

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 15th May 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

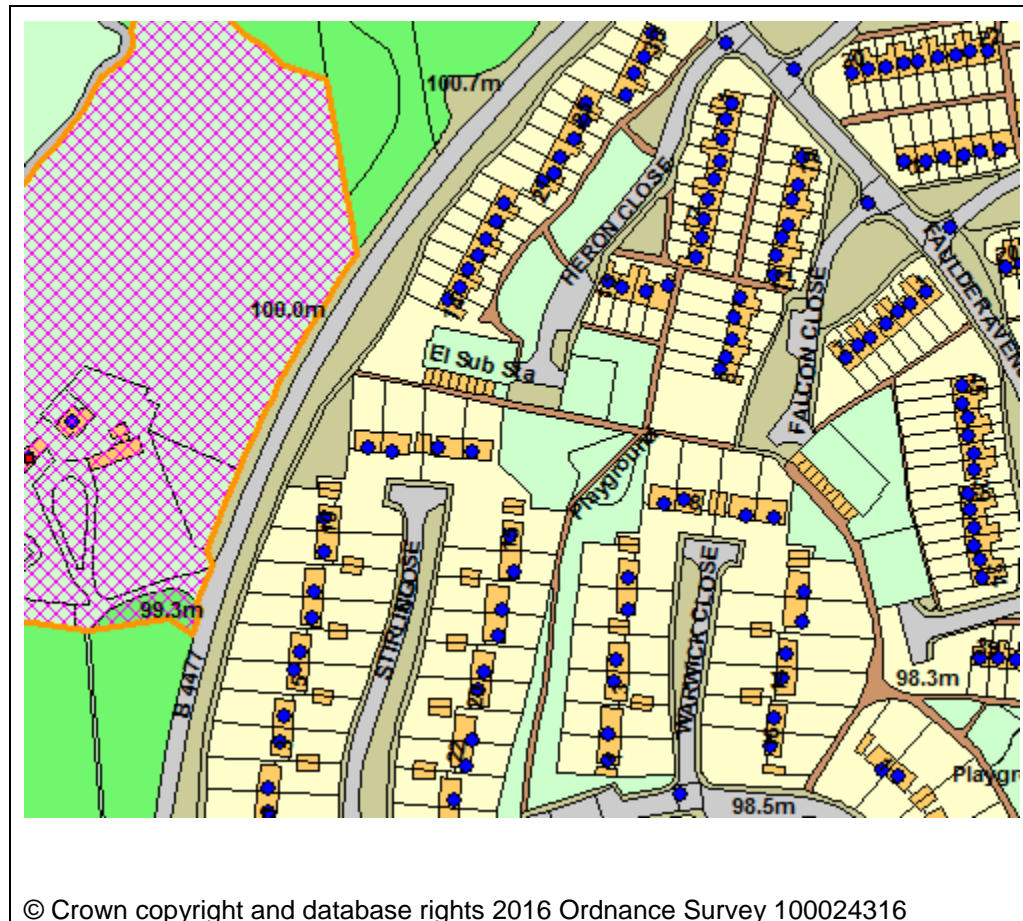
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
16/04253/OUT	<u>Sunset View Upavon Way, Carterton</u>	3
17/00417/OUT	<u>Land North West of 1 Foxwood Lane, Bradwell Village, Burford</u>	25
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17/00808/FUL	<u>160 Brize Norton Road, Minster Lovell</u>	37
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Application Number	I6/04253/OUT
Site Address	Sunset View Upavon Way Carterton Oxfordshire OX18 1BU
Date	3rd May 2017
Officer	Catherine Tetlow
Officer Recommendations	Refuse
Parish	Carterton Town Council
Grid Reference	427223 E 207088 N
Committee Date	15th May 2017

Location Map



Application Details:

Erection of 41 dwellings (means of access only)

Applicant Details:

Mr O'Brien
Oxford Road
Chipping Norton
Oxon
OX7 5QL

I CONSULTATIONS

- | | | |
|-----|----------------------------------|--|
| I.1 | Town Council | Support the application |
| I.2 | ERS Env. Consultation Sites | Conditions recommended as regards protection for residents from noise and potential contamination. |
| I.3 | Natural England | The Council is referred to standing advice and no specific comments are made. |
| I.4 | Adjacent Parish Council | Shilton Parish - no comments received |
| I.5 | Adjacent Parish Council | <p>Alvescot Parish objects.</p> <p>This proposed infringement of the western edge of Carterton is in direct contradiction to both established planning policy and WODC's draft Local Plan. In particular it presents an incursion into the sensitive Shill Brook Valley, which is a designated Biodiversity Conservation Target Area. The draft Local Plan identifies this area as an opportunity for future wildlife enhancement through habitat restoration and management, an aspiration supported by Carterton Town Council and neighbouring parishes.</p> <p>Sufficient - many would argue, more than sufficient - provision for future housing development to meet Carterton's needs is proposed through sites identified in the draft Local Plan. Additional potential sites in the sub-area were identified in the 2016 Strategic Housing and Economic Land Availability Assessment, which excluded this site.</p> |
| I.6 | Major Planning Applications Team | <p>Highways</p> <p>Objection on the grounds of the lack of justification for the proposed visibility splays, lack of information on traffic generation and capacity, the lack of appropriate information regarding drainage, and the lack of vehicle tracking analysis for a refuse collection vehicle of 11.4m in length.</p> <p>A bus contribution of £41,000.00 is required.</p> <p>Archaeology</p> <p>There are no known archaeological features within or adjacent to this site and no known archaeological constraints.</p> <p>Education</p> <p>Contributions of £151,588.00 towards primary education,</p> |

£190,038.00 towards secondary education and £15,745.00 towards nursery education.

- I.7 WODC - Arts A contribution of £5,670.00 is required towards public art activity as a means to develop good connectivity between the new settlement and the existing community.
- I.8 Wildlife Trust No Comment Received.
- I.9 WODC Architect No Comment Received.
- I.10 Environment Agency In accordance with paragraph 109 of the National Planning Policy Framework (NPPF), we object to the proposed development and recommend refusal of planning permission for the following reason.
Reason
NPPF paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.
Paragraph 120 states that local policies and decisions should ensure that new development is appropriate for its location, having regard to the effects of pollution on health or the natural environment, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution.
Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121)
- In this instance the application as submitted fails to demonstrate that the risk of pollution to controlled waters is acceptable. A preliminary risk assessment (including a desk study, conceptual model and initial assessment of risk) has not been provided. Therefore, the risks to groundwater from this development are unknown.
Further explanation
This site is in a sensitive location with respect to controlled waters. The underlying geology is the Forest Marble Limestone (Principal Aquifer) and the Shill Brook flows along the boundary of the site. Contamination could potentially be present in the soils and the proposed development may mobilise contamination during enabling works and potentially pollute the aquifer and the Brook.
The application form indicates a haulage yard occupied part of this site and this could potentially be a contaminative activity, therefore a desk top study should have accompanied this planning application. This report should set out the full history of this site and in particular provide details of whether in situ maintenance of vehicles took place or if fuel was stored on site and plans should be supplied to show where. Overcoming our objection
The applicant should provide information to satisfactorily demonstrate to the local planning authority that the risk to controlled

waters has been fully understood and can be addressed through appropriate measures.

Advice to LPA - Flood risk

Although layout is yet to be finalised on this outline application, we note the provisional layout plans indicate that all new built development would be located approximately 45m from the Shill Brook (Main River) and completely outside of the Flood Zones associated with the brook. On this basis, we have no flood risk concerns with this proposal. We would however seek further assessment should any development be proposed within Flood Zones and/or in close proximity to the Shill Brook.

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| I.11 | ERS Env Health - Lowlands | see other EHO comments |
| I.12 | WODC Housing Enabler | 35% affordable housing is a policy compliant contribution. |
| I.13 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.14 | Thames Valley Police Licensing Office | No Comment Received. |
| I.15 | WODC - Sports | A contribution of £47,396.00 is required towards sport/recreation facilities within the catchment.
A contribution of £33,538.00 is required for the enhancement and maintenance of play/recreation areas within the catchment. |
| I.16 | Thames Water | 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.
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 the following 'Grampian Style' condition be applied - "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local |

planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

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.

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|------|-----------------------------------|--|
| 1.17 | WODC Env Services - Waste Officer | No Comment Received. |
| 1.18 | MOD (Brize Norton) | No Comment Received. |
| 1.19 | Biodiversity Officer | No objection in principle but further survey and mitigation for badgers is required, as well as a landscape and ecological management plan to be agreed and secured by condition and legal agreement. Conditions are also recommended with regard to works being carried out in accordance with the submitted report and a construction environmental management plan. |

2 REPRESENTATIONS

2.1 16 objections have been received referring to the following matters:

- (i) Impact on drainage and flood risk.
- (ii) Impact on gap between Shilton and Carterton. Too close to villages of Shilton and Alvescot.
- (iii) Impact on wildlife and ecology.
- (iv) Increase in traffic, effect on highway safety, and effect on roads already in poor condition.
- (v) Development on this side of Carterton has been resisted in the past.
- (vi) Impact on infrastructure in Carterton.
- (vii) Would create precedent for further development in this part of Carterton.
- (viii) Developing around Shill Brook has already been discarded in favour of land north and east of Carterton.
- (ix) Upavon Way forms ring road round the town and this development would give a green light for much larger development in Shill Valley.

- (x) There are various eyesores on brownfield land along Upavon Way that should be developed first.
- (xi) Inappropriate vehicle and pedestrian access.
- (xii) Effect of light pollution.
- (xiii) Recent over-development in Carterton and enlargement of Brize Norton is a significant concern.
- (xiv) Impact on the character and appearance of the area. The area should be treasured and protected.
- (xv) Proximity to Shill Brook.
- (xvi) Impact on sewerage system.
- (xvii) Unacceptable encroachment into green fields. Extensive building and urbanisation is harmful.
- (xviii) Impact on beautiful village of Shilton and proximity of its Conservation Area and Church.
- (xix) Ruination of Britain's beautiful places.

2.2 Alvescot Parish Council has objected, referring to infringement of the western edge of Carterton in direct contradiction to established planning policy and WODC's draft Local Plan. In particular it presents an incursion into the sensitive Shill Brook Valley which is a designated biodiversity Conservation Target Area. The draft Local Plan identifies this area as an opportunity for future wildlife enhancement through habitat restoration and management, an aspiration supported by Carterton Town Council and neighbouring Parishes. Sufficient provision for future housing development to meet Carterton's needs is proposed through sites identified in the draft Local Plan. Additional potential sites in the sub-area were identified in the 2016 Strategic Housing and Economic Land Availability Assessment which excluded this site.

2.3 CPRE has objected on the following grounds:

- (i) This site and adjoining sites have been deemed unsuitable in the recent SHELAA and the site is not an allocation in the Local Plan.
- (ii) The site is within a Conservation Target Area and the Biodiversity Area of the Shill Brook Corridor. It is adjacent to a Local Wildlife Site and in close proximity to another and a SSSI downstream. It is located between two areas of Priority Habitat Woodland. This is the most ecologically sensitive location in the area. The best way to protect a natural environment is to leave it alone.
- (iii) Potential contamination of the river.
- (iv) Past planning decisions have considered the site to be extremely sensitive and unsuitable for development.
- (v) The 5 year housing land supply position is debatable, but in any event the development is not sustainable.
- (vi) There are already significant permissions in Carterton and elsewhere in the District which are not being progressed by developers.
- (vii) Carterton's Masterplan explicitly commits to protecting the Shill Brook.
- (viii) Carterton TC supports development of large houses on the site.
- (ix) Carterton TC expects this application to help fund an access road from Alvescot Road direct to RAF Brize Norton to reduce traffic in the town but there is no assessment of suitability, safety or deliverability. It is not a good reason to approve the development.
- (x) Carterton TC's aspirations for other development north of the site are inappropriate.
- (xi) Carterton TC believes the site is unkempt and unattractive and not a suitable soft edge to the town. They suggest that the Shill Brook itself would provide a better soft edge to the town, but it's in a ravine and will not be visible, not least because under this

application there would be a significant number of houses in the way. The current green buffer along Upavon Way would be interrupted and obstructed. Clearly the site provides a better soft edge than what is proposed.

- (xii) The Design and Access Statement mentions access to a large area of public open space. It is not clear where this is, as the steep sloped area is not suitable for public access and public access would affect natural habitat. How and where would a bridge over the brook be constructed?
- (xiii) The proposed use of reconstituted stone is inappropriate.
- (xiv) The safety of the access points and traffic generation have not been considered. No traffic assessment has been provided.
- (xv) A full flood risk assessment has not been provided.
- (xvi) Existing foul sewers are at capacity and not isolated from surface water drains. The pumping station becomes overloaded and floods.
- (xvii) Surface water run-off from the site could lead to contamination of the brook and this needs to be assessed.
- (xviii) In view of the sensitivity of the site, it is surprising that only a Phase I survey has been done. More information about ecological mitigation is required, but in any event measures would not be adequate to mitigate the harm from construction on this sensitive site.
- (xix) In the current flat housing market of Carterton, as demonstrated by the sluggish delivery of extant planning permissions, the economic and social benefits claimed are debatable. Whilst affordable housing is needed, there are better places to build it and some already in the pipeline.
- (xx) The environmental role the application plays is non-existent, as all measures proposed are mitigation and not enhancement. The development would do significant harm.

2.4 12 expressions of support have been received referring to the following matters:

- (i) Would like to live on this side of Carterton.
- (ii) Site has lovely views.
- (iii) Opportunity for nature walks along the brook.
- (iv) New build all seems to be at one end of Carterton.
- (v) Would be of benefit on this approach to the town.
- (vi) Smaller type of development such as this should be encouraged and is what young people and families need.
- (vii) Lower part of the site should be used as extension to Dell Park for the benefit of the population.
- (viii) Would enhance the appearance of Upavon Way.
- (ix) Need more housing of all kinds.
- (x) Getting too expensive to get housing in Oxford and Witney.
- (xi) Need for affordable homes.
- (xii) Larger developments are too far from the village and increase traffic.
- (xiii) Housing would be a good use of the land.
- (xiv) Existing houses are laid out in an unsightly and piecemeal fashion.
- (xv) There are a large number of lorries parked on the site at present which can be seen from the road.
- (xvi) Previous quarry use has blighted the landscape.
- (xvii) Opportunity to improve the area.
- (xviii) Good place to live with outlook across fields.

- (xix) Expansion of development in this direction would make sense - infrastructure wouldn't be affected.
- (xx) Availability of bus service to Oxford.
- (xxi) Proximity to school and centre of Carterton.
- (xxii) No problem as regards landscape - school is much more visually intrusive.
- (xxiii) Would be good to see the adjacent area of The Dell incorporated into green space.

3 APPLICANT'S CASE

- 3.1 Carterton is the second most sustainable settlement within the West Oxfordshire. The application site is within walking distance of a range of services and facilities including schools, shops, public houses, employment opportunities and community facilities. Carterton is also very well served by public transport, with the S1 and S2 services providing direct access to Witney and Oxford.
- 3.2 The emerging West Oxfordshire Local Plan 2031 identifies that the towns of Witney, Carterton and Chipping Norton offer the widest ranges of services and facilities, are accessible by a choice of transport modes and offer a good range of job opportunities.
- 3.3 Policy OS2 of the emerging Local Plan 2031 identifies that a significant proportion of new homes, jobs and supporting services will be focussed on the edge of the main service centres of Witney, Carterton and Chipping Norton.
- 3.4 Policy CA3 of the emerging Local Plan 2031 identifies that within the Carterton Sub-Area, the focus of new housing, supporting facilities and additional employment opportunities will be in Carterton. Whilst limited weight can be attached to the policies within the emerging Local Plan 2031, the proposed development accords with the main thrusts of these policies.
- 3.5 Notwithstanding the above, as the adopted West Oxfordshire Local Plan 2011 is now out of date with regard to the provision of housing and the Council is currently unable to demonstrate a 5 year housing land supply, having regard to para 14 of the NPPF planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 3.6 There are significant benefits in respect of this proposed development, including:
 - (i) Delivering housing to meet an identified need, in an area where there has been substantial under delivery;
 - (ii) The scale of development by a respected local house builder ensures that this is deliverable in a timely manner and will contribute towards the housing land supply within West Oxfordshire;
 - (iii) The proposed development would deliver 35% affordable housing in accordance with policy H3 of the emerging West Oxfordshire Local 2031;
 - (iv) The site will provide in excess of 50% open space provision for the benefits of new residents and the existing wider community. The open space will be accessible to the primary schools to provide 'Forest School' opportunities, together with other community groups within the town;
 - (v) The site will provide the opportunity to provide public access to 'The Dell' to the north and unlocks the opportunity to provide 'green links' promoted through the Carterton Town Master Plan produced by the Town Council;

- (vi) Ecological and biodiversity enhancement through the protection and enhancement of wildlife corridors and the provision of new green infrastructure;
- (vii) A landscape led design solution, providing the opportunity to promote the local distinctiveness seen elsewhere across West Oxfordshire in terms of design, form and materials;
- (viii) New Homes Bonus and economic benefits associated with the construction of new dwellings;
- (ix) Accessibility - the site is within walking distance to a range of services and facilities within the one of the most sustainable towns within West Oxfordshire.

3.7 In terms of the impacts of the proposed development, concerns have been raised regarding the landscape impact of the proposal. It is important to note that a Landscape and Visual Impact Assessment (LVIA) has been submitted in support of the application. The LVIA has been prepared by Charlie Clews, who is Chartered Member of the Landscape Institute. In terms of the LVIA, it is important to note the following conclusions:

- (i) Therefore because the site development area does not significantly contribute to the fringe landscape (as it is already cleared and part developed) and the River Corridor is retained and strengthened this vernacular development is deemed to be noticeable but recessive and therefore a minor negative impact which will be of moderate significance which, as the proposed landscaping matures should make a positive statement for the town that lies behind.
- (ii) The development is not visible from the neighbouring AONB;
- (iii) There is no visual impact from the Shilton Conservation Area;
- (iii) There is no visual impact from the western approach to Carterton on the B4477;
- (iv) The footpath running through Alvescot west of the site is affected by the development form where open views onto the site are possible. From here views are considered to be of medium sensitivity which would represent a medium negative impact in the short term which would, as the mitigating planting establishes reduce to represent a minor negative impact.
- (v) From within the town only the immediate site context will register a visual impact, this area is deemed of low sensitivity so the moderate impact would be a minor negative impact.

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
 BE18 Pollution
 BE19 Noise
 BE21 Light Pollution
 H2 General residential development standards
 H4 Construction of new dwellings in the open countryside and small villages
 H7 Service centres
 H11 Affordable housing on allocated and previously unidentified sites
 TLC7 Provision for Public Art
 NE1 Safeguarding the Countryside
 NE2 Countryside around Witney and Carterton

NE3 Local Landscape Character
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE7 The Water Environment
 NE11 Water Quality
 NE13 Biodiversity Conservation
 NE15 Protected Species
 T1 Traffic Generation
 T2 Pedestrian and Cycle Facilities
 CA3NEW Carterton sub-area Strategy
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH3NEW Public realm and green infrastructure
 EH5NEW Flood risk
 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
 T1NEW Sustainable transport
 T2NEW Highway improvement schemes
 T3NEW Public transport, walking and cycling
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The proposal is an outline application for the erection of up to 41 dwellings on a site to the west of Carterton which forms part of the Shill Brook valley. The site slopes down in a westerly direction from a high point adjacent to Upavon Way to the valley bottom. The illustrative layout shows where the houses would be likely to be built and indicates development would not take place on the steeper slope to the river. A range of supporting information has been provided. It is envisaged that the buildings would be 2 storey in height.
- 5.2 The site lies in a prominent position on the west side of Upavon Way which is one of the principal roads in Carterton. It is bounded on all sides by hedgerow and trees, providing varying density of screening. Part of the site is occupied by a house and other buildings, but the majority of the site is grassed. The land to the west of the road in this location is predominantly undeveloped. The east of the road skirts a modern housing estate. To the west of the river the land is in agricultural use and there are farm buildings associated with Alvescot Downs Farm. A public footpath runs along the plateau to the west of the valley in a north-south alignment between Shilton and Alvescot.
- 5.3 The site is within a Conservation Target Area, the main aim of which is to restore biodiversity at a landscape scale through maintenance, restoration and creation of UK priority habitats and areas for priority species. A designated Local Wildlife Site adjoins to the site to the north. There are no listed buildings in close proximity.
- 5.4 The relevant planning history is as follows:

W74/315 -Erection of a detached bungalow and garage with associated access works. Planning permission was refused and was subsequently dismissed at appeal. The Inspector noted that the development was "not a natural or logical extension to the present village" and "would harm the rural quality of the area and encourage further similar development west of the road".

W75/747 - Permission for the siting of a caravan at the north of the site. Planning permission was refused and subsequently dismissed at appeal.

W76/181 - Demolition of a stable and erection of bungalow. Planning permission was refused and was subsequently dismissed at appeal. The Inspector found that the development would reduce the attractive feature of a clear cut distinction between the built up area to the east and countryside to the west.

W2003/0925 - Conversion of an existing store to use as a carers flat (the building now known as Sunset Lodge). Planning permission was granted September 2003.

04/0221/P/FP - Change of use of land to allow parking facilities for four commercial vehicles (retrospective) at the south end of the site - adjacent to the stables. Temporary planning permission was granted in March 2004.

06/0493/P/S73 - To allow indefinite use for the parking of four commercial vehicles (non-compliance with condition 1 of planning permission 04/0221/P/FP. Planning permission was refused in May 2006.

5.5 Parts of the site have been put forward in the SHELAA November 2016, as sites 148 and 231. Neither is deemed suitable for development in relation to landscape and ecological considerations. In addition, a number of other sites promoted on the west side of Carterton have not been supported. None has been allocated in the emerging Local Plan.

5.6 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
Landscape
Highways
Trees, landscaping and ecology
Drainage
Residential amenity
SI06 matters

Principle

5.7 Carterton is classified in the Local Plan 2011 as Group C settlement (main service centre). Based on the settlement sustainability, weighted assessment (Nov 2016), the town is ranked fourth of the service centres assessed in terms of services and facilities available.

- 5.8 The town benefits from services, including four primary schools, a secondary school, community buildings, sports facilities, shops and pubs.
- 5.9 Local Plan 2011 Policy H7 would not allow for the development of the application site because it involves new build housing that does not constitute infilling or rounding off. However, this policy is considered to be out of date.
- 5.10 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, plus a further 5% 'buffer' in accordance with national policy.
- 5.11 In accordance with a common assumed start date of 2021, the Council is proposing through the Local Plan that Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times on large, strategic sites. Furthermore, in order to maintain an annual requirement that is realistically achievable the Council is proposing that the accumulated shortfall will be spread over the remaining plan period to 2031 using the "Liverpool" calculation rather than addressing it in the next 5 years under the alternative "Sedgefield" calculation.
- 5.12 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 4,514 dwellings (as referred to in the October 2016 Position Statement). This gives rise to a 5.5 year supply using the Liverpool calculation. Using the alternative "Sedgefield" method the 5 year supply is 4.18 years.
- 5.13 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying 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 and sustainable manner over the plan period.
- 5.14 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. Although the Council's approach has yet to be endorsed by the Local Plan Inspector, the direction of travel and commitment to boost the supply of new housing in the District is clear. Officers are therefore of the view that increasing weight should be attached to the emerging plan given its progression to the next stage of examination. 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.
- 5.15 Emerging Local Plan 2031 Policy OS2 refers to the main service centres, such as Carterton, being the focus for a significant proportion of new homes. 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. The emerging Local Plan does not impose a ceiling on development in any given settlement or sub-area, and Officers are mindful of the Government requirement that authorities should boost significantly the supply of housing.

- 5.16 It is acknowledged that the site does adjoin the existing built up area of the town, albeit not immediately adjacent to existing development, which is set back from Upavon Way. However, development here is not envisaged in the strategy for the Carterton sub-area. Emerging Policy CA3 identifies a number of allocations in Carterton (none of which are on the west side of the town) and explicitly refers to the protection and enhancement of the biodiversity and leisure value of the Shill Brook Valley, as well as the protection and enhancement of the character and setting of Carterton and the identity of neighbouring villages.
- 5.17 With reference to a range of policy considerations, and the balancing of harm and benefit required under paragraph 14 of the NPPF, the detailed merits of the proposal are assessed below.

Siting, Design and Form

- 5.18 An indicative layout has been provided, and this shows that a scheme of 41 dwellings could be accommodated within the site area. However, the arrangement is generally cramped and does not achieve suitable separation of buildings.
- 5.19 The layout shows an intention to locate buildings on the less steeply sloping part of the site and retain much of the existing planting. The placing of buildings and hardstanding shows some in very close proximity to retained trees that could affect root protection areas, and create pressure for pruning and felling because of concerns from householders about light and leaf litter. This is not a suitable arrangement.
- 5.20 It is understood that the houses would be up to 2 storey and a mix of house types ranging from 1 bed flats to 4 bed houses is indicated. Officers have concerns about the illustrative site plan, which shows an overtly urban layout with a number of blocks of terraces and flats, and large areas of hard standing and car parking. This is not sympathetic to the rural edge environment in this location and would introduce a density of built form that is not in keeping with character of the valley of which it forms part. The prevailing character on the valley edge to the north is bungalows with large rear gardens. The built form in the vicinity of the site is very sporadic with established woodland dominating. Whilst Officers have significant concerns about the number of dwellings and layout, it is acknowledged that this is an outline application and layout, scale and appearance would be reserved for future consideration.

Landscape

- 5.21 The site lies within the Shilton Downs character area, as identified in the West Oxfordshire Landscape Assessment. The landscape type is minor valleys. Within this landscape type, the enhancement priorities are: retain and manage areas of pasture and meadows within the minor valleys; encourage sensitive management of watercourses, planting of riparian vegetation, and traditional pollarding of willows; and introduce new woodland planting along the valley sides. The development sensitivities are noted to be: the intimate landscape of the minor valleys has a rural, pastoral and generally unspoilt character and is very sensitive to built development; the upper, more open valley sides are particularly visually sensitive and development would be highly

prominent and exposed; the landscape buffer provided by Shill Brook along the western edge of Carterton should be maintained and strengthened. Carterton itself is identified as a key settlement in the assessment. It is noted in relation to the west of the town that there is high inter-visibility in the landscape and the urban edge is strongly silhouetted in views from the west and very sensitive to change. The minor valley is an important landscape resource and its landscape strength should be maintained.

- 5.22 The development would have significant visual impact locally, in replacing predominantly open space with a substantial amount of housing. There is a very clear and defensible boundary formed by Upavon Way and the built extent of Carterton to its east, and the rural character of the Shill Brook Valley to the west of the road.
- 5.23 When approached in either direction along Upavon Way, the site is prominently located on the outside of the bend in the road, with an extensive road frontage of verge and gappy hedge. In the winter it is possible to see through existing planting into the site and across the valley to the west. The proposed introduction of the visibility splays and provision of a new footway on the west side of Upavon Way would have an urbanising effect on the frontage.
- 5.24 From the public right of way to the west, which is well used and links Shilton and Alvescot, the Shill Brook valley can be readily appreciated. Although some urban influences are visible on the valley edge to the north of the site, development is predominantly recessive and views are filtered by existing trees and hedges. A notable exception in the large buildings at Carterton Community College, which are acknowledged to be more visible because of their scale and use of materials.
- 5.25 On the west side of Upavon Way, the college is the last significant built form when travelling south. After this there is a clear sense of a change of character into a green and rural environment. The road is a ring road to the town and benefits from a wide planted verge on its eastern margin. There is also a verge on the west side. Existing modern housing is set well back behind fences and walls and does not address the road. Mature garden planting adds to the established street trees. Between the college and the junction of Upavon Way and Alvescot Road there is significant woodland planting and little sense of an urban environment beyond. The application site forms a significant break in the woodland, being predominantly open grass. This makes it very visible when viewed from the west and the topography of the land and its relationship to the valley is evident. Looking across the valley from the west and through the site, even in the winter, the existing housing east of the site is recessive given existing screening. Therefore, development here would be very prominent and entirely at odds with the rural character of this part of the valley.
- 5.26 The Inspector's Report on the examination of the current Local Plan dated June 2005 refers to the application site as part of a larger proposed allocation and finds as follows: "The omission site is linear in form and stretches northwards along Upavon Way from The Warren to The Dell. About midway between the two the site is split by a group of buildings [Sunset View]. There are wide gaps between these buildings and development could not be described as infill. The omission site sits on the eastern side of the Shill Brook Valley. Viewed from the public footpath linking Alvescot Road to Shilton, the wooded sides of the valley hide much of the development on the eastern side of Upavon Way. Development on the valley slopes would result in the loss of the soft green edge to the town. In addition, the valley sides have a rural character which would be destroyed by the incursion of built development. I do not consider that this could be satisfactorily mitigated by landscaping or by the gift of areas of open space

between the proposed housing and the brook". Officers do not consider that there has been any pertinent and material change in circumstances that would lead to a different conclusion now.

- 5.27 The Carterton Master Plan produced by the Town Council envisages green infrastructure and amenity space along the Shill Brook Valley forming part of a network of green spaces wrapping around the north, east and west of the town. There is no suggestion in this document that housing development would be appropriate or supported in the river corridor.
- 5.28 Objectors have referred to the proposal being too close to the villages of Alvescot and Shilton, and closing the gap between settlements. Whilst it is acknowledged that the proposal would encroach into open countryside beyond the existing edge of Carterton, there is no sustainable planning argument that the development would lead to an unacceptable narrowing of the distance between settlements and coalescence.
- 5.29 Lighting to streets and parking areas, as well as light spillage from the houses themselves, would have significant visual effects on this relatively unspoilt area. Whilst it is acknowledged that there is street lighting to Upavon Way. Light spillage would be perceptible from the development into the valley, drawing the eye and appearing completely incongruous in the wooded setting of the valley slopes here.
- 5.30 Notwithstanding the submitted landscape assessment and the assertions of the applicant in referring to its findings, Officers are of the view that there would be significant visual and landscape harm arising from the proposal. The development would unacceptably urbanise the valley and its tranquillity would be affected. This harm needs to be factored into to the planning balance.

Highways

- 5.31 Access would be taken from Upavon Way by way of two estate roads, which correspond approximately to the existing access to the dwelling on the site and a field gate. The site is located within a reasonable level walking and cycling distance of the town facilities.
- 5.32 Revised access plans were provided to show the position in relation to Upavon Way, a footway between the two accesses along the west side of Upavon Way and pedestrian crossing points to link with the east side of Upavon Way. This addresses part of OCC's original objection.
- 5.33 Notwithstanding the additional information, OCC maintains a highways objection in relation to a lack of information on traffic generation and highway capacity, and speed surveys to demonstrate that the proposed visibility splays at the two points of access are appropriate. In this context it is not possible to determine that the development would be acceptable in terms of traffic generation and highway safety. In addition, drawings have not been provided to show that a refuse vehicle of not less than 11.4m can enter, turn in and exit the development safely in forward gear. However, this particular point is capable of being addressed by condition.
- 5.34 The proposed accesses are approximately 80m and 130m from an existing bus stop on the eastern side of Upavon Way where it meets Carr Avenue. This is served by service S2 which operates at two buses per hour during the day between Carterton and Oxford via Witney. A contribution is sought in the sum of £41,000.00 to increase frequency to three buses per hour.

- 5.35 Off-site highways works to provide the proposed crossing points at Upavon Way would be required. These would be the subject of a S278 agreement.

Trees, landscaping and ecology

- 5.36 The boundary of the site with Upavon Way is formed with established trees/hedgerow. Adjoining land to the north and south features significant numbers of trees. The western boundary follows the brook and there are sporadic trees and scrub adjacent to the watercourse. There are also a number of trees within the site.
- 5.37 The illustrative site plan indicates that the majority of the trees within the site can be retained and would be supplemented by additional planting along the contour where the valley side begins to steepen, and also amongst the proposed buildings. Subject to the submission of a full tree protection plan which can be secured by condition, it is considered that there would be no unacceptable loss of trees on the site.
- 5.38 Notwithstanding the intentions of the applicant as regards new landscaping, it is considered that given the scale and extent of the development proposed the buildings would be unlikely to be satisfactorily screened and successfully assimilate into the environment of the valley.
- 5.39 The submitted ecological report was considered by the Council's Biodiversity Officer and no objection is raised in principle. The upper part of the site has limited ecological value at present and the lower part of the site could be maintained and enhanced for biodiversity. However, the long-term management of the retained buffer to the brook at the west of the site has not been fully considered. A legal agreement would be necessary to ensure that any approved Landscape and Ecological Management Plan (dealing with the buffer to the brook and the site boundaries) would be properly instituted and managed in perpetuity (for the lifetime of the development). As part of the South Cotswolds Valleys Conservation Target Area, and with regard to the adjacent Local Wildlife Site, this is particularly relevant to this application. Further details would be required as regards badger survey and subsequent badger mitigation. The long-term management and enhancement of the habitats within the buffer area should be clearly established. This would contribute towards the targets and objectives of the Conservation Target Area.
- 5.40 The Local Wildlife Site boundary to the north-east of the application site must be protected and adequately buffered. A condition for a Construction Environmental Management Plan would be necessary. This would deal with matters such as: identification of potential risks associated with damaging construction activities; timing of works; and protective fencing.
- 5.41 The applicant suggests that public access could be provided into the valley and open countryside. Whilst this would theoretically be possible on the site itself, separate adjoining land ownerships, and there being no crossing point for the brook in this location, suggest a wider recreation benefit is unrealistic at present. There is no immediately adjacent public right of way to which connection could be provided. In any event, given the sensitivity of the river corridor and conservation objectives here, public access and the protection of ecology are largely incompatible. In addition, the steepness of the slope would require significant intervention to create suitable and safe paths which would also be contrary to maintaining a natural and unspoilt environment.

- 5.42 The illustrative layout does not show buffers to the houses and gardens and there would be an abrupt interface between development and open space. This raises questions as to how garden boundaries are to be formed and maintained and may lead to unwanted effects such as fly tipping over fences into adjoining land, annexation of open space, unauthorised access into adjoining land and damage to or removal of peripheral planting. Such potential effects do not appear to have been factored into the illustrative plans.

Drainage

- 5.43 Most of the site area is within Flood Zone 1, however the lowest part of the site adjoining the brook is partly in Flood Zones 2 and 3. The Environment Agency has advised that provided the built development is confined to the area shown on the indicative layout they have no objection on flood risk grounds.
- 5.44 The Environment Agency does raise objection, however, in that the site is in a sensitive location with respect to controlled waters and pollution risk. Contamination could potentially be present in the soils and the proposed development may mobilise contamination during enabling works and potentially pollute a principal aquifer and the brook. It is noted that a haulage yard occupied part of the site potentially giving rise to contamination, but no report on site conditions has been provided. In the absence of information to satisfactorily demonstrate that the risk to controlled waters has been understood and can be addressed by appropriate measures, the objection would be maintained.
- 5.45 Thames Water has been unable to determine that the waste water infrastructure is sufficient. A condition is therefore recommended to require agreement of a drainage strategy prior to commencement of the development.
- 5.46 Surface water drainage would need particularly careful consideration in this sensitive location. No details of proposed drainage features or where surface water would be discharged to have been provided. This would need careful consideration in respect of the Environment Agency position. OCC has also expressed concern about a lack of information on sustainable drainage. Nevertheless, it is considered that a surface water drainage strategy is capable of being addressed by way of condition.

Residential amenity

- 5.47 It is possible that 41 units could be accommodated on the site. However, the indicative layout provided shows that buildings are placed too close together to provide an appropriate level of privacy and outlook. The proximity of trees to some units would be likely to result in loss of light and pressure for pruning or removal.
- 5.48 Properties on the east side of Upavon Way are some distance away and would not be affected in terms of loss of light or privacy. Their outlook would be affected in terms of the loss of an attractive view, but effect on a private view is not material to the decision.
- 5.49 There is potential for occupiers of the site to be affected by aircraft noise and WODC Environmental Health Officers advise a condition to deal with noise mitigation.
- 5.50 It is acknowledged that short term effects can be experienced during the construction phase, such as construction vehicle movements, noise from construction activities, and pollution such

as dust. However, such impacts arising could be ameliorated through compliance with a construction management plan.

Contamination and land stability

- 5.51 The application was not accompanied by a desk top contamination assessment and Officers are not aware of any site investigations having been carried out. There is potential for contamination to be present and the observations of the Environment Agency are particularly pertinent in this regard. Although a contaminated land condition has been recommended by WODC Pollution Control Officer, in the light of the Environment Agency objection, it would be necessary for this matter to be resolved prior to decision.
- 5.52 Although consent is not sought under this outline application for siting and layout, the illustrative material indicates that buildings and car parking areas would be placed adjacent to the contour where the gradient of the site steepens considerably. Nevertheless, regardless of the intended layout, no information has been provided to demonstrate that the site is suitable for the proposed use having regard to land levels and ground conditions. There is a risk associated with land stability that has not been addressed.

SI06 matters

- 5.53 The applicant has referred to the provision of 35% affordable housing which is a policy compliant contribution.
- 5.54 A contribution of £5,670.00 towards temporary public art activity as a means to develop good connectivity between the new settlement and the existing community.
- 5.55 A contribution of £47,396.00 off site contribution towards sport/recreation facilities in the area. In addition, £33,538.00 for the enhancement and maintenance of play/recreation areas in the area.
- 5.56 A contribution to Primary education of £151,588.00 is required for the necessary expansion of permanent primary school capacity serving the area, at Edith Moorhouse Primary School.
- 5.57 A contribution to Secondary education of £190,038.00 is required for the necessary expansion of permanent primary school capacity serving the area, at Carterton Community College.
- 5.58 A contribution of £15,745.00 is required as a proportionate contribution to sustainable provision of sufficient nursery education provision.
- 5.59 A contribution of £41,000.00 towards increasing the frequency of bus service S2 which runs between Carterton and Oxford via Witney from its current two buses per hour, to three buses per hour.

Other matters

- 5.60 Objectors have referred to the site's relationship with Shilton Conservation Area and Church. In this regard, these heritage assets are located approximately 1,177m away as the crow flies, and there is no clear inter-visibility given the distance, land levels and the intervening Alvescot Downs Farm. The only other heritage assets in the vicinity are at Lawton Avenue approximately

385m south east with modern estate development between. On this basis, Officers consider that there would be no material effect on the setting of these assets.

Conclusion

- 5.61 The site adjoins the town of Carterton, which provides a range of amenities and is considered a suitable location for new development. This is recognised in policy OS2 of the emerging Local Plan, and a number of specific site allocations are made in policy CA3. The strategic requirements for development in this part of the District have therefore been considered. In addition, a review of the SHELAA has appropriately had regard to sites promoted for development in this location. The application site, along with others west of Carterton, have been deemed unsuitable for housing development.
- 5.62 Existing trees and hedgerow would be largely retained, save for limited removal to facilitate the development as illustrated. However, even with additional planting, it is considered that the development would not assimilate satisfactorily into the landscape and environment of this location.
- 5.63 The development would encroach unacceptably into a largely unspoilt part of the Shill Brook Valley and would be highly prominent in public views from open countryside to the west and Upavon Way to the east. There would be a substantial impact on the character and appearance of this location, and the countryside would be urbanised and its tranquillity disturbed to a harmful degree.
- 5.64 OCC raises no objection to the position of the accesses to the highway and pedestrian access. However, insufficient information has been provided by the applicant on traffic generation to demonstrate that the proposed accesses are suitable in relation to capacity and that traffic impact at the junctions of Upavon Way, Alvescot Road, and Burford Road has been properly considered. In addition, speed surveys have not been carried out to demonstrate that the visibility splays proposed are appropriate. Therefore, it is not possible to determine that the development would be acceptable in terms of traffic generation and highway safety.
- 5.65 Although consent is not sought under this outline application for siting and layout, no information has been provided to demonstrate that the site is suitable for the proposed use having regard to land levels and ground conditions. There is a risk associated with land stability that has not been addressed.
- 5.66 The part of the site where it is intended to build the houses is in Flood Zone I and at low risk of flooding. Provided this remained the case, the Environment Agency raises no objection in this regard. However, the Environment Agency does raise objection, in that the site is in a sensitive location with respect to controlled waters and pollution risk. Contamination could potentially be present in the soils and the proposed development may mobilise contamination during enabling works and potentially pollute a principal aquifer and the brook. No report on site conditions has been provided. In the absence of information to satisfactorily demonstrate that the risk to controlled waters has been understood and can be addressed by appropriate measures, the objection would be maintained.
- 5.67 The submitted ecological information has been assessed by the Council's Ecological Officer. Whilst no objection in principle is raised, a legal agreement would be necessary to ensure that any approved Landscape and Ecological Management Plan (dealing with the buffer to the brook

and the site boundaries) would be properly instituted and managed in perpetuity (for the lifetime of the development). As part of the South Cotswolds Valleys Conservation Target Area, this is particularly relevant to this application. Further details would be required to secure the badger mitigation and long-term management and enhancement of the habitats within the buffer area. In the absence of certainty on these matters, Officers are concerned about the effects on ecology on the site and adjoining land.

- 5.68 The illustrative layout is not satisfactory for the reasons set out above. However, as this is an outline application delivery of an appropriate arrangement could be forthcoming at the reserved matters stage. This does not therefore constitute a reason for refusal.
- 5.69 There is no reason to believe that the residential amenity of existing residents would be adversely affected by the development. Short term effects as regards construction traffic and disturbance are to be expected and occur wherever significant development takes place.
- 5.70 As regard the various contributions required, as set out above, satisfactory legal agreements have not been completed and this therefore adds to the grounds of refusal in the proposal failing to make provision for affordable housing, education, sports/recreation, public art and bus services.
- 5.71 Given that the saved Local Plan Policies for the supply of housing are out of date, and the emerging Local Plan is yet to complete examination and adoption, the Council cannot currently definitively demonstrate a 5 year supply of housing. In this context, paragraph 14 of the NPPF is engaged. This requires that development is approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.72 The applicant has suggested that a number of benefits arise from the scheme, as set out in the "applicant's case" above. In this context, significant weight is attached to the benefit of the provision of new housing, and in particular 35% affordable housing in this case. The economic benefits associated with the construction of new dwellings are acknowledged.
- 5.73 The assertion that the site will "provide in excess of 50% open space provision for the benefit of new residents and the existing wider community" has not been fully demonstrated, given the constraints of levels, and incompatibility of recreation and ecology on a relatively small area of land in a sensitive valley location.
- 5.74 Given that adjoining and other land is in separate ownerships it is not at all clear how the development provides "public access to 'The Dell' to the north and unlocks the opportunity to provide 'green links' promoted through the Carterton Town Master Plan".
- 5.75 Whilst there is no objection in principle on ecological grounds, there remains uncertainty regarding the ecological and biodiversity enhancements claimed, compared to the current conditions on the site. An ecological mitigation and management plan has not been submitted or agreed.
- 5.76 The further claim that the development presents "the opportunity to promote the local distinctiveness seen elsewhere across West Oxfordshire in terms of design, form and materials" cannot be counted as a benefit. The Council, as well as the NPPF, would require high standards of design and finish in all cases. In effect the proposal would erode the local distinctiveness of the Shill Brook Valley which is a disbenefit.

- 5.77 As regards New Homes Bonus, a recent appeal decision in the District (North Leigh APP/D3125/W/15/3136376) notes as follows in relation to this and Council Tax receipts: "The development would also generate New Homes Bonus (NHB) and Council Tax receipts for the Council. As the former is an incentive for local planning authorities to provide housing on suitable sites, the latter is essentially a means for the Council to cover its costs arising from an increased local population, and no direct beneficial link between the spend of the NHB and North Leigh has been established, I do not consider that these matters attract weight as benefits in the planning balance".
- 5.78 With respect to this analysis, it is considered that the harm to the landscape, visual amenity and character of the Shill Brook Valley and the western edge of Upavon Way, outweighs the benefit of housing delivery in this case. There remain unresolved concerns with regard to pollution risk, land stability, highway safety, and appropriate mitigation, management and enhancement of ecology. A suitable mitigation package by way of legal agreement has not been resolved. Accordingly, the proposal does not represent sustainable development and is recommended for refusal.

6 REASONS FOR REFUSAL

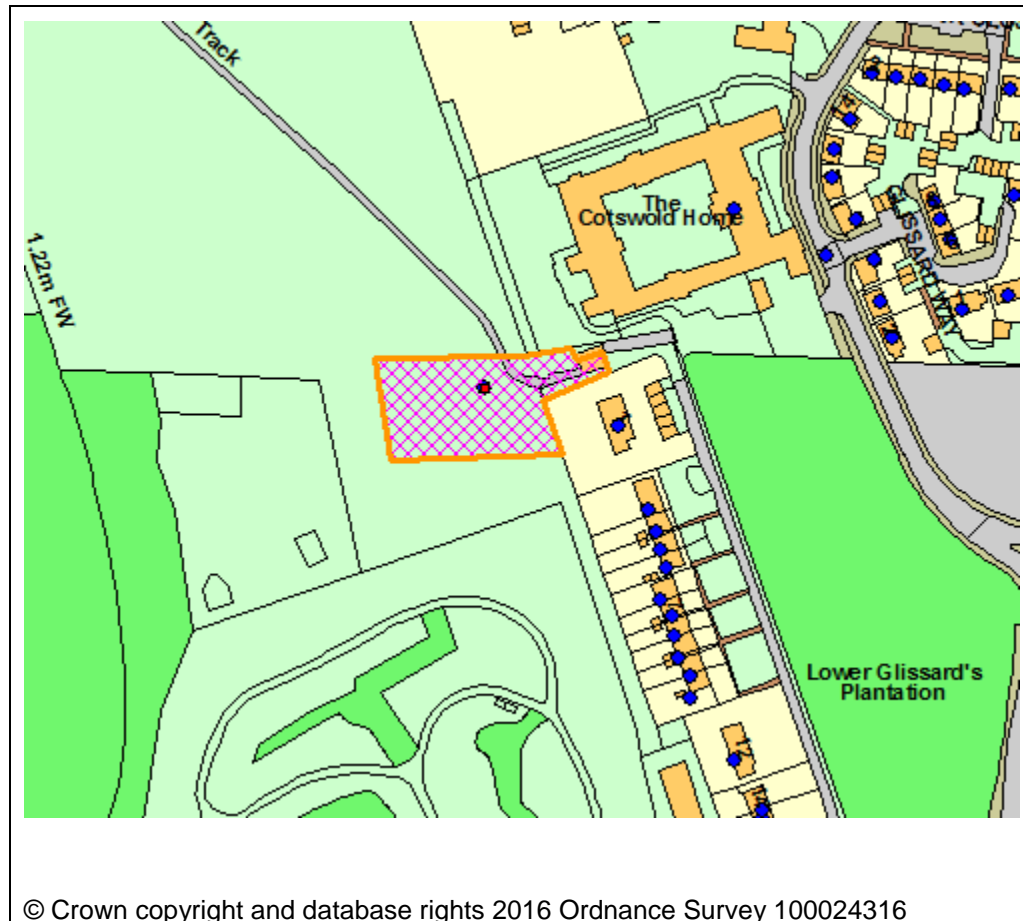
- 1 The site is located in the countryside beyond the existing settlement edge of the town of Carterton. The development would encroach unacceptably into a largely unspoilt part of the Shill Brook Valley where woodland and meadow prevail. It would fail to relate satisfactorily to the town or the existing rural environment which provides a setting for the town, and it would not easily assimilate into its surroundings in resulting in the loss of an important area of open space that makes a positive contribution to the character of the area. It would be highly prominent in public views from open countryside to the west along a public right of way, and from Upavon Way to the east. There would be a substantial impact on the character and appearance of this location, and the countryside would be urbanised and its tranquillity disturbed to a harmful degree. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 policies BE2, BE4, NE1, NE2, NE3, and H2, emerging West Oxfordshire Local Plan 2031 policies OS2, EH1, EH3, and CA3, and the relevant policies of the NPPF, in particular paragraphs 17, 58, and 109.
- 2 The site is in a sensitive location with respect to controlled waters. The underlying ecology is Forest Marble Limestone (Principal Aquifer) and the Shill Brook flows along the western boundary of the site. Contamination could potentially be present in the soils given previous use of the site and the proposed development may mobilise contamination during enabling works and potentially pollute the aquifer and the brook. Insufficient information has been provided to demonstrate that the site is suitable for the proposed use taking account of ground conditions. There is the potential for unacceptable risk from pollution in this location. In the absence of information to satisfactorily demonstrate that the risk to controlled waters has been understood and can be addressed by appropriate measures, the proposal is contrary to West Oxfordshire Local Plan 2011 policies BE18, NE7, and NE11 emerging West Oxfordshire Local Plan 2031 policy EH6, and the relevant policies of the NPPF, in particular paragraphs 17, 109, 120 and 121.
- 3 The site is located on sloping land, some of which is steeply sloping to the Shill Brook. Insufficient information has been provided to demonstrate that the site is suitable for the proposed use having regard to land levels, ground conditions and land stability. The proposal is

therefore contrary to the relevant policies of the NPPF, in particular paragraphs 109, 120 and 121.

- 4 Insufficient information has been provided to ensure that the effect of the development on badgers, the ecology of the Shill Brook Valley in this location as part of a Conservation Target Area, the adjacent Local Wildlife Site (Carterton Grassland), priority habitats, and priority species, can be appropriately mitigated, managed and enhanced. No Landscape and Ecological Management Plan has been submitted or agreed by way of legal agreement . In the absence of certainty on these matters, the proposal is contrary to West Oxfordshire Local Plan 2011 policies NE13 and NE15, emerging West Oxfordshire Local Plan policy EH2, and the relevant policies of the NPPF, particularly paragraph 118.
- 5 Insufficient information has been provided by the applicant on traffic generation to demonstrate that the proposed accesses are suitable in relation to capacity and that traffic impact at the junctions of Upavon Way, Alvescot Road, and Burford Road has been properly considered. In addition, speed surveys have not been carried out to demonstrate that the visibility splays proposed are appropriate. Therefore, it is not possible to determine that the development would be acceptable in terms of traffic generation and highway safety and accordingly it is contrary to West Oxfordshire Local Plan 2011 Policy BE3, emerging West Oxfordshire Local Plan 2031 Policy T1, and the relevant paragraphs of the NPPF, in particular paragraph 32.
- 6 The applicant has not entered into legal agreements to ensure that the development adequately mitigates its impact on community infrastructure, secures the provision of affordable housing, and makes an appropriate contribution to public transport provision and public art. The local planning authority cannot therefore be satisfied that the impacts of the development can be made acceptable. Consequently the proposal conflicts with West Oxfordshire Local Plan Policies BE1, TLC7 and H11, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS5, H3 and CA3, and paragraphs 17, 50, 69, 70, 72 and 203 of the NPPF.

Application Number	17/00417/OUT
Site Address	Land North West of 1 Foxwood Lane Bradwell Village Burford Oxfordshire
Date	3rd May 2017
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Shilton Parish Council
Grid Reference	424333 E 208934 N
Committee Date	15th May 2017

Location Map



Application Details:

Erection of five staff cottages.

Applicant Details:

Cotswold Wildlife Park
Bradwell Grove
Burford
Oxfordshire
OX18 4JP

1 CONSULTATIONS

- | | | |
|-----|------------------------------|---|
| 1.1 | 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. |
| 1.2 | OCC Highways | 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. |
| 1.3 | WODC Drainage Engineers | Surface water drainage condition requested. |
| 1.4 | Thames Water | No Comment Received. |
| 1.5 | WODC Architect | No Comment Received. |
| 1.6 | 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: 13/1470/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:-
- A/ 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.
- 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.
- 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.
- 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. The application was deferred from last month's meeting as a site visit was requested by Members. In addition, Members requested whether certain issues could be addressed prior to the next meeting. In particular, the need to identify the essential operational need for additional staff accommodation, to clarify the suggestion that other staff accommodation had been disposed of in the past and explore the possibility of

ensuring that any existing staff accommodation was retained as such in future, and the need to identify the full extent of land under the control of the applicants to ensure that adequate access arrangements could be created and whether access to the site could be secured through the park itself. Revisions to the proposed layout were also requested.

- 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

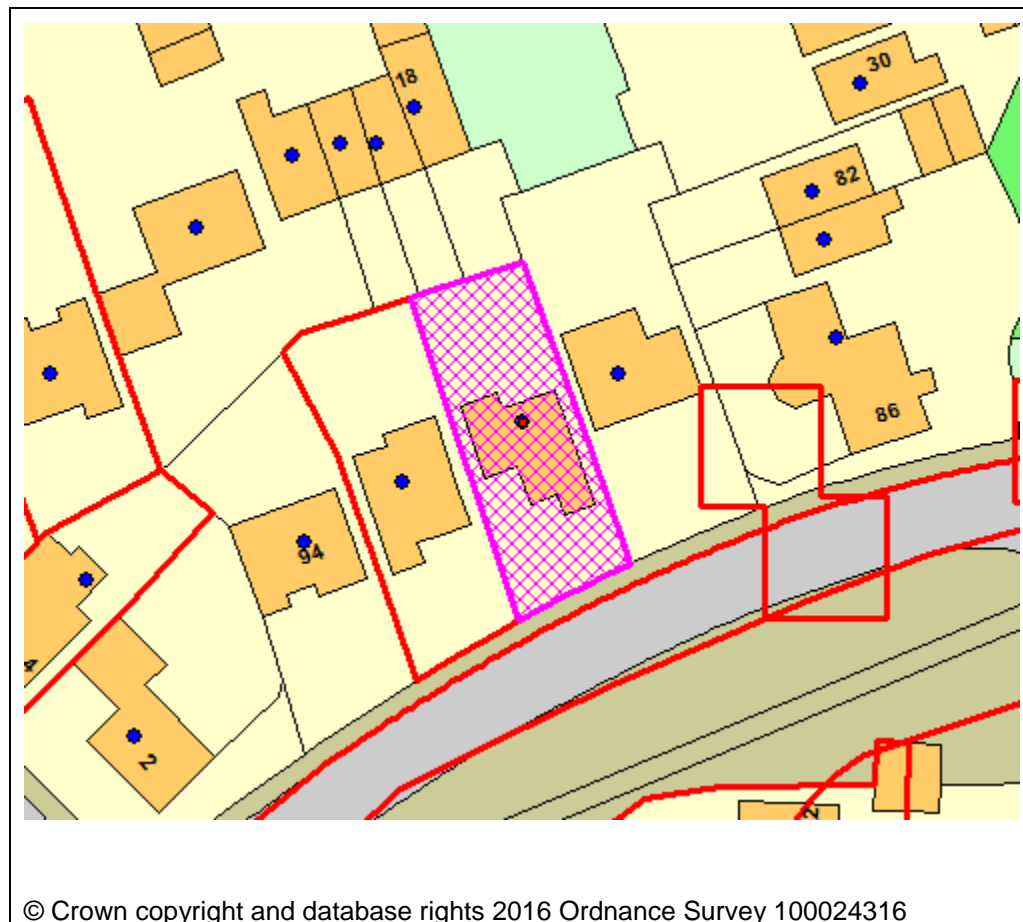
- 5.14 Your officers are in full support of the Cotswold Wildlife Park and its contribution to the local economy. However in the proposed location, your officers do not consider that the proposal of 5 new dwellings in the location shown would relate well to the existing business. Officers are of the 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	17/00719/HHD
Site Address	90 Raleigh Crescent Witney Oxfordshire OX28 5FY
Date	3rd May 2017
Officer	Jane Fray
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	433893 E 209691 N
Committee Date	15th May 2017

Location Map



Application Details:

Demolition of existing attached garage and erection of new two storey side extension.

Applicant Details:

Mrs Kim Parry
90, Raleigh Crescent
WITNEY
OX28 5FY

1 CONSULTATIONS

- 1.1 Town Council Witney Town Council has no objections to this application.

2 REPRESENTATIONS

- 2.1 No neighbour representations received.

3 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
OS4NEW High quality design

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

4 PLANNING ASSESSMENTBackground Information

- 4.1 The application relates to a modern, detached dwelling, No. 90 Raleigh Crescent, located in a residential area to the north west side of Witney. This area is characterised by predominantly modern residential development, with a landscaped area and footpath directly opposite the site. The property is surrounded by other residential properties with Bibury Close to the rear and to either side are similar, detached dwellings. This application is being brought to Committee as the applicant is a member of staff.
- 4.2 The application property is a reconstituted stone dwelling, with a plain concrete tiled roof and white Upvc windows/doors. The front garden area is open plan in nature, but is characterised by mature shrubs and hedging/trees. There is a gravel drive and turning area, with access to the existing garage which is set back, but links to the main dwelling. The rear garden is bounded by high privacy fencing.
- 4.3 The proposal is to demolish the existing garage extension and to erect a new two storey side extension, with a single storey element to the rear. A gable design roof is proposed, with the proposed extension being set back from the main front elevation and set down from the main ridgeline. The extension would measure approximately 9.5 metres in total length, approximately 3 metres in width, 5.6 metres to eaves for the two storey element and 2.5 metres for the rear single storey element, 8.5 metres to the two storey extension ridge and 3.5 metres for the single storey part. A gap of 1 metre is to be retained to the side of the extension to enable external pedestrian access. Proposed materials are to match the existing.
- 4.4 There is no specific planning history for this property.

- 4.5 Taking into account current 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

- 4.6 Officers consider that the principle of provision of a two storey and single storey side extension is acceptable in this location. The key issues are set out below:

Design/Impact on character and appearance of the dwelling

- 4.7 The property is characterised by its late twentieth century design. Due to the subordinate scale and design of the proposed extension, coupled with its materials and architectural detailing, it is considered that the proposal would be sympathetic to the character and appearance of the existing property.

Residential amenity

- 4.8 It is noted that no neighbour objections have been received to this application in relation to amenity aspects. Given the proposed scale and position of the extension, adjacent to the flank wall of the adjoining property, No. 92, with a 2 metre separation gap, it is not considered by officers that the scheme would give rise to a potential significant overshadowing or overbearing impact.
- 4.9 Furthermore, in relation to potential overlooking, this aspect has been carefully assessed on site by officers. Neither the application property, nor the neighbouring dwelling, No.92 has any side windows, either existing or proposed. The first floor layout of the proposed extension has also been carefully planned, so that the newly-proposed rear first floor window would serve an ensuite bathroom, so that there would potentially not be any additional overlooking either to the side or rear than the current situation. The front elevation is set well away from any private amenity space and would not give rise to additional overlooking. It is noted that there have not been any objections from either neighbours or the Town Council in terms of amenity aspects.
- 4.10 In summary, it is considered that there would not be sufficient grounds to refuse this application in relation to a significant detrimental impact on adjacent amenity.

Impact on the site and surrounding area

- 4.11 There would be some impact on the street scene, given that the extension would be viewable from the front, so this has been carefully evaluated. The application property comprises one of a small cluster of similar dwellings, which are set in an irregular, staggered pattern and are of stepped design to their front elevations. Therefore, given that there is no strong front building line, it is considered that the extension would be in-keeping.
- 4.12 The neighbouring property, No. 92 has an almost identical extension to the side nearest this site, which creates a precedent for this proposal. The neighbouring extension has already resulted in a partial infilling of the gap between the dwellings. This proposal would mirror the neighbouring extension and arguably would create a sense of symmetry when viewed from the front, which is considered by officers to be acceptable.

- 4.13 In relation to potential 'terracing effect', although the proposed extension for No. 90 would close the gap between this property and its neighbour as mentioned above, given the 2 metre separation distance between the resultant extensions and also the slight set-back of the front elevation of the application property, it is not considered by officers that the proposal would give rise to an unacceptable visual merging of the two properties. The proposed development is therefore considered to be acceptable in the street scene.

Impact on Highways

- 4.14 The County Highways Officer has raised no objections to the proposal. The site currently benefits from an existing vehicular access onto Raleigh Crescent to the front. The current off-street parking would be slightly reduced by the development, due to the garage being re-positioned, however sufficient parking for approximately 3 to 4 vehicles and on-site turning space would remain. This would meet with the Council's current maximum parking standards, so it is not considered that there would be an adverse impact on highway safety or unacceptable loss of parking as a result of the proposed development.

Conclusion

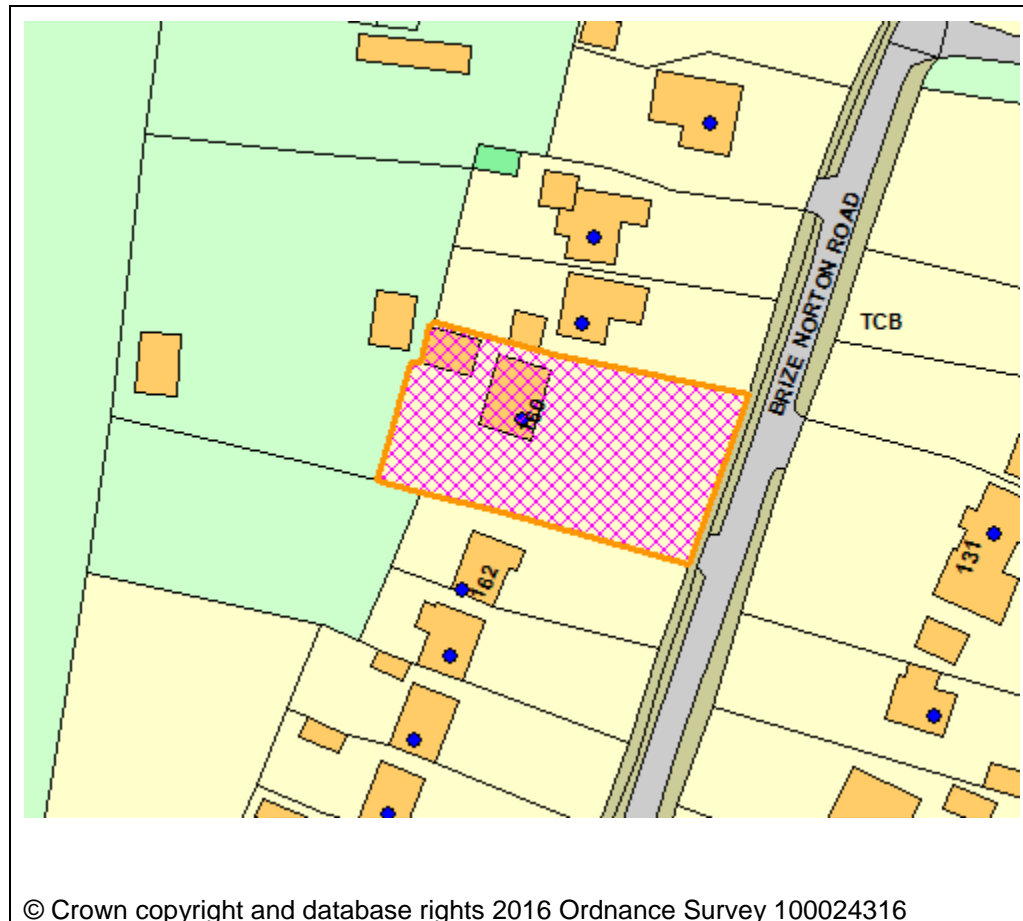
- 4.15 In view of the above, officers are of the opinion that the proposed development is acceptable and would not cause significant harm to the character or appearance of the host dwelling, residential amenity, the surrounding area, or highway safety, subject to appropriate conditions to ensure a satisfactory appearance to the development.

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 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.

Application Number	I7/00808/FUL
Site Address	160 Brize Norton Road Minster Lovell Witney Oxfordshire OX29 0SH
Date	3rd May 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431033 E 209725 N
Committee Date	15th May 2017

Location Map



Application Details:

Demolish existing bungalow and garage. Construction of two new dwellings, including formation of additional vehicular access.

Applicant Details:

Mr Jim Shirley
160, Brize Norton Road
Minster Lovell
Oxon
OX29 0SH

I CONSULTATIONS

- | | | |
|-----|---------------------------|---|
| 1.1 | Parish Council | Minster Lovell Parish Council objects to this application as the Charterville bungalow is proposed to be demolished. Whilst the Council recognise that it is not a listed property, it feels that to demolish it is unacceptable and would be another property from the Chartist Estate that would be lost.
It is felt that the application is therefore contrary to the following policies:-
West Oxfordshire Local Plan 2011 and the emerging Local Plan 2031:-
OS2 /
BE2 d) General development standards.
H2 a), b), f) General residential development standards.
NPPF:-
Specifically paragraphs 58 (responding to local character) and 60 (reinforce local distinctiveness). |
| 1.2 | OCC Highways | No Comment Received. |
| 1.3 | WODC Drainage Engineers | No objection subject to condition and notes to applicant. |
| 1.4 | Thames Water | No Comment Received. |
| 1.5 | ERS Env Health - Lowlands | Mr ERS Pollution Consultation No objections |
| 1.6 | WODC Architect | No Comment Received. |

2 REPRESENTATIONS

- 2.1 No comments received at the time of writing.

3 APPLICANT'S CASE

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

- The existing property is one of the Charterville Bungalows, which is not listed is currently lived in by Elderly Parents and the reason for the application to demolish the existing bungalow and construct two new dwellings on the site, with one suitable for the parents. The area of land is approx. 0.16 hectares and the proposed dwellings each have an overall

footprint area of 100m² including external walls, and therefore provides adequate amenity space to each property.

- The new casement windows and external doors will be Upvc with double glazed units. The new rainwater goods will be black Upvc and the proposed roof finish will be Cardinal and the external walls will be constructed with Natural stone.
- The entrance to the site also appears to be afforded with good visibility. The proposal would not therefore raise any undue concerns with regard to highway safety and access.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

OS2NEW Locating development in the right places

T1NEW Sustainable transport

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks consent for the demolition of the existing dwelling, and to replace it with two dwellings, and the creation of a new access. The application is to be heard before the Committee as the Parish Council has objected to the scheme.
- 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 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, plus a further 5% 'buffer' in accordance with national policy.
- 5.4 In accordance with a common assumed start date of 2021, the Council is proposing through the Local Plan that Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times on large, strategic sites.
- 5.5 Furthermore, in order to maintain an annual requirement that is realistically achievable the Council is proposing that the accumulated shortfall will be spread over the remaining plan period to 2031 using the "Liverpool" calculation rather than addressing it in the next 5 years under the alternative "Sedgefield" calculation.

- 5.6 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 4,514 dwellings (as referred to in the October 2016 Position Statement). This gives rise to a 5.5 year supply using the Liverpool calculation. Using the alternative "Sedgefield" method the 5 year supply is 4.18 years.
- 5.7 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying 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 and sustainable manner over the plan period.
- 5.8 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. Although the Council's approach has yet to be endorsed by the Local Plan Inspector, the direction of travel and commitment to boost the supply of new housing in the District is clear.
- 5.9 Officers are therefore of the view that increasing weight should be attached to the emerging plan given its progression to the next stage of examination. 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.)
- 5.10 Officers consider that the principle of the proposed development is acceptable. Minster Lovell is categorised as a Village within the Emerging West Oxfordshire Local Plan. Policy OS2 states that villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities.
- 5.11 Whilst officers have considered the Parish Council's comments, the existing building is not Listed, and whilst it is of importance, officers do not consider that refusal can be justified in this instance in that its demolition does not come under control.

Siting, Design and Form

- 5.12 The application site is located along the Brize Norton Road, where the existing pattern of development is linear in character. To the rear of the site is a builders yard, which has its own access.
- 5.13 The replacement dwellings will be of one and a half storey scale, with traditional dormer windows to the front and rear roof slopes. The ridge height of the proposed dwellings will be 6.6m. Your officers are of the opinion that the proposed designs of the dwellings are in keeping with the various forms and styles that already existing along Brize Norton Road. The materials are proposed to consist of natural stone and Cardinal stone slates.
- 5.14 The proposed dwellings will be set back from the road in similar positions to the existing neighbouring properties.

Highways

- 5.15 At the time of writing, your officers are still awaiting for a formal response. Whilst one of the new properties will share the existing vehicular access, a new access is proposed to be created. It is anticipated that a response will be received prior to the meeting, where officers will verbally update Members.

Residential Amenities

- 5.16 Your officers consider that due to the siting and scale of the proposed dwellings, existing neighbouring dwellings' residential amenities will not be adversely affected in terms of overbearing issues. Officers however have concerns with a proposed side bedroom window in both new properties, which could result in overlooking to the existing property at No 158 Brize Norton Road. Your officers have contacted the agent, but at the time of writing are still awaiting a response. It is anticipated that any amendments agreed will be shown at the meeting.
- 5.17 Due to the distance that plot 2 is set from the boundary with No 162 Brize Norton Road, your officers do not consider that adverse impacts will result to the residential amenities of this property.

Conclusion

- 5.18 Your officers consider that the proposal is compliant with the relevant adopted and Emerging Local Plan Policies, and will be in keeping with the general form, character and visual appearance of the streetscene. However officers will update Members accordingly with a formal recommendation regarding the outstanding highways response.

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 carried out in accordance with the plans accompanying the application as modified by the letter(s) dated and accompanying plan(s).
REASON: The application has been amended by the submission of revised details.
- 4 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.
- 5 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 additional windows/rooflights shall be constructed in the side elevations of the dwellings.

REASON: To safeguard privacy in the adjacent property.

- 6 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, conservatories, dormer windows, or garages other than those expressly authorised by this permission, shall be erected.

REASON: Control is needed to protect the residential amenities of existing and proposed dwellings, and to retain the open character of the streetscene.

- 7 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).

NOTE TO APPLICANT

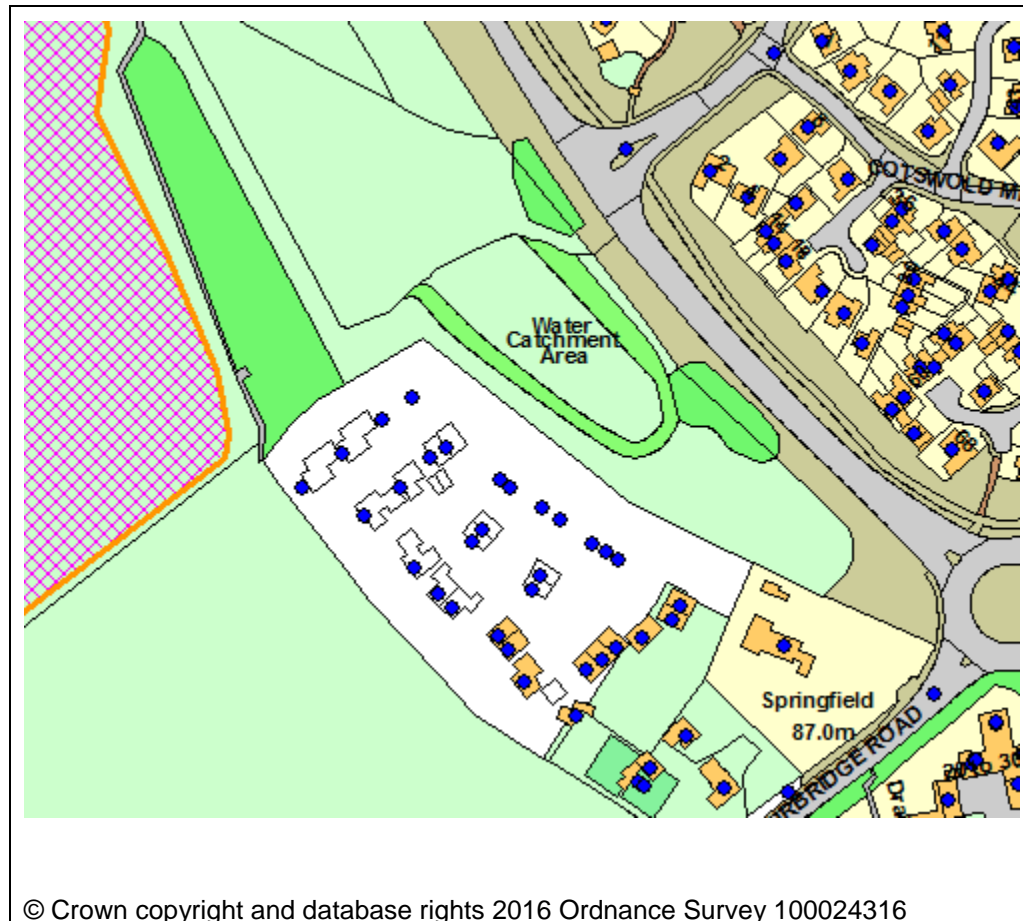
I NOTE TO APPLICANT:

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 I - 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 I - Clause 9 (1))

Application Number	I7/00843/RES
Site Address	Phase PIC Land at West Witney Downs Road Curbridge Witney Oxfordshire
Date	3rd May 2017
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	433511 E 209195 N
Committee Date	15th May 2017

Location Map



Application Details:

Construction of 115 residential dwellings including details of the layout, scale, appearance, access and landscaping.

Applicant Details:

Mr Steven Trythall
Persimmon Homes
Verona House
Tetbury Hill
Malmesbury
SN16 9JR

I CONSULTATIONS

I.1 Major Planning Applications Team Transport
Objection because some of the shared space areas and carriageways are not of adoptable standards
Archaeology
No objection

I.2 WODC Architect No Comment Received.

I.3 WODC Housing Enabler In so far as the provisions regarding affordable housing, as set out in the S106 agreement dated 3rd April 2017 and relating to planning application 12/0084/P/OP are adhered to, then the Council is supportive of this Reserved Matters Application

I.4 ERS Env Health - Lowlands Thank you for the opportunity to consult on this application.

I have the Noise Mitigation strategy in front of me. The noise mitigation measures proposed are based on a noise model. It is reported that the noise model takes into account the screening provided by the noise bund along the southern boundary adjacent to the A40. At Figure 4 the bund is described as being 3m high with a 2m noise fence. On this aspect of the strategy I have the following points:-

' It is not obvious or demarcated clearly on the noise contour maps in the report where the noise bund starts and stops. Can the applicant denote and mark clearly on the contour maps where the bund is located please. (barrier length too ?)

' I'm not 100% certain where within the mitigation strategy the acoustic performance of the noise bund and noise fence is given or demonstrated.

All too often noise barriers are built that provide little or no protection to the communities they are intended to serve. But where bunds are to be used, their performance may be optimised by the use of a low screen on top of the bund. A lot has now been written about noise barrier types and their design. As this feature is pivotal to the success of this mitigation scheme, I don't think it is wrong to request clarification and further technical details about the design of the noise bund and fence.

- | | | |
|-----|-------------------------------------|---|
| 1.5 | WODC Landscape And Forestry Officer | No Comment Received. |
| 1.6 | Thames Water | No Comment Received. |
| 1.7 | WODC Env Services - Waste Officer | No Comment Received. |
| 1.8 | Town Council | Witney Town Council is supportive of this application and welcomes the development. |

2 REPRESENTATIONS

- 2.1 No representations have been received in respect of this application.

3 APPLICANT'S CASE

- 3.1 Design and Access Statement

The layout has been designed to reflect the aspirations set out in the Outline Design and Access Statement, Jan 2012 and responds to the principles set out in the West Witney Deisng Code. The proposed development also responds to its setting next to residential parcels, the Primary School and public open space.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.
 BE2 General Development Standards
 BE3 Provision for Movement and Parking
 H2 General residential development standards
 T1 Traffic Generation
 T2 Pedestrian and Cycle Facilities
 T3 Public Transport Infrastructure
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 EH1NEW Landscape character
 H2NEW Delivery of new homes
 H3NEW Affordable Housing
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application is the first of Phase I of the West Witney development. There are five parcels of land in Phase I and this is Parcel IC.

- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle
Siting, design and form
Highways
Residential amenity

Principle

- 5.3 The principle of development is acceptable as it is in accordance with the outline application and is in general conformity with the design code which sets the parameters for materials, building heights, road layouts etc.
- 5.4 In this parcel there are 69 open market dwellings, 2 x two bed houses, 49 x three bed houses and 18 x 4 bed houses. The affordable dwellings are 25 x two bed houses, 19 x three bed houses and 2 x four bed houses. This number is in accordance with the legal agreement which requires a minimum of 30% with a 10% uplift. The Housing Enabling Officer is satisfied with the mix.

Siting, Design and Form

- 5.5 The proposed layout is based on that shown on the indicative plans in the outline application, the streets generally follow those shown in the original design and access statement.
- 5.6 The materials are a combination of recon stone, cream and white render and red brick for the walls, and black and grey slates and grey and red tiles for the roofs. The mix of materials helps to define the streets so the red brick is generally reserved for the secondary streets. Officers are still considering the exact details and will update members at committee.

Highways

- 5.7 The road layout is as stated above, generally in accordance with the indicative plans on the outline application. OCC have issued a holding objection as they have some concerns that the roads and open spaces cannot achieve adoptable standards. Officers are fairly confident that this can be resolved and an update will be given at committee.

Residential Amenities

- 5.8 The standard back to back distances have been adhered to across the site. Each property has the required parking to council standards and where possible this has been achieved on plot. There are no parking courts (but there are no flats on this parcel). Each property has private amenity space.
- 5.9 Environmental Health have raised a concern about noise but officers are confident this can be resolved before the committee meeting.

Conclusion

- 5.10 The proposal is considered to be in accordance with the outline planning permission, the approved design code and the current local plan policies. Subject to the Highways holding objection being overcome then the recommendation is to approve. As such, the conditions will be included in the additional representations report, or officers will seek delegated authority from the committee.
- 5.11 Officers will also bring the other elements of Phase I so Members can have an overview of how the site will progress.

6 RECOMMENDATION

Conditions to be included in the additional representations report.