford Mill down to Bridge Street, New Bridge Street and the Aquarius Development.
- Will cause flooding to communities downstream.
- Object to this development for what would seem an obvious increase in flood risk for any developments downstream and the centre of Witney.
- Increasing the risk of flooding MUST be avoided.

2.5 Ecology

- Not only is it an amenity for people it is also a haven for wild life and farm animals. It is home to butterflies and moths, rabbits, water voles, ducks, swans, greenfinches, goldfinches, blackbirds, thrushes, kingfishers and many other species.
- Only wild meadowland serving this part of Witney and it should be seen as a major asset to the town.
- Can you explain why the current owner of the land has not been made to get rid of the dangerous and poisonous bindweed? Who is dealing with this serious hazard?
- Building on this body of land will impact upon the nature and wildlife, which is abundant in the Windrush Valley area.
- Bats in vicinity. Do not know where they roost but have enjoyed seeing them flying around in the area at dusk for several years.

2.6 Landscape

- The fact that you can walk from Crawley all the way along the Windrush Valley and by the river as far as and beyond Cogges is a great asset.
- The development's physical presence would have a grave impact on the amenity value of the Windrush Valley for all who use it.
- It would be a shame to desecrate this local amenity with houses that could be sited in a much more appropriate area.

2.7 Residential amenity

- We are a small quite oval with many old and young it is a very safe environment for children to play.
- This is going to be so unfair on all the house owners on the oval it will spoil our way of life.
- Unwanted stress and noise & pollution levels will be catastrophic.
- Springfield Oval was a wonderful place to grow up; children can play safely on the green, and part of that safety comes from the limited traffic and the closed nature of the community.
- It would be a real shame to take that away from the families who currently have young children.

3 APPLICANT'S CASE

3.1 The application is accompanied by several supporting statements that are available to view online.

3.2 The planning statement is summarised as follows:

- We have demonstrated within Section 2 above that the proposed development would be in accordance with the relevant policies as contained within the West Oxfordshire Local Plan 2011.
- Whilst the site is not within any formally defined limits to development it complies with the criteria of acceptable development in Policy H7 of the Local Plan and should therefore be considered acceptable for development in principle.
- This development will provide a positive housing development to address local housing need, and be well situated to support the existing town centre, as well having the benefit of utilising existing transport links and services.
- The site has been identified as not having a significant adverse effect on the landscape, subject to an appropriately detailed landscaping scheme forming part of the development.
- The development will deliver much-needed affordable housing to meet local needs and be a valuable contribution towards the Council's need to achieve a 5 year supply of housing.
- The NPPF is a significant material consideration. The proposal complies with all the key requirements within it, most notably in that it is a sustainable development. We have shown that the proposed development is entirely in accordance with the provisions of the NPPF.
- In view of the very recent admission by the Council that it cannot demonstrate a 5 year supply, even greater weight must be attached to the need to approve the development in the absence of significant harms and compliance with all relevant policies.
- Paragraph 186 of the NPPF requires decision-taking to be approached "...in a positive way to foster the delivery of sustainable development." Given the benefits and sustainability of the development proposed, we believe a positive approach to the determination of the application is very much warranted.
- Paragraph 187 goes on to encourage councils to "look for solutions rather than problems" to enable sustainable developments to be approved. Proactive working is also encouraged to "...secure developments that improve the economic, social and environmental conditions of the area" which, as noted above and in the supporting documents, the proposed development will achieve.

Overall Conclusion

- The development complies with relevant development plan policies, is economically, socially and environmentally sustainable, and has no significant adverse impacts. Therefore, as required by the NPPF, the proposed development should be approved without delay.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.

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

NE1 Safeguarding the Countryside
 NE2 Countryside around Witney and Carterton
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 T1 Traffic Generation
 T2 Pedestrian and Cycle Facilities
 T3 Public Transport Infrastructure
 TLC11 Lower Windrush Valley
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 OS3NEW Prudent use of natural resources
 OS4NEW High quality design
 OS5NEW Supporting infrastructure
 T1NEW Sustainable transport
 T2NEW Highway improvement schemes
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH5NEW Flood risk
 EH7NEW Historic Environment
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to a former nursery site that is prominently located adjacent to the River Windrush valley. It seeks consent to demolish a semi detached pair of dwellings in Springfield Oval and provide an extended cul de sac serving a further 75 units. These are predominantly terraced and semi detached units of two storey form ranging from 8 no. 1 bedroomed flats to 26 no. 3 bedroom houses.
- 5.2 The site slopes quite steeply from south to north and is currently well vegetated. A number of very well used footpaths run alongside the site in the Windrush Valley and it sits in close proximity to the old Bathing Place which is a non listed heritage asset. All of the units are proposed as affordable housing.
- 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
 Siting, Design and Form
 Highways
 Residential Amenities
 Flooding/ecology
 Heads of Terms

Principle

- 5.4 The site is located adjacent to the largest settlement in the district and in relatively close proximity to the town centre and its facilities. Whilst not allocated for development the policies of the adopted plan, which was prepared before the NPPF was introduced, are now increasingly out of date. The policies of the emerging plan equally do not carry full weight due to the relatively limited stage in the process of adoption of the LP but these do allow for development of suitable sites beyond the limits of settlements provided that a series of criteria are met. In that the adopted plan is the development plan and the emerging plan identifies the "direction of travel" the policies contained therein carry some weight. However of more relevance/weight is the fact that the LPA are not currently claiming a 5 year housing land supply and as such the provisions of paragraph 14 of the NPPF is engaged. This means the so called tilted balance in favour of granting approval applies unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole or where specific policies of the NPPF indicate development should be restricted. As such your officers would advise that there is no objection in principle to development of town edge sites such as this provided that the harms do not significantly and demonstrably outweigh the benefits.
- 5.5 Additionally the application proposes that the site be built out as 100% affordable housing. In that the affordable housing policies in Witney would only seek 50 % AH under the adopted plan or 40% AH in the emerging plan (and given that there is a pressing need for affordable housing across the District) your officers would advise that this represents a substantial element that should be given considerable weight in favour of approval of the scheme.

Siting, Design and Form

- 5.6 Your officers have major concerns about this aspect of the proposals. Springfield Oval has a very clearly defined form of a spine road leading to an oval. It is a very conscious piece of urban design. The proposed access point taken off the oval appears to relate more to land ownership than any conscious urban design and introduces a very long and tortuous series of cul de sacs served from the oval. The layout does not promote pedestrian access and would involve residents at the end of the cul de sac having to walk down the hill only to have to turn through 180 degrees to walk back up it to get out of the site. The open space appears to be the land left over after the houses have been put on site rather than it being designed in as part of the development. Spaces are car and road geometry dominated with the built form not enclosing or framing spaces but designed around providing parking.
- 5.7 Whilst some of the house types are acceptable many feature very wide gables, slack roof pitches, arrays of rooflights etc that are not characteristic of the building traditions of the area and appear to suggest that the advice at paragraph 58 of the NPPF to respond to local character, establish a strong sense of place and create accessible environments has not been followed. Your officers had a number of pre application meetings, without prejudice to whether the principle of development would be supported, that sought to secure a design that could be supported if the application were to be recommended favourably but this scheme falls well below the form of development that is usually considered appropriate.

Highways

- 5.8 The County Council as Highway Authority are objecting to the scheme on a number of grounds. The comments from the County as Highway Authority are as follows:

Visibility

- 5.9 Following a site visit and further desk top analysis, it is clear that the required vehicular visibility splays are achievable for both Springfield Oval and Burford Road.

5.10 Walking

- The front of the site is approximately 650m from the nearest bus stop, which means some properties will be around 1500m from the nearest bus stops following the reduction in funding for local bus services. This is considered unacceptable as it is well in excess of the recommended walking distance to bus stops of 400m according to IHT's Guidelines for Providing Journeys on Foot.
- I note of a lack of directness where pedestrian desire lines are concerned. Also Springfield Oval currently has 1.25m wide footways fronting the dwellings which link onto Springfield Park and further to Burford Road. The application proposes to merge the 1.5m wide footways along the site access with the existing footways on Springfield Oval. This arrangement would be indirect and unattractive as pedestrian desire lines would not be considered. Pedestrians in future will likely cut across the green space at Springfield Oval, where presently there is no direct footway, rather than walk round along the footway fronting the dwellings on Springfield Oval. An informal path will likely be worn across the green space at Springfield Oval over time. To address this we would require a pathway to be provided across the Oval, with appropriate dropped kerb crossing points.
- At Burford Road there is no formal pedestrian crossing to enable access to the nearest primary school at Moore Avenue. A formal pedestrian crossing should be considered that would facilitate the movement of pedestrians including school children to the school and beyond.

5.11 Cycling

- The site is located on the outskirts of Witney town and is accessible via a range of travel modes to most amenities such as schools, employment, shopping and health and leisure facilities. I have noted that the proposals do not show any cycle storage facilities. Cycle storage should be provided to promote and capitalise on the sustainable benefits of such a location. This can be addressed by condition.
- The county council's cycle parking standards (which are a minimum) require 1 space and 2 spaces per 1 bed and 2+ residential dwellings respectively.
- The development needs to consider how it will provide formal cycle facilities to key areas including the town centre, the nearest primary school and other destinations. To address pedestrian and cycle connectivity across Burford Road, and a measure of encouraging non-motorized travel modes, we would require the developer to provide a toucan crossing along Burford Road, east of Springfield Park.

5.12 Vehicle tracking

- Tracking for a 10.5m refuse vehicle through a majority of estate roads is provided. Swept paths for a refuse vehicle with a car passing one another shall be required, to demonstrate safe manoeuvrability particularly around turns.
- Also a turning head for smaller vehicles is required at the termination of the western estate road serving plots 51-63 and the eastern link serving plots 5-16.
- A site visit was conducted and it was noticed that Springfield Oval has overtime developed overrun areas on the inside curvatures of the carriageway. This is an indication of tight radii around Springfield Oval which the development traffic is likely to intensify.
- This issue is likely to be exacerbated and shall affect traffic movement and/or highway safety with an intensification of use to the scale of the proposed development. The developer shall be required to address this issue with either one of the proposals below:
- Consider widening of Springfield Oval to accommodate the existing and proposed development traffic.
- Introduce Traffic Regulation Orders (TRO) in the form of a one-way traffic flow system round Springfield Oval.

5.13 Parking

- The proposed parking levels fall within Oxfordshire County Council's Transport for New Developments. However, given the width of the spine road, I envisage any overspill parking particularly street parking would impact on the movement of traffic including highway safety. West Oxfordshire's Local Plan 2011 states that "Where developers are proposing levels of parking significantly below the maximum levels they will be required to demonstrate that this will not have any highway safety implications".
- There needs to be visitor parking to accommodate an occasional overspill especially where provision of parking is below the stated maximum.

5.14 Recycle Bin Collection Points

- A discrepancy has been noted between drawings 40457/011 and SHF.508.001 where a turning area for refuse collection vehicles is marked out on the latter drawing adjacent to plots 60-61 which turning area is missing in drawing 40457/011. Having mentioned that, I would assume that the absence of a turning area beyond plot 51 means that refuse vehicles wouldn't have access to the properties further down the access. The developer is thus required to provide and indicate on drawings the refuse collection point for plots 53-61. Bin Collection Points shall also be required in the vicinity of dwelling plot 20 and plot 17 to serve properties 21-25 and 5-16 respectively.
- The developer should be made aware that residents should not be required to drag or carry waste more than 30m to the storage point and also waste collection vehicles should be able to get to within 25m of the collection points.

5.15 PROW

Paragraph 7.5.8 and Figure 7.2 of the Transport Statement (TS) show the site location relative to the existing Public Rights of Way. This in reference to drawing no. 40457/011 (the proposed site plan) indicates that the development's only link into the PROW is the north eastern part of the site which benefits only a fraction of the dwellings. Absence of a pedestrian linkage to the PROW to the west of the site would mean poor walking facilities to the residents.

5.16 Trip Distribution

- There appears to be some inconsistency between Table 5.3 "Total Residential Traffic Generation" and Table 5.4 "Assumed distribution of Site Traffic at A4095 & Springfield Park priority junction during AM & PM Peak hours".
- Please clarify the difference between the number of trips identified in Table 5.3 and Table 5.4.
- Taking TRICS output outlined in Table 5.3 above even in the worst case, this would only result in 34 two way trips, which I do not consider to be a severe impact, taking into account the existing traffic on Burford Road. Nevertheless, the site will contribute to a cumulative severe impact in the town centre, where there is an AQMA.

5.17 Public Transport

- Oxfordshire County Council did not object to the development site immediately to the west, land to the north of Burford Road, on grounds of distance to public transport. The nearest bus stop to this site is also located in Tower Hill. It is therefore considered acceptable for residents to walk to the same bus stop, provided there is an eventual walking route through the land north of Burford Road development site.
- The West Oxfordshire strategic bus network links Carterton, Witney and Oxford along the A40 corridor (with a branch along the B4044 through Farmoor and Botley).
- The strategic network also links Burford, Witney, Hanborough and Woodstock. It's envisaged that both strategic corridors will be enhanced as a consequence of population and employment growth and the implementation of a significant bus priority scheme along the A40. There are also major growth proposals north of Oxford which are expected to result in the extension of the Woodstock bus route towards Kidlington and perhaps towards the Headington area.
- Thus the new residents will have access to a meaningful inter-urban bus service which will link them to employment and other opportunities.
- The Council is concerned about the impact of additional car traffic on the strategic road network, especially to the west and north of Oxford. Investment in improved public transport links in this area is considered to be an appropriate measure to mitigate this impact.
- Withdrawal of the local Witney town bus services in July 2015 as a consequence of Council revenue funding reductions means that there will be no bus service available nearby for those residents unable to walk significant distances. In particular bus service 215 to Springfield Oval will no longer operate.
- The Council is especially concerned to improve the frequency and attractiveness of inter-urban buses from the Witney area. Developers in the West Oxfordshire area are requested to contribute £1000 per additional dwelling towards procuring additional vehicles and journeys on these routes.
- The contribution rate of £1000 per additional dwelling towards strategic bus services has been used for other planning applications in the West Oxfordshire area, for example the Carterton North East development. The cost of an additional vehicle in the strategic bus network is estimated to be £400,000 on a pump-priming basis over four or five years. It would require the procurement of 2 additional buses to provide a 30 minute frequency on the Burford-Witney-Woodstock bus route 233, so £800,000 to secure this worthwhile enhancement. Some funding is already secured for this purpose and it is considered reasonably likely that the remainder can be secured from other developments along this corridor.

Strategic Transport Contributions

- 5.18 The Council is concerned about the impact of eastbound journeys towards the Bridge Street area of Witney, to the severe congestion and air quality issues at Mill Street and Bridge Street. Once clarification on trip distribution (above) is received, we are likely to request a contribution to mitigating the cumulative impact of trips arising from the site on the road network.

Travel Plan

- 5.19 The travel plan provided to support this application will need to be updated with resident survey information within 6 months of 50% occupation of the site. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Drainage Scheme

- 5.20 The application has not included any drainage proposals. It should be worth noting that beyond the northern boundary of the site are floodplains to the River Windrush.

Highway conclusions/assessment

- 5.21 As can be seen from the above there are a series of issues with the scheme as currently conceived. The road, cycle and footway arrangements are not currently acceptable, turning heads need to be improved, there will be impacts on the AQMA in nearby Bridge Street, there is evidence that Springfield Oval is already suffering from overrunning of the verges and the increased traffic is likely to exacerbate this, the cul de sac road form and likelihood of on road parking is likely to give rise to difficulties for residents (e.g in refuse vehicles accessing all the properties) and the access to the bus stop appears to rely to some degree on land outside the applicants control and currently at appeal with the bus service currently using Springfield Oval being withdrawn.
- 5.22 As it stands it is considered that seeking to remedy these concerns is likely to involve considerable additional work and amendment to the tabled proposals but that at present the lack of adequate access and highway arrangements represents a reason for refusal.

Residential Amenities

- 5.23 The units are all situated at the end of the existing very long gardens of the properties in Springfield Oval and are located on falling land such that the impact of the new units upon the existing houses is not such as would warrant refusing permission. Clearly the amenity of the two properties either side of the proposed new access, and to a lesser degree that of the remaining units in Springfield Oval will be impacted in that there will be substantial additional traffic penetrating into the cul de sac and what is currently a quiet, unlit and attractive space to the rear of the houses will be much more intensively used. There will clearly be a diminution in the amenity of existing residents but the plans detail that the proposed road would have a landscaped margin to either side of the most affected properties such that the impact would be no worse than many similar suburban junctions. As such, on balance, this aspect is not considered to justify refusal albeit that it adds a degree of weight to other concerns.

Landscape Impact

- 5.24 This is a key issue. The Windrush Valley is a very attractive amenity for the town with a number of listed and non listed heritage assets in the form of the bathing place, mills etc. It is, as was identified in the context of the development proposed adjacent to the gas storage plant, extensively used as part of the blanket making process with which the town is so closely associated and there are a series of very well used public footpaths and vantage points across and along the valley. Springfield Oval itself was set back from the top of the valley - with houses featuring very long back gardens and the nursery providing a soft foreground in views from across and within the valley. When Jacobs Mill was developed next door this rear building line was considered essential in preserving the soft rural amenity of the valley and the development line and landscaping was designed specifically to respect this landscape sensitivity.
- 5.25 In contrast this proposal replaces the current soft attractive rural edge of the town (in the form of the nursery and its landscaping) with a dense housing development. The landform is such that rather than the filtered views of the existing houses the proposed scheme would be laid out on the valley side or on an exposed river bluff and very intrusive in a wide number of vantage points. The existing conifer trees on site give a good visual reference from the opposite side of the valley as to how major the adverse impact will be and your officers are not persuaded that any landscaping proposed could adequately mitigate this adverse impact on both the wider valley, the setting of the bathing place or the amenity and setting of the footpath network that currently benefits in a very positive way from the site in its undeveloped state. This concern appears incapable of resolution and is considered to be a significant and demonstrable harm that weighs very heavily against the proposals.

5.26 Flooding/ecology

- The site is within flood zone 1 but is immediately adjacent to Zones 2 and 3 as the Windrush lies to the north.
- A Flood Risk Assessment was submitted with the application but no drainage strategy proposals and Thames Water, the Environment Agency and OCC in their capacity under the Water Act 2010 have been consulted.
- Thames Water have expressed concerns with the limited information provided by the applicant so that they require a Grampian condition to ensure a drainage strategy is provided before development commences and a Grampian condition to ensure there is sufficient capacity in the water supply infrastructure, as well as information on the proposed drainage plans to ensure there is sufficient capacity in local sewers.
- OCC have noted that the Windrush flood plains are adjacent to the site and that no drainage strategy was submitted with the scheme. The EA have not responded.
- Whilst the lack of a drainage strategy at submission stage is disappointing as the impacts on this water sensitive site cannot be fully assessed up front, it appears that the technical consultees feel that these matters could be dealt with by Grampian Condition.
- With regard to Ecology, Members will note that concerns have been raised by third parties as to the adverse impact of development adjacent to the floodplain and the potential for adverse impacts on wildlife. However in the absence of detailed objections from the relevant consultees these matters are not considered to justify a reason for refusal.

Heads of Terms

- 5.27 The following requests have been made by Oxfordshire County Council:

S106 contribution of £1000 per additional dwelling towards procurement of additional vehicles and journeys on inter-urban bus routes linking to Witney.

S278 agreement in place (secured via S106) for the site access from Springfield Oval, and off-site footway infrastructure improvements and widening or TRO on Springfield Oval (see detailed comments)

Primary education

£171,724 Section 106 required for the necessary expansion of permanent primary school capacity at West Witney Primary School.

Secondary education

£169,776 Section 106 required for the necessary expansion of permanent secondary school capacity serving the area, at Wood Green School.

5.28 The following requests have been made by WODC:

£1,088 x 75 = £81,600 off site contribution towards community/sport/recreation facilities within the catchment. This is indexed using the BCIS All in Tender Price Index published by RICS.

£818 x 75 = £61,350 for the enhancement and maintenance of existing play/recreation areas within the catchment and/or onsite provision. This is indexed using the BCIS All in Tender Price Index published by RICS.

5.29 At present there is no agreed legal agreement in place to secure these contributions as well as the WODC contributions towards leisure etc and tying the units to affordable housing only in perpetuity. As such this represents a further reason for refusal albeit one that is capable of being overcome.

Conclusion

5.30 The principle of development on the edge of the settlement is acceptable and the delivery of affordable housing is a major social benefit. The lack of a demonstrated 5 year housing land supply invokes the tilted balance in favour of the development and there will be the usual economic benefits associated with housing development in terms of construction jobs etc. These all weigh heavily in favour of supporting the proposal.

5.31 To set against these concerns the scheme has a series of technical highway deficiencies, is a poor standard of development that has failed to take the opportunities the topography of the site and built form traditions of the area offer and which will have a major adverse impact on a very sensitive location which is of visual and cultural significance to the town and its setting. There is no agreed 106 package, traffic will be increased in the AQMA and the amenity of existing residents will be adversely affected- albeit not to a degree that would justify a separate refusal reason. The degree of harm is such that even when considered against the tilted balance of the NPPF your officers consider the harms significantly and demonstrably outweigh the benefits such that refusal is warranted. As such, if the application is tabled in this form for determination, officers would recommend refusal accordingly.

5.32 Officers have offered the applicants the opportunity to await the determination of the Gladman scheme on the next site up the valley to ascertain whether the Inspectors findings on that scheme would allow a different interpretation of the key issues. This would also allow them the opportunity to seek to address some of the technical points. At the point of agenda preparation no response has been received -albeit that it is understood that a number of Members may have

been contacted by the applicants offering individual briefings. A full verbal update will be given at the meeting and in the event that the applicants do wish to delay matters pending the appeal decision next door members may also wish to undertake a site visit to ascertain the degree of landscape impact for themselves.

6 REASON FOR REFUSAL

- I Officer to report verbally, but if the application is to be determined as tabled will recommend refusal on the basis of landscape impact, poor quality of development, lack of a 106, highways issues, impact on footpaths/heritage assets, impact on AQMA etc as advised above

Application Number	16/00758/OUT
Site Address	Land North of Standlake Road Ducklington Witney Oxfordshire
Date	6th July 2016
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Ducklington Parish Council
Grid Reference	436070 E 207374 N
Committee Date	18th July 2016

Location Map



Application Details:

Residential development of up to 24 dwellings, of mixed size and tenure including 50% of the dwellings being affordable; together with a new access onto Standlake Road, public open space, landscaping and SUDS attenuation features (all matters reserved except means of access).

Applicant Details:

C/O Agent

I CONSULTATIONS

- | | | |
|-----|-------------------------|--|
| I.1 | One Voice Consultations | <p>Highways - No objection subject to conditions. A legal agreement and S278 agreement will be needed to deal with the provision of the works to the highway at the access and the pedestrian crossing point.</p> <p>Archaeology - A geophysical survey and archaeological field evaluation have been undertaken. Archaeological features were revealed and the site will require further investigation prior to commencement of the development. This can be secured by condition.</p> <p>Education - Ducklington Primary School is operating close to capacity and some age groups are full. Additional primary school capacity is planned at West Witney Primary School to provide for expansion of capacity in the catchment. A sum of £99,032.00 is required, as well as £9,957.00 towards securing provision of sufficient nursery capacity at Ducklington pre-school.</p> <p>Property - no contributions are being sought in relation to libraries, waste management, museums or adult day care because of the restrictions imposed by the CIL regulations.</p> |
| I.2 | WODC - Arts | <p>A contribution of £2,520.00 is required towards artist led activity in the public space to enhance the environment of the development.</p> |
| I.3 | Wildlife Trust | <p>Holding objection pending further survey for Great Crested Newts. In addition habitat creation should be secured by condition requiring an ecological management plan.</p> |
| I.4 | Ecologist | <p>No objection subject to condition.</p> |
| I.5 | WODC Community Safety | <p>No Comment Received.</p> |
| I.6 | WODC Architect | <p>The site is highly significant when approaching the village from the south east. It is an important survivor of the historic form. A small amount of development could be considered although this would need strong justification.</p> |
| I.7 | WODC Drainage Engineers | <p>No Comment Received.</p> |
| I.8 | Environment Agency | <p>No Comment Received.</p> |
| I.9 | Historic England | <p>The proposed new housing would change the character of the southern approach to the Ducklington Conservation Area, which is the only part of the village to retain its historic relationship with the surrounding landscape, harming its significance. This should only be accepted if there are strong public benefits associated with the</p> |

application that outweigh this harm.

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|------|---|--|
| I.10 | WODC Env Services -
Car Parking | No comments |
| I.11 | WODC Env Health -
Lowlands | No comments at this stage but may wish to comment at reserved matters. |
| I.12 | WODC Head Of
Housing | <p>I can confirm that in the region of 350 households from the Council's waiting list would qualify for affordable housing in Ducklington were it currently available.</p> <p>In policy terms and as a guide, the council seeks 65% of the affordable as smaller homes, for singles, couples, small families and older people, with 35% in the form of larger family homes, principally 2 and 3 bed houses with a very limited number of 4 bed homes.</p> <p>Of the 12 dwellings being offered as affordable, I would seek during reserved matters the following:
3 x 2 Bed and 1 x 3 Bed as shared ownership, and 2 x apartments, 4 x 2 Bed and 2 x 3 Bed as affordable rented.</p> <p>Notwithstanding wider policy constraints I support this application which includes 50% affordable housing on site provision.</p> |
| I.13 | WODC Landscape And
Forestry Officer | No Comment Received. |
| I.14 | WODC - Sports | <p>£1,088 x 24 = £26,112 off site contribution towards community/sport/recreation facilities within the catchment. This is indexed using the BCIS All in Tender Price Index published by RICS.</p> <p>£818 x 24 = £19,632 for the enhancement and maintenance of existing play/recreation areas within the catchment and/or onsite provision. This is indexed using the BCIS All in Tender Price Index published by RICS.</p> |
| I.15 | TV Police - Crime
Prevention Design
Advisor | No Comment Received. |
| I.16 | Thames Water | No objection |
| I.17 | WODC Env Services -
Waste Officer | No Comment Received. |
| I.18 | WODC Planning Policy
Manager | No Comment Received. |
| I.19 | Natural England | <p>The development will not damage or destroy the interest features for which Ducklington Mead SSSI has been notified - no objection.</p> <p>Standing advice should be followed and enhancements for biodiversity</p> |

provided.

I.20 Parish Council

Council consider this proposal significantly impacts the area and in general the village and consequently have the following concerns and issues:

1. The hedges need to be properly planned and subsequently maintained. They need repairing and replanting to ensure decent screening.
2. Given the rural nature and location, the site is too dense. The site needs to reflect the uneven and mixed nature of the village.
3. The parking of vehicles is an issue - as is currently clearly evident at Fritillary Mews.
4. The development needs to reflect the rural nature of the village, especially at the ends of the village and should break-up the styles, orientation and architecture. The front row of the development, in particular, needs to avoid a "ribbon" of identical dwellings.
5. It is well known that drainage is a serious issue in this area of the village and the area proposed for development has as an attenuation pond. This pond site is already flooded for nearly six months of the year.
6. The site is already waterlogged and contains a former river bed or watercourse that sits within the water table. Disruption to this is likely to affect adjacent properties and watercourses.
7. The culverts under Standlake Road at the pumping station and by the Philip Dennis site currently requires increasing in capacity to cope with existing surface water flooding on this road. Access to the development would be made impossible from the south when this road floods.

Consequently, Councillors believe that the following will also be needed:

8. Continued maintenance of the attenuation pond and existing village pond.
9. Continued maintenance of the ditch on the north side of the development.
10. The footpath by the old rectory will need to be increased in size and extended past the war memorial.
11. Additional parking in the village will be needed to cope with the increased traffic resulting from the development.

12. Street lighting.

13. Improvements to the children's play areas.

2 REPRESENTATIONS

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

- (i) The village will not support additional housing. There are no amenities and the school is oversubscribed.
- (ii) Increase in traffic, parking congestion and effect on highway safety.
- (iii) More housing not wanted, especially affordable housing.
- (iv) Flooding and drainage.
- (v) Power supplies will be affected.
- (vi) Impact on the character of the area.
- (vii) Impact on outlook.
- (viii) Site not previously identified as suitable or desirable for housing development.
- (ix) Site is adjacent to Conservation Area.
- (x) Limited public transport.

3 APPLICANT'S CASE

3.1 The applicant has identified the following in the conclusion of their Design and Access Statement:

- 1) Provision of up to 24 new dwellings, including a policy compliant proportion of affordable housing and a range of house types, sizes and tenures;
- 2) Contributions towards new pedestrian crossing;
- 3) Provision of vehicular and pedestrian links onto Standlake Road, ensuring good connections with the local bus stops, Witney town centre and National Cycle Network Route 57;
- 4) Establishment of a permeable and legible street hierarchy to ensure easy movement in and around the proposed development;
- 5) Retention, management and enhancement of existing hedgerows and trees to promote biodiversity and integrate the development with the existing landscape character;
- 6) Provision of attractive, well-surveyed public open spaces;
- 7) Integration of sustainable urban drainage systems, including attenuation basins and swales;
- 8) Establishment of an attractive edge character around the periphery of the development particularly to Standlake Road and the rear open space; and
- 9) Reflection of the local vernacular in terms of streetscape, building layout/design, and use of materials to ensure that the proposed development respects and reinforces the local built character.
- 10) Potential to provide lowland grassland habitat in line with CTA aims and create a net biodiversity gain.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.
BE2 General Development Standards
BE3 Provision for Movement and Parking

BE4 Open space within and adjoining settlements
 BE5 Conservation Areas
 BE8 Development affecting the Setting of a Listed Building
 BE13 Archaeological Assessments
 NE3 Local Landscape Character
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 H2 General residential development standards
 H6 Medium-sized villages
 H11 Affordable housing on allocated and previously unidentified sites
 TLC7 Provision for Public Art
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 H1NEW Amount and distribution of housing
 H2NEW Delivery of new homes
 H3NEW Affordable Housing
 OS5NEW Supporting infrastructure
 T1NEW Sustainable transport
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH5NEW Flood risk
 EH7NEW Historic Environment
 WIT4NE Witney sub-area Strategy
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The proposal is an outline application for the erection of up to 24 dwellings on 1.35 ha of land with only access to be considered at this stage. The developed area would be just over 1 ha with the remainder given over to landscaped areas. A range of supporting information and an indicative layout have been provided. It is envisaged that the development would be 2 storey in height. The vehicular access would be from Standlake Road.
- 5.2 The site is a grassed field, currently used for horse grazing, that lies towards the southern end of the village of Ducklington. Immediately to the south there is a row of older cottages fronting Standlake Road, and beyond these a modern housing development, including frontage properties to Standlake Road. Behind this development there is an industrial building, with another commercial building to its east. Opposite the site to the west there is a recreation ground. To the northern boundary is an area of private open space, featuring a belt of woodland and woodland block. Beyond this to the north west is the grounds of the Old Rectory which is a listed building.
- 5.3 The boundary of the Ducklington Conservation Area adjoins part of the northern boundary of the application site, but the site itself is not within the Conservation Area. The site is not subject to any formal designation.
- 5.4 The only relevant planning history on the site relates to an application for a field shelter which was approved on 23/11/89 (W89/2101).
- 5.5 The site has not been identified in the SHLAA.

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

Principle
Siting, design and form
Heritage
Highways
Trees, landscaping and ecology
Drainage
Residential amenity
S106 matters

Principle

- 5.7 Ducklington is classified in the Local Plan 2011 as a medium sized, group B settlement. Based on the settlement sustainability assessment (Dec 2013) the village sits in the middle of the range of the towns and villages assessed in terms of services and facilities available.
- 5.8 The village benefits from services, including a primary school, community building, sports facilities and pub, and is close to Witney which provides the main service centre role in the District. Therefore, on the basis of its location and facilities, it is considered to be a suitable location for some new housing development.
- 5.9 Local Plan 2011 Policy H6 would not allow for the development of the application site under a strict interpretation of the definitions of infilling and rounding off contained therein. However, in the context of the Council currently being unable to demonstrate a 5 year supply of land for housing, this policy is considered out of date with reference to paragraph 49 of the NPPF.
- 5.10 Emerging Local Plan 2031 Policy OS2 allows for limited development in villages which respects the village character and would help to maintain the vitality of these communities. Emerging Policy H2 allows for housing development on undeveloped land within or adjoining the built up area where the proposal is necessary to meet housing needs and is consistent with a number of criteria in the policy, and is consistent with other policies in the plan.
- 5.11 The site adjoins the existing built up area of the village and would sit between the southern edge of the main part of the settlement and the modern development at Fritillary Mews and the industrial units further along Standlake Road. Therefore, on the basis of emerging policies for the supply of housing, the development proposed would be acceptable in principle. However, with reference to a range of policy considerations, and the balancing of considerations required under paragraph 14 of the NPPF, the detailed merits of the proposal are assessed below.

Siting, Design and Form

- 5.12 An indicative layout has been provided, and this indicates that a scheme of 24 dwellings can readily be accommodated within the site area.

- 5.13 The layout shows an intention to avoid built form on the eastern part of the site which would be open space with public access provided. All around the periphery of the site existing planting would be retained, including the frontage hedge, and new landscaping provided.
- 5.14 It is understood that the houses would be 2 storey although the house types are for future consideration as part of a subsequent reserved matters application. The design is likely to be inspired by vernacular forms and proportion, but no detailed elevations are available as part of the application.
- 5.15 The indicative layout shows that buildings would be set well back from the road frontage, reflecting the generous frontages of the cottages immediately to the south. The general form of development is likely to be similar to Fritillary Mews, although the density would be significantly lower.

Heritage and landscape

- 5.16 The site partly adjoins the Ducklington Conservation Area on a short section of the northern boundary, and there are listed buildings within the Conservation Area, particularly the Old Rectory closest to the site, which need to be considered in terms of setting. In this regard, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant.
- 5.17 Historic England was consulted and they note that the Ducklington Conservation Area is primarily of significance as an example of an attractive Oxfordshire village. They consider that the character of the village has been compromised by the infilling of plots and expansion in the later 20th century. Reference is made to the relatively unspoilt nature of the south east end of the village, although the character is compromised by the replacement of Ducklington Mill with modern housing and industrial units.
- 5.18 It is the view of Historic England that the site makes a contribution to the significance of the Conservation Area by forming part of the south eastern gateway to the village, and allowing appreciation of the connection between the rural settlement and the land which was farmed from it. Their recommendation is that the proposal should only be accepted if there are strong public benefits associated with it that outweigh the harm identified. No comments are made regarding listed buildings in the vicinity.
- 5.19 The Conservation Officer considers the site to be highly significant because of the space it allows between development to the south and the Conservation Area to the north. As modern development lines the other main approaches to the historic core of the village, the site is a unique and important survivor of the historic form. A smaller scheme could be acceptable in the Conservation Officer's view, although this would need very strong justification.
- 5.20 Local Plan Policy BE5 states that the character and appearance of Conservation Areas should not be eroded by the introduction of unsympathetic development proposals within or affecting their setting. Policy BE8 requires that development should not detract from the setting of a listed building. In a related manner, Policy BE4 refers to open spaces within and adjoining settlements and seeks to resist their loss or erosion where they make an important contribution to the distinctiveness of a settlement, and/or the visual amenity or character of the locality.

- 5.21 Section 12 of the NPPF deals with the historic environment and addresses the impact of development on heritage assets. Emerging Local Plan Policy EH7 has been drafted in the light of the NPPF and promotes the conservation and enhancement of West Oxfordshire's historic environment.
- 5.22 The application site is a substantial area of open space which sits between existing, primarily modern, development to the south and the historic core of the village to the north of the site and Standlake Road. With reference to the comments of Historic England and the Conservation Officer, it is noted that the past expansion of the village has encroached on the setting of the historic core and it is true to say that the application site is the only place in the village where the countryside interfaces with Standlake Road and the Conservation Area. However, the north side of the village has been much less affected by modern development than the south and there are a number of locations where the Conservation Area adjoins open countryside, allowing an appreciation of the village in its rural context.
- 5.23 The Conservation Area Character Appraisal for Ducklington describes the history and character of the village but there is no specific mention of the application site, and the approach to the village from the south east is not highlighted as an important view into the Conservation Area. Likewise, there are no highlighted views from within the Conservation Area that take in the application site.
- 5.24 There are dense groups of trees at the south east edge of the Conservation Area that provide a significant visual barrier between the site and the Conservation Area. In summer, views are particularly limited by these trees and the mature hedgerow on the site frontage.
- 5.25 The application site undoubtedly forms part of the setting of the Conservation Area and its openness makes a positive contribution to the character of the village. However, to a significant extent, the visual interaction between the site and the heritage asset is reduced by the presence of existing screening. The sense of entering a historic village only really becomes apparent as one passes the boundary wall to the Old Rectory and draws opposite the entrance to it from Standlake Road.
- 5.26 The Old Rectory itself is the closest listed building to the appeal site and is set within a large garden. The garden edge is a few metres within the boundary of the Conservation Area and the listed building curtilage does not therefore adjoin the application site. It is separated by a sub-station and private track.
- 5.27 Other listed buildings, and locally listed buildings, around the green contribute to the character and significance of the Conservation Area but are some distance from the site.
- 5.28 With reference to Section 66 of the Act, it is considered that the setting of nearby listed buildings would be preserved.
- 5.29 Although it is acknowledged that there would be some harm to the setting of the Conservation Area, this is judged less than substantial with regard to paragraph 134 of the NPPF. In this context it is necessary to weigh this harm against the public benefits of the proposal. In this case the main public benefit would be the provision of housing to meet housing needs, and in particular the provision of 50% affordable housing.

- 5.30 The proposal would have some effect on the Conservation Area by introducing development within its setting, but with regard to Local Plan Policy BE5 it is considered on balance that the setting would be preserved.
- 5.31 Not all of the site would be developed and significant areas would be left as open space. Nevertheless, there would be some erosion of openness on this site, that is acknowledged to contribute to the character of the area, and to that extent the proposal would be contrary to Policy BE4.
- 5.32 A geophysical survey and an archaeological field evaluation have been undertaken across the application area. The evaluation tested the anomalies and the veracity of the geophysical survey. A number of medieval features, including a trackway, ditches, beamslots and a gully have been dated to the medieval period. A number of other features including postholes, pits and ditches are likely to be of a similar period.
- 5.33 In the western part of the site a possible early Anglo Saxon sunken feature building has been identified. Although sunken feature buildings tend to be early Saxon, this example contained later Saxon pottery. Adjacent to it is an inhumation that is on an east west axis. This has not been examined but may relate to the Saxon building. No evidence of later prehistoric or Romano British settlement was revealed.
- 5.34 On this basis, should planning permission be granted, the applicant should be responsible for implementing a programme of archaeological work. This can be ensured through the attachment of suitable conditions. Subject to satisfactory compliance with these conditions, the proposal is consistent with Local Plan Policy BE13 and the NPPF.
- 5.35 The land is classified as floodplain pasture within the Lower Windrush Valley and Eastern Thames Fringes as identified in the West Oxfordshire Landscape Assessment. The settlement assessment for Ducklington does not make any specific observations about the site, but generally suggests the need to maintain a soft urban edge. It is considered that the intention to retain the land at the east end of the site as open space achieves this objective. The proposal would comply with Policy NE3 in that the local landscape character would be respected.
- 5.36 The proposal would respect the pattern of development in this location and would be compatible with its character. Although there would be some erosion of private open space, on balance, the proposal is considered to comply with Local Plan Policies BE2 and H2, and emerging Policy H2 insofar as the matters addressed by this outline application.

Highways

- 5.37 Access would be taken from Standlake Road on the inside of a curve in the road where suitable visibility splays can be provided without significant loss of existing hedgerow to the frontage. It would be of suitable dimensions to meet highway standards.
- 5.38 A footway is currently available to the north side of Standlake Road but this narrows considerably towards the green. It is therefore proposed to provide a crossing to the south side of Standlake Road and a new section of footway along the front of the school to the junction with Aston Road. This would represent a significant enhancement in highway safety terms.

- 5.39 The Highways Officer advises that the means of access proposed is acceptable. The locations of both vehicle and pedestrian accesses offer safe permeable links to the surrounding highway network. The revised details of the pedestrian crossing on Standlake Road are acceptable subject to technical approval.

Trees, landscaping and ecology

- 5.40 There are a significant number of trees on, or just outside, the northern boundary of the site. The submitted Tree Report indicates that these will all be retained. There are two hawthorns and two ash trees within the site that are of limited landscape value and are suggested to be removed, although in the case of the ash trees this would not be essential to facilitate the development as shown on the indicative layout. The frontage hedgerow would be retained except where removal is necessary to allow access.
- 5.41 Subject to the submission of a tree protection plan which can be secured by condition, it is considered that there would be no detriment in landscape terms arising from the treatment of trees on and adjoining the site. The proposal therefore complies with Local Plan Policy NE6.
- 5.42 A reserved matters submission would include a landscaping scheme, and the illustrative plan indicates an intention to provide significant additional planting.
- 5.43 An ecological report and newt survey were submitted with the application, and subsequently a further newt survey has been provided to deal specifically with this protected species. The findings are that no protected species would be affected by the proposal. Accordingly, a condition regarding mitigation and enhancements for wildlife is attached to this report.

Drainage

- 5.44 The site is within Flood Zone 1 and therefore at low risk of flooding. Although concern has been expressed locally about flooding and drainage, subject to a sustainable drainage scheme being agreed, there is no reason to believe that the development would result in detriment as regards increased flood risk. New drainage features such as a pond and swale are shown on the indicative plan.
- 5.45 The submitted Flood Risk Assessment conclusions note the following:
- 1) The proposed development falls entirely within Flood Zone 1 'Low Probability' (less than 0.1% annual probability of flooding from rivers or the sea).
 - 2) Since this is the area at lowest probability of flooding, it passes the Sequential Test and does not require the Exception Test.
 - 3) Ground floor levels will meet or exceed the standard freeboard requirements (300mm above the 1% 100 annual probability plus allowance for climate change River Thames flood level) and will include a suitable freeboard above surrounding ground levels to prevent the egress of surface water during an extreme rainfall event.
 - 4) Continuous safe access is available to the site.
 - 5) The development will incorporate a surface water drainage strategy designed to the 1% Annual Exceedance Probability storm event with a 30% allowance for climate change and providing on-site SuDS measures, including attenuation ponds with controlled discharge to the adjacent watercourses to limit runoff to existing greenfield rates.

- 6) The redevelopment of the site will include appropriate landscaping to redirect overland flow routes away from properties during an extreme rainfall event (exceeding the design event) or if a blockage to the drainage system occurred.

Residential amenity

- 5.46 The indicative layout shows that a development of 24 units can be accommodated on the site without causing impacts on privacy, light or general amenity to neighbouring property. The detailed arrangement of buildings would be addressed at the reserved matters stage in any event.
- 5.47 There would be significant separation between the site and the industrial building to the east and the physical relationship would be similar to properties at Fritillary Mews.

S106 matters

- 5.48 The applicant has referred to the provision of 50% affordable housing which is a policy compliant contribution.
- 5.49 A contribution of £2,520.00 is required towards public art.
- 5.50 A contribution of £1,088 x 24 = £26,112 off site contribution towards community/sport/recreation facilities within the catchment is required. In addition, £818 x 24 = £19,632 is required for the enhancement and maintenance of existing play/recreation areas within the catchment and/or onsite provision.
- 5.51 A contribution of £99,032.00 is required towards the necessary expansion of permanent primary school capacity in the area. In addition an Early Years contribution is required for sufficient nursery education at Ducklington Pre-school in the sum of £9,957.00.
- 5.52 OCC will require an administrative fee to deal with the completion of the S106.

Conclusion

- 5.53 The site is considered to be in a sustainable location, in a medium sized village and it relates well to existing development.
- 5.54 Although there would be some loss of open space in a prominent location in the village, part of the site would remain undeveloped and would be landscaped. The limited harm arising from loss of open space is, in this case, outweighed by the benefit of providing new housing in a suitable location.
- 5.55 The site lies adjacent to the Ducklington Conservation Area and within a relatively short distance of listed buildings. Although there would be some effect in terms of replacing open space with built form, the impact on the setting of these heritage assets would be less than substantial. The provision of new housing in a suitable location is considered to outweigh this limited harm.

- 5.56 Existing trees and hedgerow would be retained, save for limited removal to facilitate the development. The development would therefore sit within an established landscape setting, and additional landscaping would be provided as part of any future scheme.
- 5.57 The access to the site is acceptable in highways terms and a new crossing point and footway to the north west of the site on Standlake Road will represent an enhancement associated with the development.
- 5.58 The site is at low risk of flooding and a sustainable drainage scheme can be secured by condition.
- 5.59 There would be no impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.60 There is no reason to believe that residential amenity would be adversely affected and detailed layout and design will be considered at reserved matters in this regard.
- 5.61 Having taken into account material planning matters, and balancing the harm arising with the benefits, it is recommended that the application is approved subject to completion of a legal agreement.

6 CONDITIONS

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 Details of the appearance, landscaping, layout and scale (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.
- 3 The development shall be carried out in accordance with the following plans: 4557.001E (site plan); 33921_5501_001 Rev A (proposed site access); 33921_5501_002 Rev A (proposed footway improvements); and shall be in general accordance with 3960.003B (illustrative layout).
REASON: For the avoidance of doubt as to what is permitted.
- 4 All works, including demolitions and site clearance, shall be carried out in accordance with the Assessment/Evaluation of results and recommendations contained in Section 4.0 of the Extended Phase I Habitat Survey by BSG dated 26/2/16 (the report). Prior to the commencement of the development, details of all mitigation and enhancement measures set out in the report shall be submitted to and approved in writing by the Local Planning Authority. Such measures as approved shall be retained thereafter.
REASON: To ensure that Great crested newts, Bats, Birds, and their habitats 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.

- 5 No development (including site clearance and demolition) shall commence until all existing trees and hedges shown to be retained within the submitted "Arboricultural Report and Method Statement/Impact Assessment" by Peter Harding dated August 2015 have been protected in accordance with a tree protection plan which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction'. The tree protection plan shall have first 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.
- 6 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 in accordance with policy BE18 of the West Oxfordshire Local Plan and section 11 of the NPPF.
- 7 A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.
- 8 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.
- 9 Prior to commencement of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority that demonstrates that each dwelling can connect to and receive a superfast broadband service (>24mbs). The connection will either be to an existing service in the vicinity (in which case evidence from the supplier that the network has sufficient

capacity to serve the new premises as well as means of connection must be provided) or a new service (in which case full specification of the network, means of connection and supplier must be provided). The Council will be able to advise developers of known network operators in the area.

REASON: In the interest of improving connectivity in the District.

- 10 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling have been constructed, laid out, surfaced, lit and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety in accordance with Policy BE3 of the adopted West Oxfordshire Local Plan 2011.

- 11 The applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological investigation, to be undertaken prior to development commencing. The investigation shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.

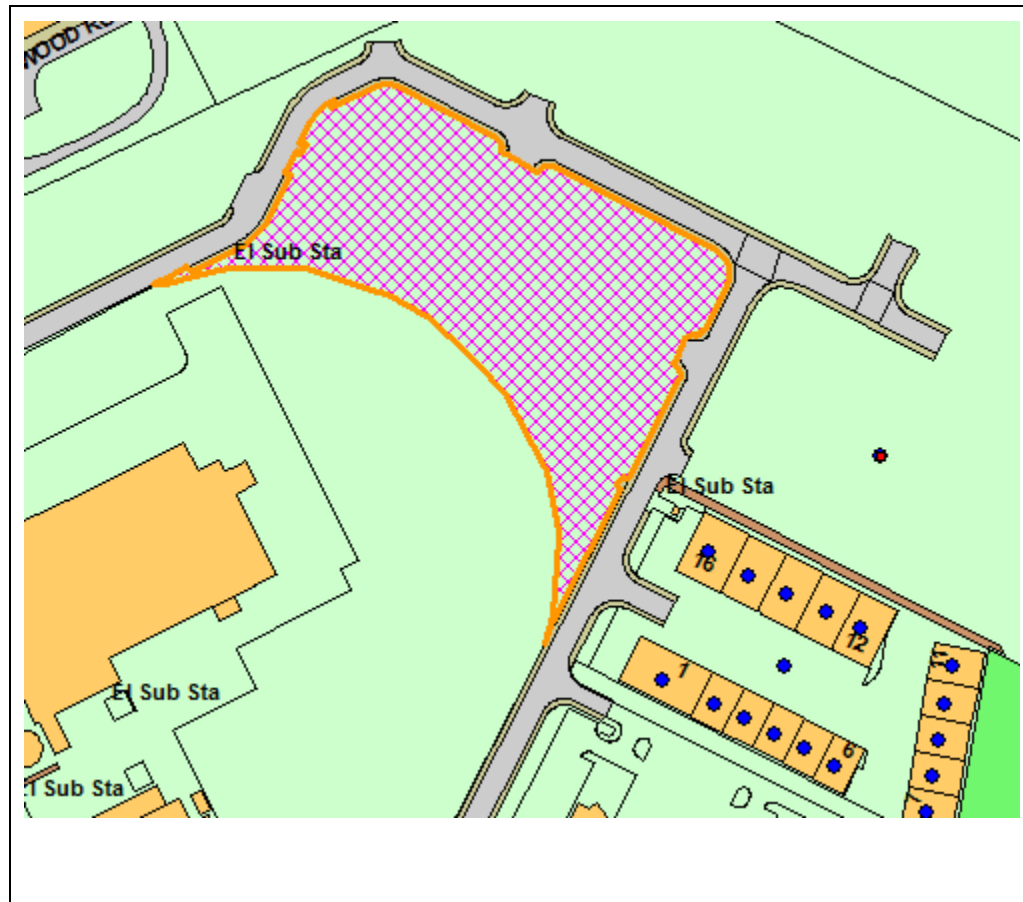
REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF.

- 12 Prior to the commencement of the development and following the approval of the Written Scheme of Investigation referred to in condition 11, a staged programme of archaeological investigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF.

Application Number	16/01469/FUL
Site Address	Land North of De Havilland Way Windrush Industrial Park Witney Oxfordshire
Date	6th July 2016
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Witney Parish Council
Grid Reference	433582 E 210038 N
Committee Date	18th July 2016

Location Map



Application Details:

Erection of new distribution centre and offices.

Applicant Details:

Owen Mumford

I CONSULTATIONS

- I.1 Adjacent Parish Council The proposed development will create additional traffic in the area of Brize Norton Road Minster Lovell for A 40 access. Whilst The PC recognise that the location is suitable for this kind of development, the proposed height of the buildings will create a detrimental visual impact on the village. Any conditions that the LPA could apply to address the PC's concern above would be appreciated.
- I.2 Adjacent Parish Council No objection.
- I.3 One Voice Consultations
- Key issues:
- Quantification of the transport impact arising from this development has not been detailed (trip generations/impacts).
More details needed of waste storage and collection areas on the site
Vehicle tracking must be submitted for manoeuvres within the site curtilage.
Poor pedestrian access to cycle parking and from the western car park to the main entrance on the eastern side of the building
Inadequate disabled parking
Detailed drainage scheme must be submitted
Legal agreement required to secure:
An agreement is required under Section 106 of the Town and County Planning Act 1990 to secure a financial contribution of £222,144 towards the construction of an A40/Downs Road junction.
Contributions towards Witney Area Transport Strategy
Based on the floor areas provided, the council seeks £48 per sqm. £48 x 4628sqm totalling £222,144 towards the A40/Downs Road junction.
Conditions:
If the District is minded to approve this planning application, the following conditions should be attached:
Estate Accesses, Driveways, Turning Areas and Parking
Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways, turning areas and parking to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways, turning areas and parking shall be constructed in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
- Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.
Cycle parking

Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

Drainage

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

Discharge Rates

Discharge Volumes

Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)

Sizing of features - attenuation volume

Infiltration tests to be undertaken in accordance with BRE365

Detailed drainage layout with pipe numbers

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

Network drainage calculations

Phasing plans

Flood Risk Assessment

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government guidance contained within the National Planning Policy Framework.

Travel Plan

A full site wide travel plan is required for this development. This should be produced prior to first occupation and then updated within 6 months of full occupation when adequate survey data becomes available.

A travel plan monitoring fee of £1,240 is required to enable the travel plan to be monitored for a period of five years.

Reason - To comply with sustainable development guidance contained within the National Planning Policy Framework

Construction Traffic Management Plan

A Construction Traffic Management Plan (CTMP) will need to be submitted and approved in writing to the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

Informatives:

De Havilland Way is not part of the adopted highway; however, if in the future it was decided to offer it up 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

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|------|---------------------------------------|---|
| I.4 | Adjacent Parish Council | Witney TC has no objections. |
| I.5 | WODC - Arts | No Comment Received. |
| I.6 | WODC Architect | No Comment Received. |
| I.7 | WODC Drainage Engineers | No Comment Received. |
| I.8 | Environment Agency | No Comment Received. |
| I.9 | WODC Env Health - Lowlands | No Comment Received. |
| I.10 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.11 | WODC Planning Policy Manager | No Comment Received. |
| I.12 | Thames Water | No objection subject to a Grampian condition. |
| I.13 | Thames Valley Police Licensing Office | No Comment Received. |
| I.14 | Town Council | No Comment Received. |

2 PLANNING POLICIES

E1 Employment Allocations

E2 New Employment Sites in Towns and Larger Villages (Group C)

E1NEW Land for employment

E2 New Employment Sites in Towns and Larger Villages (Group C)

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

3 PLANNING ASSESSMENT

Background Information

- 3.1 This application relates to the site allocated as "EMP 1" in the last but one local plan, proposal 9 in the adopted plan and as a main employment site in the emerging plan. The site has also been the subject of previous applications allowing the principle of B1, B2 or B8 use. The original permission had its life extended in 2010 and was partly implemented by way of construction of the road elements. A Reserved Matters application for a new manufacturing plant secured a resolution to approve but the parallel legal agreement was not signed and so it remains unissued. This application is for a smaller building than the one that secured a resolution to approve and is set closer to the existing industrial buildings i.e. further from the West Witney Sports facility.
- 3.2 In its design form it is predominantly a three storey height curved roof structure comprising the main distribution centre activities. In contrast there is a flat roofed three storey office complex situated on the De Haviland Way frontage of the site. Additional landscaping will be provided. It is hoped that this will be the first phase of development by the Company on the site with the company currently employing approx 600 people at its two UK sites.
- 3.3 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

- 3.4 The site is located in an area that has long been allocated for employment use and has in the past secured consents and resolutions for employment use. As such, the principle of one of our local successful businesses expanding onto this site is acceptable and to be welcomed.

Siting, Design and Form

- 3.5 Clearly this is a large building and there is no avoiding that fact. However it is set down further from the skyline ridge of the Windrush Valley than previous consents and the intervening planting along the Burford Road and sports complex boundaries, along with that along the internal spine roads, will help to settle the building into its context. Where seen from a distance it will be viewed against the backdrop, or in the context of, the large structures already on site at Abbot Diabetes Care. The architect has also taken the opportunity to modulate the long flank elevation into a series of smaller bays so that it will have less of a slab/wall like appearance. The second floor of the office element has been designed largely without windows on the most critical North elevation to reduce the opportunities for sun glare and light intrusion and with conditions to control the colour of the wall and roof cladding your officers are satisfied that whilst the building may be visible it will not be so intrusive as to justify refusal.

Highways

- 3.6 The application proposes the creation of 55 parking spaces. The County Council has raised a series of detailed issues about the location of cycle parking, waste storage areas, vehicle tracking etc but these are all considered capable of being overcome with minor alterations to the submitted scheme. OCC is also requesting a contribution towards transport improvements in

the vicinity of the site. This mirrors the requirements of the previous enabling consent and so any approval would be subject to the applicants first entering into a legal agreement with OCC to secure the funding.

Residential Amenities

- 3.7 There are no residential properties in the vicinity of the site and as such the impact on residential amenity is not considered to be sufficient to justify an objection.

Conclusion

- 3.8 This is a substantial building and will be visible beyond the bounds of the site. That having been said the site is allocated for employment purposes and has previously secured consent for large structures. It is well designed and will facilitate the retention and expansion of one of the major high tech employers in the District and contribute towards wider highway improvements. Subject to the imposition of a legal agreement to secure the OCC monies and to conditions to address matters such as materials, highway amendments etc 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 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 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 residential and visual amenities of the locality and to ensure there is no interference with the circulation and manoeuvring of vehicles on the site.
- 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 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.

- 6 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 building(s) is occupied.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 7 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways, turning areas and parking to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways, turning areas and parking shall be constructed in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.
- 8 Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.
REASON: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.
- 9 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include (some of which has already been submitted):
Discharge Rates
Discharge Volumes
Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)
Sizing of features - attenuation volume
Infiltration tests to be undertaken in accordance with BRE365
Detailed drainage layout with pipe numbers
SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
Network drainage calculations
Phasing plans
Flood Risk Assessment
REASON: To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government guidance contained within the National Planning Policy Framework.

10 A Construction Traffic Management Plan (CTMP) will need to be submitted and approved in writing to the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

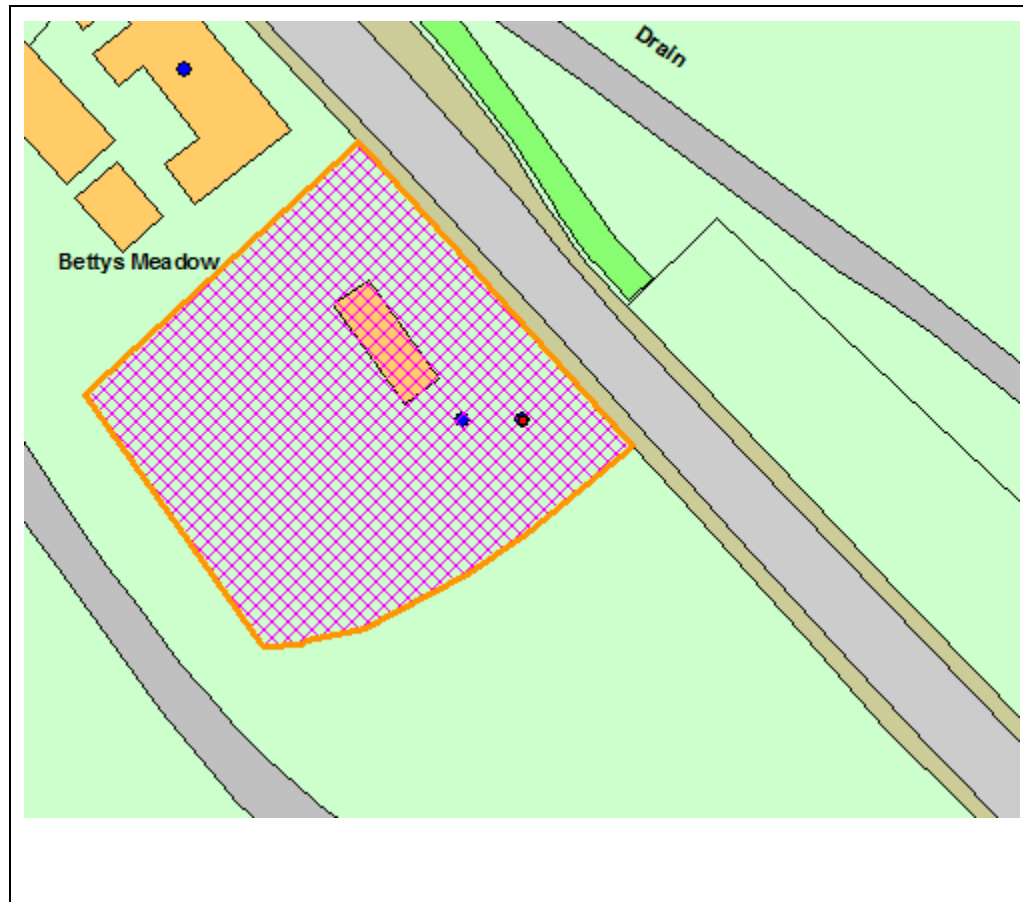
REASON: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

11 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.

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

Application Number	I6/01589/FUL
Site Address	Little Willow Oxford Road Eynsham Oxfordshire OX29 4BT
Date	6th July 2016
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Eynsham Parish Council
Grid Reference	444204 E 208709 N
Committee Date	18th July 2016

Location Map



Application Details:
Replacement amenity block.

Applicant Details:

Mr & Mrs Elvis & Jill Price & Hoggett
Little Willow,
Oxford Road
EYNESHAM
OX29 4BT

1 CONSULTATIONS

- 1.1 WODC Drainage Engineers No objection subject to conditions.
- 1.2 Parish Council Eynsham Parish Council objects to the replacement of a temporary or portable building with a permanent rendered concrete block work structure.
- The Parish Council also questions the use of a cess pit and SUDS drainage in a Flood Risk Zone
- If the LPA are minded to grant consent, it should be conditional on all breaches of previous planning consents being remedied.

2 REPRESENTATIONS

- 2.1 No letters of representation have been received to date.

3 APPLICANT'S CASE

As detailed in the Design and Access Statement:

- The application has been submitted to meet a sudden change in Mr Price's family circumstances, where his father. Mr John Price has recently had a stroke which has left him disabled. He is currently in hospital and urgent steps have to be taken to ensure he can receive the level of care and facilities before he can leave medical care. The applicants are able to care for Mr Price senior as long as they can provide the necessary facilities on site to cope with a disabled resident and his continuing treatment needs.
- It is clear that the existing facilities are inadequate on a number of counts. As illustrated in the photographs, the present structure can only be accessed by a number of steps, and the present toilet facilities are too limited in extent to provide disabled facilities. The only solution is to replace the present prefabricated structure with a purpose built facility.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
H13 Gypsies
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 Planning consent 10/0813/P/FP granted retrospective permission to change the use of the land at Little Willow, Oxford Road, Eynsham, to site a caravan for one gypsy family. Condition 3 of the consent stated that no more than two caravans could be sited on the site at any one time. A non compliance with condition application gained consent in 2013 to allow no more than 3 caravans (of which no more than two shall be a static caravan or mobile home) to be stationed on the site at any time.
- 5.2 This proposal therefore seeks consent for the replacement of an existing amenity block which serves the established gypsy site at Little Willow.
- 5.3 This application has been submitted to meet a sudden change in family circumstances of which facilities are required to cater for a sick member of the family. The current facilities are inadequate to help provide the care and requirements of the family member. The only solution is to replace the present refabricated structure with a purpose built facility.
- 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 considerations of the application are:
- whether the replacement of the existing amenity block would cause additional issues in excess of those related to the authorised use of the site.

Principle

- 5.5 Given that there is an existing structure on the site of which would be replaced with a slightly larger amenity block, officers are of the opinion that no further adverse impacts would be caused to the authorised use of the site for 3 caravans or to the surrounding area.

Siting, Design and Form

- 5.6 The replacement amenity block is considered to be an improvement in appearance than the existing structure.

Conclusion

- 5.7 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

6 CONDITIONS

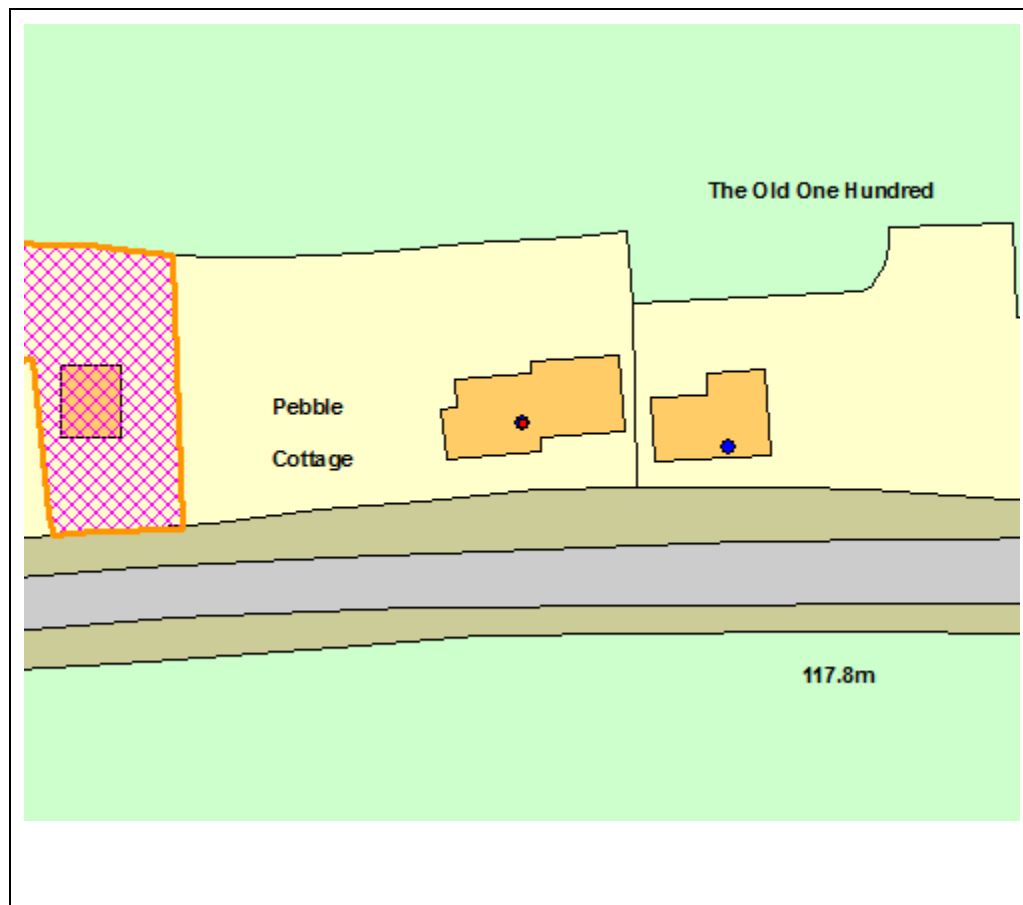
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 The amenity block hereby permitted shall only be used by members of the Price family at the site known as Little Willow; If the amenity block becomes no longer required or the site is sold on by the Price family the amenity block shall be removed and the land restored to its former state before it is re-occupied.
REASON: In the interests of visual and residential amenity.
- 5 That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan 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 design. The development shall be carried out in accordance with the approved details prior to the 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 Local Planning Authority.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

NOTES TO APPLICANT

- 1 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
 - Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - CIRIA C753 SUDS Manual.
 - The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after March 2015. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1)).
- 2 To avoid doubt it should be noted that all conditions attached to the planning permission 13/0190/P/S73 are still intact, in particular condition 1 restricting that no more than 3 caravans are stationed on site.

Application Number	16/01621/FUL
Site Address	Pebble Cottage New Yatt Road North Leigh Witney Oxfordshire OX29 6TH
Date	6th July 2016
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	North Leigh Parish Council
Grid Reference	437681 E 213007 N
Committee Date	18th July 2016

Location Map



Application Details:

Erection of two storey extension and conversion to dwelling.

Applicant Details:

Mr Colin Anscombe
Pebble Cottage, New Yatt Road
NORTH LEIGH
OX29 6TH

I CONSULTATIONS

- 1.1 Parish Council
- It is not clear if this is to be a separate dwelling from pebble cottage or ancillary to it.
No replacement access for pebble cottage shown - where will they put cars and new garage?
Has the bed sitter got a formal consent- it was agreed and playroom above back in 92 consent.
It is not in the body of village but in open countryside as is rest of hamlet.
The proposed access and turning space looks too tight to enable vehicles to come out forwards. How do occupants of proposed dwelling get to back garden? - too narrow a gap to walk thru with bins or bike or wheel barrow?
The height of proposed compared to existing - needs checking - does it involve raising the ridge – officers need to verify dimensions.
The building is doubled in size - Policy H10 c and d seem breached.
- 1.2 OCC Highways
- The existing access to the garages has substandard vision to the main road.
I note the residential use above the garages.
Pebble Cottage has two parking spaces fronting the property.
I cannot demonstrate that the proposal, if permitted, would cause such harm that would warrant the refusal of a planning permission.
No objection subject to
- G36 parking as plan.

2 REPRESENTATIONS

- 2.1 No comments received at the time of writing

3 APPLICANT'S CASE

A Design and Access Statement has been submitted as part of the application and has been summarised as:

- Pebble Cottage is situated in the Hamlet of New Yatt located in the east of the District, in an open setting, between Hailey and North Leigh. New Yatt has a linear form, with housing strung out along New Yatt Lane.
- The existing garage block currently incorporates a double garage with ancillary accommodation to the rear and on the first floor. The accommodation incorporates a bed sitter with shower room and kitchenette, which has been 'let' for the last few years.

- It is intended to convert the existing garage element together with side extension into living accommodation and creating a two bedroom dwelling. Although the site is in a small village, it naturally lends itself for infilling development, being located in a central.
- Part of the area, between the access and exit to the commercial park at New Yatt. The creation of a two bedroom unit will provide suitable accommodation for small families.
- The size of the existing garage block is 9.020m long x 6.070m wide overall, with a max. height to the ridge of 6.000m and the existing eaves of 2.790m. The size of the new side extension is 6.000m wide x 4.800m with matching ridge and eaves heights.
- The new casement windows and glazed doors will be double glazed UPVC, and the rainwater goods will be UPVC to match existing. The proposed roof finish will be Blue Slates slates laid to standard courses and the new external walls will have a lime render finish. Velux rooflights will be incorporated within the new and existing roof slopes.
- The new dormer windows will be traditional with rendered cheeks and apex.
- WODC Policy H10 relates to the conversion of existing buildings to residential use in the countryside. The proposed conversion will make a positive contribution to the character and appearance of the area and meets the requirements of the NPPF for diversification of buildings.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H10 Conversion of existing buildings to residential use in the countryside and

H2 General residential development standards

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application is to be heard before the Committee as the Parish Council have raised objections to the proposal. The application seeks consent for the conversion of an existing detached garage, and construct an extension to form a two bedroom dwelling, separate from the existing dwelling. A previous application which proposed the conversion and extension to form two dwellings was withdrawn following officers concerns which included highway safety.
- 5.2 Another relevant application was for the original consent of the garage. This application also included accommodation above the garage which was described as a playroom. The application was approved in 1992. According to the applicant's agent and the Parish Council, that accommodation has been let separately.
- 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 application site is located within New Yatt, in close proximity to the employment site. The existing garage sits approximately 20m from the main dwelling. The main house has existing parking to the front. Officers consider that Policy H10 of the adopted West Oxfordshire Local Plan 2011 which refers to conversions of buildings within small villages and the open countryside is of relevance. In addition officers consider that due to the current lack of housing provision, that relevant paragraphs of the NPPF should also be referred to. In particular it makes it clear that in some instances development in smaller settlements can be justified if it helps support higher order settlements. In this instance, on balance, officers consider that on the basis of the close proximity of the site to employment opportunities in New Yatt and nearby North Leigh, the relatively close proximity of two higher order settlements to the site and a bus service, that the principle of some limited development on the site is consistent with the sustainability objectives of the NPPF and as such can be supported.
- 5.5 To support this further, officers are requesting information from the applicant's agent regarding the length of time that the existing accommodation above the garage has been let separately from the main dwelling. By obtaining this information, officers consider would help to establish that the principle of separate accommodation has been set.

Siting, Design and Form

- 5.6 The garage will be extended to enable the accommodation to be created. However, it is traditionally designed, with the height of the garage appearing to remain at the same height as existing. Blue slates will be used for the roof covering with lime rendered walls. The garage doors will be replaced with glazed windows. As the existing structure is set back from the road, officers are of the opinion that the visual character and appearance of the streetscene will not be adversely affected.

Highways

- 5.7 OCC Highways have not objected to the scheme. Parking spaces to serve the existing dwelling are located to the front of the dwelling.

Residential Amenities

- 5.8 Due to the distance that the garage is situated away from the main dwelling, officers consider that no undue loss of light will result. A window is proposed to serve bedroom 2 which could overlook the garden area serving the existing dwelling. Officers have conditioned this window to be obscurely glazed and fixed shut to avoid future overlooking.

Conclusion

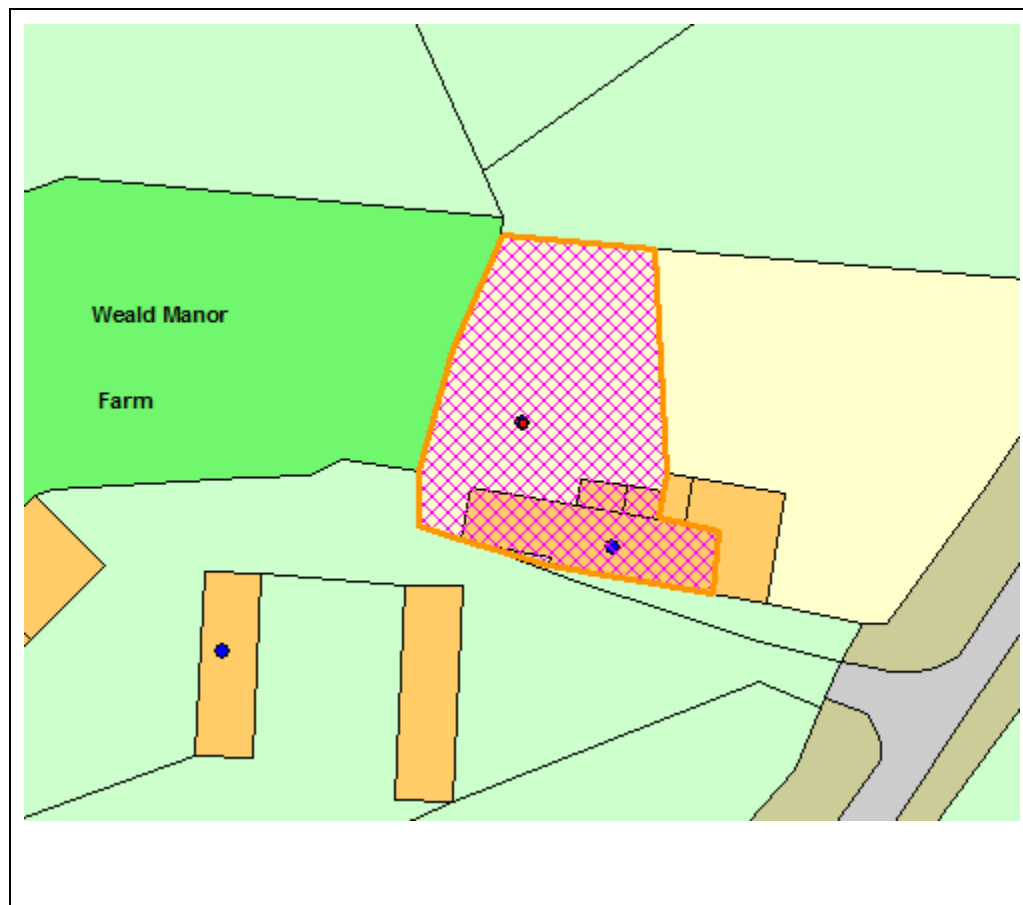
- 5.9 Overall, whilst not fully in accordance with the relevant housing policies for the location, given the NPPF advice, and that the accommodation above the garage has been let separately from the host dwelling, officers consider that on balance the proposal is acceptable in this instance.

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 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 Before first occupation of the extension hereby permitted the window(s) to serve bedroom 2 on the east elevation shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
- 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 extensions, sheds, windows and roof extensions other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed to protect the residential amenities of neighbouring properties.
- 6 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 7 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.
- 8 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.

Application Number	16/01851/FUL
Site Address	Barn at Weald Manor Farm Weald Street Weald Bampton Oxfordshire
Date	6th July 2016
Officer	Miranda Clark
Officer Recommendations	Approve subject to Legal Agreement
Parish	Bampton Parish Council
Grid Reference	431065 E 202597 N
Committee Date	18th July 2016

Location Map



Application Details:

Conversion of barn to dwelling.

Applicant Details:

Weald Manor Trust
Weald Manor
Weald
Bampton
Oxfordshire, OX18 2HQ

I CONSULTATIONS

- | | | |
|-----|----------------------------------|--|
| I.1 | OCC Highways
Drainage | No Comment Received. |
| I.2 | WODC Architect | No Comment Received. |
| I.3 | Ecologist | No Comment Received. |
| I.4 | WODC Env Services -
Engineers | <p>The applicant will need to submit a plan showing the location and size of the storm cell units, ensuring that all water will be contained on site, with no water being able to flow on to the public highway. The applicant has stated that the property will remain in the hands of the estate and all drainage will be the estates responsibility to maintain.</p> <p>Subject to a satisfactory plan showing the location and size of the infiltration units and clearly indicating that all water will be contained on site being received before a planning decision being made, I would not expect a surface water condition to be required.</p> |
| I.5 | Parish Council | <p>Following great discussion there was a vote of 5 with no objections and 3 objections, however there was unanimous agreement that this should be the last permitted development at this site, and as this is purported to be for an estate manager this should be formalised with an agricultural tie on the premises.</p> |

2 REPRESENTATIONS

- 2.1 5 letters of objection have been received from Mr Harrsion, Janet Rouse, Catherine Foster, Peter and Louise Bray, and Ron Harris.
- 2.2 The comments have been summarised as:
- I am writing to register my strongest objection to the most recent development proposal.
 - Not because it is a monster development of disproportionate scale. Not because it is completely flawed from a planning perspective. Not because it is an unsustainable project in isolation. I am writing because this application is the unacceptable face of mission creep and threatens an urbanisation "tipping point" to Weald's rural environment. Put it another way, as the additional number of dwellings proposed in Weald Manor's original applications were rejected by WODC as unsustainable and disproportionate then it seems to me completely logical and consistent that WODC should similarly reject this most recent additional dwelling proposal (even though it is "only" one dwelling).

- The manager is Chris Collett who has owned his own house, in Bampton, for decades. He does not need a new home. This is just a spurious way of getting yet one more house built.

Construction noise issues

- The traffic in Weald Street is already too much for what is for the most part a single track road. Please don't allow yet one more dwelling.
- You will I know be completely aware of the reasons for the residents of Weald's concerns about this development from the outset concerning urbanisation of a rural area, limited vehicle access, unsustainability etc as many of them were confirmed by WODC too and so I won't list them all but they are still relevant.
- Weald Street is not designed to deal with higher volume traffic. The head of the lane in particular is prone to collisions and strict control of the number of residents is required.
- We are concerned with the real risk of 'development by creep'. We understood that approval of the reduced scheme (which we supported) was on the basis that it did not represent a precedent for approval of further development, which would change the character of Weald irreversibly.
- Receipt of an application for an additional property so soon after the original scheme's approval demonstrates how quickly creep can occur.
- A proposal for an additional house in this site first appeared as application 15/04152/FUL, but such was the level and validity of objections that the applicant requested in January that "it be treated as withdrawn".
- It has now, inexcusably, a few months later, been resubmitted as application 16/01851/FUL.
- I consider it would be just if the letters of objection submitted against the original proposal should also accompany this new equivalent submission, since they are still valid.
- We were thus disturbed to learn that this application to build a further house on this site was being considered. This is precisely what the residents of Weald Street feared - once a few houses had been built in that area, they would set a precedent, and more would follow, turning what is a narrow rural single lane byway in a conservation area, used by horse riders, joggers, walkers and cyclists into a dangerous urban road, with no speed limit, no pedestrian path and no passing places (other than mounting and damaging the grass verge) for traffic travelling in opposite directions.
- I think this new reapplication is outrageous, completely unacceptable, and you should reject it immediately. In fact, I think you should go further and make it quite clear to the applicant that 6 houses are the maximum number that can be built on this site and that you will refuse to accept and consider any applications for further dwellings there.

3 APPLICANT'S CASE

3.1 Conclusion of the submitted Design and Access Statement has been summarised as:

- We feel that the statement demonstrates that the proposal complies with Policy H10. We do not feel that the development is harmful to the surroundings and believe it does not give rise to an unacceptable loss of residential amenity to the neighbouring properties and would therefore be in accordance with Policy H2 and BE2. Safe access and parking will be provided therefore complying with Policy BE3. The property would be occupied by the estate manager of Weald Manor Estate and would be in accordance with Policy H4.
- The NPPF supports the conversion of buildings to residential use in sustainable locations, especially where there would be an enhancement to the immediate setting as in this case.

This together with the development plan policy support for conversion not to obscure the form of the original structure, supports the case for returning the building to its original form as now proposed.

- The proposed alterations and conversion of this building to a dwelling would represent a significant visual enhancement to the building and its setting. Although the site is not located within a settlement, this statement has demonstrated that such works would be sustainable and development plan compliant, and accordingly, planning permission should be granted, subject to the imposition of appropriate conditions.

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

BE10 Conversion of Unlisted Vernacular Buildings

H10 Conversion of existing buildings to residential use in the countryside and

NE15 Protected Species

H2 General residential development standards

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within Weald which is a small village within the open countryside. It is also within a Conservation Area. Members may recall that in 2015, an application was approved with a legal agreement for the replacement of redundant farm buildings with six dwellings with associated parking and landscaping. The application reference is 15/02150/FUL.
- 5.2 This application is for the conversion of a barn to form a three bedroom dwelling for the estates manager.
- 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 Weald is not located within the main settlement of Bampton, officers consider that the most relevant policy of the adopted West Oxfordshire Local Plan to assess the proposed development upon is Policy H10. This policy does allow for the conversion of existing buildings to residential use in such locations if it is demonstrated that the building is not suitable or reasonably capable of the re-use for employment purposes, recreational or community uses, visitor facilities or tourist accommodation and it is demonstrated that its retention can only be secured through its conversion to residential use or there is an essential operational or social need for a dwelling. The retention of the building needs to meet overall sustainability objectives. The building should also be of substantial construction and capable of accommodating residential use without major reconstruction or significant enlargement, and that the building makes a positive contribution to the character and appearance of the area.

- 5.5 The barn conversion will provide accommodation for the estate manager who is a member of the current staff in association with Weald Manor Farmhouse. The estates manager will manage and maintain all of the buildings and land associated with Weald Manor Farmhouse and the six new dwellings which were approved in 2015. It is stated that there are no other properties on the estate that could be used for this purpose. Existing dwellings on the estate are let on long term tenancies. The six new dwellings are required to provide a minimum £40,000 per annum contribution from rentals towards the maintenance of Weald Manor which was subject to a legal agreement. The statement continues to state that it is important that the estate manager is on site 24 hours to respond to any emergency situation that arise on the estate such as electrical and plumbing breakdowns, security issues, storm damage and sewage treatment plant breakdowns. The estate are willing to enter a legal agreement which officers consider is necessary.
- 5.6 As the proposal is not for a new dwelling as such, but a conversion of a suitable building to form tied accommodation, officers consider that given that the building is capable of being converted, and that the resultant accommodation will be for the estate manager only, that the principle of the development is acceptable.

Siting, Design and Form

- 5.7 The existing barn is attached to Weald Manor Farmhouse and adjacent to the site where the six new dwellings were permitted. The Farmhouse is not Listed.
- 5.8 The barn is constructed of natural stone, and although repairs have been undertaken following fire damage in the 1950s officers consider that the barn is structurally sound and worth of conversion.
- 5.9 Adjoining the barn is a pigsty which will incorporated into the conversion, and an original structure that had been removed will be replaced allowing for more accommodation. The proposed roof will be of a pitched form.
- 5.10 Officers consider that the proposed design of the conversion is sympathetic to the former use of the building. Proposed windows and roof lights have all been kept to a minimum to retain the character of the barn. Officers have suggested conditions to remove permitted development rights for additional windows and any types of extension, to ensure that the former agricultural character of the building remains.
- 5.11 The converted barn will be sited adjacent to the six new dwellings, which officers consider still reflects the former farmyard character and appearance. If approved, the barn will visually retain the character for the whole site.

Highways

- 5.12 Your officers are still awaiting comments from OCC Highways and will verbally report the comments.

Residential Amenities

- 5.13 Given that the barn is located away from neighbouring residential dwellings, your officers do not consider that an undue impact will result to these properties.

Conclusion

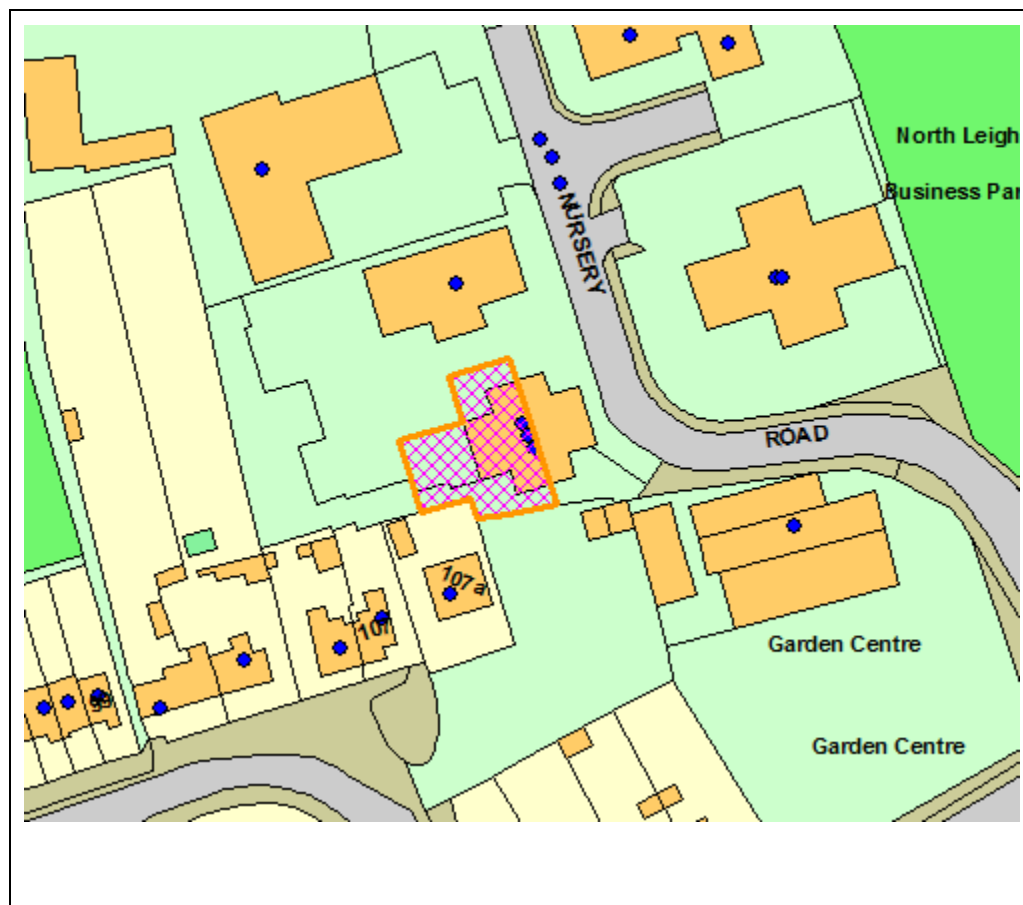
- 5.14 Offices consider that as the proposal is for a conversion of an existing barn and will be for an estate manager for Weald Manor, the proposal is on balance compliant with the policies stated above. Officers have taken into consideration the representations received and whilst this proposal is for another unit on the site, it is not a new build as per the six dwellings previously approved, but for the conversion of an existing barn. Given that the applicant is willing to enter a legal agreement to ensure that the barn conversion is tied to the Manor, your officers consider that the proposal complies with policies. Officers also consider that the conversion will enhance the farmyard setting and the visual appearance and character of the Conservation Area.
- 5.15 However the outstanding consultation responses, and requested information from WODC Engineers are expected to be received prior to the meeting, where officers will verbally update Members.

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 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 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.
- 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 additional windows/rooflights shall be constructed in any of the elevations of the building.
REASON: To ensure the former agricultural character is retained.
- 6 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 extensions, porches, conservatories, sheds or roof extensions other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed to retain the former agricultural character and appearance of the building.

Application Number	I6/01805/FUL
Site Address	Office 2-3 Unit 7 Nursery Road North Leigh Business Park North Leigh Witney Oxfordshire OX29 6SW
Date	6th July 2016
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	North Leigh Parish Council
Grid Reference	439391 E 213041 N
Committee Date	18th July 2016

Location Map



Application Details:

Change of use from office to two flats.

Applicant Details:

Mr Treloar
C/O Agent

1 CONSULTATIONS

- 1.1 WODC Rural Development No Comment Received.
- 1.2 OCC Highways No Comment Received.
- 1.3 Parish Council The PC has concerns of the impact of this on WODC's Business Development Plan for the Parish. Converting offices to apartments (in a designated business park), seems to me to be a backward step. Has the applicant tried to find a commercial buyer/tenant?

2 REPRESENTATIONS

- 2.1 Letters of representation has been received from Miss Davis from 89 Park Road and Mr Clark from 7 Wilcote View which raises the following issues:
- This seems a strange application for a business park.
 - There could be conflict between business and residents.
 - It may also lead to future pressure on local green land to be built on.
 - This would be a retrograde step.
 - The mix of residential & commercial is not conducive to harmony amongst either parties.
 - Could set a precedent for further transition from business to residential on this site & put increased pressure on existing green belt land.

3 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
E6 Change of Use of Existing Employment Sites
E1NEW Land for employment
OS2NEW Locating development in the right places
T4NEW Parking provision
The National Planning Policy framework (NPPF) is also a material planning consideration.

4 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for the change of use of an existing office building to 2x2 bedroom flats. The office makes up one half of a larger office building and the building is located in North Leigh Business Park.
- 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 Policy E6 of the adopted local plan refers to the change of use of employment uses to non-employment uses and states:

The change of use of existing premises and sites with an established employment use to non-employment uses will not be allowed unless:

- a) it can be demonstrated that the site or premises are not reasonably capable of being used or redeveloped for employment purposes; or
 - b) the site or premises is considered unsuitable on amenity, environmental or highway safety grounds for employment uses; or
 - c) substantial planning benefits would be achieved by allowing alternative forms of development.
- 5.4 The application provides no supporting information on alternative employment uses for the building. There is no marketing information showing that alternative uses have been explored, furthermore the application form states that the office is still currently in use.
- 5.5 The Business Park is considered to be an important employment site within North Leigh. The building is surrounded by other office uses and benefits from parking, the site is therefore considered suitable for employment uses.
- 5.6 Officers are of the opinion that retaining adequate employment facilities are key to ensuring that sustainable development can be achieved in the district and it is considered that the change of use would not give rise to substantial planning benefits.
- 5.7 Officers are therefore of the opinion that the loss of the office building without justification would be contrary to planning policy.

Siting, Design and Form

- 5.8 No external alterations are proposed to the building, two flats are considered to sit comfortably within the existing building.

Highways

- 5.9 The scheme proposes to include 5 parking spaces which would exceed the maximum requirements for 2x2bedroom flats.

Residential Amenities

- 5.10 The building is located within a business park. Given the existing use and relationship with neighbouring properties the change of use of the building is not considered to have an adverse impact on neighbouring properties, the amenity of future occupiers of the flats or the neighbouring offices. Notwithstanding this, officers do have concerns that a mix of residential and business use may give rise to conflicts in the future depending on the use of the offices. It may also restrict the ability of the offices to change to other employment uses if further building were lost to residential use. The introduction of residential use may also impact the viability of the wider business park if it is found to put off other businesses from moving in to the park.

Conclusion

- 5.11 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

- 1 The proposal is not considered to have satisfactorily demonstrated that the existing employment site is no longer capable of being used for employment purposes. As such the proposal is considered to be contrary to policy E6 of the adopted West Oxfordshire Local Plan 2011 and E1 of the Emerging Local Plan 2031.