

**WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE**

Date: 13th February 2017

16/03415OUT

Land East of Mount Owen Road, Bampton

Objector's presentation by:

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The Environment Agency produces Flood zone regions based on fluvial effects and historic data only. However, the National Planning Policy Framework (NPPF) demands that all forms of flooding be considered and that any development must not exacerbate the flood risk to others, in this case to the houses on the south side of Aston road which were flooded in 2007.

The submission notes a high water table and accepts that for SUDS, the low permeability of the ground makes infiltration unsuitable, therefore proposing attenuation ponds to the NE and SE with outflows to ditches at the N and S.

The submission contains no contour plan. I have produced one based on information in the applicant's submission. The very close 100 mm (4") contours clearly indicate that the field is on the interface of the sloping land to the W where all the previous development has taken place and the flat flood plain to the E and S - approximately a line drawn from SW to NE corners. The depressions correlate with the Environment Agency assessment of risk from surface water flooding.

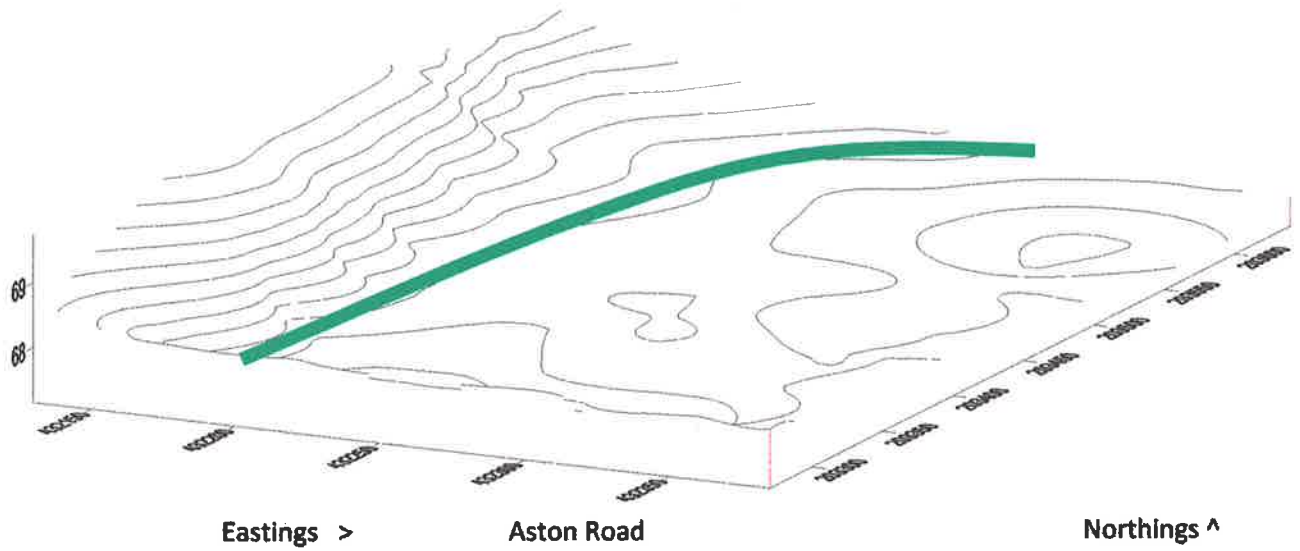
These ground levels together with the high water table dramatically indicate the fallacy of a SUDS scheme gravitating into a 1m deep attenuation pond which then flows uphill into a ditch to the N.

To the N, a ditch running down the W of Mt Owen Road collects the runoff from the unfinished 9.2 ha CALA development. It then turns E along the north edge of the proposed development, running 1 km at an almost zero fall to join the Environment Agency maintained Aston Cut. This month it has overflowed onto the proposed development. In no way can this take the proposed outflow!

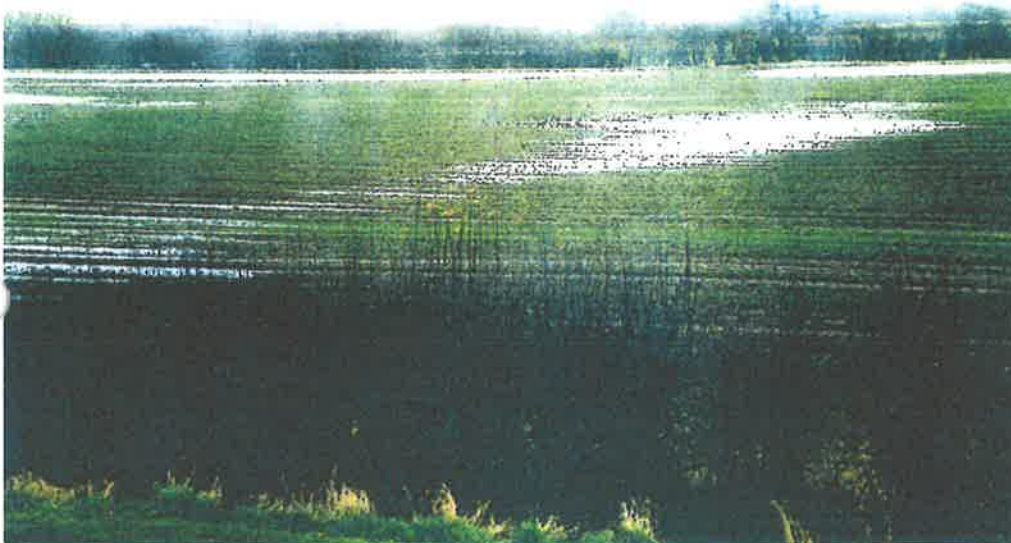
To the S the pond is higher than the proposed housing, any pond could only drain into an infiltration ditch which then culverts under Aston Road N > S opposite property on the S side into another infiltration ditch. To the W this ditch ends within 50 m and to the E rises before being blocked by a vehicle access about 120 m away, by which point the invert is already higher than the land surrounding the property in question. Any additional flow must increase the flood risk to these adjacent properties, thus, these ditches cannot be used.

Additionally, these contours imply that on the development as proposed, there is a highly probable flooding risk to approximately 45 houses.

Section 3.3 of the Applicant's case states that there are no identifiable constraints - I have just identified them to the committee and they are implied in the proposed conditions which I believe will be unable to be met as the ditches cannot cope with this flow. Further, contrary to section 3.2, these constraints are significant and demonstrate harm to existing properties and the proposed development. The Council should therefore under NPPF clauses 100-103 reject this application.



Surfer software 3D visualisation of the contours produced clearly showing the change between sloping ground to the west (left side of illustration) and flood plain to south and east(right side of illustration).



Historic Photo believed taken by resident Christmas 2012. Showing the excellent correlation between the standing surface water and the contour plan at contours 67.6 and 67.7 m AOD.

Production of Site Contour Map from Applicant's Data

Regrettably, no site plan showing contours was included with the submission. However, the Tree Constraints plan 9299/01 1/2 and 2/2 contain data of a site survey including spots heights and OS grid references of control points. This plan was produced using the industry standard software AutoCAD and made available as a pdf document to the public for use and comment. Due to the resolution of the pdf, it is difficult if not impossible always to read the values of these data. However, the file is basically an AutoCAD one and moving the mouse over a data point brings up the box:

AutoCAD SHX Text followed by the actual text

Thus it was possible manually to read this height data. Given the OS grid references of the control points it was possible to insert the pdf file as a pdf underlay into AutoCAD, scale and hence read the Eastings/ northings of the data points enabling full extraction of the XYZ data required as input to contouring software. Interestingly, with the original drawing file all this could have been obtained by a simple inquiry command and a contour plan produced in less than 15 minutes. The Z data (height) was the height as displayed on the survey plan but due to the requirement to scale the pdf files, etc. there may be a second order error in the XY data (Eastings and Northings) of up to about 250 mm, this is insignificant on a site which is so level, producing theoretical errors of fractions of a mm in the height and well within the tolerance of the original survey.

The abstracted XYZ data held in excel spreadsheet form was then input into industry standard software (Golden Software Surfer) to produce the contours which were exported as an AutoCAD dxf file to be imported as a separate layer over the pdf underlay.

Normally, contours produced in this manner would be subject to manual adjustment to avoid the irregularities found in the data boundaries to the east and north of site. However, to avoid any accusation of fiddling, the raw contours are displayed without editing.

The AutoCAD print included is of these contours and the line of the three ditches in question overlaid on the proposed housing layout, roads, attenuation ponds, etc. as the pdf underlay.



Tree constraints Plan 92299/01



Proposed housing layout and attenuation ponds

Bampton parish Council response to

16/03415OUT 160 houses Mount Owen Road, Bampton

Good afternoon, my name's Richard McBrien from Bampton Parish Council.

The Draft Local Plan does not allocate this site for housing - an area well outside the envelope of the village. We are therefore puzzled why the Planning Department, which was so involved in drafting that Plan, should approve this application - just a few months from the Plan's likely adoption.

We believe the developer's reports are so littered with errors they are not a suitable basis on which to make any decision, let alone approval.

To summarise the main points:

EDUCATION

The report identifies Carterton Community College as the 'catchment' secondary school. It is not - Burford is. Therefore all comments about capacity at Carterton are irrelevant.

Our Primary school is already almost at capacity. The Aston Road Planning Inspector concluded: 'there appear to be site constraints on the potential expansion of the school.'

The County seems to agree, saying:

'The feasibility of expanding the school beyond this has not been tested.'

In our view, there should be a formal assessment that complies with the government's 'Area Guidelines for Mainstream Schools'. This should be carried out **before** any consideration for approval, regardless of 106 money.

SUSTAINABILITY

We believe the development is unsustainable for many reasons:

Transport

Bampton no longer has a useful bus service. What is left of it after the cuts, is on a trial basis and at risk of being terminated altogether. This is not mentioned in the Officer's report.

The County says: 'the Council objects to this planning application on transport grounds' but then proposes to use 106 contributions to subsidise the number 19 for 5 years. But what happens after the 5 years subsidy runs out - the houses will still be there!

Water Supply

Thames Water states:

"The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. This should be sufficient to turn this application down. ... (an) assessment should be carried out fully **prior** to any consent and not placed as a condition."

Surely this speaks for itself.

Sewage

Thames Water says they have " been unable to determine the waste water infrastructure needs of this application."

The developer should be made to provide this information so the needs can be properly assessed.

Health Provision

The developers claim there are 13 GPs. In fact there are 4. One practice doctors states:

'... the surgery is already at full capacity ... the patient list size already above the national average.'

The potential closure of Deer Park Surgery in Witney will only bring further pressure.

There needs to a formal consultation with the Health Authority to assess the situation properly.

CONCLUSION

The local plan does NOT identify this site or others within Bampton for large scale development. A plan which the council democratically signed off on. It is not enough for the Planning Department to think 106 money will solve all the problems - it won't.

Perhaps the last word should go to the Planning Inspector at the Aston Road Appeal. After many weeks he concluded:

'Overall I find that the proposal does not represent sustainable development.'

That was for 116 houses. How, therefore, can this application, for 160, be acceptable?

In light of all the above, we urge you to vote for refusal or at the very least defer making a decision until the errors in the reports are corrected and a site visit made.

Many thanks for your patience.

Richard McBrien
Chairman of Planning Sub-Committee
Bampton Parish Council

Aston Road / Mount Owen Road, Bampton Committee Speech

16/03415/OUT

Outline planning application for demolition of existing buildings and erection of up to 160 residential dwellings including up to 40% affordable housing, creation of new vehicular access off of Mount Owen Road and provision of public open space with associated infrastructure and earthworks. All matters reserved except accessibility to the site, for vehicles in terms of the positioning and treatment of the access to the site.

Chair, Members,

Thank you for the opportunity to address you this afternoon.

I would firstly like to thank your officer's for bringing this proposal to committee with a recommendation for approval, following its robust consideration through the application process.

Bampton is recognised by the Council as a sustainable Rural Service Centre in both the adopted and emerging Local Plans, and as such is identified as a 'second tier' settlement.

There are no site allocations proposed at Bampton within the emerging Local Plan. However, I note that this site was not promoted for development at the outset of the Local Plan process. The most recent December 2016 HELAA confirmed that your Officer's considered that it was "*available, achievable and developable*". The site is therefore able to immediately contribute to the Council's housing shortfall.

The range of studies that have been undertaken to support this planning application demonstrate that a high quality development can be achieved at the site.

Although we appreciate the concerns raised by residents, no **infrastructure** deficiencies have been identified, and there are no objections to the proposals from any of the statutory consultees.

This is still the case when the proposals are considered in conjunction with the approved Cala scheme, currently under construction on New Road.

Contributions will be secured towards a range of infrastructure measures including sport and recreation, library facilities, education and improvements to the number 19 bus service.

Indeed, the bus service contribution would help deliver additional buses, enabling the no. 19 to run with increased frequency - which is clearly to the benefit of all in Bampton.

The application submission was accompanied by a detailed **landscape** assessment which concluded that the site was capable of accommodating the proposed development, without resulting in material harm to the surrounding countryside's landscape character and views from the wider area.

The site is not located within the AONB, nor does it have any landscape or other Local Plan designations or restrictions. It is therefore not considered a 'valued landscape', in planning terms.

Clearly however, 'change' will occur to the landscape if the proposals are approved - but this is a very localised impact, and a consequence of ANY housing development on a greenfield site.

Whilst we are aware of the concerns raised by some local residents regarding **drainage and flooding considerations**, it is important to note that there are no objections from statutory consultees on these matters.

The application site is located with flood zone 1, which is not the case in respect of the other schemes to which some objectors have sought to draw parallels from.

The development will be positively drained, and any existing flooding issues within the floodplain to the south of Aston Road will not be affected by the development.

In summary, your officers have concluded that there is no identified harm, which would significantly and demonstrably outweigh the substantial benefits which would be achieved. There are **no** identified environmental, technical or other reasons why planning permission should not be granted in this case.

In the absence of a five year housing land supply, the proposals should be granted permission without delay, with the presumption in favour of sustainable development engaged in this instance.

Thank you.

Sub-area requirement is 2600. Currently planning for 2552 (including 262 windfall units) = 300 short

46 Acre End Street, Eynsham – reference: 16/03427/FUL

Lowlands Committee Briefing Note

Good afternoon Councillors,

Thank you for the opportunity to address you this afternoon. I trust you have had the opportunity to review the letter we sent to you in advance of the previous planning committee.

The scheme you are being asked to consider is the consequence of discussions with your officers over a period of 12 months. Every change that has been requested has been made.

When the applicant first sought pre-application advice in January 2016 the scheme consisted of 6 apartments and 4 houses. Since then a number of changes have been made to the scheme, including:

- Reducing the number of houses to only 2
- Removing parking from the front
- Increasing the separation between the apartments and houses
- Setting the houses back and staggering their position so that they are consistent with the close
- Relocating the bins to the rear and providing a collection area to the front
- Reducing the width of the houses to create open approaches
- Numerous design alterations – to the scale and appearance of the properties
- And moving the houses further away from No.9 for greater privacy and access

These are only but a few of the changes made and the applicant has sought to engage with local residents throughout the process. We are pleased to therefore see that officers are able to recommend approval and we fully endorse this.

As you will note from your report and our letter:

- The site is centrally located within the village. Eynsham is one of the most sustainable settlements in the District. There can be no question that the principle of housing is acceptable.

- The scheme makes best use of land and would rejuvenate a tired and neglected building.
- The density of the scheme is no different than that of the neighbouring close and respects the build line and separation between properties.
- The land is not an important space in the Conservation Area however renovating the existing property and retaining an uninterrupted sight line will enhance the character of the area.
- Careful consideration has been given to ensure siting of the buildings and location of new windows are only where they will not harm neighbouring amenities. You will note that the balcony that was causing concern has been omitted. These concerns have been addressed in as far as is reasonable but it would not be right to seek to place restriction on windows which already exist in No.46 and can at any point be used as habitable space.

The applicant has progressed this scheme at great expense and it would not be acceptable for the site to be left in its current state – from both a visual and economic perspective. Consideration has had to be given to alternative uses should this scheme fail. Your officers have confirmed our view that the existing house could be converted to HMOs housing up to 18 un-related individuals without recourse to planning. The consequences of this are significantly greater than the proposals before you – not least in terms of highways and parking impacts, which appear to be residents' main concerns.

With this in mind, we note that highways officers have raised no objections to the current proposals. As you will have seen from your site visit the parking arrangement is an improvement in comparison to the neighbours' setup.

The applicant is however happy to work with officers to improve access arrangements to the Close utilising their land, if deemed reasonable and necessary.

We hope you will be able to endorse your officers' recommendation and welcome any questions.

Planning Application 16/03679/FUL – Astall House, Curbridge Road

Proposed Speech for WODC Lowlands Area Planning Sub-Committee, 13th February

14.00

(3 minute limit)

Good afternoon Chair and members of the Committee – thank you for the opportunity to speak to you this afternoon. My name is David Madden, and I am speaking on behalf of the applicant, Care UK.

The application before you is for a new state-of-the-art care home for 52 elderly people on the former Astall House site on Curbridge Road. The design of the home has evolved directly in response to feedback received from officers during pre-application discussions and the application has the support of the Case Officer.

Care UK has submitted the application, and would operate the care home. We have over 30 years' experience in care, and currently provide dedicated care and support to over 6,000 older people in 111 nursing and care homes across the country.

The proposed home would provide a 'Care Pathway' under a single roof. It has been purpose-designed to deliver residential, nursing and specialist dementia care in separate wings within the same building. This means that, as an individual resident's care needs change over time, they do not have to undergo the stress and disturbance of relocating to a different home. Instead they can continue to receive the level of support they need, in the same home, with the same dedicated care team and friends they know.

Care UK is a member of the dementia action alliance, an organisation comprising care providers, academics and clinical experts, whose objective is to ensure older

people living with dementia receive the highest standards of care and support. All staff working in Care UK homes, from the management team, through nursing and care support staff through to ancillary support – all receive specialist dementia training.

Care UK is committed to making sure its homes become active members of the local community, and this commitment commences before we submit a planning application.

Prior to submitting our plans, we met with Our Lady of Lourdes Primary School and St Hugh of Lincoln Nursery to go through the proposals with them. We subsequently held a public exhibition for the local community, and also presented to Witney Town Council.

Feedback from all of these meetings was very positive and this is reflected by the written support from the Town Council and the fact that only one objection has been submitted. This is in marked contrast to a previous application for flats on this site, which generated very significant opposition, including 62 individual objections.

We intend to maintain this commitment to working with the community and look forward to working with the school and the Town Council to promote strong links with the home once it is operational.

In addition to providing care for older people in Witney, the proposed home would also deliver approximately 50 full-time-equivalent jobs for local people. Roles range from management and nursing staff, to care support workers and ancillary staff.

In conclusion, the proposed home would provide much-needed high quality care for older people, would provide a range of jobs in the local community, and has been well received by neighbours and the Town Council. I commend this application to members this afternoon.

Appendix F

Good afternoon Councillors,

Our proposal is to develop a artisan micro distillery within an old cotswold stone barn that is no longer fit for modern agricultural use due to the size of modern machinery. The barn was used as part of the Mushroom Farm that had to withdraw from the industry due to falling profits in 2003, since then we have been looking into other ways to diversify the farm using its agricultural products.

The concept developed when I lived and worked at a distillery in Sweden whilst learning to distill and developing and launching a gin there. The distillery in Sweden used local farm grain to produce vodka, akvavit and gin.

In recent years there has been a large resurgence in craft distilling with consumer focus shifting toward how products are made and their traceability.

The distillery would be able to produce "single estate" products, Spirits made entirely onsite from field to bottle, this is only done by three other distilleries in England and would be completely unique in Oxfordshire.

The exterior of the building will remain the same with some much needed restoration to the stone work, repair to the roof and the installation of traditional barn doors.

There will be some changes to the interior of the building to bring it up to food and beverage production standards.

With regards to traffic concerns we are sensitive to the residents view on goods vehicles in the village and will endeavour to keep the number of deliveries in and out of the site to a minimum and use LGVs whenever possible.

To give you some more detail on the projected traffic movements: As the two main elements used for the distillation process grain and water are already onsite, deliveries into the distillery would consist of packaging, fuel (that would be combined with current farm fuel needs) and small amounts of botanicals for the gin. We will be using grain from the farm to produce the base spirit, which will reduce grain lorry movements out of the farm.

Because we would be doing the whole process from field to glass by hand, production takes a lot of time and care which means that the maximum quantity of product per week would be around 1400 bottles; a quantity that would fit onto one and a half standard pallets.

We are not intending to have a shop on the site and all intended full time employees already live and work on the farm minimizing staff travel.

With regards to waste and pollution from the processes:

The majority of waste from the distillation process will be spent grain that will be collected and spread on the land as soil treatment as it has beneficial fertilising effects or can be fed to livestock. Which is common practice with breweries and distilleries. Any waste alcohols produced, which should amount to around 1 barrel every 6 months would be delivered to the bio fuels industry.

Smells from the processes, which are mainly associated with fermentation, are minimal as they take place in enclosed vessels and noise production is very low as the main mechanical processes use steam heating.

Thanks you for your time, do you have any questions?

Appendix G

Good afternoon Councillors,

Westfield House closed as a children's nursery in August 2015 and in September last year the committee granted planning permission for the change of use of the building into 4 flats. The application had originally included 4 detached dwellings in the grounds containing the existing large tarmacked car park to the former nursery and the access onto Bampton Road. These 4 dwellings were omitted from the scheme after officers raised concerns following design comments made by the Council's Architects. **The current scheme has been reduced to 3 new dwellings and has been redesigned to reflect the design comments that were made by the Council's Architects.**

It is I think important to note that the Parish Council **has no objection** to the current scheme. Just to remind, the Parish Council in their response to consultation on the previous scheme stated they "*would like to see this **entire** site retained for potential employment purposes*". The current scheme has also responded to the Parish Council's aspiration for an employment use, with each of the 3 new dwellings having **specifically designed home offices**.

It is not unheard of for committees to weigh matters differently in the planning balance and come to a different conclusion to their officers. In this case the harm that is identified in the report does seem to have been given **too much weight** and all the benefits **not given enough**.

The site is **well related** to the village and is **seen in the same visual context**. The site also amounts to '**previously developed land**'. It is therefore hard to understand why **the principle** of a residential development of the site is unacceptable to your officers because it would "***unacceptably urbanise***" the site (para. 5.7 of the report refers). The report concludes in para. 5.11 that "*There is a strong visual connection between the application site and the surrounding open countryside which would be greatly urbanized.*" I would argue that there is a **stronger visual connection with between the application site and the village**.

I imagine it is not often you consider applications where neither the Parish Council nor any local resident objects. To my mind the application would be **an attractive addition** to this part of the village on the opposite side of the road from the popular Aston Potteries, the home offices would be **of benefit to the local economy**, and all the proposed improvements to the grounds would be **an enhancement of the area**.

Councillor's, **I don't believe that any significant harm** is caused by the application, indeed quite the contrary, and I hope that you will be able to approve it.

Thank you.

16/03960/FUL Land North of Back Lane, Aston.

Our plan is for 2 family homes to provide us and our young children the space and environment we would hope for them to grow up in. We like the village and if we are to live there it is in our interests as much as anyone's to make sure our plans are in keeping with its stunning character so we enhance the area as much as possible. As such the size and finish of the houses are designed to be in keeping with neighboring properties.

Kate and Rebecca have family in the village and as children would spend time walking with their granddad and great uncle who still lives in the village. We also have other ties to the village as Rob plays for the Aston football team and Kate is a local career with patients in the village. Our eldest son will start school in September and will hopefully be attending Aston primary as we like the school and it is one of the few in our local area which is not currently oversubscribed.

We both currently live in the district so while our plans are not for affordable houses the homes we would be selling are both starter family homes so we would be contributing in a small way to the availability in the district. Our plan also allows 2 young families to move to a village where house prices are largely unaffordable for young families at this time so the age demographic is likely to be above average. Whilst I have no facts to support this it did seem to be a point the parish council responded to when we attended their meeting in January.

We are very aware we are not developers so have sought as much advice as we can and read as much of the policy as possible. We used the preplanning advice and reduced our plan for 3 houses to 2 and refrained from a third story on our designs to try and keep in line with the planning officers advice in order to be in keeping with neighbouring properties.

Our understanding of the policy is that some development is suitable in Aston as it is a medium sized village. The policy indicates development in a village of this size should be infill or rounding off, both of which applies to our plan as it has adjacent properties on 3 of its 4 boundaries and completes the natural boundary at the north of the village.

The key phrase in our case seems to be that the houses must be a "logical complement" to existing scale and pattern of development. We feel that particularly with the completion of the new development at North farm there is a cluster of property at the north of the village which defines the boundary. The 2 houses are in-fill to this cluster; they do not extend beyond the small cluster therefore not creating an urban sprawl along Back Lane towards the west of the village. There is a very definite break between this cluster and the hub of the village on both North street and back lane which we feel creates the loose knit feel to which the planning officers reports refers.

Our architect has helped us respect the feel of the road with his design and positioning of 2 individual houses of similar size and design of others already along back lane (as referred to in his design and access statement). As a result the officer states the design is acceptable in point 5.8 of her report. We were also advised that following the rounding off of the village by the North farm development he feels our site would be a natural completion of this rounding off effect to this end of the village. He has also

calculated the density of the development at just 10% of the land space which is low by today's standards and is in keeping with the neighbouring property.

We believe the positives of our development outweigh any harm to the locality as supported by point 5.7 in the planning officers report.

In her report, she states:

"Although two dwellings are proposed, your officers consider that the delivery of two dwellings would make a very small, albeit still beneficial, contribution to the supply of housing when weighed against the harms to the visual amenity, appearance and character of the locality and the Aston Conservation Area."

We attended the parish council meeting and not only did they not have an objection they seemed to us to be fairly positive about a self-build project bringing young families to the village. ~~Our only comment from the public was not an objection but instead focused on ensuring the drainage and hedges are properly looked at which with young children would be high on our list of priorities to ensure they have safe places to play.~~

~~We've also noted that there have also been no objections from other key parties including the highways, environmental and drainage engineer and our site is within the defined village boundary and conservation area.~~

Whilst relevant housing development policies within the adopted Local Plan are not considered to be up to date, the presumption is in favor of sustainable development unless material adverse impacts apply that significantly outweigh the benefits. We feel this point is further supported by the recent focus on housing shortage nationally in the news and the government's recent white paper to help tackle the issue.

Aston is a conservation area but does not have an appraisal specifically identifying what areas need to be protected. ~~It is not however part of the Cotswold area of outstanding natural beauty.~~ As such we have had to form our own expectations on what characteristics designating this village as a conservation area was designed to protect. We strongly feel it is the Cotswold feel of the village that must be protected and as such the traditional design of our houses using local stone enhances the village character.

There is some concern around removing of hedging to give the correct visibility splays for access. It is our intention to replant the hedging as needed and we would work with the planners and District Council to ensure the appropriate visual impact for the conservation area.

In summary we like the design provided by our architect and feel it does well to be in keeping with the village. We are keen to become part of the community and as a self-builder rather than a developer we'll go further to ensure the issues around the foliage are resolved to support the feel of the road and also that the construction itself has as little impact as possible on our future neighbours.