

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 9th January 2017

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



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Purpose:

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

Recommendations:

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

List of Background Papers

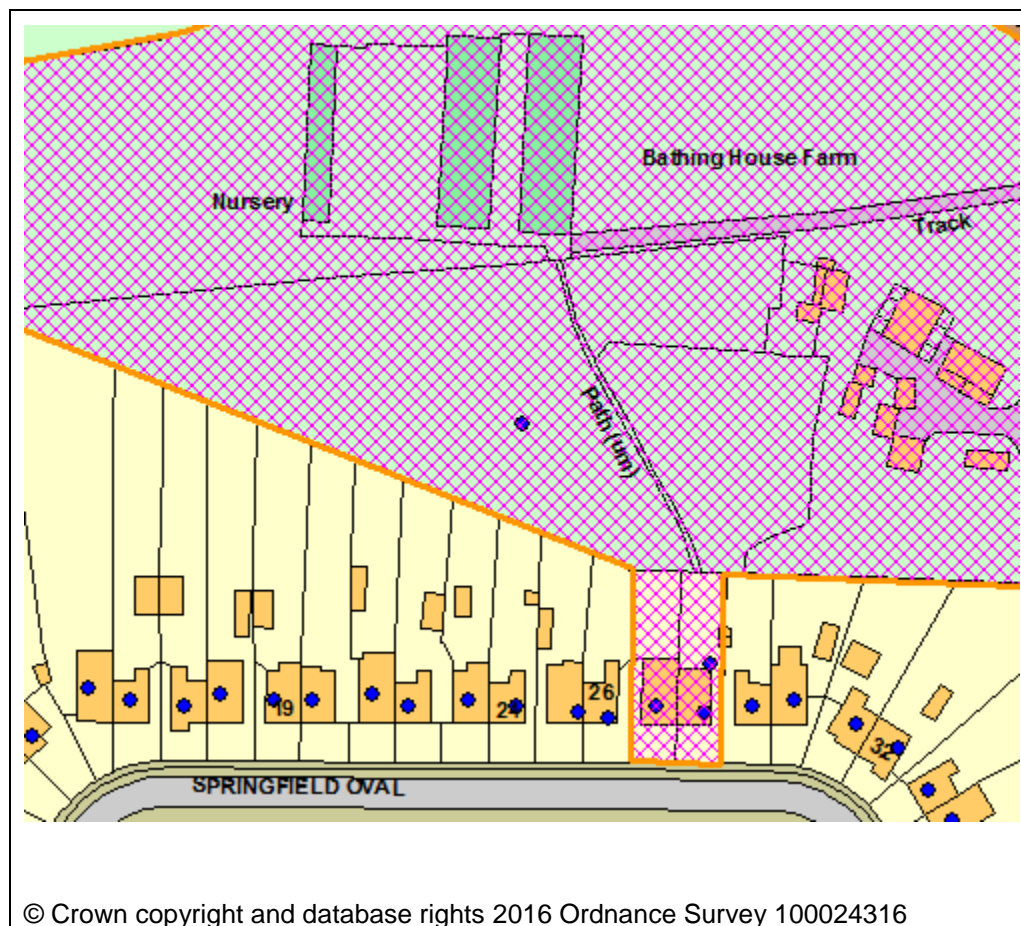
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

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| I6/00602/FUL | Land North of Springfield Oval, Witney | 3 |
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| I6/03427/FUL | 46 Acre End Street, Eynsham | 48 |
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| I6/03626/FUL | Land at Station Road, Bampton | 60 |
| I6/03940/FUL | Acre Cottage Chapel Road, South Leigh | 67 |

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|-------------------------|--|
| Application Number | 16/00602/FUL |
| Site Address | Land North of Springfield Oval Witney Oxfordshire |
| Date | 21st December 2016 |
| Officer | Phil Shaw |
| Officer Recommendations | Defer |
| Parish | Witney Town Council |
| Grid Reference | 434994 E 210588 N |
| Committee Date | 9th January 2017 |

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

- I.8 CPRE
- *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.

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| 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.

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|------|-----------------------------------|---|
| 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. |

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|------|---|---|
| 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"> 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. 2. existing access to the site be converted to a floodlit path to provide pedestrian access to the town centre. 3. that additional drainage and sewerage works are facilitated to alleviate the risk of flooding on Springfield Oval as they are already over capacity. 4. that a contribution is requested to provide additional health, educational and sporting facilities in the town. |

I.38 Town Council

Witney Town Council

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

- 1) The proposal of 43 properties per acre is an overdevelopment of the site, contrary to Policy BE2 of the WOLP;
- 2) There is insufficient provision for parking, safe movement of large vehicles as pointed out by WODC environmental department, and will result in an unacceptable increase in traffic in a built up area, contrary to Policy BE3 of the WOLP;
- 3) The loss of natural habitat and danger to wildlife as pointed out by the applicant's ecology survey, with numerous protected species such as but not exclusively water voles, bats, owls & kingfishers contrary to Policy NE1 of the WOLP;
- 4) Springfield Oval suffers pluvial flooding every rain fall, this water is likely to travel down onto this site increasing the risk of flooding, indeed their own transport plan assessment indicates at the date of site visit fluvial flooding was occurring. Parts of this site are known to be within the local flood plain designation and suffers both pluvial and fluvial which is contrary to Policies NE8 and NE9 of the WOLP;
- 5) There is insufficient infrastructure (e.g. doctors and schools) to support a development in this location.
- 6) There is insufficient provision of amenity space including provision for Waste & Recycling bin location and collection access (WODC environment comments), and bicycle storage provision.
- 7) Concern that there is no provision for market value housing on the site. Contrary to the WOLP guide line of 60% market and 40% affordable housing.
- 8) The local sewerage providing (waste & surface drainage) in the area currently is insufficient to cope, the addition of a further 75 properties cannot be supported with current infrastructure.
- 9) Thames water has in their response indicated that the local supply infrastructure is not capable of supply to additional properties.

2 REPRESENTATIONS

- 2.1 Over 70 letters of objection were received in respect of the original scheme, and they are summarised as follows:

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

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.

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.

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.

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.

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.

2.2 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.

2.3 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 expressed the view at the last meeting 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 106 agreement. That was not to state that the landscape impact is resolved but rather that the planning balance has shifted. However, negotiations on the highway, design, house type and legal agreement have not been concluded prior to the schedule closing and it appears unlikely that all matters will be fully resolved by the date of the meeting. However following the site visit Members will have the opportunity to raise any other key issues in advance of a formal recommendation when matters have concluded.

- 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 may result in the omission of a handful of units and the redistribution of some others to a less sensitive part of the site, 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

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

Travel Plan

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

Drainage Scheme

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

Highway conclusions/assessment

- 5.14 As can be seen from the above there were 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 is that the scheme is still deficient in a number of respects and a further round of highway based negotiations will be required before an acceptable scheme in highway terms is available for determination. The problems of adequate access and highway arrangements such as to overcome the reason for refusal is thus still not resolved and will not be resolved by the date of the meeting.

Residential Amenities

- 5.15 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

- 5.16 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.
- 5.17 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 a revised layout can be screened to a degree. Negotiations are however still ongoing as to

whether this is still too intrusive or whether creation of larger landscape buffers means 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 of the application site 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 of itself 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

- 5.18 The site is within flood zone 1 but is immediately adjacent to Zones 2 and 3 as the Windrush lies to the north.
- 5.19 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.
- 5.20 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.
- 5.21 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.
- 5.22 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.
- 5.23 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

- 5.24 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.

5.8.2 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.

- 5.25 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. That having been stated the applicants have advised that there will only be 100k available to offer as part of any mitigation package. Clearly the mitigation sought above would add up to much more than this and there may be a need to provide contributions towards resolution of the AQMA issue in Bridge Street as was accepted by the Inspector when allowing the Gladman scheme.
- 5.26 The benefits of 100% affordable housing are clearly considerable but there will be parallel disbenefits in that the mitigation package will not be sufficient to meet all the stated requests and so some adverse social/transport/leisure impacts will remain unmitigated

Conclusion

- 5.27 The principle of development on the edge of the settlement is acceptable and the delivery of 100% 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.
- 5.28 To set against these concerns the scheme has a series of technical highway deficiencies that have still not been 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 has been addressed but any development of the site will impact on a very sensitive location which is of visual and cultural significance to the town and its setting. There is no agreed 106 package (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 visual and other 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 that on balance the harms may no longer significantly and demonstrably outweigh the benefits such that refusal is warranted. However in making this assessment it is accepted that the positives of housing delivery, affordable housing and the benefits of the mitigation package coupled with the operation of the tilted balance may still not outweigh the concerns that a sensitive landscape will be impacted and harms arising from the impacts of the development will be unmitigated. A verbal update will be given at the meeting but it appears unlikely that matters will be sufficiently resolved that the application can

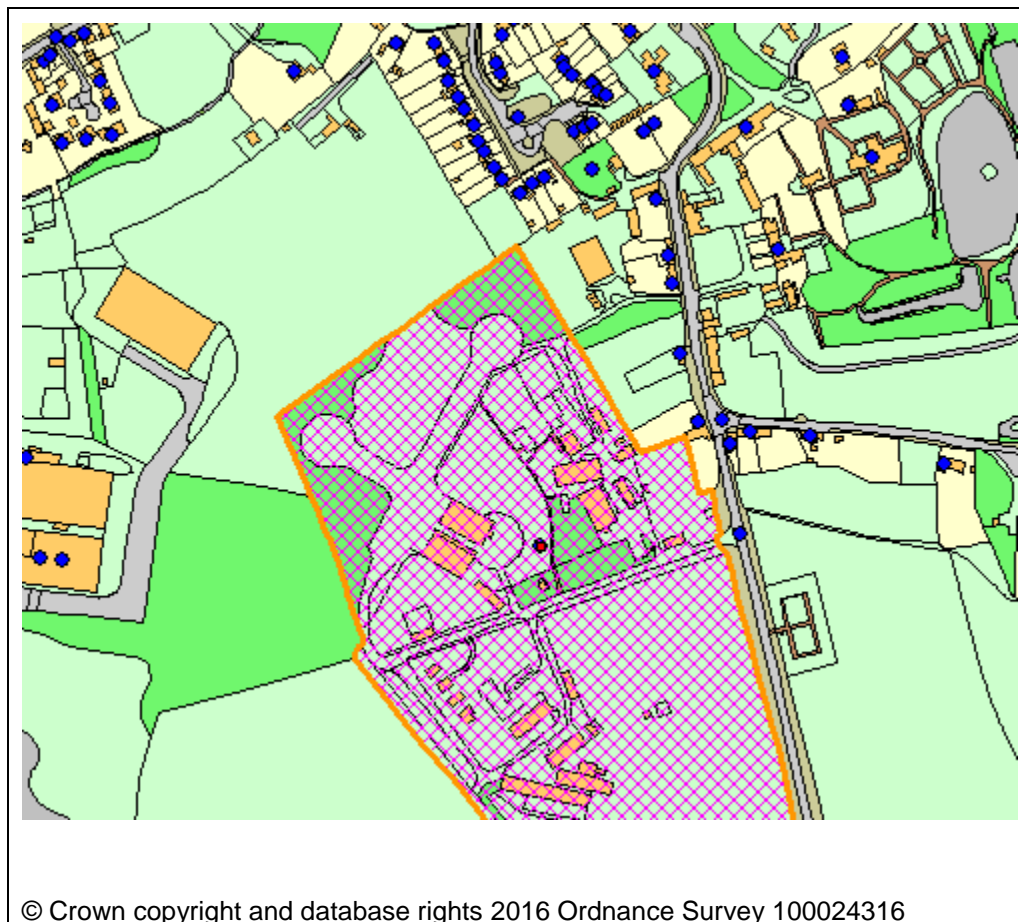
be determined at the meeting other than for refusal on the basis of the currently tabled information.

6 RECOMMENDATION

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

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| Application Number | 16/01054/OUT |
| Site Address | Land at Former Stanton Harcourt Airfield Main Road Stanton Harcourt Oxfordshire |
| Date | 21st December 2016 |
| Officer | Catherine Tetlow |
| Officer Recommendations | Approve subject to Legal Agreement |
| Parish | Stanton Harcourt Parish Council |
| Grid Reference | 441452 E 205396 N |
| Committee Date | 9th January 2017 |

Location Map



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 doctors 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 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!

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| I.2 | Parish Council | No Comment Received. |
| I.3 | Major Planning Applications Team | No Comment Received. |
| I.4 | WODC - Arts | No Comment Received. |
| I.5 | Wildlife Trust | No Comment Received. |
| I.6 | Biodiversity Officer | No Comment Received. |
| I.7 | WODC Architect | No Comment Received. |
| I.8 | Environment Agency | No Comment Received. |
| I.9 | Environmental Health (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.

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| I.10 | WODC Head Of Housing | No Comment Received. |
| I.11 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.12 | Natural England | No Comment Received. |
| I.13 | WODC Planning Policy Manager | No Comment Received. |
| I.14 | WODC - Sports | No Comment Received. |
| I.15 | Thames Water | No Comment Received. |
| I.16 | WODC Env Services - Waste Officer | No Comment Received. |
| I.17 | 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.18 | Major Planning Applications Team | <p>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.</p> <p>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</p> |

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.

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| I.19 | WODC - Arts | <p>S106 contribution of £9,750 towards temporary public art activity as a means to develop good connectivity between the new settlement and the existing community with a particular focus to work with the growing community of children and young people</p> <p>Details The contribution of £9,750 comprises £5,250, based on £210 per unit of market housing, and £4,500 based on £10 per sq. meters of commercial property, benchmarked with other authorities in Oxfordshire.</p> |
| I.20 | Wildlife Trust | No Comment Received. |
| I.21 | Ecologist | No objection subject to conditions |
| I.22 | WODC Architect | <p>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.</p> |
| I.23 | Environment Agency | <p>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.</p> <p>The proposal is for residential development and the environmental risks in this area relate to:</p> <p>1) Groundwater Protection - the site lies over a secondary aquifer Groundwater Protection.</p> <p>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</p> |

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.24 ERS Env Health - Lowlands No objections or comments at this stage regarding noise.
Contaminated land condition required.
- I.25 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.26 WODC Landscape And Forestry Officer No Comment Received.
- I.27 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.

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| I.28 | WODC Planning Policy Manager | No Comment Received. |
| I.29 | 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.30 | Thames Water | <p>Waste Comments</p> <p>Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.</p> <p>Water Comments</p> <p>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.</p> |
| I.31 | WODC Env Services - Waste Officer | No Comment Received. |
| I.32 | 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.

3.2 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.

- 3.3 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.
- 3.4 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.
- 3.5 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.
- 3.6 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.
- 3.7 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.
- 3.8 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.
- 3.9 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.
- 3.10 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 CO₂ 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 siteREASON: 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. The report shall also include a 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 remediation scheme. 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
- 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) 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 CO2 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'

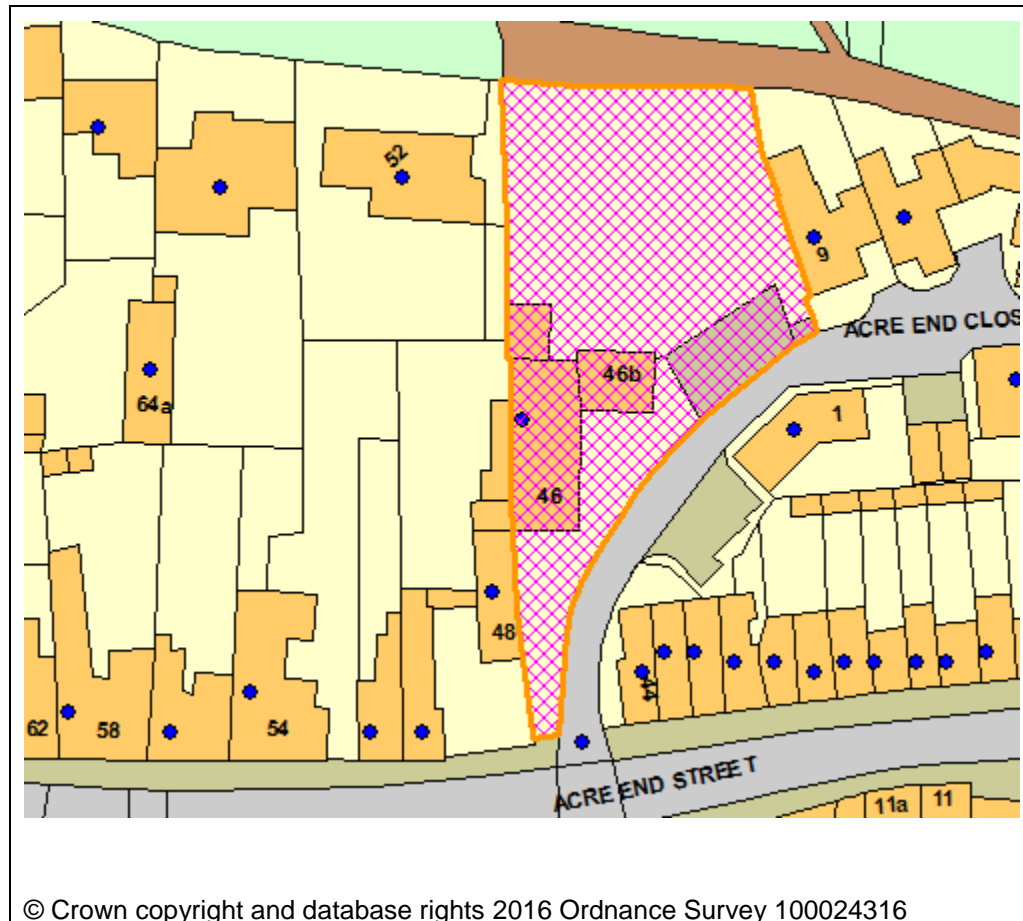
Building Research Establishment guidance - BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001

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 | 16/03427/FUL |
| Site Address | 46 Acre End Street Eynsham Witney Oxfordshire OX29 4PA |
| Date | 21st December 2016 |
| Officer | Miranda Clark |
| Officer Recommendations | Approve |
| Parish | Eynsham Parish Council |
| Grid Reference | 443168 E 209302 N |
| Committee Date | 9th January 2017 |

Location Map



Application Details:

Conversion of existing building to provide six 2 bed self-contained flats. Erection of two 4 bed semi-detached houses. Associated parking, communal gardens, bin storage and cycle storage.

Applicant Details:

Mr Gary McHale
The Old Chapel
Union Way
Witney
OX28 6HD

I CONSULTATIONS

- | | | |
|-----|-------------------------------------|---|
| I.1 | WODC Architect | No Comment Received. |
| I.2 | OCC Highways | <p>Access visibility is restricted by the frontage wall of the adjacent property. However, given the flows and speeds of approaching traffic together with the parking bays increased use of the access will not cause such harm as to warrant the refusal of a pp.</p> <p>The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.</p> |
| I.3 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.4 | WODC Drainage Engineers | No objection. |
| I.5 | Thames Water | No objection, comments. |
| I.6 | OCC Rights Of Way Field Officer | No Comment Received. |
| I.7 | Biodiversity Officer | No Comment Received. |
| I.8 | Parish Council | <p>Eynsham Parish Council objects to this application. The Parish Council objected to the original application (16/01883/FUL) stating 'The inclusion in the development proposal of three, three storey and three bedroom townhouses at the entrance of the narrow private road to an already compacted development of nine houses (Acre End Close) would constitute overdevelopment of the site to the detriment of the existing residents (BE2 and draft LP H2)). The interior design is awkward and contrived, particularly the ground floor, considering the size and height of the houses proposed.' While the applicant has reduced the townhouses to two 4 bed houses, at three storeys, the reduction is only approximately 50 sq ft and the visual bulk remains approximately the same. It is still overdevelopment and an awkward design.</p> <p>While the applicant proposes one further parking space for the townhouses, this is still inadequate for the development as a whole and likely to generate on-street parking in Acre End Street, which is</p> |

already overcrowded, one of the most congested streets in Eynsham, and a major bus route.

The existing exit on to Acre End Street has inadequate visibility splays and is crossed by a bus stop for the frequent S1 bus. The increased traffic generated across this bus stop from the extra dwellings would be contrary to T3.

2 REPRESENTATIONS

2.1 11 objections have been received. The comments have been summarised as:

- The windows at 46 Acre End St are much higher than mine are in my property. As the flats would be in continual use, looking down into my property is unavoidable. This is going to be very uncomfortable for myself and my teenage daughter. The owners of the flats or subsequent "Lets" would be able to see down into my environment to its full extent .Therefore, at any time of day or night my privacy can be compromised.
- It is good that something is being done to the main house on the site as it is very old and very much part of the village history, although I do feel that the flats planned for this building are two small, a lesser number of flats would have been so much better for the
- Close and for the occupants of these flats.
- They will also overlook the houses in front of them, blocking their light.
- No provision has been made for the fact that the bin men do not enter the close and therefore the bins will be concentrated in a very small area to be emptied. If any one does not know the chaos caused by these bin men on collection day then they should come and take a look at the mess they make of the bin area which is used by the current occupiers of Acre End Close. I really cannot see them tidying up after their collection.
- I note in the application "EXISTING GATED ACCESS TO 24 HOUR FREE PARKING " Please note that as we over look this car park, we often observe that during the day it is full and patients to the surgery and individuals wishing to support local businesses can be struggling to find a space to park. Also it is a 12 hour not 24 hour car park.
- I am also concerned that any additional traffic from the new development will be undesirable as Acre End Street is already congested as a result of the existing on-street parking on a narrow road, which is particularly difficult when a bus or other large vehicle needs to pass through.
- Finally, I note that the application says there are no trees on the site which surprises me as there are currently several trees on site.
- There are already traffic issues in this part of Eynsham as it is often very difficult to get in and out of the narrow entrance to the Close which is right next to the bus stop for the S1 bus.
- Any extra cars at all would add to the problems that already exist in this narrow part of busy Acre End Street.
- The plans and drawings do not show the existing established trees and point 15 on the application form states that there are no trees. This is clearly incorrect. These trees add to the character of the existing garden which is adjacent to the car park in the Conservation Area.
- The plans do no show the position of the services and the existing drainage system for the Close was not designed for extra households.
- The bin collection area and the bin storage area are too small for the number of bins provided to each household.

- Our greatest single concern relates to access to Acre End Close. We do not believe that the increased traffic levels will be sustainable given the narrow single entrance to the Close from Acre End Street, a major bus route and already heavily congested with parked cars.
- Overlooking from town houses and block light to my property.
- Noise disruption and disruption.
- I hope that the grey frontage to the house can be painted a soft subtle colour which will enhance the building and bring it up to the 21st century developer will need the full legal consent of the Management Company.
- No suggestions for lighting.
- 12 parking spaces, WODC parking standards says that 16 parking spaces.
- It will significantly and negatively affect the character not only of the Close but the Eynsham Conservation Area.
- Awkward and low quality aspects of the design seem to us to show the extent to which the developers are attempting to overdevelop the site.
- Wish to record our deepest regret at the loss of all internal features of the house and the beautiful and historic sweeping staircase.
- Loss of trees.
- Development not in harmony with its surroundings.
- A formal, binding and legal agreement will need to be reached with the Company in recognition of inter alia access, the use of services and facilities under its ownership and management and expenses properly incurred.

3 APPLICANT'S CASE

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

The proposal accords with the relevant local plan policies and is not considered likely to cause any loss of residential amenity or visual harm to the building or its locality. The key aim of the proposed development has been to achieve a high standard of design both internally and externally and to reflect appropriately on the surrounding area.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE5 Conservation Areas

H2 General residential development standards

OS1NEW Presumption in favour of sustainable development

OS4NEW High quality design

H2NEW Delivery of new homes

EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application is a resubmission of a previously withdrawn scheme. The previous application proposed the conversion of existing building to provide six flats, erection of three townhouses, associated parking, communal gardens, bin storage and cycle storage. Officers raised concerns regarding the layout, privacy issues, design and scale of the development. This application, seeks to overcome these issues.
- 5.2 The application site is sited within the Conservation Area and set back from Acre End Street. The site is set adjacent to new dwellings at Acre End Close. The existing building on site is of a traditional form and design and contributes to the visual appearance and character of this part of the Conservation Area. This proposal seeks consent for the conversion of the existing building to six flats and two four bed dwellings. The car parking to serve the flat development is located to the rear, whilst the parking to serve the new dwellings will be to the front.
- 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 Eynsham is considered to be a sustainable location for new residential development. Given the current situation of West Oxfordshire's housing supply, paragraph 14 and 49 of the NPPF need to be applied.
- 5.5 These paragraphs state that in such circumstances housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing in the local development plan should not be considered up to date. Further, in circumstances where the relevant policies are out of date (housing policies in this instance) development proposals for dwellings should be granted without delay unless either any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or, specific policies in the Framework which indicate that development should be restricted.
- 5.6 In addition Paragraph 49 of the NPPF specifies that all applications for housing are determined in accordance with the presumption in favour of sustainable development as outlined within paragraph 7 of the NPPF. This requires that an assessment is made with regards to the social, economic and environmental sustainability of the proposed development and its accordance with relevant Local Plan Policy, where relevant policies are considered to be in date. In this regard whilst the housing policies of the local development plan may be considered not up to date, the environmental policies of both the adopted and emerging local plans are considered by officers to generally accord with the relevant paragraphs in the NPPF.
- 5.7 As such officers consider that the proposal to convert the existing dwelling into flats is acceptable in principle. The proposal for two dwellings is considered to be acceptable on balance.

Siting, Design and Form

- 5.8 The proposed conversion of the existing dwelling involves minimal changes to the exterior. An important central first floor window to the east elevation is to be retained.
- 5.9 Officers also consider that the design and form of the two additional houses is acceptable on balance. The dwellings would be set in a staggered alignment. Their design has been re-addressed to be more of traditional size and proportions. As such officers consider that the scale is on balance acceptable.
- 5.10 In terms of materials, as part of the suggested condition, officers are requesting samples of materials to ensure that the development enhances and preserves this part of the Conservation Area.
- 5.11 Within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this regard the proposed alterations are not considered to have a detrimental impact to the character and appearance of the Conservation Area, given the nature of what is proposed and its location. As such, the character of the Conservation Area is preserved.

Highways

- 5.12 Although your officers note the concerns and objections received in relation to traffic and parking issues, OCC Highways has not raised objections to the scheme subject to conditions. As such officers cannot recommend refusal of the application on these grounds.

Residential Amenities

- 5.13 Officers consider that on balance that neighbouring properties' residential amenities, in terms of loss of privacy will not be adversely affected. Whilst officers have taken comments received into full consideration, based on the distance between the new flats and existing dwellings, and that the windows will not have a direct view into habitable windows, residential amenities are not considered to be adversely affected. The distance between the new dwellings and the properties opposite is also considered to be acceptable.
- 5.14 Officers had concerns regarding the proposed balcony area in terms of the large area that will be created. A revised plan showing the removal of the balcony area has now been received.

Conclusion

- 5.15 Officers consider that the proposed conversion of the existing buildings into flats is acceptable and accords with the relevant West Oxfordshire Local Plans and the NPPF. As the Local Plan Policies are out of date (housing policies in this instance) development proposals for dwellings should be granted without delay unless either any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Officers do not consider that there are adverse impacts in recommending approval for this element of the scheme.

- 5.16 With regards to the proposed new dwellings, whilst the scale is larger than those within Acre End Close, they have been designed to respect the visual character and appearance of the Conservation Area.
- 5.17 Given that OCC Highways have not objected to the scheme, officers consider that the proposed new dwellings are, on balance, acceptable additions within this part of the village.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions, porches, outbuildings, roof extensions, dormer windows, roof lights, windows, and to include no walls or fences forward of the new dwellings, other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed to retain the visual character and appearance of the Conservation Area, and to protect neighbouring properties' residential amenities.
- 5 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 6 No dwelling shall be occupied until the 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.

- 7 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:
safety are in place before work starts.
- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of dust and dirt during construction
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road.
- 8 That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 30% CC event has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).
- 9 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or after 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.

NOTES TO APPLICANT

- I The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
 - Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - CIRIA C753 SUDS Manual.
 - The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after March 2015. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

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.

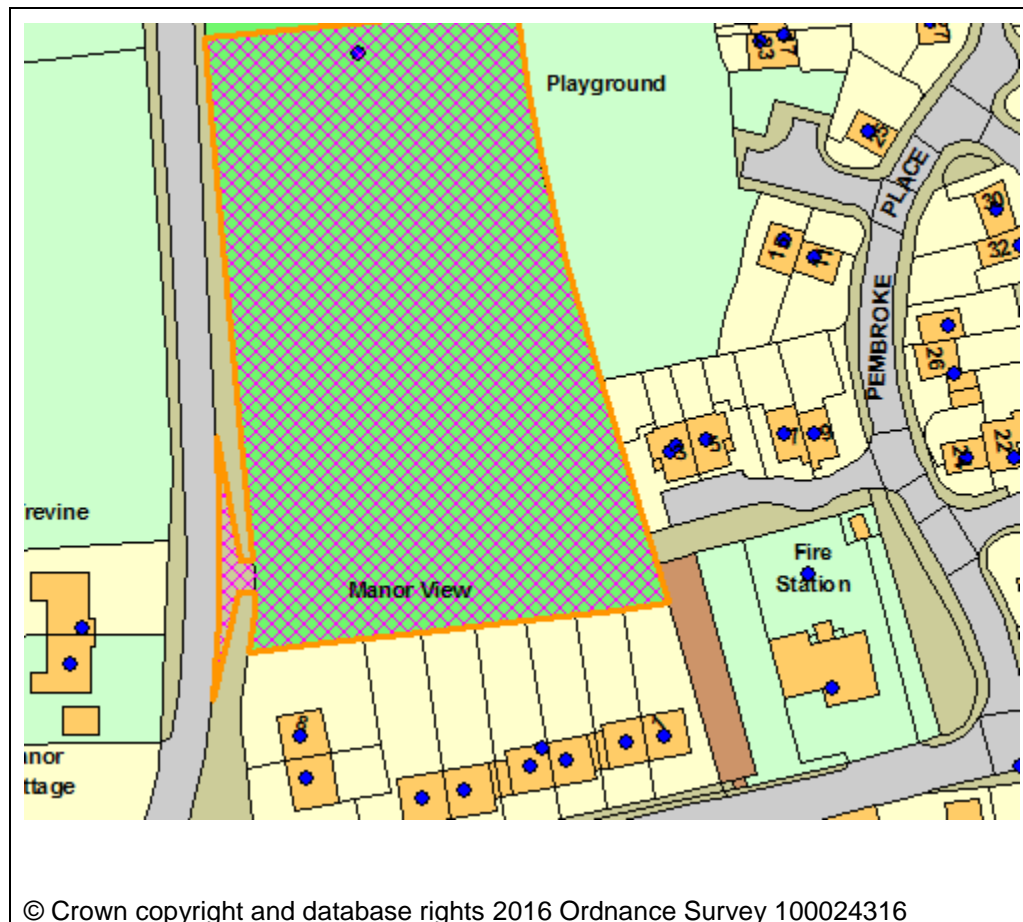
Water Comments

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 recommends 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.

- 2 Please be aware that this planning consent does not override the civil rights of neighbouring properties or Management Companies.

| | |
|-------------------------|---|
| Application Number | 16/03492/OUT |
| Site Address | Land at Station Road Bampton Oxfordshire |
| Date | 21st December 2016 |
| Officer | Phil Shaw |
| Officer Recommendations | Defer |
| Parish | Bampton Parish Council |
| Grid Reference | 431447 E 203636 N |
| Committee Date | 9th January 2017 |

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

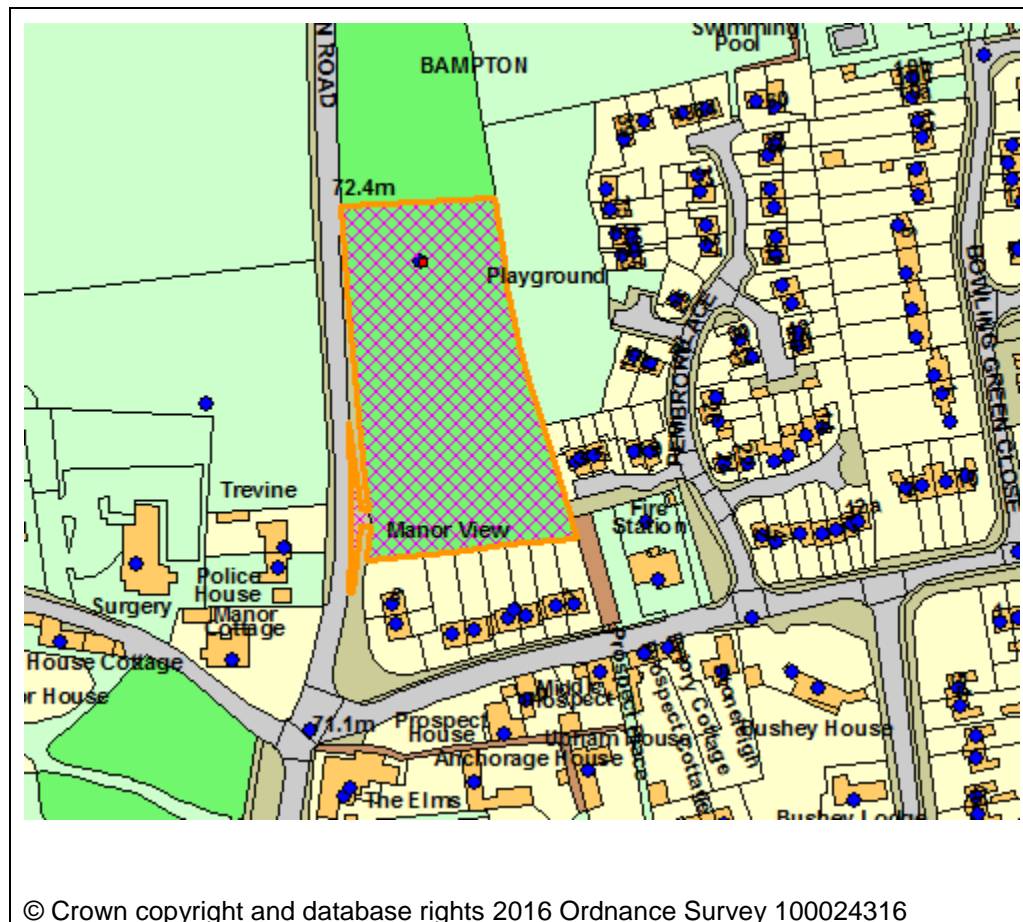
- 5.1 This application relates to a site that is prominently located on the approach to Bampton from Brize Norton. It is a site where in the past the Council has been successful in resisting development at appeal as the open character of the site was considered to be a key component to the rural approach/exit to the Conservation Area. A separate "full" application for development of the same nature has been submitted under reference I6/03626 and it appears sensible to consider them both concurrently. Members will recall that the application was deferred at the last meeting as at the time of agenda preparation there were many key consultation responses awaited such that it was 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 also suggested that in deferring the application it may be expedient to consider a formal site visit such that Members were in a position to give full consideration to the application at the January meeting.
- 5.2 Since the last meeting no further consultation responses have been received in respect of this application and in light of the fact that there is a detailed scheme for a similar development on the same site Officers have concentrated their assessment upon the detailed proposals.

6 RECOMMENDATION

Defer pending consideration of I6/03626/FUL following the Members site visit.

| | |
|-------------------------|---|
| Application Number | 16/03626/FUL |
| Site Address | Land at Station Road Bampton Oxfordshire |
| Date | 21st December 2016 |
| Officer | Phil Shaw |
| Officer Recommendations | Approve subject to Legal Agreement |
| Parish | Bampton Parish Council |
| Grid Reference | 431447 E 203636 N |
| Committee Date | 9th January 2017 |

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 Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions:
Conditions:
G11 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.
G21 Vision splays shown on the submitted plan shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.9 metres above the level of the access they are provided for.
REASON: In the interests of road safety.
G22 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.

G25 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.
G29 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.
G35 A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the

drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

Comments:

Location

The development site is located on the northern edge of Bampton village. All of the village facilities can conveniently be reached on foot or by cycle. Access to the site is directly from the A4095 Station Road which connects Bampton to Brize Norton and Witney.

Access / Visibility

The proposed junction is within the 30mph speed limit. There is a traffic-calming feature approximately 40m to the north on the A4095, at which point the 30mph speed limit ends and the national speed limit begins.

The Transport Statement includes details of a traffic survey conducted earlier this year.

Traffic flows and speeds are reported at points to the north and south of the junction, although the precise locations are not given.

The relevant maximum 85thile speeds are:

Northbound at south ATC 31.8mph

Southbound at north ATC 29.4mph

The Transport Statement lists 31.6mph and 29.4mph in sect. 2.17, but quotes 28.4mph in sect. 3.5 and on the Proposed Site Access drg.

Figure 3.1. The visibility looking right (north) measured on site was 46m, which exceeds that required for the surveyed speed.

However, there is a telegraph pole and a streetlighting column within the vision splay.

Arrangements must be made to relocate these two items. There is excellent visibility to the left.

A S278 Agreement will be required for the design and construction of the new road access. Application should be made to the OCC Road Agreements Team.

Site layout

The Transport Statement (sect. 3.7) and the Site Layout drawing indicate that a footway will be provided along the first 25m of road only, thereafter it will be a shared surface.

Given that this development is for retirement living, it is considered inappropriate for pedestrians in this age group, who are possibly frail and with mobility difficulties, to be sharing the road space with vehicles (Ref. 4.21 of the OCC Residential Roads Design Guide, Second Edition 2015 - "The use of shared surfaces should be judicious and take into account safety of users especially those with perceptual impediments"). There is a 90 degree turn into the cul-de-sac with a building right on the corner, so forward visibility will be very limited.

The footway should continue along the east side, past plots 7, 8 & 9 to the turning head.

I.4 Biodiversity Officer No Comment Received.

I.5 MOD (Brize Norton) No Comment Received.

I.6 Thames Water
Waste Comments
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 wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality." 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.
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.

1.7 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.

5 PLANNING ASSESSMENT

Background Information

5.1 This application relates to the same site as that which is the subject of application ref 16/03492/OUT but it is a detailed rather than outline application. It relates to the open land to the east of the road on the approach to Bampton from the North and seeks consent for a courtyard of dwellings and an area of open space. The houses are 1 1/2 storey in scale and are to be constructed in traditional materials. Access is to be taken to Station Road in the SW corner of the site within the traffic calmed area of the settlement. The houses have been designed to meet the needs of more elderly residents with visiting estate managers who provide maintenance/management of the properties. Part of the development therefore comprises an estate management office.

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 Bampton is a settlement where the adopted local plan allows for infill and rounding off. However given the current position vis a vis the 5 year housing land supply the policies of the adopted plan are not given full weight. Similarly the emerging plan has not passed through all its stages and as such notwithstanding that it does contain policies that will when adopted allow edge of settlement green field development these again do not have full weight- albeit that they demonstrate a direction of travel. The policy position is that without a current 5 year land supply when using the so called Sedgfield methodology the provisions of paragraphs 49 and 14 of the NPPF are invoked such that the so called tilted balance in favour of development is invoked unless the LPA can demonstrate significant and demonstrable harms that justify refusing consent. The principle is therefore considered acceptable and the remainder of this report concentrates on whether there are any such harms as would justify refusal with the tilted balance in place.

Siting, Design and Form and Landscape

- 5.4 The development has been designed as a bespoke response to this location. The applicants have sought to broadly follow the notional village envelope by sitting the built form within the line of developments either side of the road. The key roadside hedgerow can be retained along with the hedges to the south and eastern boundaries and the height of the built form is such that it will not dominate the approach to the village. The extensive landscaped area will complement the existing landscaped area that sits to the east and as such help preserve a rural and undeveloped approach to this part of the settlement. The house types are modest neo vernacular forms.
- 5.5 A key issue is the landscape impact. In 1998 an appeal for development of the site was dismissed with the Inspector commenting that houses on the site would extend the village, that its open state contributes to the countryside setting of the village and that development would blur the distinction between the village and the countryside (and that these harms in turn would also harm the setting of the Conservation Area). These factors will remain but the policy context for making the assessment has changed. In light of the operation of the tilted balance and with the detailed mitigation/design proposed your officers are no longer satisfied that the harms would be sufficient to justify refusal with the tilted balance in place- particularly as the age specific nature of the scheme is likely to be considered a social benefit of the scheme. The impact on the CA is discussed later in the report.

Highways

- 5.5 This is a key concern of as your officers have been made aware of a number of concerns about low key accidents in association with the "chicane" located just north of the proposed access. These concerns have been put to OCC as Highway Authority but they are maintaining a response of no objections subject to conditions. The appeal decision cited above also had highway concerns raised but again the Inspector did not support these even though he dismissed the appeal. As such the harms cited are not considered significant and demonstrable enough to warrant refusal.

Residential Amenities

- 5.6 There are a row of bungalows that back onto the site and other houses to the rear in Pembroke Place. However the proposed layout is such that the intervening hedges are to be retained and the proposed units are sited sufficiently far away as to satisfy the usual privacy/overlooking etc standards. Whilst they will lose an attractive outlook across the open field this is not a matter that would warrant refusal

Heritage Assets

- 5.7 As Members will be aware there is a statutory duty to place special regard to the harm to a heritage asset. In this instance your officers consider that there would be less than substantial harm to the setting of the CA and Listed Buildings within the core of the settlement and that as such paragraph 134 is in place where the harm should be weighed against the public benefits of the proposal. The public benefits would include the provision of age appropriate housing to meet the needs of an ageing population and the permanent retention by way of a legal agreement of the majority of the site as open space. There would also be a slight benefit to the CA of the obscuring of the views into the back gardens of the existing bungalows albeit that the screening of the new scheme will need to be designed to ensure that is not merely replicated with the new plots. On balance your officers consider that these benefits outweigh the harms and so do not propose a heritage asset based refusal.

Conclusion

- 5.8 This is a site where resisting development has been supported at appeal. However that was a different form of development and crucially there was a very different policy context. Whilst some of the harms that led to refusal still persist these are no longer considered so significant that they would justify a refusal in the face of the so called tilted balance in favour of development as set out in the NPPF. As such conditional approval subject to a legal agreement that secures the retention and maintenance of the POS in perpetuity is recommended.

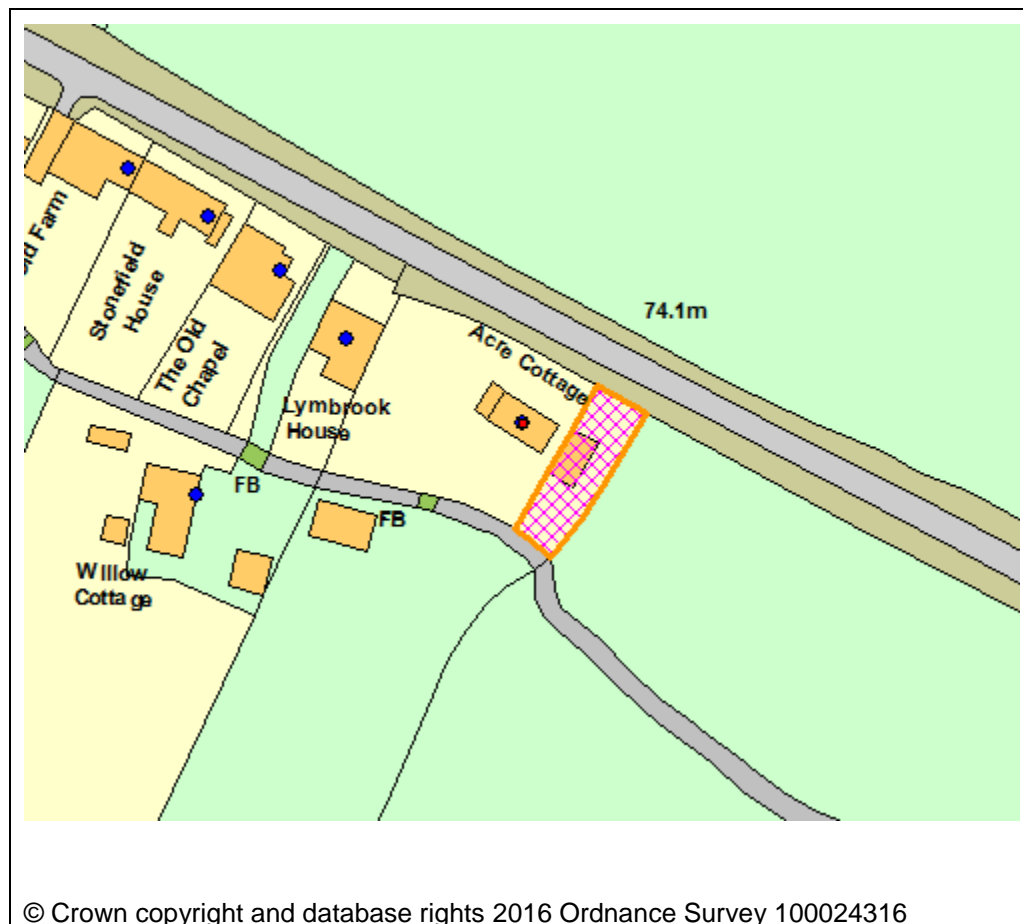
6 CONDITIONS/REASONS FOR REFUSAL

Due to the preparation of the schedule in advance of the Christmas period and before all the consultation responses are received it has not been possible to fully frame all the conditions. It is however likely that they will cover:

Time limits
Removal of PD rights for garden buildings for plots 1-6
PD rights for windows removed
Materials
Boundary enclosures
Drainage
Access details
CTMP
Ecology enhancements
Tree protection
hedge retention and management
POS management
Etc

| | |
|-------------------------|---|
| Application Number | 16/03940/FUL |
| Site Address | Acre Cottage Chapel Road South Leigh Witney Oxfordshire OX29 6UP |
| Date | 21st December 2016 |
| Officer | Miranda Clark |
| Officer Recommendations | Approve |
| Parish | South Leigh Parish Council |
| Grid Reference | 439015 E 208785 N |
| Committee Date | 9th January 2017 |

Location Map



Application Details:

Conversion of office to holiday let.

Applicant Details:

Mr & Mrs Graham and Janet Soame, C/O Agent.

1 CONSULTATIONS

- 1.1 Parish Council South Leigh Parish Council is not happy that the proposed elevation will be higher than the existing structure and feel it will be urbanisation of a listed building. Councillors feel the increased size will spoil the rural setting especially as it will be so close to the existing house.
- 1.2 WODC Architect No objection.

2 REPRESENTATIONS

- 2.1 No comments received at the time of writing.

3 APPLICANT'S CASE

The conclusion of the Design and Access Statement has been summarised as:

- This proposal as we see it, accords with all current planning policies, and is a benefit to the local economy all be it on a minor scale, without detracting from the amenities of nearby residents.
- The use of this holiday unit may help towards the viability of the soon to be re-opened pub. This may seem fanciful, but in a similar case in Salford near Chipping Norton, another small village like South Leigh, and within the West Oxfordshire District, the planning officer in that PREAPP stated:
- "The use of the site for tourist accommodation also brings benefits for the rural economy in terms of jobs and supporting the local public house."
- We accept relevant planning conditions, where required.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

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

H2 General residential development standards

BE8 Development affecting the Setting of a Listed Building

BE10 Conversion of Unlisted Vernacular Buildings

OS2NEW Locating development in the right places

OS4NEW High quality design

EH7NEW Historic Environment

E3NEW Reuse of non residential buildings

T1NEW Sustainable transport

TLC2 Use of Existing Buildings

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application relates to an existing garage and office building set within a domestic curtilage of a Listed Building. The building subject to this application is unlisted. The proposal is to convert the building into a holiday let.
- 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 Officers consider that the principle of converting the building to a holiday let is acceptable in this location. South Leigh is considered to be a small village. The relevant policy of the adopted West Oxfordshire Local Plan, H10, allows this use in this context. Policy H10 discusses new dwellings within such locations, and prefers to see buildings being used for office or holiday lets. In addition Policy TLCI states that new tourism facilities will be granted permission for visitor-related proposals which respect and enhance the intrinsic qualities of the District. The policy continues to state that proposals for leisure, tourist and community developments will not be allowed where they would have an adverse impact on the character or environment of the countryside or on towns and villages within the District or would generate unacceptable levels of traffic on the local highway network.

Siting, Design and Form

- 5.4 The existing building appears externally to be a garage structure, subservient to the host Listed building. The applicants have been using it as office space in association with his company. The proposal is to rebuild older parts of the building and to replace with green oak and blue slate, with sustainable energy measures.
- 5.5 The roof pitch of the building is proposed to be changed to a steeper pitch as it is considered that the existing shallow pitch is not in keeping with more traditional buildings, or the pitch of the existing listed building.
- 5.6 Officers have had regards to the Parish Council's comments regarding the scale of the building, however officers consider that the visual appearance of the building will be improved, which in turn, improves the relationship of the building to the Listed building. The building will still be subservient to the Listed building, in terms of scale, design and the materials proposed.

Highways

- 5.7 OCC Highways have no objection to the proposal.

Residential Amenities

- 5.8 Given that the immediate neighbours are the applicants, officers do not consider that residential amenities are adversely affected by the proposal.

Conclusion

- 5.9 In view of the above, whilst noting the Parish Council's comments, officers are of the opinion that by providing holiday let accommodation, the existing building will be visually improved, and provide an enhanced setting to the Listed Building.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 The occupation of the accommodation shall be limited to holiday tenancies not to exceed 8 weeks (in each case) and no person shall occupy the accommodation in consecutive tenancy periods.
REASON: The accommodation is on a site where residential development would not normally be permitted, and is unsuitable for continuous residential occupation.