

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 10th October 2016

**REPORT OF THE HEAD OF PLANNING
AND STRATEGIC HOUSING**



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Strategic Director. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

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

Please note that observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

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Application Number	I6/01450/OUT
Site Address	Land at Downs Road Curbridge Witney Oxfordshire
Date	28th September 2016
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Minster Lovell Parish Council
Grid Reference	43254I E 210044 N
Committee Date	10th October 2016

Location Map



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Application Details:

Mixed use development comprising; an employment area of up to a maximum of 3,720 sq metres BI(a) offices; a hotel (up to 62 bed); up to a maximum of 257 homes together with public open spaces; landscaping, new access to Downs Road and other associated works.

Applicant Details:

Witney Holdings Limited

C/o Agent

I CONSULTATIONS

- | | | |
|-----|----------------------------------|--|
| I.1 | WODC Architect | No Comment Received. |
| I.2 | EH Pollution | No Comment Received. |
| I.3 | WODC Legal And Estates | No Comment Received. |
| I.4 | WODC Planning Policy Manager | WODC - Business Development Officer has expressed a preference for more of the site to be allocated for B class employment uses rather than residential and whilst the provision of additional office space is welcome there is also a requirement good quality industrial space. He considers that the application inhibits the future development and expansion of Witney's employment area. |
| I.5 | Major Planning Applications Team | <p>No objection subject to various mitigation measures including:-</p> <ul style="list-style-type: none">- Funding for the widening of footway north of proposed access on western side of Downs Road.- Upgrading footway that runs from southern end of Bookend to the point at which it meets Range Road.- Upgrade existing crossing point from the western side of Downs Road to Bookend to a Toucan crossing.- Contribution towards public transport improvements - 1K per dwelling (contribution up to £257k).- Contribution toward proposed A40/Downs Road roundabout junction - £1.25 million. <p>No archaeological constraints.</p> <p>OCC Ecology did not raise any concerns and noted that WODC could seek their own advice.</p> <p>Education- No objection subject to conditions and provision of payment to fund expansion of permanent Primary and Nursery education and permanent Secondary School capacity at Wood Green School and/or Henry Box School Witney (see Heads of Terms for contributions sought).</p> |
| I.6 | Environment Agency | No Comment Received. |
| I.7 | WODC - Tourism | No Comment Received. |
| I.8 | Thames Water | No objections subject to a condition requiring a Drainage Strategy to be submitted, approved and implemented. Advice offered on surface water drainage and water supply. |

I.9	WODC - Arts	3.2 No objections subject to provision of either a contribution to the Local Authority or submission and agreement of a Public Art Plan.
I.10	WODC Env Services - Waste Officer	No Comment Received.
I.11	WODC Env Services - Landscape	No Comment Received.
I.12	Sport England South East	Sport England submitted a Holding Objection pending discussion and agreement (via Section 106 Agreement) for the provision of suitable mitigation to compensate for the loss of the existing private football pitches. A Unilateral Undertaking has been engrossed and submitted to the Planning Authority providing full funding for the provision of a new pitch designed in line with the FA standards as set out in the FA guidance to 3G football pitch design principles and layout.
I.13	WODC - Sports	No objections subject to contribution of £3268.48 per dwelling (£840,000) off site contribution towards grass roots football development within the town catchment together with contributions for play facilities equating to £817.85 per dwelling (£210,187.00) for the provision and maintenance of an on-site NEAP. NB The applicant has submitted an engrossed unilateral undertaking securing the future payment of £840,000.00 for a new 3G pitch and associated infrastructure to support grass roots football development in the locality. In addition the applicant has agreed to the further contribution of up to £20k for the enhancement of existing facilities with (for example) a covered spectator stand or other appropriate facility enhancement. The applicant has submitted costings to substantiate the payment offered on the basis of a new covered stand to be built at one of the existing facilities or elsewhere within the District.
I.14	WODC Building Control Manager	Based on the level of detail in this application Building Control have no comments.
I.15	OCC Ecologist	No Comment Received.
I.16	WODC Drainage Engineers	No Comment Received.
I.17	WODC Env Health - Lowlands	Following initial consultation in June the EHO raised concerns about the noise impact of the adjoining commercial premises on the amenity of residential occupiers. The applicants have responded providing further evidence detailing how the scheme could be configured to provide mitigation for the potential adverse impact of noise generated from the adjacent site. The EHO maintains his objection on the basis that the proposed mitigation measures are not as yet agreed. The applicant's acoustic consultant disagrees with this assessment and is

considers that the scheme as submitted (with the proposed mitigation) provides for an entirely acceptable development meeting all requisite standards. A final response from the EHO is awaited.

I.18 TV Police - Crime Prevention Design Advisor

No Comment Received.

I.19 Parish Council

Curbridge and Lew Parish Council The Parish Council has no objection to the application, although they have expressed concern about the flow of water into Curbridge off this site. The parish council have also requested funding to support the improvement of community facilities which will be placed under strain from the enlarged population.

Witney Town Council has no objection to this application.

Minster Lovell Parish Council Object to the application on the grounds of:- Contrary to NPPF and WODC's emerging Local Plan as follows:-

- North Curbridge development of circa 1,000 homes not shown on the plans although its amenities are referred to in the application documents. The general public is therefore not fully aware of the scale and impact of this development.
- Noted that 200 of the North Curbridge homes have to be sold before the A40/Downs Road roundabout is constructed. Construction traffic could therefore potentially come through Minster Lovell which will have a huge detrimental effect. OCC has highlighted the same concern. This can be dealt with by a standard condition whereby a construction management plan is put in place whereby appropriate routes can be agreed which can exclude the area of concern. There are proposals to downgrade Burford Road which include weight limits which would prevent lorries entering the village in any event.
- Children travelling to/from school will need to cross to Downs Road which is used by a large volume of commercial vehicles and HGV's, causing potential health and safety concerns.
- There is no planned shop on the development which means residents will have to travel to Witney and cross the busy Downs Road to Witney.
- It should be noted that London Welsh Rugby Club did not relocate to the Witney Football Club ground because the volume of traffic on the local road network would have created a negative impact. The same could be said for residential development at this location.
- St Kenelms Primary School is included in the application as another local school for the development. It should be clear that St Kenelms Primary School is already (regularly) over-subscribed and is therefore unlikely to meet the needs of new residents.
- Development west of Downs Road has historically been

limited to commercial use only. This site should continue to be used for such purposes only and not for residential development, in accordance with the WIT4 Witney Sub-Area Policy.

- Minster Lovell Parish Council strongly objects to residential development on the west side of Downs Road which sets a dangerous precedent for future development of houses between Witney and Minster Lovell. The area is described in the emerging Local Plan as the Witney Sub-Area - 9.2.6 states that development opportunities for housing needs to be carefully balanced with the need to protect the town setting and the separate identity of nearby villages. We cannot stress enough the precedent that the application will set in detrimentally impacting the village of Mister Lovell now and in the future, in the event that the application is approved.

- 20 years ago the development boundary of Witney was Downs Road, at the current rate of development the boundary will be breached from the east which will irreversibly impact Minster Lovell as a village.

2 REPRESENTATIONS

2.1 Representations have been received from 7 individuals/adjacent commercial operator, together with an on-line petition with (at the time of writing) circa 521 signatories. The petition is titled "Save Witney Community Football Stadium". The following concerns are raised:

- Loss of Football Club facilities.
- Development would constitute a large residential development in a commercial area, eroding Witney/Minster Lovell boundary.
- Ensure protection of wildlife habitats and corridors, encourage provision of feeding and breeding sites for a wide range of birds. (neutral Comment).
- Witney Lakes Resort question whether the area has capacity for an additional Hotel (in addition to a consented Hotel upon the Witney Lakes Resort.)

3 APPLICANT'S CASE

3.1 The application is in outline with the means of access as the only matter of detail to be determined at this stage. The vehicular access to the site is to be taken off Downs Road. Maximum density and heights are also secured by way of an indicative zoning plan.

3.2 The Planning Statement and Design and Access Statement submitted with the application outline the Applicant's vision for the development, the overarching objective of which is to provide a mixed use scheme, providing Hotel, office and residential accommodation, the emphasis of providing a good mix of housing sizes and tenure with a range of housing types and styles embracing a high quality design philosophy as required by the NPPF. The proposed highway alterations and improved pedestrian linkages that are proposed will deliver an accessible development in a sustainable location which will allow ease of movement throughout the development and into Witney.

3.3 The supporting documentation states that the development will protect existing on site environmental assets, retaining and enhancing the existing pond, providing large areas of public

open space with a landscape sensitive sustainable urban drainage scheme incorporating ponds and swales.

- 3.4 The Suds strategy proposed will reduce water run-off from the site thus reducing the risk of flooding both on and off site.
- 3.5 The proposed density is low in comparison with many developments and the layout has been informed by the Local Authority's Design Guide.
- 3.6 The proposed development includes 40% affordable housing, the applicants has offered commuted sums for necessary community infrastructure, most notably over £1 million contribution towards leisure and sport provision.
- 3.7 In terms of housing delivery the Applicant advices that market houses will be delivered by a private house builder/s with affordable housing provided in partnership with a registered provider. It is anticipated, subject to market conditions, that the site could be built out within a 2 year period.
- 3.8 The application is accompanied by the following technical and supporting reports all of which may be viewed in full online:
- Planning Statement
 - Design and Access Statement
 - Statement of Community Involvement
 - Ecological Appraisal
 - Landscape and Visual Impact Appraisal
 - Arboricultural Assessment
 - Transport Assessment
 - Noise Assessment
 - Flood Risk Assessment
 - Affordable Housing Review and Statement
 - Archaeological Assessment
 - Ground Condition Report
 - Foul Drainage Strategy
 - Section 106 Heads of Terms
 - Master Plan and Landscape Master Plan
 - Travel Plan

4 PLANNING POLICIES

BE1 - Environment and Community Infrastructure.
BE2 - General Development Standards
BE3 - Provision for Movement of Parking
BE4 - Open Space Within and Adjoining Settlements
NE1 - Safeguarding the Countryside
NE3 - Local Landscape Character
NE7 - The Water Environment
NE13 - Biodiversity Conservation
NE15 - Protected Species

T1 - Traffic Generation
 T2 - Pedestrian and Cycle Facilities
 H2 - General Residential Development Standards
 H3 - Range and Type of Residential Accommodation
 H7 - Service Centres
 TLC8 - Public Rights of Way
 NE2 - Countryside Around Witney and Carterton
 TLC12 - Protecting Existing Community Services and Facilities
 H11 - Affordable Housing on Allocated and Previously Unidentified Sites
 H4 - Service Centres
EMERGING POLICY
 Local Plan Deposit Draft Applicable Policies
 Policy OS1 - Presumption in Favour of Sustainable Development.
 Policy OS2 - Locating Development in the right places
 Policy OS3 - Prudent use of natural resources
 Policy OS4 - High Quality Design
 Policy OS5 - Supporting Infrastructure
 Policy H1 - Amount & Distribution of Housing
 Policy H2 - Delivery of New Homes
 Policy H3 - Affordable Housing
 Policy H4 - Type and Mix of New Homes.
 Policy H5 - Custom and Self Build Housing.
 Policy E1 - Land for Employment
 Policy EH1 - Landscape Character
 Policy EH2 Biodiversity
 Policy EH3 - Public Realm and Green Infrastructure
 Policy EH5- Flood Risk
 Policy EH6 - Environmental Protection
 WIT 4 - Witney Sub-Area Strategy

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This is a mixed use development comprising an employment area of up to a maximum of 3,720m² (40,000 square feet); BI (a) Offices; a Hotel (up to 62 bed); up to a maximum of 257 Homes (of which 40% will be affordable homes) and comprising a mixture of tenures to be agreed; Public Open Spaces; landscaping including sustainable urban drainage measures including storage ponds/swales; new access to Downs Road including provision for vehicles, pedestrians and cyclists; creation of general amenity areas and formal open space; creation of ecological habitat and associated engineering and service operations. The application is in Outline seeking to establish the principle of development and the means of access. The original illustrative plan seeking to demonstrate how the scheme might be developed out did not demonstrate that the scheme would have been acceptable in that form and so a revised illustrative plan has been tabled.
- 5.2 The application site extends to approximately 30 hectares. It is located on the western side of Downs Road between industrial development to the north and Witney Resorts Golf Club and

Spa to the south. Open countryside adjoins the western site boundary. The site comprises of a mixed use (part brownfield and part undeveloped scrubland). The site was formerly the home of Witney Town Football Club and its associated playing pitches. This was a private club which ceased trading in 2012. The Football Club stand, clubhouse and pitches extend to around 30% of the site area as a whole and the application site lies opposite the recently resolved to approve Curbridge Urban Extension (West Witney).

- 5.3 The application site is not widely visible from the public realm (other than from the access at the frontage), having a well-established tree and hedge lined boundary to the east (Downs Road), Industrial development and earth bund to the northern boundary, farmland and established boundary planting to the west and the Witney Lakes Resort (a private club) to the south. The boundary between the application site and Witney Lakes Resort is more open with views of the western half of the site available from the adjacent golf club.
- 5.4 The site does not lie within any specially designated area. The site is not within or adjacent to the AONB, a designated Conservation Area, SSSI, Green Belt or other non-statutory land designation. There are no heritage assets within or adjoining the site.
- 5.5 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

- 5.6 The application proposes the construction of offices, hotel and up to 257 homes on land to the west of Downs Road, Witney. The site is not allocated for development. Around 70% of the site is undeveloped land. In terms of the principal of residential development in this location there are a number of relevant considerations.
- 5.7 In terms of overall strategy, Witney is identified as a main service centre in the adopted Local Plan (2006) It is therefore intended to be a key focus for housing and economic growth. This strategy continues to be reflected in the emerging Draft Local Plan. Thus the principle of further housing and commercial development at Witney is acceptable. It is a sustainable settlement, offering a wide range of services and facilities and an attractive town in which people want to live and work.
- 5.8 In terms of the site itself the Applicant contends that the site is needed to boost significantly housing supply in the district. It is in a sustainable location, relative to the town centre, and any potential harm in terms of flood risk, landscape impact, ecology, noise, traffic etc can all be appropriately mitigated. The applicant further advises that the development would provide additional BI office accommodation together with the potential for a hotel or additional employment space and the proposals contribute significantly to the supply of affordable housing (40%).
- 5.9 In assessing the merits of these arguments it is pertinent to note that following the Local Plan Inspector's initial comments WODC issued a new call for sites. This site was submitted as part of that "call", as a means by which WODC could seek to address the Inspector's comments in respect to housing numbers. In contrast to some other sites being promoted it is not constrained by multiple land owners and there would be no constraint to the site being delivered quickly within the plan period.

- 5.10 With regard to the adopted Local Plan (2006) the two most relevant policies in terms of the principle of development in this location are Policy H7 and Policy NE2. Policy H7 allows for residential development at key settlements such as Witney in the following circumstances:
- allocated sites
 - infill
 - rounding off within the built-up area,
 - conversion of existing buildings.
- 5.11 The proposed development rounds off the area between industrial development to the north, the Witney Lakes Resort to the south, and Curbridge Urban Extension to the east. As regards the landscape impact, whilst it is acknowledged that development of this site will extend the developed boundary slightly closer to Minster Lovell, there remains a significant buffer of agricultural land between the western site boundary and the village of Minster Lovell. NE2 may also be considered to be a policy relevant to the supply of land and in the context of this proposal and where we cannot currently demonstrate a 5 year housing land supply Officers consider it should be given only limited weight - especially as it is not considered that this development would conflict materially with the objectives of Policy NE2.
- 5.12 With regards to land supply issues at recent appeals WODC have conceded that they do not have a demonstrable 5 year land supply and thus irrespective of whether this proposal is considered to be rounding off or not Policy H7 carries limited weight as it similarly inhibits the supply of housing. Furthermore the Council has publicly acknowledged that to meet future housing requirements some development on urban fringe sites will be necessary. Thus simply because the development does not necessarily fulfil the requirements of Policy H7 this does not in itself render the proposal unacceptable. The application site does however have the capacity to offer additional housing/employment land over and above that currently proposed to help meet the current shortfall and even if the site is not allocated in the forthcoming draft local plan it would be inappropriate to withhold consent on the grounds of prematurity when WODC do not currently have a robust 5 year supply of housing land. The fact that an element of employment provision is also made helps to ensure that development of the site for housing will not be at the loss of all employment opportunities that may have arisen there given its proximity to existing employment sites.
- 5.13 Taking all the above in the round your officers are satisfied that given our current 5 year housing land supply position the principle of development is acceptable.

Landscape Impact

- 5.14 Policy BE2 of the adopted Local Plan requires that new development respects and where possible improves the character and quality of the surroundings. Proposals for new buildings should clearly demonstrate how they relate satisfactorily to the site and its surroundings, incorporating a landscape scheme as appropriate. In addition proposals should be well designed and respect the scale, pattern and character of the surrounding area. Proposals will only be permitted where the landscape surrounding and setting for existing towns and villages is not adversely affected.
- 5.15 This application comprises the redevelopment of a part brownfield site. It removes unsightly dilapidated buildings on site (albeit that they clearly retain some importance in the minds of

some as a community facility) with the illustrative plans showing that a high quality mixed use development scheme can be created. The application site is not in an area of special or specific control. There are no emerging policies which seek to afford special or specific protection to the countryside around Witney. The site partly comprises previously developed land, with the remaining open areas being of low landscape value in their undeveloped state. The proposals if built out as per the revised illustrative plans would represent a development with high quality landscaping to the development fringes. Open space and sustainable urban drainage has been considered from the point of view of improving the landscape character using existing features and improving existing features for the wider landscape benefit. The site adjoins existing commercial development to the west and existing leisure development to the east. The Curbridge/West Witney Urban Extension will occupy land on the opposite side of Downs Road. In light of the above the impact of the development proposal on landscape character is considered negligible and not in conflict with Policies NE1, NE2 and NE3 of the adopted WODC Local Plan and relevant provisions of the NPPF.

Highways

- 5.16 Policy BE1 of the adopted Local Plan is clear that development should not be permitted unless appropriate supporting transport, service and community infrastructure is available or will be provided and appropriate provision has been made to safeguard the local environment. The approval of the Curbridge/West Witney Urban Extension scheme was contingent upon the provision of a new junction at Downs Road/A40. Adding further residential development at the scale proposed in advance of the junction could therefore be detrimental to the town, further exacerbating problems of traffic congestion in the town, unless further improvements are introduced.
- 5.17 The Applicant has submitted a Transport Assessment in support of their application which concludes that the development proposals are acceptable in highway and transport terms. The Applicant's Highway Consultants have discussed the proposal with OCC Highways in detail. The initial concerns expressed by OCC Highways within their initial response to this application have been addressed by the Applicant's Highway Consultants and mitigation measures subsequently agreed with OCC. The Applicant's Highway Consultants have modelled the development on the basis of two alternative scenarios: Firstly, this proposal coupled with the Witney/Curbridge Urban Extension and A40/Downs Road junction, and secondly this proposal without the Curbridge Urban Extension. Both scenarios are satisfactory in highway transport terms and neither will have severe transport impacts. In light of the above it is considered that the traffic impact of the proposal has been appropriately considered and that it would not have a detrimental impact on the safety or convenience of highway users and is thus compliant with Policy BE3 and BE18 of the adopted WODC Local Plan and Paragraph 32 of the NPPF.

Residential Amenities

- 5.18 There are no existing residential properties within the vicinity of the site that would be affected by the proposed development. The impact upon the houses proposed on the already approved (subject to the applicants signing the 106) Witney/Curbridge development is similarly neutral. The outlook from the residential components of the site will either be across the golf course or to open countryside to the south and west, to the very substantial and well planted noise bund to the north or to Downs Road to the east. These are all considered acceptable in residential amenity terms. The main issue as regards residential amenity is whether the amenity of the new

units is acceptable- particularly with regard to the noise of the adjoining commercial premises and from traffic associated with the proposed commercial use.

- 5.19 Members will note that there has been a holding objection and an on-going level of correspondence between our Environmental Health advisors and the applicants noise consultants. The issue is that there is a dust extractor associated with the operation of the Stewart Milne timber factory and forklift truck noise associated with the Chris Haytor distribution buildings that have the potential to cause unacceptable impact, in particular as the noise is often 24 hours per day when background levels of noise drop off and when incoming residents might reasonably expect a quieter residential environment. The revised illustrative plans have sought to address these concerns by locating the proposed commercial developments in that part of the site most impacted by noise. These commercial units will act as a buffer to the residential property elsewhere on site and of themselves would be acceptable with higher noise impacts in proximity. The forklift truck operation impact is stated by the applicants to be barely audible with the noise bund in place and as such they are confident that this issue of itself is not sufficient to cause harm. Subject to your Environmental Health Officers agreeing to this then existing noise is no longer considered to be a reason to withhold consent.
- 5.20 The proposed commercial units on the site are themselves located in proximity to the proposed residential properties. However they will be subject to a condition requiring that they only be occupied by B1 uses which are by definition acceptable in a residential location.

Ecological impact

- 5.21 The proposed development site is not covered by any statutory protection designations and the Council's records do not indicate that there are any records of protected species on site. The Planning Application is accompanied by an Ecology Appraisal which examines the ecological value of the site and surrounding area. No protected habitats or species are identified within the site which is dominated by poor quality scrub land and the disused football fields, stands and clubhouse. The existing trees and hedgerows around the perimeter of the site are to be retained and enhanced. The existing balancing pond within the site is to be retained and enhanced. The Ecology Report recommends a series of mitigation measures and suggestions for best practice which will be addressed by condition. In light of the above the site is not constrained by ecological interests.

Flood risk

- 5.22 The whole of the red line area for this Planning Application falls within Flood Zone 1 (low risk) and it is therefore considered as a sequentially preferable site for locating sensitive land uses such as residential development. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from the areas at highest risk. Paragraph 103 also states that in determining planning applications Local Planning Authorities should ensure flood risk is not increased elsewhere. Whilst the site itself is at low risk of flooding, the slope of the land (gently sloping from west to east) could, if flows were not satisfactorily accommodated on site, increase the risk of flooding off-site. The application has been accompanied by a Flood Risk Assessment which concludes that "if the detailed design accommodates a full suite of SUD's measures, then the development is not at risk of flooding and does not pose rise to off-site properties or land." Whilst further detail will be required at the Reserved Matters stage this is a matter that can be dealt with by condition.

Community Infrastructure/section 106 agreement

- 5.23 In terms of community infrastructure, Witney provides a wide range of services and facilities which would be relatively easily accessible by sustainable means from the proposed development site- particularly when the Witney/Curbridge development is built out. Notwithstanding this it is important to determine whether there are any capacity issues, particularly in relation to the local provision, to determine whether any contributions should be made to increase local capacity and to comply with Policy BE1. The draft Heads of Terms submitted in support of this application confirms that the Applicant would provide commuted sums towards education provision and enhancement of community facilities within Curbridge Parish Council (together with a range of other contributions detailed within the heads of terms set out below):

3G Playing pitch	839,999.36
NEAP	210,187.45
Road Improvements to A40/Downs Road	1246450
Bus Subsidy	257000
Monitoring	2480
Secondary school	1,101.768.00
Nursery/primary School	122,682.00 plus 919584
Library	65,993
Curbridge PC Improvements	30000
Provision of spectator stand funding	20000
40 % Affordable Housing	

- 5.24 Ensuring road Improvements to Downs Road, footways ghost right turn lane etc are implemented. There will also be a need to pick up the ability to access further land on specified terms should the need arise in future.
- 5.25 Members will note that the retention of the Football Stadium has not been secured. Officers did seek to include retention of the facility as part of the negotiations but in the ultimate assessment the position is that this facility has not operated as a club for some while, is in a state of disrepair and consent is in place to demolish it. Its loss as a result of redevelopment will not cause any actual loss of an existing used facility and the retention of the building will not of itself cause it to be used for the purpose it was built. However the concerns about leisure and sporting capacity are well founded and in that regard monies have been secured to provide replacement pitch capacity and the developer has also agreed to set aside 20 k to enable a local club or council to upgrade existing facilities to allow for covered spectator stands. Your officers consider that this provision adequately compensates for the loss of the disused stadium and as such this element of concern is not considered to warrant a refusal of planning permission, as adequate compensation/mitigation has been secured

Conclusion

- 5.26 This application proposes development of a site that is not allocated for the proposed uses in the adopted plan. However given the current housing land supply position and that what is proposed is a mixed use development in a relatively sustainable location, the principle of development is not considered unacceptable. Other than noise there are no technical objections and it is anticipated that the noise issue can be resolved. It is fully recognised that the loss of the stadium is of considerable concern to many people locally but it is a private club that has not been used for sports for a long period and has a consent in place to be demolished. Adequate

mitigation/compensation has been negotiated to offset the loss of the facility. Substantial mitigation has also been secured to meet the requests of other consultees for monies to offset the harms arising from the development. As such, and notwithstanding that the land is not allocated, your officers consider that the scheme should non the less be supported and so approval subject to the applicants first entering into a legal agreement (the main provisions of which are set out above) is recommended.

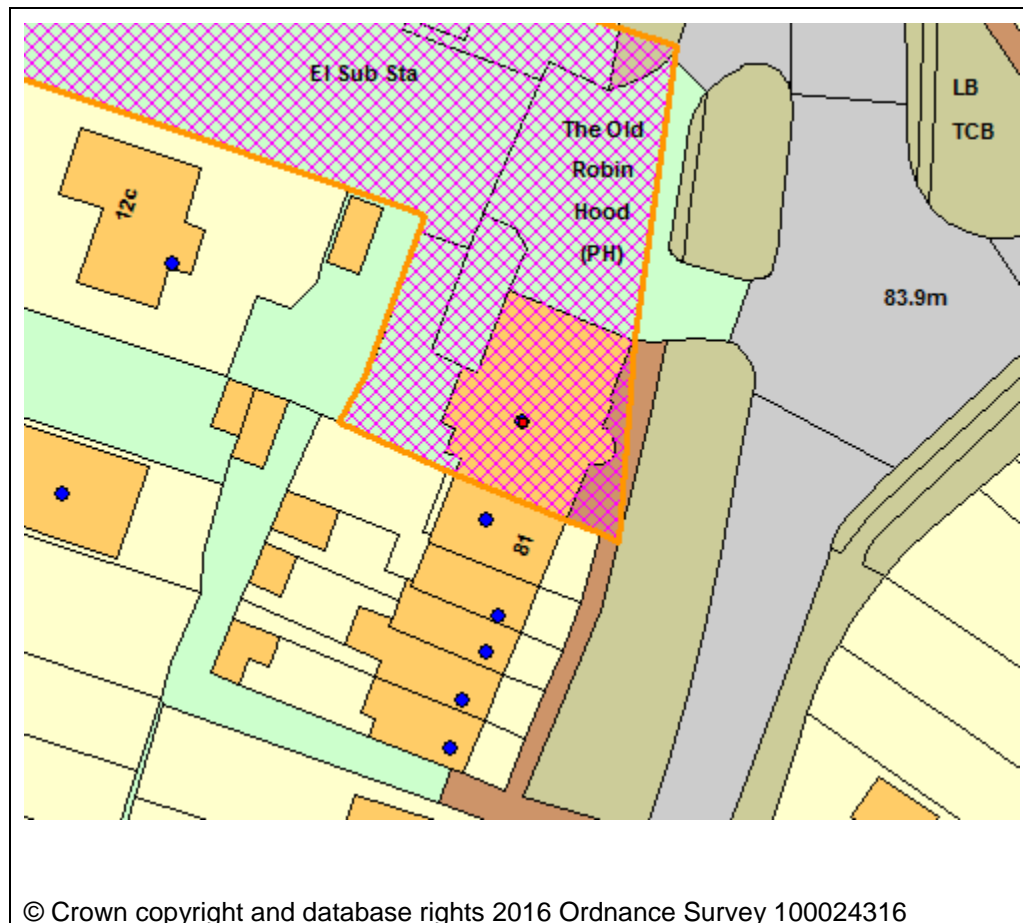
6 CONDITIONS

At the time of agenda preparation the full details of the conditions has not been worked up. It is anticipated that they will cover:

- Time limits
- Amended plans/details
- Noise controls
- Ecological mitigation
- Tree and pond protection
- BI use only for commercial elements
- BI or Hotel use for Hotel element
- Road/highway details
- Drainage/SUDS details
- Fixing height and levels of units
- Public art plan
- Construction traffic management plan
- Etc

Application Number	I6/02414/FUL
Site Address	The Old Robin Hood 81A Hailey Road Witney Oxfordshire OX28 1HJ
Date	28th September 2016
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435710 E 210936 N
Committee Date	10th October 2016

Location Map



Application Details:

Conversion of former pub to 3 no. flats, construction of 4 no flats and 2 no. bungalows (Amended Description)

Applicant Details:

Gomm Developments
35 High Street
Ascott Under Wychwood
Chipping Norton
Oxfordshire
OX7 6AW

1 CONSULTATIONS

- | | | |
|-----|----------------------------|---|
| 1.1 | WODC Head Of Housing | No Comment Received. |
| 1.2 | OCC Highways | The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
No objection subject to
- G36 parking as plan
- G31 drive etc specification
- G47 SUDS sustainable surface water drainage details |
| 1.3 | WODC - Arts | No Comment Received. |
| 1.4 | WODC - Sports | No Comment Received. |
| 1.5 | Thames Water | No objections |
| 1.6 | Town Council | Mrs S Groth Witney Town Council has no objection to this application. |
| 1.7 | WODC Drainage Engineers | No Comment Received. |
| 1.8 | WODC Env Health - Lowlands | I have no objection or conditions to recommend.

Technical Pollution Services - no objections - condition to be added if minded to approve |

2 REPRESENTATIONS

- 2.1 2 letters of objection have been received at the time of writing from Mrs Sinead Morris of 78 Hailey Road Witney, and Mr Howard Busby of 91 Hailey Road.
- Description of pub is misleading as the pub use ceased on an earlier planning application and has been subject to alteration including the separation of No 80 from the main 'house'; let recently prior to this application.
 - The use of the 'beer garden' as proposed parking would appear to be excessive and although not noted would entail relocation of the existing substation. The access would cross a busy pedestrian way leading to the local primary school north of the proposed development. There appear to be no indication of any details of possible access/control or

proposed lighting; surface treatment of the access and parking areas to minimise noise levels.

- There are minimal details in regard to proposal for landscaping including details of boundary treatment ie walls or fencing; planting.
- In the main my wife and I are totally against the over development to the frontage with its associated impact from parking proposals.
- The other issue is the lack of any consultation in regard to boundary treatment and the omission from the details of work to the substation again on our southern boundary.
- Over development of the site. I support the principle of redevelopment but in sympathy to the existing character of Hailey Road and the street scene.
- The garden area of the site is extremely elevated and the two proposed bungalows located in this part of the site would give the effect of a house built on a hill and be a incongruous addition to the street scene. They would also give the effect of overlooking the front gardens across the road which is their only amenity space as they don't have back gardens. If the land level in the garden were to be significantly reduced this would mitigate this.
- I am also concerned that there is insufficient parking on the site.
- More landscaping
- Materials should reflect the Cotswold stone buildings on the road (being the older original houses).
- Lastly as a point of clarification the application says existing housing is a 1 x 1 bed flat, however it is now a 4 bed house (14/1224/F/P).

3 APPLICANT'S CASE

A letter has been submitted with the application, and has been summarised as:

- The concept of the proposal is to close up and visually improve the streetscene in this section of Hailey Road, whilst supplying units on the location.
- The scheme will provide a number of low cost units i.e. one bed, whilst in design times achieve the aim of improving the streetscene.
- Minor changes are proposed to the front of the former PH.
- The adjacent 2 storey new build (4 number 1 bed flats) also take note of the current design of existing buildings in the vicinity. The 2 bungalows to the rear of the site relate well to adjoining single storey units with car parking provided within each plot.
- With careful choice of materials, the scheme will enhance the character of this section of Hailey Road.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE8 Development affecting the Setting of a Listed Building

H7 Service centres

H2 General residential development standards

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

EH7NEW Historic Environment

T1NEW Sustainable transport

T4NEW Parking provision
H4NEW Type and mix of new homes
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 Cllr Langridge has requested the application be heard before the Committee for the following reasons:
- As Local Member, please may I request that this application comes before the Lowlands Planning Committee. The reasons for this request are that I am concerned that this is an over development of the site and it is not in keeping with the surrounding area. In addition I have concerns over the level of amenity space for the new flats.
 - Given the height of the rear elevation I am concerned about the over dominance of the development in the streetscene.
 - I am also concerned about the effect on the established right of way in front of the site.
 - I am concerned about the loss of an important long established gap in the built form at this site.
 - Lastly this site has come before Members in the past so for reasons of consistency it should do so again.

5.2 The application was deferred from last months meeting to enable Members to undertake a site visit.

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 former Robin Hood public house is located along Hailey Road in Witney. An application in 2014 (14/1224/P/FP) was approved for the change of use of public house to dwelling.
- 5.5 Surrounding the building are grass areas with a large parking area. Mature residential dwellings, surround the site. As such in terms of developing the site for residential purposes, your officers consider that the principle is acceptable.
- 5.6 The proposals are for the conversion of the former public house to 3 flats, construction of a new building to accommodate a further 4 flats, and 2 bungalows to the rear of the site.
- 5.7 In terms of the conversion of the existing building into 3 flats, your officers consider that the principle of changing the former public house to residential has already been established with the granting of permission in 2014 for a single dwelling on the site.
- 5.8 Adjacent to the existing building, fronting the highway, is the proposed new building to accommodate 4 flats. This building is sited in close proximity to the existing building. Whilst your officers have some concerns regarding the scale and siting, this building has been designed to replicate the existing building, including proposed hips which help to reduce the bulk of the

development. Part of this building will be set back from the existing building, and all of the building will be set back from Hailey Road. Officers consider that this will help the building appear less visually dominant within the streetscene.

- 5.9 To the rear of the site, where the land does rise up, 2 bungalows are proposed. They will be of a semi detached pair and in line with the position of the existing bungalow at the rear of the former public house building. Existing gardens serving two storey dwellings at Taphouse Avenue will be to the rear of the site.
- 5.10 Your officers are of the opinion that as the site is surrounded by existing dwellings, that the principle of the redevelopment of the site is acceptable.

Siting, Design and Form

- 5.11 Although officers are of the view that the proposed bungalows are of an acceptable design, officers have concerns with the height of the new building for the new flats, and other various design elements. As such officers are seeking amendments, which are anticipated will be received prior to the meeting. Officers will verbally update Members at the meeting.
- 5.12 Officers have also suggested a condition to request a schedule of materials to ensure that the development does not appear incongruous within the streetscene.

Highways

- 5.13 Although comments have been received about the inadequacy of on site parking, OCC Highways have no objection subject to conditions.

Residential Amenities

- 5.14 In terms of the conversion of the public house, officers do not consider that there will be an adverse impact to neighbouring properties' residential amenities in terms of loss of privacy. Screening treatment is proposed for the existing balcony area. If the design issues are resolved, officers have suggested conditions for exact details regarding the hard surfacing material, to ensure noise disruption from the car park area, is minimal.
- 5.15 Although the land does rise towards the rear, due to the proposed dwellings being bungalows, your officers do not consider there to be such a level of overlooking to warrant refusal of the proposal. The removal of permitted development rights for the bungalows has also been suggested in the list of conditions.

Conclusion

- 5.16 Your officers consider that, on balance, the proposal will provide a mix of housing which will make a positive contribution to the existing visual appearance of the site. Given the current situation regarding the housing supply, officers consider that the proposed development, located within a sustainable location, is acceptable and compliant with the relevant paragraphs of the NPPF. Conditions have been suggested to attempt to overcome issues such as overlooking, noise and boundary treatments. Officers will verbally update Members at the meeting regarding whether the design issues have been resolved.

6 CONDITIONS

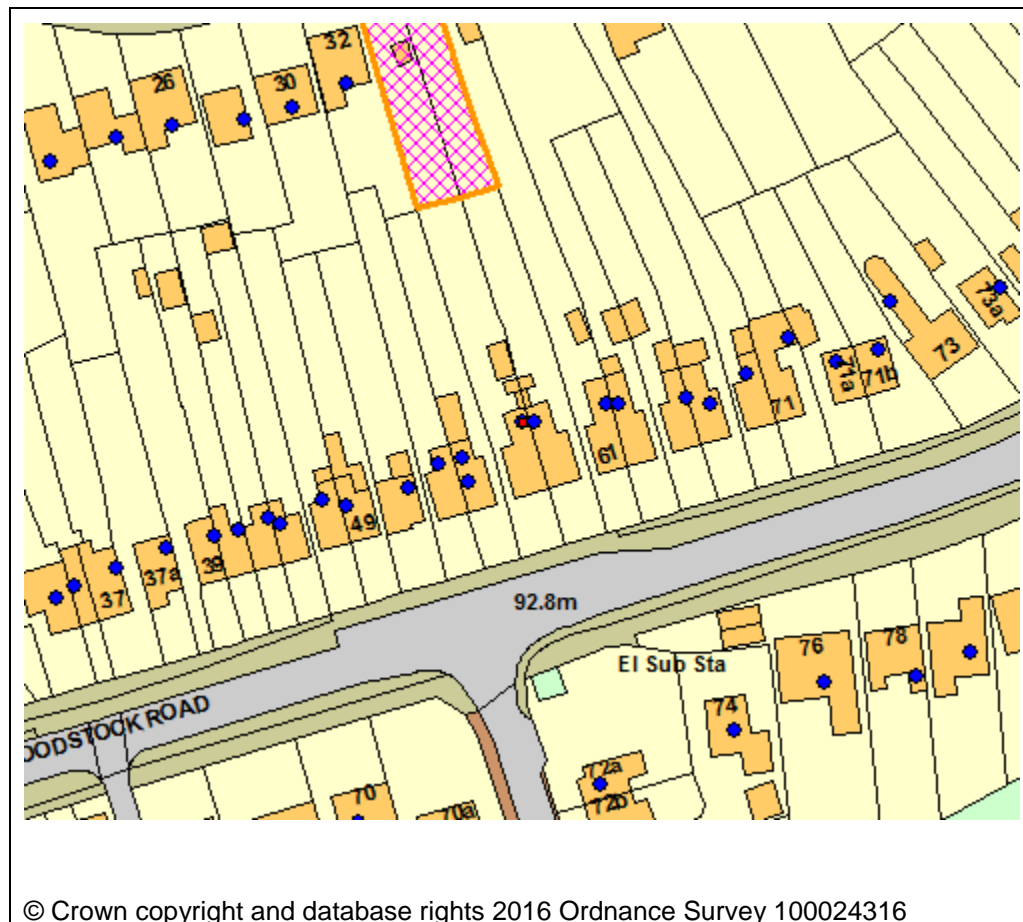
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on.
REASON: The application details have been amended by the submission of revised details.
- 3 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.
- 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 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, dormer windows, garages, and sheds, other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed to protect the residential amenities of existing properties.
- 6 Notwithstanding details contained in the application, detailed specifications and drawings of the proposed screen to the existing building at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that feature is erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure residential amenities of neighbouring properties are protected.
- 7 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.
- 8 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling has 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.
- 9 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

10 A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include detailed specifications and 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, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To safeguard the character and landscape of the area.

11 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the use hereby permitted is commenced.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.

Application Number	I6/02668/FUL
Site Address	57 Woodstock Road Witney Oxfordshire OX28 1EB
Date	28th September 2016
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	436504 E 210742 N
Committee Date	10th October 2016

Location Map



Application Details:

Proposed erection of 2 houses at the rear of 57 & 59 Woodstock Road with access onto Early Road.

Applicant Details:

CLlr Carol Reynolds, 57 Woodstock Road, Witney, Oxfordshire, OX28 1EB

- If permission is granted to build semi-detached houses on this land, it will be difficult for future applications for semi detached or even terraced properties to be denied. The entire character of the road could be radically altered as a result.
- Contrived design.
- Query the numbering.
- Take away light from my garden.
- It is very baffling and frustrating that the planning department has allowed for these revised plans to proceed for planning permission or consultation. It is sad to see taxpayer's money still wasted on tackling such issues.
- We accept the development of a single detached house with a garage but object to the development of two semi-detached houses on Early Road.
- The revised application is still based on a pair of semi-detached houses in a estate with exclusively detached houses and as a result it should be rejected for a second time.
- Drainage.
- Please have these built in the same brick and of comparable design as most of the rest of Early Road (not like the last ones) of a completely different material, they stick out 'like a sore thumb'.

3 APPLICANT'S CASE

3.1 A letter has been attached to the Design and Access Statement, and has been summarised as:

- We have now redesigned the appearance of the plan to ensure it has only one front facing door and looks like a large detached house so that it is now in keeping visually with the other detached houses in the road.
- We have changed the design to include a lawn in front of the properties to rectify this concern. We have also set the properties further back into the site to retain a greater sense of openness.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 H2 General residential development standards
 H7 Service centres
 H2NEW Delivery of new homes
 OS4NEW High quality design
 OS2NEW Locating development in the right places
 T4NEW Parking provision
 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 applicant is a District Councillor. A previous application for a similar proposal was refused at May 2016 Lowlands Area Planning Sub-Committee for the following reason:

'By reason of their semi-detached form, combined scale, layout, proximity to the side boundaries and cramped parking arrangement, the development would create a contrived development which will appear incongruous within the street scene and which would appear as an overdevelopment of the site, failing to relate to the established loose detached character and appearance of the area, to the detriment of the visual character and appearance of the site and the wider streetscene. The proposal is thereby considered contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and Policies OS2, OS4 and H2 of the Emerging West Oxfordshire Local Plan.'

- 5.2 The application was deferred from last month's meeting to enable Members to undertake a site visit.
- 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 to the rear of 57 and 59 Woodstock Road and fronting onto Early Road in Witney. In terms of location, new dwellings are supported generally subject to various issues such as design, scale and whether sufficient on site parking is available.

Siting, Design and Form

- 5.5 The existing pattern of development within Early Road is mixed. Your officers are of the opinion that there is no defined character to the streetscene. There is a mix of detached dwellings and bungalows. Although there are no semi detached properties within the vicinity of the application site, there is no policy requirement for new dwellings to conform to the existing character. The amended design has taken into consideration the issues raised with the previous application and the refusal reason. The design as submitted still shows a semi detached pair of dwellings, but with front door to the side elevation of the porch of one of the proposed dwellings. The siting of the dwellings is now set further back into the site, which allows for parking to be along one side of the drive and landscaping to the rest of the front curtilages. Officers consider by creating this frontage, that the proposal would still retain the open character of this part of Early Road. A condition will be attached requiring samples of the materials proposed.

Highways

- 5.6 OCC Highways have no objection to the proposal. Oxfordshire County Council Highways has been consulted on the application and raises no objection subject to conditions as stated above.

Residential Amenities

- 5.7 Although the proposed dwellings have been set further back into the site, due to the distance separating them from the neighbouring property at No 32, your officers consider that the residential amenity of the neighbour will not be adversely affected. The dwelling proposes two windows in the side elevation. The first floor window will be conditioned to be obscurely glazed given that it serves a bathroom and the ground floor windows would be screened by a

boundary fence. These windows are therefore not considered to give rise to overlooking issues.

Conclusion

- 5.8 Given the above, your officers are of the opinion that the proposed development is acceptable subject to conditions and is in accordance with Policies BE2, BE3, H2 and H7 of the Adopted West Oxfordshire Local Plan 2011 and policies H2, OS4, OS2 and T4 of the Emerging Local Plan 2016.

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 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, outbuildings and dormer windows other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed to protect the residential amenities of existing and proposed occupiers.
- 5 Before first occupation of the dwellings hereby permitted the windows to the first floor side elevations shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
- 6 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.

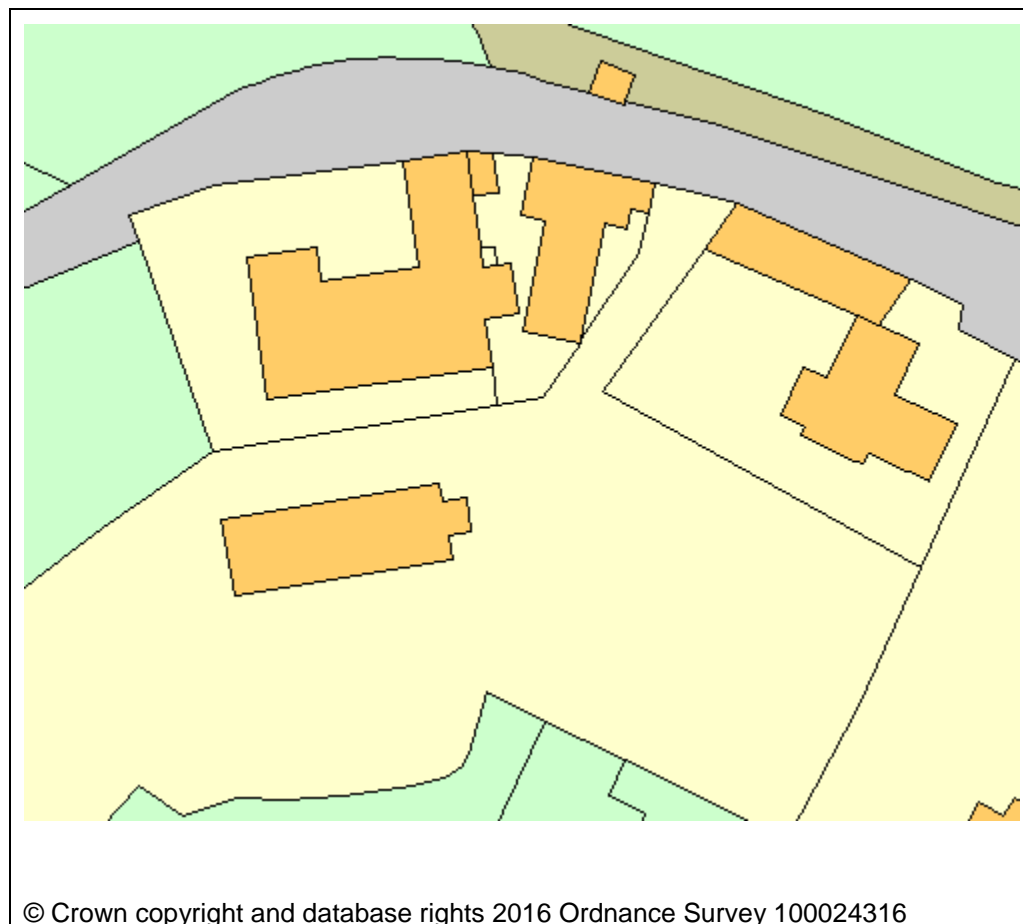
- 7 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the building(s) is occupied.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 8 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 9 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.
- 10 The carport(s) shall not be altered or enclosed and shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.
REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.
- 11 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling has 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.
- 12 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).

NOTE TO APPLICANT

The proposal, if permitted, will require the relocation of a lamp column. The applicant should make early contact with the street lighting section at OCC.

Application Number	I6/02526/HHD
Site Address	Laurel Cottage Foxburrow Lane Crawley Witney Oxfordshire OX29 9TS
Date	28th September 2016
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Crawley Parish Council
Grid Reference	434354 E 212089 N
Committee Date	10th October 2016

Location Map



Application Details:

Erection of side extension to create playroom and car port with bedroom above. Insertion of three dormer windows in South elevation and erection of extension to North elevation to provide additional first floor bedroom.

Applicant Details:

Mr Lee Dingwall, Laurel Cottage, Foxburrow Lane, Crawley, Oxon, OX29 9TS

I CONSULTATIONS

- 1.1 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.

No objection.
- 1.2 Parish Council No Comment Received.

2 REPRESENTATIONS

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

3 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
OS2NEW Locating development in the right places
OS4NEW High quality design
H6NEW Existing housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

4 PLANNING ASSESSMENTBackground Information

- 4.1 The application is to be heard before the Committee as the applicant is the son of a councillor.
- 4.2 The application site is located along Foxburrow Lane in Crawley. The proposal is for the erection of a side extension and carport and the insertion of dormer windows and a gable extension to the rear. The application site is not within a Conservation Area.
- 4.3 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:

Neighbouring amenity;
The surrounding area.

Principle

- 4.4 Your officers consider that the principle of a side extension, carport, dormer windows and a rear gable extension is considered acceptable. The proposed development would be well

screened from the surrounding street scene and therefore considered by officers not to cause a detrimental impacts to the visual appearance of the area.

Siting, Design and Form

- 4.5 The form, design and massing are all considered to be acceptable. The proposed materials are considered to be appropriate for such a development.

Highways

- 4.6 There would be no highways implications as part of the proposed development.

Residential Amenities

- 4.7 The proposed windows located to the rear elevation are to be obscured glazing. Therefore officers consider there would not be an undue adverse effect caused to neighbouring amenity in regards to the loss of light or loss of privacy.

Conclusion

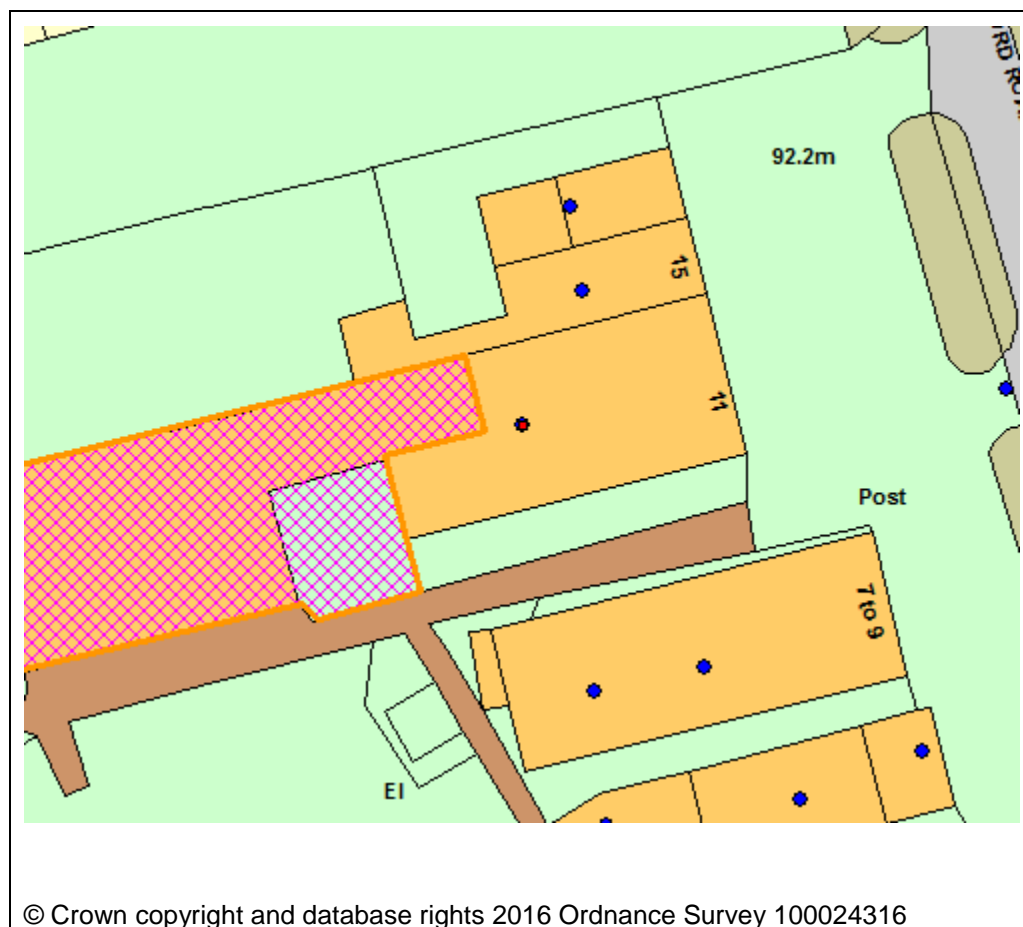
- 4.8 Taking all of the above issues into considerations, officers consider that the proposal is acceptable. Suggested conditions have been included in the report.

5 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 all windows to the North elevation; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
- 5 The cheeks and pediment of the dormer windows shall be rendered in a colour and texture the specification for which has been first submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the character and appearance of the area.
- 6 Before first occupation of the development hereby permitted all bathroom windows; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.

Application Number	16/02962/FUL
Site Address	9 - 11 Burford Road Carterton Oxfordshire OX18 3AG
Date	28th September 2016
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	428026 E 206869 N
Committee Date	10th October 2016

Location Map



Application Details:

Removal of existing sheds and erection of two dwellings with associated car parking and landscaping.

Applicant Details:

Gentian Projects (Oxfordshire Two) Ltd
C/O Agent

I CONSULTATIONS

- 1.1 WODC Env Health - Lowlands No Comment Received.
- 1.2 Town Council The Council objected for the following reasons:
Adequacy of parking/loading/turning - access for emergency services, refuse and visitors
Smells - the dwellings are adjacent to a fast food outlet
Road access - It is likely that the entrance to the site will be blocked by vehicles visiting adjacent commercial premises
- 1.3 OCC Highways No objection subject to
- G36 parking as plan
- G31 drive etc specification
- G47 SUDS sustainable surface water drainage details
- 1.4 WODC Drainage Engineers Requests a full surface water drainage scheme condition if approved.
- 1.5 WODC Architect No Comment Received.

2 REPRESENTATIONS

2.1 Mr Lester Giles of 25 Corbett Road

- If this development (albeit smaller than the original) is allowed to proceed it will blight the chances of any future comprehensive re development of the last remaining land in the North West sector in the Town Centre Plan!
- There are willing adjacent Landowners that are desperate for a comprehensive scheme for the whole of the North West quadrant of the Crossroads!
- This is a tiny plot with inadequate parking and poor quality of life for the occupants! If passed it will then mean the adjacent area could be developed in a similar piecemeal way ie tiny houses in what should be land used for Town Centre Shops and facilities!
- The parking for the adjacent flats is unworkable and once they are occupied the occupants will park their cars, vans etc at the front of the coffee shop which is already full most of the time it is open.
- This application shows 4 parking places but are they workable?
- Please refuse this application and try to develop a comprehensive scheme for this area of the Town Centre!

3 APPLICANT'S CASE

- 3.1 A Design and Access Statement has been submitted as part of the application and can be viewed in the usual manner. A Planning Statement has also been submitted, and the conclusions of that have been summarised as:
- 3.2 This proposal has seen a significant improvement to the roof design, form and depth of the dwellings. By incorporating a more traditional roof and a reduced number of units the proposal now complies with officers concerns following the withdrawal of the previous scheme.

- 3.3 The cramped appearance which was deemed to be unacceptable has been addressed by reducing the scheme to two units.
- 3.4 The design of the dwellings complies with local design codes and as such complies with local and national policies.
- 3.5 The NPPF states that housing developments should be considered in the presumption of sustainable development. This is further invoked given the site is previously developed land.
- 3.6 As the site located within Carterton Town centre this will encourage opportunities for the use of sustainable transport modes and help support sustainable economic growth.
- 3.7 Having taken account of the Inspectors and officers concerns and reviewed the application the proposal is compliant with the NPPF, the adopted and emerging local plan policy; therefore the proposal should be granted consent.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS4NEW High quality design
T1NEW Sustainable transport
CA2NEW Carterton Town Centre Strategy
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 Carterton's town centre, to the rear of the recently opened Costa Coffee, with the recreation field to the rear of the site. This application follows various applications and an appeal. The relevant history is set out below:
- 16/01357/FUL - Removal of existing sheds and erection of three dwellings with associated car parking and landscaping - Withdrawn
- 16/00705/FUL - Redevelopment of ground floor retail and change of use from A1 to A3, provision of 3 flats above retail area - Grant
- 15/02410/FUL - Proposed redevelopment of existing ground floor retail units to allow A1 and A3 use and two flats above (Amended) - Grant
- 15/00794/FUL Redevelopment of existing retail unit with 2 no. two bed flats above, 1 no. two bed flat over parking, 2 no. two bed houses and 1 no. three bed house, including associated bin & bike stores, external private amenity space and parking - Refused, and appeal dismissed.
- 5.2 The application was refused for the following reason:

The proposed development by reason of its form, density, scale and layout will result in an over development of the site and fails to have regard to the Carterton Town Centre Strategy's aims as per Policy CA2 of the emerging West Oxfordshire Local Plan. In addition the layout of the proposed development will adversely affect the residential amenities of the proposed occupiers of the new accommodation and as such the proposal is contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and Policy CA2 of the Emerging West Oxfordshire Local Plan.

- 5.3 The Inspector agreed with the issues of living conditions, in terms of loss of privacy resulting from the proposed flat which was proposed to be over the parking area towards the new dwellings, and the lack of space around the properties, giving a cramped appearance and a development which would be out of context.

- 5.4 However the Inspector did not agree with the use of Emerging Policy CA2. He states:

"In principle, the appeal site is suitable for new residential development and such development would not, in broad terms, have adverse consequences for Carterton as a whole. Whilst I sympathise with the Council's desire to 'master plan' the area in the vicinity of the appeal site, there is no development plan policy requirement to undertake such an exercise. Furthermore, I agree with the appellant that, at the time of this appeal, it would be unrealistic to achieve a comprehensive redevelopment of the parade of shops due to the number of landowners involved and sites coming forward in a piecemeal fashion.

The Council provided an appeal decision (Doc 02), where the Inspector considered emerging Policy CA2. However, since I am unfamiliar with the full facts of that case, it attracts little weight. Accordingly, I have dealt with this appeal, as required, on its merits.

I have already stated that the emerging Local Plan can only be given limited weight. In the light of this, I conclude that the scale of the proposal is insufficient to prejudice the strategic thrust of the emerging Local Plan or the Carterton Town Centre Strategy.

Additionally given the Council's housing land supply position, the development would contribute to the supply of housing addressing some of the shortfall in housing land, to which I attach considerable weight."

- 5.5 Following the appeal decision, a revised application for 3 new dwellings, without the proposed flat above the parking area, was submitted, but withdrawn after officers still had concerns regarding the cramped appearance. This current proposal is for two dwellings.

- 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

- 5.7 Your officers are of the opinion, that this form of development is acceptable in Carterton. Given the appeal decision, officers consider that the proposal for two dwellings is acceptable, subject to other matters being resolved.

Siting, Design and Form

- 5.8 The appearance of the proposed dwellings has been revised now following a more traditional form, with some modern detailing. Your officers consider that the scale and positioning of the dwellings are acceptable, and will improve the overall appearance of the existing site. The siting of the dwellings result in a more open character being retained, with opportunities for planting around the dwellings and in keeping with the existing context, adjacent to the recreation field.

Highways

- 5.9 Your officers have had regards to the Town Council's comments, however OCC Highways has no objection subject to conditions. There is a large car park to the rear of the site, and also some parking to the front, shown to be within the applicant's ownership. The proposed dwellings each have a bin store allocated to the front of the properties. It is assumed, by officers, that once the site has been developed, that a keep clear sign could be erected, to deter members of the public from obstructing the access.

Residential Amenities

- 5.10 The loss of amenity issues that were raised at the time of the appeal, related to a flat which was proposed above the parking area. This has now been omitted from the scheme, and as such officers are of the opinion that there would not be an adverse impact to residential amenities. There are flats, currently under construction, within the first floor part of the existing unit, however the distances between them and the new dwellings are acceptable, and avoid any undue loss of privacy.
- 5.11 In terms of the smells that the Town Council refer to, WODC Environmental Health officers have been notified of the application, however at the time of writing, no comments have been received. It is anticipated that any comments received will be verbally reported at the meeting.

Conclusion

- 5.12 Given that the proposal has now taken into consideration the issues raised at the appeal, and the last withdrawn application, your officers consider that the proposed development will improve the immediate vicinity's appearance and complies with relevant policies. However, officers will update Members in terms of any comments being received from WODC EHOs.

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 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, roof extensions, roof lights, balconies, conservatories, sheds, garages or other out buildings;, other than those expressly authorised by this permission, shall be erected, or installed.
REASON: Control is needed to retain the open character of the vicinity, and to protect residential amenities of neighbouring properties.
- 5 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.
- 6 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling has been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety.
- 7 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or after the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.
- 8 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. 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 (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))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
 - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))(follow link
<https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/environmentandplanning/flooding/FloodStrategyActionPlan.pdf>).
 - CIRIA C753 SuDS Manual 2015

- 2 Please be advised that further permission for this development is unlikely to be granted, given that the Carterton Masterplan will be an adopted document at the time this permission expires.