

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 10th April 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***

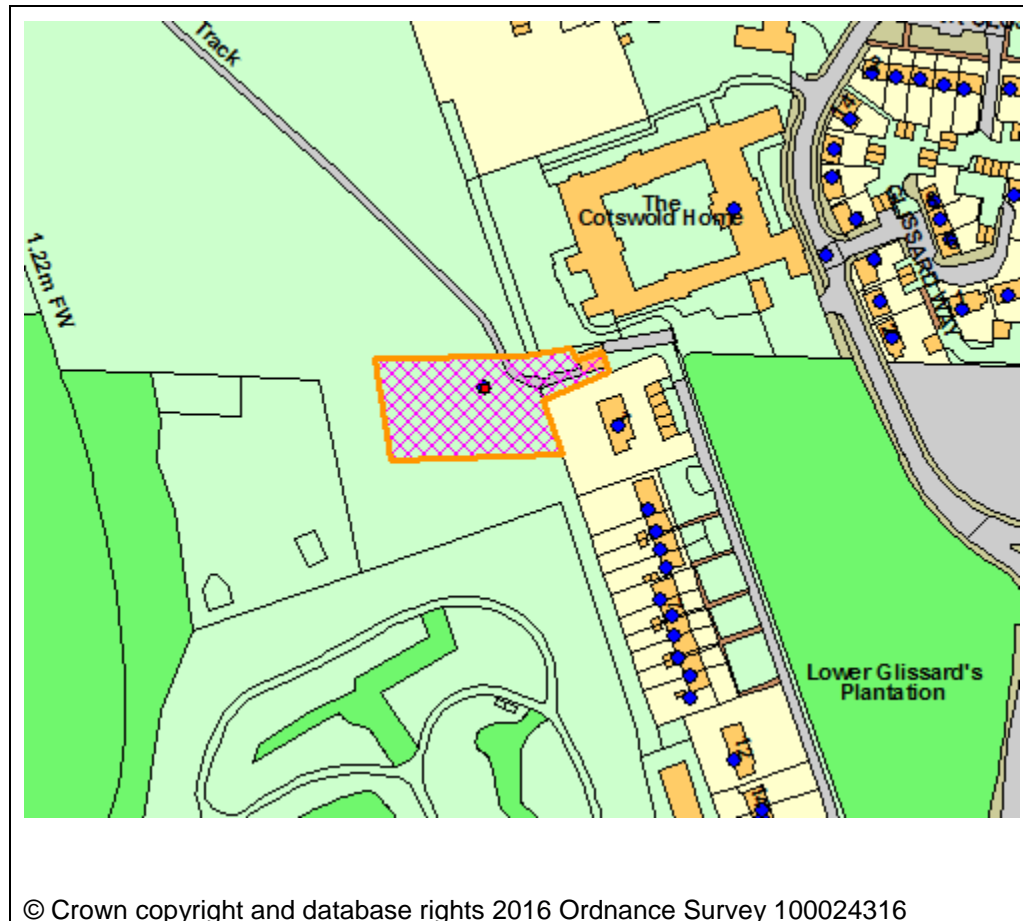
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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](http://www.westoxon.gov.uk/meetings)

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Application Number	17/00417/OUT
Site Address	Land North West of 1 Foxwood Lane Bradwell Village Burford Oxfordshire
Date	29th March 2017
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Shilton Parish Council
Grid Reference	424333 E 208934 N
Committee Date	10th April 2017

**Location Map**



**Application Details:**

Erection of five staff cottages.

**Applicant Details:**

Cotswold Wildlife Park  
Bradwell Grove  
Burford  
Oxfordshire  
OX18 4JP

**I CONSULTATIONS**

- |     |                              |   |
|-----|------------------------------|---|
| I.1 | Parish Council               | Whilst appreciating the requirement for affordable staff accommodation, the Council are concerned that this is an over development of this site that would increase traffic on the already narrow and badly maintained Foxwood Lane. Consideration should be given to improving access or reducing the number of new dwellings, if permission is to be granted. |
| I.2 | OCC Highways                 | Foxwood Lane is a private road and therefore the application red edged area does not include access to the highway.<br>I am concerned at the lack of passing spaces along Foxwood Lane together with the sharp bend at the northern end that lacks forward visibility.  |
| I.3 | WODC Drainage Engineers      | Surface water drainage condition requested.   |
| I.4 | Thames Water                 | No Comment Received.  |
| I.5 | WODC Architect               | No Comment Received.  |
| I.6 | WODC Planning Policy Manager | No Comment Received.  |

**2 REPRESENTATIONS**

- 2.1 5 letters have been received from Ms Guilbert, 35 Hawthorn Drive, Bradwell Village, Mrs Timermanis, 58 Hawthorn Drive, Bradwell Village, Mrs Symons, 28 Birch Drive, Bradwell Village, Mr Clive Henry & Miss Hilary Richiardi, 1 Foxwood Lane and Miss Ramsden of 5 Foxwood Lane.
- I believe suitable staff properties have been sold in the past.
  - No notices have been placed around with regard to this development.
  - Further investigations need to be pursued before this is allowed to go any further.
  - I personally will require a response that all considerations for everyone concerned have been considered, and this has not been flippantly dealt with.
  - My objection and concerns are that if this project was allowed to go ahead I would constantly worry that in the future the open fields we have at the side and behind our village would eventually be under threat for future buildings which would be totally unacceptable.
  - I note the CWP must have thought it fit to sell the following: 4 sold properties found

Sorted by:

3, Foxwood Lane, Bradwell Grove, Burford, Oxfordshire OX18 4JH

£279,000 Terraced, Freehold 01 Dec 2016 3 bedrooms

£150,000 Terraced, Freehold 21 Mar 2003

1, Foxwood Lane, Bradwell Grove, Burford, Oxfordshire OX18 4JH

£310,000 Detached, Freehold 29 Nov 2013 3 bedrooms

5, Foxwood Lane, Bradwell Grove, Burford, Oxfordshire OX18 4JH

£222,500 Semi-Detached, Freehold 25 Jul 2007 3 bedrooms

£132,000 Semi-Detached, Freehold 30 Nov 2001

4, Foxwood Lane, Bradwell Grove, Burford, Oxfordshire OX18 4JH

£169,950 Terraced, Freehold 01 Jun 2004

£99,000 Terraced, Freehold 13 Sep 2001

£59,000 Terraced, Freehold 18 Jun 1999

- Why didn't they keep them for their staff then?
- Contrary to Policy H4 of the adopted Local Plan states that proposals for the construction of additional new dwellings in the countryside.
- However, the applicant's agent does make reference to a previous permission (reference: I3/I470/P/FP) on this site as support for the proposal and also provides information relating to the need for this housing for purposes relating to the Cotswold Country Park.
- The location of the approved units, being at the heart of the Country Park and in close proximity to the animals within it, is in keeping with their function for housing workers needed for emergency situations. This is not the case for the proposed units which would be sited away from the animals and the main functional part of the park.
- If indeed dwellings are required for this purpose they would be better placed within the site itself.
- The applicant's agent also refers to the high costs of housing in the area as reason to approve the current application.
- Policy H2 of the local plan states that proposals for additional dwellings should not erode the character and appearance of the surrounding area.
- Paragraph 56 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to the design of the built environment.
- The houses would create a new residential enclave in a manner which would appear out of keeping with the general pattern of development in the village and would appear intrusive in the landscape to the detriment of the rural character of the area.
- The 'Access Statement' for the 2017 application states that CWP own 14 of these houses and the agent quotes ' I can confirm that the park has not sold any since it was founded in 1970 and so this proposal is not aimed at abusing the planning system' , we would dispute this, If the quoted is to be used as a valid argument in favour of the development then we believe transparency regarding legal ownership of the road and properties in Foxwood Lane and how they are managed, and the long term aims of this development should be clarified before any permissions are granted.
- Have not taken an interest in the remaining properties in Foxwood Lane so cannot comment on these or confirm if they have been occupied or are occupied by CWS workers, however, the fact that some houses have been empty for long periods of time clearly demonstrates that the current available property in Foxwood lane is not always full to capacity and questions the need for more to be provided.

- Also, is there not a commercial argument that if a business needs to attract staff from outside the area to operate, then they should pay them enough money to enable them to live in the area where the work is, this should surely be seen as a normal, necessary business overhead, there are also Government 'Help to buy' Schemes available that assist new buyers with low deposits.
- In our opinion the fact that there were previous properties on the proposed site does not constitute a valid reason to consider this is grounds to give permission to build on it.
- In our opinion the site is wholly inappropriate for the proposed use as housing for staff on 24 Emergency call out or general occupation for the following reasons:-
  - 1) The proposed site is located immediately behind, and very close to Elizabeth Finn Cotswold Carehome, the wing adjacent to the proposed site is dedicated to 'Palliative Care' for the residents and 24 hour movement of staff in this location will lead to unreasonable disturbance and will spoil the current outlook from the home across open fields.
  - 2) It is also situated at the end of the road where the last 5 properties are owned by Private residents, these are not staff of the Wildlife Park' and this will also cause unreasonable disturbance to them at weekends and night times.
  - 3) The dustbin and recycling lorries also have to reverse up the road and will be not to be able to negotiate the bend at the end of the road without considerable shunting to get to the proposed houses and so bins will need to be transported down the road ( past our house and the Cotswold care home ) and left on the corner outside our house which is unacceptable.
  - 4) During the construction phase of the work, the work itself will cause considerable noise and disturbance, the fact that some construction vehicles will be unable to access the site directly due to the tight bend will mean considerable vehicle movements on the section of road between No 1 and the Cotswold Carehome and the large amount of Concrete, soil, and materials deliveries and labour requirements that will be generated by a project such as this as well as the construction noise, plant and machinery will cause unreasonable levels of noise for ourselves, the residents of Foxwood Lane and to the elderly residents of the carehome.
- We believe this application should be refused for the following reasons:-
  - 1) The proposal does not comply with current National, Local and Emerging local planning policy and a clear reason for this to be an exception has not been established.
  - 2) The application is not sympathetic to the location and to use this area as housing 24 hour emergency staff of the Wildlife park ' offsite' or indeed for normal staff would be wholly inappropriate in a residential area adjacent to a care home for the elderly.
  - 3) The access leading to the site through Foxwood lane is not suitable for increased vehicle usage and would lead to disturbance and further access and Health and safety issues for the residents including staff from the CWP.
  - 4) The fact that there were previous properties on the site 30 years ago when it was a hospital is irrelevant in the current situation which has changed considerably since that time.
  - 5) More suitable, alternative sites are available closer to the wildlife park where in an area where staff already reside.
- Increase of traffic would cause major problems and disruptions. Safety issues.

- Our access blocked to the field since January 2016, we had been given permission by the farmer to exercise our dogs in the field.
- More beneficial to build the houses in the grounds of the CWP.
- Deeds state that the privately owned properties must contribute 20% to the road upkeep of Foxwood Lane, if the new properties go ahead the 20% will be a disproportionate percentage and will need to be reduced.

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

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

- There is a clear need for the Cotswold Wildlife Park to have additional staff accommodation close to the park in the interests of animal welfare. The Council recognised that there were special circumstances regarding a proposal for staff accommodation which was permitted in 2013 and the decision notice stated that the proposal complied with the relevant housing and environmental policies of the Local Plan and that the Council implemented the requirements of the NPPF in coming to a decision. This applies equally to the proposal that is the subject of this application.
- This statement has demonstrated that the proposal complies with the policies of the adopted Local Plan and its emerging review and also with the policies within the NPPF, which is permissive of new homes in the countryside where there are special circumstances such as the need for a rural worker to live permanently at or near their place of work in the countryside. Certainly, the applicants would not be going to the trouble of submitting this application if there was no need for the accommodation.
- This application proposes modest housing which will be sympathetic to its location, being single storey and of an appearance that will not harm the visual or residential amenities of the area. Accordingly, due to the compliance with the adopted and emerging Development Plan and with the NPPF, I trust that planning permission will be granted, subject to the imposition of appropriate condition including one restricting the occupancy to staff working at Cotswold Wildlife Park.

### **4 PLANNING POLICIES**

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

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

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

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

### **5 PLANNING ASSESSMENT**

Background Information

- 5.1 The application is to be heard before the Committee, as officers have received a letter from Cllr David McFarlane in support of the application.
- 5.2 The proposal seeks outline consent for access, layout and scale to be determined at this stage for the erection of five new dwellings in Foxwood Lane. The cottages are required for staff employed at the Cotswold Wildlife Park.
- 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 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, currently 1,836 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 (as referred to in the October 2016 Position Statement). 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.
- 5.5 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying additional suitable sites in the SHELAA 2016, and approving, and resolving to approve, a large number of housing proposals. The Council will be making a strong case for the "Liverpool" calculation and is confident that its approach is appropriate to address housing needs in the District in a realistic manner over the plan period. Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate in advance of the resumption of the Examination in May 2017. Officers are of the view that increasing weight should be attached to the emerging plan given its progression to the next stage of examination. Accordingly, although the Council's approach has yet to be endorsed by the Local Plan Inspector, the direction of travel and commitment to boost supply is clear. Nevertheless, whilst there is still some uncertainty as to the housing land supply position, it remains appropriate to proceed with a precautionary approach and assess proposals applying the provisions of the second bullet of "decision taking" under paragraph 14 of the NPPF. (NB. Once the HLS position has been updated as a result of completion of this year's housing land monitoring, the relevant figures for shortfall and supply will need to be adjusted.)
- 5.6 The application site is located adjacent to existing properties which officers believe were used in association with the adjacent Bradwell Grove hospital site, which is now occupied by the modern housing estate of Bradwell Grove village. The proposed site is located at the end of Foxwood Lane which used to have units seen from photographs from the 1970s/80s. However,



only small evidence of the former units exist on site now. The site does not fall in within a Conservation Area, AONB or the Green Belt.

- 5.7 Officers consider that Policy H4 of the adopted West Oxfordshire Local Plan is one of the most relevant policies. This policy discusses the construction of new dwellings in the countryside. Officers do not consider that the proposed development are replacement dwellings. The policy discusses that new dwellings will only be permitted if there is a genuine essential agricultural or other operational need for a full time worker to live on the site. There are also three other points, that the need cannot be met through the use of existing buildings on or close to the enterprise, the proposed dwelling is of a size appropriate to both its functional requirement and financial viability, and is capable of it being sustained for a reasonable period of time.
- 5.8 Officers have previously approved a new machine shed on the Cotswold Wildlife Park site with a residential flat above, 11/0512/P/FP, and more recently, in 2013, three key worker dwellings were approved, outside of the park. This development was replacing an existing building on the site. However officers were of the opinion, that although within open countryside, the site was in close proximity of the Wildlife Park. The proposed site is considered not to be in such a close proximity to the site as that development. The submitted Planning Statement states that there are no existing buildings that could be converted into residential accommodation. However officers would suggest that there might be scope for new buildings to house staff within the Park itself. It is considered by your officers that this approach has not been sufficiently demonstrated.
- 5.9 Officers are also of the opinion that the proposed site is located within an unsustainable location which other facilities can only be reached by other means of transport other than cycle and foot.

#### Siting, Design and Form

- 5.10 Only the layout and scale of the development is to be considered at this stage. Officers have concerns regarding the proposed layout. All of the private amenity spaces are facing onto the parking area, which shows 14 car parking spaces. Officers consider that the level of noise and disturbance, together with privacy issues would adversely affect the residential amenities of the proposed occupiers. The layout also does not reflect the existing pattern of development, which is linear in form. Your officers are of the opinion that the proposed layout has a more urban nature of a cul-de-sac rather than a development which is sympathetic to the rural and remote nature of this part of the open countryside.
- 5.11 The indicative design of the dwellings would be log style cabins. Although this approach would result in the scale of the dwellings being modest, your officers are of the opinion that they would appear incongruous within the wider context of the locality.

#### Highways

- 5.12 Both the Parish and neighbouring properties have concerns regarding the existing access and Foxwood Lane itself. OCC Highways have made comments of:-
- Foxwood Lane is a private road and therefore the application red edged area does not include access to the highway.

- I am concerned at the lack of passing spaces along Foxwood Lane together with the sharp bend at the northern end that lacks forward visibility.
- Officers anticipate that this issue would be addressed before the meeting.

#### Residential Amenities

- 5.13 Officers do not consider that the residential amenities of the existing properties would be adversely affected. Although there would be an increase in the level of vehicular traffic along the existing Lane, officers do not consider that the noise resulting, would significantly adversely affect existing residential amenities.

#### Conclusion

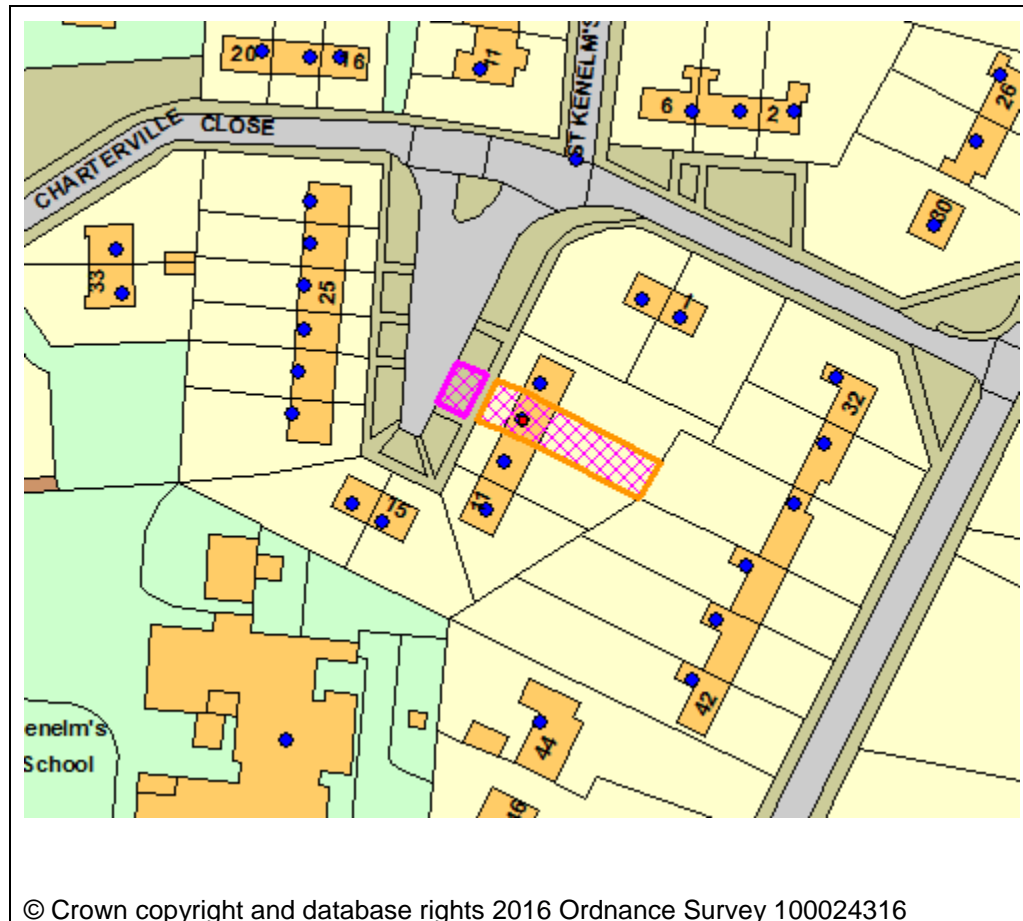
- 5.14 Your officers are in full support of the Cotswold Wildlife Park and its contribution to the local economy. However in the proposed location, your officers do not consider that the proposal of 5 new dwellings in the location shown would relate well to the existing business. Officers are of the opinion that other ways of providing staff accommodation have not been fully investigated and that the resultant development would adversely affect the visual appearance and character of this part of the locality.

### **6 REASON FOR REFUSAL**

- I By reason of the siting, layout and scale, the proposed development of five new dwellings and their associated car parking, will appear as incongruous and urban additions to the existing low density and linear form of development. In addition the layout does not provide sufficient private amenity spaces to serve the proposed occupiers. Furthermore it has not been demonstrated satisfactorily to the Local Planning Authority that other sites, on site or nearer to the existing business could not provide the required staff accommodation. The proposal is contrary to Policies BE2, H2, NE1 and H4 of the adopted West Oxfordshire Local Plan, and Policies OS2 and H2 of the Emerging West Oxfordshire Local Plan, and relevant paragraphs of the NPPF.

Application Number	17/00523/FUL
Site Address	7 Charterville Close Minster Lovell Witney Oxfordshire OX29 0SL
Date	29th March 2017
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431310 E 210770 N
Committee Date	10th April 2017

### Location Map



### Application Details:

To form a hardstanding on the grass area outside house to park car on off the road as a blue badge holder and to be closer to house

**Applicant Details:**

Mrs Paulette Guy  
7 Charterville Close  
Minster Lovell  
OX29 0SL

**I CONSULTATIONS**

- 1.1 Parish Council Minster Lovell Parish Council objects to this application on the following basis:-  
- The parking space would appear as an incongruous addition to the street scene which could set an undesirable precedent for other local properties in the area. A designated parking space on the highway is a preferred alternative option.  
The application is therefore considered contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and policies of the National Planning Policy Framework.
- 1.2 OCC Highways Full comments are provided in the officer's report.  
  
The proposal, if permitted, will not have a significant detrimental impact ( in terms of highway safety and convenience ) on the adjacent highway network.  
No objection subject to:  
- G11 access specification  
- Prior to the start of construction the specification for the parking bay shall be submitted and approved in writing.  
Note - the work, if permitted, will require a S184 Agreement with OCC and a license to carry out work on the highway. Contact should be made at [licensing.streetwork@oxfordshire.gov.uk](mailto:licensing.streetwork@oxfordshire.gov.uk)

**2 REPRESENTATIONS**

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

**3 PLANNING POLICIES**

BE2 General Development Standards  
BE3 Provision for Movement and Parking  
H2 General residential development standards  
OS2NEW Locating development in the right places  
OS4NEW High quality design  
H6NEW Existing housing  
T4NEW Parking provision  
The National Planning Policy framework (NPPF) is also a material planning consideration.

**4 PLANNING ASSESSMENT**

Background Information

- 4.1 The proposed development is to form a hardstanding on the grass area to the front of the property. This will provide off street parking for a blue badge holder.
- 4.2 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:

The impact to neighbouring amenity;  
Highway safety;  
The surrounding area.

#### Principle

- 4.3 There are existing examples of this type of development in the surrounding street scene and therefore officers are of the opinion that the principle of development has already been established.

#### Siting, Design and Form

- 4.4 The siting of the parking space is considered to be acceptable and would not cause a detrimental visual impact to the surrounding area.

#### Highways

- 4.5 The local highways authority have provided the following comments:
- I note the Parish council have objected to the application on grounds that the proposal, if permitted, would be an incongruous addition to the street scene and set an undesirable precedent. Records show the verge and carriageway are public highway. I cannot demonstrate that the proposal would cause severe harm, in terms of highway safety and convenience, required by the NPPF to warrant the refusal of the planning application.
  - It would be usual for the construction of the parking bay to be carried out in Grasscrete - the modern plastic ' milk crate ' construction gives a higher proportion of grassed area ( therefore is visually superior ) than the concrete alternative nearby at the end of the cul de sac. However, in this case the parking bay is for use by a blue badge holder and hence a tarmac surface is more appropriate.
- 4.6 Given the above officers are of the opinion that the proposed development is considered to be acceptable in terms of highway safety.

#### Residential Amenities

- 4.7 The proposed development would not cause any undue adverse effects to neighbouring amenity in regards to the loss of light.

#### Conclusion

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

## **5 CONDITIONS**

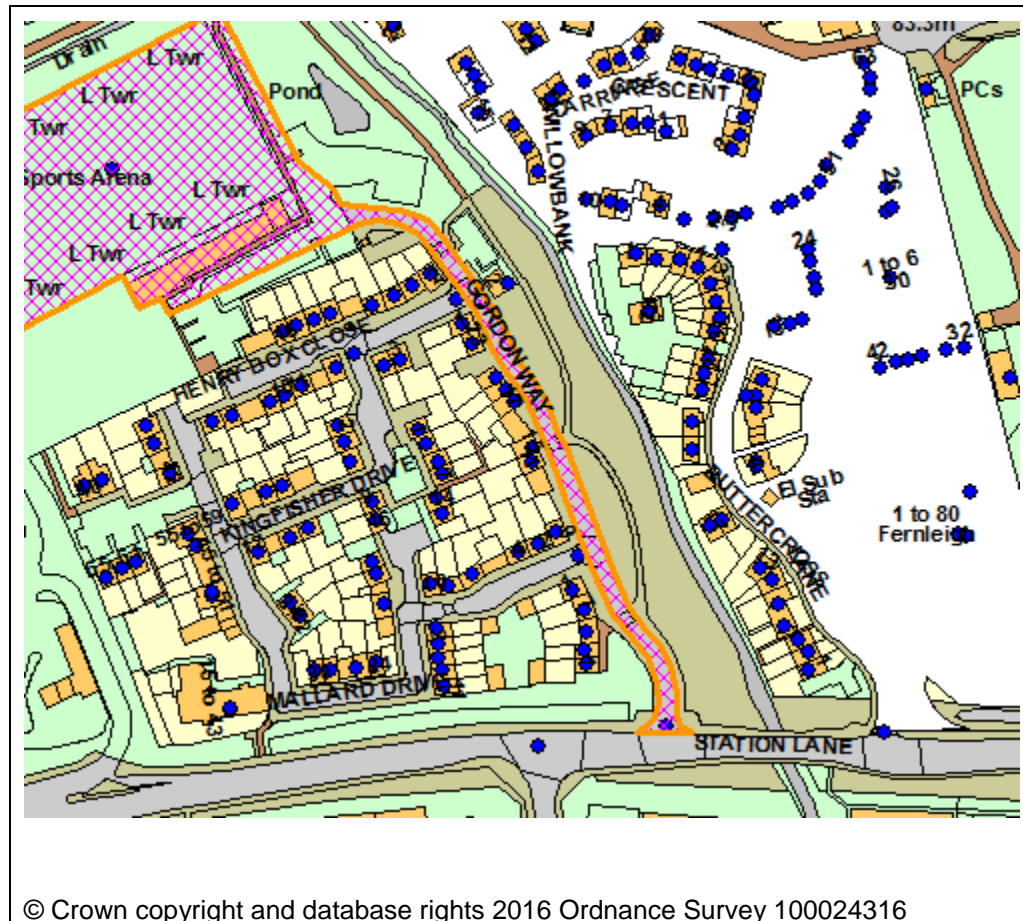
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The 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 development hereby approved.  
REASON: To ensure a safe and adequate access.
- 4 Prior to the start of construction the specification for the parking bay shall be submitted and approved in writing by the Local Planning Authority before first occupation of the development hereby approved. The agreed materials shall be used in the development to remain as such thereafter.  
REASON: To ensure a safe and adequate access.

### NOTE TO APPLICANT

The work, if permitted, will require a S184 Agreement with OCC and a license to carry out work on the highway. Contact should be made at [licensing.streetwork@oxfordshire.gov.uk](mailto:licensing.streetwork@oxfordshire.gov.uk)

Application Number	17/00562/S73
Site Address	Witney Artificial Turf Pitch And Pavilion Gordon Way Witney Oxfordshire OX28 4EL
Date	29th March 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435161 E 209084 N
Committee Date	10th April 2017

### Location Map



### Application Details:

Non compliance with condition 7 of planning permission W98/0625 to allow use of alternative floodlights.

**Applicant Details:**

Mr Martin Holland  
3 Welch Way  
Witney  
OX28 6JH

**I CONSULTATIONS**

I.1 ERS Env Health - Lowlands Mr ERS Pollution Consultation I7/00562/S73 | Non compliance with condition 7 of planning permission W98/0625 to allow use of alternative floodlights. | Witney Artificial Turf Pitch And Pavilion, Gordon Way Witney Oxfordshire OX28 4EL

I have read thoroughly the documentation which the applicant has put forward to describe and quantify the rationale for the scheme and the football lighting standards they wish to employ. I am familiar with the use of the methodology and guidance that is referred to and approve of its use and application for this site in Witney.

As such I cannot find sound reasons for refusal, but do strongly recommend conditions including curfew hours. So I suggest the following steps form conditions on any permission you determine for the proposed replacement of luminaires:-

1. Light trespass into the windows of any light sensitive premises (e.g. residential properties) pre-curfew shall not have a vertical illuminance greater than 5 Lux (In accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light GN01:2011).

2. To minimise light glare from the luminaires, the main beam angle shall not be directed towards any potential observer and at an angle greater than 70o (In accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light: 2011). The scheme shall be limited to luminaries with double asymmetric beams.

3. The use of the flood lighting shall be restricted to between 16:00 and 21:30 Mondays to Saturdays, and 16:00 to 21:00 on Sundays and Bank or Statutory Holidays. All flood lights shall be extinguished by automatic means at the curfew times.

I.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact ( in terms of highway safety and convenience ) on the adjacent highway network.  
No objection.

I.3 Town Council No comments received at the time of writing.



## **2 REPRESENTATIONS**

- 2.1 No comments received at the time of writing.

## **3 APPLICANT'S CASE**

- 3.1 A planning statement has been submitted with the application. The conclusion has been summarised as:

The required replacement of luminaires to the current artificial (flood) lighting system has been designed to minimise the impacts on surrounding areas outside of the Artificial Grass Pitch (AGP), and given the location of the application site is within a relatively dark outer suburban locations and with an existing artificial (flood) lighting system serving the current Artificial Grass Pitch (AGP), we do not consider that the proposed lighting would result an unacceptable impact by way of artificial lighting on nearby residential amenity.

## **4 PLANNING POLICIES**

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

BE21 Light Pollution

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

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 The application is to be heard before the Committee as the applicant is a member of WODC staff.
- 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 Witney Artificial Turf Pitch and Pavilion was first approved in 1998 (W98/0625) and had a condition attached to the approval which specified the type of floodlighting equipment to be used for the facility. It stated:

No floodlighting shall be operated from the site other than in accordance with the technical specifications and lux level overspill performance of the floodlighting details that formed part of the application. The reason was to limit light spill/nuisance in the interests of residential amenity.

- 5.4 In addition a further condition was imposed to restrict the hours of illumination of the floodlights, to protect residential amenity.

- 5.5 This application is seeking to vary the wording of condition 7 to enable the use of different flood lighting equipment which had been first approved. The times that the flood lights will be used will not change. Officers have suggested the inclusion of a note which reminds the user of the times that the floodlights can be used.

#### Siting, Design and Form

- 5.6 The refurbishment proposal requires sixteen new luminaires to provide adequate illuminance for the designated sport (football), which represents a decrease of four luminaires (a 20% reduction) when compared to the current arrangement. There will be no change in the location or general appearance of existing masts. In addition one of the general characteristics of the new floodlighting system is that it meets the recommendations of The Campaign For Dark Skies, an organisation who lobby for low light pollution lighting systems. As such your officers do not consider that the visual appearance of the locality will be adversely affected.

#### Highways

- 5.7 OCC Highways have been consulted and have no objection in terms of the impact to highway safety issues.

#### Residential Amenities

- 5.8 Your WODC EHO has been formally consulted as part of the formal application process. No objections have been raised and conditions have been suggested. As such your officers do not consider that an undue impact to residential amenities will result from the proposals.

#### Conclusion

- 5.9 Officers consider that the technical information that has been submitted as part of the application, demonstrates that there will not be adverse impacts to the residential amenities of occupiers adjacent to the development, or to the general visual appearance of the area. As such officers consider that the changes to the lighting are acceptable in this location.

## **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 The development shall be constructed with the materials specified in the application.  
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

- 4 Light trespass into the windows of any light sensitive premises (e.g. residential properties) precurfew shall not have a vertical illuminance greater than 5 Lux (in accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light GN01:2011).  
REASON: To limit light spillage/nuisance in the interests of residential amenity.
- 5 To minimise light glare from the luminaires, the main beam angle shall not be directed towards any potential observer and at an angle greater than 70° (In accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light: 2011). The scheme shall be limited to luminaries with double asymmetric beams.  
REASON: To limit light spill/nuisance in the interests of residential amenity.

#### NOTE TO APPLICANT

None of the floodlights hereby approved shall be illuminated for any purpose whatsoever between the hours of 10.00 pm and 8.00 am the following day and for the avoidance of doubt, the artificial pitch shall not be used between those hours. All flood lights shall be extinguished by automatic means at the curfew times.