

Appendix A

Presentation for Lowlands Planning Committee – 12 June 2017.

Planning Application

17/00281/OUT, Land East of Monkswood, Pink Hill Lane, Eynsham

- The planning application seeks outline planning approval for 52 dwellings, for access only.
- The application shows a single vehicular access off Pinkhill Lane.
- The site is at the south of Eynsham, to the east of the Oakfield employment area, with residential buildings to the north which give an urbanising effect. Parts of the employment area can convert to residential use under permitted development rights.
- Whilst layout is reserved, indicative information has been included as part of the application, to give clarity that the scheme can be delivered at the scale set out in the application. This shows a proposed layout that uses groups of buildings combined into courtyard clusters, which have a scale and form that is compatible with the openness of the countryside beyond.
- West Oxfordshire accept that they do not have a robust 5-year housing land supply position.
- In the absence of a 5-year housing land supply paragraph 49 of the NPPF requires applications to be assessed taking into account a presumption in favour of sustainable development.
- The site is available now and in the control of a willing developer. Housing can therefore be provided in a timescale that can make a positive contribution to boosting the Council's 5-year housing land supply position.
- Whilst the case officer refers to development being allocated in Eynsham through the emerging Local Plan, the Plan remains in the Examination process and so the proposed allocation can be given very little weight at this stage. This has been confirmed in a recent appeal at land west of Shilton Road, Burford, which also concluded that the Council can't demonstrate a 5-year supply position. We understand that there is limited flexibility in the Council's proposed allocations. This may lead to the need for additional allocations.
- We provided additional information, as requested by the case officer, during the course of the application to address the comments made by technical consultees, specifically on ecology and highways issues.
- We submitted the application in January 2017 and the first indication that we had of the case officer's views was an email on 25th May that suggested that there were issues of principle that warranted refusal, and recommending that we withdraw the application.
- At no point during the previous regular information exchanges did the case officer indicate that she considered the application unacceptable in principle. We therefore commissioned additional technical work at the expense of our client to address these concerns, in order to overcome any technical issues

and to progress the application to a satisfactory conclusion, in a timely manner.

Response to the Proposed Reasons for Refusal

1. The first suggested reason for refusal refers to the proposal being in an inappropriate location.

However, we have demonstrated through the application that

- a. The policies that manage the location of housing are out of date as the Council cannot demonstrate a 5-year housing land supply.
 - b. Development in this location would be a logical extension which would maintain the compact feel of Eynsham whilst forming a revised edge to the settlement.
 - c. The site is in a sustainable and accessible location which is already developed, with a substantive employment area and existing residential development adjacent to the proposal.
 - d. Developing the site avoids using AONB or Green Belt land which covers many parts of West Oxfordshire. The site is also unaffected by the flooding issues which affect other areas to the south and east of Eynsham.
-
2. Impact on the Conservation Area.
 - a. We disagree that there will be a negative impact on the Conservation Area and the Scheduled Ancient Monument. It is hard to understand this, given that there is a significant distance between the edge of the Conservation Area and the proposed development (130 metres) – as set out in the officer's report at paragraph 5.3.
 - b. There is also a busy main road (the B4449), between the edge of the Conservation Area and the fields.
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3. Education – pupils cannot be accommodated at Eynsham primary school.
 - a. This reason for refusal could not be substantiated at an appeal. The matter could be dealt with by an appropriate developer contribution. The local authority has a duty to ensure a sufficiency of places under section 14 of the Education Act. The location of development should be led through balancing planning considerations and should not be led by education provision.
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4. Highways – the reason for refusal has now been amended.
 - a. All matters on highways have now been agreed with the exception of the issue of the adoption of a short section of Pinkhill Lane as public highway.

- b. This is not a matter for consideration by the planning committee as it is a legal matter rather than a planning matter. Highways conditions can be put in place to address the issues raised by OCC
 - c. We have provided evidence with the application that explains how Pinkhill Lane (currently a Bridleway) can be adopted under Section 38 of the Highways Act 1980. At the same time an application would be made to stop up the Bridleway along this section of Pinkhill Lane, under Section 257 of the Town and Country Planning Act 1990.
 - d. There is no highways issues that should prevent planning permission being granted. The process of delivering the access road improvements is outside the planning considerations.
5. Lack of a section 106 agreement.
- a. The applicant is willing to enter into a Section 106 Agreement and make the required contributions. This can easily be addressed if the application is granted.

Appendix B

Land North of Swinbrook Park, Carterton – 115 Units

Committee Presentation: 12th June 2017

1. Good afternoon Chairman and Members.
2. In light of the presumption in favour of sustainable development, which your officers accept applies in this case given the uncertainty in the Council's housing land supply position, we do not consider that the recommendation from officers is robust and consistent with national policy.
3. Carterton provides a unique opportunity to deliver not only housing in a lower priced area of the District, but in a sustainable location supported by existing services, jobs and infrastructure without compromising wider landscape assets.
4. This Application reflects the objectives of Town Council's Masterplan and their Spatial Strategy which seeks development to the north of Carterton. The proposal includes a small incursion into a landscape buffer area; however, the landscape proposals would provide an enhancement to the existing settlement edge of Carterton by way of the Country Park extension of 13ha (75% of the application site): a significant public benefit. Moreover, the Council has accepted development within this area both in granting planning permission for Swinbrook Park and in proposing further development for housing in the draft Local Plan. It is considered that the proposal will not result in coalescence with Shilton village, and this will not result in harm to the landscape.
5. There has not been a consultation response from the Council's Landscape Officer nor a Heritage advisor with regard to this Application, and therefore the view taken by Planning Officers is presented without the benefit of such specialist advice. The Application is supported by a Landscape and Visual Appraisal (LVA) and a Heritage Statement which assessed the impact of the proposal on the Shilton Conservation Area. The site itself is considered to make minimal contribution to the whole Area's special interest as a small part of the outlying rural context.
6. Acoustic and lighting assessments have been prepared in support of this Application. The noise assessment demonstrates that acceptable noise levels can be achieved for residents in the new dwellings, and that the impacts of the football club floodlights will not be significant at the proposed residential homes: these matters can be addressed by suitable planning conditions and there is scope at Reserved Matters Application stage to consider the specific distance and relationship between those new homes which would be closest to the existing sports pitches to ensure acceptable residential amenity is achieved.

7. We have confirmed agreement to S106 contributions sought by both the County and District Councils. The development will also include the provision of affordable housing.
8. With regard to biodiversity, the application is supported by ecological surveys: the site supports common to locally widespread species and habitats, none of which are considered to be of national conservation value. Furthermore, botanical and breeding bird update surveys are being undertaken this month. It is considered entirely appropriate for the Council to either resolve to grant outline planning permission, subject to the completion of these update surveys or to impose a suitably worded planning condition to a planning permission on this Application site.
9. We therefore respectfully request that planning permission is granted. The granting of outline planning permission for the site will ensure high quality housing is delivered in the short term consistent with the emerging Local Plan strategy and to make an important contribution to the short-term delivery of new homes. Thank you.

Appendix C

Mr Beach made reference to the observations of the Highway Authority at paragraph 1.2 of the report and the proposed conditions at paragraph 6 regarding access. He indicated that the position had moved on and advised that, having visited the site that morning, the applicant had now installed lighting on the access.

Mr Beach suggested that the applicant was failing to comply with the planning process and advised that a concrete slab had now been laid beyond the boundary of the site, encroaching onto the bridleway. He suggested that the Sub-Committee should refuse to grant planning consent until all works had been completed to the satisfaction of the County Council, Local Planning Authority and the Eynsham Parish Council.

In conclusion, Mr Beach expressed his doubts that the applicant would comply with the conditions imposed upon any planning permission or that the Council would enforce against any breach.

Appendix D

We find ourselves in a difficult situation with this application as we have been fully supportive of the applicants desire to expand his operations at Eynsham, since they first shared their plans with us.

However, the application which you are faced with today is not required or needed by the applicant, but is purely being presented to further the aims of WODC. The original plans fully supported the requirements of the company and were fully supported by the Parish Council.

In recent months the company have been required by WODC to change their plans at considerable cost, and we are now presented with an application which is not being driven by the applicant but is being driven by the District Council. We consider that this amounts to abuse of due process, is not to the benefit of the applicant, the Parish Council or local residents. It is now proposed by WODC that a completely unnecessary road is constructed, at the applicant's expense, which will damage a much used area of our village and have a damaging impact on the open countryside and an area regularly used for walking and exercise by residents. This application is now also contrary to the Neighbourhood Plan which the Parish Council have lodged with WODC, and will be robustly challenged at the next stage of the Local Plan.

We would ask you to reject the application and revert to the original layout, which fully meets the requirements of the applicant and will enable them to get on with building an extension to provide employment. Since the cost incurred by them can be fully laid at the door of WODC, the Council should also consider how they can reimburse the company for the expense they have been forced to pay in putting together a completely unnecessary application to meet some higher plan hatched by officers.

Appendix E

Mr Mathew explained that he was speaking as Chairman of the Stanton Harcourt Parish Council. He made his support for the applicant company clear, indicating that it was an asset to have such an innovative engineering company within the District.

Mr Mathew drew attention to the objections put forward by the Highway Authority and made reference to an appeal in a neighbouring authority in which the importance of respecting objections by other authorities had been emphasised. Mr Mathew suggested that, to disregard the County Council's objection would be to ignore equity.

The construction of a link road would divert traffic from the A40 through Sutton and the Lower Windrush and create a 'rat-run' via the A415 and Newbridge. Local residents believed that the creation of a ring road would result in disruption of their lives and Mr Mathew considered improvements to the A40 to present a more appropriate solution to deal with existing traffic flows and with those resulting from development west of Eynsham.

Mr Mathew contended that the applicants were not interested in seeking to revise the previous consent but had been compelled to do so by the Council's Planning Department.

In conclusion, Mr Mathew reiterated that the creation of a link road would be detrimental to the Lower Windrush.

Thank you Chairman, members

I am Will Odling and I represent the Applicant and have responsibility for their current and future buildings and facilities requirements.

Through the proposed scheme the Applicant believes that it can meet its expansion needs in Eynsham, building to around 500 jobs in advanced engineering.

Two Polar Technology companies, SST Technology and Lentus Composites, have been winners of recent West Oxfordshire Business awards. Lentus Composites' products saw huge success in the 2016 Olympics when every Team GB velodrome cycling rider won a medal on cycles engineered in the Eynsham factory.

Several Formula 1 racing teams use components manufactured by the group, including the world championship winning Mercedes team. The group retains strong ties with the other major Eynsham manufacturer Siemens and continues to expand in the aerospace and defence sectors.

This application supplements the application presented to committee last November, which received full support from your committee. The committee resolved that officers should resolve planning detail and specifically work to ensure that the scheme safeguards, and so does not prevent, a possible future link road to the west of Eynsham.

Since the November committee we have worked with the planning officer to ensure this. We believe that, in combination with the earlier proposal, this application offers a better solution with reduced visual impact from the Scheduled Ancient Monument area, the two nearby dwellings and the B4449 Stanton Harcourt Road. It can safeguard a potential corridor for a future link road to be reserved as requested at the November committee and described in your 2016 district strategy documents.

Chairman, members, the Applicant is very aware of sensitivities that exist concerning whether a western link road should or should not be built. The applicant, and I, would like to stress that we are and will remain neutral on this. Our proposals do not provide a western link road around Eynsham. Neither do our proposals stand in the way of such a link road. The Applicant's primary intention is simply to build its business and employment in Eynsham, and this scheme will enable that outcome.

Thank you,

We wish to Object to the planning application at the Masonic Hall on behalf of 22 and 18C Church Green

Before we purchased our property, we researched Church Green and were reassured to find that as it is a conservation area the council had put further policies in place to preserve Church Green.

The officer has concluded that WIT1 would not apply in this instance as it is a public hall, however the application is from a ltd company wishing to widen its use for social, and commercial activities by over doubling the commercial space with the introduction of a mezzanine floor as well as an entrance hall larger than an average 2-bedroom home. The Council policy states that there should be no intensification of commercial use in the conservation area of Church Green. This is a commercial company charging for the use of its building, as such WIT1 A2.3.1 and OS4 would apply.

Please read A2.3.1 Policy WIT1

A2.3.1 Policy WIT1 – Buttercross and Church Green: In the area south of Corn Street and Langdale Gate defined on the Central Area Inset Map (contained in the Local Plan) the change of use of existing premises to shopping/ commercial use or any further intensification of existing shopping/ commercial uses will not be allowed except where the proposed use would be incidental to the primary permitted use of the building (e.g. working at home).

OS4 “not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties”

The Masonic Hall is trading as a ltd company and is confirmed by Steve Bowers (Chairman) own email (copy provided) re-confirms the commercial use.

The officer has also completely sidelined the issue of noise, stating it is a licensing issue. However, this may be covered by licensing, but it is also covered by local plan policies BE19, EH6 and H2.

With a potential new double door entrance and increased usage of the venue this will undoubtedly lead to a further increase in noise. This weekend was the first time we have seen the hall restrict access to the rear only and only goes to highlight such access will only disturb the resident’s serenity further which is an unacceptable situation.

Having the main entrance at the rear would also encourage smokers directly next to our, and our neighbours gardens, we would be further concerned that such development could lead to a permanent covered smoking facility being erected.

This week we have had a wedding on Saturday and dance classes on Sunday, both with the fire door left open and both creating significant background noise. Currently these are occasional events, and are tolerable. Opening up the building fabric with

double doors will increase the level of noise which would cause unacceptable living conditions for existing residents.

see BE19, EH6 and H2

BE19 states "development including the use of land, if because of the noise it will create, the occupants of housing and other noise sensitive development would be exposed to significant noise disturbance, unless there is an overriding need for the proposal which cannot be met elsewhere planning permission will not be granted.

EH6 2011-2031 Noise Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development. New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.

H2 create unacceptable living conditions for existing and new residents

After contacting the Council on Friday, they have confirmed that the plans posted do not "Accord with one another" so we are unable to comment until we have accurate plans and materials.

We can only highlight that the surrounding buildings all have natural stone and Cotswold stone roofs We would expect any design proposal to match materials with the building it intersects with, especially as the Masonic Hall is a high status listed building. The plan specific to Witney and Cogges Conservation Area states (5.3.2)

5.3.2 Nowhere else in the conservation area does stone slate survive to the extent that it does in Church Green, and consequently this is an especially distinctive and precious vernacular feature of this part of the town.

The design statement references the adjoining property on the north side, stating it is some distance away and will not be overlooked. It may not now be overlooked by the removal of windows but an extension of this scale will overshadow Mr and Mrs Dobson's garden and restrict light to the property. The amended application is still large in size and appears to cross the current building line by 4 meters, although the applicants want to make a statement entrance this should not be at the detriment of the residents.

The design statement states that there will be no impact on car parking, however we must consider the venue is doubling its size. What is of concern is the safety issues with an entrance and access to garden area, directly on to a car park. How would pedestrians be protected from cars entering and leaving the car park? The Masonic Centre has already highlighted concerns over pedestrians in the lane, having an entrance at the back will just increase pedestrian traffic which we have seen this over this weekend when the Masonic Centre hosted a wedding with access only at the rear.

On a more personal note, this is our family home which we intend to live in and enjoy forever. The prospect of our privacy and environment being undermined by this current planning application is unbearable. The design of our home has our main kitchen/living area and garden directly opposite the proposed extension. I would ask the planning applicants and decision makers, how they would feel about a two-storey toilet block overlooking their family home which is nestled between listed buildings in a conservation area?

Personal Statement made by Robert Clifton

Glebe Cottage, Curbridge, OX29 7PD

My name is Robert Clifton and I represent myself and my wife Julie as the owners of Glebe Cottage.

Glebe Cottage is right next to the development site, sharing the boundary along the southern edge of the development.

My wife and I purchased Glebe Cottage as our “forever home” earlier this year in the full knowledge that a planning application would be submitted later this year to build a small bespoke development of houses which we had no objection to given the assurances of the proposed plan prior to purchase as it would not adversely affect Glebe Cottage.

We were given every assurance that the development would be reduced in size, and not extend into the field directly north, behind our cottage. Please see attached document 1. This was being done to address the refused planning application last year and to overcome the objections and the needs of the area and its environment to include Glebe Cottage.

We have a number of objections, if I may deal with them in turn.

1. Setting a Precedent – spoiling the village

- The village is small, just 140 properties I believe.
- I am worried that this will set a precedent, and more developments such as this will spring up over the years, extending the village, building on valuable green spaces and spoiling the character of the village.
- It can be seen from this aerial map of the village that buildings predominantly line the edge of these quiet roads. There is not a single cul-de-sac in sight.



2. Design and Scale of development

- The new application is for 4 very large houses.
- The largest 5 bedroom house has been dropped from the previous application, but the remaining 4 houses have been increased in floor space and are on average bigger than the previous application. No square footages are provided, but comparing the plans it is evident.
- I believe the property designs are all drawn up to enable the future extension into the loft space
 - The staircase is situated in every property to enable a new staircase to be put in later
 - The roof lines are all very tall to facilitate this later development.
- There is no provision for visitors parking – also houses of this size often have more vehicles, and there is no where to park them.
- There is inadequate vehicle turning space at the head of the cul-de-sac, which was one of the specific reasons their previous appeal was rejected
- Inadequate provision for bin storage, which will make bin collection difficult – there would be no room for bin lorry to drive in and out. There is just a tiny bin area – if people left their bins here, this would also become unsightly and prone to fly tipping and attract foxes.

This proposed layout and construction is just too large

- Too large for the plot
- Too large for the village
- Retains a cul-de-sac layout
- It overlooks our property and would be completely overbearing

3. Privacy

The development overlooks Glebe Cottage, affecting my privacy. The Eastern end of the development is just too close to our property.

- The sizes of the properties closest are also very tall.
- The roofline is very high
- They will completely out-scale my cottage, which is little more than single story and of a very different character to these large houses.



4. Flooding

- It is well known locally that the area gets very waterlogged during periods of heavy rain, or long periods of rain. The land slopes away to the East, where it drains into the Elm Bank Ditch. This is an area known to flood – please see environment agency map. A zone 3 flood area is within 50 meters of Glebe Cottage and this land.
- The application says that the development will use a main sewer, but also states it is unknown whether it will connect to an existing drainage system.

11. Foul Sewage					
Please state how foul sewage is to be disposed of:					
Mains sewer	<input checked="" type="checkbox"/>	Package treatment plant	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Septic tank	<input type="checkbox"/>	Cess pit	<input type="checkbox"/>	Other	<input type="checkbox"/>
Are you proposing to connect to the existing drainage system?			<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Unknown

Flood Map & Aerial Map



5. Trees and Hedges

The applicant has stated on the application that there are no trees and hedges on the site, and none nearby that would be affected by the development.

In fact, this statement is untrue, or at the very least misleading. Because in the appeal refusal decision from 2014, the hedges and trees at the site were a reason quoted for refusal, as they would need to be cut back and would spoil the local area's character.

15. Trees and Hedges

Are there trees or hedges on the proposed development site? Yes No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? Yes No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

I also noticed that a contamination report has not been submitted, as it should have been from the last answer to section 14.

14. Existing Use

Please describe the current use of the site:
Paddock with extant planning permission for residential development reference 15/01257/FUL

Is the site currently vacant? Yes No

If Yes, please describe the last use of the site:
see above

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?
If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated? Yes No

Land where contamination is suspected for all or part of the site? Yes No

A proposed use that would be particularly vulnerable to the presence of contamination? Yes No

Summary

We are *not* against development on the site in principle.

- Our objection is that the development is wrong for the site, it is too big
- The character is all wrong and not sympathetic to the area
- The layout of the development is not well thought through
- The cul-de-sac design is not in keeping
- The buildings are too large and over-bearing, which would spoil the character of our home completely
- This application fails to address the previous planning refusals

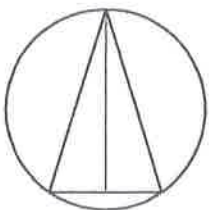
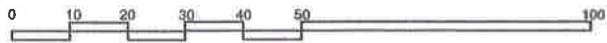
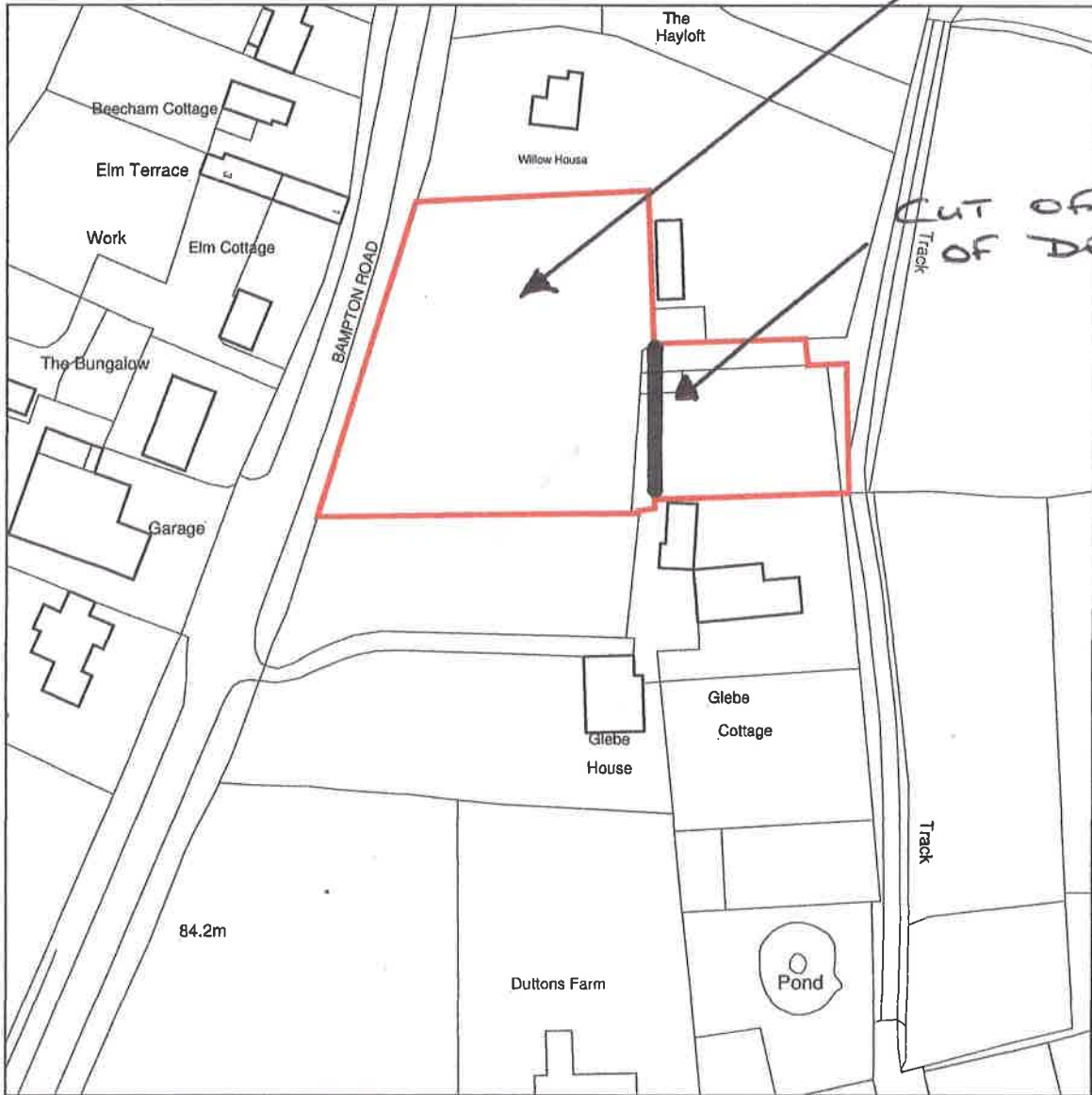
I would suggest reducing the scale of the development to the larger of the two fields, so that the land directly to the north of Glebe Cottage is not built on and Glebe Cottage is not overlooked. This suggestion also deals with the overall size of the development and would avoid the cul-de-sac layout.

Julie and I have worked hard to establish a well-respected local business and have bought our forever dream home here in Curbridge. We have put our heart and soul into modernising upgrading and extending the property with every intention of enjoying the location with our children today, our grandchildren tomorrow and then our retirement in the future.

Thank you for listening. Robert and Julie Clifton

DOCUMENT 1

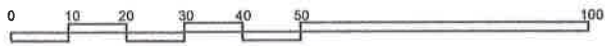
PROPOSED AREA OF DEVELOPMENT.



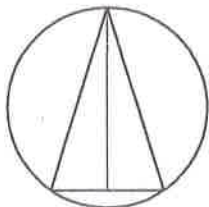
Lew Road, Curbridge	May 2016
	1:1250@A4
	2016017
Site location plan	P07

SUGGESTED DESIGN
OF LANDSCAPE &
HOUSING.

RETAINED AREA
OF GREENERY.



DOCUMENT 3



Lew Road, Curbridge	May 2016
	1:1250@A4
	2016017
Site location plan	P07



Lew Road, Curbridge
 site plan

Feb 2017
A3@1-500
2016008
P20A



Rejected application
 16/01973/FUL



Lew Road, Curbridge
 sketch site plan

Mar 2016
A3@1:500
2016008
P01