

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 12th December 2016**

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



**WEST OXFORDSHIRE  
DISTRICT COUNCIL**

**Purpose:**

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

**Recommendations:**

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

***List of Background Papers***

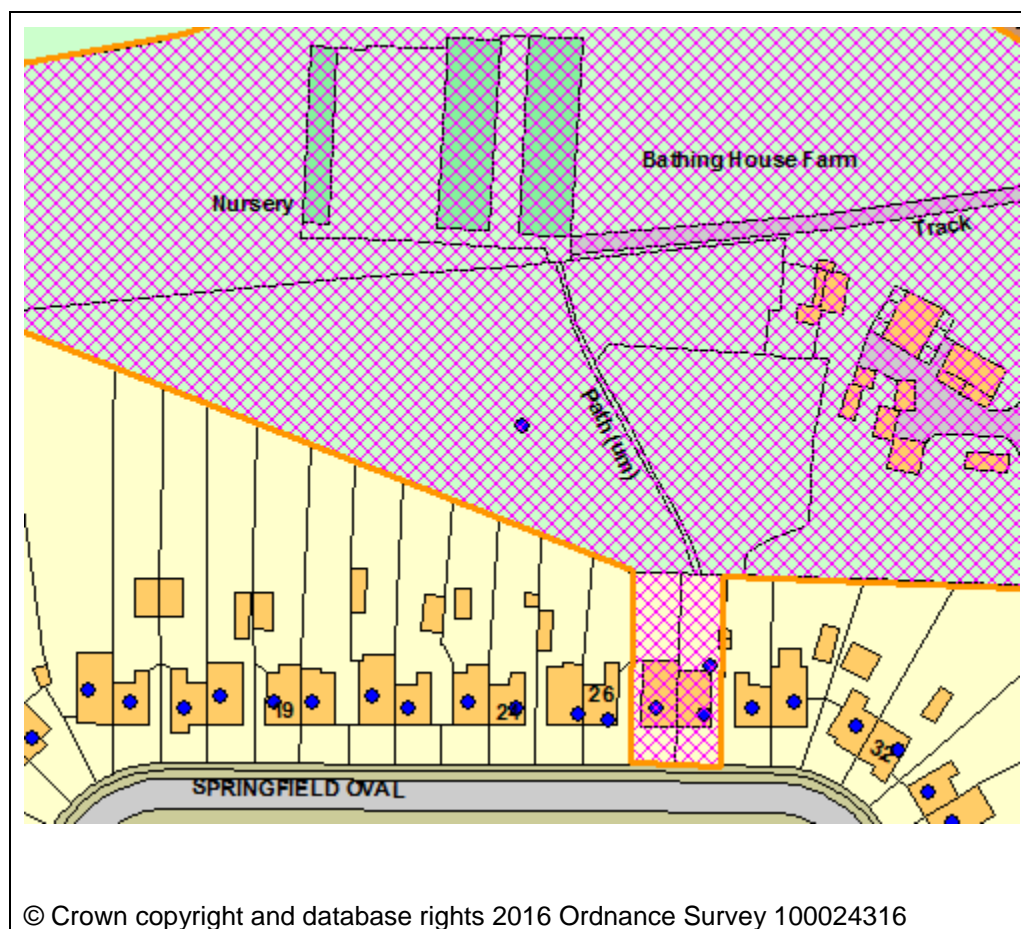
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

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Application Number	I6/00602/FUL
Site Address	Land North of Springfield Oval Witney Oxfordshire
Date	30th November 2016
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Witney Town Council
Grid Reference	434994 E 210588 N
Committee Date	12th December 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 (Amended plans)

### Applicant Details:

C/O Agent

## I CONSULTATIONS

I.1	Major Planning Applications Team	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
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	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.
I.6	WODC Community Safety	No Comment Received.
I.7	WODC Architect	No Comment Received.
I.8	CPRE	*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.

\*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.

\*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.

\*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.

I.9 Environment Agency

No Comment Received.

I.10 ERS Env Health -  
Lowlands

Contamination

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.

Public protection

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.

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.

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.

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.

I.11 WODC Head Of  
Housing

I can confirm that there are currently in excess of 630 households who would qualify for affordable housing in Witney were it available today.

The majority of those seeking affordable housing require one, two and three bedroomed accommodation. Therefore if this scheme were to be successful, then the proposed scheme mix would contribute towards meeting this need.

In housing terms and without prejudice to planning policy, I would support this scheme as it could bridge a gap in provision in Witney.

- |      |   |   |
|------|---|---|
| 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	<p>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.</p> <p>Recycling - 2 x 55 litre boxes - For 1 box: Height (320mm); Width (530mm); Depth (400mm). They can request more recycling boxes if needed though.</p> <p>Food Waste - 1 x 7 litre internal and 1 x 23 litre external food caddy.</p> <p>Garden Waste (if requested) - 1 x 240 litre bin - Height (1070mm); Width (580mm); Depth (740mm).</p> <p>Access</p> <p>As always we need to ensure that the turning areas for a 26t RCV are large enough for our waste vehicles.</p> <p>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.</p> <p>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.</p> <p>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:</p> <p>660litre bins are as follows: Height (1170mm); Width (1360mm); Depth (770mm).</p> <p>Please feel free to contact me if you require any further information on this matter.</p>
I.19	Major Planning Applications Team	No Comment Received.
I.20	WODC - Arts	No Comment Received.
I.21	Wildlife Trust	No Comment Received.
I.22	WODC Building Control Manager	No Comment Received.
I.23	Biodiversity Officer	No Comment Received.
I.24	WODC Community Safety	No Comment Received.
I.25	WODC Architect	No Comment Received.
I.26	CPRE	No Comment Received.
I.27	Environment Agency	No Comment Received.

I.28	ERS Env Health - Lowlands	No Comment Received.
I.29	WODC Head Of Housing	No Comment Received.
I.30	WODC Landscape And Forestry Officer	No Comment Received.
I.31	Natural England	No objections
I.32	WODC Planning Policy Manager	No Comment Received.
I.33	WODC - Sports	No Comment Received.
I.34	TV Police - Crime Prevention Design Advisor	No Comment Received.
I.35	Thames Water	No Comment Received.
I.36	WODC Env Services - Waste Officer	No Comment Received.
I.37	Town Council	<p>Mrs S Groth Witney Town Council are deeply concerned at access to the development through Springfield Oval, off of Burford Road. The roads are too narrow and unsuitable for increased vehicles, especially HGV's. The committee objects to the demolition of 27 and 28 Springfield Oval to provide access to the site.</p> <p>Should the District Council be of a mind to agree, Witney Town Council would recommend:</p> <ol style="list-style-type: none"> <li>1. that road access is granted via the neighbouring development (Gladman site) through parking spaces 1 and 2. Further access is potentially possible through Bathing Place Lane.</li> <li>2. existing access to the site be converted to a floodlit path to provide pedestrian access to the town centre.</li> <li>3. that additional drainage and sewerage works are facilitated to alleviate the risk of flooding on Springfield Oval as they are already over capacity.</li> <li>4. that a contribution is requested to provide additional health, educational and sporting facilities in the town.</li> </ol>
I.38	Town Council	<p>Witney Town Council The Town Council strongly objects to this application on several grounds:-</p>



- 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 70 letters of objection were received in respect of the original 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.

## 2.8 18 letters of support were received in respect of the original scheme as follows:

- There is a huge need for AH.
- Schools are good in the area.
- Friends and family live close by.
- We have outgrown our flat.
- We need Ah to stay in Witney.
- I am 49 and cannot afford a mortgage.
- They are local to my work in Witney.
- Private rental is so expensive.
- This is a beacon of hope for young people.
- Witney desperately needs development like this.
- I live in a flat and would love a garden.
- Please help local people.

## 2.9 In response to the amended plans 2 letters of objection and 3 of support have been received. The comments raised may be summarised as follows:

- Flooding report shows drainage will be effective on the basis of flimsy evidence.
- Houses will be clearly visible in the valley.
- Will continue to cause traffic problems.
- We need roads before more houses.
- We know lots of people who need a cheaper and more affordable house.
- Time for politicians to put election promises into effect.

- The area is desperate for more affordable housing.

### **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.
- 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 Members will recall that the application came before them in July when it was deferred to enable a formal site visit to be undertaken. Additionally the applicants were wishing to amend the scheme to seek to overcome the refusal reasons and the decision on the "Gladman" site next door was awaited which would clearly have a potential bearing on the acceptability or otherwise of this site. In the interim period negotiations have continued and the form of the scheme is evolving into something much more akin to a layout that officers could support. The applicants have tabled amended highway information to the County Council and the development at the Gladman site has secured consent at appeal. Bearing all these changes in mind your officers are now of the view that the scheme is potentially supportable subject to Highways confirming that their objections have been overcome, to some further amendments to the house types and to much greater clarity as to the details of the I06 agreement. That is not to state that the landscape impact is resolved but rather that the planning balance has shifted. However it is not likely that all matters will be resolved by the date of the meeting so the

report is being tabled now as a means to update the position and to enable members to reconfirm their decision to make a site visit and raise any other key issues such that officers can bring a formal recommendation to the meeting in January

- 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:

Principle  
Siting, Design and Form  
Highways  
Residential Amenities  
Flooding/ecology  
Heads of Terms

Principle

- 5.5 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.
- 5.6 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

- 5.7 Your officers had 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 previously introduced a very long and tortuous series of cul de sacs served from the oval. The layout did 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 appeared 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 were car and road geometry dominated with the built form not enclosing or framing spaces but designed around providing parking.

- 5.8 Whilst some of the house types were acceptable many featured very wide gables, slack roof pitches, arrays of rooflights etc that were not characteristic of the building traditions of the area and appeared 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.
- 5.9 Your officers have had a number of meetings, without prejudice to whether the principle of development would be supported, that have sought to secure a design that could be supported if the application were to be recommended favourably and whilst we are not as yet at that position the scheme is improved substantially upon that which was originally tabled and with some further amendments- which will probably result in the omission of a handful of units, it is now considered that an urban design that would be appropriate to this site can be secured.

### Highways

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

#### *Visibility*

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.

#### *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.

#### *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.

#### *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.

#### *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.

#### *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.



## *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.

## *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.

## *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*

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*

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*

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*

As can be seen from the above there are a series of issues with the scheme as originally conceived. The applicants have sought to address these concerns but the response from OCC as Highway Authority has yet to be received as to whether the revised proposals address the problems of adequate access and highway arrangements such as to overcome the reason for refusal.

#### Residential Amenities

- 5.11 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

- 5.12 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.

- 5.13 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 be potentially 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 could be and your officers are not persuaded that any landscaping proposed could fully 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 total resolution and was considered to be a significant and demonstrable harm that weighs very heavily against the proposals. However the applicants have tabled additional landscape evidence that seeks to demonstrate that with 15 years time to mature that the revised layout can be screened to a degree. Negotiations are however still ongoing as to whether this is still too intrusive or whether with the deletion of a small number of the most visible plots and creation of larger landscape buffers that the visual impact can be lessened to an acceptable degree. In making that assessment officers have been mindful that the approval of the Gladman scheme adjacent to this site has clearly changed the currently very rural context and this needs to be given due weight. This site is however more prominent/sensitive. On balance, and with some degree of reservation, Officers are now persuaded that if the amendments that have been sought can be secured then the landscape harm is insufficient when balanced against the benefits of affordable housing/housing delivery such that it would no longer preclude development if all the other technical matters can be resolved

#### Flooding/ecology

- 5.14 The site is within flood zone 1 but is immediately adjacent to Zones 2 and 3 as the Windrush lies to the north.
- 5.15 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.
- 5.16 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.
- 5.17 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.
- 5.18 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.
- 5.19 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

5.20 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.

5.21 The following requests have been made by WODC:

£1,088 × 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 × 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.

5.22 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 potential reason for refusal albeit one that is capable of being overcome.

### Conclusion

5.23 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.

5.24 To set against these concerns the scheme has a series of technical highway deficiencies albeit that these are in the process of being addressed. The previous poor standard of development that failed to take the opportunities the topography of the site and built form traditions of the area offer and which would have a major adverse impact on a very sensitive location which is of visual and cultural significance to the town and its setting has been improved and with some more work could result in an improved scheme- albeit one that still has a visual impact on the valley at this point. There is no agreed 106 package but this can be secured if terms can be agreed, 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. With the approval of the Gladman scheme next door the degree of harm (assuming that the technical objections can be overcome and the amendments that have been sought are delivered) is such

that when considered against the tilted balance of the NPPF your officers consider the harms no longer significantly and demonstrably outweigh the benefits such that refusal is warranted. As such, it is anticipated that by the time this application is ready for determination in January that it will be recommended for approval.

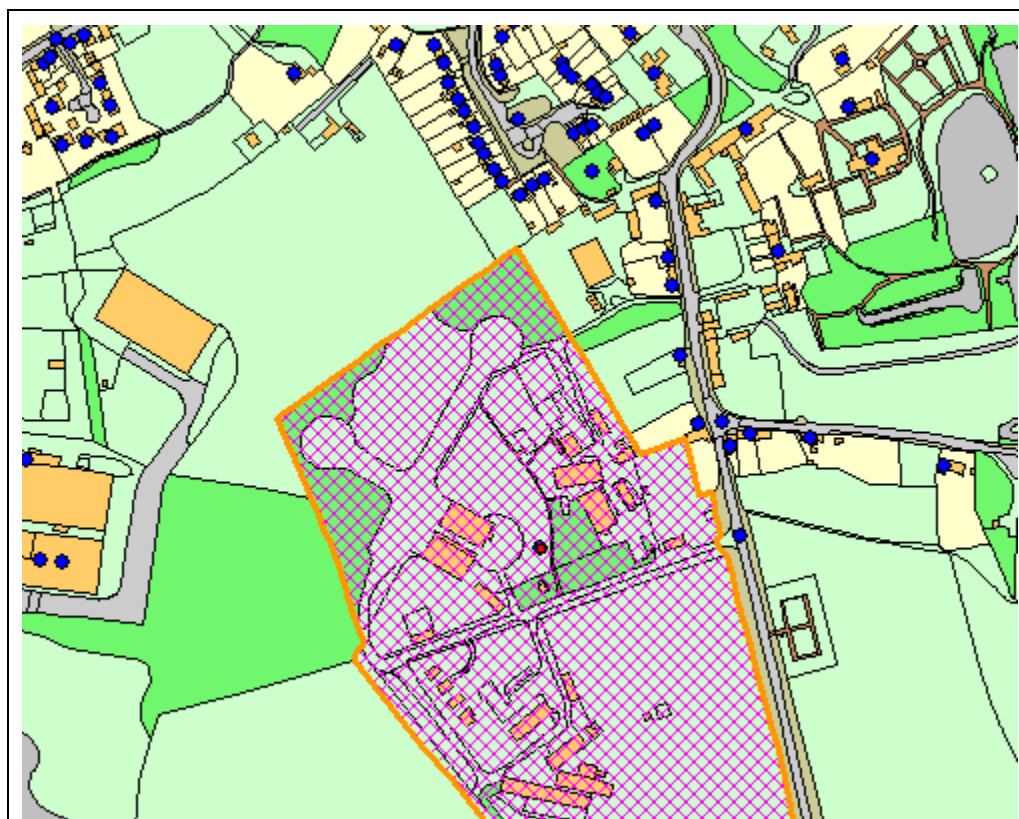
- 5.25 Officers will give a full verbal update at the meeting but will be recommending deferral to enable the site visit to be undertaken and negotiations to conclude.

## **6 RECOMMENDATION FOR REFUSAL**

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	I6/01054/OUT
Site Address	Land At Former Stanton Harcourt Airfield Main Road Stanton Harcourt Oxfordshire
Date	30th November 2016
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Stanton Harcourt Parish Council
Grid Reference	441452 E 205396 N
Committee Date	12th December 2016

### Location Map



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### Application Details:

Re-development of former airfield for housing-led development comprising up to 50 dwellings and up to 450 sqm of office space, green infrastructure, public open space, access from Main Road and the demolition/retention of existing buildings in accordance with the submitted Airfield Building Retention Strategy (amended description and details)

**Applicant Details:**

Gladman Developments Ltd  
Gladman House  
Alexandria Way  
Congleton  
CW12 1LB  
Cheshire

**I CONSULTATIONS****I.1 Parish Council**

The Application has been given the deserved serious consideration by all concerned. It is difficult to summarise all the Councillors views and combine them - we have therefore given all their views separately below.

**CLLR CHARLES MATHEW:**

I object to this application due to:

- 1) Proximity to the landfill site (from which there will be a smell discharged from the site for a further 40 years)
- 2) Lack of sustainability - no buses, footpaths, village shop of note - paper and sweets/post office three times week am only.
- 3) This is a Category A Village (H5) - (no new building permitted except for exceptional infilling and residential agricultural building)
- 4) Infrastructure problems - the school is at bursting point, local medical centre is over-booked, the sewerage system can't cope - existing water pressure problems.
- 5) Access - the area has difficult restricted exits via two Thames bridges - one the Toll and the other Newbridge -which are Grade I and the A40 and the traffic jams
- 6) H12 Small Scheme - this is not small in relation to Stanton Harcourt - it will mean a 15% increase in the village - must be phased if approved.

**Main Concerns:**

Archaeology - profusion of evidence (see Prof Salway's letter)

Housing - The housing required is small, affordable units, small commercial units and not over three bed average (see WODC's Conservation Area Appraisal)

Historic Village - over 60 listed monuments/buildings/archaeology

Traffic - all traffic will go through the village via the B4449 to access the A40 and Oxford

Conservation Area - Views into Conservation Area (see Development Advice in WODC proposal in Preservation and Enhancement).

Historic Features - Churchill's Aerodrome during WWII (see Moments in Time, a pictorial record of the Village)

If passed, all deliveries must be from Linch Hill, not through the village.

Whilst the village recognises the need for housing, there are better alternatives to this. It is not felt that this site is the best available and is aware of other potential planning applications.

CLLR JOSE EATON:

I object.

Our local school and doctor's surgery are already over-subscribed.

This application is stuck on the edge of the village it is not infilling.

The increase of traffic would be unacceptable, as there is a lot of traffic through the village now.

The amount of houses is well out of proportion.

I also think it would harm the wellbeing of our existing community.

I would also be concerned about houses next to the old pit.

CLLR COLIN WELLS: (document attached to support those made already.)

CLLR MATTHEW JUDSON:

The web-site tells me that they are not currently accepting comments at this time! I was going to leave the following comments as a member of the public;

The principle of additional housing is acceptable, no village or community can stay as it is, however growth must be managed and manageable. Stanton Harcourt is currently lacking the infrastructure to cope with additionally housing at this level.

Sewage is a significant concern as there is not the capacity and will affect downstream properties, experience suggests that this will be raw sewage in gardens.

The road system, particularly at Leena Cottage is not suitable for current traffic levels let alone a potential 100+ additional vehicles (assuming 2 per property).

The local primary school/schools do not have the capacity to cope with the potential large increase of school age children.

The proposed siting of the houses is alongside a very recently capped waste tip, although more recently Dix Pit has been used to take inert waste, the tip has had more general household waste put in it which will result in effluent gases and liquids from the site. Whether the levels are above threshold or not, they will be there and morally housing development is not appropriate.

Within the Built Heritage report, figure 4 claims to be an aerial image of the site from 1947. The site was made into an airfield during the 1939-1945 war yet this image has no evidence of the structures and taxiways that are shown in the drawings they have submitted. If this obvious fact is wrong, the accuracy of all other documentation is questionable.



## CLLR JOE DEANE:

### Comments on developments

I'm not against development in principle (I need a house), although it's unclear what the purpose of the development is, I earn a reasonable amount but am unlikely to be able to afford one. It would help to know what they actually intend e.g. if it's for young families we need a bigger school, if it's for older folk a school is not an issue etc. If a large part is social housing then I'd suggest we need a bus route, and if it's posh folk then it'll end up a closed estate which would be very boring.

### Airfield

I'm among others that would be very sad to see the airfield and its historic elements wiped out completely, as their design purposely includes empty space it would not be unreasonable to retain some of the features, or base the road layout on the old runway so it retains some of its history.

### Landfill

Nowhere in the documentation that I've found so far does it seem to address the fact that the site was an airfield, or that it is directly in contact with an active (although closed/capped) landfill. This is a concern due to:

#### Potential airborne contaminants:

Although capped there is noticeable emission of hydrogen sulphide, and presumably methane depending on weather and wind. Hydrogen sulphide is toxic and the safe exposure limit is about the same as the human detection limit, it's one thing to drive past it with the window open but another to live with it - this is not currently such an issue as the prevailing wind direction takes it away from most of the village. Also over time the cap is likely to degrade and there is potential for respiratory hazards such as asbestos or silica, again the prevailing wind won't necessarily help the development.

#### Soil/Water contaminants:

As an old airfield there is likely to be fuel contamination in the soil, and possibly even old munitions buried, this should be considered at least.

The site is on a watershed between the Isis and Windrush, it is not impossible for contaminants to seep from the landfill such as cadmium from batteries, lead from old anything, benzene from plastics degrading etc.

There doesn't seem any attempt to acknowledge the potential need to sample now or in the future for assurance purposes.

### School

The school already has 3 times the pupils from when I attended, and I don't remember much space spare. If the developments both go ahead even with ~1 child per house it would double the number at the school. Since the additional building around the school it makes it difficult to expand, if it can't be expanded then they might as well build

the houses in a village that does have capacity in the school, not that there are any of those either but other sites may have more scope to expand, or a bus service perhaps to a school with space?

#### Sewerage

The Sutton sewerage works, although being updated doesn't have capacity for such a new build scope, and as it is so low lying would be overwhelmed in wetter periods. Any significant new build should either come with a new sewerage plant or include a nice environmentally sustainable septic system, which would work quite well with the gravel beds.

I had a quick look at the landscape report which is extensive, but appears to boil down to it won't be visible as there are trees in the way. This is a little weak as the aspect seems to be taken by someone 3 foot tall, and nearly all the trees are deciduous so will be seen through half the year!

- |     |   |   |
|-----|---|---|
| I.2 | Environmental Health<br>(Public Protection) | The submitted report refers specifically to ground gas investigation and risk assessment. The investigation indicates that the site is not affected by landfill gas from the adjacent active landfill site Dix Pit. However it is acknowledged that this situation could change once the landfill activity ceases and therefore recommends gas protection measures to all properties and a precautionary measure. The borehole location plan shows that the 7no. gas monitoring locations are situated in close proximity to each other along the northern section of the western boundary. Also the gas monitoring was mainly carried out during high atmospheric pressure conditions. Further site investigation is required to fully characterise the site with respect to other potential contamination from historical use. My recommendation is that additional gas monitoring is carried out during low atmospheric conditions during the main site investigation. I also recommend additional gas monitoring to the south western area of the site to confirm whether that this is affected by landfill gases and to inform the gas protection scheme. Contaminated land condition recommended. |
| I.3 | Historic England                            | The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.   |
| I.4 | Major Planning<br>Applications Team         | Highways - The County Council's withdrawal of financial support of the number 18 bus service in the summer will prevent safe and suitable access for all and will not allow use of sustainable transport modes to be maximised, as required by the NPPF. The site is located on the southern edge of Stanton Harcourt but still within reasonable walking and cycling distance of the available, albeit limited, local services. Trip generation assessment is robust and would result in a small negative impact on local highway network. If development is approved, a S278 would be required to deliver improvements to the footway on Main Road (in addition to for the provision of the site  |

access junction). Junction modelling shows site access could operate safely and efficiently (subject to any adjustments made to site access following revised tracking exercise). Site visibility splay dimensions are acceptable in the light of the speed survey data. They would need to be kept clear of roadside vegetation. Safety audits would be required if planning permission is granted. The surface of public footpath 362/11 would need to be improved and retained along its current alignment. A connection to footpath 362/10 should be considered to the south west corner of the site. Full drainage strategy would be required.

Archaeology - The applicant has undertaken both a geophysical survey and an archaeological field evaluation of the application area. Evidence of Romano British activity and settlement was identified in the north of the application area. The southern part of the application area also contains archaeological features but apart from a single Bronze Age barrow site the features appear to be agricultural in origin. No features that are demonstrably of equivalent significance to scheduled monuments have been revealed and there is no evidence of archaeological features that are of such significance as to preclude the principle of development being present. We would recommend therefore that should consent be granted that conditions are attached that will require a programme of archaeological investigation and recording to be undertaken in advance of the development.

Education - Primary education - £190,213 Section 106 required for the necessary expansion of permanent primary school capacity serving the area at Stanton Harcourt CE Primary School.  
Secondary education - £215,582 Section 106 required for the necessary expansion of permanent secondary school capacity serving the area, at Bartholomew School.

- |     |                    |   |
|-----|--------------------|---|
| I.5 | WODC - Arts        | A S106 contribution of £5,250 plus £4500 equaling a total of £9750 towards artist-led activity to enhance and interpret the environment of the development - assisting with connectivity to the existing settlement.  |
| I.6 | Wildlife Trust     | No Comment Received.  |
| I.7 | Ecologist          | No objection subject to conditions.   |
| I.8 | WODC Architect     | Following consideration of the original proposal, subsequent meetings with the agent and the submission of documents detailing retention of some of the existing airfield buildings as well as blast shelters and air raid shelter, on balance the proposal is acceptable in relation to limited harm to heritage assets. |
| I.9 | Environment Agency | Due to increased workload prioritisation we are unable to make a detailed assessment of this application. We have checked the environmental constraints for the location and have the following guidance.   |

The proposal is for residential development and the environmental risks in this area relate to:

1) Groundwater Protection - the site lies over a secondary aquifer Groundwater Protection.

If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. We consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base and peak seasonal groundwater levels. All need to meet the criteria set out in our Groundwater Protection: Principles and Practice (GP3) document. In addition, they must not be constructed in ground affected by contamination.

I.10 ERS Env Health - Lowlands

No objections or comments at this stage regarding noise.

Contaminated land condition required.

I.11 WODC Head Of Housing

I can confirm that there are currently in excess of 100 households who would qualify for affordable housing on this site if it were available today. The overwhelming need is for affordable rented homes of; one, two and three bedrooms. In order for me to support this application it would have to be policy compliant in regard to tenure split and scheme mix. As a guide the Council seeks a ratio of 2 to 1 in favour of affordable rented housing. In other words, 70% affordable rent to 30% shared ownership. If the development could provide this tenure split with regard to a mix of 65% smaller to 35% larger homes, then I could support the application.

I.12 WODC Landscape And Forestry Officer

No Comment Received.

I.13 Natural England

This application site is partially within Stanton Harcourt Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that subject to the advice below there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that subject to the advice below on further information and conditions, this SSSI does not represent a constraint in determining this application.

Though we believe that this proposal should not damage the special interest of the SSSI in principle, we advise further details are required of the applicant's plans for the SSSI, especially with regards to works which would directly impact the SSSI and affect access to the site. We also advise that conditions to protect, manage and enhance the SSSI are considered.

Information needed.

The proposal illustrates general land use over the area of the SSSI. We believe this is for illustration only and will be a reserved matter, however the future layout of the site should be designed with the

SSSI's management and protection in mind. Tree planting or disturbance of the surface on, or near, the SSSI could damage the special interest of the SSSI and should be avoided. The geological interest of this SSSI represents an important period of time in the understanding of recent geology history and the development of the landscape in the area. The relatively recent geological processes that create this SSSI Interest also mean there is an interplay of archaeology and geology-geomorphology, we advise investigations relevant to the SSSI interest could be included in the proposals for any archaeological investigations on the whole development sites. The results of this investigation should help in the development of information for the new residents and their use of the informal recreational space around the development proposal.

Conditions

1) No development shall commence until the details of the geological conservation and management plan has been agreed by the authority, in consultation with Natural England.

2) No development, inclusive of tree planting and public footpaths shall take place within the SSSI boundary and works proposed adjacent to the SSSI should avoid indirect impacts on the SSSI or access to it. Normally this would be a distance of no nearer than 10m.

These conditions are required to ensure that the development, as submitted, will not impact upon the features of special interest for which Stanton Harcourt is notified.

I.14	WODC Planning Policy Manager	No Comment Received.
I.15	WODC - Sports	£1,088 x 50 = £54,400 off site contribution towards community/sport/recreation facilities within the catchment. £818 x 50 = £40,900 for the enhancement and maintenance of existing play/recreation areas within the catchment and/or onsite provision.
I.16	Thames Water	Waste Comments Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. Water Comments Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
I.17	WODC Env Services - Waste Officer	No Comment Received.
I.18	Historic England	A letter has been received stating that Historic England does not wish

to make any comments on this application.

## **2 REPRESENTATIONS**

2.1 51 objections have been received referring to the following matters:

- Impact on drainage and flood risk.
- Amount of housing disproportionate to size of village.
- Impact on views.
- Impact on setting of heritage assets.
- The village will not support additional housing. Inadequate facilities and impact on infrastructure.
- Inadequate access from Main Road and impact on highway safety.
- Impact on the character of the area.
- Loss of historic airfield buildings.
- No local bus service.
- Increase in traffic and parking congestion.
- Additional public spaces are not required in the village.
- Adjacent to gassing landfill site.
- Site itself is contaminated, e.g. asbestos and possible unexploded ordnance.
- Site cannot be considered sustainable.
- Impact on ecology.
- Development does not constitute infill.
- Low water pressure.
- Lack of connection with village.
- Even at a discount properties will not be affordable. Affordable housing needed in the village, including for over 55s.
- Fewer homes at lower density and smaller units would be preferable.
- Disturbance and pollution.
- Impact on archaeology.
- Original application did not include employment area. This will increase traffic and commuters.
- In addition to proposed development at Butts Piece (16/03627/OUT) would be unacceptable scale of development in the village.
- Buildings to be retained will be shorn of their historical context.
- Butts Piece is a more suitable site.
- Bypass for village should be funded and approved.
- Lack of local employment.

## **3 APPLICANT'S CASE**

3.1 The following is taken from the conclusions in the submitted Planning Statement.

3.2 The outline planning application is made in the context of the Government's requirement to Boost housing land supply and responds specifically to the pressing need identified in West Oxfordshire to deliver additional market and affordable housing. Whilst the positive determination of the application should not solely rely on a five-year housing land supply shortfall, the proposal does respond positively to the identified lack of a five-year housing land supply in WODC, as well as the identified backlog of housing requirements and ongoing need for housing in the district.

- 3.3 Paragraph 14 of the Framework calls for decision takers to approve development which is consistent with the development plan without delay and to grant planning permission unless the harm of doing so would significantly and demonstrably outweigh the benefits. In this case, the application proposals comprise sustainable development in accordance with the definition set out in the Framework and when tested against all of the relevant sections.
- 3.4 It has been demonstrated that the development plan is out of date and that the presumption in favour of sustainable development is engaged in respect of the application proposals.
- 3.5 Given the Inspector's serious concerns about the emerging Local Plan, particularly with regard to the proposed housing requirement, it is important that West Oxfordshire District Council allows sustainable developments, such as the application proposals presented herein, to come forward in order to remedy the Council's housing land supply position and meet the objectively assessed needs of the district.
- 3.6 Stanton Harcourt is a successful rural settlement that is socially and economically sustainable when judged against the Framework within its spatial context. Further, the application site is situated within a demonstrably suitable and appropriate location to host new housing development.
- 3.7 The proposals will make a significant contribution towards meeting the social elements of sustainability through: providing homes to meet the objectively assessed housing needs of West Oxfordshire and making a valuable contribution towards five-year housing land supply. Further, the application proposals will provide 50% affordable housing in circumstances where there is a chronic shortage in the district, this should be regarded as a significant material benefit. The development proposals will assist in helping to maintain and enhance the vitality of Stanton Harcourt. In addition to the delivery of housing, the proposals will also deliver a number of economic benefits which include New Homes Bonus totalling £500,000, 28 FTE jobs in construction, a further 31 indirect jobs in associated industries and total gross expenditure of £1.7m annually.
- 3.8 There are also a number of environmental benefits associated with the development proposals including the provision of green infrastructure, the re-use of previously developed land and improvements to the visual appearance and safety of a currently derelict site.
- 3.9 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme. The proposed development represents a prime opportunity for the improvement of a derelict parcel of previously developed land, which is currently under-utilised. Furthermore, care has been taken to ensure that the impact and perceived impact on Stanton Harcourt is minimal and acceptable; this will be achieved through careful design and siting, and a holistic approach to landscape provision. Mitigation measures have been proposed where any potential negative impacts have been identified.
- 3.10 It can be concluded that there are no material considerations or adverse impacts that significantly and demonstrably outweigh the benefits which flow from the development.
- 3.11 This development, as proposed, clearly constitutes 'sustainable development', is viable and deliverable. There are significant material considerations that weigh heavily in its favour. In accordance with planning law and policy guidance the application should be approved without delay.

## **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  
BE12 Archaeological Monuments  
BE13 Archaeological Assessments  
BE18 Pollution  
H2 General residential development standards  
H5 Villages  
NE1 Safeguarding the Countryside  
NE3 Local Landscape Character  
NE6 Retention of Trees, Woodlands and Hedgerows  
NE13 Biodiversity Conservation  
NE15 Protected Species  
T1 Traffic Generation  
TLC7 Provision for Public Art  
EW2NEW Eynsham-Woodstock sub-area  
E2NEW Supporting the rural economy  
E3NEW Reuse of non residential buildings  
EH1NEW Landscape character  
EH2NEW Biodiversity  
EH5NEW Flood risk  
EH6NEW Environmental protection  
EH7NEW Historic Environment  
H1NEW Amount and distribution of housing  
H2NEW Delivery of new homes  
H3NEW Affordable Housing  
OS1NEW Presumption in favour of sustainable development  
OS2NEW Locating development in the right places  
OS4NEW High quality design  
OS5NEW Supporting infrastructure  
T1 Traffic Generation

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

## **5 PLANNING ASSESSMENT**

- 5.1 The proposal as amended is an outline application for "re-development of former airfield for housing-led development comprising up to 50 dwellings and up to 450 sqm of office space, green infrastructure, public open space, access from Main Road and the demolition/retention of existing buildings in accordance with the submitted Airfield Building Retention Strategy". As shown on the illustrative layout, approximately 35% of the land area would be developed with built form, with the remainder given over to open space and landscaping. A range of supporting information has been provided. The Design and Access Statement indicates a mix of 2 storey and 2.5 storey buildings is envisaged. However, the general character of the immediate location is modest 1.5 storey buildings. The vehicular access would be from Main Road.



- 5.2 The site is a former WWII airfield with a range of buildings and structures spread over a wide area of the site. It is therefore brownfield. Some of the wartime buildings are used for agricultural purposes and storage, but most are unused and in various stages of dilapidation. Some modern storage buildings have been erected and are used for agriculture. The older buildings are predominantly single storey, constructed of single skin brick with outer render and asbestos sheet roofs.
- 5.3 The land around the buildings has largely reverted to nature and apart from some areas of track and hardstanding is quite overgrown. There is existing screening to the boundaries in the form of trees and hedgerow.
- 5.4 The boundary of the Stanton Harcourt Conservation Area, which includes a number of listed buildings, adjoins part of the northern and eastern boundary of the application site, but the site itself is not within the Conservation Area. The site includes part of Stanton Harcourt SSSI (this is designated for geological interest).
- 5.5 The site, along with other land to the south of the village, is subject to an Article 4 Direction dated 05/04/54 which introduced a restriction on the use of land for motor car or motor cycle racing, pacing or trials or other similar use.
- 5.6 The relevant planning history is as follows:  
\* 07/0232/P/TCN - erection of 15m slimline monopole and base cabinets - approved 20/03/07  
\* W89/1102 - change of use from redundant agricultural to Class B1 - refused 17/08/89 and dismissed at appeal.  
\* W88/2378 - change of use of airfield buildings to industrial use - refused 23/02/89  
\* W86/0778 - change of use of buildings from agricultural to craft workshops, light industrial and storage - withdrawn.  
\* W78/1444 - retention of 4 buildings and continued use for housing machinery and repair of agricultural vehicles and machinery - no decision recorded.
- 5.7 The site was not identified in the SHLAA 2014, but under a review of the SHLAA the site is now a proposed local plan allocation EW1h.
- 5.8 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  
Contamination  
S106 matters

## Principle

- 5.9 Stanton Harcourt (with Sutton) is classified in the Local Plan 2011 as Group A settlement (village). Based on the settlement sustainability assessment (Dec 2013) the village sits in the bottom half of the range of the towns and villages assessed in terms of services and facilities available.
- 5.10 The village benefits from services, including a primary school, community building, sports facilities and pub, but the bus service was withdrawn in the summer of 2016 and the village is not located in close proximity to a higher order settlement which would provide a wider range of facilities.
- 5.11 Local Plan 2011 Policy H5 would not allow for the development of the application site because it involves new build housing that does not constitute infilling. However, in the context of the Council currently being unable to clearly demonstrate a 5 year supply of land for housing, given the stage of the emerging local plan, this policy is considered out of date with reference to paragraph 49 of the NPPF.
- 5.12 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, 1836 dwellings. In order to maintain an annual requirement that is realistically achievable, Oxford's unmet need will be dealt with after the year 2021 to take account of lead - in times, and the accumulated shortfall will be spread over the plan period using the "Liverpool" calculation. The supply includes commitments, small sites and allocations which total 4,514 dwellings. This gives rise to a 5.5 year supply. However, the convention is to use the "Sedgefield" method of calculation where the shortfall is dealt with in the next 5 year period rather than being spread over the entire plan period. Using this calculation, the 5 year supply is 4.18 years. The Council will be making a case for "Liverpool" at the resumed Examination, but accepts that this is currently untested and not endorsed by the EiP Inspector. Accordingly, prior to further monitoring information becoming available and the outcome of the Examination, it remains appropriate to apply "Sedgefield" and therefore it is acknowledged that the Council cannot currently demonstrate a 5 year supply. In this context paragraphs 14 and 49 of the NPPF are engaged.
- 5.13 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 (now expressed in OS2), and is consistent with other policies in the plan.
- 5.14 It is acknowledged that the site does adjoin the existing built up area of the village. Therefore, on the basis of emerging policies for the supply of housing, including proposed allocation EW1h, the location of the development proposed would be acceptable in principle.

- 5.15 However, the weight to be attached to policies for the supply of housing is currently limited. 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

- 5.16 An indicative layout has been provided, and this indicates that a scheme of 50 dwellings can be accommodated within the site area.
- 5.17 The layout shows an intention to focus built form on those parts of the site already occupied by buildings and hardstanding, although the remaining runway areas to the north west corner of the site are to be left undeveloped. An extensive area to the south east portion of the site would be left as open space, but would include three retained brick built blast shelters and an air raid shelter.
- 5.18 Following discussions with the applicant regarding the airfield heritage of the site, it is now intended that a number of the existing buildings on the site will be retained and reused.
- 5.19 It is understood that the houses would be 2 storey and 2.5 storey, but this height would not be consistent with the scale of properties in this location, which are predominantly 1.5 storey and of modest proportions. Nevertheless, the house types are for future consideration as part of a subsequent reserved matters application. There is a hierarchy of built form here with the high status Manor House and Pope's Tower being the most prominent. The character of lower status housing suggests that 2.5 storey would not necessarily be in keeping in this context, although it is noted that there are some substantial existing buildings on the site.
- 5.20 The design is likely to be inspired by vernacular forms and will also, in part, reflect the scale and design of the existing airfield buildings, some of which will be retained, but no detailed elevations are available as part of the application.

#### Heritage and landscape

- 5.21 The site's northern boundary adjoins a section of the Stanton Harcourt Conservation Area, and there are listed buildings within it. The cottages at 8-10 Main Road are the closest and share a boundary with the site. The setting of all nearby listed buildings need to be considered under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.22 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.
- 5.23 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.
- 5.24 The application site undoubtedly forms part of the setting of the Conservation Area, but the visual relationship of the site and the Conservation Area is limited by existing vegetation. Views towards the Conservation Area from within the site along the public footpath are across and between existing buildings and picking out particular buildings within the village is difficult.

However, in certain positions, Pope's Tower is visible. From the road, apart from where the existing access enters the site, it is well screened by existing hedgerow and trees on its eastern boundary. The sense of entering the village only really becomes apparent around the junction of the main road and Steady's Lane.

- 5.25 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.
- 5.26 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, particularly as the developed areas would be limited to and coincide with the location of existing built form.
- 5.27 The development would not introduce new buildings closer to existing listed buildings than those that exist at present. Whilst the density of built form would be greater than the loose arrangement of the former airfield buildings, this would not significantly harm the setting of the nearby listed buildings. Important public views towards and away from heritage assets would not be materially affected. Not all of the site would be developed and significant areas would be left as open space, retaining the general character of the airfield. Boundary planting would be substantially retained.
- 5.28 The applicant has undertaken both a geophysical survey and an archaeological field evaluation of the application area. Evidence of Romano British activity and settlement was identified in the north of the application area. The southern part of the application area also contains archaeological features but apart from a single Bronze Age barrow site the features appear to be agricultural in origin. No features that are demonstrably of equivalent significance to scheduled monuments have been revealed and there is no evidence of archaeological features that are of such significance as to preclude the principle of development being present.
- 5.29 No concerns are raised regarding the Devil's Quoits scheduled ancient monument lying approximately 375m to the south west of the site.
- 5.30 The archaeological officer considers that suitable conditions will address outstanding matters in terms of investigation and recording.
- 5.31 The proposal at the scale and layout proposed will result in less than substantial harm to heritage assets and 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.

#### Highways

- 5.32 Access would be taken from Main Road, south of the existing access which would be closed to traffic and retained only for pedestrian access on the alignment of the public footpath. An additional footpath link would be provided to the north east of the site.
- 5.33 The means of access proposed is acceptable and suitable visibility splays can be provided on this straight stretch of Main Road.
- 5.34 The site is located on the southern edge of Stanton Harcourt but still within reasonable walking and cycling distance of the available, albeit somewhat limited, local services.

- 5.35 The trip generation assessment is robust and would result in a small negative impact on local highway network. If development is approved, a S278 would be required to deliver improvements to the footway on Main Road (in addition to for the provision of the site access junction).
- 5.36 The surface of the public footpath would need to be improved and appropriately accommodated on its existing alignment.
- 5.37 The County Council's withdrawal of financial support of the number 18 bus service will prevent safe and suitable access for all and will not allow use of sustainable transport modes to be maximised, as required by the NPPF. However, as the Council has noted an intention to support housing development on the site, by way of allocation, the disbenefit of a lack of public transport is outweighed by the benefit of the provision of new housing in this location which will contribute to the District supply.

#### Trees, landscaping and ecology

- 5.38 There are hedgerows on all boundaries of the site and a significant number of trees, except on the southern boundary. The submitted Tree Report and tree retention plan show that development would not encroach into peripheral areas of the site and except for a small amount of removal to facilitate the new access, this peripheral planting would be retained. Some self-seeded trees and scrub and a group of trees in the middle of the site would be removed to facilitate the development. This removal would be off-set with significant new planting elsewhere on the site.
- 5.39 Subject to the submission of a full 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 the site. The proposal therefore complies with Local Plan Policy NE6.
- 5.40 A reserved matters submission would include a landscaping scheme, and the illustrative plan indicates an intention to provide significant additional planting.
- 5.41 The submitted ecological report was considered by the Council's Biodiversity Officer and Natural England and no objection is raised subject to condition regarding mitigation and enhancements for wildlife. Natural England is satisfied that there is not likely to be an adverse effect on the SSSI as a result of the proposal being carried out in accordance with the details of the application as submitted. The SSSI does not represent a constraint in determining this application.

#### Drainage

- 5.42 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.
- 5.43 No objection on the grounds of flood risk and drainage are raised by the Environment Agency or OCC. No objection is raised by Thames Water regarding sewerage. Subject to a surface water drainage condition, it is considered that the proposal would be acceptable.

### Residential amenity

- 5.44 The indicative layout shows that a development of 50 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.
- 5.45 There would be significant separation between the site and the industrial buildings to the west and there would be unlikely to be unacceptable pollution impacts in this regard.

### Minerals consultation area

- 5.46 The application site is likely to be underlain by deposits of sharp sand and gravel, similar to those that have been worked at the adjacent Dix Pit minerals working site. The site has previously been developed by the airfield and associated buildings and by subsequent built development and uses. Therefore any potentially workable sand and gravel deposits have already been sterilised by development. In addition, this is a small site which is now isolated from active mineral working operations and is heavily constrained by its proximity to existing housing at Stanton Harcourt. Therefore no objection should be raised to this application on minerals safeguarding policy grounds.

### Contamination

- 5.47 The submissions have been assessed by the Environment Agency and WODC Pollution Control.
- 5.48 The site is adjacent to the Dix Pit landfill site which has been used for the disposal of non-hazardous waste, including municipal solid waste. Deposit of waste has ceased and the site is now being restored. However, it is acknowledged that there is some previous evidence of potential landfill gas migration from the site that could affect the proposed development. (No recent methane exceedances on the boundary of the landfill close to this development, but some past higher levels. Only occasional elevated CO<sub>2</sub> levels). This environmental monitoring data from the site is available on the Environment Agency public register.
- 5.49 The Environment Agency and WODC officer raise no objection but recommend conditions to address potential effects of the proximity of the landfill site, and this would require the submission of further information and possibly specific construction methods.
- 5.50 The nature of the information required would include: site investigation; assessment of risk; remediation measures where necessary; verification of any remediation required before occupation of the development; and potential long term monitoring plan.

### SI06 matters

- 5.51 The applicant has referred to the provision of 50% affordable housing which is a policy compliant contribution.
- 5.52 A contribution of £5,250 is required towards public art.

- 5.53 A contribution of £54,400.00 off site contribution towards community/sport/recreation facilities within the catchment is required. In addition, £40,900.00 is required for the enhancement and maintenance of existing play/recreation areas within the catchment and/or onsite provision.
- 5.54 A contribution to Primary education of £190,213 and Secondary education of £215,582.00 are required.
- 5.55 OCC will require an administrative fee to deal with the completion of the S106 and travel plan monitoring.

### **Conclusion**

- 5.56 The site adjoins a village, which although doesn't provide a full range of amenities is considered a suitable for some new development. This is recognised by the proposed allocation of the site in the emerging local plan.
- 5.57 The site lies adjacent to the Stanton Harcourt Conservation Area and within a relatively short distance of a number of listed buildings. Although there would be some effect in terms of siting significant housing development within a relatively short distance, of heritage assets, the impact on the setting of these heritage assets would be less than substantial. The provision of new housing, including 50% affordable, in a suitable location is considered to outweigh this limited harm in this case.
- 5.58 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.
- 5.59 The access to the site is acceptable in highways terms, subject to conditions.
- 5.60 The site is at low risk of flooding and a sustainable drainage scheme can be secured by condition.
- 5.61 There would be no impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.62 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.
- 5.63 Whilst the constraint of the adjacent landfill site is noted, no objection from formal consultees is raised and suitably worded conditions can address potential hazards and mitigation strategies.
- 5.64 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 scale, appearance, landscaping and layout (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: 6609-L-05 Rev B; 6609-L-02 Rev O; and 6609-L-06 Rev A. In addition, the reserved matters application shall be in accordance with the "Airfield Building Retention Strategy" submitted under covering letter dated 7th November 2016.  
REASON: For the avoidance of doubt as to what is permitted.
- 4 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway on Main Road including position, layout, and vision splays 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 means of access shall be constructed and retained in accordance with the approved details. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.  
REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework
- 5 Prior to the commencement of the development hereby approved, full details of the alignment and surface improvements to the public right of way footpath 362/11 as it runs through the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these surface improvements shall be constructed and retained in accordance with the approved details.  
REASON: To ensure safe and suitable access to the development for all persons.
- 6 Prior to commencement of the development 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:
  - 1) Discharge Rates
  - 2) Discharge Volumes
  - 3) Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)
  - 4) Sizing of features - attenuation volume
  - 5) Infiltration tests to be undertaken in accordance with BRE365
  - 6) Detailed drainage layout with pipe numbers



- 7) SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- 8) Network drainage calculations
- 9) Phasing plans

Soakaways shall not be constructed into contaminated land. The scheme shall be implemented as approved and retained thereafter.

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.

- 7 Notwithstanding the submitted details, prior to first occupation of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. In accordance with the approved Travel Plan, a travel information pack shall be provided to all new residents of the development on first occupation.  
REASON: To promote use of non-car modes of transport.
  
- 8 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
  - I The parking of vehicles for site operatives and visitors
  - II The loading and unloading of plant and materials
  - III The storage of plant and materials used in constructing the development
  - IV The erection and maintenance of security hoarding including decorative displays
  - V Wheel washing facilities
  - VI Measures to control the emission of dust and dirt during construction
  - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
  - VIII Hours of operation of the site
 REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
  
- 9 Prior to commencement of any development, including demolition and site clearance, a construction phase traffic management plan shall be submitted to and approved by the Local Planning Authority and the approved plan shall be implemented and adhered to throughout the period of construction.  
REASON: In the interests of Highway safety.
  
- 10 Fire hydrants shall be installed in accordance with details, including the phasing of installation, which have first been submitted to and approved in writing by the Local Planning Authority.  
REASON: To safeguard the safety of occupiers of the proposed dwellings.
  
- 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 (2012).

- 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 (2012).
- 13 Prior to commencement of the development, a geological conservation and management plan shall be submitted to and approved in writing by the local planning authority, in consultation with Natural England. No development, inclusive of tree planting and public footpaths shall take place within the Stanton Harcourt SSSI boundary and works proposed adjacent to the SSSI should avoid indirect impacts on the SSSI or access to it.  
REASON: To ensure that the development, as submitted, will not impact upon the features of special interest for which Stanton Harcourt SSSI is notified.
- 14 Prior to commencement of the development, including site clearance and demolition, a 10 year ecological and landscape management plan (including reptile mitigation strategy) for the greenspace (to include at least 3.08ha of green space) based on the mitigation and enhancements contained in Section 5 of the Ecological Assessment by Ecology Solutions Ltd. dated January 2016, and Bat Mitigation and Enhancement Principles by Ecology Solutions Ltd. dated October 2016, shall be submitted to and approved in writing by the local planning authority. The management plan shall be implemented in accordance with the approved details and retained thereafter.  
REASON: To ensure bats, reptiles, great crested newts, birds and their habitats, as well as priority habitats are protected in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended), in accordance with the NPPF, the West Oxfordshire Local Plan, and in order to comply with part 3 of the Natural Environment and Rural Communities Act 2006.
- 15 No development (including site clearance and demolition) shall commence until all existing trees shown to be retained within the submitted "Arboricultural Assessment" by FPCR dated February 2016, as amended by plans 6609-A-04 Rev A and 6609-A-05 Rev A, 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.
- 16 I. Site Characterisation  
No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:  
(i) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;

(ii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems.

## 2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

## 3. Implementation of Approved Remediation Scheme

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority a Verification Report confirming that all works were completed in accordance with the agreed details. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

## 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination. An assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part B. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with part C.

REASON: To ensure satisfactory development in the interests of the environment and human health.

- 17 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.

- 18 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.
- REASON: In the interest of improving connectivity in the District.

NB Council will be able to advise developers of known network operators in the area.

#### NOTES TO APPLICANT

- 1 Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email [roadagreements@oxfordshire.gov.uk](mailto:roadagreements@oxfordshire.gov.uk)
- 2 Potential for landfill gas migration.  
It is not the remit of the Environment Agency to comment on landfill gas issues with respect to human health or explosion risk. The Environmental Health Department at the Local Authority will comment on these risks. Please note, however, that this residential development is 130 m from Dix Pit household and commercial waste landfill which is still producing landfill gas, which has the potential to migrate horizontally. If there is the infrastructure of a Petrol Oil Lubricants system on site, there is the potential for this to act as ducts for gas to migrate using these as preferential pathways. This should be considered during the demolition phase of the development.
- 3 Dix Pit Landfill  
There is active landfill gas and leachate management at the Dix Pit Landfill site. Non-hazardous waste acceptance at the landfill site has currently ceased. The operator has applied to vary the permit for the remaining area to receive inert waste. Regarding the comment that the EA should be consulted to obtain further information about the Dix Pit Landfill, we would advise that the developer should contact the enquiries section of the Environment Agency ([enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)) for detailed information.
- 4 EA advice.  
The proposed development falls within 250m of a landfill site that is known to be producing landfill gas. Landfill gas consists of methane and carbon dioxide is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can

present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance.

The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.

Under the conditions of the Environmental Permit for the landfill, the operator is required to monitor for sub-surface migration of landfill gas from the site. An examination of our records of this monitoring show that there is some previous evidence of potential landfill gas migration from the site that could affect the proposed development. (No recent methane exceedances on the boundary of the landfill close to this development, but some past higher levels. Only occasional elevated CO<sub>2</sub> levels). This environmental monitoring data from the site is available on our public register.

You should be aware of the potential risk to the development from landfill gas and should carry out a risk assessment to ensure that the potential risk is adequately addressed. The local authority's Environmental Health and Building Control departments would wish to ensure that any threats from landfill gas have been adequately addressed in the proposed development. This may include building construction techniques that minimise the possibility of landfill gas entering any enclosed structures on the site to be incorporated into the development.

The following publications provide further advice on the risks from landfill gas and ways of managing these:

Waste Management Paper No 27

Environment Agency LFTGN03 'Guidance on the Management of Landfill Gas'

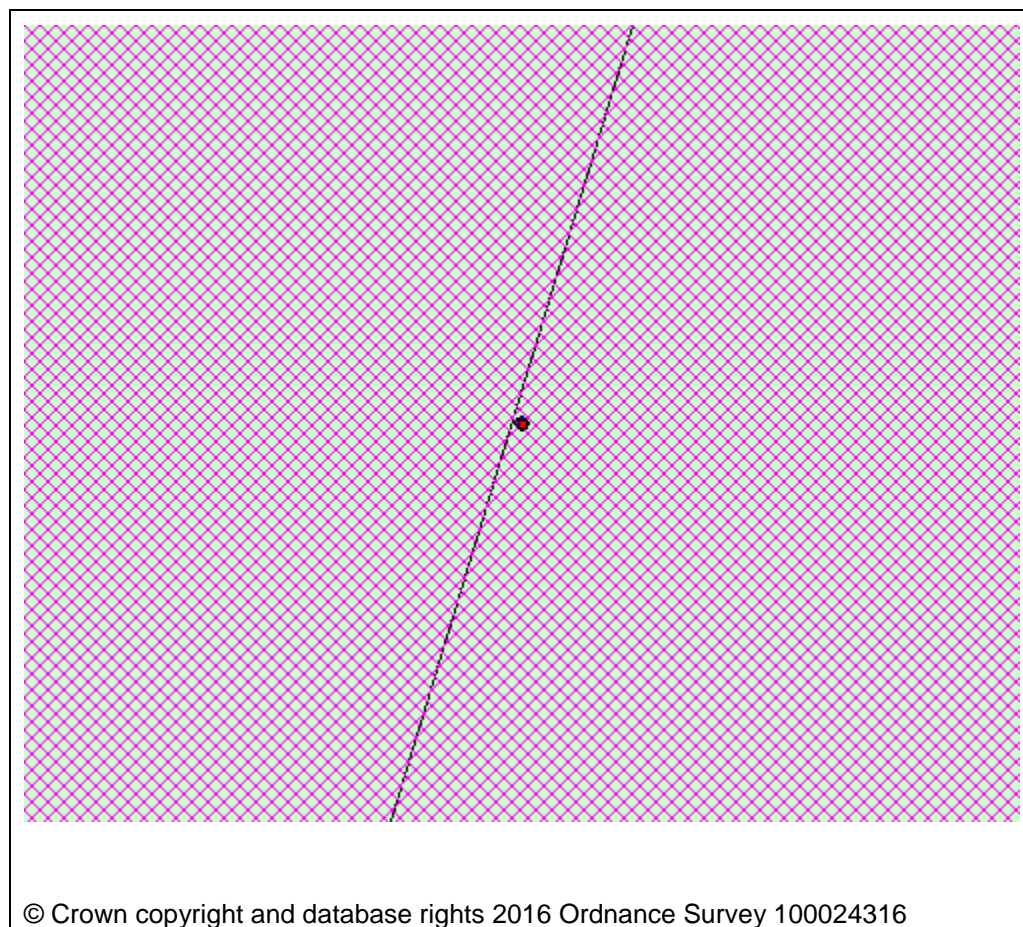
Building Research Establishment guidance - BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001

Building Research Establishment guidance - BR 212 'Construction of new buildings on gas-contaminated land' 1991

CIRIA Guidance - C665 'Assessing risks posed by hazardous ground gases to buildings' 2007

Application Number	I6/01902/OUT
Site Address	Land North of New Yatt Road North Leigh Oxfordshire
Date	30th November 2016
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	North Leigh Parish Council
Grid Reference	438125 E 213146 N
Committee Date	12th December 2016

### Location Map



### Application Details:

Residential development comprising of up to 40 dwellings together with access, open space and associated works.

### Applicant Details:

Kler Group  
CO Agent

## I CONSULTATIONS

### I.1 Parish Council

1. A significant loss of hedgerow along the frontage to create sight line which will open the site up and make new houses very visible and thus impact on rural setting and landscape on the edge of the village; with long term damage to other hedgerows and undisturbed habitats ideal for nesting birds etc. The winter photos do not show site as it is in summer - verdant green from foliage- Green Lane says it all! The house in Green Lane is called Verdant Cottage.

2. A devastating impact on old pasture rich with wild flower species, habitat for barn owls and other flora and fauna. Badger set down green lane not far away- this is ideal forage area for badgers - undisturbed. Applicant suggests management plan for transferred flower rich turf but who would ensure proper management and what would the cost be in perpetuity?

3 Surface water drainage not clear where water goes after balancing pond- ditches along Green Lane are very poor so could lead to flooding in Green Lane

4 The Kler Group are not house builders - this is an outline application the only reliable detail being the proposed access - all the rest could and probably will change - there are no real means of judging the height of new dwellings and how they relate to the local landscape and any properties nearby.

5 The site and proposal does not relate well to the village- it is out on a limb well away from the main facilities of the village so in breach of policies BE2 and 3. It also fails, under the same policy, to respect the existing scale pattern and character of the surrounding area. Further it fails to create a satisfactory environment for people to live in or visit, and existing features are either irreparably damaged or severely impaired. The surrounding area which is largely rural is adversely affected- the site is part of the Wychwood Project area. The form and scale of the dwellings and the materials cannot be assessed in all the above as there is little information provided - being an outline application where plans are purely illustrative and not binding.

6 Policies H2 and 3 - proposals should not erode character or appearance of surrounding area- scheme most certainly does exactly that - so in breach.

7 No bus stop that close and pedestrian access assumes connection to existing footways which are not there because the site is beyond the edge of the village. The access onto Green Lane is onto a single track lane where there is no path at present until 50 yards east where one starts- so children will have to walk along the road to start with- surely unacceptable in safety terms. The access onto New YATT ROAD shows a footway which is not there and would have to cross a number of household driveways on that side of the road- the plan shows a path leading to the junction with Green lane further east where there is not room to put a 1.8m footway without narrowing the road - we question whether the proposal can be delivered safely, let alone who would pay for the work should it be allowed. The

applicants own transport and access consultant sums up the audited risks very clearly on page 16 para 4.9 but the scheme fails to address the risks - see also page 4 para 5.1 and 5.2 of road safety audit. New Yatt Road is a well-known rat run and not somewhere to be taking children along in the morning rush hour

8 Remarkably the applicant claims there will be a negligible impact on traffic on New Yatt Road. If 40m houses are built then there are likely to be 80 plus cars most of which will move twice a day so we cannot believe their desk top figures. The survey figures show heavy west bound traffic but we wonder if this should not be eastbound as many people come from Witney and other villages from the west to get to the A4095 thru the village. Traffic speeds are already all at 30mph or just over so risk is higher than if average speeds were nearer 25mph.

9 The access is very close to a blind bend with poor cambering and observation of vehicle movements makes it clear that both to the east and west of the site access vehicles come over the white lines and traffic from 40 dwellings being introduced at this point on top of possible traffic from the Gladman site opposite - if approved on appeal could be up to 76 houses - this would be beyond madness! This road is a country lane C road already unsuited to the level of existing traffic (with fair proportion of HGVs and vans accessing New Yatt business park. Surely the sight lines should be 90 metres in both directions?-

10 The applicant suggests the open space proposed would benefit the whole village and that the village already has an excellent range of public open spaces- I would disagree completely- Cuckamas Green and the adventure playground are scarcely enough for NL.

11 Thames Water have said the sewage system is not capable of taking extra flows. This and another 76 houses on Gladman site if approved and the system has endless problems with bursts and leaks and pumping failures over recent years- it was originally designed for when the village was probably 2/3rds its current size.

12 No mention of affordable housing element - so in breach of policy requiring that a percentage are affordable.

13 Part of the field where the electricity transformer is on a pole is excluded from the proposal- what is going to happen to that strip of land, what is its proposed use and how will it be accessed? -Surely the existing gateway will be closed off if a new access is created - having a stay from an electricity pole across part of the splay already makes it unsuitable.

In short the scheme should be rejected

I.2 Major Planning  
Applications Team

Objection

The access road should be a width of 5.5m and clearer details should be provided of all the accesses showing vegetation to be retained and to ensure that visibility splays can be achieved. Vehicle tracking has not been submitted despite the 30mph speed limit, as the proposed site access is on a rural road on the edge of a village, I would argue that the Design Manual for Roads and Bridges (DMRB) is more



appropriate when determining the visibility splays necessary for a safe junction layout. Therefore, the required visibility splays are 70m in both directions.

The applicant has provided a drawing demonstrating visibility splays in both the east and west directions from the x distance of 2.4m at the access. Using the 85th percentiles of 32mph and 31mph, from the ATC speeds recorded, they have suggested they need a 90m visibility splay to the east (for vehicles approaching going westbound) and a 70m visibility splay to the west (traffic going eastbound).

On a recent site visit, the vegetation observed on the western side of the proposed access is extremely well established and dense and will need clearing if any such visibility splay is to be achieved. The applicant states however, that this will be removed, as they say it is on land within the application site.

What looks to be a drainage ditch was also observed to the west of the access, which would therefore mean that some of this vegetation falls within the highway boundary, which finishes at the ditch roadside edge. The applicant should submit more detailed plans showing the access, drainage ditch and visibility splays, to ensure that they can be achieved, especially given the location of the access just after a bend on New Yatt Road. I would advise that conditions be attached that ensure the adequate maintenance of these visibility splays prior to any approval given. I note that tree T19-B2 from the Tree Constraints Plan in the Tree Report, is to remain, which will be very close to the access and I wondered if some of the trees to the west of the access would be subject to a tree preservation order, thus affecting the ability to achieve adequate visibility splays. As there are currently no footways that link the development to the rest of North Leigh, the developer is proposing to construct a footway that links the access road to Green Lane, further to the east. The footway proposed will run along the northern side of the carriageway and be a width of 1.8m. This footpath will have to be deliverable for this development to be sustainable and be justifiable and it should be up to the developer to justify its deliverability prior to any approval.

Looking at the highway boundary along New Yatt Road, on the whole, the verge is wide enough to easily accommodate a 1.8m footway; however, there are concerns nearer to the site access and at the meeting with Green Lane.

#### Archaeology

There are records of medieval pottery being found within or adjacent to the application area. There is evidence of medieval ploughing across the application area. An early Anglo Saxon sunken feature building has been identified to the east in the garden of Greystokes. We would recommend that a predetermination archaeological field evaluation is undertaken to establish whether archaeological features are located within the application area and to provide a suitable level of information upon which an appropriate mitigation strategy can be established. This is in line with the NPPF and Local Plan policy and our advice provided for pre-application 15/01719/PREAPP.

## Education

Based on the unit mix stated in the application, this proposed development has been estimated to generate 14.18 primary pupils, 11.82 secondary pupils (including 1.62 sixth formers) and 0.29 pupils requiring education at an SEN school.

### Primary education

- £179,576 Section 106 required for the necessary expansion of permanent primary school capacity serving the area, at North Leigh CE Primary School, an academy. The school has an admission number of 20, but its actual intakes have fluctuated in recent years, as is common in village schools. To manage growing pressure on the school's accommodation, the county council installed a temporary classroom in 2012. The school - now an academy - would be able to permanently increase its admission number if this temporary accommodation were to be replaced with permanent.

This would then enable the school to meet the needs of this proposed development in a sustainable manner. Contributions are therefore sought towards additional permanent accommodation at North Leigh CE Primary School at a rate proportionate to the expected pupil generation from this development and based on the estimated cost per pupil of building permanent school accommodation.

- |     |                             |   |
|-----|-----------------------------|---|
| I.3 | WODC - Arts                 | No Comment Received.  |
| I.4 | Ecologist                   | I had no option but to recommend it for refusal even though it is at outline one due to the proposed priority habitat destruction, I couldn't see how they could fit 40 dwellings on the site and still maintain any of the identified priority habitats.   |
| I.5 | WODC Community Safety       | No Comment Received.  |
| I.6 | WODC Architect              | No Comment Received.  |
| I.7 | ERS Env. Consultation Sites | <p>The following condition is recommended for this development:-</p> <p>1. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originates on site, the report must include a risk assessment of potential source pathway receptor linkages. If potential pollutant linkages have been identified a site investigation assessing the nature and extent of contamination will be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority.</p> <p>2 The Remediation Scheme, as agreed in writing by the Local Planning</p> |

Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure any contamination of the site is identified and appropriately remediated, these details are required prior to the commencement of development as any on site works could have implications for the environment and human health.

I.8	ERS Env Health - Lowlands	No Comment Received.
I.9	WODC Head Of Housing	No Comment Received.
I.10	WODC Landscape And Forestry Officer	No Comment Received.
I.11	Natural England	No Comments.
I.12	WODC Planning Policy Manager	No Comment Received.
I.13	WODC - Sports	Sport/Recreation Facilities Offsite contributions are sought for sport/recreation facilities for residents based on the cost of provision and future maintenance of football pitches (the cheapest form of outdoor sports facility) over a 15 year period at the Fields in Trust standard of 1.2ha per 1,000 population.

Based on a football pitch of 0.742ha, a provision cost of £80,000 (Sport England Facility Costs Fourth Quarter 2013) and a commuted maintenance cost of £200,400 per pitch (Sport England Life Cycle Costings Natural Turf Pitches April 2012), this would equate to £453,477 per 1,000 population or £1,088 per dwelling (at an average occupancy of 2.4 persons per dwelling).

#### Contributions

$£1,088 \times 40 = £43,520$  off site contribution towards community/sport/recreation facilities within the village. This is indexed using the BCIS All in Tender Price Index published by RICS.

## Play Facilities

WODC endorses the Fields in Trust (FIT), formerly the National Playing Fields Association, standard of 0.8ha of children's play space for every 1,000 people. It also endorses the FIT guidance on distinct types of play areas to cater for the needs of different age groups (LAPs - Local Areas of Play, LEAPs - Local Equipped Area of Play and NEAPS - Neighbourhood Equipped Areas of Play).

## DEVELOPMENT TYPES, THRESHOLDS AND REQUIREMENTS

Of the FIT standard of 8sq m of play space per person, we will expect 5sq m to be casual and 3sq m to be equipped. At an average occupancy rate of 2.4 persons per dwelling this equates to 12sq m of casual space and 7.2sq m of equipped space for every dwelling. We will liaise with the town/parish council to establish the most appropriate form of provision taking account of the location, scale and form of the proposed development. In particular, the type of play facility will need to reflect the minimum sizes for a Local Area for Play (LAP) (100m<sup>2</sup>), a Local Equipped Area for Play (LEAP) (400m<sup>2</sup>) and a Neighbourhood Equipped Area for Play (NEAP) (1,000m<sup>2</sup>) and the need for adequate buffer zones and minimum distances from dwellings. Generally, on developments of fewer than 60 dwellings, we will expect applicants to make provision by way of a contribution to an equipped off-site facility.

## Contributions

The cost of providing and maintaining play facilities of the minimum sizes set out above is estimated to be as follows:

Facility	Provision	Maintenance
LAP	£ 16,000	£ 22,128
LEAP	£ 68,000	£ 71,916
NEAP	£ 143,000	£ 197,769

We will assess contributions towards equipped play facilities on the basis of providing and maintaining a NEAP that will meet the needs of 1,000 people. The contribution per person will therefore be £143 for provision and £198 for maintenance. This equates to an overall contribution of £818 per dwelling (at an average occupancy of 2.4 persons per dwelling).

$£818 \times 40 = £32,720$  for the enhancement and maintenance of existing play/recreation areas within the village. This is indexed using the BCIS All in Tender Price Index published by RICS.

I.14 TV Police - Crime Prevention Design Advisor

No Comment Received.

1.15	Thames Water	No objection subject to a Grampian condition.
1.16	WODC Env Services - Waste Officer	No Comment Received.
1.17	Biodiversity Officer	Consultation on amended plans expires 7th November. Update at committee.
1.18	Parish Council	Consultation on amended plans expires 14th November. Update at committee.

## 2 REPRESENTATIONS

2.1 Over 120 representations have been received on the original application raising the following summarised points:

- Once gone the fields are lost forever.
- Fields are needed for food.
- Light pollution in a dark area.
- Sewerage capacity is inadequate.
- Will increase traffic through the Eynsham Hall junction where there have been fatalities.
- Over development of the site.
- It is too far from the village proper.
- It is out on a limb.
- Contrary to planning policies.
- Urbanisation of the setting of the village.
- There are no street lights.
- Has not addressed issues raised in pre application consultation.
- Highway danger will increase.
- Traffic speeds through the village.
- There are no/inadequate pedestrian facilities.
- Increased traffic noise.
- Extra traffic through the pinch point.
- No bus services now.
- Too dense and out of character.
- Loss of ecology/wildlife value.
- Services and facilities will not cope.
- Will increase rat running.
- Vehicles cause damage to old properties.
- School cannot expand/cope.
- Extends built up limits.
- Coalescence with New Yatt.
- Access is dangerous.
- Should be assessed alongside the Gladman appeal.
- Less social interaction due to lack of integration.
- Roads suffer from on street parking problems.
- Loss of character as a village.
- Will harm rural appearance of Green Lane.

- Green Lane is poor quality access.
- Impact on horses, cycles and children.
- 4 or 5 would be better.
- Site lies near highest point of the village.
- Precedent for further expansion.
- Will increase population by 10- 15 percent.
- Doctors surgery is full.
- Fumes from traffic.
- Children and cars do not mix.
- It is a finger of development towards the AONB.
- It is not in the village.
- Too high a density for a village edge location.
- A roundabout will be needed.
- Ecology Appraisal has revealed the site is rich in wildlife.
- Development lies within Wychwood and Lower Evenlode Conservation Target Area.
- Destruction of significant and important wildlife corridors.
- Will increase flood risk.
- Area is particularly susceptible to flooding.
- Road is impassable in winter.
- Developer claims regarding lack of housing have been rejected at other appeals.
- Brexit will decrease confidence in house building.
- WODC approve applications but developers will not build them.
- Loss or recreational value.
- Hailey Parish Council endorses and fully supports the objections submitted by North Leigh Parish Council. Whilst the application is within North Leigh Parish, it has a direct impact on New Yatt, given its close proximity and the consequential likely effect on traffic. The delivery traffic and rat running through Church Rd, Common Rd and New Yatt Road will also significantly increase traffic along New Yatt Lane.

- 2.2 One letter of qualified support has been received advising that affordable housing is welcomed but speculative housing is not.

In respect of the amended plans 39 letters of objection have been received raising similar points to those already raised but indicating that the cumulative impact of the application plus the approved Gladman application means the concerns apply with even more force. Sewers, highways, village facilities etc will be put under even more cumulative pressure with the amendments not going to the heart of the problems and so the application should be refused

### **3 APPLICANT'S CASE**

- 3.1 Writing in support of their proposals the applicants have tabled a full suite of technical and other reports which may be viewed in full on line. The summary of their planning statement is reproduced below:

- Paragraphs 14 and 49 of the NPPF are therefore applicable and the presumption in favour should apply, unless significant and demonstrable adverse impacts indicate otherwise. The site meets the three strands of sustainable development defined within the NPPF. In the event that the Council can demonstrate a 5 year supply of housing land it is our case that the site and its location is sustainable and should proceed, as advocated by the NPPF and recent case law.

- Whilst North Leigh is classified as a medium sized village within the adopted Local Plan, we consider that the village has sufficient services and facilities and is within close proximity to rural service centres of Woodstock and Long Hanborough and the Main Service Centre at Witney by car and by bus.
- The Emerging Plan has been suspended due to housing numbers not being properly justified and not having taken account of the shortfall that will inevitably come from Oxford City.
- The Council has subsequently undertaken a further call for sites and is gathering further evidence to put back before the Inspector in December 2016.
- Supporting documents do not identify any material constraints to development or any significant and demonstrable adverse impacts that could outweigh the benefits of meeting the housing requirement in North Leigh and addressing the housing shortfall. Importantly, the Transport Assessment demonstrates that there will be no harm to highway safety on the local and strategic highway network and in particular the development will not cause a nuisance or disturbance on the local roads in the vicinity of the site.
- The site is deliverable and sustainable and will assist the LPA in meeting the outstanding housing requirement in West Oxfordshire District. The site forms a logical extension to the village and can be accommodated without causing demonstrable harm to the character of the area. In light of the housing land supply and the site credentials, it is respectfully asked that these proposals are supported.

3.2 Amended plans/documents (highways and ecology) were received to seek to address some of the previous concerns raised by way of refusal reasons in October.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

BE1 Environmental and Community Infrastructure.

BE12 Archaeological Monuments

BE13 Archaeological Assessments

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE4 Open space within and adjoining settlements

EH1NEW Landscape character

EH2NEW Biodiversity

EH6NEW Environmental protection

EH7NEW Historic Environment

H11 Affordable housing on allocated and previously unidentified sites

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

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

H6 Medium-sized villages

NE1 Safeguarding the Countryside

NE13 Biodiversity Conservation

NE15 Protected Species

NE3 Local Landscape Character

NE6 Retention of Trees, Woodlands and Hedgerows

OS4NEW High quality design

OS5NEW Supporting infrastructure

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

## 5 PLANNING ASSESSMENT

### Background Information

- 5.1 This application relates to a site located between the New Yatt Road and Green Lane. It is currently in agricultural use and is mainly bounded by other agricultural land albeit that part of the Southern boundary of the site wraps around an outlier of development between the sharp corners of the New Yatt Road. The application is in outline and proposes up to 40 units with 50 % as affordable units. A vehicular access would be taken direct to the New Yatt Road with a separate pedestrian access to Green Lane. Revised illustrative plans show a scheme mostly comprising 3 and 4 bedroomed detached houses with some of the existing trees, hedgerows and open areas retained but it is only access and the principle that are to be determined at this stage
- 5.2 The application was brought to Lowlands subcommittee in August where it was recommended for refusal. It was deferred and amended plans and documents have since been received and re-advertised with the consultation period expiring on 14th November. It was considered at the last committee meeting where it was again deferred as consultation responses were still awaited and the implications of the appeal being allowed on the adjoining land needed to be taken into consideration.
- 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 Members will be aware, the position regarding the 5 year housing land supply (5YHLS) is currently in flux. The policies of the adopted plan are out of date and were created prior to the publication of the NPPF. The emerging plan seeks to set out the method whereby the Council will seek to address the 5YHLS position, however the policies will only gain further weight as the plan progresses through the public consultation and examination phases. The policies of the emerging plan do allow for greenfield developments on the edge of larger settlements, and it is also necessary to take into account the loss of several appeals for major housing developments(including on the adjoining land) where the issue of 5YHLS was considered by the Inspectorate to outweigh other objections.
- 5.5 Whilst the Council cannot currently demonstrate a 5 year housing land supply, it is necessary to consider applications in the light of paragraph 14 of the NPPF and apply the tilted balance set out in the NPPF in favour of the approving the application provided that the harms do not significantly and demonstrably outweigh the benefits of so doing when weighed against the provisions of the NPPF when taken as a whole.
- 5.6 Taking all the above into account the proposals are considered acceptable in principle provided that the impacts do not significantly and demonstrably outweigh the benefits.

### Siting, Design and Form

- 5.7 The application is in outline accompanied by illustrative details for all matters other than access. In and of itself the layout has sought to respond to some of the constraints of the site and to incorporate existing site features within the illustrative layout. In that regard officers would not object to the layout per se. There are a series of consequences arising from the location that



mean that the scheme will still not settle easily into its context - almost irrespective of the design. Essentially the access lies well beyond the village limits such that the proposed scheme will not integrate well or appear as an organic evolution of built form but rather as a "bolt -on". This harm is exacerbated in that the location of the access on the inside of a tight bend necessitates the extensive removal of tree and hedge cover that currently contributes in a positive way to the rural approach to the settlement with this land reading as part of the agricultural setting of the village.

- 5.8 In that context the engineered form of the junction will further exacerbate the incongruous appearance of this form of development in this location and would significantly erode a key part of the rural gap between North Leigh and New Yatt leading to a much greater visual coalescence than is currently the case. However these were exactly the same issues that were argued against the development of the adjoining Gladman site - which is arguably more prominent and sensitive. The Inspector did not find that they precluded the development of that site and in equity your officers would therefore advise that even though it is not considered that these harms can be overcome (as no better access position exists that would not result in highway harms and the site is physically located in a key part of the gap between the settlements) that non the less these harms are not significant and demonstrable enough to justify refusing permission.
- 5.9 Additionally in order to seek to make the pedestrian access to this isolated site more amenable and safer, OCC are requiring a series of footway provisions and improvements which of themselves will harden the currently soft and rural "village " character of this part of the approach to the settlement and again these harms cannot be lessened without parallel increased highway danger. However again similar harms were not considered significant enough to warrant refusal at the adjoining appeal site. It should also be noted that whilst the site will be visible/harmful in the public domain from the public footpath and road network in the vicinity of the site the existing screen planting (which is largely shown as capable of retention) should ensure that impacts of the development in the wider landscape beyond the adjoining road and footpath networks is more limited than was the case on the adjoining site in your officers assessment.

#### Highways

- 5.10 As advised above OCC were requiring highway works to seek to improve pedestrian and vehicular safety. However as things stand it has not been demonstrated to their satisfaction that the access arrangements are safe and adequate or that the land is all available to undertake the necessary improvement works - albeit that amended plans have been tabled that the developers assert do overcome the concerns. As regards the joint implementation of the works in respect of the two adjacent sites they advise "The existing plans submitted with the outline application do not appear to show any proposed realignment of the highway to achieve safe access (see page 4 of the attached document) apart from the realignment on the corner of New Yatt Road to achieve the footway width of 1.8m, narrowing to 1.2m at certain points (such as just west of the junction with Green Lane. They want to provide a footway of 1.8m in width immediately west of the access, and it appears as though there is sufficient verge width for them to do this without having to realign the carriageway immediately west of the access until near the point of access with Green Lane. However, the key point is that they need to prove to us that their works are deliverable within the highway boundary and the developer's land envelope." Subject to receipt of a formal response from OCC it would appear that highway issues have been potentially overcome

- 5.11 Other respondents have cited the additional traffic through the pinch point and thereafter using the poor access at Eynsham Park to access the A 4095. Your officers would concur with the sentiment lying behind these concerns but would not advise that they be included in a refusal reason as in the absence of support from OCC as Highway Authority it may open the authority up to an award of costs.

#### Residential Amenities

- 5.12 Given the isolated and rural location there are very few residential properties directly affected by the proposals. The illustrative scheme has demonstrated that it would be possible to meet the usual privacy etc standards to the houses located in the outlier of development along part of one boundary and the scheme is for "up to " 40 units so if a scheme that failed to meet these standards were submitted at Reserved Matters stage the numbers could be reduced to secure compliance. As such neighbour amenity is not considered to justify refusal.

#### Ecology

- 5.13 It will be noted that a number of respondents have cited ecological value as a reason to object with a wide variety of species noted as being seen on site. The applicants own ecological assessment advises that there is some high value grassland, several species that are important to invertebrate biodiversity, that the hedgerows are important, that badgers were using the site, that the hedges were used by bats and could be Dormice territory and is suitable for Great Crested Newts, Common Lizard, Grass snakes and Slow worm. Several of the flora species were identified as near threatened, declining or as priority habitats. To address this high quality baseline position the applicants proposed some translocation of the grass sward and to retain as many hedges and trees as possible.
- 5.14 However the Councils retained ecologist advised that at least 4 adjacent ponds are suitable as habitat for GCN and that the site itself provides suitable terrestrial habitat. She advised that the dense scrub may have prevented a badger sett being discovered and that whilst some effort had been made to incorporate the trees and hedges, no real effort had been made to retain the grassland in situ. She considered that this would result in an unacceptable loss of lowland meadow habitat of principle importance and that this is contrary to national and local policies as it had not been mitigated enough and is bound to result in the loss of biodiversity, of priority habitats and with an adverse impact on protected species. This factor was considered to be a significant and demonstrable harm in the terms set out in paragraph 14 and footnote 9 of the NPPF.
- 5.15 However, since the initial comments further ecological information has been provided which has resulted in an amended illustrative layout and which in turn has meant that the ecological concerns have been overcome. As such this is no longer considered sufficient to justify refusal as the issues can be addressed by condition.

#### Archaeology

- 5.16 It will be noted that OCC is objecting on archaeological grounds. The applicants reports note that there is early medieval pottery but considers this to be of limited interest- along with the heavily eroded ridge and furrow and earthwork ridge. In contrast OCC advises that "There are records of medieval pottery being found within or adjacent to the application area. There is evidence of medieval ploughing across the application area. The village of North Leigh has its origins in the early medieval period and there is evidence of Romano British and later

prehistoric settlement and activity in the immediate area. Recent investigations to the east in the garden of Greystokes have revealed evidence of early Anglo Saxon settlement in the form of a sunken feature building. We would recommend that predetermination archaeological investigation is undertaken. A geophysical survey and archaeological field evaluation should be undertaken to establish whether archaeological features are located within the application area and to provide a suitable level of information upon which an appropriate mitigation strategy can be established. This is in line with the NPPF and BE13 Of the Local Plan."

- 5.17 In that it appears that there are heritage assets at risk but their full value is not known in advance of a more detailed investigation the proposal does not follow the advice of para 128 of the NPPF and it is not possible to make an informed judgement against the test of paragraphs 135 and potentially 139 of the NPPF. The harm is potentially significant and demonstrable in the terms set out in paragraph 14 of the NPPF and the absence of sufficient information is considered to justify refusal in its own right. However it is clearly capable of resolution by the applicants undertaking the necessary evaluation prior to any consent being issued (eg whilst a 106 was being negotiated) and as such in the absence of any other refusal reasons is considered capable of being addressed. Were any significant remains to be discovered then it would be necessary for Officers to bring the application back before members for reconsideration as that would be a new material consideration in the planning balance

#### Legal Agreement/benefits

- 5.18 Members will note that a number of respondents have sought financial contributions towards mitigating the impact of the development e.g. leisure, schools etc. There would also be a need to ensure that affordable housing was delivered. The applicants have indicated a willingness to enter into a 106 but in the absence of a signed agreement this represents a further reason for refusal- albeit one that is again easily capable of being overcome. The provision of these benefits by way of mitigation or to help support local services is a planning benefit that weighs in favour of the scheme. Other factors that weigh in favour of an approval are such matters cited by the applicant e.g. the economic and social benefits that arise from housing developments, the job creation, infrastructure improvements, promotion of the retention of village facilities etc. and these matters should also be given due weight as factors that support approval of the application

#### Flooding and sewerage

- 5.19 The impact of the development on sewerage capacity and flood risk have been raised by third parties but are not supported by the technical responses of the relevant consultees that have been received thus far. As such officers would not recommend that they be made the subject of a refusal reason. It will however be noted that Thames Water has requested a Grampian condition that requires further work to be undertaken and as such the impact on both the viability of the scheme and the deliverability within a 5 year time frame is not clear which undermines to some degree the benefit that should be ascribed to this scheme as a means to deliver against the current lack of a 5 year HLS.

## Conclusion

- 5.20 It is hoped that by the date of the meeting all outstanding responses will have been received. However in contrast to earlier recommendations and in light of the very recent decision on the adjoining site your officers now no longer consider that with the tilted balance set by the NPPF in place that refusal can be sustained at appeal. It is therefore likely that approval subject to conditions, to a legal agreement and to the applicants first undertaking the archaeological dig will be recommended

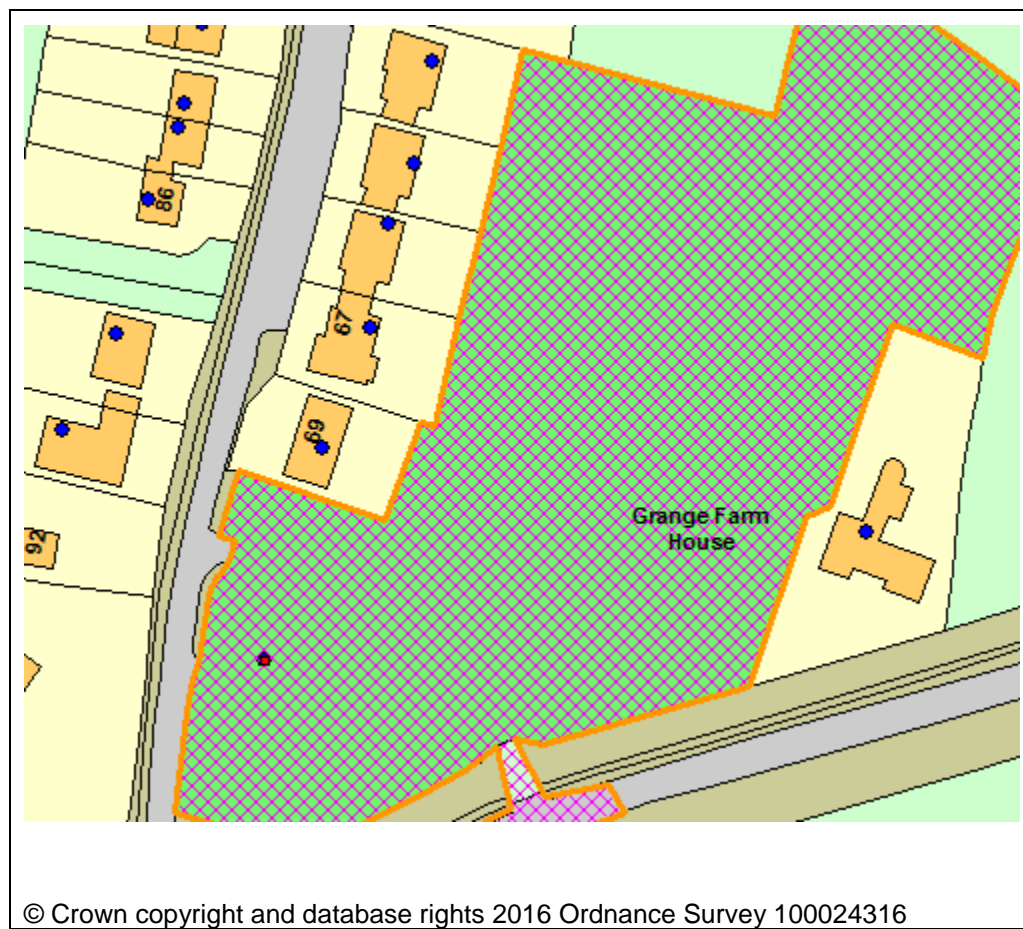
## **6 CONDITIONS**

A verbal update will be given upon receipt of the final comments of OCC but the recommendation is likely to be for approval subject to a legal agreement and conditions to cover:

Time limits  
Amended plans  
Access details  
Tree/hedge protection  
Replant frontage hedge post access  
Landscape maintenance  
Levels and heights  
Drainage  
Minimum 25 m back to back to existing houses  
Etc

Application Number	16/02657/FUL
Site Address	Land Off Well Lane Curbridge Witney Oxfordshire
Date	30th November 2016
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Curbridge Parish Council
Grid Reference	433061 E 208554 N
Committee Date	12th December 2016

**Location Map**



**Application Details:**

Erection of fourteen dwellings and associated works.

**Applicant Details:**

Miss Kirsten Johnston, 6 Rose Court, Olney, MK46 4BY.

# I CONSULTATIONS

I.1 Major Planning  
Applications Team

Recommendation:

Objection

Key issues:

Obstructed sight lines

Parking

Layout

I am in agreement that the visibility splays measured on-site are achievable for the safe and efficient functioning of the proposed site access on A4095 Bampton Road. However, I note that a gateway feature 'Curbridge Please Drive Carefully' structure that lies about 25m north of the site along the A4095 Bampton Road is within the vision splay for the proposed vehicular access, and will need to be relocated. The applicant should be prepared to meet the costs of relocating the "Curbridge Please Drive Carefully" sign on Bampton Road and the "give way" sign along Well Lane if necessary. The number of parking spaces provided is questionable for some of the dwellings. Plot 2 for instance is a 4-bedroom house which appears to have no dedicated parking. It is observed that dwellings 3, 5, 6 and 9 have been provided with one parking space besides their garages. These houses are all 3+ bedroom dwellings and shall likely generate more than a single vehicle per household. Garages are likely to only be used overnight if they ever get used for vehicle storage/parking thereby creating an overspill around the estate roads. Well Lane and Bampton Road do not appear suitable to accommodate any overspill parking resulting from this development. Looking further north of the development, it appears that the only turning bay provided to facilitate the turning around of vehicles is fronting plot 14. I am therefore concerned at the depth of this turning area, bearing in mind that larger vehicles such as refuse wagons, fire tenders and pantechnicon trucks cannot be accommodated within its depth. Seeing that this is the only area for turning should such vehicles access the site, it is prudent that a minimum depth of 12.5m should be given not including the 2m footway fronting plot 14.

Pedestrian access from Bampton Road into the larger site is by a footway along the eastern side of the access road. This does not seem to offer the best desire lines for pedestrians. It is more practical to provide the footway on the opposite side of the carriageway to link it up with the proposed route to Well Lane, north of Plot 1 and further south to Bampton Road access. This would better serve pedestrians to plots 5-8 and further up the site without a need to cross the carriageway on more than one occasion.

Archaeology

No objection

Education

No objection

I.2	WODC - Arts	We have considered the scale and mix of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site.
I.3	Ecologist	Ecological recommendation - further information required before determination of this application.
I.4	Wildlife Trust	No Comment Received.
I.5	ERS Env Health - Lowlands	Technical Pollution Services

I have no objection to the above application.

Contamination of land:

- o I would be grateful if the following is considered....

**A. Site Characterisation**

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages
- (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
- (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems.

**B. Submission of Remediation Scheme**

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details".

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination.

An assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part B.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with part C.

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

- |     |                                     |   |
|-----|-------------------------------------|---|
| I.6 | WODC Head Of Housing                | I can confirm that there are currently more than 270 households who would qualify for affordable housing were it available in Curbridge. Given the demand for affordable housing in this location, it would not seem unreasonable for the District to suggest that the developer make a contribution towards meeting this outstanding need. |
| I.7 | WODC Landscape And Forestry Officer | No Comment Received.  |
| I.8 | WODC - Sports                       | Section 106 contributions<br><br>Sport/Recreation Facilities<br><br>Contributions<br><br>$£1,110 \times 14 = £15,540$ off site contribution towards sport/recreation facilities within the catchment.   |



## Play Facilities

### Contributions

The cost of providing and maintaining play facilities of the minimum sizes set out above is estimated to be as follows:

Facility	Provision	Maintenance
LAP	£ 16,000	£ 22,128
LEAP	£ 68,000	£ 71,916
NEAP	£143,000	£197,769

We will assess contributions towards equipped play facilities on the basis of providing and maintaining a NEAP that will meet the needs of 1,000 people. The contribution per person will therefore be £143 for provision and £198 for maintenance. This equates to an overall contribution of £818 per dwelling (at an average occupancy of 2.4 persons per dwelling).

$£818 \times 14 = £11,452$  for the enhancement and maintenance of play/recreation areas within the catchment.

## 1.9 Thames Water

### Waste Comments

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

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

### Water Comments

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

Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- |      |                                   |   |
|------|-----------------------------------|---|
| I.10 | WODC Env Services - Waste Officer | No Comment Received.  |
| I.11 | Parish Council                    | The Parish Council would like to object to this application. We consider that the number of houses are an overdevelopment of the site and out of keeping with the character with the rural nature of the Village. |
| I.12 | Major Planning Applications Team  | No Comment Received.  |
| I.13 | Parish Council                    | No Comment Received.  |
| I.14 | Biodiversity Officer              | No Comment Received.  |

## **2 REPRESENTATIONS**

2.1 Nine letters of representation have been received to date and are summarised below:

### Mr King - 63 Well Lane, Curbridge

We are concerned that plots 10/ 11 being two storey dwellings are directly looking into our bungalow and garden, and feel this is an intrusion into our privacy. we would be happier if they were bungalows, as all neighbouring properties to the site in well lane are bungalows

### Mrs Spittles - 65 Well Lane, Curbridge

- Flooding;
- Proposed dwellings out of character;
- Overlooking;
- Loss of privacy;

### Mrs Inskipp - Garley, 2 Main Road, Curbridge

- Back filing;
- Scale of development;
- Out of character;
- Access;
- Flooding;
- Too big and no in keeping;

### Mrs Richman - 104 Well Lane, Curbridge

- Scale and out of keeping with the village;
- Curbridge is stated in the Local Plan of 2011 as a village of linear build and limited infilling only should be allowed;
- This development is not infilling and not limited;
- You cannot justify a development based on non-existent houses to create a non-existent infill;

- Large planning history on the site;
- The southern end was a farmyard with the infamous dovecote at its heart and as such is a brownfield site. I have no objection to a sensitive re-development here;
- The northern end however, as the History of the Site document points out, has never been developed and is therefore a greenfield site - and should remain so;
- Limited services to offer 14 new households;
- Traffic flow has been very unrepresentative since May. This development would be back-filling behind 61 - 69 Well Lane with overlooking and privacy issues;
- Also 61 - 69 are all bungalows whereas the development is for houses;
- Southern end of Well Lane has flooded 5 times this year in heavy rain, recently in the storm on August 27th, often to a depth of 2 feet;
- Set a very dangerous precedent for further back-filling in the village.

## 2.2 Following amendments:

My previous comments against this development still stand. A few amendments and tweaks will not make any difference to the fact that 14 new dwellings is far too many for Curbridge to absorb and they are sited behind and overlooking the existing single storey bungalows. A development on a more modest scale is needed.

### Mrs Hughes - 62 Well Lane, Curbridge

I am concerned that the number of dwellings would mean a great number of vehicles either using an entrance in well lane or the main Bampton road and as these are already very busy roads it would be very dangerous. There is also the issue of flooding in Well lane that happens as soon as we have heavy rain I think building this amount of dwellings can only add to the danger of flooding more likely.

### Miss Mace - 56 Well Lane Curbridge

14 dwellings will mean that there will be at least 3 times as many cars-at least 3 to a property, far too many for Well Lane (which has increased over the last few years) or very dangerous if the entrance/exit is out onto the very busy Bampton Road with a nasty bend. Flooding at the bottom of Well Lane which always happens as soon as we have lots of heavy rain. Building this amount of dwellings will increase flooding to a much higher degree.

### Mrs Weeks - 49 Well Lane, Curbridge

I do not understand why they should be allowed to build houses on this land when permission was only given for four bungalows. I wonder too if this will lead to the owners of adjoining land being allowed to build houses too. The bottom of the lane already floods when we have heavy rain and I am sure this building will make it worse. As English trees lose their leaves in winter how are they going to stop the bungalows being overlooked by houses.

### Mr King - 63 Well Lane, Curbridge

I have just read the ecological survey and would like to draw your attention to two points that are incorrect. Firstly the two trees are walnut trees, not false acasia, secondly the small ditch on the north boundary has a small population of crested newts. I expect the person who did the survey did not see much wildlife because the survey was done shortly after machines were

stripping all the trees and bushes, and churning all the ground up, so all the wildlife would have been looking for a safe haven.

Dr Leeves - Manor Farm, Main Road, Witney

Will there be sufficient parking within the development to prevent additional demand on the already crowded Well Lane. In the utilities assessment there is no mention of the lack of Gas supplies. This is something that the Village needs to have.

### **3 APPLICANT'S CASE**

3.1 Writing in support of their proposals the applicants have submitted a considerable volume of supporting information that may be inspected in full on line or upon request to the case officer. The original summary of the planning statement advises:

- This planning application seeks to achieve planning consent for a residential development on land at Well Lane, Curbridge.
- The proposed development is in accordance with national planning policy and guidance on housing delivery, sustainable development and the protection and enhancement of environmental and landscape assets. The proposed development would deliver a modest number of dwellings, including affordable dwellings, to a well sited village location, which represents a sustainable development in both use of land and the contribution the proposed accommodation would make to the sustainability and future vitality of the village community. This statement demonstrates how the proposed development would not give rise to any unacceptable impacts in terms of landscape, environmental impacts or highway impact. In conclusion therefore with reference to planning policy and other material considerations there are no significant and demonstrable adverse impacts that would arise from the proposed development and planning permission should therefore be granted.

3.2 Writing in support of the amended plans they advise that they will accept the need to re position the village sign, have amended/clarified the parking arrangements and added visitor parking. The garages have been increased in size and cycle parking provided. Vehicle tracking is demonstrated and the estate road amended to adoptable standards. They are happy to contribute to public transport and to add bio diversity elements. They advise that the new units are only 1.5 m higher than those in Well Lane and that flooding was due to blocked gullies. The dovecote that was on site has been referenced in the design of one of the garages and the density kept low to reflect the rural area.

### **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE4 Open space within and adjoining settlements

H2 General residential development standards

H5 Villages

NE1 Safeguarding the Countryside

NE13 Biodiversity Conservation

EH1NEW Landscape character

EH2NEW Biodiversity

EH7NEW Historic Environment

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes  
OS1NEW Presumption in favour of sustainable development  
OS4NEW High quality design  
OS5NEW Supporting infrastructure  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 This application relates to a site located at the southern tip of the 'Curbridge triangle'. It seeks planning permission to create a small cul de sac of dwellings served from a new access to the A4095. These will infill the space between the existing dwellings in Well Lane and the isolated existing house that fronts the A4095. Mature trees and hedgerows along the site boundaries are to be largely retained but the remainder of the site has been largely cleared of vegetation recently. 4 of the units are proposed as affordable units which is 40% of the nett gain over and above the 4 units that already have permission on part of the site.
- 5.2 The plans have been amended during the course of processing the application and amended consultee responses are awaited in respect of the amended plans. The recommendation is therefore subject to any comments as may be raised by consultees.
- 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 site is not allocated for development in the existing or emerging plan and is of a scale and form in excess of that allowed by adopted housing policies for the village. As such it is contrary to adopted plan housing policies. However as Members will be aware the District is currently unable to demonstrate a 5 year housing land supply and as such the so called tilted balance is in place where there is a presumption in favour of development unless there are significant and demonstrable harms that outweigh the benefits of housing when tested against the provisions of the NPPF as a whole. In that regard the site is not subject to any of the paragraph 14 footnote 9 harms and it should also be noted that the emerging plan does allow for greenfield developments in order to meet housing needs and where it does not cause any of the harms set out in that policy (E.g. proportionate scale, avoids coalescence, logical compliment, protects landscape etc). Again because of the point in the process of the local plan the emerging policies do not carry full weight but they are instructive as to the general direction of travel which in future is likely to allow developments of this form in villages such as Curbridge. Taking all of the above into account your officers consider that the principle of development is acceptable.

### Siting, Design and Form

- 5.5 The form of the development has had regard to its setting and context. The units fronting Well Lane broadly follow the established building line with the southernmost unit having a frontage to the A4095 as it will be a terminal feature in the long views up through the village. The house adjacent to the A 4095 sits in extensive grounds behind the reminder of the frontage hedge so mimics the general form of the existing frontage property with the remainder of the units loosely arranged along a meandering cul de sac. The forms are comfortable neo vernacular in a

mix of stone, red brick and render. A footpath link to Well Lane is created to tie the new houses back into the village to some degree and the layout could be extended in the future to enable further land to be accessed (subject to planning permission being granted) In the round the scheme is considered to respond well to the two main frontages from which it will be seen and should be a pleasant and attractive place to live. Officers did suggest that the layout could be optimised by taking access from Well Lane in order to better integrate with the village and enable retention of more of the hedge alongside the A4095. The applicants have advised that they will look at this option but wish the proposals to be determined as now tabled at this stage.

#### Highways

- 5.6 It will be noted that at the time of agenda preparation OCC has a series of technical concerns regarding the layout, parking and sight lines. The amended plans have been tabled in an attempt to overcome these initial deficiencies but a verbal update will need to be given as and when the revised response has been received from OCC as Highway Authority.

#### Residential Amenities

- 5.7 There are 5 existing properties who currently enjoy a view out from the rear of their properties across the application site. Clearly their outlook will be affected by the development in that open fields will be replaced with a housing development. That having been stated the outlook of No 69 Well Lane is to the gable of a row of units some 28m away and the nearest rear to rear distance is to 63 Well Lane which is 32 m away. Members will be aware that the usual minimum privacy distance is 21m and as such the separation is clearly well in excess of anything that could justify refusal on residential amenity grounds. There is also the opportunity to add some planting to the shared boundary in order to filter views further. Thus, whilst affected by the development the impact on existing residents is not such as would warrant refusal.

#### Technical matters

- 5.8 It will be noted that Thames Water are not raising objections on sewerage or water grounds, that any on site contamination can be addressed by condition, that there are no archaeology objections and that housing support the provision of affordable housing on site. It will however be noted that there was a holding ecological objection in that the site clearance undertaken had meant it was impossible to accurately identify and map any habitats on site but that as a precautionary approach improved habitats should be created on site along with ditch enhancement and specialist landscaping. An assessment as to suitability as habitat for GCN is required along with bat and bird boxes to enhance biodiversity. Further to these concerns amended plans have been tabled but the comments of the ecologist have yet to be received. A verbal update will need to be given at the meeting.

#### Legal Agreement

- 5.9 If planning permission is granted it will be necessary to secure the delivery of affordable housing and the leisure contributions along with the means to ensure that any POS is properly maintained and the public transport contributions.

## Conclusion

- 5.10 The proposal is contrary to adopted policies but is more in tune with emerging policies. Neither of these carry full weight. The key consideration is the so called tilted balance set out in paragraphs 14 and 49 of the NPPF which advocates a presumption in favour of development unless there are significant and demonstrable harms that outweigh the benefits of the housing delivery. In this instance, and subject to any outstanding comments as may be raised in respect of the amended plans, it is not considered that those harms do exist and as such conditional approval subject to a legal agreement 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 The development shall be carried out in accordance with the plans accompanying the application as modified by the letter(s) dated and accompanying plan(s).  
REASON: The application has been amended by the submission of revised details.
- 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 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.
- 6 Bat and bird boxes shall be installed in accordance with details including phasing that have been submitted to and approved in writing by the Local Planning Authority before development commences.  
REASON: To safeguard and enhance biodiversity.

- 7 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.  
REASON: In the interest of improving connectivity in the District.

NB Council will be able to advise developers of known network operators in the area.

- 8 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.

- 9 The landscaping details required by Condition No. above shall include:

I. a plan showing the location of, and a reference number for, each existing tree on the site with a stem diameter exceeding 75mm, measured over the bark at a point 1.5 metres above ground level, showing which trees are to be retained and the crown spread of each retained tree;

II. details of the species, diameter (measured in accordance with paragraph a) above), approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree on land adjacent to the site.

REASON: To safeguard the character and landscape of the area.

- 10 The existing hedge along the boundary of the land shall be retained at a height of not less than metres and that any plants which die shall be replaced in the next planting season with others of a similar species and shall be retained. The hedge shall be protected whilst development operations are in progress, in accordance with a scheme to be first agreed in writing with the Local Planning Authority and to be implemented before development commences.  
REASON: To safeguard a feature that contributes to the character and landscape of the area.

- 11 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.



- 12 No highway work shall begin until details of the junction between the proposed road and the highway have been submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until that junction has been constructed in accordance with the approved details.  
REASON: In the interests of road safety.
- 13 No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety.
- 14 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.
- 15 The garage accommodation hereby approved 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.
- 16 Fire hydrants shall be installed in accordance with details, including the phasing of installation, which have first been submitted to and approved in writing by the Local Planning Authority.  
REASON: To safeguard the safety of occupiers of the proposed dwellings.
- 17 Development shall not begin until a construction phase traffic management plan has been submitted and approved by the Local Planning Authority and the approved plan shall be implemented and adhered to throughout the period of construction.  
REASON: In the interests of Highway safety.
- 18 No other part of the development shall be commenced until:-  
a) A detailed site investigation has been carried out to establish:-  
I. If the site is contaminated;  
II. To assess the degree and nature of the contamination present;  
III. To determine the potential for the pollution of the water environment by contaminants and  
IV. The implication for residential development of the site and the quality of residential environment for future occupiers.  
Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority, and  
b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority, and  
c) A scheme showing appropriate measures to prevent the pollution of the water environment, to ensure the integrity of the residential development hereby approved and to ensure an adequate quality of residential environment for future occupiers in the light of such results and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.

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

- 19 Notwithstanding the generality of the above conditions, prior to the commencement of development full details of the following shall be submitted to and approved in writing by the LPA and the said agreed details shall be implemented in accordance with the approved details and be retained in place thereafter:

The ecological mitigation/enhancement works including timescales for delivery

The re location of the village sign

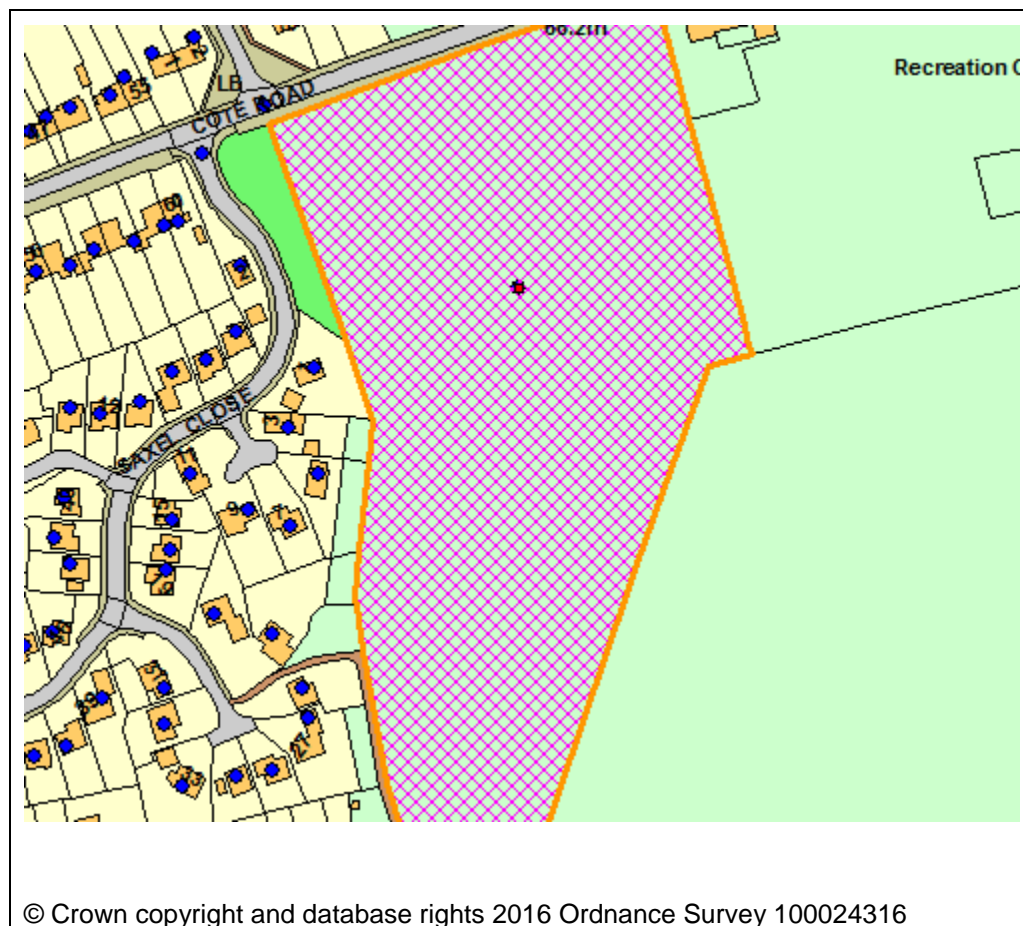
REASON: Such details were either not provided or were inadequate.

#### NOTE TO APPLICANT

You are advised that a number of trees on site are the subject of a TPO and that unauthorised works to such trees constitutes a criminal offence.

Application Number	16/03309/S73
Site Address	Land East of Saxel Close Aston Bampton Oxfordshire
Date	30th November 2016
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Aston, Cote, Shifford And Chimney Parish Council
Grid Reference	434522 E 203064 N
Committee Date	12th December 2016

### Location Map



### Application Details:

Variation of condition 3 of planning permission 13/1494/P/OP to allow connection to the existing foul sewer network as agreed by Thames Water (the strategy shall be in accordance with the foul water outfall study prepared by JPP consulting - drawing no SK02).

## **Applicant Details:**

Mr Chris Santer, Matthew Homes Ltd, Matthew House, 45 - 47 High Street, Potters Bar, Hertfordshire, EN6 5AW

## **I CONSULTATIONS**

- I.1 Parish Council  
Whilst we are supportive of the principle of attaching the site to the foul sewer network, we strongly oppose the suggestion that this can be done without the significant upgrading work that Thames Water themselves have said will be required before two similarly sized applications (15/01550/OUT and 16/03005/OUT) can be attached to the same sewer network. It is a simple fact that the local sewer system already struggles to cope and fails regularly; attaching any more homes to it will significantly increase the local sewage flooding risk.
- I.2 Thames Water  
Waste Comments  
Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.  
Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- I.3 WODC Drainage Engineers  
As this application is concerned with discharge of foul water to the Thames Water network, we have no comments to make as it is outside our remit.

## **2 REPRESENTATIONS**

- 2.1 Seven letters of representation received, their objections are summarised as follows:
- The main sewer in Aston struggles to cope with existing use and issues of blockage, foul water pollution and flooding are regularly raised.
  - Sewage overflow is a common occurrence in parts of Aston already.
  - The sewers will not take another 38 dwellings.
  - This development is one of 3, that if approved will see the population of Aston increase by 30% over the next 5 years.

- Recently-revised planning legislation includes a new principle of 'a presumption in favour of sustainable development'. I contend that this development remains unsustainable - inter alia, due to the incapacity of current utilities; foul water and surface water drainage in particular.
- Residential properties in Bull Street discharge surface water from gutters and driveways into the foul sewers, greatly increasing flows during heavy rain.
- The Bull Street Aston sewage pumping station (SPS) ceases operation during prolonged heavy rain, necessitating at least a remote restart from the Thames Water (TW) control room or a site visit from their contractors.
- The Bull Street SPS floods when the water table rises to close to ground level, as revealed by flooding of nearby fields. This occurred during the winter floods both of December 2012 and December 2013.
- The consultants have indulged in "creative engineering" in order to satisfy their clients wishes.
- Site is not brownfield as stated by TW.
- TW previously stated that the sewer was inadequate to cope with the additional load from this development.
- TW now appears to have decided that the sewer does have capacity.
- It seems that TW Catchment Planning Team have come to this conclusion using theoretical 'desktop modelling' of methodological criteria amended earlier this year - but without reference to their Operations/Maintenance.
- Strongly object to this development being added before a significant upgrade to the Aston sewer network.
- Urge WODC to thoroughly examine all previous correspondence relating to TW's systems between Aston and Bampton and relating to planned developments in the village as a whole, not just relating to this site.
- The current state of the Aston Hills needs to be addressed prior to more heavy goods vehicles using the road and causing smaller vehicles to undulate excessively due to the uneven road surface.

### **3 APPLICANT'S CASE**

3.1 The applicant has submitted the following statement:

- Condition 3 of outline approval I3/I494/P/OP relates to foul water disposal and in particular a drainage scheme based upon Option C set out in a Foul Drainage Assessment that was commissioned by the current landowners at the outline application stage.
- It is understand officers have delegated authority to approve a drainage scheme based upon Option C but any alternative solution should be assessed and determined by the Committee Members. Option C was to install a package treatment plant for the proposed development that discharges treated water to a watercourse rather than a public sewer.
- Matthew Homes Ltd has agreed terms with the landowner and contracts have exchanged with completion of the purchase being subject to the approval of this application. Recent investigations on site have concluded that there are no watercourses that are within or adjoin the land in question so it is not physically possible to make a connection to a watercourse. The nearest ditch is the Bull Lane ditch but this is in third party ownership. In any case there are no legal rights in place to discharge water of any type or quality into this ditch or any other watercourse.
- Subsequently a pre-development enquiry was submitted to Thames Water to establish if capacity is available within their network to accommodate the development. Thames Water have confirmed that capacity is available to accommodate the approved 38 dwellings and

that a proposed connection to their existing 150mm public sewer that crosses the site is acceptable in principle, subject to detailed design. Please refer to the information and correspondence from Thames Water and JPP Consulting Engineers provided as part of the application.

- The proposed solution is essentially the same as Option A proposed within the aforementioned Foul Drainage Assessment. At the outline stage a direct connection was originally of concern due to possible capacity issues but as highlighted above Thames Water have confirmed that the existing foul sewer network does have sufficient capacity to accommodate the proposed foul water discharge from the proposed development.
- In conclusion it is proposed to remove reference to the unviable option C and propose a variation as per the application.
- It should be noted that Part H of the Building Regulations state that the preferred option for foul water disposal is first to always connect to a public sewer and this is detailed further in the application.

#### **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE5 Conservation Areas

NE1 Safeguarding the Countryside

NE3 Local Landscape Character

H2 General residential development standards

H3 Range and type of residential accommodation

H11 Affordable housing on allocated and previously unidentified sites

NE13 Biodiversity Conservation

T1 Traffic Generation

T2 Pedestrian and Cycle Facilities

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

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH1NEW Landscape character

EH2NEW Biodiversity

EH5NEW Flood risk

EH6NEW Environmental protection

EH7NEW Historic Environment

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

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

#### **5 PLANNING ASSESSMENT**

Background Information

- 5.1 This application relates to a site located beyond the main built up limits of the eastern edge of the settlement, lying between Bull Street and Cote Road with access taken to Cote Road. The Saxel Close housing development abuts the western boundary of the site and the village sports complex abuts part of the eastern boundary. An outline application was approved in 2014 for up to 38 dwellings. This application seeks the variation of a condition imposed on the outline application requiring the applicant to submit a drainage strategy:

Development shall not be commenced until such time as a drainage strategy detailing 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 and to ensure that sufficient capacity exists to serve the development and avoid adverse impact on the local community.

NB: You are advised that in considering the application Members gave delegated authority for officers to approve a drainage scheme based upon option C set out in your Foul Drainage Assessment but require to assess and determine the details if an alternate drainage solution is proposed.

- 5.2 The applicant now wishes to connect to the existing foul sewerage system.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

#### Principle

- 5.4 The principle of development has been already been accepted here, however on the outline application a condition was imposed to require the applicants to make alternative provision rather than connect directly to the sewerage system which was believed to be at capacity.
- 5.5 The applicant has since been in discussion to resolve the matter with Thames Water who have reassessed the sewer capacity and are now willing to allow connection to the system. Thames Water were formally consulted on this application and have raised no objection subject to conditions. Whilst the local and Parish Council objections are noted, your officers are obliged to take this technical consultee advice on board when making their recommendation and in light of no technical objection having been received a recommendation to approve the proposal has been made.

#### Conclusion

- 5.6 In the absence of a technical objection to the proposal, the application is recommended for approval subject to conditions and a variation to the legal agreement.

## 6 CONDITIONS

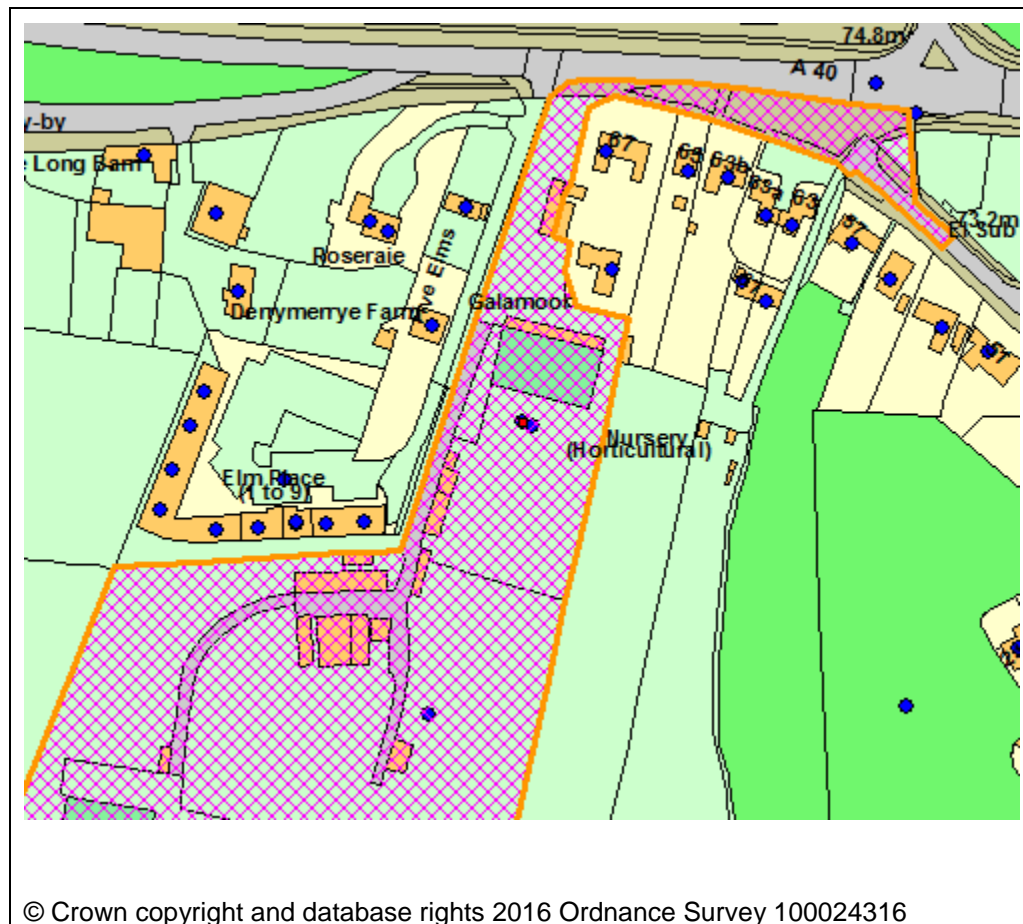
- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;  
and  
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, 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 application shall be carried out in accordance with the drawings submitted with the application and the plans and documents submitted with I3/I494/P/OP.  
REASON: For the avoidance of doubt.
- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.  
Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.  
REASON: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 5 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. Where appropriate the details shall include a management plan setting out the maintenance of the drainage assets. The development shall be carried out in accordance with the approved details prior to the first occupation of the dwellings hereby approved and shall be maintained in accordance with the management plan thereafter.  
NB: It is likely that the details required to discharge the above condition will involve the extensive use of SUDS and should make provision for peak rainfall plus 30% and measures to be used should drainage features fail.  
REASON: To ensure proper provision for surface water drainage and ensure flooding is not exacerbated in the locality.
- 6 The means of access between the land and the highway shall be formed, laid out and constructed in accordance with the specification of the means of access attached hereto, and all ancillary works therein specified shall be undertaken in accordance with the said specification before any of the dwellings are occupied.  
REASON: To ensure a safe and adequate access.



- 7 Development shall not begin until a construction phase management plan and travel plan have been submitted to and approved in writing by the Local Planning Authority and the approved plans shall be implemented prior to works commencing/the dwellings being occupied respectively.  
REASON: In the interests of highway safety.
- 8 Prior to commencement of development, including site clearance, a detailed method statement incorporating the mitigation strategies set out in the reports accompanying the Outline application 13/1494/P/OP and aimed at enhancing biodiversity shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the biodiversity mitigation/enhancement measures shall be carried out in accordance with the approved details.  
REASON: In the interests of biodiversity.
- 9 As part of the submission of the reserved matters full details of the water and energy saving measures to be employed shall be submitted.  
REASON: To promote energy and water saving.

Application Number	16/03360/S73
Site Address	Eynsham Nursery And Plant Centre Old Witney Road Eynsham Witney Oxfordshire OX29 4PS
Date	30th November 2016
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Eynsham Parish Council
Grid Reference	442263 E 209882 N
Committee Date	12th December 2016

### Location Map



### Application Details:

Variation of condition 2 of planning permission 15/00761/FUL to allow changes to appearance, design and distribution of some of the dwellings.

## **Applicant Details:**

Mr Nathan Craker, Vanderbilt Homes, Apollo House, Mercury Park, Wycombe Lane, Wooburn Green, Bucks, HP10 0HH.

## **I CONSULTATIONS**

- 1.1 Parish Council Eynsham Parish Council objects to this application. The variation in design would raise the ridge height of some dwellings from the previously approved height to 10 metres which is out of keeping with the existing built environment and which would be an urbanizing intrusion into the surrounding area at the edge of the village. The application makes no substantial changes to the site access which remains a contrived bottleneck extension of Old Witney Road for all traffic, including motor vehicles, emergency and essential services, cycles and pedestrians. The application ignores the WODC draft Local Plan, now approved by Cabinet for public consultation, which provides for a western link road which would provide access to the site other than through the congested centre of the village. The application also takes no consideration of the changes to the A40 adjacent to the site being developed by OCC.
- 1.2 WODC Architect No Comment Received.
- 1.3 WODC Head Of Housing In so far as there are no material changes to the quantum of affordable housing as stated in Schedule 3, 2.3 of the S106 Unilateral Undertaking dated 24 June 2016, I have no objection to the S73 to vary condition 2 of the planning permission.

## **2 REPRESENTATIONS**

- 2.1 None received to date.

## **3 APPLICANT'S CASE**

- 3.1 Writing in support of the proposals the agent advises as follows:

- The amendments sought as part of this s73 application do not seek to change the overall thrust of the approved scheme and only seeks to make refinements to the appearance, design and distribution of some of the dwellings, including the removal of some of the rooms within the roofspace around the periphery of the site.
- This does not result in a different overall mix of units from the planning approved scheme, nor does it seek to change the structure of the approved layout.
- This has resulted in a scheme that visually looks and feels the same, but which has had better regard to the distribution of the affordable housing, given the mix (as required by the Housing Officer) as set out within the S106 Agreement, which required far fewer 4 bedroom dwellings than in the original submission. This is the catalyst for the principle design changes.
- It is therefore considered that the original Design and Access Statement is still relevant for the most part, and it is not therefore intended, or indeed considered necessary to replicate the content here.
- The headline changes to the approved scheme are as follows:

1. Reduction in the amount of affordable A4 house type
2. Increase in affordable A3 house type
3. Redistribution of some affordable house types within the scheme
4. Amended orientation to pumping station
5. Removal of some accommodation within the roof spaces
6. New shared surface road to southern part of site
7. General minor elevational changes

#### **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

H2 General residential development standards

OS4NEW High quality design

OS5NEW Supporting infrastructure

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

#### **5 PLANNING ASSESSMENT**

##### Background Information

- 5.1 This application relates to the site that recently secured consent at appeal and seeks to vary the layout and a number of house types. If it is approved there will be a parallel need to amend the associated legal agreement.
- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

##### Principle

- 5.3 The principle has already been established by way of the appeal decision. However since that time the emerging local plan has been put out for consultation and the decision at Thornbury Close has established a precedent for seeking to connect these piecemeal sites into the wider development. These are clearly new material considerations subsequent to the Inspectors decision and your officers wish to explore with the applicant the need to amend the extant 106 to reflect the changed circumstances. There has not been the opportunity to undertake those negotiations but it is hoped that they can be undertaken in advance of the meeting whereupon a verbal update can be given to the meeting.

##### Siting, Design and Form

- 5.4 Again the appeal approval sets a benchmark as to the general acceptability of the scheme but in that it was recommended for refusal last time there are a number of architectural amendments that your officers will be seeking to the submitted and amended house types to seek to ensure that they better reflect the character of the area and to ensure a better quality of overall development. These works would not affect the overall quantum or floorspace of the development and so it is hoped that they can be relatively easily resolved.

## Conclusion

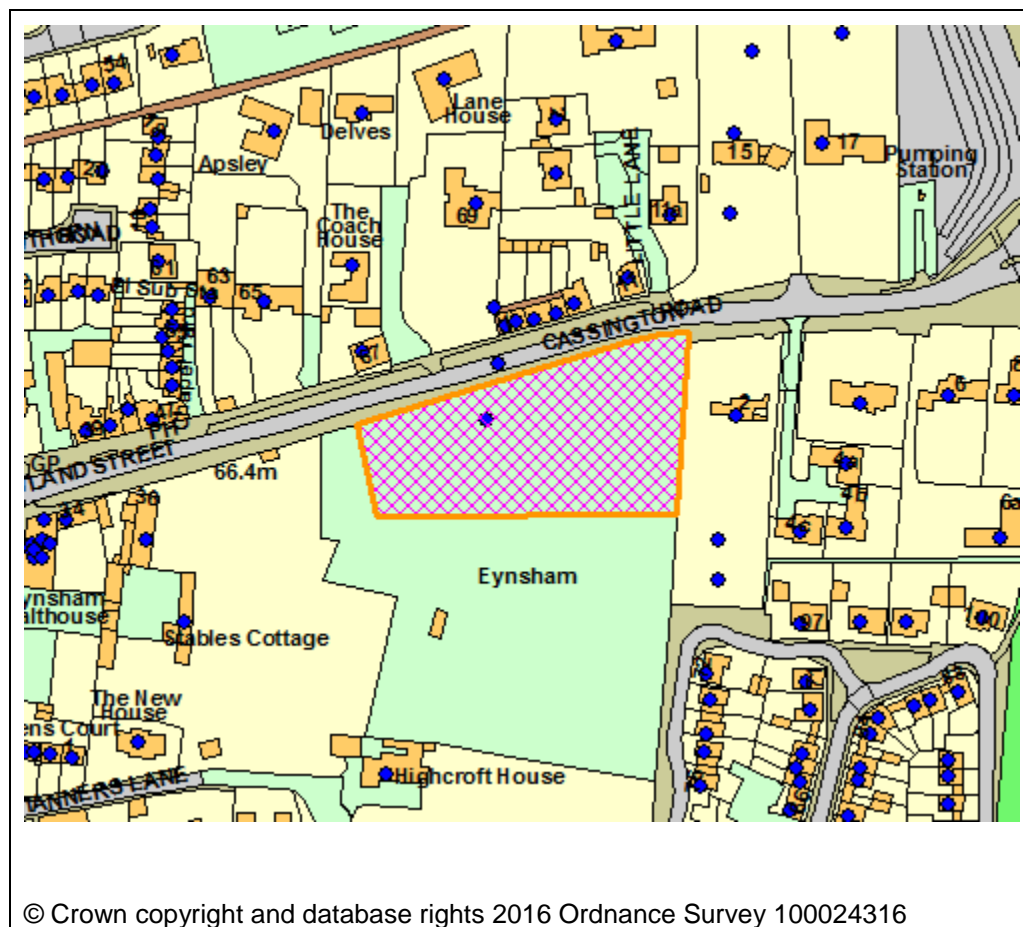
- 5.5 The application relies upon the principles established at appeal but offers an opportunity to reflect the up to date position and improve the housetypes. It is hoped that these matters will be resolved by the date of the meeting whereupon the application can be brought forward for determination. In that the principle is established it is likely that this will be for conditional approval and to accept a side agreement to tie the extant I06 into this development along with any amendments additionally secured

## **6 CONDITIONS**

Officer to report verbally but likely to be a recommendation to approve subject to a deed of variation of the existing I06 and to securing amended plans.

Application Number	16/03396/S73
Site Address	Land at Newland Street Eynsham Oxfordshire
Date	30th November 2016
Officer	Hannah Wiseman
Officer Recommendations	Approve
Parish	Eynsham Parish Council
Grid Reference	443664 E 209577 N
Committee Date	12th December 2016

### Location Map



### Application Details:

Variation of Condition 2 of Planning Permission 15/01184/FUL to allow amendments to the plans for Plots 6-11.

**Applicant Details:**  
Mr Henry Chopping  
c/o Agent

## **I CONSULTATIONS**

1.1 WODC Architect Re the above application (Variation of condition 2 of Planning Permission 15/01184/FUL to allow amendments to the plans for Plots 6-11 - Land at Newland Street, Eynsham), I don't have any strong objections.

The design has shifted somewhat from an apparent 3-storey terrace to something akin to a stand-alone detached mansion. Overall, the front elevation arguably represents a slight improvement in design terms over that of the previous scheme (it is more unified). The rear elevation is less well resolved (with, at 2nd-floor/ roof level, uncomfortable flat-roofed projections in the junctions of the rear-projecting bays, and top-heavy segmental pediment half-dormers etc.) The alterations to scale and massing, (incl. silhouette) are marginal.

Conditions as per scheme granted at appeal.

1.2 Parish Council Eynsham Parish Council objects to this application. The proposed design of the apartment block is not in keeping with the character of Newland Street or the village as a whole. Because of the considerably higher level of ground on which the block is proposed to be built it would have a disproportionately dominant effect on Newland Street compared with the properties on the opposite side. It would also have an adverse effect on the proximate listed buildings, The Gables and Newland Inn and erode the character and appearance of the Conservation Area.

The owner of the property promoted the application for his development supported by the creation of a community orchard adjacent to the development site. The Parish Council is not aware of any effort by the owner to establish this orchard in conjunction with the proposed development.

## **2 REPRESENTATIONS**

2.1 Four neighbour objections have been received in relation to this proposal. Those comments are summarised below:

- Design is out of keeping.
- The natural stone was approved and should be kept.
- The main block is too high and overlooks my property.
- A stone finish in at least in part would help preserve the character of the conservation area.
- Site notice is placed on a dangerous bend.
- Main block still high and will have an overbearing impact on the cottage opposite.

- The 'Georgian Villa' style does not fit in to this area let alone enhance the conservation area.
- The reduction in height is not significant.

2.2 One letter of support has been received from the land owners:

"We would like to make two points to the planning committee and its officers.

1. Firstly these proposed changes to the central block of flats have been agreed between ourselves and the builders in order to lessen the impact of this building on the surrounding area. If they are not approved, the building will simply have to be constructed in the precise form as approved by the inspector at appeal.

2. Secondly, contrary to the opinion expressed by the Eynsham Parish Council, we are proceeding with putting the remainder of the adjacent field into a Charitable Trust for the benefit of the community, even though this was not a requirement of the inspector. We are at present exploring the possibility of making the land part of the Eynsham Consolidated Charities."

### **3 APPLICANT'S CASE**

3.1 The applicant has provided a Design and Access statement in support of their application which can be read in full on the Councils website, however the summary and conclusions of the statement is copied below;

#### "SUMMARY AND CONCLUSIONS

This Planning, Design and Access Statement has been prepared to accompany a Section 73 application for the proposed 'Variation of Condition 2 of planning permission 15/01184/FUL to amend design of Plots 6 - 11'.

As a result of the amended design for Plots 6 to 10, the proposed plans improve the design concept for a grand Georgian villa and such continue to enhance the Conservation Area. The reduced height and massing of the building is a benefit of the proposal in light of the concerns of local people and members of the Planning Committee when the approved scheme was initially considered. As such the proposal accords with the design principles of Local Plan Policies BE2, BE5, BE8 and H2."

### **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

OS2NEW Locating development in the right places

OS4NEW High quality design

EH7NEW Historic Environment

H4NEW Type and mix of new homes

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

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

### **5 PLANNING ASSESSMENT**

#### Background Information



5.1 This application is seeking a variation to condition 2 of notice of permission ref. 15/01184/FUL which was granted on appeal, to allow for amendments to the design of central apartment block referred to as Plots 6-11 by the submission of amended plans.

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  
Siting, Design and Form  
Impact on Conservation Area  
Impact on Residential Amenities

#### Principle

5.3 The principle of the development has already been established by the grant of the consent at appeal and therefore it is simply the design elements for consideration under this application. Providing the proposals do not conflict with any other policies within the Plan, the principle of the proposal is considered acceptable.

#### Siting, Design and Form

5.4 The proposal has been submitted in response to wider concerns that the apartment block was considered too high and bulky and therefore an alternative design has been produced to reduce the height and massing. The foot print of the central block is very similar to that approved; therefore the overall layout of the site remains unaltered. The main changes are the reduction in height and changes to the central ridge which reduces the overall height in this section by 400mm. A hipped roof to the gable ends is now proposed with dormer windows in the roof.

5.5 The double fronted 'Georgian villa' Style has been retained however the use of Stucco render is now proposed along with the removal of the brick extension elements to the sides of the building. The main access to the building is now in the centre of the building housing the stairwell. The first floor flats are now shown to have small covered balconies on the rear elevations. In all the changes are considered acceptable and in accordance with policy BE2 of the adopted Local Plan 2011.

#### Impact on Conservation Area

5.6 The Councils Conservation Architect has confirmed there are no objections to the proposed amendments to the extant scheme, and that the changes to the front elevation may be considered an improvement given that it now appears more unified. As a result, the proposal is considered to continue to preserve or enhance the conservation area in accordance with policy BE5 of the adopted Local Plan 2011.

#### Impact on Residential amenities

5.7 The proposal is not considered to give rise to any residential amenity issues that have not already been addressed by the Inspector in the appeal decision. The proposal is now reduced, however marginally, in height and there is a reduction in the overall number of windows at the

second storey thereby the proposal may even be considered to have a lesser impact on neighbouring amenity, than the extant approval.

### Conclusion

- 5.8 The Design changes proposed are considered acceptable on their merits and as such your officers recommend the variation of the condition should be approved to allow for the amended designs. All of the remaining outstanding conditions of those attached to the Inspectors' appeal decision shall be re imposed.

## **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 following approved plans: S1.01, S1.02, SK2.04, P1.02 Rev D, P1.03 Rev B, P2.02, P2.03 REV A, P2.04 REV A, P2.05, P2.06  
REASON: In the avoidance of doubt as to what is approved.
- 3 All works must be carried out as per the approved method statement and in accordance with the recommendations in Section 7 of the "Tree Assessment for Bats and Badger Survey" by 4 acre ecology dated 27 May 15 and The clearance method statement which includes the measure for the protection of Badgers on site by Windrush Ecology dated September 2016 as discharged under application 16/03246/CND.  
REASON: In the interests of protecting local wildlife and biodiversity.
- 4 The approved Scheme for landscaping and planting specification as indicated on drawing ref. P1.02 and document by Hadingham Kirk as discharged by application 16/03246/CND, shall be implemented as approved by the end of planting season immediately following completion of the development or the development first being brought into use, whichever is the sooner. In the event of any of the trees or shrubs so planted dying, being removed 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.
- 5 No development (including site clearance and demolition) shall commence until all existing trees shown to be retained within the submitted "Tree Survey Report" by Venners Arboriculture dated March 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 as submitted under application 16/03246/CND by Venners Arboriculture Dated September 2016 shall be adhered to in full. 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.

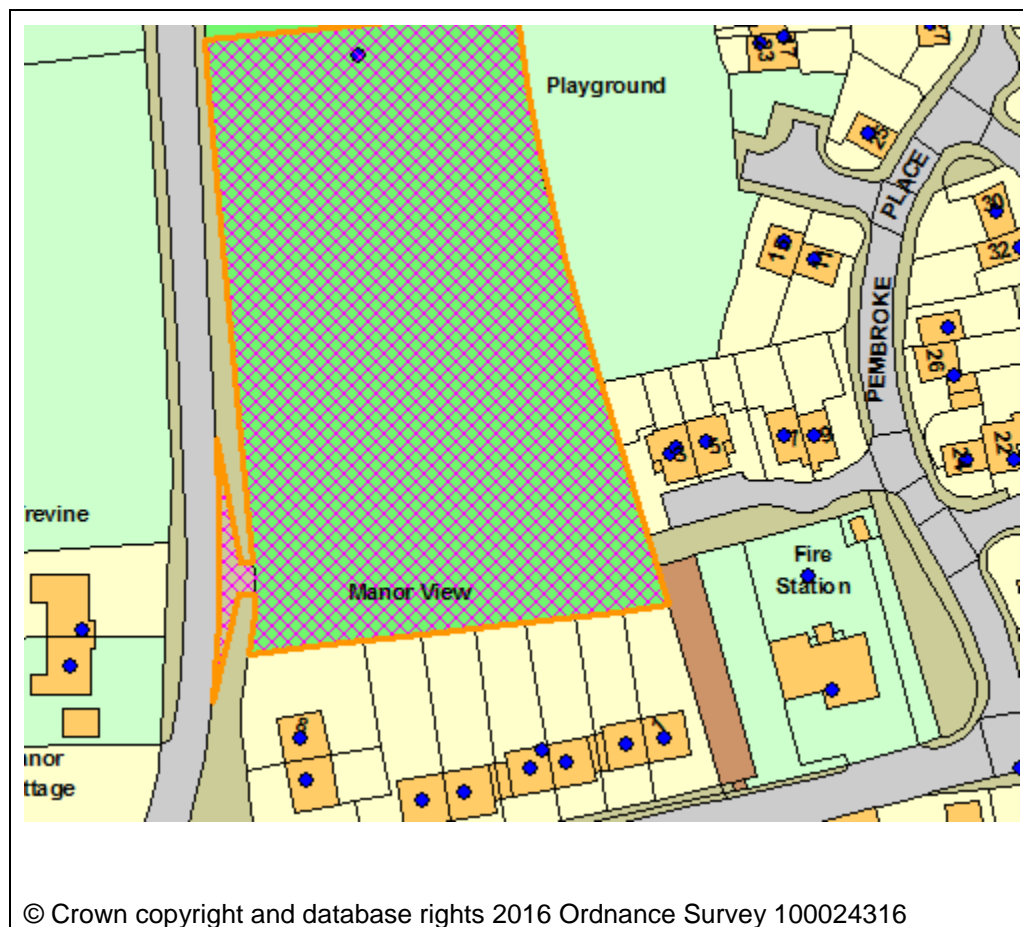
- 6 Prior to commencement of the development, including site clearance and demolition, an Archaeological Written Scheme of Investigation relating to the application site area shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: To afford the opportunity to ensure archaeological investigations and recording during the development.
- 7 Following the approval of the Written Scheme of Investigation referred to in condition 6, and prior to any site clearance, demolition and commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation 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 identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).
- 8 No development shall take place until details of a sustainable surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details and timetable. The submitted details shall:  
i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;  
ii) include a timetable for its implementation; and,  
iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.  
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.
- 9 The Construction Method statement as detailed on Plan dated 22.09.16 submitted under application 16/03246/CND shall be adhered to prior to, and throughout, all phases of the development hereby permitted.  
REASON: In the interest of highway safety and protection of neighbouring amenity.
- 10 The Site levels and OS Datum as shown on plan ref. R1.02 revB as submitted and approved under application ref. 16/03246/CND shall be those constructed on site.  
REASON: In the avoidance of doubt as to the plans permitted and in the interests of visual and neighbouring amenity.
- 11 Before above ground building work commences, a sample panels of the proposed stucco render 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 accordance with the approved materials and panels.  
REASON: To safeguard the character and appearance of the area.

- 12 The materials to be used in the development shall be in accordance with the samples viewed on site on 10/11/16 (namely, Cardinal roof tiles, natural stone mix for walls and Spanish grey slate with the Hanson brick) and discharged under application ref. 16/03246/CND.  
REASON: To safeguard the character and appearance of the area.
- 13 Notwithstanding details contained in the application, detailed specifications and drawings of all dormers, porches, canopies, chimneys, flues, eaves, verge, ridge and full joinery details for windows, roof lights and external doors at a scale of not less than 1:20, including details of external finishes and colours, shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.  
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 14 The Bin and Cycle Stores shall be built in accordance with approved plan ref. R1.02 Rev B and discharged under application ref 16/03246/CND. The stores shall be constructed in accordance with this plan prior to the first occupation of the dwellings they serve.  
REASON: In the interest of visual amenity to preserve the character of the area and in promoting sustainability.
- 15 No dwelling shall be occupied until all the roads, driveways, parking and footpaths serving that dwelling have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety.
- 16 The means of access between the site 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 any of the dwellings hereby approved.  
REASON: In the interest of highway safety and to provide safe and convenient access.
- 17 Before occupation of any dwelling a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.  
REASON: To safeguard the character and landscape of the area.
- 18 Prior to the first occupation of the development the visibility splays shown on plan reference 14124 P102C shall be constructed in accordance with the approved details and the land, boundary treatment and vegetation within the visibility splays shall not be raised or allowed to grow above a maximum height of 0.6m above the adjacent carriageway level.  
REASON: In the interest of highway safety and to provide safe and convenient access.
- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, and G, and Schedule 2, Part 2, Classes A and B shall be carried out other than that expressly authorised by this permission.  
REASON: In the interest of preserving the character of the area and protecting amenity.

- 20 No floodlighting or other form of external lighting, including street lighting, to the buildings, amenity space and parking areas hereby permitted, shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.  
REASON: In the interest of preserving the character of the area and protecting wider amenity.

Application Number	16/03492/OUT
Site Address	Land at Station Road Bampton Oxfordshire
Date	30th November 2016
Officer	Phil Shaw
Officer Recommendations	Pending
Parish	Bampton Parish Council
Grid Reference	431447 E 203636 N
Committee Date	12th December 2016

### Location Map



#### Application Details:

Residential retirement development to provide nine dwellings with all matters reserved except access and layout.

#### Applicant Details:

220 Park Avenue, Aztect West, Almondsbury, Bristol, BS32 4SY

## **I CONSULTATIONS**

- 1.1 Major Planning Applications Team No Comment Received.
- 1.2 WODC Architect No Comment Received.
- 1.3 Biodiversity Officer No Comment Received.
- 1.4 Environment Agency No Comment Received.
- 1.5 Parish Council No Comment Received.

## **2 REPRESENTATIONS**

- 2.1 One letter of representation has been received and summarised below:

Mr Smith - Prospect Place, New Road, Bampton

I have no objection to this proposal in principal. It fits in with the proposed local plan that Bampton should have developments of a suitable type and scale. I am very concerned at the access of this development onto the A4095. It is very close to the traffic calming chicane at the entrance to the village and the proposal is an accident waiting to happen. This access is also quite close to the New Road/Landells/A4095 junction. If a suitable access arrangement maybe in conjunction with the traffic calming measures I would support the application. I feel it is a situation which requires a specialist approach with the additional costs to Oxfordshire Highways being the subject to a section 106 agreement. The Road surface at the point of proposed access is currently a disgrace.

## **3 APPLICANT'S CASE**

- 3.1 Writing in support of their proposals the applicants have tabled a raft of supporting technical documents that may be inspected in full on line or by reference to the case officer. The summary of the Planning Statement is reported below:

The application is an outline and proposes the erection of 9 retirement dwellings. All matters are reserved apart from means of access and layout. The Council cannot demonstrate a 5 year supply of deliverable housing sites and in such circumstances Paragraphs 49 and 14 of the NPPF are engaged. The requisite test is: "When the development plan is absent, silent or relevant policies are out of date granting permission unless: - any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole or - specific policies in this Framework indicate development should be restricted." Having considered the various issues, the harm would not significantly or demonstrably outweigh the benefits of the proposed development given the substantial need for open market housing particularly for the elderly. In such circumstances, it is requested that outline planning permission be granted.

## **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.  
BE2 General Development Standards

BE4 Open space within and adjoining settlements  
BE5 Conservation Areas  
H2 General residential development standards  
H7 Service centres  
NE1 Safeguarding the Countryside  
EH1NEW Landscape character  
EH7NEW Historic Environment  
H1NEW Amount and distribution of housing  
H2NEW Delivery of new homes  
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  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 This application relates to a site that is prominently located on the approach to Bampton from Brize Norton. It is a site where in the past the Council has been successful in resisting development at appeal as the open character of the site was considered to be a key component to the rural approach/exit to the Conservation Area. A separate "full" application for development of the same nature has been submitted under reference 16/03626 and it appears sensible to consider them both concurrently.
- 5.2 It will be noted that at the time of agenda preparation there are many key consultation responses awaited such that it is not possible to frame a formal recommendation. In light of the need to strike a balance between the so called tilted balance and the previous appeal history your officers would suggest that in deferring the application it may be expedient to consider a formal site visit such that Members are in a position to give full consideration to the application at the January meeting.

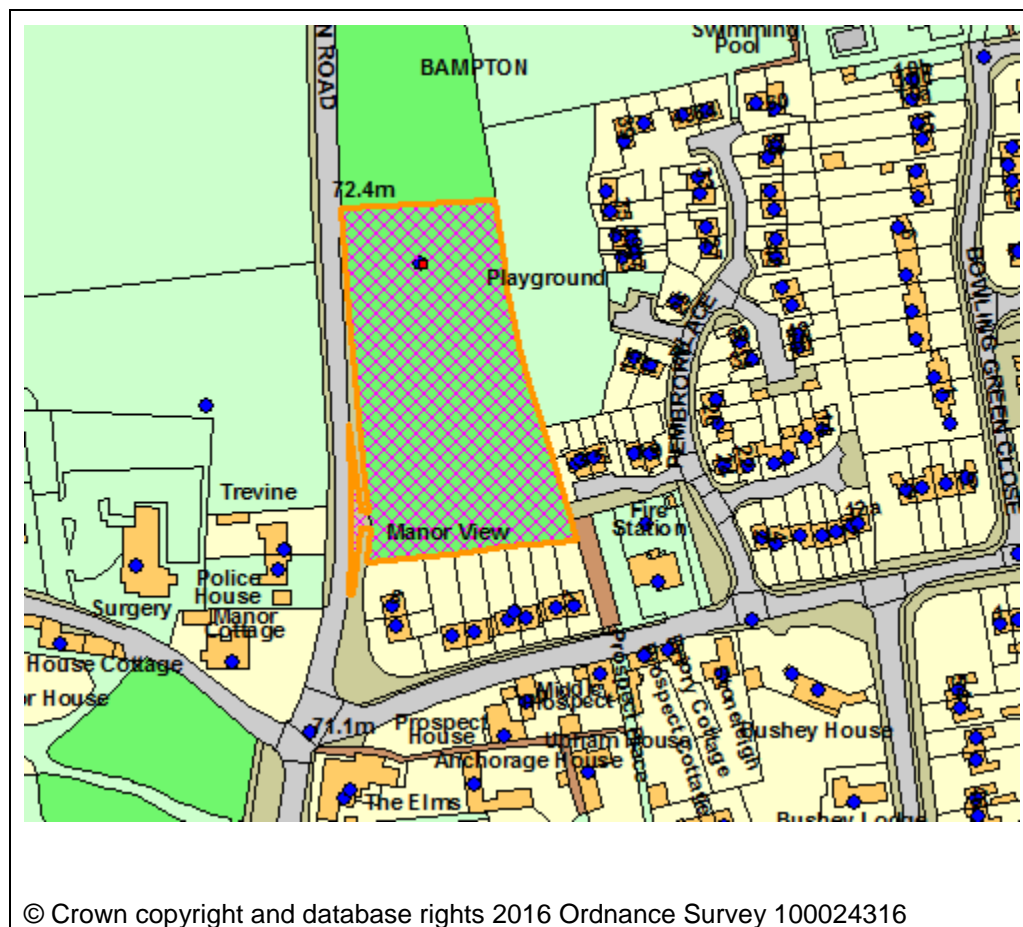
## **6 RECOMMENDATION**

Defer for parallel consideration with 16/03626/FUL and a Members Site Visit.



Application Number	16/03626/FUL
Site Address	Land at Station Road Bampton Oxfordshire
Date	30th November 2016
Officer	Phil Shaw
Officer Recommendations	Pending
Parish	Bampton Parish Council
Grid Reference	431447 E 203636 N
Committee Date	12th December 2016

### Location Map



### Application Details:

Erection of nine residential retirement dwellings and associated works.

### Applicant Details:

220 Park Avenue, Aztec West, Almondsbury, Bristol, BS32 4SY.

## I CONSULTATIONS

I.1	WODC Architect	No Comment Received.
I.2	WODC Drainage Engineers	No Comment Received.
I.3	OCC Highways	No Comment Received.
I.4	Biodiversity Officer	No Comment Received.
I.5	OCC Minerals (Safeguarded Areas)	No Comment Received.
I.6	MOD (Brize Norton)	No Comment Received.
I.7	Thames Water	<p>Waste Comments</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. 'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:wwqriskmanagement@thameswater.co.uk">wwqriskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a>." Thames Water would advise that with regard to sewerage</p>

infrastructure capacity, we would not have any objection to the above planning application.

#### Water Comments

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

1.8 Parish Council No Comment Received.

## 2 REPRESENTATIONS

2.1 One letter from Mr Milne Day has been received advising as follows:

I am writing in a personal capacity and also as Chair of The Society for the Protection of Bampton. I am broadly in favour of the concept of the proposed development noting with approval the space afforded to the dwellings and the demographic it is aimed at BUT I have severe reservations about the access I believe this could prove dangerous given its proximity to the pinchpoint on entering the village. Have the developers explored all possible options for an entrance to the site from Pembroke Close at the rear? This would be much safer.

## 3 APPLICANT'S CASE

This Planning Statement has been prepared in support of a detailed planning application for the erection of 9 retirement dwellings with access, landscaping, open space and associated works on land off Station Road, Bampton. Having considered the various issues, the harm would not significantly or demonstrably outweigh the benefits of the proposed development given the substantial need for open market housing particularly for the elderly. In such circumstances, it is requested that planning permission be granted.

## 4 PLANNING POLICIES

Please see policies cited for application 16/03492.

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

Please see report in respect of application 16/03492.

## 5 RECOMMENDATION

Defer for parallel consideration with 16/03492 and a Members Site Visit.