

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 13th February 2017

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Agenda Index

Please note that if you are viewing this document electronically, the agenda items below have been set up as links to the relevant application for your convenience.

16/03415/OUT	Land East of Mount Owen Road, Bampton.....	3
16/03809/FUL	Chervil Cottage, 29 Aston Road, Brixhampton.....	5
16/03910/FUL	Westfield House, Bampton Road, Aston.....	5
16/03960/FUL	Land North of Back Lane, Aston.....	8

Report of Additional Representations

Application Number	16/03415/OUT
Site Address	Land East Of Mount Owen Road Bampton Oxfordshire
Date	1st February 2017
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Bampton Parish Council
Grid Reference	432221 E 203365 N
Committee Date	13th February 2017

Application Details:

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.

Applicant Details:

Gallagher Estates Ltd
C/O Agent

Additional Representations

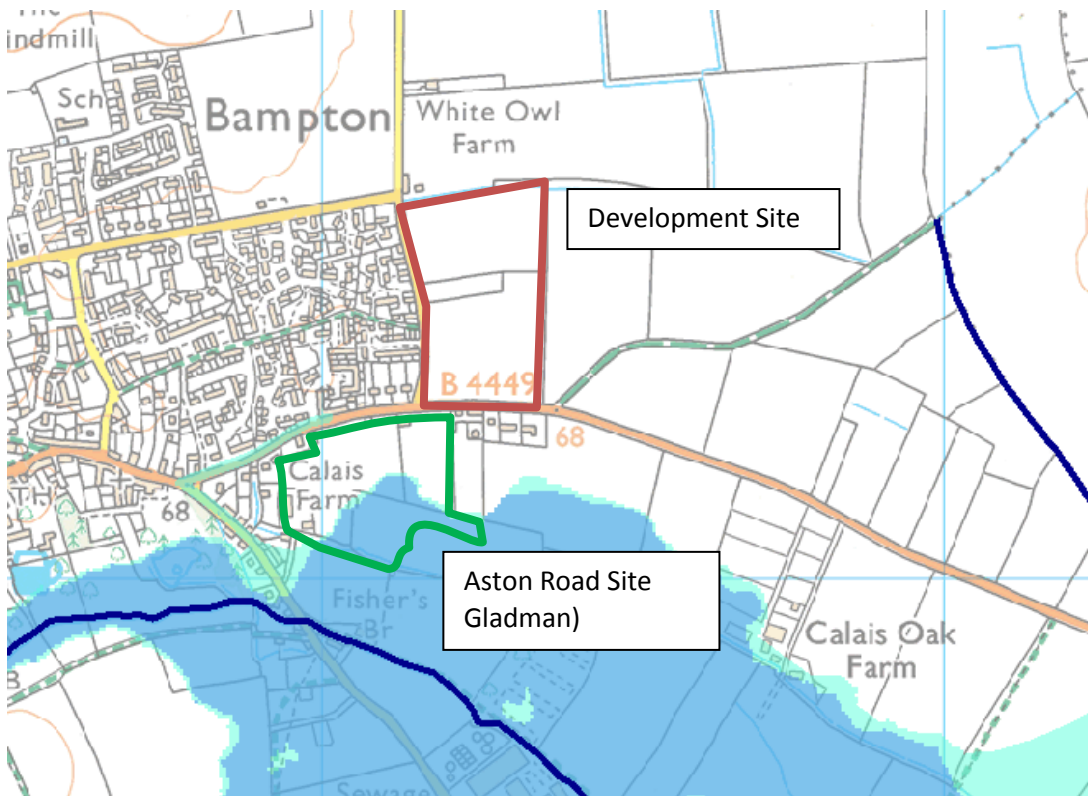
Additional representation from the Society for the Protection of Bampton referring to standing water on the site in 2012, and flooding of the property Wychwood in 2007. SPB consider that the site acts as run-off/holding pond for pluvial water and should a 2007 event occur again building on the site would exacerbate the problem. SPB believe the submitted flood risk assessment is flawed as it has not taken these matters into account. Regard should have been had to the information available in connection with the Aston Road appeal. The applicant should submit a full independent hydrology report.

Response to comments raised by Society for the Protection of Bampton (07/02/2017)

This note has been prepared in response to objections raised by the Society for the Protection of Bampton (SPoB) in relation to the proposed development off Mount Owen Road, Bampton. The letter from the SPoB dated 7th February 2017 raises concerns regarding flooding to the local area. The letter cites evidence of flooding south of the site drawn from a separate application as well as evidence of standing water on the site itself.

It should be noted that the Aston Road application to which the objection letter refers, and from which some of the information is drawn, cannot be used as a direct parallel for the proposed development. The

Aston Road (Gladman) site is actually situated within the flood zone of the Shill Brook and is therefore subject to flood mechanisms not applicable to the proposed development site.



Reference to the 2007 floods is misleading as mitigation and alleviation works have subsequently been carried out in several stages by WODC, OCC and DEFRA to protect those properties at risk of flooding. The works centred around improvement of existing drainage and culverts. The extract of the flood map above has been informed by strategic flood risk assessments carried out in 2009.

As has been stated before, the proposed surface water management strategy for the proposed development seeks to restrict and control surface water runoff on site. The result of this is a reduction in the peak runoff from the site during extreme rainfall events which serves to alleviate flooding to the receiving watercourses and surrounding area.

The site does not interfere with any existing overland drainage routes, nor create new routes. The typical topographical falls in the area surrounding the site are north to south, notwithstanding any localised deviations. Any pluvial runoff from the area immediately to the north will be intercepted by the ditch along the northern boundary of the site and will not continue to the south. Mount Owen Road may act as an overland flood path in very extreme rainfall events but the development does not impact or contribute to this. Thus any existing flood issues south of Aston Lane will not be affected by the development, the reduction in peak surface flow from the development may, in fact, reduce the impact.

There is a suggestion that the site itself is subject to flooding from rainfall and a photograph of the site has been submitted showing some standing water. The Flood Risk Assessment submitted identified that the underlying sub-strata may exhibit poor infiltration characteristics and thus some standing water during heavy rainfall events is to be expected. However, the development site will be positively drained with waters collected and stored before discharging at a reduced rate. The water appears to be held on site and not impacting any off site areas but regardless this will not be an issue subsequent to development.

None of the evidence provided indicates that there is an issue with the site itself or that development of the site would adversely impact the flood risk to the surrounding area.

Application Number	16/03809/FUL
Site Address	Chervil Cottage 29 Aston Road Brighthampton Witney Oxfordshire OX29 7QW
Date	1st February 2017
Officer	Cheryl Morley
Officer Recommendations	Refuse
Parish	Standlake Parish Council
Grid Reference	438419 E 203543 N
Committee Date	13th February 2017

Application Details:

Conversion of former care home to seven dwellings with associated works.

Applicant Details:

Mr & Mrs Mark and Wendy Drewett
27 Aston Road
Brighthampton
Oxon
OX29 7QW

Additional Representations

THIS APPLICATION HAS BEEN WITHDRAWN.

Application Number	16/03910/FUL
Site Address	Westfield House Bampton Road Aston Bampton Oxfordshire OX18 2BU
Date	1st February 2017
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Aston, Cote, Shifford And Chimney Parish Council
Grid Reference	433813 E 202928 N
Committee Date	13th February 2017

Application Details:

Erection of three dwellings with associated works.

Applicant Details:

Mr John Hook
C/O Agent

Additional Representations

Further comments from the applicant's agent which have been summarised as;

I think it important to note from the report that the Parish Council does not object to the application and there have been no local resident comments. There are also no highways or biodiversity objections raised. I do note that the Landscape and Forestry Officer has not commented and it is therefore hard to understand how you come to the comment in paragraph 5.8 of the report that "trees would also be threatened and at risk due to the close proximity of the proposed dwellings".

Surface water drainage is intended to be by a sustainable drainage system and I note that the Drainage Engineer would like boreholes to be excavated across the site to see if this technique would be viable, advising that the site is at a high risk of groundwater flooding. This is difficult to understand as the recent planning permission recommended for approval and granted by the committee for the change of use of Westfield House into four apartments with access and car parking also proposed sustainable drainage techniques and this technique did not raise any concern. Unfortunately the Drainage Engineer's response is not available to view on the Council's website to interrogate the source of any data on which the Drainage Engineer relies. I appreciate that the area is identified on the map in Appendix B of the Council's Strategic Flood Risk Assessment November 2016 as susceptible to groundwater flooding. However, to my mind the disposal of surface water can be conditioned, if necessary, as there are a number of other means of disposing of surface water. In doing so I'm conscious that the site is at present an access and large tarmacked car park for the former nursery and the proposal removes the car park and the rather dilapidated outbuilding to the front of the site.

The current application has responded to the Parish Council's aspirations and has included specifically designed home offices in each of the 3 dwellings. In relation to the employment opportunities arising from the home offices attention is drawn to application 15/03165/FUL for the erection of 5 live/work units at Northmoor Park, Church Road in nearby Northmoor. In para. 5.3 of the committee report it advised: "The NPPF (section 3) seeks to support a vibrant and successful economy, including in rural areas." In that case the application was considered by the Officer in the minutes to be "finely balanced" and the Planning Committee considered the live/work element of the scheme "would be of benefit to the local economy". The application was approved by the committee even though the Officer recommendation was for refusal, including due to harm to the mixed-use character of the Conservation Area.

At Aston the site is opposite the popular Aston Potteries.

There would be no significant harm to the Aston Conservation Area. Rather the application site is well-contained by trees and other landscaping and would to my mind on balance enhance the character or appearance of the Conservation Area, and enhance the setting of the non-designated heritage asset of Westfield House.

Even if you considered there was harm to the Conservation Area deriving from the new homes, this would be less than substantial given its relatively minor nature, and all the public benefits of the proposal would need to be weighed against any harm that is identified. In the planning balancing exercise, and taking into consideration that at most only minor harm would be occasioned, it is considered that all the benefits of the application outweigh any harm.

In the report to the committee you say at paragraph 5.6 that the three dwellings would “unacceptably urbanise this site, and the general context that it is located in.”

And in paragraph 5.8 that they “do not represent the low key appearance of this part of Aston” but would “over dominate the visual appearance of the Conservation Area”.

Concluding in paragraph 5.11 “There is a strong visual connection between the application site and the surrounding open countryside which would be greatly urbanised if the proposal was permitted. As such officers consider that the proposal would result in harm to the rural character and appearance of the area. Furthermore, the proposal fails to respects the pattern and character of the surrounding Conservation Area.”

The site comprises ‘previously developed (brownfield) land’ as defined in the Glossary to the Framework, albeit I appreciate the site comprises a designated heritage asset: “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.” Whilst the three dwellings would be of a larger scale than that which exists, what you will see in the main view of the site in the approach from the west is low key and would not ‘unacceptably urbanise’ the site in the context of its location

It is considered that the proposal provides an appropriate balance and for the development to be of a character that is appropriate for its location.

In this case the public benefits of the application include:

- . the restoration and management of the current non-designated outbuilding identified on drawing 2982.305B;
- . the enhancement of the Bampton Road frontage through the removal of the rather dilapidated outbuilding and the two six-bar iron gates adjacent to it, and landscaping (including tree planting);
- . new and replacement tree planting along the south western boundary;
- . the contribution towards economic growth both during the construction phase in terms of employment and possibly an increase in local spending, and more importantly the employment opportunities arising from the home offices within each of the three dwellings; and
- . the contribution made by the three new family homes in: boosting significantly the supply of housing (para. 47 of the Framework), helping towards resolving WODC’s five-year housing land supply deficit (para. 49 and para. 5.4 of the report, delivering a wide choice of high quality homes (para. 50), and enhancing the vitality of the rural community of Aston (para. 55). WODC has publicly stated that in order to meet its housing targets some development will be needed on greenfield sites on the edge of settlements. This is reflected in Policy H2 of the Local Plan 2031.

Paragraph 6 of the Framework advises that “policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”. I do appreciate that a judgment needs to be made. To my mind, and with the Parish Council and local residents having no objection, this is a perfectly straightforward application for you to be able, on balance and in the absence of any adverse impacts that significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework ‘taken as a whole’, to change your recommendation and to recommend Conditional approval

Revised reason for refusal as follows:

The proposed development, by reason of its scale, siting, form and appearance would appear as a visually incongruous feature within this part of the Aston Conservation Area and would fail to preserve or enhance the character and appearance of the area. Furthermore, the development would unacceptably urbanise the generally low density, loose knit, rural character and appearance which would not respect the existing scale, pattern and character of development in this location. In addition, the benefits arising from the delivery of a small number of new dwellings in this case are outweighed by the adverse impacts that would result from the development. As such the proposal is considered to be contrary to Policies BE2, BE4, BE5, NE1, NE3 and H2 of the adopted West Oxfordshire Local Plan 2011, Policies OS2, H2, EH1, and EH7 of the Emerging West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF, including paragraphs 14 and 134, and the West Oxfordshire Design Guide.

Application Number	16/03960/FUL
Site Address	Land North Of Back Lane Aston Bampton Oxfordshire
Date	1st February 2017
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Aston, Cote, Shifford And Chimney Parish Council
Grid Reference	434005 E 203448 N
Committee Date	13th February 2017

Application Details:

Construction of two detached dwellings with associated garaging and alterations to existing vehicular access.

Applicant Details:

Mr Phil Moss
10 Blackthorn Mews
Carterton
Oxon
OX18 1LU

Additional Representations

Revised reason for refusal as follows:

The proposed development, by reason of its scale, siting, form and appearance would appear as a visually incongruous feature within this part of the Aston Conservation Area and would fail to preserve or enhance the character and appearance of the area. Furthermore, the development would unacceptably urbanise the generally low density, loose knit, rural character and appearance which would not respect the existing scale, pattern and character of development in this location. In addition, the benefits arising from the delivery of a small number of new dwellings in this case are outweighed by the adverse impacts that would

result from the development. As such the proposal is considered to be contrary to Policies BE2, BE4, BE5, NE1, NE3 and H2 of the adopted West Oxfordshire Local Plan 2011, Policies OS2, H2, EH1, and EH7 of the Emerging West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF, including paragraphs 14 and 134, and the West Oxfordshire Design Guide.