

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 10th July 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

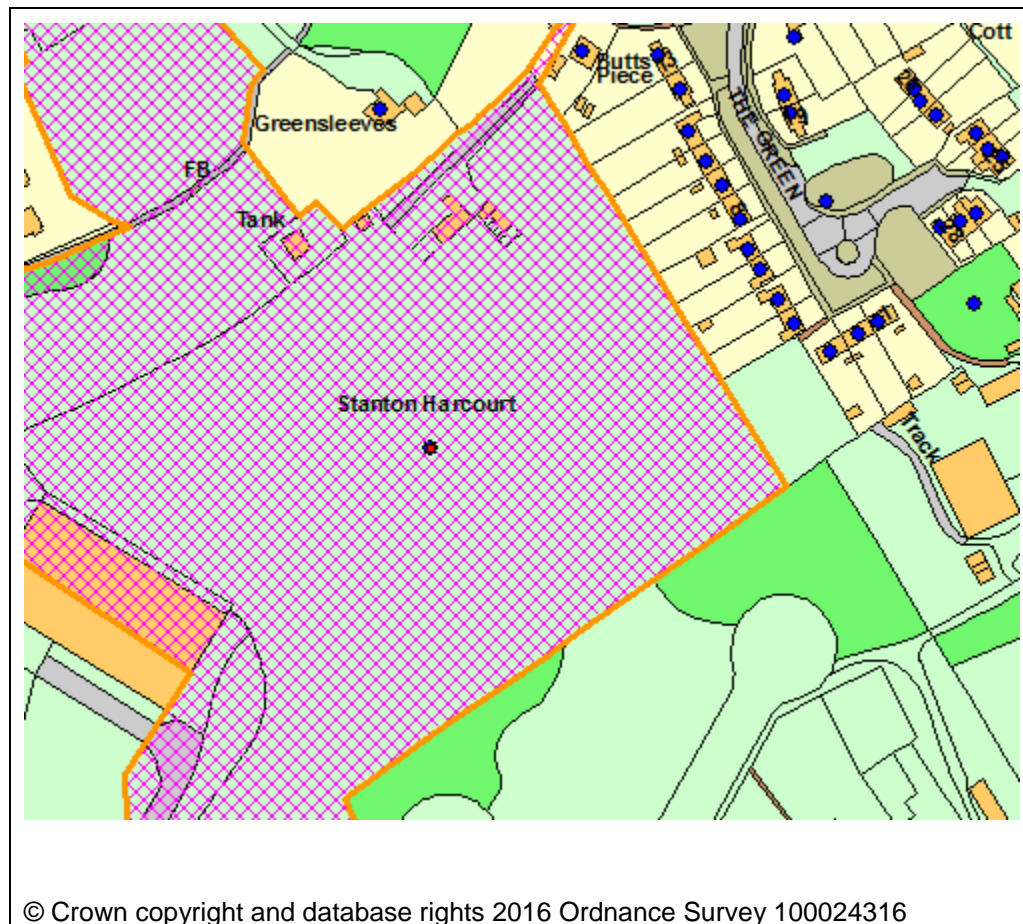
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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
16/03627/OUT	Land at Butts Piece, Main Road, Stanton Harcourt	3
16/04234/OUT	Land North and West and East of Belclose Cottage, Witney Road, North Leigh	22
17/00629/FUL	Land To The Rear of 65 High Street, Standlake	37
17/00609/FUL	Manor Farm, Eynsham Road, Cassington	49
17/00873/FUL	Tennis Club House, Broadwell	64
17/01193/FUL	Masonic Hall, 20 Church Green, Witney	69
17/01194/LBC	Masonic Hall, 20 Church Green, Witney	79
17/00924/FUL	Applegarth, 2A Holloway Road, Witney	88
17/00965/FUL	Land South East of Lancott Lane, Brighthampton	100
17/01296/FUL	2 Jacks Corner, 2A The Crofts, Witney	122
17/00831/OUT	Linden House, Kilkenny Lane, Brize Norton, Carterton	127
17/01618/FUL	24 Sellwood, Drive Carterton	132
17/01561/RES	Land South of Stanmore Crescent, Carterton	137
17/01623/FUL	Hardwick Quarry, Downs Road, Standlake	142

Application Number	I6/03627/OUT
Site Address	Land at Butts Piece Main Road Stanton Harcourt Oxfordshire
Date	28th June 2017
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Stanton Harcourt Parish Council
Grid Reference	441306 E 205597 N
Committee Date	10th July 2017

Location Map



Application Details:

Development for up to 40 dwellings and a shop with associated infrastructure works, Alterations to existing and provision of new vehicular access and pedestrian accesses (amended description).

Applicant Details:

David Bury And Jo Wilson, c/o Agent.

I CONSULTATIONS

- I.1 Parish Council
Object on the following grounds:
Need for bypass. S106 contribution of £100,000 should be required.
Lack of adopted local plan leads to inappropriate applications being supported.
Access should link Blackditch to opposite the cemetery to avoid traffic passing through the village.
Increase in village of 30% in short space of time.
Local area unable to sustain this development.
Lack of infrastructure capacity
Village is A listed
Historic village and impact on heritage
Traffic and highway safety
Few job opportunities
Insufficient school capacity
Impact on water and sewerage capacity
Only one shop in the village can survive.
Questionable whether the proposed shop has adequate parking
- I.2 Thames Water
No objection
- I.3 Major Planning Applications Team
Highways - No objection in relation to access and traffic generation.
Object with regard to lack of bus service.
Drainage - No objection subject to condition
Education - No objection subject to primary school contribution of £192,366
Minerals and Waste - No objection
Archaeology - No objection subject to conditions
Cllr Charles Mathew has commented as follows:
I certainly wish to comment on this application on grounds of no bus service and lack of facilities in the village- no pub or shop selling more than papers and bare essentials. The Post office is temporarily housed (three mornings a week) and it would be necessary to get PO permission to move the siting- not an easy task. In addition it is unlikely the Primary School can take the extra pupils and the access to the Primary from Butts Piece is across the road on a dangerous corner- as it stands highly unsatisfactory. In addition the site lies near the Landfill of Dix Pit and it is questionable whether this is a suitable site for residential housing in view of the existence of methane and other gases from the landfill, the subject over the years of much concern within the village. I have severe misgivings.
- I.4 WODC - Arts
A S106 contribution of £6,540 is required towards public art
- I.5 Environment Agency
No comments received
- I.6 WODC Architect
As originally submitted objection was raised in terms of the importance of this open space in the settlement and effect of largely unbroken development across the site. It was considered that there

would be a harmful effect on the historical character of the settlement, giving a much more urban form. along with traffic and domestication.

Advice was given in relation to potential revisions and in light of the amended plans, whilst there is some harm to the Conservation Area (including its other heritage assets), on balance the proposal is now not objected to in heritage terms.

I.7	Historic England	No comments to make.
I.8	Biodiversity Officer	No objection subject to conditions
I.9	ERS Env Health - Lowlands	No objection subject to contaminated land condition.
I.10	WODC Housing Enabler	A policy compliant 40% affordable housing is proposed. Scheme mix to be 70% affordable rent and 30% shared ownership
I.11	WODC Landscape And Forestry Officer	No comments received
I.12	WODC - Sports	A contribution of £46,240.00 off site contribution towards community/sport/recreation facilities within the catchment is required. In addition, £32,720.00 is required for the enhancement and maintenance of existing play/recreation areas within the catchment
I.13	Parish Council	see comments above
I.14	Major Planning Applications Team	see comments above
I.15	WODC - Arts	No Comment Received.
I.16	Environment Agency	see comments above
I.17	WODC Architect	see comments above
I.18	Historic England	see comments above
I.19	Biodiversity Officer	see comments above
I.20	ERS Env Health - Lowlands	I note the absence of any Noise report to indicate that the design and layout has actually considered noise impact. The site is adjacent an Industrial estate. I note that there is open space /ground on the perimeter boundary adjacent the Industrial estate, has this been done deliberately to reduce and buffer the impact of industrial noise?

A comment from the applicants on this issue may be pertinent.

1.21	WODC Housing Enabler	see comments above
1.22	WODC Landscape And Forestry Officer	see comments above
1.23	WODC - Sports	see comments above
1.24	Thames Water	see comments above

2 REPRESENTATIONS

2.1 41 objections have been received referring to the following matters:

- The proposal is large scale development within a Conservation Area. Impact on character and heritage.
- Addition of 60 homes in a category A village is excessive and does not represent infill or conversion.
- Primary school is full and there would be pressure on secondary schools.
- Impact on drainage and flood risk.
- Increase in traffic and impact on highway safety. Unsuitable road network
- No bus service and cycling to neighbouring villages unlikely.
- Limited facilities in the village.
- Loss of green buffer to industrial area
- Impact on ecology.
- No children's play area. Access to facilities elsewhere in the village requires crossing roads.
- Impact on infrastructure.
- Increase in car parking demand
- Locating pre-school away from primary school doesn't make sense.
- Poor water pressure.
- Proximity to landfill site and pollution risk.
- Lack of local employment.
- Development west of Sutton would be more appropriate with a bypass.
- Full details of low cost housing should be provided.
- Impact on privacy.
- Impact on quality of life.
- Precedent for further large scale development.
- Reliability of electricity supply.
- Limited facilities in the village.
- Village can't sustain a shop.
- Impact on archaeology
- Problem of accessing electricity pole in garden if development goes ahead.
- Conflict between private access and proposed footpath to village and consequent danger.

2.2 An expression of support has been received referring to:

- Housing is needed
- Opportunity for a village shop is welcomed

- Development will contribute to village viability
- The site is unused
- Good place to develop in the village

2.3 At the time of writing the formal re-consultation period had not expired and any further representations will be reported at the meeting.

3 APPLICANT'S CASE

3.1 The following is taken from the conclusions in the submitted Planning Statement.

3.2 West Oxfordshire District Council cannot demonstrate a 5-year supply of housing land; evidenced by recent appeal decisions and as required by paragraph 47 of the NPPF. The NPPF recognises at Paragraph 49 that where a Local Planning Authority cannot demonstrate a 5-year supply of deliverable housing land, the policies for the supply of housing should be considered out-of-date, which brings into play the presumption in favour of sustainable development set out at Paragraph 14 of the NPPF.

3.3 The applicants have shown also that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme. It is evident therefore that this scheme is consistent with paragraph 14 in the NPPF and that consequently there is a clear presumption that this application should be granted permission.

3.4 The proposal also accords with those policies of the Development Plan and the emerging Local Plan that are relevant to the consideration of this application and to which weight should be given.

3.5 In light of the forgoing, and having regard to the planning policy considerations set out above, the weight of evidence lies with a decision to approve this planning application.

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
 BE5 Conservation Areas
 BE8 Development affecting the Setting of a Listed Building
 BE13 Archaeological Assessments
 BE18 Pollution
 H2 General residential development standards
 H5 Villages
 H11 Affordable housing on allocated and previously unidentified sites
 NE3 Local Landscape Character
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 SH4 Shopping Facilities for the Local Community
 T1 Traffic Generation
 T2 Pedestrian and Cycle Facilities
 T3 Public Transport Infrastructure

TLC7 Provision for Public Art
 E5NEW Local services and community facilities
 H1NEW Amount and distribution of housing
 H2NEW Delivery of new homes
 H3NEW Affordable Housing
 H4NEW Type and mix of new homes
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 OS5NEW Supporting infrastructure
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 EW2NEW Eynsham-Woodstock sub-area
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The proposal as amended is an outline application for up to 40 dwellings and a shop. This represents a reduction of 20 units, from the originally proposed 60, and removal of the children's nursery. The shop is now proposed to be provided by way of conversion of the existing stable block adjacent to Blackditch. The existing children's nursery will remain on the primary school site. As shown on the illustrative layout, more than half the site area would be retained as open space. A range of supporting information has been provided.
- 5.2 The site is greenfield and currently divided into parcels and used for horse grazing. There is some tree cover and hedgerow to the periphery but the main green feature is a mature hedgerow with trees that crosses and divides the site on an east-west alignment. There is small group of agricultural buildings toward the eastern edge of the site to the rear of The Green.
- 5.3 Part of the land fronts Blackditch to the north and then extends south to the boundary with the former airfield. To the west is the industrial area and some housing. There is also housing adjoining the site to the east.
- 5.4 The site is within the Stanton Harcourt Conservation Area, the boundary of which follows the south and west boundaries of the site. There are a number of listed buildings in the vicinity.
- 5.5 The relevant planning history is as follows:
- 75/0104 - erection of dwelling houses and garages (outline) refused 24/03/75
- 2001/1390 - demolition of disused water tower - approved 16/10/01
- 5.6 The site is identified in the SHELAA 2016, as site 414. The commentary on the site is as follows: "The majority of this site, especially the northern part, provides a valuable contribution to the character of the area and gives an open vista from the centre of the village through to the open countryside beyond. Development would harm the character and appearance of the Conservation Area and adversely affect this site's role as open green space within a network of Green Infrastructure."

- 5.7 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
Heritage
Highways
Trees, landscaping and ecology
Drainage
Residential amenity
Contamination
S106 matters

Principle

- 5.8 Stanton Harcourt (with Sutton) is classified in the Local Plan 2011 as Group A settlement (village). Based on the settlement sustainability assessment (Nov 2016) the village is ranked joint 20th of the 41 settlements assessed in terms of services and facilities available.
- 5.9 The village benefits from services, including a primary school, community building, sports facilities and pub, but the bus service was withdrawn in the summer of 2016 and the village is not located in close proximity to a higher order settlement which would provide a wider range of facilities. It is understood that the viability of the current village shop is questionable. In this regard, it is likely that a higher resident population arising from this scheme and the airfield scheme would increase patronage of a village shop and provide the community with a useful service. In principle, the provision of a shop within this scheme, in close proximity to the village hall and existing development, is not objected to.
- 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 1,978 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 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 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 and the Examination resumed on 9th May 2017, with further sessions timetabled for July 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 allows for limited development in villages which respects the village character and would help to maintain the vitality of these communities. 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.
- 5.16 It is acknowledged that the site does adjoin the existing built up area of the village. Therefore, on the basis of emerging policies for the supply of housing, the location of the development proposed would be acceptable in principle. The negative findings of the SHELAA reflect a red line area, not a proposed scheme. The concerns expressed as regards the impact of development here on character and green space were well founded, but for the reasons that will be set out below it is considered that the proposal in its amended form substantially overcomes these reservations.

Siting, Design and Form

- 5.17 An indicative layout has been provided, and this indicates that a scheme of 40 dwellings can readily be accommodated within the site area.
- 5.18 The layout shows an intention to restrict built form to the east side of the site where buildings would sit behind existing residential development at The Green and north of the former airfield (which has a Committee resolution to approve 50 dwellings). An extensive area on the western half of the site would be retained as open space and when viewed in a wider context would continue to form part of a network of green spaces that link through from the north to the south of the village.
- 5.19 It is understood that the houses would be 2 storey, which would be consistent with the scale of properties in this location. Nevertheless, the house types are for future consideration as part of a subsequent reserved matters application.
- 5.20 The design is likely to be inspired by vernacular forms and will also, in part, reflect the scale and design of the existing airfield buildings, some of which will be retained, but no detailed elevations are available as part of the application.

Heritage and landscape

- 5.21 The site is within the Stanton Harcourt Conservation Area, and there are a large number of listed buildings within it. The setting of all nearby listed buildings and the effect on the Conservation Area need to be considered under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.22 Local Plan Policy BE5 states that the character and appearance of Conservation Areas should not be eroded by the introduction of unsympathetic development proposals within or affecting their setting. Policy BE8 requires that development should not detract from the setting of a listed building.
- 5.23 Section 12 of the NPPF deals with the historic environment and addresses the impact of development on heritage assets. Emerging Local Plan Policy EH7 has been drafted in the light of the NPPF and promotes the conservation and enhancement of West Oxfordshire's historic environment.
- 5.24 The application site forms an important part of the Conservation Area, in being a large area of open space that constitutes a significant proportion of the overall area covered by the designation. Historically Stanton Harcourt, with Sutton, were polyfocal with undeveloped areas between built form. The Conservation Area Character Appraisal identifies a view across the site as important. Officers agree that the openness of the site and its pastoral character provides a pleasant view from Blackditch and allows the agricultural setting for the village to be appreciated.
- 5.25 As originally proposed the development would have effectively closed off the open view from Blackditch by introducing built form across virtually the whole width of the site from east to west. As amended, the development is much more physically and visually contained, in sitting to the rear of Greesleeves and its curtilage, the rear of The Green, and the northern boundary of the airfield.
- 5.26 Green space and an open view would be maintained through the site north to south. Although the proposed access and the proposed shop and its parking would have an urbanising effect to some degree, additional planting at the northern end of the site would soften the effect. Retention of existing mature planting north of the proposed dwellings would provide screening and would be supplemented by additional planting.
- 5.27 To the south there is a public footpath that runs east-west across the airfield and emerges at its western end separated by a field from the application site. Views from this path can be gained to the north across this field towards the site, although this view is filtered by existing mature trees. Whilst the development would be likely to have some visual presence when viewed from the path, particularly in winter, the openness retained through the site would be appreciated. The development would be visible in more glimpsed views from The Green and Main Road.
- 5.28 The nearest Listed Building is the Grade II, Nos. 28/29 Main Road (Leena Cottage). This is a 2.5 storey stone house, formerly two cottages, which sits at angle to Main Road. The proposed pedestrian access from the site to the village would pass the southern boundary of this property. However, it is noted that there is an existing agricultural vehicular access in this location, and access to the dwelling Butts Piece, and therefore some existing activity associated with it. The nearest proposed building would be approximately 35m away, and the quantum of new development overall would significantly change the character of the application site. There

would be some inter-visibility between the Listed Building and the site. Whilst historically the site and other land in this location would have provided a rural setting for the cottage, this has been eroded over time with the construction of Greensleeves and the estate at The Green. Public views of the cottage are only available from Main Road and these would not be affected by the development. It is concluded that there would be less than substantial harm to the setting of Leena Cottage.

- 5.29 No.27 Main Road is Grade II listed and lies to the north of Main Road. This is a 2 storey stone cottage. Given that this building is further away from the site and the other side of Main Road, it is considered that there would be no material effect on its setting.
- 5.30 No.30 Main Road (Smithy Cottage), a Grade II Listed 1.5 storey stone cottage, lies to the north of the site, east of the junction of Main Road and Blackditch. Views from this cottage can be gained towards the site, but there is significant intervening tree cover on the land at the corner of junction. The proposed dwellings would be some distance away, with no inter-visibility. The proposed access, which would be visible from the cottage would have a very limited effect on the setting. There would be no material effect on the setting of this building.
- 5.31 Blackditch Farmhouse lies to the west of the site and is a Grade II listed stone house dating from C17. Although the site would have formed part of the agricultural setting of this farmhouse, its setting has been compromised by the modern development at Farmhouse Close which lies to the east. Given that the proposed built form would be sited away to the east and green space retained in closest proximity to the listed building, it is considered that there would be no material harm to the setting of this building.
- 5.32 The historic core of the village lies to the east of the site, but does not directly adjoin it. Here there is a large number of listed buildings, including the Grade I listed St Michael's Church and buildings associated with Harcourt House. At certain points within the application site the church tower comes into view looking past the south end of The Green. This view would be lost as a result of the development. However, it is a private view and not one currently available to the public. It is not identified as an important view in the Conservation Area. Although the built form would be relatively close to listed buildings to the west side of Main Road, east of the site, their setting is already compromised to some degree by development at The Green and utilitarian agricultural buildings which intervene. Looked at collectively, the setting of the listed buildings east of the site would be harmed to a limited degree and is therefore judged less than substantial.
- 5.33 A number of buildings south of Blackditch, between Blackditch Farmhouse and the site are locally listed and identified in the Conservation Area Character Appraisal. These include the stable block proposed to be converted to provide a shop. The proposed dwellings would be some distance from these buildings and their setting would be largely unchanged. Whilst the conversion to the shop and provision of car parking would introduce some degree of change, the sympathetic reuse of the stables and the provision of a community facility outweigh any harm to this particular building, as a heritage asset within the Conservation Area.
- 5.34 The site is acknowledged to be archaeologically sensitive, and the applicant has undertaken an archaeological field evaluation. The OCC Archaeologist advises that this revealed a spread of predominantly early Iron Age finds, but also later Iron Age and Romano-British activity. The evidence is not so significant as to warrant Scheduled Ancient Monument status, and would not

preclude the development. Conditions are recommended to include further investigation and recording.

- 5.35 The Devils Quoits Scheduled Ancient Monument lies to the south west and would not be materially affected by the development.
- 5.36 It is acknowledged that there would be less than substantial harm to the Conservation Area and some listed buildings within it. This harm needs to be outweighed by public benefits.

Highways

- 5.37 Access would be taken from Blackditch and all vehicular traffic would use this access. A pedestrian route is planned to the north east of the site to emerge between Butts Piece and Leena Cottage onto Main Road. An objection has been received from the occupier of Butts Piece in relation to the footpath, in that they consider that this will lead to conflict between cars and pedestrians. However, only Butts Piece and Leena Cottage use the track off Main Road and this currently provides pedestrian access to The Green. It is considered that residents would be aware of potential vehicle movements here, which in any event would be limited and at very low speed. At Main Road there is a footway on the north side to provide access to the east side of the village, including the school.
- 5.38 OCC Highways raise no objection to the means of access and traffic generation. A tactile crossing at Blackditch will be required to provide access to the village hall.
- 5.39 The Highways Officer notes that the parking proposed appears to be on the low side, but this could be addressed at reserved matters in terms of detailed layout.
- 5.40 There is no longer a timetabled bus service to Stanton Harcourt and on this basis it will not be possible for access for all to be achieved by sustainable means. The site is located within the village and is within reasonable walking and cycling distance of the available, albeit somewhat limited, local services. Nevertheless, it is acknowledged that there would be reliance on the private car for journeys to larger settlements for most services and facilities.
- 5.41 OCC raised the same objection in connection with the proposal for 50 dwellings at the adjoining former airfield (16/01054/OUT). In that case it was argued that the disbenefit of a lack of public transport was outweighed by the benefit of the provision of new housing. Officers remain of this view in connection with the current application.

Trees, landscaping and ecology

- 5.42 The area to be developed is open pasture and no tree removal would be required on this part of the site. Peripheral planting can be retained. However, a short section of the existing hedgerow that runs across the site would be required to allow the access road to pass through. The proposals indicate a net gain in tree planting and landscaping, and a parkland open space with footpaths would be created.
- 5.43 Subject to the submission of a full tree protection plan which can be secured by condition, it is considered that there would be no detriment in landscape terms arising from the treatment of trees on the site.

- 5.44 The submitted ecological report was considered by the Council's Biodiversity Officer and no objection is raised subject to conditions regarding mitigation, enhancements and management for wildlife. The conditions will be provided by way of update at the meeting.

Drainage

- 5.45 The site is within Flood Zone 1 and therefore at low risk of flooding. Although concern has been expressed locally about flooding and drainage, subject to a sustainable drainage scheme being agreed, there is no reason to believe that the development would result in detriment as regards increased flood risk. OCC has no objection subject to condition. Sufficient space is available within the open space to provide attenuation features. No comments were made by the Environment Agency.
- 5.46 No objection is raised by Thames Water regarding sewerage capacity or water supply.

Residential amenity

- 5.47 The indicative layout shows that a development of 40 units can be accommodated on the site without causing impacts on privacy, light or general amenity to neighbouring property. The detailed arrangement of buildings would be addressed at the reserved matters stage in any event, but as shown there would be considerable distance between existing and proposed buildings.
- 5.48 There would be significant separation between the development and the industrial buildings to the west and there would be unlikely to be unacceptable pollution impacts in this regard.

Minerals consultation area

- 5.49 The application site is underlain by deposits of sharp sand and gravel. This mineral resource is small and is now isolated from active mineral working operations. Adjoining land has either already been developed or worked for sand and gravel. The site is heavily constrained by adjoining residential and other development. It is unlikely that the site contains a practically workable sand and gravel deposit. Therefore no objection is raised by OCC on minerals safeguarding policy grounds.

Contamination

- 5.50 The part of the site to be developed lies approximately 180m from the edge of Dix Pit, which has been used for the disposal of non-hazardous waste, including municipal solid waste. Deposit of waste has ceased and the site is now being restored.
- 5.51 The Environment Agency has not commented on the application. WODC Pollution Control Officer raises no objection but recommends a condition to deal with: site investigation; assessment of risk; remediation measures where necessary; and verification of any remediation required before occupation of the development.

S106 matters

- 5.52 The applicant has referred to the provision of 40% affordable housing which is a policy compliant contribution. The mix of housing would be set out in the legal agreement.

- 5.53 A contribution of £6,540 is required towards public art.
- 5.54 A contribution of £46,240.00 off site contribution towards community/sport/recreation facilities within the catchment is required. In addition, £32,720.00 is required for the enhancement and maintenance of existing play/recreation areas within the catchment.
- 5.55 Stanton Harcourt CE Primary School is the designated primary school for this development site and is part of the Eynsham Partnership Academy, a multi academy trust. It is a rural school with a capacity of 105 places for Reception to Year 6 and an Admission Number of 15 (recently expanded from 12). In addition, the school includes a nursery class registered to offer 15 places. The nursery is operating at capacity and there is a known shortfall of 2 year old places in the area. As of January 2017 the school had 96 statutory school age children on roll (i.e. Reception to Year 6) with spare capacity almost entirely concentrated in the oldest year group, who will leave the school in July 2017. Nearly all other year groups are already full, or in excess of capacity. The school is therefore effectively full and does not have sufficient capacity to meet the needs of this proposed development. It would therefore be necessary to expand the capacity of the school.
- 5.56 Initial discussion with the school and the responsible Multi Academy Trust indicated that the school could be expanded in a satisfactory manner through the nursery children being relocated to the nursery building proposed on the application site. Further consideration has led to the school to revise its view, and it now prefers to expand within its current site. As a result the nursery was removed from the proposal. As such, it seeks additional accommodation to increase its intake to 20 children per year group, and also increase its nursery to 20 places. This would provide sufficient capacity to meet the needs of this proposed development as well as the development at Stanton Harcourt Airfield. As such, OCC now seeks £192,366 contribution for the necessary expansion of the primary and nursery education capacity on the site of Stanton Harcourt Primary School.
- 5.57 OCC is not seeking Education contributions to mitigate the impact of this development on Secondary school infrastructure or Special Education Needs. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended), and the need to reserve ability to seek contributions from larger developments than this in the area in future.

Conclusion

- 5.58 The site adjoins a village, which although doesn't provide a full range of amenities is considered a suitable for some new development. This is recognised in emerging Policies OS2 and H2.
- 5.59 The site lies within the Stanton Harcourt Conservation Area and within a relatively short distance of a number of listed buildings. Although there would be some effect in terms of siting significant housing development within the Conservation Area and in a relatively short distance, of listed and unlisted heritage assets, the impact on the setting of these heritage assets is judged either not material or less than substantial, as set out above. The provision of new housing, including 40% affordable, in a suitable location is considered a benefit which outweighs this limited harm in this case.
- 5.60 Existing trees and hedgerow would be retained, save for limited removal to facilitate the access to the development. The development would therefore sit within an established landscape

setting. Additional landscaping would be provided as part of any future scheme to create a new parkland. Whilst there would be some adverse impact on the landscape in replacing pasture with housing, the visual effect would be localised and limited, with very little impact on public views.

- 5.61 The access to the site is acceptable in highways terms, subject to conditions.
- 5.62 The site is at low risk of flooding and a sustainable drainage scheme can be secured by condition.
- 5.63 There would be no impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.64 There is no reason to believe that residential amenity would be unacceptably affected and detailed layout and design will be considered at reserved matters in this regard.
- 5.65 Whilst the constraint of the landfill site is noted, no objection from formal consultees is raised and suitably worded conditions can address potential hazards and mitigation strategies.
- 5.66 Given that the saved Local Plan 2011 Policies for the supply of housing are time expired, 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, policies for the supply of housing are out of date and 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. In this context, there are no technical objections to the scheme other than the withdrawal of the bus service and effect on travel choices. Significant weight is attached to the benefit of the provision of new housing (in general terms), and in particular the required 40% affordable housing in this case. The economic benefits associated with the construction of new dwellings, and potential economic activity associated with new residents are acknowledged. This is considered to outweigh the less than substantial heritage harm and limited landscape harm. Having taken into account material planning matters, and balancing the harm arising with the benefits, it is recommended that the application is approved subject to completion of a legal agreement.

6 CONDITIONS

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
- 2 Details of the scale, appearance, landscaping and layout (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details
- 3 The development shall be carried out in accordance with plan 210 (site location), and in general accordance with plan 214 Rev C (illustrative layout) and 16-1384 V2 (illustrative landscape plan).

For the avoidance of doubt the reserved matters submission shall restrict all new dwellings to the area east of the main access as shown on the submitted amended plans 214 Rev C and 16-1384 V2.

REASON: For the avoidance of doubt as to what is permitted.

- 4 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway on Blackditch including position, layout, and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of any of the dwellings and shop, the means of access shall be constructed and retained in accordance with the approved details. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.
REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.
- 5 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, paths, driveways, turning areas, parking and cycle parking to serve the dwellings and shop, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings or shop, the access, driveways and turning areas and cycle parking to serve those dwellings or the shop shall have been constructed in accordance with the approved details, and shall be retained thereafter.
REASON: In the interests of highway safety.
- 6 Prior to the commencement of the development hereby approved, full details of the direct pedestrian link between the development and Main Road and the public footpath linking to The Green shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to first occupation of any of the dwellings or the shop, these links shall be constructed and retained in accordance with the approved details.
REASON: To ensure safe and suitable access to the development for all persons, and to maximise opportunities for sustainable travel in accordance with NPPF.
- 7 Prior to commencement of the development a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained thereafter. The scheme shall also include:
 - 1) Discharge Rates
 - 2) Discharge Volumes
 - 3) Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)
 - 4) Sizing of features - attenuation volume
 - 5) Infiltration tests to be undertaken in accordance with BRE365
 - 6) Detailed drainage layout with pipe numbers
 - 7) SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
 - 8) Network drainage calculations
 - 9) Phasing plans

REASON: To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government guidance contained within the National Planning Policy Framework.

- 8 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of dust and dirt during construction
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - VIII Hours of operation of the site

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

- 9 The applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological investigation, to be undertaken prior to development commencing. The investigation shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF. (2012)

- 10 Prior to the commencement of the development and following the approval of the Written Scheme of Investigation referred to in condition 9, a staged programme of archaeological investigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF. (2012)

- 11 No development (including site clearance and demolition) shall commence until all existing trees and hedgerow not identified for removal in the submitted tree schedule dated 09/06/2017 and shown on drawing 4005/02/D16-0482 Rev 2 have been protected in accordance with a tree protection plan which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction'. The tree protection plan shall have first been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

12

A. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site.

Moreover, it must include:

- (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages
- (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
- (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems.

B. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority a Verification Report confirming that all works were completed in accordance with the agreed details".

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination.

An assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part B.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with part C.

REASON: To ensure satisfactory development in the interests of the environment and human health.

- 13 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.

- 14 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24Mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.

REASON: In the interest of improving connectivity in the District.

NB Council will be able to advise developers of known network operators in the area.

- 15 The landscaping scheme submitted as part of the reserved matters shall be in general accordance with plan I6-1384 V2 (illustrative landscape masterplan). The scheme shall include a traditional dry stone wall along the site frontage with Blackditch and mouth of the site access where it joins Blackditch, as well as forming the enclosure for the shop, its curtilage and car parking.

REASON: To ensure that a feature of importance to the character of the area is maintained, rebuilt or provided.

- 16 No development shall commence until details of any necessary noise attenuation measures have been submitted to and approved in writing by the local planning authority. Measures shall be identified for any dwelling affected by noise from the industrial development to the west such that it would not conform with the desirable daytime and night time levels set out in BS8233/2014 of internal noise levels in living rooms of 35dB LAeq 16-hour (0700 to 2300hrs) and in bedrooms of 30 dB LAeq 8-hour (2300 - 0700hrs). No dwelling shall be occupied until any measures relevant to it have been carried out as approved. Such measures shall be retained thereafter.

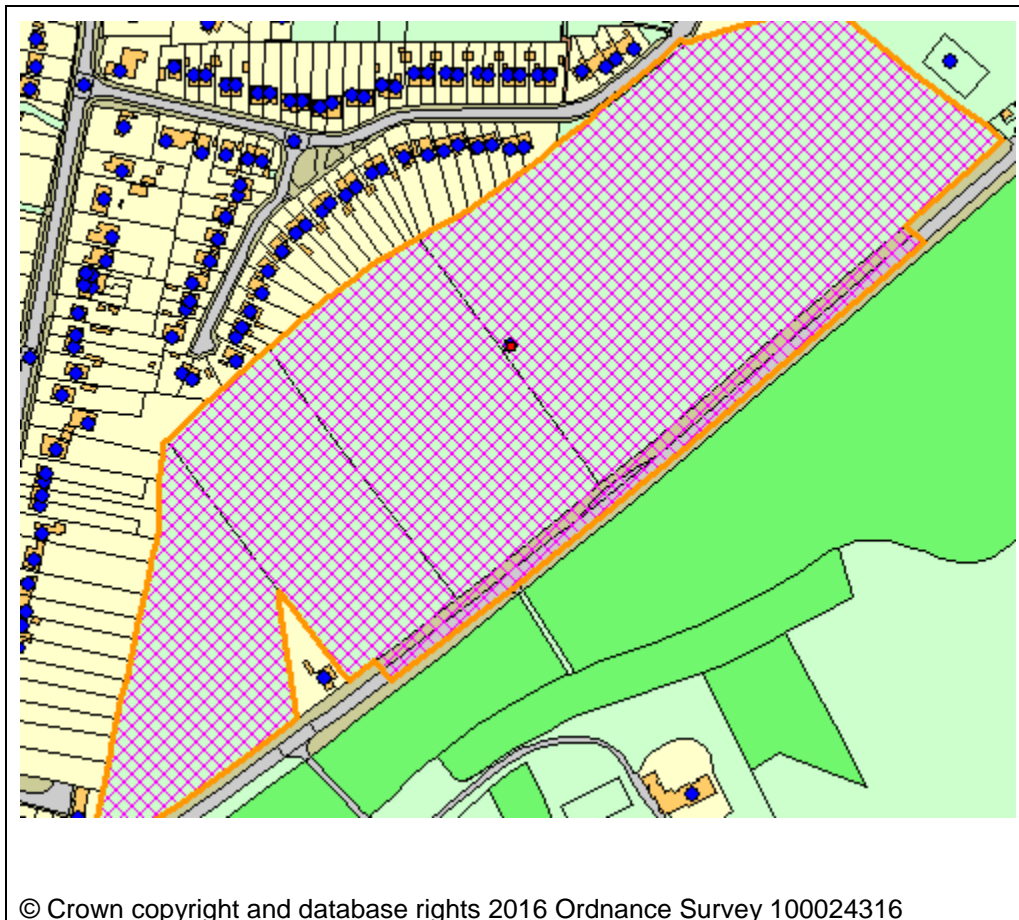
REASON: In the interests of residential amenity.

NOTE TO APPLICANT

- I Please note for your information the following Environment Agency advice that was provided in relation to the adjacent proposal at Stanton Harcourt Airfield (16/01054/OUT):
- The proposed development falls within 250m of a landfill site that is known to be producing landfill gas. Landfill gas consists of methane and carbon dioxide is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance.
- The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.
- Under the conditions of the Environmental Permit for the landfill, the operator is required to monitor for sub-surface migration of landfill gas from the site. An examination of our records of this monitoring show that there is some previous evidence of potential landfill gas migration from the site that could affect the proposed development. (No recent methane exceedances on the boundary of the landfill close to this development, but some past higher levels. Only occasional elevated CO2 levels). This environmental monitoring data from the site is available on our public register.
- You should be aware of the potential risk to the development from landfill gas and should carry out a risk assessment to ensure that the potential risk is adequately addressed. The local authority's Environmental Health and Building Control departments would wish to ensure that any threats from landfill gas have been adequately addressed in the proposed development. This may include building construction techniques that minimise the possibility of landfill gas entering any enclosed structures on the site to be incorporated into the development.
- The following publications provide further advice on the risks from landfill gas and ways of managing these:
- Waste Management Paper No 27
 - Environment Agency LFTGN03 'Guidance on the Management of Landfill Gas'
 - Building Research Establishment guidance - BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001
 - Building Research Establishment guidance - BR 212 'Construction of new buildings on gas-contaminated land' 1991
 - CIRIA Guidance - C665 'Assessing risks posed by hazardous ground gases to buildings' 2007

Application Number	I6/04234/OUT
Site Address	Land North and West and East of Belclose Cottage Witney Road North Leigh Oxfordshire
Date	28th June 2017
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	North Leigh Parish Council
Grid Reference	438829 E 212578 N
Committee Date	10th July 2017

Location Map



Application Details:

Erection of up to 50 dwellings including highway access arrangements from A4095 Witney Road, open space and associated physical infrastructure (means of access only). (Amended description)

Applicant Details:

Rectory Homes Ltd, c/o Agent

I CONSULTATIONS

- I.1 Major Planning Applications Team Highway - objected to lack of a Flood Risk Assessment and to detailed layout issues
- Require contributions towards improving the frequency of bus services, a residential travel plan, two new bus shelters with enhanced information systems
- An archaeology condition is requested along with monies to allow the expansion of the primary school and provision of additional books for the library
- I.2 WODC - Arts Require a S106 contribution of £12,600 towards artist-led functional features to aid connectivity of the site to the existing community and aid orientation
- I.3 Wildlife Trust No Objection but more surveys are required along with how details of a nett gain in biodiversity will be secured and long term management of POS delivered. Raise concerns at off site indirect impacts which need to be minimised
- I.4 WODC Architect No Comment Received.
- I.5 ERS Env Health - Lowlands I know of the site, am aware of the road traffic speeds along A4095 and have read carefully the applicant's noise report.
- I recommend the following conditions to address road traffic noise from the A4095 and noise during construction phase:-
- I. No development shall take place until a site specific Construction Environmental Noise Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
- Procedures for maintaining good public relations including complaint management, public consultation and liaison
 - Arrangements for liaison with the Environmental and Regulatory Services (ERS) at West Oxfordshire Council
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours as included above
 - Mitigation measures as defined in BS 5228: Parts 1 and 2: 2009 + A1:2014
- 'Noise and Vibration Control on Construction and Open Sites' shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.

2. Acoustic design of dwellings:

(i)

The internal noise levels to be achieved in bedrooms and living rooms in residential properties post construction is 30 dBLAeq T (where T is 23:00 - 07:00) and 35 dBLAeq T (where T is 07:00 - 23:00). Noise from individual external events typical to the area shall not exceed 45dBLAmax when measured in bedrooms and living rooms internally between 23:00 and 07:00, post construction. Noise levels in gardens and public open spaces should not exceed 55 dB LAeq 1 hour when measured at any period (in accordance with the World Health Organisation 'Community Noise' guidelines). Unless otherwise agreed in writing by the local planning authority. No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room.

(Note: The relevant British standard is BS 8233:2014 Guidance on sound insulation and noise reduction for buildings)

(ii)

The mitigation measures specified in Section 4.0 of the Road Traffic Noise Assessment completed by Hepworths Acoustics dated December 2016 (Report No. PI6-230-RO1v3) shall be implemented and attained in full prior to the occupation of any residential unit and, thereafter maintained in perpetuity.

Mr ERS Pollution Consultation Due to the size and sensitive nature of the proposed development, a Preliminary Desk Study is required, as a minimum, to assess the suitability of the site in terms of the current land condition.

Please consider attaching the following conditions to any permission granted:

1. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originated on site, the report must include a risk assessment of potential source-pathway-receptor linkages. If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a Remediation Scheme specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development begins.

2 The Remediation Scheme, as agreed in writing by the Local Planning

Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure any contamination of the site is identified and appropriately remediated.

Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF.

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| I.6 | WODC Housing Enabler | No Comment Received. |
| I.7 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.8 | WODC - Sports | <p>£1,156 x 100 = £115,600 off site contribution towards sport/recreation facilities within the catchment and/or onsite provision. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS.</p> <p>£139,916 for the provision and maintenance of an onsite LEAP. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.</p> |
| I.9 | WODC Env Services - Waste Officer | No Comment Received. |
| I.10 | Thames Water | <p>Waste Comments</p> <p>There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover</p> <p>With the information provided Thames Water, has been unable to</p> |

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

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

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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| I.11 | Biodiversity Officer | No objections subject to conditions |
| I.12 | Environment Agency | No Comment Received. |
| I.13 | Parish Council | North Leigh Parish Council objects noting that they were only allowed 21 days to comment on a large and complex application. They consider the proposals contrary to the emerging plan which excludes North Leigh as a site for additional housing and consider the proposal ignores the impact of recently approved developments which will increase the size of the village by 116 units and enlarge the village by more than 30%. It will put a strain on the primary school and ignores that the bus service has recently been reduced. The ghost island and proposal to decommission the layby will increase the risk |

of accidents given the high traffic volumes at peak hours. Should the application be approved the parish require monies to ensure play facilities are upgraded, the cycle land is extended, a ne layby is provided, a roundabout be constructed to serve the site, traffic calming be provided on village roads, bus shelters be provided, land near the allotments be gifted to the PC as a car park and 50 K public art monies be secured

I.14 WODC Planning Policy
Manager

North Leigh is identified in the adopted Local Plan as a 'Group B' Medium-sized village. In terms of new housing proposals, Policy H6 applies which allows for new dwellings provided they are in the form of infilling, rounding off within the existing built up area and the conversion of an appropriate existing building. Policy H6 was however adopted prior to the NPPF and at a time when it was anticipated that housing needs could largely be met through allocated and previously developed sites. More recently, as part of the Government's drive to significantly increase the provision of homes, it has become apparent that some development using edge of settlement, Greenfield sites will be needed to meet identified housing needs. In light of this, Policy H6 (which does not allow for the release of such sites) should not be applied too rigidly, with each case considered on its merits, weighing up the potential benefits of the development versus the harms.

This is not to suggest that the policy should be set aside in its entirety, indeed it remains entirely appropriate to consider whether or not the proposal would represent a 'logical complement to the existing pattern of development' (part of the definition of 'rounding-off' defined in Policy H6). This consideration is consistent with emerging Local Plan Policies OS2 and H2 which also requires development to form a 'logical complement' and to 'be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality'. As set out in the Housing Land Supply Position Statement October 2016, the Council considers that it is able to demonstrate a 5 year housing supply (5.5 years) when applying the Liverpool (residual) methodology and a 5% buffer and, as such, a great deal of weight should be afforded to the relevant existing and emerging policies. At this stage, however, there does need to be a note of caution in the weight to be given because the Council's approach has yet to be tested through the Local Plan Examination (planned for Spring 2017). Nevertheless, it is entirely appropriate to consider how the proposal relates to the existing character of North Leigh, whether it would form a logical complement to the village which integrates well with the existing built form, and to assess the potential cumulative impact of development close to the settlement.

In summary, whilst full weight cannot be afforded to either adopted policy (pre-NPPF) or emerging policy (yet to be adopted), it is appropriate to consider whether in principle the application site represents a suitable location for new housing development. A key

consideration in this regard is the scale of development and its impact on village character and landscape setting.

Adopted Local Plan Policy: H6 BE1, BE21, NE1, NE3, NE6, NE13 BE2 H2T2 T6

Draft Local Plan 2031 Policies: OS2, OS4, OS5 T3 H1, H2, H3, EW2, EH1 EH6

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|------|----------------------------------|----------------------|
| 1.15 | Parish Council | No Comment Received. |
| 1.16 | WODC Architect | No Comment Received. |
| 1.17 | Major Planning Applications Team | No Comment Received. |

2 REPRESENTATIONS

- 2.1 26 representations have been received generally objecting to the proposal. 1 repeat representation has been received to the amended scheme to date.

Principle

- No one is considering cumulative impact of developments at North Witney, Garden Village, Long Hanborough.
- Proposal needs to be considered in light of other developments allowed within the village
- Development of this brownfield land has been declined in the past. What has changed to now make it a viable option?
- Further development at this proposed scale is disproportionate and unsustainable for a village of this size.
- The size of houses proposed are completely out of keeping with the mostly bungalows and chalet bungalows adjacent.
- Houses up to 2.5 storeys out of character with area.
- The development as proposed would be a significant visual intrusion.
- I am in favour of increasing the number of affordable houses in the local area but not in a manner which is totally unsustainable.
- Seems the voice of local people has no say whatsoever in whether these houses are built or not.
- This housing idea is crazy and I strongly object.
- This development would increase the size of the village of North Leigh by 12.5%.
- This is a small village keep it that way.

Traffic

- There have been several accidents at junction of Park Road and A4095 this year.
- Significant traffic disruption.
- Construction traffic disruption with temporary traffic lights.
- There will be mud on the roads during construction.
- 200 additional vehicles.
- A4095 is full to capacity during rush hour times.

- The A40 is not fit for purpose.
- Journey time to Oxford can already be up to an hour and a half for a 12-15 mile trip.
- Emissions from additional cars will affect residents health, can increase dementia and Alzheimers.
- Not NPPF compliant as NL does not have good pedestrian cycle links or good public transport links and does not minimise need to travel.
- Traffic modelling in TA questioned.
- Parking standards not specified.
- Road layout not in enough detail.
- Parking on Common Road and Park Road already affects traffic flow at peak times.
- Need a roundabout onto A40 to make the junction safe.
- Access should be via Common Road and Windmill Road to prevent it becoming a separate settlement.
- The access is a well used layby on the A4095.

Amenities

- Area cannot support further 100 homes.
- Not enough infrastructure (schools, shops, bus service).
- Houses will lose their view of Eynsham Hall Woods.
- The village primary school is reaching capacity.
- GP Surgeries in the area are already under a huge amount of pressure to offer an adequate service for patients.
- The current structure within the village is not adequate for the village as it stands.
- Thames Water are frequently required to remedy blockages and sewage issue.
- Will potentially overlook existing properties.
- Increase in population of village will affect people's perception of personal safety.

Ecology

- Will affect ecology
- The proposed site is currently home to much wildlife including Partridge, Woodcock, Pheasant, Woodpecker, a Barn Owl and Bats. Development of this kind will wipe away their habitat.
- Will be of detriment to the ecological sustainability of the area.
- In light of Brexit we should be thinking about food production not concreting over fields

3 APPLICANT'S CASE

- 3.1 The application is accompanied by several supporting documents. The planning statement (amended) is concluded as follows:

This Planning and Design Statement Addendum has been prepared to explain the rationale and evolution of amendments the proposed development on land at on Land at Witney Road, North Leigh (WODC Application Ref 16/04234/OUT).

Following a careful review of application comments and further discussions with the Council's planning officers, the applicant proposes amendments to the application including a reduction in the scale of the development to up to 50 dwellings with a corresponding reduction in the development site area.

Further detail on the design parameters and Illustrative master plan have been developed to inform and clarify how a sustainable development can be accommodated on the site with acceptable impacts.

In amending the design particular attention has also been paid to the potential impacts on the setting of the village and Eynsham Park as well as providing additional information to demonstrate how an acceptable drainage strategy and ecological enhancements may be achieved.

Planning Balance

- At the current time the existing Local Plan 2011 is now out of date with regard the provision of housing and there is an identified shortfall in housing supply.
- In such circumstances, the NPPF paragraph 14 dictates that the proposal be considered against the presumption in favour of sustainable development. This requires an assessment of planning balance whereby any adverse impacts of the development should significantly and demonstrably outweigh the benefits.
- In accordance with paragraph 7 of the NPPF there are three dimensions to sustainable development: and economic role; a social role and an environmental role. The benefits and adverse impacts of the proposal are summarised under these headings.
- An economic role
- The proposal will provide additional housing where there is an identified requirement to increase housing targets and boost housing supply. The associated construction jobs and local investment during its build out as well as longer term expenditure in the local economy will be of economic benefit to the local area. The proposal has economic benefits and no significant and demonstrable adverse impacts.

A social role

- The development will provide high quality housing in a sustainable location where there is an identified requirement to increase housing targets and boost housing supply. This a significant benefit of the proposal.
- There is a significant unmet need for affordable housing in the area including North Leigh. The proposal will help to address this need by providing up to 40% affordable housing (20 units) which is a significant benefit of the proposal.
- The lack of existing village green areas in North Leigh for recreation was identified through local consultation. The proposed development will provide extensive areas of open space including a play area and village green areas adjacent to Windmill Road and accessible to the existing community. This is a further significant benefit of the proposal.
- The cumulative impact of the current proposal for up to 50 dwellings in addition to the recently approved developments in the village has been considered but there is no evidence that the cumulative impact of these developments will in any way lead to any adverse social impacts.
- There are significant social benefits with no significant and demonstrable adverse impacts.

An environmental role

- North Leigh is identified as a sustainable location for development in both adopted and emerging Local Plans. Furthermore, the site is located where there are realistic alternatives to the car with bus services to Witney and Oxford.

- Witney and Hanborough Station are within reasonable cycle distance via existing off road cycle routes. Hanborough Station is the main hub for rail services to Oxford and London in the District and is a proposed location for further investment.
- The site itself is not subject to any statutory environmental designations. In developing the design strategy, particular regard has been given to landscape setting of the village, wider landscape and Eynsham Hall Registered Park and Garden.
- The site is well contained and is separated from the wider landscape by the existing built form of the village, the A4095 and woodland belts on the fringe of Eynsham Hall Park. Views of the site are experienced within the context of the existing settlement and modern development. The revised development design has had particular regard to site's relationship with the existing village. The buffer to the A4095 has been increased allowing additional landscaping, SUDS and ecological enhancements.
- The development is focused in the eastern part of the site as a logical continuation and extension of Windmill Road. New open space, play facilities and pedestrian access integrate the site with the existing village.
- The development is set back from the A4095 and its vehicular access point to maintain a perception of the rural character of this edge of the village.
- The proposed design protects and enhances key landscape and biodiversity assets within an extensive network of accessible Green Infrastructure which will achieve biodiversity gains and provide opportunities for recreation and social integration.
- Safe and suitable access, appropriate drainage and acceptable levels of amenity can be achieved.
- The proposal will lead to environmental benefits, notably as a result of the landscaping and ecological enhancements, high quality design and open space provision.
- The proposal will change the character of the site and edge of the village but through high quality design this change does not involve any significant harm. The landscape and visual impacts of the proposal overall are considered at worst moderate and the impacts on the setting of Eynsham Hall Park negligible.
- There are no significant and adverse environmental impacts.

The planning balance

In accordance with the presumption in favour of sustainable development, the proposal has demonstrable economic, social and environmental benefits. There are no significant and demonstrable adverse impacts which outweigh these benefits and planning permission should be granted without delay.

4 PLANNING POLICIES

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks outline planning consent for the erection of up to 50 dwellings and associated works. All matters are reserved except for the principle and the means of access. The proposal has been amended, the application initially sought up to 100 dwellings.

- 5.2 The site is off the A4095 at North Leigh, opposite the Eynsham Park Woods. The proposed access will be taken from the A4095.
- 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 The site lies outside the village in an area where development has previously been resisted with the refusal supported at appeal. It does not conform to the policies of the adopted plan in that it is neither infilling nor rounding off. However 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 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.
- 5.5 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.
- 5.6 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 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 and the Examination resumed on 9th May 2017, with further sessions timetabled for July 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. In that regard it should be noted that this site is noted in the SHELAA as having some limited development potential. It states "Development has the potential to integrate well with the form

of the village and the road and footpath network. It would be close to the primary school and has reasonable access to public transport and other village facilities. There would, however, be a landscape impact; special care would need to be taken of the rural setting of the Eynsham Hall woodland, the village and the A4095. This limits the extent of the developable area. Because of the sensitivities of the site, only limited development could be accommodated on this site, most likely restricted to the north eastern part, where the impact of road noise would be limited, and where supplementary landscaping along the main road would help soften the built-form and add to local biodiversity. The land is not of high quality for agriculture. The potential has been recognised in the past by a Local Plan Inspector."

- 5.9 In light of the above the reduced scheme now proposed is considered acceptable in principle provided that the harms arising are considered acceptable.

Siting, Design and Form

- 5.10 The application is in illustrative form with only the access from the A4095 to be considered in detail at this stage. As originally tabled the scheme involved development of almost the entirety of the open wedge of land between the A 4095 and the existing village which at this point sits on rising land. It was shown as having a uniform set back from the A4095 and in your officers opinion would have detracted from the setting of the village, the rural character of the A4095 and the setting of Eynsham Park which is a scheduled Park and Garden and which abuts the southern boundary of the A4095. Considerable negotiation has taken place to seek to address these issues. Development has been concentrated in the NE corner of the site where it most closely associates with the existing village and where the topography and tree screen mean it is least harmful. The proposed access now runs across a generous area of open space before it reaches the built form thereby helping to preserve the sense of the village sitting apart from the A 4095 rather than up to it. A smaller green area has been proposed where the development abuts the village which as it sits on the outside of a bend will form a terminal point in two key views. The road and footpath morphology has been designed to appear more integrated with the existing arrangements rather than as before the estate appearing as an isolated blob of development segregated from the existing built form.
- 5.11 It is considered that the illustrative plans have addressed the concerns identified with the development as originally tabled and with a condition to ensure that the scheme is built out in broad accordance with those details the siting and form are now considered acceptable.

Highways

- 5.12 Highways is the one key detailed matter to be considered at this stage. It is proposed that a new ghosted right turn is created from the A4095 approximately half way along the length of the frontage to the A4095. OCC originally had some technical concerns regarding the design details but these have been addressed by the submission of additional details. Subject to the resolution of an outstanding issue regarding the lack of a flood risk assessment it is considered that there are no highway objections to the proposals, notwithstanding that this is one of the key concerns raised by respondents.

Residential Amenities

- 5.13 As this is an outline application and the details of the layout and design of the units are reserved for a later application the issue of the residential amenity of existing and proposed occupiers will

be largely considered at that stage. The revised illustrative plans show that the proposed units can be sited such that the usual privacy etc dimensions are capable of being achieved with the new units sited gable end on to the existing dwellings such as to minimise the potential for overlooking. Similarly the revised layout details the new units sat in generous plots and with the active frontage of the units nearest to the A 4095 facing that road such that the houses themselves will provide a buffer to create a more quiet rear amenity space. This screening impact will be enhanced by bolstering the roadside tree screen and with the conditions specified by EHO the noise impact is considered acceptable.

Ecological Impacts

- 5.14 The site is currently in pasture use and is bounded and dissected by hedgerows. The revised application keeps all the hedgerows other than to create the new access point and secures approx 1/4 of the revised site area as wildflower meadow/open space/play area. The roadside tree belt will also be substantially enhanced. Both BBOWT and our own ecologist appear satisfied that the main issues are off site impacts e.g increased recreational pressure to North Leigh Common and that with conditions and mitigation secured by condition /106 that the scheme will not adversely impact on any protected species or habitats such as to justify refusal.

Impact on Eynsham Hall Registered Park and Garden

- 5.15 Eynsham Hall is grade 2 listed but the intervening tree belt is such that there is no intervisibility between that building and the site such that the scheme would have a neutral impact on its setting. However the parkland surrounding the Hall is also protected in its own right as a Grade 2 Park and Garden and the boundary of this parkland runs up to the A4095. The scheme as originally conceived had development running in a strip along the A 4095 and would have urbanised the setting of the Park for a considerable portion of its boundary. The urbanising influence of the new ghosted right turn land with views opened up into the proposed housing development was considered to represent sufficient of a harm to justify refusal. The amendments secured have been significant in this respect. Reducing the number of units has enabled much more of the frontage to the A4095 to remain open. Where the access does punch through the hedge it is now to an area of open space with the built form sat further back- as does the existing village. The houses front onto this space to avoid unsightly rear gardens dominating the view and the built form has been pushed into the least visually sensitive part of the site. When assessed against the test set out in paragraph 133 and 134 of the NPPF your officers consider that there will now be less than substantial harm to the significance of the heritage asset and that this is capable of being outweighed by the public benefits of the scheme (see conclusion section of this report) However the less than substantial harm does represent a negative impact of the development.

Legal Agreement

- 5.16 Were approval to be secured a legal agreement would be required to secure the following:

Ecological mitigation measures

Landscape maintenance including for ecological mitigation and play areas

Delivery of affordable housing at policy compliant rate of 40%

Leisure and Art contributions as requested by WODC

Education contributions as requested by OCC

Contributions towards some of the headings as are CIL compliant of the PC requests

Other technical matters

- 5.17 Notwithstanding the concerns raised regarding drainage Thames Water has offered no objections and as such the fears regarding capacity do not justify refusal. The site does not lie within the floodplain but OCC has a holding objection regarding the lack of a FRA. This has now been provided by the applicants and as such it is anticipated that this issue will be resolved shortly. There are no archaeology or contamination issues known but conditions would ensure that if these were discovered that they could be addressed.

Conclusion

- 5.18 The proposal is contrary to adopted policy but has been identified as being capable of accommodating development of this scale in the SHELAA and with the Council currently operating a precautionary approach pending the outcome of the LPI the application has been assessed with the presumption in favour of sustainable development set out at paragraph 14 of the NPPF invoked.
- 5.19 Development will provide social benefits through the provision of additional play spaces and contributions to enhancing existing village infrastructure and the delivery of affordable housing. It will provide Environmental benefits through the enhanced woodland planting and creation of managed wildlife areas though there will be some ecological impact arising from the off site increase in impact on nearby wildlife sites. Economically the scheme will create jobs whilst under construction and the additional population will help to sustain local services and facilities. It will assist with the Councils 5 year housing land supply position and as a relatively modest site should be capable of delivery within the next 5 year period without the delays associated with larger sites.
- 5.20 The scheme is capable of being designed such that the residential amenities of existing and future occupiers will be respected and OCC is satisfied as regards the highways but has a holding objection as regards the drainage and there will be some harm to the setting of the adjoining Registered Parkland which needs to be offset by public benefits if the tests of paragraph 134 of the NPPF are to be met.
- 5.21 Taking all of the above into account your Officers consider that the scheme is acceptable on its merits and anticipate making a recommendation for approval subject to a legal agreement and to conditions. However at the time of agenda preparation responses to the consultation exercise associated with the revised plans still has some time to run and indeed public comment runs until 13th July. As such Officers are seeking delegated authority to determine the application provided that no new material issues are raised in the balance of the consultation period and to the prior agreement of the conditions with the Chairman of the meeting.

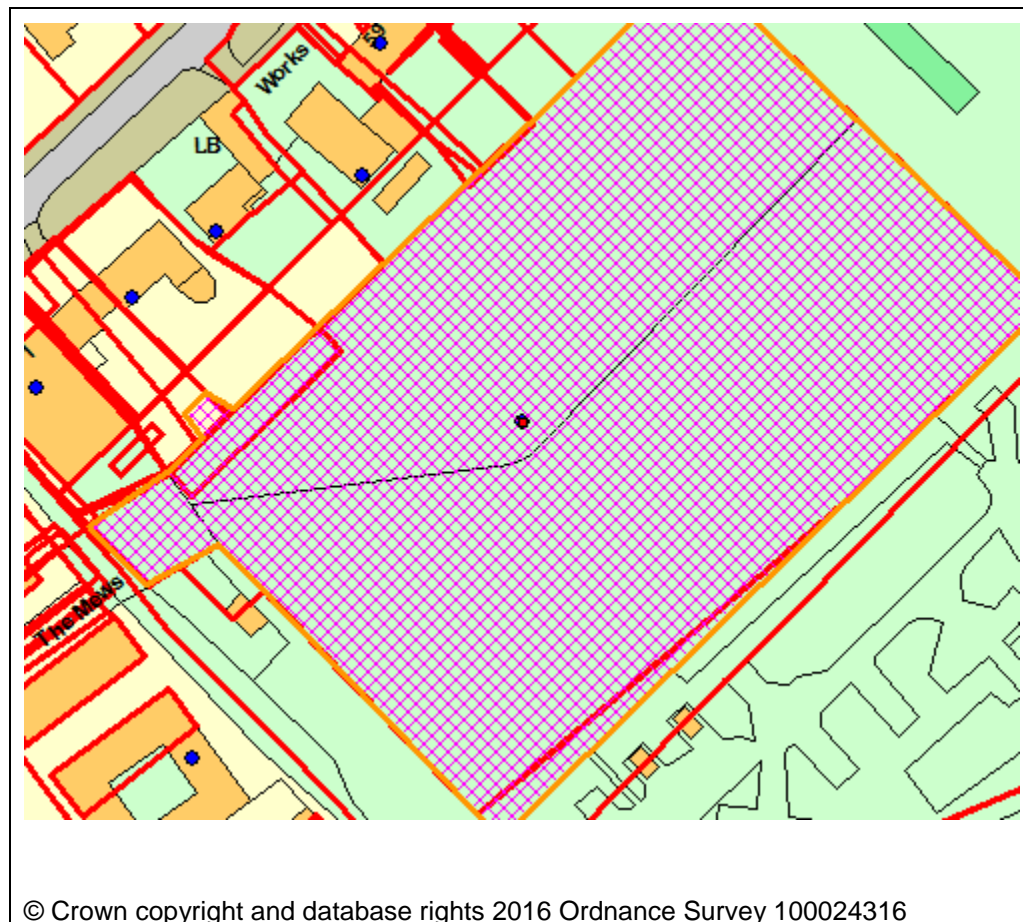
6 RECOMMENDATION

- 1 Officers are seeking delegated authority to determine the application when the consultation period has expired subject to a legal agreement and conditions to be agreed with the chairman but likely to cover:

Time limits
Woodland planting
Open space management
Levels
Compliance with the illustrative plan
Compliance with the ecological mitigation measures
Broadband delivery
Access details
Drainage details
Contamination
Archaeology
Noise/lighting
Etc

Application Number	17/00629/FUL
Site Address	Land to the Rear of 65 High Street Standlake Oxfordshire
Date	28th June 2017
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Standlake Parish Council
Grid Reference	439612 E 202898 N
Committee Date	10th July 2017

Location Map



Application Details:

A hybrid application for the proposed development of ten 'self-build' dwellings, with full details provided for 4 dwellings and 6 outline dwellings with all matters apart from access reserved.

Applicant Details:

W H Country Properties Ltd.
The Old Stables
Back Lane
Aston

I CONSULTATIONS

- | | | |
|-----|----------------------------------|--|
| I.1 | Parish Council | Standlake PC object:
Proposed dwellings will overlook and cause loss of privacy to existing properties on High Street.
Will put intolerable pressure on sewerage network.
Proposal is contrary to policy H6.
Would set a precedent for similar applications.
Traffic generation is potentially considerable.
Does not conform to emerging policy H2 as large executive style dwellings do not comply with operation or specific need. |
| I.2 | Major Planning Applications Team | Transport
Objection on the grounds of lack of information on site drainage and lack of vehicle tracking for a refuse vehicle of 11.6m in length.

Archaeology
No objection

Property
No objection

Minerals and waste
No objection |
| I.3 | WODC - Arts | We have considered the scale and type of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site. |
| I.4 | Ecologist | I recommend that an Ecological Impact Assessment is required before determination of this application in order to provide the necessary ecological information, including an updated desk study of existing records, an updated assessment for protected and priority species, an updated habitat survey (including a woodland ground flora survey at the appropriate time of year, i.e. April-June), an assessment of the impacts of the proposed development and recommendations for mitigation and compensation measures.
I will await the submission of the Ecological Impact Assessment before making additional comments and recommendations for planning conditions. |
| I.5 | WODC Architect | No Comment Received. |

I.6	WODC Drainage Engineers	No Comment Received.
I.7	Environment Agency	No Comment Received.
I.8	ERS Env Health - Lowlands	ERS Pollution Consultation Should the approval be granted the following is recommended:-

1. Prior to the commencement of the development hereby permitted a land contamination assessment and associated remedial strategy, together with a timetable of works, shall be submitted to and approved in writing by the Local Planning Authority:

(a) The land contamination assessment shall include a desk study and site reconnaissance and shall be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses, identify risks to human health and the environment, and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be submitted and approved in writing by the Local Planning Authority prior to investigations commencing on site.

(b) The site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

2. Prior to occupation of the development hereby permitted:

(a) Approved remediation works shall be carried out in full on site under a Quality Assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority in writing.

(b) A completion report shall be submitted to and approved in writing by the Local Planning Authority. The completion report shall include details of the proposed remediation works and Quality Assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the completion report together with the necessary waste transfer documentation detailing what waste materials have been removed from the site.

(c) A certificate signed by the developer shall be submitted to the

Local Planning Authority confirming that the appropriate works have been undertaken as detailed in the completion report.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework.

- I.9 WODC Landscape And Forestry Officer No Comment Received.
- I.10 WODC Legal And Estates No Comment Received.
- I.11 WODC - Sports $\pounds 1,156 \times 10 = \pounds 11,560$ off site contribution towards sport/recreation facilities within the catchment. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS.
- $\pounds 818 \times 10 = \pounds 8,180$ for the enhancement and maintenance of play/recreation areas within the catchment. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.
- I.12 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.
- Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
- Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to

developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

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.

1.13 Parish Council No Comment Received.

2 REPRESENTATIONS

2.1 33 letters have been received objecting to the scheme and are summarised as follows:

Principle of development

- This and other current applications, if approved, will significantly impact Standlake and Brighthampton, with its current limited infrastructure and road traffic issues, and will negatively impact the village.
- A strategic assessment of the ability of Standlake/Brighthampton to cope with significant increased housing in proportion to its current size and facilities is warranted and approval of this and other current applications may encourage further speculative applications that the village and its infrastructure cannot sustain.
- While a need for some housing is recognised, Standlake, including Brighthampton does not have the necessary infrastructure in terms of shop facilities, road safety facilities, road access facilities, recreation facilities and public transport access to cater for the development of multiple housing sites.
- As they as self build the noise and inconvenience levels would be extremely stressful to those living nearby for a longer period
- The plan for the proposed 10 houses are not 'affordable housing' and therefore do not satisfy the requirements for needing more houses in Standlake
- It is duplicitous to call this development 'in-filling' when there are no houses on the other side of it.
- Having reviewed the revised planning applications, the changes appear quite insubstantial, amounting to re-alignment of 3 houses and an attempt to retain more trees on the site.
- The village has one shop, one close-to-capacity primary school, one pub and a limited bus service. Building 10 more houses would be unlikely to enhance the vitality of the village.
- The small school is nearing maximum capacity and the bus service has been reduced in service.
- One of the great attractions of living in Standlake is the ribbon development of the village. It's buildings are laid out before you and the whole is backdropped with farmland and trees. It would be true to say that any further development behind the street line would change the character of this village.

Highways

- Increased volume in traffic, which is already a difficulty in this area particularly on the A415, will result in further difficulty in accessing the High Street in Standlake and in accessing the A415 from the High Street.
- Visibility is already poor at this latter point and current volumes and the potential for increased volume raises significant road safety concerns for both car occupants and pedestrians.
- Lincoln Farm Park is a popular leisure facility in this area and increased traffic will impact access and layout of the park.
- increased traffic from ten houses will cause more damage not to mention the damage caused by delivery vehicles during the construction period.

Drainage

- Standlake has had serious problems with the disposal and management of sewerage systems in the last few years. This application is on the table at the same time as 17/0063 I/FUL for a further 6 homes and a speculative scheme for 40+ homes proposed by Spitfire Developments on the Abingdon Road.
- Whilst we have to acknowledge the need for more housing, particularly of the affordable type, it is essential to make sure that the supporting infrastructure in terms of water/sewerage and power are up to the job. Raw sewerage emerging from the manholes in the High Street as has happened in the recent past when the ground water levels are high as a result of local flooding and high river levels, is both unsafe and unpleasant.
- Thames Water have used tankering services on a regular basis over the last few winters to cope with problems in the pumping station in the High Street and further development will serve to compound the difficulty.
- The effects of replacing natural land (that facilitates water drainage) with these houses can only concentrate floodwater into other adjacent areas.
- As stated in the Parish Council objection, Thames Water stated in 2014 that 20 more houses could be accommodated with the current infrastructure. As I understand it this number will already have effectively been used up with other developments underway and completed.
- The development will lead to 20 extra cars using the Farm Park access road. Lots of small children staying at the Farm Park caravan site use this access road so there are significant safety implications.
- The negative impact of site traffic, noise, pollution etc in this part of the village of a large building plot for months/years. The ongoing development at No 67 High St is ample evidence of the impact of a prolonged building project on the immediate neighbours of the development.

Ecology

- The reality is that the proposed site is unsuitable for 10 houses without felling large numbers of trees to make way for the size of properties proposed. The plans use the wording 'where possible', indicating that the trees represent a hindrance to building.
- Furthermore, the Arboricultural Development Report and Tree Survey makes it clear that the trees are in public view from both sides of the High Street, so it is not just High Street residents on the east side of the High Street who would be affected.

- Ecological impacts on the wildlife of Standlake makes the astonishing claim that the development offers the opportunity to enhance the biodiversity value of the site. How this would be achieved when many of the trees would be felled is a mystery.

Residential amenity

- Impact on neighbouring houses - all the houses which back onto the development will have their unimpeded views of countryside spoiled by this development.
- Lincoln Farm Park Caravan Park will be affected. With holiday makers both being disappointed having a quiet holiday in a country village and drive past a substantial newly developed housing estate and building site.

3 APPLICANT'S CASE

3.1 The Planning Statement is concluded as follows:

- The starting point of consideration of the scheme, is whether, in principle, the site can be redeveloped for residential purposes.
- For the reasons set out above, and based on the assessment of similar applications within close vicinity of the application site, it is considered that the principle of redeveloping the site for residential purposes is acceptable and accords with both local and national planning policy and guidance.
- This is further supported by the Government's clear intentions to support the delivery of new homes, especially those in sustainable locations. Emerging guidance on the provision of self build and custom build houses also carries increasing weight with the Government pledging to almost double the delivery of these plots over the next 5 years.
- The scheme has been designed to ensure that no neighbour amenity issues will arise as a result of the proposals, and it has been demonstrated within the accompanying Transport Statement that there will be no detrimental impact upon the surrounding road network.
- Existing landscaping where possible has been retained, with the provision of a central area of green open space which provides an attractive landscaping focal point to the development, in addition to increased opportunity to support existing ecology on and around the site.
- In accordance with the guidance found within paragraph 14 of the NPPF, there will be no significant adverse impacts should development be permitted that would demonstrably outweigh the benefits of allowing development.
- The planning application which is the subject of this statement is considered to accord with the relevant policy framework guidance of the West Oxfordshire Local Plan and National Planning Policy Guidance. The proposed development of 10 self-build units, will positively contribute to the area and contribute to the districts supply of housing in a sustainable location.

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
 NE6 Retention of Trees, Woodlands and Hedgerows

NE13 Biodiversity Conservation
H2 General residential development standards
H3 Range and type of residential accommodation
H6 Medium-sized villages
OS5NEW Supporting infrastructure
OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design
EH3NEW Public realm and green infrastructure
EH1NEW Landscape character
EH2NEW Biodiversity
H4NEW Type and mix of new homes
H2NEW Delivery of new homes
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to a backland site located between the High Street frontage and Lincoln Park caravan site to the rear. It is a former nursery that is now used as a paddock but has a number of trees associated with the former use located within it. These trees and the trees surrounding the site are its key feature as they are visible from a wide variety of vantage points and provide an attractive backdrop to the High Street frontage.
- 5.2 The proposal is an unusual hybrid application where the details of some of the units are provided at this stage but the remainder of the site is an outline merely looking to establish the principle with the details to follow at a later stage. Members will recall that a similar proposal on site was withdrawn prior to determination (16/01526/FUL).
- 5.3 In terms of its form the scheme has aimed to keep as many of the key trees as possible and has grouped the dwellings around them in a loose courtyard. The house types for the detailed units are neo vernacular forms and all the units are detached from each other. Access is to be taken in the NW corner of the site onto the road serving the caravan site and thence to the High Street. A garage for one of the frontage units is also proposed as part of the scheme.
- 5.4 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

- 5.5 This is a site where planning permission has previously been refused and dismissed at appeal. However those refusal reasons were primarily centred on the lack of compliance with the then prevailing policy context as opposed to physical or technical objections. That policy context has now changed with the policies of the adopted plan increasingly out of date. 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 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.

- 5.6 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.
- 5.7 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.8 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.
- 5.9 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions timetabled for July 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.
- 5.10 In terms of the policies of the emerging plan they identify Standlake as a settlement where development on previously developed land within the built up area and on undeveloped land where there is a need to meet identified housing needs is acceptable subject to a series of criteria regarding the scale, impact, neighbourliness, that it is a logical complement to the pattern of development, respects trees and wildlife etc (See policy H2) Thus whether assessed against the tilted balance of the NPPF or the policies of the emerging plan your officers consider that a development of this general form is not precluded by policy unless the harms are such as to justify refusal.

Siting, Design and Form

- 5.11 This is a large plot and to some extent this scheme could be considered an under development of the site. However that would be to ignore the importance of the trees on site and the contribution that they make to the leafy backdrop to the houses in High Street and more generally in what is a generally flat landscape where taller trees are more widely visible. Considerable negotiation has taken place seeking to reconcile the applicants requirements for some large units and the overall number of units whilst at the same time ensuring that the key

trees are retained with sufficient space to ensure that they are not unduly compromised in future. Most of the more recent negotiations have centred on plot 5 which as submitted was considered to have an unacceptable impact. Revised plans have now been tabled that have addressed your officers concerns and subject to a condition to require the balance of the details this is now considered acceptable. The details of the "outline" plots is of course more sketchy as these will only be received as reserved matters but the form and spans detailed on the revised plans are such that it should be possible to ensure a good scheme.

Highways

- 5.12 This has been a key concern of local respondents who are concerned at the inadequacies of the access road serving the caravan park and its ability to serve the new estate- particularly as regards pedestrian safety as a number of street trees limit vision. This has been the subject of extensive negotiation between OCC and the applicants with various additional plans provided demonstrating tracking plans and vision splays. In his most recent response the highway officer advises as follows:

"The applicant proposes that residents will access the site from the existing private road which runs from the Standlake High Street in a southerly direction. There is good visibility on to the High Street from this junction in both directions. It is also an existing access and the proposed development will not result in a significant intensification of use of it.

The applicant has proposed visibility splays in accordance with Manual for Streets of 2.4m x 25m in a north-westerly direction and 2.4m x 11m in a southerly direction. I consider these proposed visibility splays to be adequate in the circumstances. However, some of the land over which they stretch in a north-westerly direction appears to be outside the red line boundary displayed in drawing 15124 - L01. The applicant will need to demonstrate that they have the appropriate legal rights to maintain these visibility splays.

In my original response I asked the applicant's Transport Consultant to provide evidence that the applicant has appropriate rights of access. They have provided a copy of the title deeds for the private road that leads from Standlake High Street to the site access, and for the site itself. Therefore, I withdraw my objection because of this.

Drawing No. 1524 - P0010 - E displays an access lane with a total width of 4.8m. It appears as though the applicant intends for this to be a shared space facility. The table in Paragraph 5.2 of Oxfordshire County Council's Residential Roads Design Guide states that, in order to be a shared space facility, an access lane that will serve this type of development should have a total width of 6m with either a 1.8m wide pedestrian over-runnable area or 2 x 1m where the kerb height is less than 25mm. Therefore, this proposed access road would not be of an adoptable standard. However, this is intended to be a private road as it abuts another private road. Therefore it is adequate to serve a development of this size. The only comment I have is that motorists might overrun the grass verges, particularly if they have to pass a refuse lorry. This could lead to debris accumulating on the access road and other roads. Therefore, I withdraw my objection because of this.

The applicant needs to provide a drainage strategy for this site to adhere to the planning conditions that I strongly advise West Oxfordshire District Council to attach with this full planning application, as this will help provide safe and suitable access to and around the site.

Vehicle Tracking Analysis

In my last response of 13 April 2017 I asked the applicant to provide a drawing which would show that a refuse vehicle of not less than 11.6m in length could enter, turn in and exit the development safely in forward gear. I have since received Drawing No. J32-2613-002b, which shows that they can do this.

Therefore, I withdraw my original objection on these grounds".

- 5.13 With the Highway Authority having thoroughly investigated the various elements that comprised the concerns and having now withdrawn their objections your officers would advise that a highways based refusal reason would not be likely to be sustained at appeal.

Residential Amenities

- 5.14 This is a key issue as at present the properties running along the south side of the High Street currently enjoy a very open southerly aspect across the open site thereby enjoying a very high standard of privacy and amenity. Clearly that will change with the development of the site for residential development. However the applicants have sought to respect that high standard of amenity by avoiding new units along some elements of the boundary and by siting the new units approx 35m away in face to face relationships elsewhere. This far exceeds the usual privacy minimum of 21 m. Where a gable comes closer than 35m it only has windows at ground floor level and of course the retained tree belt will provide further screening. With conditions to control permitted development rights and means of enclosure the neighbour impact is considered acceptable.
- 5.15 Dealing with the amenity of the units themselves the low density of development occasioned by the need to ensure tree retention means that the houses are loosely spaced within generous plots such that they will enjoy a high standard of amenity.
- 5.16 The final issue relates to the relationship to the caravan site to the south. At present there is a very high belt of poplar trees that provides good screening but which also casts a shadow towards the nearest proposed houses. However this lies outside the application site and as such the decisions as to whether it is reduced or retained will rest with the owner of the trees rather than incoming occupiers. Were they removed adequate privacy could be secured by the erection of suitable fencing.

Other matters

- 5.17 It will be noted that OCC are requesting a drainage plan and that Thames Water are not objecting. These matters can be addressed by condition. The holding objection from the Councils ecologist has resulted in the submission of a further survey and so it is anticipated that this concern will be addressed. There are no affordable housing requirements for a scheme of this scale.

Section 106 agreement

- 5.18 A legal agreement will be required to secure the monies requested by WODC Leisure which are considered proportionate and CIL compliant.

Conclusion

- 5.19 This is a site with a planning history and where development has historically been resisted. However the policy context has changed and whether tested against the policies of the emerging plan or the tilted balance of the NPPF it is the form of development required to enable the new housing targets to be delivered. There are no technical objections that either have not been addressed or which cannot be addressed by condition. As such and notwithstanding that there has been a considerable volume of objection your officers consider that the scheme is acceptable on its merits and recommend conditional approval subject to the applicants first entering into a legal agreement to secure the requested contributions.

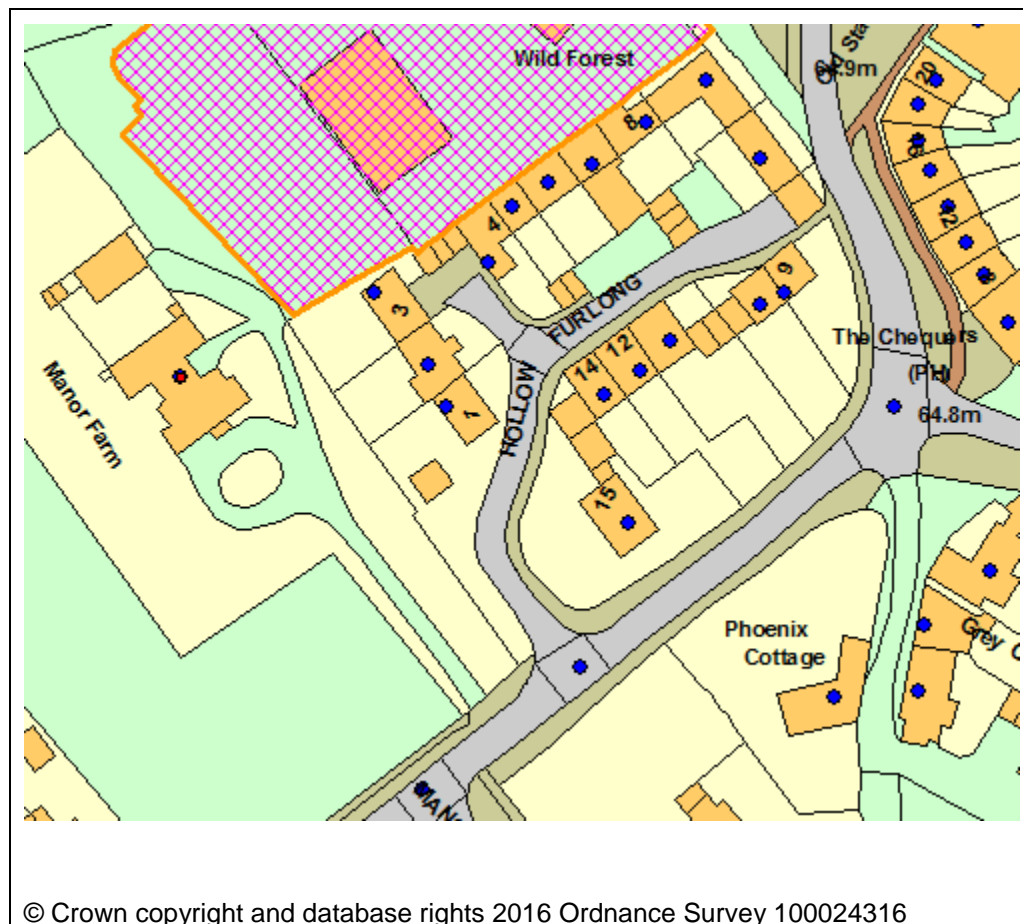
6 RECOMMENDATION

At the time of agenda preparation Officers are seeking to ascertain how the computer system will be configured in order to issue a hybrid decision which will need conditions that apply to all the site and bespoke conditions applying to the outline and detailed elements. Matters that will need to be addressed include:

- Full time limits
- Outline time limits
- Matters reserved for future approval on outline application
- Amended plans
- Reserved matters to generally follow revised plans
- Boundary treatments
- Tree protection details
- Ecological mitigation works
- Drainage
- Access
- Vision splays
- Removal of pd rights for new windows and extensions
- Contamination
- Materials samples
- Architectural details
- Broadband connections
- Etc

Application Number	I7/00609/FUL
Site Address	Manor Farm Eynsham Road Cassington Witney Oxfordshire OX29 4DL
Date	28th June 2017
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Cassington Parish Council
Grid Reference	445254 E 210630 N
Committee Date	10th July 2017

Location Map



Application Details:

Demolition of existing Dutch barns and erection of 10 dwellings together with associated works and formation of vehicular access.

Applicant Details:
Mr Matthew Neilson
C/o agent

I CONSULTATIONS

- | | | |
|-----|----------------------------------|--|
| I.1 | Major Planning Applications Team | Highways
Objection. This is based on the grounds that no drainage strategy has been submitted for the planning application site and the applicant does not have the necessary land within his red line boundary to construct their access.
Section 106 contribution of £3,000 is sought towards the cost of stopping up the access between Horsemere Lane and the A40. |
| I.2 | Parish Council | No Comment Received. |
| I.3 | Major Planning Applications Team | No Comment Received. |
| I.4 | WODC - Arts | We have considered the scale and type of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site. |
| I.5 | WODC Architect | No Comment Received. |
| I.6 | Biodiversity Officer | The proposed development would have limited biodiversity impact due to the type of barns and the lack of natural habitats within the site (majority comprises hardstanding). The proposal therefore provides a significant opportunity to provide biodiversity enhancement and should result in a net gain for biodiversity, for example habitat creation (e.g. wildflower meadow) within the "planted meadow fruit garden" and the central green area and the incorporation of integrated bird and bat boxes within the eaves of the new dwellings. |
| I.7 | ERS Env Health - Lowlands | Mr ERS Pollution Consultation The following conditions are recommended:-

I. Prior to the commencement of the development hereby permitted a land contamination assessment and associated remedial strategy, together with a timetable of works, shall be submitted to and approved in writing by the Local Planning Authority:
(a) The land contamination assessment shall include a desk study and site reconnaissance and shall be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses, identify risks to human health and the environment, and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be submitted and approved in writing by the Local Planning Authority prior to investigations commencing on site. |

(b) The site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

2. Prior to occupation of the development hereby permitted:

(a) Approved remediation works shall be carried out in full on site under a Quality Assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority in writing.

(b) A completion report shall be submitted to and approved in writing by the Local Planning Authority. The completion report shall include details of the proposed remediation works and Quality Assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the completion report together with the necessary waste transfer documentation detailing what waste materials have been removed from the site.

(c) A certificate signed by the developer shall be submitted to the Local Planning Authority confirming that the appropriate works have been undertaken as detailed in the completion report.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework.

1.8 WODC Housing Enabler

This application is for the development of 10 new dwellings, which is below West Oxon's policy threshold for affordable housing. Therefore I have no comments to make on this application. However a contribution to local affordable housing via an off-site financial contribution would be welcomed, as it would assist the Council in meeting its identified affordable housing need.

1.9 WODC - Sports

$\pounds 1,156 \times 10 = \pounds 11,560$ off site contribution towards sport/recreation facilities in Cassington.
 $\pounds 818 \times 10 = \pounds 8,180$ for the enhancement and maintenance of

play/recreation areas in Cassington.

- I.10 Thames Water No Comment Received.
- I.11 WODC Env Services - Waste Officer No Comment Received.
- I.12 Parish Council
We do not consider the existing access to the site via the triangle next to The Green is satisfactory. If not improved it will create potential traffic problems and difficulty for pedestrians using the crossing point on The Green opposite Hollow Furlong, where there is a dropped curb. Vision at this point is impaired by the height of a hedge so vehicles coming from the Eynsham Road towards The Green cannot be seen.
We understand that Blenheim Estates are producing an access plan and therefore we would wish to see the application deferred until this plan is available. We have been in touch with Blenheim Estates who are in agreement with this. Without this plan the council objects to the application on the grounds of inadequate access.
The council objects to the fact that there is no Affordable Housing as part of the development. If Blenheim Estates do not wish to include Affordable Housing within the site then an alternative site for this a type of housing should be provided to meet this demand within the village possibly located at Barrow Court.
The council is concerned that there is insufficient visitor parking on the site and the design needs to be improved to reflect this. The council already has an issue with insufficient parking spaces at the village hall car park and given its close proximity to Manor Farm we do not wish to see it used as an overflow parking area for the development.

2 REPRESENTATIONS

- 2.1 Thirteen letters of objection received summarised as follows:

Principle

- The proposed development does not accord with the provisions of the Development Plan.
- The draft 2016 SHEELA recognises that this is a "sensitive" site close to the centre of the village and that, "the number of properties that could be accommodated on this site, is therefore, severely limited". A potential number of six properties is identified.
- The draft 2016 SHEELA fails to identify the Farways development on the edge of the village as a potential site but Farways site would be more appropriate for development.
- The Manor Farm site is in the centre of the village and involves further intrusion into the Green Belt.
- The assertion by the applicant that it represents an "in-fill" development is questionable.
- The NPPF states development in Green Belt should be strictly controlled to safeguard countryside.
- No benefit to Cassington to allow these houses.
- Infrastructure not sufficient in Cassington to support more houses.

- No need to executive type housing.

Highways

- The access to site would represent a significant danger to pedestrians using the public footpath.
- The lack of adequate parking mentioned above would result in still more cars needing to park on the service road at the entrance to the site.
- The service road is also often used for short-term parking by village hall users, people picking up children from the school and people staying at the Chequers pub.
- The site appears too small for the proposed number of 10 houses. They would be crammed in without adequate parking.
- While each house has been allocated two spaces, it is likely these days that some properties would own more than two cars.
- The proposal for 'flush kerbs' would only encourage parking on the verges.
- The access has prevented development prior to this application and the access hasn't changed.
- Concern about the future of the bridle way that runs adjacent to site as changes were made historically to the width and it has not been returned to its original width so the site has incorporated what should be bridle way.

Existing use

- Claim that Manor Farm is no longer in use, is at best misleading.
- It has been in constant use for many years by the tenant of Purwell Farm.
- The yard is also used for access to the adjacent fields, and during harvest time can be a hive of activity.

Design and residential amenities

- The style of the proposed new houses, while attractive in itself, does not accord with the character of the centuries-old barns, and would obscure them from view.
- Dense two storey development is intrusive to countryside.
- Single storey more appropriate.
- The new development would ruin the aspect and privacy of the barn conversions.
- It would reduce the market value of adjacent properties.
- The site appears too small for the proposed number of 10 houses.
- The landscaping provision, involving positioning of trees immediately adjacent to the properties in Hollow Furlong would severely impact on the light in these properties and expose the foundations to future undermining by roots.

Drainage

- The proposed development would increase the risk of flooding to the current dwellings in the Hollow Furlong development which lie at a lower level than the farmyard and the proposed new houses.
- the site of the proposed new development, has a history of being flooded by large puddles for days on end after heavy rain.

3 APPLICANT'S CASE

3.1 The Design and Access Statement is summarised as follows:

This sensitively designed proposal makes the most effective use of infill site.

The proposal follows in the footsteps of the Chequers Crescent and Hollow Furlong and serves to enhance the sense of enclosure and activity around the green. The provision of ten new dwellings in Cassington will serve to enhance the sustainability of the settlement affording increased investment into local services and facilities.

The scheme will change the character of the views from the rear windows to the converted barns on Hollow Furlong. The design of the proposal has been carried out with these windows in mind and the scheme designed not to unduly harm in respect of overlooking the amenity of the properties.

The proposal does not try to stand out or fight for attention - like the Chequers scheme it attempts to reinforce the village centre and it is hoped that within ten years it will be indistinguishable from the other vernacular buildings within the village, adding to the traditional character still present in Cassington along the Eynsham Road.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
H2 General residential development standards
H5 Villages
T1 Traffic Generation
T2 Pedestrian and Cycle Facilities
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
T1NEW Sustainable transport
T3NEW Public transport, walking and cycling
T4NEW Parking provision
EH7NEW Historic Environment
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

5.1 This application relates to a site located in the centre of the village currently occupied by modern agricultural barns. It seeks the removal of the barns and their replacement with a terraced courtyard of vernacularly styled cottages and associated parking areas. An area of woodland/orchard would also be created.

- 5.2 The site will be accessed from an unmade track opposite the Village Hall and there are existing dwellings in Hollow Furlong that back onto the site with other dwellings at manor Farm and Thornfield also in close proximity.
- 5.3 The site lies adjacent to a footpath which sits outside the boundary of the site. It also falls within the Oxford Green Belt and the Cassington Conservation Area.
- 5.4 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

- 5.5 Green Belt policy is very restrictive upon new development and development that is classed as "inappropriate" is by definition considered harmful to the Green Belt and should not be approved except in very special circumstances. Construction of new buildings is considered to be "inappropriate" other than "limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan" or "limited infilling or the partial or complete redevelopment of previously developed sites whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development". The purpose of designating land as Green Belt is to check the unrestricted sprawl of large built up areas, to prevent neighbouring towns merging, to assist in safeguarding the countryside from encroachment, to preserve the setting of historic towns and to assist in urban regeneration by encouraging recycling of derelict and other urban land.
- 5.6 In that the site is already occupied by large and unsightly farm buildings, that the scheme uses previously developed (agricultural) land and is a logical compliment to the pattern of development sitting between existing residential properties and not pushing into the undeveloped fields beyond, your officers consider that it comprises the form of infilling envisaged by the NPPF as being exceptionally acceptable under the terms of Green Belt Policy and that as such the principle of development is not ruled out by Green Belt Policy in this instance.
- 5.7 In terms of the policies of the adopted plan, they do allow for infilling and conversion including redevelopment of existing buildings to create new dwellings. However these policies are increasingly out of date. The emerging plan allows limited development that respects the village character and would help maintain the vitality of these communities and provided there is no conflict with Green belt policies. Again these do not carry full weight as yet. Indeed, 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 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.

- 5.8 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.
- 5.9 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.10 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.
- 5.11 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions timetabled for July 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. However it is important to note in that regard that the so called tilted balance is NOT in place as the Green belt policies of the NPPF mean this is one of the limited occasions where it is disapplied.
- 5.12 Having weighed up all of the above your officers consider that as the proposal is not inappropriate development and is in compliance with the policies aimed at protecting the Green Belt and the purposes for which it was designated that development is acceptable in principle in this instance.

Siting, Design and Form

- 5.13 This is of particular importance as the form of the scheme has to not be materially larger than the development it replaces and the location within the Conservation Area means that development must preserve and or enhance the character and or appearance of the Conservation Area. In that regard your officers would commend the approach taken by the applicants who have commissioned a scheme of modest stone neo vernacular cottage style dwellings arranged in an attractive curved courtyard form and approx 8m to ridge. The curved form will create a sense of enclosure around a central green space whilst within the development whilst at the same time ensures that it sits within the visual built envelope of the village. Boundaries to the footpath and countryside are a mix of stone walls and hedges and the bike and bin stores have been design as bothy/outhouse type buildings to add visual interest. The designs needs some minor tweaks to centre windows and ensure that the glazing patterns respect local traditions but this can be addressed by condition.

- 5.14 The architect has stated that his aim was not to stand out but to re-inforce the village centre with the hope that after 10 years it will be indistinguishable from other vernacular buildings adding to the traditional character still present. Your officers would concur that in contrast with the current unsightly large farm buildings that will be replaced the scheme when built out should help to reinforce the character of this part of the settlement and offers considerable betterment in comparison with the extant built form. As such it is considered policy compliant.

Highways

- 5.15 Members will note that initially there was a holding objection from OCC as regards the ability to access the site from the adopted Highway. This concern is also reflected in the comments received from the Parish Council. By way of response the agent tabled additional information and OCC has advised that whilst the junction looks unusual, given that there would be minimal traffic movements this is not a severe issue. They note the proximity to the Right of Way but consider the visibility splays are adequate but in the absence of a drainage strategy maintain this as a holding objection. However this is a matter that can be addressed by condition. Thus, whilst there is local concern regarding the access arrangements OCC in its capacity as Highway Authority is not objecting and as such this is not considered to represent a reason for refusal.

Residential Amenities

- 5.16 This is also a key issue in that the properties in Hollow Furlong have an active frontage with the application site. In that regard there will clearly be some potential for betterment with the replacement of a farmyard with the potential for smells and use during unsocial hours etc against a more neighbourly residential use. However the potential for overlooking etc and disturbance with increased vehicular traffic will also need to be factored in.
- 5.17 In that regard the applicants have worked hard to minimise the impact. The units are sited to the north of the most affected dwellings and so no loss of sunlight will occur. They are also set off the common boundary by the width of the access road and a planted margin. The dwellings are set gable end on such that there is no potential for direct overlooking and in general it is set away from areas where there are windows and where that is unavoidable the windows affected are secondary in nature. Your officers consider that the scheme would be acceptable in its own right but when assessed alongside the betterment of the loss of activity of a farmyard this further reinforces the position that residential amenity concerns would not justify refusal.

S106 contributions

- 5.18 Highways Section 106 contribution of £3,000 is sought towards the cost of stopping up the access between Horsemere Lane and the A40.
- 5.19 Sport $£1,156 \times 10 = £11,560$ off site contribution towards sport/recreation facilities in Cassington. Play $£818 \times 10 = £8,180$ for the enhancement and maintenance of play/recreation areas in Cassington.
- 5.20 It is understood that the Parish Council and developer are in separate negotiation about further contributions and that in principle the developer is prepared to consider these. However at the time of agenda preparation the exact details are not yet known and so a verbal update as regards this element will need to be given at the meeting.

Other issues

- 5.21 It will be noted that there are no other issues by way of drainage, flooding, archaeology, contamination or ecology that have been raised that are not capable of being resolved by condition and as such these matters are not considered to justify a refusal.

Conclusion

- 5.20 The site lies within the Green Belt where development is highly constrained. However the scheme is not considered to be inappropriate development and is considered to conform to the relevant extant and emerging housing policies for the village and the provisions of the NPPF as regards Green Belt policy. The site is also located within the Conservation Area but is considered to enhance its character and appearance in contrast to the unsightly existing buildings on site. Access and the impact on the right of way have been much commented upon but are considered acceptable by the relevant competent authority and the impact on the residential amenities of neighbouring dwellings is considered acceptable/beneficial- albeit that this is not a view that many of them hold themselves. There are no other technical objections that cannot be resolved by condition and as such approval subject to conditions and to a legal agreement is recommended.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of 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 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 development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to extensions, alterations or garden buildings.
- 4 The external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 5 The walls of the proposed building shall be laid and pointed with 'bagged' joints unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that a traditional practice of the area is carried out in the interests of the finished appearance of the building.
- 6 The roof(s) shall be covered with slates/tiles a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.

- 7 Notwithstanding the submitted details, prior to the commencement of development revised details indicating the windows at first floor level centred on the window below and of a 2 light and not 3 light form shall be submitted to and approved in writing by the LPA and the development shall only be built out in accordance with those revised details.
REASON: To respect the architectural traditions of the area and preserve the Conservation Area
- 8 All new external joinery shall be painted or stained in a colour that has been submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained in that colour.
REASON: To ensure that the building details are in keeping with the local vernacular style.
- 9 An archaeological watching brief shall be maintained during the period of construction/during any ground works taking place on the site in accordance with a written specification that has been first submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the recording and inspection of matters of archaeological importance on site.
- 10 Before development commences, details of the provision of boxes for shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed as approved before first use or occupation of the building and so retained thereafter.
REASON: To safeguard and enhance biodiversity during development and thereafter.
- 11 Before development takes place, details of the provision of bat roosting features and nesting opportunities for birds (House martin, House sparrow, Starling and Swift) into the new dwellings shall be submitted to the local planning authority for approval, including a drawing showing the locations and types of features. The approved details shall be implemented before the dwellings hereby approved are first occupied, and thereafter permanently maintained.
REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework, Policy NE13 of the West Oxfordshire District Local Plan 2011 and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 12 A Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:
- i. Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species
 - ii. Description and evaluation of features to be managed; including location(s) shown on a site map
 - iii. Landscape and ecological trends and constraints on site that might influence management
 - iv. Aims and objectives of management
 - v. Appropriate management options for achieving aims and objectives;
 - vi. Prescriptions for management actions;
 - vii. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period)
 - viii. Details of the body or organisation responsible for implementation of the plan;
 - ix. Ongoing monitoring and remedial measures;
 - x. Timeframe for reviewing the plan; and

xi. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: To maintain and enhance biodiversity, and to ensure long-term management in perpetuity, in accordance with the NPPF (in particular section 11), Policy NE13 of the West Oxfordshire District Local Plan 2011 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act.

- 13 Prior to first occupation a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

REASON: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

- 14 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates Highway boundary
- Discharge Volumes
- Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)
- Sizing of features - attenuation volume
- Infiltration tests to be undertaken in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing plans
- Flood Risk Assessment

REASON: To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government guidance contained within the National Planning Policy Framework.

- 15 Prior to the commencement of the development hereby approved, full details of the means of access between the land and The Green, including position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the means of access shall be constructed and retained in accordance with the approved details. The vision splays shall always be kept clear of any obstruction higher than 0.6m.

REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

- 16 Prior to the first occupation of the development hereby permitted, a plan showing the number, location and design of cycle parking for the development shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shown on the agreed plan shall be provided for the development prior to first occupation. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.
REASON: To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.
- 17 Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.
- 18 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.
- 19 Development shall not begin until a construction phase traffic management plan has been submitted and approved by the Local Planning Authority and the approved plan shall be implemented and adhered to throughout the period of construction.
REASON: In the interests of Highway safety.
- 20 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24Mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.
REASON: In the interest of improving connectivity in the District.
- NB Council will be able to advise developers of known network operators in the area.
- 21 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing

by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To ensure the safeguarding of the character and landscape of the area during and post development.

- 22 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the use hereby permitted is commenced.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.

- 23 No other part of the development shall be commenced until:-
- a) A detailed site investigation has been carried out to establish:-
 - I. If the site is contaminated;
 - II. To assess the degree and nature of the contamination present;
 - III. To determine the potential for the pollution of the water environment by contaminants and
 - IV. The implication for residential development of the site and the quality of residential environment for future occupiers.Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority, and
 - b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority, and
 - c) A scheme showing appropriate measures to prevent the pollution of the water environment, to ensure the integrity of the residential development hereby approved and to ensure an adequate quality of residential environment for future occupiers in the light of such results and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.
- Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.
REASON: To ensure the means to prevent pollution and secure a safe environment for the development of and future occupiers of the site.

NOTES TO APPLICANT

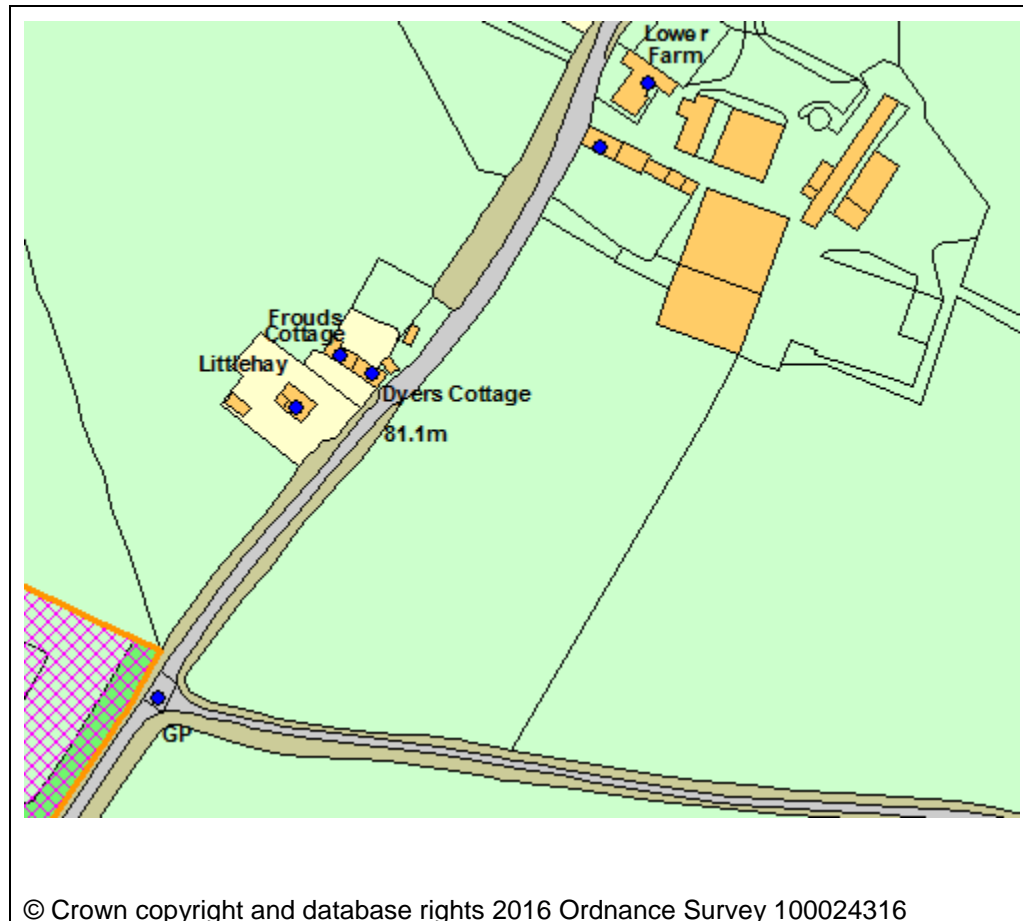
- I The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. ^In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works^. Further information can be found at the West Oxfordshire District Council website:
<http://www.westoxon.gov.uk/residents/planning-building/planning-policy/local-development-framework/local-plan-evidence-base/> (download a copy of the 'Biodiversity and Planning in Oxfordshire' guidance document under the heading 'Environment, nature and open space' and

selecting 'Biodiversity' from the drop down box)

- 2 If any of the roads within the new development are to be offered up for adoption to the Local Highway Authority, a S38 Agreement will be required. For any private roads, a Private Road Agreement will be required between the developer and Oxfordshire County Council. For guidance and information on road adoptions please contact the County's Road Agreements Team on 01865 815700 or email Road.Agreements@oxfordshire.gov.uk
- 3 No Highway materials or construction methods have been approved at this stage. The detailed design will be subject to a full technical audit if it is to be submitted for adoption.
- 4 Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners.
- 5 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.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

Application Number	17/00873/FUL
Site Address	Tennis Club House Broadwell Lechlade Oxfordshire GL7 3QS
Date	28th June 2017
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Broadwell Parish Council
Grid Reference	424754 E 203375 N
Committee Date	10th July 2017

Location Map



Application Details:

Erection of floodlights to tennis courts. (Part retrospective)

Applicant Details:

Mr Benjamin Morley
Goodfellows
Filkins
Lechlade
Oxfordshire
GL7 3JG

I CONSULTATIONS

- I.1 Parish Council A full version of the Parish Council's response can be viewed on the Council's website. The response concluded as follows:
- However, we believe that more lighting over the four courts, more tightly focused on the playing area, could actually reduce spillage from current levels. We would have no objection to a revised application if the following changes were made:
- (1) All columns to be green, as in the 2014 application
 - (2) Confirmation that existing and planned columns will not exceed 8 metres
 - (3) The inclusion of a Lighting Engineer's spill plan showing acceptable lux levels outside the court perimeter (not just inside the court)
 - (4) Confirmation from the applicant that the angling of reflectors will not be altered in the future from the settings approved by WODC.
- I.2 OCC Highways The proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view, therefore I offer no objection.
- I.3 ERS Env Health - Lowlands The following conditions were recommended by this Team in a very recent application for the lighting of tennis court in Cotswolds and I suggest the same are also considered in the context presented here at Broadwell. I note the previous Decision Notice had limited emphasis on light nuisance control conditions. There is an opportunity here to tighten up on the management of any light spillage/pollution on neighbouring residential amenity.
- Conditions:
1. Details of the proposed floodlighting of the tennis courts shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles). The scheme shall involve no more than 15 columns and twenty eight (1000w) lights. Columns shall be no

higher than 8 metres high. The scheme shall be limited to luminaries with double asymmetric beams. The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

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

3. To minimise light Glare from the Luminaires, the main beam angle shall not be directed towards any potential observer and at an angle greater than 70° (In accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light: 2011).

4. The use of the flood lighting shall be restricted to between 16:00 and 21:30 Mondays to Saturdays, and 16:00 to 21:00 on Sundays and Bank or Statutory Holidays.

2 REPRESENTATIONS

None received at the time of writing.

3 APPLICANT'S CASE

- 3.1 In 2014 we applied for permission for further floodlighting at Colston Lawn Tennis Club, planning ref: 14/1142/P/FP and were granted permission on the 22nd September 2014.
- 3.2 The application was to provide additional floodlighting to three existing all weather hard courts of the six at the club. Three courts already had existing flood lights, which were the singles court and the two pair of courts closest to our two near neighbours. The plan was to move the new lights further away from their properties.
- 3.3 On advice from one of the WODC planning officers (Kim Smith) who came out to visit our site, we now submit a further application to cover the change in materials used and add lighting to the same specification to 4th court, which was the singles court previously lit.
- 3.4 The original application was for 12 x 8m green columns with 18 x RLS TE 1000W luminaries to light 3 courts.
- 3.5 This new application is for 15 x 8m galvanised columns with 28 x Lugo MH 1000W sports light in colour black to light 4 courts in a row.
- 3.6 The lights on this new application will be tilted downwards as per the diagrams enclosed and are on a par as far as light output and spillage as the lights previously given permission for.

4 PLANNING POLICIES

BE2 General Development Standards

BE21 Light Pollution

OS2NEW Locating development in the right places

EH6NEW Environmental protection

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

5 PLANNING ASSESSMENT

5.1 This application seeks part retrospective consent for the erection of floodlighting to serve Broadwell Tennis Club. Planning permission was granted under ref. 14/1142/P/FP for the erection of twelve 8m high green flood lights on three of the tennis courts at Broadwell Tennis Club. This application is seeking consent for the erection of fifteen 8m high galvanised floodlights covering four of the tennis courts. The site is not within any special designated areas of control.

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

Impact on the Character and Appearance of the Area

Residential Amenities

Principle

5.3 The principle of the erection of floodlights to serve the tennis courts has already been approved through planning permission 14/1142/P/FP. Officers now have to assess the change in impact the siting of 3 additional columns with all 15 lights tilted directly downwards will have in comparison to the previously approved scheme with regard to the below considerations.

Impact on the Character and Appearance of the Area

5.4 Given that the site does not fall within any special designated areas of control, and that the land is enclosed and screened by well established, tall landscaping, Officers do not consider that the three additional columns and change in colour from green to unpainted galvanised steel will result in any significant or harmful change to the approved application in this context. As such, the application is considered to be acceptable in these terms.

Residential Amenities

5.5 In this regard, consideration of the impact of light spillage on nearby residential properties has been given by the Council's Technical Pollution Service. Whilst there are three additional flood lights proposed to serve a fourth tennis court, if planning permission is given for the erection of these additional lights then this will actually mean that there is more control over the light spillage, direction and illumination levels from all of the lights as conditions can be imposed to control these aspects. Planning permission 14/1142/P/FP for the erection of 12 flood lights has no conditions imposed to control light nuisance. Therefore, no objections have been raised in this respect subject to the conditions which are outlined at the end of this report. As such, the application is considered to be acceptable in these terms.

Conclusion

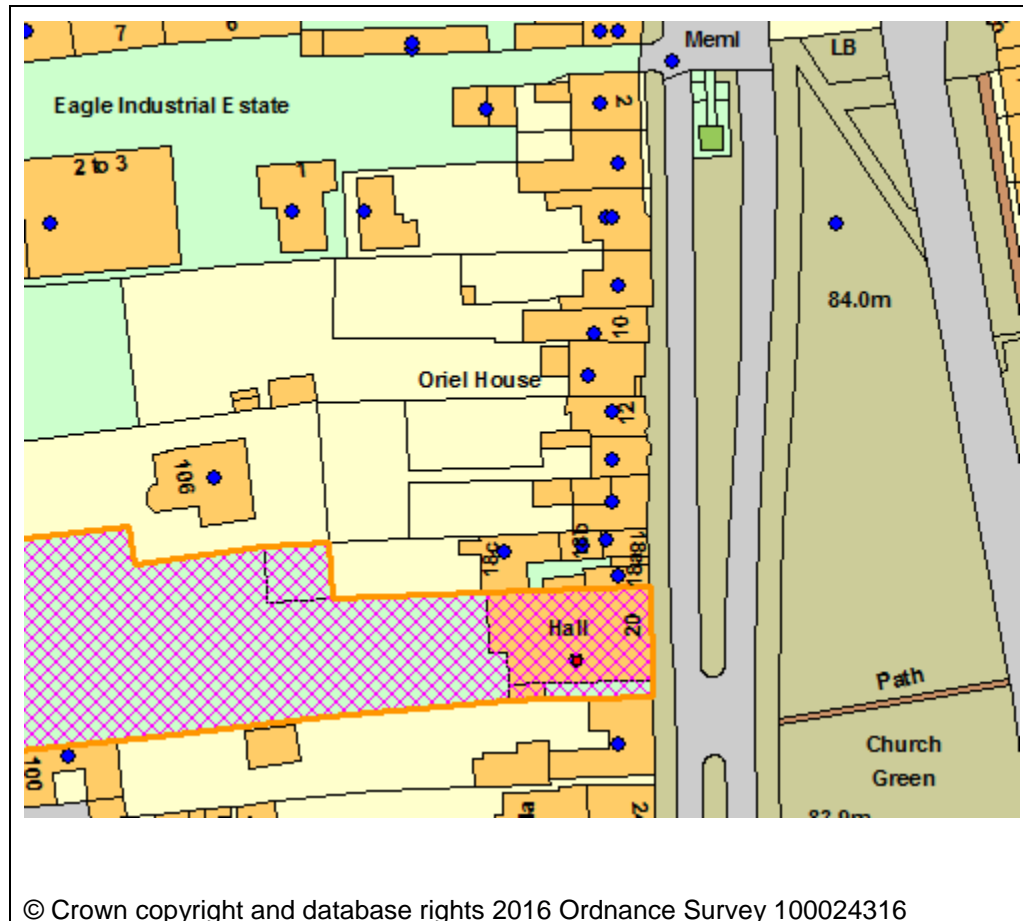
- 5.6 In light of the above, the application is considered to be acceptable and compliant with policies BE2 and BE21 of the adopted West Oxfordshire Local Plan 2011, OS2 and EH6 of the emerging West Oxfordshire Local Plan 2031, and relevant paragraphs of the NPPF.

6 CONDITIONS

- 1 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.
- 2 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.
- 3 Details of the proposed floodlighting of the tennis courts shall be submitted to, and approved in writing by, the Local Planning Authority prior to the erection of the additional floodlights and within 1 month of the date of this permission. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles). The scheme shall involve no more than 15 columns and twenty eight (1000w) lights. Columns shall be no higher than 8 metres high. The scheme shall be limited to luminaries with double asymmetric beams. The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.
REASON: To limit light spillage/nuisance in the interests of residential amenity.
- 4 Light trespass into the windows of any light sensitive premises (e.g. residential properties) shall not have a Vertical Illuminance greater than 5 Lux (In accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light GN01:2011).
REASON: To limit light spillage/nuisance in the interests of residential amenity.
- 5 To minimise light Glare from the Luminaires, the main beam angle shall not be directed towards any potential observer and at an angle greater than 70o (In accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light: 2011).
REASON: To limit light spillage/nuisance in the interests of residential amenity.
- 6 The use of the flood lighting shall be restricted to between 16:00 and 21:30 Mondays to Saturdays, and 16:00 to 21:00 on Sundays and Bank or Statutory Holidays.
REASON: To limit light spillage/nuisance in the interests of residential amenity.

Application Number	17/01193/FUL
Site Address	Masonic Hall 20 Church Green Witney Oxfordshire OX28 4AW
Date	28th June 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435568 E 209422 N
Committee Date	10th July 2017

Location Map



Application Details:

Alterations, refurbishment and new rear extension to improve facilities to the Witney Masonic Centre. (Amended Plans to include alterations to proposed fenestration and location of notice board, part retrospective)

Applicant Details:

Witney Masonic Centre Ltd
Masonic Hall
20 Church Green
Witney
Oxfordshire
OX28 4AW

I CONSULTATIONS

- I.1 OCC Highways No objection
- I.2 Town Council
Witney Town Council objects to this application. The Town Council has concerns over the effect on the residential neighbouring properties due to the potential for increased commercial activity which is contrary to Policy OS4 of the West Oxfordshire Emerging Local Plan which states "development should not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties"; the proposal does not "preserve or enhance areas, buildings and features of historic, architectural and environmental importance" (Policy OS4) as the proposed materials are not in keeping with the existing listed building or the neighbouring listed properties which are 200 years old. Witney Town Council also questions whether the proposal should include an application for change of use from DI (non-residential use) to BI (commercial). If the application is passed by West Oxfordshire District Council, the Town Council requests that the development does not take place until residents parking permits are introduced, as the proposal will result in the loss of parking spaces and generate an increase in traffic commensurate with the increase in business.

2 REPRESENTATIONS

2.1 Objections received from:

W K Dobson & Mrs V Dobson of 18C Church Green
Ross Wackett of 106 The Crofts
Katherine and Patrick Stout of 22 Church Green

2.2 Comments have been summarised as:

- Contrary to Policy No WIT 1 of the Local Plan designates it as an area where "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)." For the avoidance of all doubt, the policy is re-emphasised at paragraph 9.45 of the Local Plan: "In the Buttercross/Church Green area south of Corn Street and Langdale Gate the Council will continue to resist any further intensification of shopping or commercial development."
- Loss of parking, three existing staff places and two disabled spaces.

- Further pressure on the scarce parking spaces on and around Church Green.
- Noise issues by moving the main entrance to the car park.
- Inaccuracy of plans.
- Increase in smoking at rear of building.
- Scale and appearance of extension.
- Result in shadowing and loss of view.
- Affect setting of Listed Buildings.
- Additional building will inevitably overlook our house and garden.
- Not suited to being a heavily used wedding reception venue given the close proximity of many residential properties.
- The statement goes on to discuss the design of the extension, it states 'it will match closely the existing building and vernacular of the town'. This is a very misleading statement, as the plans detail render and Welsh slate, not in keeping at all with its immediate and surrounding properties.
- Sad to lose a historic hall to save energy.
- It also could open up potential problems with security as the barrier is often left open for events.
- The mass of the proposed entrance/toilet facilities which is of concern to us, and considering the proposed venue size increase, we have to question the need for such a large extension. Taking aside the expansion of commercial facilities which is in question, increasing the size of the building past the existing building line.
- We also have concerns about smells from the toilet facilities so close to our kitchen area.

2.3 Further comments received:

2.4 Emails have been received from neighbours concerned at not being notified of the amended plans and wishing the application to be deferred from last month's meeting. Also further comments received regarding the officer's planning assessment section which have been summarised below. It is understood that these emails have also been sent to Members of the Lowlands Planning Sub-Committee.

- However we do wish to comment on the Planning Assessment submitted by officers of the Council, and in particular on paragraph 5.4, which discusses the proposal in relation to Policy WITI of the West Oxfordshire Local Plan 2011.
- Policy WITI is clear: "The change of use of existing premises to shopping/commercial use or any further intensification of existing shopping/commercial use will not be permitted...." Then there is provision for an exception to this general embargo on commercial intensification: "...where the proposed use would be incidental to the primary permitted use of the building (e.g. working from home)" We have put these last three words in italics, because they were omitted from the summary of Policy WITI given in paragraph 5.4, and we think they provide a vital indication of how the exception clause was meant to be used.
- Why did the authors of the Local Plan add the phrase "(e.g. working from home)" to the exception clause? To us the answer seems clear. They wanted to ensure that the clause was used for modest, domestic-scale projects posing no threat to the residential character of the area, such as a small single-storey office extension in the back garden of a family home, and not as a loophole through which to squeeze projects contrary to the central thrust of the policy against further commercialisation.

- Application No 17/01193/FUL is not about an individual homeowner working away in his garden shed. At nearly nine metres high and over ten metres long, its sheer scale places it far beyond the intended scope of the exception clause. The Design and Access Statement sets out its central purpose as "to widen its use for social and commercial use", and the scale of the proposed new facilities shows there is nothing modest or domestic-scale about their commercial ambitions, whatever Policy WITI may say. Paragraph 5.4 goes on to describe the main use of the Witney Masonic Centre as a "public hall". Surely not. The main use of the Witney Masonic Centre is as a Masonic Centre. It is a private institution with limited company status. Its commercial activities are just that: commercial activities.
- It was identified by the Town Council that a commercial limited company, not an institution was the applicant and as such the usage of the building for D1 was questioned. Having reviewed the D1 condition myself it states that to use the venue as a dancehall it should be D2, something that is very common at the venue. With the business looking to increase commercial operations I would have to agree with the Town Council that a review of the conditions should be undertaken as it is not clear.
- At time of writing we have not seen any amended plans, neither have you received all your consultation responses, in the circumstances should this application not be deferred? The objections to this application cover a number of points some of which may, or may not now be valid? I find it incomprehensible that you are approving a scheme that no one has had the opportunity to comment on, ordinarily should this not have been submitted to the Council and the Committee as a revised application allowing everyone the opportunity to consider and comment.
- In principle you have stated that improving the venue is acceptable, we would not disagree, however this is not just an improvement of the space, this is doubling the commercial size of the venue. As such, this increased activity which is detailed in the applicants design and access statement clearly states the alterations are to "widen its use for social and commercial use". This is completely at odds with your comments that "the proposed use of the extension will be incidental to the main use of the building as a public hall". The current commercial space will be over doubled, can you consider this incidental? From the Councils own guidelines "incidental" could be classed as someone working from home, doubling a venue's commercial capacity surely cannot be classed as Incidental! I would also like to point out that WITI stipulates that any "loss of privacy will not be supported", a main entrance to a venue, I think this is a major loss of privacy. Unless I have misunderstood I strongly disagree with your comments, this application in the form we have read is clearly contrary to WITI A2.3.1, 3.4.2 WIT3 and OS4.
- Noise is one of our main concerns, currently we have an acceptable balance where the hall is used infrequently for weekend and evening events. On the occasions where the fire door is open the noise from the venue is excessive, however as it is infrequent it is bearable. Now the venue wants to open the hall up with double doors to the car park and with a potential increase in events this would clearly effect ours, and our neighbours living conditions as all our gardens surround the proposed development. Sadly, there is no planning condition stipulated at all external doors should be auto closing, such a condition would help with the noise. The lack of any conditions set out in your approval recommendation shows the lack of consideration the applicant and the Council have given to ours, and our neighbours living conditions, this is contrary to WITI 3.4.2 and OS4.

- I fail to understand the relevance of your comment "they would not require permission to place a door in a listed building", it would not be possible to relocate a door without alterations to the fabric of this building, and it is this building we are talking about so I find such comments irrelevant. You went on to comment "However the owner of the Hall could request that if users of the hall wanted to smoke, to arrange for them to use the front as occurs now". We understand your intention but it would have had more weight if you had stated that it should be a planning condition that no smoking is allowed in the car park. As I am sure you will appreciate all our gardens adjoin the car park and two of our properties are within 5 meters of the proposed entrance, we do not want to be subjected to passive smoking and this further underpins our concerns that our living conditions will be undermined by this application should it be approved, without such conditions this is again contrary to OS4.
- We agree, extending a listed building should be allowed, subject to design, scale and impact to residential amenities. Currently the scale of this development has been objected to by the Residents, The Town Council, West Oxfordshire District Council Architect and the listed building officer have all questioned its size, as such I think we are all in agreement it is too big. In addition, it can clearly be shown that this development would impact all the immediate neighbours with the current plans as the Council have sought changes. I would also draw your attention to our own planning application where we were not allowed to cross the existing building line, why is this rule not being enforced for this application? We have yet to see the amended plans but would welcome the opportunity to comment prior to any decision.
- We have not seen the amended plans so we are unable to comment, however on the submitted plans the extension is clearly detrimental to the appearance of a listed building. Also the listed building office has highlighted "I think it is a great pity that they are not retaining at least some double-height space in the area of the courtyard infill, as the resultant forms are architecturally dull" Hopefully these comments will have greater weight with the committee.
- Again, we have not been privy to the revised materials, but should this application be given any consideration we would like the same material conditions that applied to our listed property, natural quarried reclaimed stone for the walls and matching reclaimed Cotswold stone roof tiles. I really do want to re-draw your attention to the Policies we have referred, WIT1, A2.3.1, 3.4.2, WIT3 and OS4.
- These policies clearly state that any development should not harm the use or enjoyment of land and buildings nearby, including living conditions in residential properties or have any loss of privacy. You as the planning officer have clearly made a decision based on your own opinion without any consideration or consultation with the immediate surrounding residents that these policies are irrelevant and such a development would be in no way detrimental. The residents and the Town Council are all of the same opinion that WIT 1 A2.3.1, 3.4.2, WIT3 and OS4 would clearly be applicable to this application and if you had taken the time to consult with the residents we could be working towards finding an amicable solution to all, as opposed to spending time writing objections based on planning law.

- As I am sure you are aware we have made every effort to engage with the Council and the Masonic Centre to find a compromise that will work for everyone, the Council should be supporting such an approach considering their own policies and the development being in a conservation area with listed properties adjoining both sides. We have had an email from the Chairman of the Masonic Centre to say he is calling an emergency meeting and stated "It goes without saying that we want to work with our neighbours and want to try and achieve the modernisation of the centre without causing any animosity".
- We all want to work to find an acceptable solution so venues like this are maintained, but this must be balanced with residents' privacy and home environment under the current application that we have seen and based on planning law there should be no doubt that the application should be refused.

3 APPLICANT'S CASE

3.1 A Design and Access Statement has been submitted with the application. It has been summarised as:

- It has been a Masonic Centre for some time and much of the building has been converted or added to to provide facilities for Masonic use and other similar functions.
- The proposal is to insert a new floor in the dining hall and provide extra rooms. The extension is to give a new main entrance off the existing car park including extra toilets with disabled facilities and including a wheel chair lift to the first floor.
- The extension will not have any effect on the parking. It is proposed to improve the overall appearance of the car parking at a later stage and also maximise the available space, thus taking vehicles off the adjacent streets.

3.2 Further comments received:

Applicant's Case

A letter has been received from the applicants which has been summarised as:

- The Centre is primarily a Masonic Centre and will continue to be used as such for the benefit of the members.
- The amended proposed extension as requested continues in the desire to improve the features of this Historic Building, by removing an unsightly lean-to and metal Fire Escape and improving the overall facade. Returning it to be more in keeping with the original period and surrounding properties, also to improve the facilities available to all within the building and the introduction of proper Disabled Facilities.
- The Building and Area at the rear are already used for Social and Community Based activities as well as Masonic. There are a number of rooms which are used on a part time bases by local groups ranging in all ages and by the residents of Witney, such as the Children's Book Club, Children's Saltbox Music, Irish Dancing, Line Dancing, Boxing, Zumba, Hoopla Keep Fit, Weddings, amongst others, as is the case with most Church, Town, and Village Halls.

- At present these vital services to the Community are restricted when a Masonic meeting is held, the proposed extension would mean that this did not happen, which we are sure should be welcomed by all.
- There is sufficient parking at the rear of the Centre to accommodate all the activities held and the extension would not cause the loss of a number of parking spaces as all the available area has not been utilised, we don't have any resident staff requiring parking facilities.
- There is at present an unused area of Garden at rear which is overgrown, which we intended to change into a Memorial Garden.
- Having a secondary access to the Building from the car park would reduce the number of people using the alley way and existing fire door which would considerably reduce the impact on our neighbours. This would further be advanced by the fact there would be three doors between the main hall and the car park, the proposed extension will comply with modern insulation and sound proofing Regulations. We already have a sound limiter installed at the premises which we will see whether it can be improved on with modern technology.
- It is our intention to make the premises a No Smoking Area.
- We have instructed our agent to remove all the side windows on the 1st Floor of the New Build on the South Elevation and amend the application to include Conservation Roof Lights.
- The two upper windows on the Car Park Elevation are to be made shorter but wider to be more balanced.
- Can we also confirm that all other side windows and upper floor windows will be of non-clear glass.
- It is understood that we should have asked for permission to fix a Notice Board to the outside of the Building, we apologise for this and seek retrospect approval, removal of unsightly signs in the windows and the installation of a beautifully constructed Notice Board we thought would have been welcomed by residents. Picture attached.
- It is also our intention to install a Defibrillator in a convenient place on the outside of the Building for Community use.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE5 Conservation Areas

BE7 Alterations and Extensions to Listed Buildings

BE8 Development affecting the Setting of a Listed Building

BE19 Noise

WIT1 Buttercross and Church Green

H2 General residential development standards

OS4NEW High quality design
EH7NEW Historic Environment
EH6NEW Environmental protection
TLC12 Protection of Existing Community Services and Facilities
E5NEW Local services and community facilities
WIT4NE Witney sub-area Strategy
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application refers to a Listed Building set within Witney's Conservation Area. The current use of the building is as a Masonic Hall and other spaces within the building can be hired out for wedding receptions, birthday parties and wakes etc. The Use Class of the building is D1 (Non residential institutions) and does not have any planning restrictions to what use the building can be used for within that Class.
- 5.2 The application was deferred by Members from last month's meeting to enable a site visit to take place.
- 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 Your officers consider that the principle of improving the facilities at the existing hall for public events is acceptable. Policy WIT 1 of the West Oxfordshire Local Plan 2011 states that any further intensification of existing shopping or commercial uses will not be allowed except where the proposed use would be incidental to the primary permitted use of the building, As such offices consider that the proposed use of the extension will be incidental to the main use of the building as a public hall. The current use has no planning restrictions and as such a change of use application would not require planning permission for any other uses contained in the D1 use.
- 5.5 With regards to the objections raised regarding noise, as the current uses of the hall are subject to a premises license, such issues would be investigated with consultation with Environmental Health officers. The opening and closing times are also part of the premises license. In terms of the smoking issues, the entrance could be relocated without the need of permission if no external or internal works were proposed. However the owner of the Hall could request that if users of the hall wanted to smoke, to arrange for them to use the front as occurs now.

Siting, Design and Form

- 5.6 In principle, extending a Listed Building is acceptable subject to its design, scale, impact to residential amenities, and impact to any historic fabric being retained. As such officers consider that some form of extension to provide additional facilities such as a new entrance, toilets and access is acceptable. The scale and design of the proposed extension has now been amended,

and your officers consider that the extension now appears more subservient to the host building, and helps to reduce its impact to residential amenities.

- 5.7 As the site is located within the Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this regard subject to the receipt of amended plans based on the above noted revisions the proposed alterations are not considered to have a detrimental impact to the character and appearance of the Conservation Area, given the nature of what is proposed and its location. As such, the character of the Conservation Area is preserved.
- 5.8 With the proposed revisions, and suitable conditions regarding materials, officers consider that the architectural character and integrity of the listed building will not be adversely affected by the proposed development. As such, the proposals for the building are considered to accord with the requirements of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

Highways

- 5.9 The proposed extension will be utilising part of the existing car parking. OCC Highways raise no objections to the proposal.

Residential Amenities

- 5.10 The existing hall is surrounded by residential properties. Although the extension is set away from both shared boundaries, the extension has been reduced in length. The proposed windows on the first floor side elevations of the extension will be obscurely glazed, given the nature of the accommodation being proposed.

Conclusion

- 5.11 Whilst your officers have taken into consideration the comments received from neighbouring properties and the Town Council, officers do not consider that an extension of a modest scale is unacceptable, nor is the proposal for improved facilities and access.

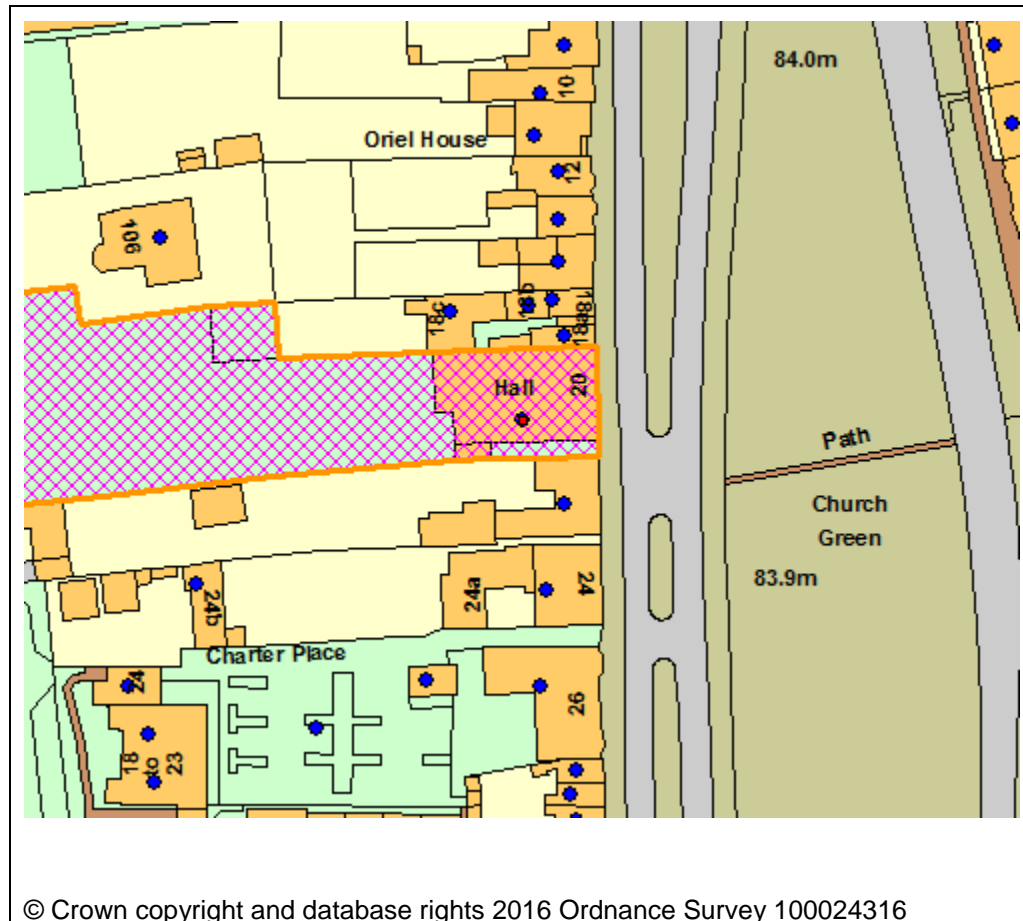
6 CONDITIONS

- 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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 6 June 2017.
REASON: The application details have been amended by the submission of revised details.
- 3 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.

- 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.

Application Number	17/01194/LBC
Site Address	Masonic Hall 20 Church Green Witney Oxfordshire OX28 4AW
Date	28th June 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435568 E 209422 N
Committee Date	10th July 2017

Location Map



Application Details:

Alterations, refurbishment and new rear extension to improve facilities to the Witney Masonic Centre. (Amended Plans to include alterations to proposed fenestration and location of notice board, part retrospective)

Applicant Details:

Witney Masonic Centre Ltd
Masonic Hall
20 Church Green
Witney
Oxfordshire
OX28 4AW

I CONSULTATIONS

- I.1 WODC Architect
- A Grade II listed building, prominently located in the heart of the Conservation Area.
- There are two primary aspects. Considering the rear extension, I note that this would adjoin what appears to have been a sizeable barn, although long incorporated into the masonic usage. They would be removing existing, somewhat unsightly, lean-to additions and a metal fire escape - which is to be welcomed - and there would be a new two-storey cross-gabled wing. Unfortunately, the proposed wing is very sizeable - and is in fact taller at the eaves than the existing barn; it would also be of considerable footprint, with a long projection to the west. From our point of view, this extension needs to be more secondary to the existing range, and I suggest that the eaves are lowered to line with those of the existing building; I am also inclined to think that it should be shortened by at least a couple of metres. It is arguable that the aesthetic should be simplified too, to chime with that of the existing range, although I realize that they want to make an entrance statement here, and I have some sympathy with this. Considering the internal alterations, I note that these primarily affect the more recent fabric around the courtyard infill, with the historic frontage building largely untouched - except for the removal of later partitions, and the adjustment or formation of a couple of doorways. I think it is a great pity that they are not retaining at least some double-height space in the area of the courtyard infill, as the resultant forms are architecturally dull - and with no direct natural light to the main ground floor space. However, I don't think that this aspect is refusable, from our point of view.
- I.2 Town Council
- Witney Town Council objects to this application. The Town Council has concerns over the effect on the residential neighbouring properties due to the potential for increased commercial activity which is contrary to Policy OS4 of the West Oxfordshire Emerging Local Plan which states "development should not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties"; the proposal does not "preserve or enhance areas, buildings and features of historic, architectural and environmental importance" (Policy OS4) as the proposed materials are not in keeping with the existing listed building or the neighbouring listed properties which are 200 years old. Witney Town Council also questions whether the proposal should include an application for change of use from DI (non-residential use) to BI (commercial).

If the application is passed by West Oxfordshire District Council, the Town Council requests that the development does not take place until residents parking permits are introduced, as the proposal will result in the loss of parking spaces and generate an increase in traffic commensurate with the increase in business.

2 REPRESENTATIONS

2.1 Objections received from:

W K Dobson & Mrs V Dobson of 18C Church Green
Ross Wackett of 106 The Crofts
Katherine and Patrick Stout of 22 Church Green

2.2 Comments have been summarised as:

- Contrary to Policy No WIT 1 of the Local Plan designates it as an area where "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)." For the avoidance of all doubt, the policy is re-emphasised at paragraph 9.45 of the Local Plan: "In the Buttercross/Church Green area south of Corn Street and Langdale Gate the Council will continue to resist any further intensification of shopping or commercial development."
- Loss of parking, three existing staff places and two disabled spaces.
- Further pressure on the scarce parking spaces on and around Church Green.
- Noise issues by moving the main entrance to the car park.
- Inaccuracy of plans.
- Increase in smoking at rear of building.
- Scale and appearance of extension.
- Result in shadowing and loss of view.
- Affect setting of Listed Buildings.
- Additional building will inevitably overlook our house and garden.
- Not suited to being a heavily used wedding reception venue given the close proximity of many residential properties.
- The statement goes on to discuss the design of the extension, it states 'it will match closely the existing building and vernacular of the town'. This is a very misleading statement, as the plans detail render and Welsh slate, not in keeping at all with its immediate and surrounding properties.
- Sad to lose a historic hall to save energy.
- It also could open up potential problems with security as the barrier is often left open for events.
- The mass of the proposed entrance/toilet facilities which is of concern to us, and considering the proposed venue size increase, we have to question the need for such a large extension. Taking aside the expansion of commercial facilities which is in question, increasing the size of the building past the existing building line.
- We also have concerns about smells from the toilet facilities so close to our kitchen area.

2.3 Emails have been received from neighbours concerned at not being notified of the amended plans and wishing the application to be deferred from June's meeting. Also further comments received regarding the officer's planning assessment section which have been summarised below. It is understood that these emails have also been sent to Members of the Lowlands Planning Sub-Committee.

- However we do wish to comment on the Planning Assessment submitted by officers of the Council, and in particular on paragraph 5.4, which discusses the proposal in relation to Policy WITI of the West Oxfordshire Local Plan 2011.
- Policy WITI is clear: "The change of use of existing premises to shopping/commercial use or any further intensification of existing shopping/commercial use will not be permitted...." Then there is provision for an exception to this general embargo on commercial intensification: "...where the proposed use would be incidental to the primary permitted use of the building (e.g. working from home)" We have put these last three words in italics, because they were omitted from the summary of Policy WITI given in paragraph 5.4, and we think they provide a vital indication of how the exception clause was meant to be used.
- Why did the authors of the Local Plan add the phrase "(e.g. working from home)" to the exception clause? To us the answer seems clear. They wanted to ensure that the clause was used for modest, domestic-scale projects posing no threat to the residential character of the area, such as a small single-storey office extension in the back garden of a family home, and not as a loophole through which to squeeze projects contrary to the central thrust of the policy against further commercialisation.
- Application No 17/01193/FUL is not about an individual homeowner working away in his garden shed. At nearly nine metres high and over ten metres long, its sheer scale places it far beyond the intended scope of the exception clause. The Design and Access Statement sets out its central purpose as "to widen its use for social and commercial use", and the scale of the proposed new facilities shows there is nothing modest or domestic-scale about their commercial ambitions, whatever Policy WITI may say. Paragraph 5.4 goes on to describe the main use of the Witney Masonic Centre as a "public hall". Surely not. The main use of the Witney Masonic Centre is as a Masonic Centre. It is a private institution with limited company status. Its commercial activities are just that: commercial activities.
- It was identified by the Town Council that a commercial limited company, not an institution was the applicant and as such the usage of the building for D1 was questioned. Having reviewed the D1 condition myself it states that to use the venue as a dancehall it should be D2, something that is very common at the venue. With the business looking to increase commercial operations I would have to agree with the Town Council that a review of the conditions should be undertaken as it is not clear.
- At time of writing we have not seen any amended plans, neither have you received all your consultation responses, in the circumstances should this application not be deferred? The objections to this application cover a number of points some of which may, or may not now be valid? I find it incomprehensible that you are approving a scheme that no one has had the opportunity to comment on, ordinarily should this not have been submitted to the Council and the Committee as a revised application allowing everyone the opportunity to consider and comment.

- In principle you have stated that improving the venue is acceptable, we would not disagree, however this is not just an improvement of the space, this is doubling the commercial size of the venue. As such, this increased activity which is detailed in the applicants design and access statement clearly states the alterations are to "widen its use for social and commercial use". This is completely at odds with your comments that "the proposed use of the extension will be incidental to the main use of the building as a public hall". The current commercial space will be over doubled, can you consider this incidental? From the Councils own guidelines "incidental" could be classed as someone working from home, doubling a venue's commercial capacity surely cannot be classed as Incidental! I would also like to point out that WITI stipulates that any "loss of privacy will not be supported", a main entrance to a venue, I think this is a major loss of privacy. Unless I have misunderstood I strongly disagree with your comments, this application in the form we have read is clearly contrary to WITI A2.3.1, 3.4.2 WIT3 and OS4.
- Noise is one of our main concerns, currently we have an acceptable balance where the hall is used infrequently for weekend and evening events. On the occasions where the fire door is open the noise from the venue is excessive, however as it is infrequent it is bearable. Now the venue wants to open the hall up with double doors to the car park and with a potential increase in events this would clearly effect ours, and our neighbours living conditions as all our gardens surround the proposed development. Sadly, there is no planning condition stipulated at all external doors should be auto closing, such a condition would help with the noise. The lack of any conditions set out in your approval recommendation shows the lack of consideration the applicant and the Council have given to ours, and our neighbours living conditions, this is contrary to WITI 3.4.2 and OS4.
- I fail to understand the relevance of your comment "they would not require permission to place a door in a listed building", it would not be possible to relocate a door without alterations to the fabric of this building, and it is this building we are talking about so I find such comments irrelevant. You went on to comment "However the owner of the Hall could request that if users of the hall wanted to smoke, to arrange for them to use the front as occurs now". We understand your intention but it would have had more weight if you had stated that it should be a planning condition that no smoking is allowed in the car park. As I am sure you will appreciate all our gardens adjoin the car park and two of our properties are within 5 meters of the proposed entrance, we do not want to be subjected to passive smoking and this further underpins our concerns that our living conditions will be undermined by this application should it be approved, without such conditions this is again contrary to OS4.
- We agree, extending a listed building should be allowed, subject to design, scale and impact to residential amenities. Currently the scale of this development has been objected to by the Residents, The Town Council, West Oxfordshire District Council Architect and the listed building officer have all questioned its size, as such I think we are all in agreement it is too big. In addition, it can clearly be shown that this development would impact all the immediate neighbours with the current plans as the Council have sought changes. I would also draw your attention to our own planning application where we were not allowed to cross the existing building line, why is this rule not being enforced for this application? We have yet to see the amended plans but would welcome the opportunity to comment prior to any decision.

- We have not seen the amended plans so we are unable to comment, however on the submitted plans the extension is clearly detrimental to the appearance of a listed building. Also the listed building office has highlighted "I think it is a great pity that they are not retaining at least some double-height space in the area of the courtyard infill, as the resultant forms are architecturally dull" Hopefully these comments will have greater weight with the committee.
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- These policies clearly state that any development should not harm the use or enjoyment of land and buildings nearby, including living conditions in residential properties or have any loss of privacy. You as the planning officer have clearly made a decision based on your own opinion without any consideration or consultation with the immediate surrounding residents that these policies are irrelevant and such a development would be in no way detrimental. The residents and the Town Council are all of the same opinion that WIT 1 A2.3.1, 3.4.2, WIT3 and OS4 would clearly be applicable to this application and if you had taken the time to consult with the residents we could be working towards finding an amicable solution to all, as opposed to spending time writing objections based on planning law.
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- The amended proposed extension as requested continues in the desire to improve the features of this Historic Building, by removing an unsightly lean-to and metal Fire Escape and improving the overall facade. Returning it to be more in keeping with the original period and surrounding properties, also to improve the facilities available to all within the building and the introduction of proper Disabled Facilities.
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- At present these vital services to the Community are restricted when a Masonic meeting is held, the proposed extension would mean that this did not happen, which we are sure should be welcomed by all.
- There is sufficient parking at the rear of the Centre to accommodate all the activities held and the extension would not cause the loss of a number of parking spaces as all the available area has not been utilised, we don't have any resident staff requiring parking facilities.
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4 PLANNING POLICIES

BE2 General Development Standards

BE5 Conservation Areas

BE7 Alterations and Extensions to Listed Buildings

BE8 Development affecting the Setting of a Listed Building

EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application refers to a Listed Building set within Witney's Conservation Area. The current use of the building is as a Masonic Hall and other spaces within the building can be hired out for wedding receptions, birthday parties and wakes etc. The Use Class of the building is D1 (Non residential institutions) and does not have any planning restrictions to what use the building can be used for within that Class.
- 5.2 The application was deferred by Members from last month's meeting to enable a site visit to take place.
- 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 The application relates to a Grade II Listed building located within Witney's Conservation Area. Your officers consider that the principle of extending a Listed Building, is acceptable, subject to its scale, design and impact to the historic fabric and character of the Listed Building.

Siting, Design and Form

- 5.5 In principle, extending a Listed Building is acceptable subject to its design, scale, impact to residential amenities, and impact to any historic fabric being retained. As such officers consider that some form of extension to provide additional facilities such as a new entrance, toilets and access is acceptable. The scale and design of the proposed extension has now been amended, and your officers consider that the extension now appears more subservient to the host building.

- 5.6 With regards to the proposed internal changes, your officers do not consider that the internal changes will harm the integrity of any historic fabric of the Listed Building.
- 5.7 As the site is within the curtilage of a listed building, your officers are required to take account of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this regard the proposed alterations are not considered to have a detrimental impact to the character or setting of the listed building, given the nature of what is proposed and its location. As such, the character or setting of the listed building is preserved.
- 5.8 With the proposed revisions, and suitable conditions regarding materials, officers consider that the Listed Buildings will not be adversely affected by the proposed development.

Conclusion

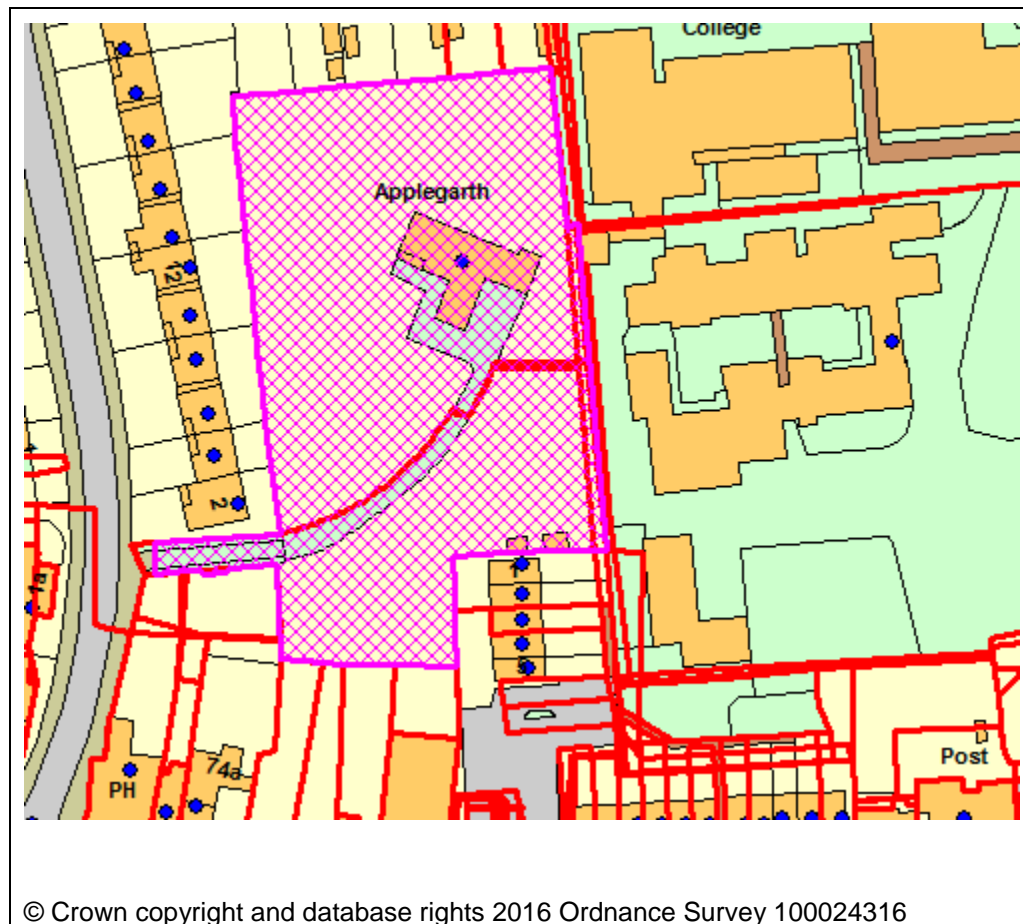
- 5.9 Whilst your officers have taken into consideration the comments received from neighbouring properties and the Town Council, officers do not consider that an extension of a modest scale is unacceptable.

6 CONDITIONS

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.
REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 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.
- 3 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.
- 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 No demolitions, stripping out, removal of structural elements, replacement of original joinery or fittings and finishes shall be carried out except where shown and noted on the approved drawings.
REASON: To preserve internal features of the Listed Building.
- 6 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.
REASON: To preserve the architectural integrity of the Listed Building.

Application Number	17/00924/FUL
Site Address	Applegarth 2A Holloway Road Witney Oxfordshire OX28 6NF
Date	28th June 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435366 E 209701 N
Committee Date	10th July 2017

Location Map



Application Details:

Demolition of existing dwelling. Erection of 13 dwellings and associated infrastructure.

Applicant Details:

C/O Agent

I CONSULTATIONS

I.1 Major Planning Applications Team

Transport

Recommendation:

Objection on the grounds of lack of information on site drainage, lack of vehicle tracking for a refuse vehicle and an access that is not demonstrated to be safe and suitable.

Key issues:

An acceptable Flood Risk Assessment is required that demonstrates SuDS will be used to provide storage for surface water generated on site.

Vehicle tracking analysis needs to be provided which shows that a refuse vehicle of 11.6m in length can enter, turn in and exit the development in forward gear.

An access that does not comply with OCC standards as it reduces to 4.1m in width.

Contribution towards a Controlled Parking Zone for Corn Street, Holloway Road and Welch Way, Witney

Legal agreement required to secure:

If West Oxfordshire District Council is minded to grant planning permission, the following legal agreements would be needed:

S106 agreement to secure a contribution towards a Controlled Parking Zone for Corn Street, Holloway Road and Welch Way, Witney of £1000 per dwelling, totalling £13,000.

Depending on the detail of any alteration to the access from the highway, an S278 or an S184 agreement may be required.

A Private Street Agreement will be required, if the road is not adopted, to enable dwellers within the proposed development to access their properties from Holloway Road.

Following on from additional information being received from the agent, the above comments have been modified as;

I. I note your confirmation that the access road will not be adopted, and will remain as a private road.

II. I am happy to withdraw my request for tracking of a refuse vehicle, as you have confirmed that these vehicles will not be required to enter the development.

III. Manual for Streets reproduces the requirements of Part H of the Building Regulations, which state that householders should not be required to carry refuse for more than 30m. This can reasonably be interpreted as also dragging a wheelie bin, as all persons need to be catered for. The distance from Plot 9 in the north-east corner to a suitable waste collection point is considerably more than this.

IV. The waste collection point should be within 25m of the highway, which is probably achievable.

V. As the access road is not to be adopted, the minimum width of 4.1m is considered acceptable, subject to any technical approval required as part of the Private Street Agreement procedure.

In conclusion, I am able to withdraw my objection with regard to

vehicle tracking for a refuse vehicle, and the suitability of the access. As the access road is to be a private road, it will not be included in the parking permit zone, but residents will not be eligible for parking permits on the highway. Therefore, I am able to remove the request for a S106 agreement for a contribution towards a Controlled Parking Zone.

Drainage concerns have been overcome

Education

£41,158 Section 106 required for the necessary expansion of permanent primary capacity serving the area, at The Batt (VA) Primary School.

- | | | |
|-----|-------------------------------------|--|
| I.2 | WODC - Arts | We have considered the scale and mix of development in this application and should it be approved we will not be seeking S106 contributions towards public art at this site. |
| I.3 | Wildlife Trust | No Comment Received. |
| I.4 | WODC Architect | No Comment Received. |
| I.5 | Biodiversity Officer | <p>Phase I Habitat Survey is considered to be satisfactory, although it does contradict itself in sections 4.8.1 and 4.10.1 regarding the level of potential for roosting bats within the stone wall (moderate-high or low). The retention of the stone walls must be confirmed by the applicant before determination of the application. I also note that the Design and Access Statement states that the eastern boundary of the site is undefined, which is in direct conflict with the ecology report which describes this boundary as being a stone wall.</p> <p>Generally, the preliminary bat inspection of the buildings on site demonstrate that there is limited potential for roosting due to a lack of suitable features and access points, so I am satisfied that a precautionary approach to demolition is appropriate in this instance. I agree that the presence of fruit trees within an amenity garden space is unlikely to qualify as traditional orchard priority habitat in this instance.</p> <p>I recommend that details for landscaping and the provision of bat and bird boxes are submitted as conditions of planning consent.</p> |
| I.6 | ERS Env Health - Lowlands | Mr ERS Pollution Consultation I have no objections to this application |
| I.7 | WODC Housing Enabler | In this instance the proposed development provides a net increase of 12 dwellings, therefore the above policy applies at the medium value zone rate of 5 affordable dwellings. |
| I.8 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.9 | Natural England | No comments to make |

I.10	WODC Planning Policy Manager	No Comment Received.
I.11	WODC - Sports	£1,156 x 13 = £15,028 off site contribution towards sport/recreation facilities within the catchment. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS.
I.12	WODC Env Services - Waste Officer	No Comment Received.
I.13	Town Council	Mrs S Groth Witney Town Council considers that there is not adequate parking for the development and would request that safe access for refuse and emergency vehicles is ensured. The Town Council would also ask for adequate facilities for storage of waste bins and comment that block paving is a potential problem due to use by heavy goods vehicles.
I.14	Thames Water	No objection - notes to be added

2 REPRESENTATIONS

2.1 Ten letters have been received. The comments have been summarised as:

- Residents should be made aware of any applications at the earliest possible moment.
- Additional traffic, cars manoeuvring in the road is likely to cause issues and possible accidents.
- The area would be better employed as a parking area for Corn Street/Holloway Road residents -and I for one would be happy to pay a small amount for the privilege!
- Visibility for crossing the road is often restricted with the numerous parked cars in the day (especially as a wheelchair user), the increase in cars will not help this already unsafe situation.
- No clear plans outlining the future safety of the road or how the local infrastructure will cope with the increase in traffic in the local area.
- I fear that residents will then park on Holloway Road. The residents of Holloway Road already struggle with parking as many people visiting the town centre or college park here. By cramming more houses into the area, you will only make this problem worse.
- There are various residents who strive to live a sustainable lifestyle by growing as much of their own foods as possible. Reduced light would restrict this greatly. This also means that a beautiful south facing garden is now over shadowed by storey properties and does not get much sunlight.
- We would be overlooked, especially as the plans mean that residents on the south board of the property would have two different properties backing onto ours. The plans state these will be 3 storey properties which will directly over look these properties.
- Decrease the value of our property.
- The other major area of concern in this process is the lack of communication about the proposal.
- There is one small sign outside my property, and no others. My property is in a cul de sac so it would not be seen by the other local residents or passers by. This is not acceptable communication and does not reflect the democratic values that's we as a society should be part of.

- Have you considered other uses for the land, such as offering some of the land to local residents to buy, or making a green area of the town centre. Witney is a fantastic town that has grown so much over the years, but with little green parkland areas compared to other towns in the county, and I strongly feel that we need to protect the market town feel to Witney by not over developing the area or cramming more houses in the area.
- Loss of green space and habitat.
- Over development of plot.
- Buildings oversized and overlooking.
- Properties out of keeping with local area.
- My understanding that when the field surrounding Applegarth was turned into a temporary car park it was done so to assist Witney College when it was undergoing a major redevelopment a few years ago. Through no fault of the College there was a delay before the work could be completed. However the car park was only created as a temporary measure and I understand that the construction of the car park was designed in such a way that it could be easily removed and the ground would be returned to its original state as a field, the last surviving field in central Witney. Granting this application would ensure the destruction of this greenfield site.
- There would, self-evidently, be the loss of a natural habitat and of a compact eco-environment so valuable to Witney, and the development would obliterate this secluded but valuable green space which reaches back to mediaeval Witney.
- I am a Corn Street resident whose property will be directly overlooked by the proposed buildings (I understand that the application states that no properties will be overlooked). My house is listed and within the conservation area. The proposed houses are another element of the 'corrosive effect...when taken together'. This is a beautiful area that needs preserving - hence the conservation area status.
- The 5m high South facing windows of plots 2 and 3 would be as little as 7m away from the border of my property and as such they would directly overlook my garden and look directly into the rear of my house.
- The Human Rights Act, Protocol 1, Article 1, states that a person has the right to "peaceful enjoyment of their possessions", which includes the home, while Article 8 states that "a person has the substantive right to respect for their private and family life". I do not believe the proposal in its current form provides adequate provision for this.
- Every car going in and out of this entrance will shine lights on to my bedroom windows.

3 APPLICANT'S CASE

The applicant's Supporting Statement has been summarised as:

- Applegarth is a residential property accessed off Holloway Road and set in a large plot, about 0.5 hectares. To the west of the site are single storey bungalows fronting Holloway Road, to the north, two storey semi detached dwellings, to the south are a mix of residential and commercial premises fronting Corn Street, and to the east of the site is the Abingdon and Witney Campus and The Batt C of E School.
- It is proposed to erect 13 dwellings on the site being a mix of one and a half to two and a half storeys, detached and semi detached dwellings with garages and car ports. A reduction in the number of dwellings originally proposed has helped to maintain a sense of openness within the site. It has also protected residential amenities of the neighbouring dwellings at Holloway Road.
- Parking has been provided in close proximity to each unit.

- The scheme proposes a mix of dwellings types and sizes comprising 4, 3 bed houses, and 10, 4 bed houses.
- The dwellings will be constructed of traditional materials.
- A Transport Statement with a Construction Traffic Management Proposed works and Method Statement, Design and Access Statement, Tree Survey Report, a Flood Risk Assessment, Foul Drainage Assessment, and Ecology Report has been submitted with the application.
- This application presents an opportunity to redevelop a brownfield site in a highly sustainable location within the centre of Witney, which will assist in addressing the Council's agreed 5 year housing land supply shortfall.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

BE4 Open space within and adjoining settlements

NE15 Protected Species

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

OS5NEW Supporting infrastructure

H4NEW Type and mix of new homes

EH2NEW Biodiversity

H6NEW Existing housing

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within Witney, and is served off Holloway Road by a private drive. The site is about 0.5 hectares and adjacent to the Witney Conservation Area. The site is surrounded by existing residential development, along Holloway Road and Corn Street, which also has Listed Buildings, and the Abingdon and Witney College. As part of the site's planning history, permission was granted for an area of the site to form additional parking, available to the Abingdon and Witney College for when their site was being redeveloped. Although a condition was imposed for the land to revert back to garden land after the use ceased, this was never undertaken. However current permitted development rights allow for some hardstanding to occur on residential properties. As such your officers have assessed the development in the usual manner.
- 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 1,978 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. 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.
- 5.5 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.6 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.
- 5.7 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions timetabled for July 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.
- 5.8 The site is located within a highly sustainable location. Officers consider that the principle for redevelopment is acceptable and would have been compliant with the adopted West Oxfordshire Local Plan housing policies, and still complies with the Emerging West Oxfordshire housing policies and the NPPF.

Siting, Design and Form

- 5.9 Officers consider that the proposed scheme has been designed to be in keeping with the existing mature residential context. The proposed dwellings are a mix of semi-detached, link detached and a detached bungalow is also proposed. All of the proposed dwellings either have garages or car ports, as well as parking to the front and front gardens. Overall officers consider that the layout will appear as an attractive mix of dwellings and design.

- 5.10 Since the original submission, revised plans have been received showing a slight reduction in the scale of some of the proposed dwellings. In terms of the proposed design, your officers consider that the designs are well proportioned with traditional features including chimney stacks. The proposed materials are stone and render. The boundary treatments will be a mix of stone, timber and railings.
- 5.11 Your officers have included conditions which requests samples of each of the proposed materials to be used.
- 5.12 Along the existing eastern boundary of the site is a stone wall, which has been noted to be of high importance both by your officers and Ecologist in terms of bat roosting. As such this has been conditioned to be retained along with other conditions suggested by the Ecologist.

Highways

- 5.13 Members will see that from the original submission, OCC Transport objected to the proposal. The concerns included the lack of information on site drainage, lack of vehicle tracking for a refuse vehicle and an access that is not demonstrated to be safe and suitable. Since the comments were received, discussions have taken place between the agents and OCC Transport, with further information being submitted. This has now addressed OCC Transport and Drainage concerns, and they have no objection to the proposed development.
- 5.14 Although officers recognise the concerns raised by the comments from residents, officers cannot resist the development without an objection from OCC Transport.

Residential Amenities

- 5.15 With regards to the issue of the yellow site notices not being posted, your officers did post several site notices in the area, but they were taken down. As this was made known to officers, copies of the site notices were posted to those considered most affected by the proposed development, including Holloway Road, Corn Street and Swan Court. The period for consultation was also agreed to be extended.
- 5.16 Your officers consider that the proposed scheme has been designed to reduce impacts to residential amenities in terms of loss of light and loss of privacy. Plot 1 is located to the rear of the properties along Holloway Road. The existing dwellings along this part are single storey, with modest rear private amenity space. The proposed dwelling has been designed to be a single storey dwelling set back from the boundary wall, with a large amenity area. A garage/car port building is also sited along this boundary but the proposed building is again set back to reduce any overbearing impacts to the existing residential amenities. Proposed plot 13 is also set back from the boundary and is separated by a garage. The distance from the rear of the existing property to the side of the proposed dwelling meets the usual separation distances. The remaining proposed dwellings also meet the usual separation distance, which includes to those properties along Corn Street.
- 5.17 A garage building is proposed to be sited adjacent to 1 Swan Court which again helps to reduce the impact to this existing property. Your officers have included conditions to restrict the usual permitted development rights for extensions, dormer windows, outbuildings, porches and further windows, to protect new and existing properties' residential amenities.

Conclusion

- 5.18 In view of the above, your officers consider that the proposed scheme is compliant with the relevant housing and environmental policies of both the adopted and emerging West Oxfordshire Local Plan. It is also considered acceptable with the paragraphs of the NPPF. Whilst officers note the objections and comments raised by the adjacent properties, the scale and design of the dwellings are considered appropriate for this location. As OCC are not objecting to the proposal in terms of traffic generation and so forth, your officers cannot put forward a recommendation to Members of refusal.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 5, 9 and 19 June 2017.
REASON: The application details have been amended by the submission of revised details.
- 3 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.
- 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 Before first occupation of the dwellings, the windows serving bathrooms/ensuites hereby permitted shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent properties.
- 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 additional windows/rooflights shall be constructed in any of the elevations of the dwellings.
REASON: To safeguard privacy in the adjacent properties.
- 7 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 development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to protect the residential amenities of the existing and proposed dwellings.
- 8 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the architectural detailing of the building reflects the established character of the locality.

- 9 The existing wall on the eastern boundary of the application site shown on the approved layout plan shall be protected during the course of the construction of the development, and shall be retained thereafter.

REASON: In the interests of the appearance of the development and to secure a reasonable standard of privacy for occupants of the plots concerned. In addition, to protect an ecology feature.

- 10 The development shall be completed in accordance with the recommendations in Sections 5.4.1, 5.4.2, 5.4.4 and 5.5.2 of the Phase I Habitat Survey report dated March 2017 prepared by EcoConsult Ltd. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the LPA, and thereafter permanently maintained.

REASON: To ensure that bats and birds are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13, NE14 and NE15 of the West Oxfordshire District Local Plan 2011 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 11 No development shall take place until a landscaping scheme has been submitted and approved by the Local Planning Authority, including at least 25% native plant species of local provenance and a 5-year maintenance plan.

The entire landscaping scheme shall be completed by the end of the first planting season following the first occupation of the development hereby approved.

If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the local planning authority.

REASON: To enhance the site for biodiversity in accordance with paragraph 118 of the National Planning Policy Framework, policy NE13 of the West Oxfordshire District Local Plan 2011 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- 12 Before development takes place, details of the provision of bat roosting features and nesting opportunities for birds (House martin, House sparrow, Starling and Swift) into the new dwellings shall be submitted to the local planning authority for approval, including a drawing showing the locations and types of features. The approved details shall be implemented before the dwellings hereby approved are first occupied and thereafter permanently maintained.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework, Policy NE13 of the West Oxfordshire District Local Plan 2011 and Section 40 of the Natural Environment and Rural Communities Act 2006.

- 13 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway on Holloway Road including position, layout, and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of any of the dwellings, the means of access shall be

constructed and retained in accordance with the approved details. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

- 14 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, car parking and turning areas to serve the dwellings, which shall include construction, layout, surfacing, lighting and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any dwelling, the access, car parking and turning areas for that dwelling shall be constructed in accordance with the approved details. All car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority.

REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

- 15 No dwelling shall be occupied until cycle parking space(s) to serve that dwelling have been provided according to details that have been previously submitted to and agreed in writing by the Local Planning Authority. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.

REASON: To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.

- 16 The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.

- 17 The carport(s) shall not be altered or enclosed and shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.

- 18 No development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- o Discharge Rates
- o Discharge Volumes
- o Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)
- o Sizing of features - attenuation volume
- o Infiltration tests to be undertaken in accordance with BRE365
- o Detailed drainage layout with pipe numbers
- o SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- o Network drainage calculations

- o Phasing plans
- o Flood Risk Assessment

REASON: To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government guidance contained within the National Planning Policy Framework.

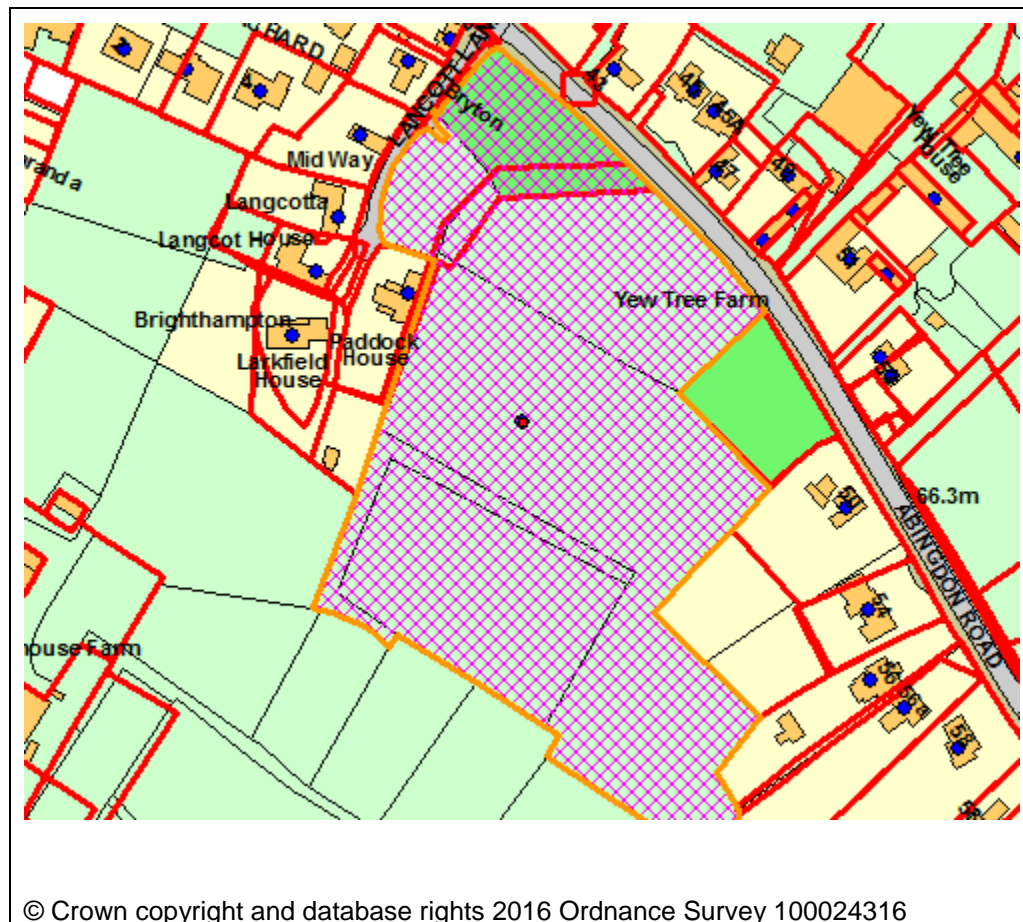
- 19 Prior to the commencement of development, vehicle tracking analysis, which must show that a refuse collection vehicle of not less than 11.6m in length can enter, turn in, and exit the development safely in forward gear, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, construction shall only commence in accordance with the approved details.
REASON: In the interests of highway safety in accordance with the National Planning Policy
- 20 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the building(s) is occupied.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.

NOTE TO APPLICANT

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. Further information can be found at the West Oxfordshire District Council website:
<http://www.westoxon.gov.uk/residents/planning-building/planning-policy/local-development-framework/local-plan-evidence-base/> (download a copy of the 'Biodiversity and Planning in Oxfordshire' guidance document under the heading 'Environment, nature and open space' and selecting 'Biodiversity' from the drop down box)

Application Number	17/00965/FUL
Site Address	Land South East of Lancott Lane Brighthampton Oxfordshire
Date	28th June 2017
Officer	Catherine Tetlow
Officer Recommendations	Refuse
Parish	Standlake Parish Council
Grid Reference	438574 E 203404 N
Committee Date	10th July 2017

Location Map



Application Details:

Application for full planning permission for residential development comprising 46 dwellings, together with access, landscaping and associated infrastructure.

Applicant Details:

C/O Agent

I CONSULTATIONS

- I.1 Major Planning Applications Team
 Highways - no objection subject to conditions. Legal agreement required in connection with contributions to bus services and bus infrastructure. Off-site highway works required including footways and crossing points.
 Drainage - insufficient information provided in respect of surface water drainage.
 Archaeology - no objection subject to conditions
 Education - no objection and no contributions required.
 Minerals and waste - no objection on minerals safeguarding grounds.

- I.2 WODC - Arts
 A S106 contribution of £5,880 towards creative activities and events in the village to help develop opportunities for the residents of the new settlement and the existing community to meet and come together, post occupation.

- I.3 Wildlife Trust
 No comments received

- I.4 WODC Community Safety
 No comments received

- I.5 WODC Architect
 Firstly in respect of context, Brighthampton is a small, essentially linear rural settlement linked by the Abingdon Road to nearby Standlake to the south-east. Brighthampton comprises a mix of period and C20 mainly residential properties, and includes seven Listed Buildings. Both settlements are of some antiquity, with Standlake having at least Saxon origins and Brighthampton having at least medieval origins.

Brighthampton and Standlake are distinct and separate settlements, historically formed of separate manorial holdings. While intermittent and piecemeal development has taken place along the Abingdon Road, causing some erosion to the physical and visual separation of the two settlements, a significant and discernible degree of separation remains. The two most important physical and visual elements in the maintenance of this separation are the cricket pitch on the north side of the Abingdon Road, and the area of open rural/ agricultural land which includes the application site on the south side of the road.

Residential development of the application site, as well as resulting in a conspicuously urbanising impact here (not only in respect of the open space, but also in terms of the layout and amount of the proposed scheme set against that of the surrounding and adjoining residential development), would be highly likely to significantly erode the visual and physical separation between the two settlements, and thus their identities as distinct places.

Notwithstanding the coalescence resulting from its development, the

site also forms a significant open space contributing both to the street scene and to the sense of this being a rural settlement, by virtue of the expansive countryside views from the Abingdon Road south across the site to the landscape beyond.

In terms of the proposed layout and amount - of a substantial residential development in depth - this appears to bear little meaningful relationship to the established settlement pattern of what remains a predominantly linear settlement of relatively low density.

Given the above, the proposals appear incompliant with Local Plan Policy BE2 (specifically by not respecting the existing scale, pattern and character of the surrounding area; and by adversely affecting the landscape surrounding and providing a setting for existing (...) villages); and with Local Plan Policy BE4 (specifically by resulting in the loss or erosion of an open area which makes an important contribution to the distinctiveness of a settlement; and/ or the visual amenity or character of the locality).

The proposals also appear incompliant with emerging Local Plan Policy OS2 (specifically in respect of not being of a proportionate and appropriate scale to its context; not forming a logical complement to the existing scale and pattern of development and/ or the character of the area; not avoiding the coalescence and loss of identity of separate settlements; and not protecting or enhancing the local landscape and the setting of the settlement/s; and involving the loss of an area of open space (...) that makes an important contribution to the character or appearance of the area).

In respect of the 3no. Listed Buildings potentially affected, the proposals would have some impact on their setting, though any harm would be likely to be less than substantial.

Overall, I do not believe the residential development of this site is supportable in principle.

I.6	Environment Agency	No comments received.
I.7	Biodiversity Officer	No objection subject to conditions
I.8	ERS Env Health - Lowlands	No objection subject to condition
I.9	WODC Housing Enabler	Provision of 40% affordable would be a policy compliant contribution
I.10	WODC Landscape And Forestry Officer	No comments received
I.11	Natural England	No comments to make

I.12	WODC Planning Policy Manager	No comments received
I.13	WODC - Sports	<p>£53,176 off site contribution towards sport/recreation facilities within the catchment.</p> <p>£37,628 for the enhancement and maintenance of play/recreation areas within the catchment.</p>
I.14	WODC Env Services - Waste Officer	No comments received
I.15	Thames Water	<p>Waste Comments</p> <p>Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed.</p> <p>"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.</p> <p>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.</p> <p>Water Comments</p> <p>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.</p> <p>Thames Water recommend the following informative be attached to any planning permission: There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.</p>

Supplementary Comments

WASTE - Thames Water has identified an inability of the existing foul waste water sewer network to accommodate the proposed flow from this development. The foul water discharge rate of 2.3l/s proposed in the drainage document -SUSTAINABLE DRAINAGE DOCUMENT -LSB-BWB-HDG-XX-RP-PD- 0001_SDS REV.P2 is likely to lead to increased flooding downstream of this development. We recommend a developer funded drainage strategy to ascertain with a greater degree of certainty the impact of this development on the local network and upgrade work required. With regards to surface water run-off from this site, Thames Water have no objection to the proposal to manage this by onsite infiltration

I.16 Parish Council

Standlake PC objects to the application as follows:

It is in contravention of the emerging local plan; for specific details, see below.

It is in contravention of existing local plan; specifically policies H4 and H6.

It would remove the last significant break between 2 settlements: Standlake/ Brighthampton. This development will automatically join together the two historic settlements - an historic gap which has been preserved for generations by successive Planning Authorities. The development would far exceed the capacity of existing sewage capacity as stated by Thames Water. In addition, it would overwhelm the drainage system which has frequently resulted in localised flooding. Neither of these vital considerations is satisfactorily addressed in the application.

In a village of some 560 dwellings this near 10% increase would represent an unacceptable impact and would create a precedent which could potentially change the character of the village permanently.

The access out of the development is on to a busy A road with poor sight lines. Furthermore, the pedestrian access, along the road to the village facilities, consists of a single sub-standard footpath on the opposite side from the development.

Given the lack of work opportunities in Standlake, it is inevitable that yet more vehicular traffic will be generated on local roads by at least 100 per day; in no way can this be considered sustainable. The local bus services have been severely reduced with the direct link to Oxford being removed altogether. The remaining 'rush hour' timetable does not provide a flexible enough service for commuters and, consequently, the proposed development will increase the need for travel, not reduce it.

There will be an impact, admitted in the application, on listed buildings on Lancott Lane.

The development would remove the last public view over open countryside on the Abingdon Road. These open green spaces have been acknowledged as being an integral part of the landscape and character of Standlake and Brighthampton by planning inspectors ruling on smaller and significantly less intrusive applications.

There is evidence of an area of archaeological importance on the site. Many of the above objections are specifically covered by the emerging local plan 2011 - 2013. They are, inter alia:

Policy CO10:" before any planning permission is given for development WODC must "Ensure that land is not released for new development until the supporting infrastructure and facilities are secured".

Policy CO4: new residential development will be supportedwhere it will "reduce the need to travel".

On Page 38 the third bullet point under General Principles for Development states: "Avoid the coalescence and loss of identity of historic settlements"

Finally, the council fully endorses the planning consultant's report prepared for the SOS group; a copy of which has been lodged with WODC as an objection to the application.

2 REPRESENTATIONS

2.1 122 objections have been received referring to the following matters:

- Impact on foul drainage and flood risk.
- Amount of housing disproportionate to size of village.
- Impact on views.
- Impact on setting of heritage assets and archaeology.
- The village will not support additional housing. Inadequate facilities and impact on infrastructure.
- Additional traffic and impact on highway and pedestrian safety.
- Impact on the character of the area.
- Inadequate bus service.
- Impact on ecology.
- Light pollution.
- Precedent for further development.
- Coalescence of Brighthampton and Standlake.
- Not sustainable development.
- Loss of trees and hedgerow.
- Affordable housing should not be linked to even more expensive houses. Will not address housing need.
- Loss of green space and development in countryside.
- Previous applications refused.
- Management of "village green" is questioned and does not appear to be fenced to the road. No play area provided.
- Proper balance of harm and benefit has not been carried out by the applicant.
- Will not promote or reinforce local distinctiveness.
- Contrary to Local Plan. Emerging Local Plan addresses housing need and this proposal is premature.
- Depth of development inappropriate in context of existing ribbon development.
- Few employment opportunities locally and will increase commuting.
- Not infilling or rounding off.
- Noise and disturbance.

- Insufficient car parking.
- Sites being developed elsewhere for affordable housing.
- Density of development too high. Over-development of the site.
- Gap between plots 28 and 29 on south of the site could provide access to other land.
- Distance to village amenities including school.
- Spitfire Homes are not small builder. They are part of big multi-national.
- Lower Windrush Valley project should be extended into Standlake.
- Red line boundary not accurate in south east corner and encroaches into neighbouring property (see Plot 27).
- Not clear who would maintain access visibility.
- Allocation of site not supported in 2011 Local Plan.

2.2 A representation from a planning consultant on behalf of "Standlake Objects to Spitfire". This is a lengthy document and Members are advised to see the full text on-line. The following objections are raised, in summary:

- Development proposal is predicated almost solely on 5 year housing land supply and engagement of paragraph 14 of the NPPF.
- Submission pre-dates the recent Supreme Court judgement in relation to previous cases in Suffolk Coastal and Cheshire East as regards the operation of the NPPF and interpretation of what are "policies for the supply of housing". The proper balancing of potentially beneficial and harmful impacts has not been carried out correctly and had it been done so, then irrespective of the relative weight to be afforded to saved and/or emergent Development Plan policies the harmful impacts resulting from such a proposal would significantly and demonstrably outweigh the claimed benefits.
- The application proposal represents "major development" in open countryside, on the edge of but clearly outside the developed limits of both Brighthampton hamlet and Standlake village. The development proposal will not promote or reinforce local distinctiveness.
- Impact on ecology.
- Impact on setting of nearby listed buildings and archaeology.
- The site is not allocated in either the adopted Local Plan or the emerging draft replacement Plan and such urban expansion into open fields, which would result in the coalescence of Brighthampton with Standlake.
- The new draft Plan is currently being considered at Examination, so the weight afforded to its policies and development proposals, which will fully meet agreed objectively assessed housing needs in the District as well as unmet housing needs arising from nearby Oxford city, will soon increase significantly.
- It would be premature for this major development proposal to be considered favourably at this time, particularly when it would be so obviously harmful on a number of material grounds whose weight would demonstrably and significantly outweigh the benefit derived in the short-term of providing 46 extra houses.
- Although Standlake has a modest range of services and facilities including its Primary School, Village Hall, a pub, a Church, Post Office/Store, Youth Hut, car sales garage, allotments and Cricket and Tennis Clubs, most are remote from the application site. It lies 2km from the School along a narrow, unlit and overgrown pathway, 1.8km from the Post Office, 1.9km from the allotments and well over 2km from the Church, Village Hall, Youth Hut and Tennis Club. Over such distances, pedestrian journey times at normal 3mph walking speeds would be well in excess of 20-25 minutes and Government guidance given in 'Providing for Journeys on Foot' demonstrates that most facilities would be beyond the maximum

preferred distances for pedestrians. National surveys demonstrate that over such considerable distances and likely journey times only about 1-5% of fit and healthy people would choose to walk to such destinations. The application site is therefore remote from all of these facilities and would not represent an accessible location by foot from most of Standlake's facilities.

- The applicants suggest throughout their Planning Support Statement that the provision of 46 dwelling houses would be a significant benefit. However, the District's existing housing land supply deficit is only a temporary phenomenon, which will soon be addressed in the emerging draft Local Plan.
- Other alleged benefits claimed in the applicants Planning Statement, their Landscape and Visual Impact Appraisal, Ecological reports and Transport Assessment, including provision of landscaped open space, alleged ecological mitigation and suggested highway/pedestrian enhancements would only become necessary as a direct consequence of having to accommodate such development and would be required to help mitigate resultant harmful impacts. As such, they should not classify as benefits qualifying for consideration in the sustainability balancing exercise advocated in NPPF.
- In terms of sustainability, Standlake and Brighthampton are small rural settlements with only limited facilities and only two-hourly bus services (at best) to Witney and Abingdon or (via a change) to Oxford, although only during normal working hours. Given the infrequency of services outside of those hours, only services to Witney could potentially offer any form of realistic alternative to car commuting for most workers. Recent development has seen the overall number of dwellings in the Parish of Standlake, including Brighthampton increase by about 15% in just five years. This significantly larger proposal would singularly increase the overall numbers by more than an additional 7%. Its proposed scale would be disproportionately large and would therefore be uncharacteristic.
- It would be far greater in size than any of the previous developments, would be at a scale and in a location totally unsuited and unsustainable for settlements the size of Standlake and Brighthampton and would be remote from the majority of its few facilities.
- Standlake village and Brighthampton hamlet are currently separated from one another by this application site on one side of the A415 Abingdon Road and by the Cricket Ground on the other side. This proposal would result in the effective coalescence of the two; fundamentally changing the character and appearance of the site and settlements, rendering the current rural appearance far more urbanised, with continuous frontage housing all along the Abingdon Road and along a second side to the unmade and largely private road of Lancott Lane. This harmful change would be compounded by the extreme development in depth of this proposal, which even the Design & Access Statement recognised, would be a largely alien feature in an area that is otherwise predominantly characterised by ribbon development extending alongside parts of the five principal roads. The application site and the Cricket field on the opposite side of the Abingdon Road, combined with the mature tree belts around Yew Tree Farm and 56A Abingdon Road, all serve to present a narrow but nonetheless clear visual separation between Standlake and Brighthampton, which this proposal would serve to destroy.
- Contrary to the subjective claims made in the applicant's Landscape and Visual Impact Statement, loss of these open fields and some trees, the bisection of one substantive hedgerow and the likely loss of additional trees due to the close proximity of some proposed dwellings to mature boundary trees will inevitably have a significantly harmful impact when viewed from Abingdon Road and Lancott Lane.
- Whilst the application site may not itself flood as a result of this development proposal, construction of 46 new homes would significantly exceed the known remaining capacity limit of the local Sewage Treatment Works - which Thames Water have confirmed was

only 20 dwellings before eight more dwellings have subsequently been completed. Surface water mains pipes in Standlake are also known to have severe capacity limitations due to their narrow diameter and age. Problems are already acute in parts of Standlake, with regular temporary pumping facilities installed to prevent surface water and sewerage flooding. Further development will only exacerbate existing problems.

- Impact on highway and pedestrian safety.
- Whilst building heights, house designs and material finishes could all be made to match their rural village surroundings, such intensive urban development, with buildings in close proximity to one another and extending back in depth for a considerable distance would represent a harmful alien feature.
- The NPPF guidance in paragraph 14 places a "presumption in favour of sustainable development" but it does not presume to favour unsustainable developments which this proposal would represent. Coalescence of rural settlements and urban sprawl into open countryside are specifically highlighted in national and local planning policies as features to be avoided in new development proposals. It does not represent high quality design, nor reflect the established character of the settlements or intrinsic character and beauty of the countryside surrounding them.
- This proposal would also fail to enhance the natural environment, would represent greenfield urban expansion rather than the reuse of previously developed land, would fail to conserve heritage assets and would not make fullest possible use of public transport, walking and cycling by locating development sustainably.
- By seeking to positively address the temporary shortfall of housing land in its new Plan, the Local Planning Authority will be delivering a wide choice in high quality homes, as required in paragraphs 47-55 of the NPPF. Although the applicant's argue that their scheme would help enhance or maintain the vitality of Standlake and Brighthampton, neither the village nor hamlet act as rural service centres. They are largely reliant on nearby Witney for most of their services and facilities, so the accommodation of this scale of development would not be consistent with the aims of paragraph 55 of the NPPF.
- Irrespective of the reduced weight afforded to the aged but nevertheless saved policies in the adopted Local Plan and the irrespective of the current limited weight afforded to emergent policies in the new draft Local Plan, we have demonstrated that this development proposal would be contrary to much of the guidance given in the NPPF. In due course, once the policies and proposals in the draft Local Plan have passed through Examination and been adopted, that new Development Plan policy guidance will also have considerable importance and this proposal would clearly be contrary to that new Plan in very many respects.
- In the circumstances, the application proposal would be demonstrably and significantly harmful to the character and appearance of the settlements and their surroundings, to the landscape of the area, to the natural biodiversity of the site, its heritage setting and significance and be likely to cause detriment to off-site flooding and the safety of pedestrians and highway users. As such, the proposal would be contrary to NPPF planning policy guidance whereby the balance of harmful impacts would demonstrably outweigh any short-term benefit derived from the accommodation of more houses. It would also be prejudicial to the policies and proposals in the emergent Local Plan, which should soon carry significant weight as a material consideration in the processing of proposals.

2.3 I expression of support has been received referring to:

- The development will have little impact on the village and may even improve it.
- Restricted development important to keep village vibrant.

- Small, sympathetic, cost effective developments of this nature make for an improved environment.
- Affordable housing should be of a higher percentage.
- Application would affect only a small number of homes.
- Would provide attractive accommodation for families.

3 APPLICANT'S CASE

- 3.1 The principle of providing residential development in this location should be considered in line with the NPPF and the presumption in favour of sustainable development. Where paragraph 14 of the NPPF is engaged the key test for planning applications where the policy is absent, silent, or out of date is whether the scheme constitutes sustainable development and whether the adverse impacts of permitting the scheme would 'significantly and demonstrably' outweigh the benefits. The proposed scheme would constitute sustainable development. Furthermore, the scheme would make a contribution towards the provision of much needed market and affordable housing within the District.
- 3.2 Where relevant the proposal accords with the provision of the Development Plan. The application site has no specific land use constraints or landscape designation of merit that would affect development. The principle of providing residential development in this location is considered acceptable when assessed against the relevant saved policy criteria.
- 3.3 Overall the proposed development comprises an appropriate scale and type of residential accommodation suitable to this location, to assist in the delivery of much needed residential development in the District. The proposed design scheme and specialist technical reports have afforded consideration and assessment to matters relating to amenity, drainage, ecology, heritage, highways and landscape matters. The Applicant is committed to delivering a high quality residential development itself in a prompt manner, following receipt of planning permission, and considers the proposal to accord with key delivery themes established within the recently published Housing White Paper.
- 3.4 Overall, it has been demonstrated that the proposal would constitute sustainable development and that there are no 'significant and demonstrable' adverse impacts which would outweigh the benefits of contributing to the severe shortfall of housing in the District. This proposal represents an entirely deliverable, sustainable and suitable development. In accordance with Paragraph 14 of the NPPF, it is respectfully requested that planning permission should be granted.

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
 BE8 Development affecting the Setting of a Listed Building
 BE13 Archaeological Assessments
 BE19 Noise
 BE21 Light Pollution
 NE1 Safeguarding the Countryside
 NE3 Local Landscape Character

NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 NE15 Protected Species
 T1 Traffic Generation
 T2 Pedestrian and Cycle Facilities
 T3 Public Transport Infrastructure
 H2 General residential development standards
 H3 Range and type of residential accommodation
 H4 Construction of new dwellings in the open countryside and small villages
 H6 Medium-sized villages
 H11 Affordable housing on allocated and previously unidentified sites
 TLC7 Provision for Public Art
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 OS5NEW Supporting infrastructure
 H1NEW Amount and distribution of housing
 H2NEW Delivery of new homes
 H3 Range and type of residential accommodation
 T1NEW Sustainable transport
 T2NEW Highway improvement schemes
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH5NEW Flood risk
 EH6NEW Environmental protection
 EH7NEW Historic Environment
 EW2NEW Eynsham-Woodstock sub-area
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The proposal is a full application for the erection of 46 dwellings with associated works and landscaping. A range of supporting information has been provided. The design includes a mix of house types ranging from 2 to 4 bedrooms. All units would be 2 storey. The vehicular access would be from the Abingdon Road.
- 5.2 The site is greenfield pasture, comprised of a number of small parcels. There are a significant number of trees to boundaries, some of which are outside the red line area. There is also some hedgerow to boundaries. The amount of existing vegetation to the edges of the site is, however, not consistent.
- 5.3 The site is located on the edge of the village of Brighthampton. The village is a distinct settlement having historically been a small collection of houses and associated buildings around what are now the classified roads A415 and B4449. Standlake was separated by open land, and lay to the east, comprising ribbon development along parts of Abingdon Road, High Street, Church End and Rack End. Over time, there has been further ribbon development along the Abingdon Road, although there are still notable gaps in the frontage, e.g. this site and the cricket field.

- 5.4 Older development, including a number of listed buildings, has been added to by more modern development, principally by way of piecemeal infill along the road frontages. Important buildings in the immediate vicinity are the listed Glebe Farm, Midway and Langcotta.
- 5.5 Neither Brighthampton nor Standlake has a Conservation Area. There do not appear to be any Tree Preservation Orders on the site. The site is not within a designated area, but is within a Minerals Consultation Zone.
- 5.6 The relevant planning history is as follows:
- 90/0520 - Planning application for two dwellings - refused in May 1990 and dismissed on appeal May 1991.
10/1460/P/FP - Planning application for one dwelling and garage - refused December 2010 and dismissed on appeal September 2011.
94/0015 - Land adjacent to No.50 Abingdon Road. Planning application for one two storey dwelling with garage - refused February 1994 and dismissed on appeal August 1994.
- 5.7 The site has been put forward for consideration in the SHELAA 2016 as part of a wider land area at Malthouse Farm, numbered 158. However, it is not deemed suitable for development. The finding is as follows: "The site makes an important contribution to the rural character of this part of the village. The northern part of the site provides a significant green gap, separating the outlier of Brighthampton from the main part of the village. The overall village character is linear in nature: development of this site would be in-depth, thus inappropriate, and some distance from the main village services and facilities."
- 5.8 The Local Plan 2011 Inquiry Inspector concluded that development at Malthouse Farm "would appear as an inappropriate incursion into the open countryside on this edge of settlement location" and the land off Lancott Lane "makes a valuable contribution to this part of the village by providing an open setting for the attractive period properties along Lancott Lane. The allocation of this site... would detract from the rural character of the village". The appeal Inspector for 90/0520 found that "the existing gap would be significantly eroded" and the "proposed development would extend built development into the open countryside to the clear detriment of the character and appearance of the area". The appeal Inspector for 94/0015 commented that as a result of the development "the contribution that the appeal site makes to the predominantly rural appearance of the south west side of the road would ... be significantly reduced". He was also of the view that it would "prejudice the appearance of the village as a whole by partly closing the undeveloped gap that exists between the north western boundary of No.50 Abingdon Road and the development around the junction with Lancott Lane. My conclusions concerning the north westerly aspect, and the view through the new entrance to the site, are reinforced by the knowledge that residential development inevitably brings with it the trappings of human occupation... I believe that the proposal would materially harm the character and appearance of the surrounding area". The appeal Inspector for 10/1460/P/FP noted that "Whilst the village is partly characterised by ribbon development, the remaining intervening open spaces are of importance to the character of the area... The erosion of open space adds to the harm that would be caused to the character and appearance of the area".
- 5.9 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
Landscape
Siting, design and form
Heritage
Highways
Trees, landscaping and ecology
Drainage
Minerals
S106 matters

Principle

- 5.10 In the Local Plan Brighthampton and Standlake are not explicitly referred to as separate settlements. The physical gap between them has been somewhat eroded over time, but nevertheless they retain a distinct character. However, in a practical sense, they are functionally joined in terms of use of local facilities and amenities, albeit with Brighthampton being some distance from the majority of Standlake's services and facilities. For the purposes of setting the proposal in a locational context as regards the settlement hierarchy, Officers consider that reference to an association with Standlake is reasonable, but this does not diminish the identity of Brighthampton as a settlement in its own right.
- 5.11 Standlake is identified as a Group B settlement (medium sized village) in the Local Plan 2011. It benefits from services, including a primary school, community building, recreation facilities, a shop and pubs. It is ranked 14th of the 41 settlements assessed. However, it is noted that employment opportunities locally are limited and there is a considerable amount of out-commuting.
- 5.12 Local Plan 2011 Policy H6 would not allow for the development of the application site because it involves new build housing that does not constitute infilling or rounding off within the village. However, this policy is considered to be out of date.
- 5.13 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 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.
- 5.14 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.

- 5.15 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.16 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.
- 5.17 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions timetabled for July 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.
- 5.18 Emerging Local Plan 2031 Policy OS2 identifies Standlake as a "village" and states that these are "suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities".
- 5.19 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.
- 5.20 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.

Landscape

- 5.21 The site lies within the Lower Windrush Valley and Eastern Thames Fringes character area, as identified in the West Oxfordshire Landscape Assessment. The landscape type is semi-enclosed flat vale farmland. One of the principal factors that threatens landscape quality in this area is the expansion of rural settlements and suburbanisation of the wider countryside.
- 5.22 The development would have significant visual impact locally, in replacing open pasture with a substantial amount of housing. There are no public rights of way in close proximity, but the site and views across it to open countryside beyond can be gained from Abingdon Road and Lancott Lane. The site is also visible from Croft Lane to the south east.
- 5.23 The site forms an important area of open space that separates Brighthampton and Standlake. The various Inspectors' comments, set out in paragraph 5.8 above, reinforce the importance of

the site in terms of village morphology and character. There has been no material change in the situation on the ground and local characteristics that would suggest a different assessment now. The development would lead to unacceptable coalescence of the settlements.

- 5.24 The applicant's Landscape and Visual Appraisal acknowledges a high magnitude of visual change in year 1 of the development from public viewpoints at Abingdon Road and Lancott Lane. However, they suggest that this would reduce to moderate change by year 15. It is suggested that tree and hedgerow planting would ameliorate affects. The reality is that there would be very limited new planting, and nothing of a structural nature that would meaningfully screen the development. The landscape structure to the periphery would largely remain as is, and the development would be very visible from the main viewpoints. Development here would be disproportionate and inappropriate in scale and would not form a logical complement to the existing scale and pattern of development in this area. It would encroach into part of an extensive area of pasture that characterises the landscape in this location and would fail to relate satisfactorily to the village, or the existing rural environment that provides a setting for the village. There is harm in landscape terms and this needs to be factored into to the planning balance.

Siting, Design and Form

- 5.25 The layout shows that a scheme of 46 dwellings can be accommodated within the site. The north west corner of the red line area is an existing distinct parcel of land which would be retained as open space and is referred to as "village green". The applicant would retain an access to other land to the south by leaving a gap between plots 28 and 29. This is of concern to objectors because it could potentially lead to further development here. Officers share this concern but there would be no grounds to require that this facility is removed.
- 5.26 The development would extend approximately 180m south from Abingdon Road and infill a substantial area of open space which provides part of the rural setting to the villages. Four properties would front the road, with the remainder arranged in a fairly standard suburban layout, in depth, to the southern boundary.
- 5.27 A variety of house types are proposed, including short terraces, semis, and detached units. The design approach to the units in isolation reflects vernacular forms to be found in this part of the district and of itself is acceptable. However, a number of minor changes have been requested to the detailing of some units. At the time of writing these had not been received. The 2 storey height of the dwellings is consistent with other development in this location.
- 5.28. Separation to neighbouring existing properties is such that there would be no material impact in terms of privacy and loss of light. There is the possibility that future residents would be affected by noise from the Abingdon Road and a condition is recommended to ensure appropriate noise levels are achieved to the properties. The village is currently unlit by street lighting and any street lighting here would be incongruous, visually intrusive and polluting to the environment.
- 5.29 A mix of external materials is proposed. Walling would be artificial stone, render and brick, with some timber cladding to garages. The roofing would be artificial slate, plain tile or thatch. This palette is not objected to in principle, but should planning permission be forthcoming the submission and approval of all materials would be necessary. A 0.9m dry stone wall would form the frontage of the site to Abingdon Road. Estate railings would be provided to separate Plots

45 and 46 from the open space. Elsewhere on the site there would be a mix of stone walling and railings to frontages, and close boarded fences to separate plots.

- 5.30 Whilst the architectural design is generally acceptable when viewed in isolation, the extent of development and overtly suburban form is at odds with the rural village character and predominant linear and ribbon form of the built development in this location. The site density is stated to be 21 dwellings per hectare, but it should be borne in mind that the provision of open space reduces the developable area. At various points within the layout, interface distances are short. For example the main elevation distance between plot 41 and plots 13 and 14 is just 15.5m. It is accepted that there is no fixed distance, but the rule of thumb is 21m. Closer relationships may be accepted on street frontages, for example, in more built up environments or where a tight knit grain characterises the area. In addition, some compromise on frontage interfaces can be compensated for by more generous private amenity space. This is not the case here. Some plots are very close to retained trees and this is likely to lead to pressure to fell or prune trees because of loss of light, damage from roots or branches and leaf litter. For example, plots 1, 7, 22, 23, 31, 32, and 33. On this basis, the built form is considered to be cramped and out of character with the area, and would be likely to lead to loss of amenity.
- 5.31 The proposal does not relate satisfactorily to its surroundings and does not improve the character and quality of the area.

Heritage

- 5.32 The site is not within a Conservation Area, but there are many Listed Buildings in Brighthampton and Standlake. The closest of these Listed Buildings are Glebe Farm located opposite the junction of Abingdon Road and Lancott Lane, and Midway and Langcotta in Lancott Lane. The setting of all nearby listed buildings needs to be considered under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.33 Glebe Farmhouse and its attached barn consist of an eighteenth-century farmhouse, sitting gable-end to the Abingdon Road, with a rear wing and a barn projecting from the rear of the farmhouse. It is constructed in a randomly coursed limestone with a stone slate roof. The significance of the farmhouse lies in its architectural interest, vernacular form and historical association with agriculture in this area. Converted stables to the rear are separately listed.
- 5.34 Langcotta is a two and a half storey thatched cottage, most likely having origins as a farm cottage or farmstead and appears to date in part to the seventeenth century, although the house has been extended during the late twentieth century. The principal wing is constructed in a coursed limestone rubble, with semi-dressed limestone blocks forming quoins. The roof is thatched and is pierced by a pair of eye-brow dormer windows, whilst the northern end is half-hipped around the chimney stack. The extension is faced in a similar stone to that of the principal house, and sits over one and a half storeys, with two half-dormer windows set within a tiled roof. The significance of the building primarily arises from its architectural appearance and detailing, together with its evident traditional construction. Historic mapping indicates that the building formed part of a group of buildings along Lancott Lane many of which have now been demolished.
- 5.35 Midway is predominantly constructed in rubblestone, with a steeply pitched thatch roof. The building has been extended to the east by one bay with a brick extension. The thatched roof is pierced by one twin-flued chimney stack, whilst the ridge at this point rises up marginally. A

rubble-constructed lean-to projects from the front elevation, and is covered in a blue slate, rather than thatch. The principal significance of the building arises from its vernacular architectural appearance and styling (aesthetic values), which are largely emphasised by the thatched roof. The building also has considerable aesthetic value in its materials, with thatch and rubblestone providing a traditional appearance to the building. There is some historic illustrative value through the representation of medieval/ post-medieval low status agricultural workers architecture, although this has been weakened by the later extensions.

- 5.36 The unmade nature of Lancott Lane, together with the open pasture opposite (the application site) provides a rural, countryside setting to Langcotta and Midway, and to a slightly lesser extent Glebe Farm. It should also be noted that there is open land wrapping around the southern end of Lancott Lane and to the rear of Langcotta.
- 5.37 Brighthampton was historically an agricultural, rural settlement and the listed buildings are intrinsically linked to it. The application site provides a key part of the setting of these buildings and the proposed development in terms of its siting, scale and layout would dramatically and irreversibly change this setting. The intention to retain an area of open space to the north west corner of the site does not off-set or ameliorate the harm caused by large scale and incongruous suburban housing development. The harm is judged less than substantial in terms of paragraph 134 of the NPPF but is nonetheless significant in this context. The proposal would not make a positive contribution to local character and distinctiveness.
- 5.38 The OCC Archaeological Officer has assessed the submitted archaeological field evaluation which establishes a spread of medieval features across the site. However, none of the features is of such significance as to preclude the principle of development. Therefore no objection is raised subject to conditions.

Highways

- 5.39 The vehicular access would be taken from Abingdon Road and a cul de sac formed, from which all the proposed properties would be accessed. Appropriate visibility splays would be provided either side of the access by removing boundary trees and setting back the frontage boundary. There is no footway on the south side of Abingdon Road and a footway and crossing point are proposed east of the access to join the north side of the road. It would not be possible to introduce a pedestrian refuge, but instead it would be necessary for the developer to fund resurfacing of the Abingdon Road 50m either side of the proposed crossing point to act as a traffic calming measure. A new footway would also be required west of the access to allow safe access to the bus stop which is 132m west of the site access on the south side of the road.
- 5.40 No concerns are raised by the Highways Officer in connection with traffic generation and impact on the operation of the local highway network.
- 5.41 The site is located approximately 1.6km from the village shop and approximately 2.0km from the primary school. The walk is level but 2km is considered the maximum preferred walking distance and could prove too far for young children or the mobility impaired. There is no street lighting in Brighthampton or Standlake and this would affect travel choices in the dark hours. In addition, particularly at peak times, Abingdon Road is heavily trafficked. These factors would be likely to discourage walking and cycling for many.

- 5.42 Standlake and Brighthampton are currently served by bus service No.19 which provides 8 journeys a day (Monday to Saturday) between the settlements and the service centres of Witney and Carterton. A financial contribution would be required to increase the frequency of this service. In addition, a contribution is required to upgrade the bus stop infrastructure in the form of pole/flag.
- 5.43 Whilst Officers have reservations regarding the distance of the site from local facilities and how realistic it would be for residents to walk or cycle, overall there is no objection raised on highways grounds.

Trees, landscaping and ecology

- 5.44 There are trees and hedgerows on all boundaries of the site, although the tree cover to the north and south boundaries is more limited. The submitted tree report and tree retention plan show that most existing trees would be retained, and some in any event are outside the site boundary. A length of hawthorn hedge across the width of the site would be removed. Two small groups of new trees would be introduced into the open space and incidental trees would be planted throughout the development. No structural planting is proposed.
- 5.45 A tree protection plan has been submitted and it is considered that there would be no detriment in landscape terms arising from the treatment of the trees on the site. However, as set out above, it is considered likely that there would be pressure to fell or prune trees in the future, given their proximity to the new houses in some areas.
- 5.46 The submitted ecological report was considered by the Council's Biodiversity Officer and no objection is raised subject to conditions regarding mitigation and enhancements for wildlife.

Drainage

- 5.47 The site is within Flood Zone 1 and therefore at low risk of flooding.
- 5.48 No comments were provided by the Environment Agency.
- 5.49 However, OCC raises objection on the grounds of lack of adequate drainage information by way of infiltration tests, calculations and adequate drainage features to manage surface water flood risk on-site for all storm events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change.
- 5.50 The applicant has been in discussion with Thames Water regarding foul drainage, and since Thames Water's original comments it has apparently been agreed that the development would be connected to a different part of the sewerage system. On this basis Thames Water would no longer require a drainage strategy to be submitted by way of condition.

Minerals consultation area

- 5.51 The application site is underlain by deposits of sharp sand and gravel. It lies within a mineral safeguarding area to which policy M8 of the submitted Minerals and Waste Local Plan: Part 1 - Core Strategy, 2015 (as proposed to be modified in the County Council's Proposed Main Modifications to the Core Strategy, February 2017) applies. It is also within a strategic mineral

resource area identified in policy M3 in the submitted Minerals and Waste Core Strategy as a principal location for sharp sand and gravel.

- 5.52 Proposals for development that could sterilise significant mineral deposits should be considered against saved Oxfordshire Minerals and Waste Local Plan policy SD10 on protection of mineral resources. This policy dates from 1996 but it is consistent with the NPPF (paragraph 143, bullet 3). Under saved policy SD10, development which would prejudice the working of mineral deposits should not be permitted unless it can be shown that the need for the development outweighs the economic and sustainability considerations relating to the mineral resource. Under saved policy SD11, development which is contrary to policy SD10 may be permitted if the mineral deposits are worked prior to the development taking place. Policy M8 on safeguarding mineral resources in the Minerals and Waste Core Strategy, as proposed to be revised under Main Modification MM27, February 2017, should also be taken into consideration.
- 5.53 The application site lies adjacent to existing development in the settlement of Brighthampton. In view of these existing constraints, it is very unlikely that mineral working would be practically possible within the application site due to the need for adequate unworked margins (buffer zones) between existing development and any mineral extraction. In addition, any future mineral working to the south of the application site would not be prejudiced by the additional requirement for a buffer zone around the proposed development, as the need for any such unworked margin would not extend further than that already created by existing development at the Brighthampton settlement.
- 5.54 It is therefore considered unlikely that the development proposed in this application would significantly increase the sterilisation of potentially workable mineral resources, and there is insufficient justification for the mineral deposits in this site to be safeguarded from the effect of the proposed built development. Accordingly, no objection should be raised to the development proposed in this application on minerals policy grounds.

SI06 matters

- 5.55 The applicant has referred to the provision of 40% affordable housing which is a policy compliant contribution.
- 5.56 A contribution of £5,880 is required towards public art.
- 5.57 A contribution of £53,176 off site contribution towards sport/recreation facilities within the catchment. A contribution of £37,628 for the enhancement and maintenance of play/recreation areas within the catchment.
- 5.58 No contributions are required towards education.
- 5.59 A financial contribution of £46,000 is required to enable an increase in frequency of local bus services between Carterton and Witney via Standlake and Brighthampton. In addition, £2,180 is required to update bus stop pole/flag at the bus stop west of the access on Abingdon Road.
- 5.60 An agreement under Section 278 of the Highways Act 1980 to enable the applicant to construct a footway on the eastern and western sides of the proposed access, together with a dropped kerb and tactile paving on both sides of the A415 Abingdon Road. The same agreement will also

be required to enable the applicant to resurface a section of the A415 Abingdon Road with high (68+) PSV stone surfacing.

Conclusion

- 5.61 The site is on the edge of a village, which although doesn't provide a full range of amenities is considered a suitable location for limited new development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities.
- 5.62 The site lies within a short distance of a number of listed buildings. There is harm to the setting of these buildings and this is judged less than substantial in terms of paragraph 134 of the NPPF. This harm needs to be outweighed by public benefits for the proposal to be considered acceptable.
- 5.63 Existing trees and hedgerow would be retained on the periphery of the site, save for limited removal to facilitate the development. Additional landscaping would be provided, although this is not of a structural nature.
- 5.64 The access to the site is acceptable in highways terms and highways improvements would be required by way of legal agreement.
- 5.65 The applicant has not provided sufficient information as regards surface water drainage.
- 5.66 The scheme would not lead to unacceptable sterilisation of mineral resources.
- 5.67 There would be no impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.68 It is considered that there would be no materially harmful impact on the residential amenities of existing dwellings. However, the proposed layout is cramped and over-developed and would not provide a suitable level of amenity to all plots because of interface distances and proximity of retained trees.
- 5.69 In terms of relationship to the existing settlement form and pattern, the development would be disproportionate and inappropriate in scale and would not form a logical complement to the existing scale and pattern of development in this area. It would encroach into part of an extensive area of pasture that characterises the landscape in this location and would fail to relate satisfactorily to the village, or the existing rural environment that provides a setting for the village. It would also lead to coalescence of Brighthampton and Standlake.
- 5.70 Given that the saved Local Plan Policies for the supply of housing are time expired, 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, policies for the supply of housing are out of date and 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. In this context, significant weight is attached to the benefit of the provision of new housing (in general terms), and in particular the required 40% affordable housing in this case. The economic benefits associated with the construction of new dwellings, and potential economic activity associated with new residents are acknowledged.

5.71 Notwithstanding these benefits, it is considered that they do not outweigh the harm to the setting of the nearby listed buildings, nor do they outweigh the significant and demonstrable harm to the character and appearance of the landscape and the settlement in this location. The site layout is cramped and over-developed and would be likely to result in unacceptable impacts on residential amenity. It does not therefore represent good design. Insufficient information has been submitted in connection with surface water drainage. The proposal does not therefore represent sustainable development and is accordingly recommended for refusal.

6 REASONS FOR REFUSAL

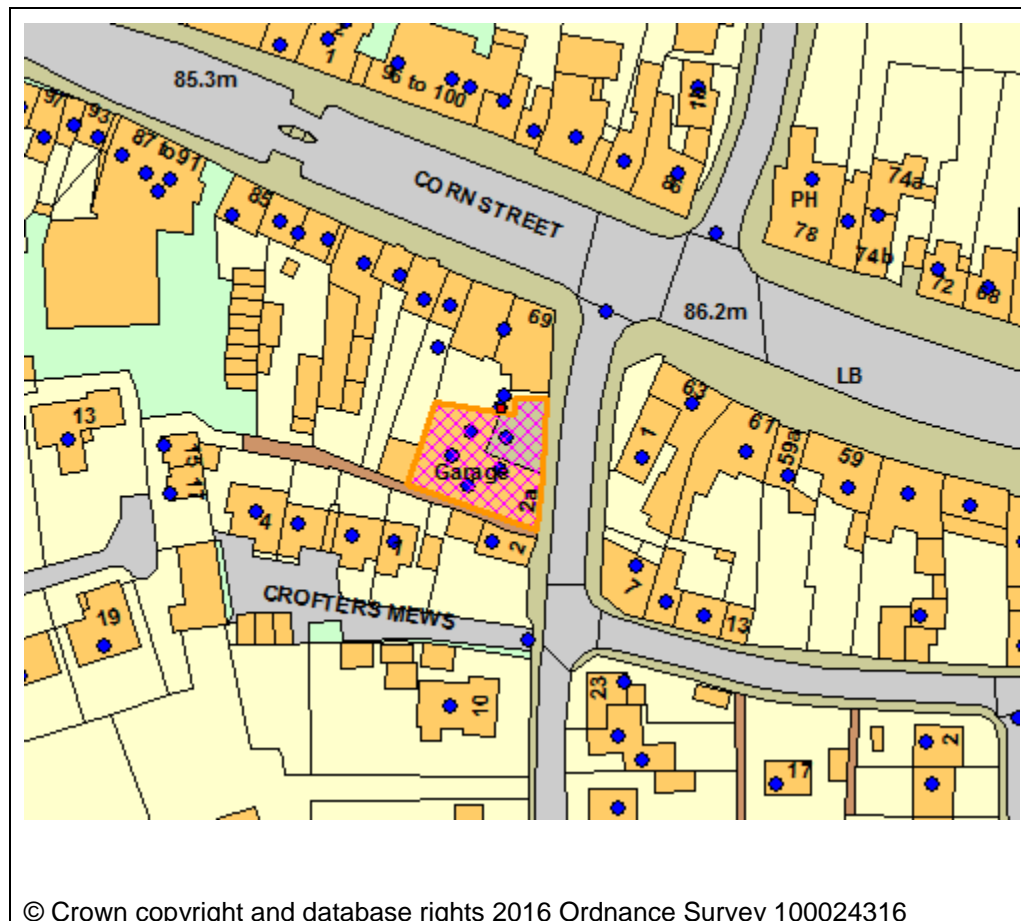
- 1 The site is located in the countryside beyond the existing settlement edges of the villages of Brighthampton and Standlake. The development would encroach unacceptably into an extensive area of pasture that characterises the landscape in this location. It would fail to relate satisfactorily to the villages or the existing rural environment which provides a setting for them, 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 and visible in public views from Abingdon Road and Lancott Lane and would also be visible from Croft Lane to the south 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 site provides important separation between the distinct settlements of Brighthampton and Standlake and the development would result in coalescence, thereby leading to loss of identity of the settlements. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 policies BE2, BE4, NE1, NE3, and H2, emerging West Oxfordshire Local Plan 2031 policies OS2, and EH1, and the relevant policies of the NPPF, in particular paragraphs 17, 58, and 109.
- 2 The location of the site is within a swathe of countryside to the south of Brighthampton and Standlake that provides a setting for the villages. A number of Listed Buildings are located in the vicinity, with Glebe Farm, Midway and Langcotta being in closest proximity to, and visible from, the site. The proposed development would significantly encroach into the countryside and would have an urbanising effect on the setting of the heritage assets. This would lead to less than substantial harm to the setting and significance of the assets which is not outweighed by public benefits. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 Policies H2, BE5, BE8, and BE12, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS4 and EH7, and the relevant paragraphs of the NPPF, particularly paragraphs 132, and 134 of the NPPF.
- 3 The proposed layout is cramped and over-developed, and would not provide an appropriate level of amenity as a result of proximity to retained trees and sub-standard interface distances between main elevations on some plots. The design, scale, extent, arrangement and depth of development would not reflect the established character of the area, where the site represents an important open space and ribbon development predominates. It would fail to establish a strong sense of place and would not reinforce local distinctiveness. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 Policies BE2, BE4 and H2, emerging West Oxfordshire Local Plan 2031 Policies OS2, and OS4, and the relevant paragraphs of the NPPF, in particular 17, 58, 60, 61, and 64.
- 4 The applicant has not provided adequate information in respect of surface water drainage, by way of infiltration tests, calculations and adequate drainage features to manage surface water flood risk on-site for all storm events up to and including the 1 in 100 chance in any year critical

storm event, including an appropriate allowance for climate change. The local planning authority cannot therefore be satisfied that surface water would be effectively managed on the site, or that flood risk would not be increased elsewhere. The proposal is therefore contrary to emerging West Oxfordshire Local Plan 2031 Policy EH5 and paragraph 103 of the NPPF.

- 5 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, secures the provision and appropriate management of landscaping and open space, makes an appropriate contribution to public transport services and infrastructure, 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 2011 Policies BE1, TLC7 and H11, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS5, and H3, and paragraphs 17, 50, 69, 70, 72 and 203 of the NPPF.

Application Number	17/01296/FUL
Site Address	2 Jacks Corner 2A The Crofts Witney Oxfordshire OX28 4AD
Date	28th June 2017
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435259 E 209579 N
Committee Date	10th July 2017

Location Map



Application Details:

Change of use of office space to 1 bed flat

Applicant Details:

Jack James Homes, C/O TSH Architects

I CONSULTATIONS

- 1.1 Town Council Witney Town Council objects to this application on the grounds that there is a lack of amenity space in the proposal which is contrary to Policy BE 4 of the WOLP and also that there is insufficient parking , contrary to Policy BE3 of the WOLP, and also due to the fact that the proposal appears to be over development of the site, contrary to Policy BE2 of the WOLP.
- 1.2 OCC Highways The proposal is for the change of use of a small office space to a one-bedroom flat.
- According to the application form there is no car parking provided, so it is assumed that the five spaces on site are allocated to the existing five flats. As the building is located very close to Witney town centre and good transport links, it is considered reasonable to offer the flat as "car-free".
- The stretch of The Crofts immediately adjacent to the site is protected by double yellow lines. Should the occupier of the flat have a car, then they will need to park it at an unrestricted location away from the dwelling. This cannot be considered as detrimental to highway safety.
- The development benefits from existing cycle parking and arrangements for bin storage.
- The proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view, therefore I offer no objection.

2 REPRESENTATIONS

None received at the time of writing.

3 APPLICANT'S CASE

- 3.1 A statement has been made by the owner of the site as follows:

I can confirm the office at 2a The crofts is no longer required by ourselves as we are soon to be completing the office at 43 Corn Street, Witney as this is a more prominent position. We also feel that if it was to remain as an office it would be extremely difficult to let due to the high number of small commercial units already available in Witney. In fact, we already owned the building before planning was granted and the unit stayed empty falling into a state of disrepair for a number of years as it was in a poor location as a commercial unit.

- 3.2 In addition, details of existing empty office space available for Let in Witney have also been provided to support this statement. This information is not an exhaustive list of all available

office space in Witney but does provide some examples. This can be viewed on the Council's website.

4 PLANNING POLICIES

BE2 General Development Standards

H7 Service centres

E1 Employment Allocations

OS2NEW Locating development in the right places

H2NEW Delivery of new homes

E1 Employment Allocations

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

5 PLANNING ASSESSMENT

5.1 This application seeks planning permission for the conversion of an office to a 1-bed flat at Jacks Corner which is located close to the junction of The Crofts with Corn Street. The building comprises of five residential flats with one ground floor office space and associated parking, cycle parking and bin storage. The site sits within the Witney and Cogges Conservation area. No external changes to the building are proposed.

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

Highways

Residential Amenities

Principle

5.3 The proposed development would result in the loss of existing ground floor office space. At present the building comprises of one ground floor office, amongst five residential flats. Policy E6 of the Existing Local Plan specifies that the change of use of existing employment sites will generally be resisted unless it can be demonstrated that the site or premises is not reasonably capable of being used or redeveloped for employment purposes; or that the premises is considered unsuitable on amenity, environmental or highway safety grounds; or that substantial planning benefits would arise from alternative forms of development. Policy E1 of the Emerging Local Plan is similarly restrictive of the loss of existing employment sites other than in certain specific circumstances, similar to those listed within Policy E6 of the Existing Local Plan.

5.4 A supporting statement has been submitted by the agent to advise that the owner of the site is relocating to a more suitable office which is available on Corn Street. Therefore the office, the subject of this application, will be left empty. Whilst no robust marketing exercise has been undertaken in order to demonstrate that the office is unsuitable for use, Officers have liaised with the Council's Business Development officer who has advised that there is currently a surplus of available office space in Witney and that by reason of its size and location within a residential context which sits outside of the town centre, it's not in a very desirable location and is likely to be difficult to sell or let as an office space given the current surplus of more appropriate office space in Witney. In light of this, given that the proposal will result in the loss

of such a small office space, which is considered to be undesirable and makes a minimal contribution to the employment space available in Witney, the change of use from office to flat would not result in any material harm to both the adopted and emerging employment policies E6 and E1 respectively.

- 5.5 In addition, Policy H7 of the adopted Local Plan specifies that new dwellings will be permitted in Service Centres, such as Witney, in circumstances where the development is considered to be either infilling; rounding off within the existing built up area; the conversion of an appropriate building; and on sites specifically allocated for residential development in the plan. Further, Policy H2 of the emerging Local Plan specifies that new dwellings will be permitted in main service centres on sites which have been allocated for housing development within the Local Plan; on previously developed land within the built up area provided the loss of any existing use would not conflict with other plan policies; and on undeveloped land within or adjoining the built up area where the proposed development is necessary to meet identified housing needs and is consistent with other plan policies.
- 5.6 In light of the above, Officers consider that the provision of an additional residential unit in this location through the conversion of an appropriate building, which isn't considered to be materially harmful to other plan policies (in particular the relevant employment policies), accords with both policies H7 of the adopted Local Plan and H2 of the emerging Local Plan. As such the application is acceptable in these terms.

Highways

- 5.7 In this regard, whilst the application proposes no car parking to serve the additional flat, the site is very close to the town centre of Witney which offers good transport links. Further, the development already benefits from existing cycle parking and bin storage. Therefore, the County Council Highways Authority has advised that the proposals are unlikely to have any adverse impact on the local road network from a traffic and highway safety point of view. As such the application is considered to be acceptable in these terms.

Residential Amenities

- 5.8 Given the existing residential context of the site, and the fact there are no external alterations to the building proposed, the addition of one flat is not considered to have any significant impact on the residential amenity of occupants of the existing neighbouring properties. Further, whilst Officers note the Town Councils objection on the grounds that there is a lack of amenity space provided, given that the proposed development is a flat, and that the flat mirrors those already approved under application 14/0313/P/FP, which as well as providing a similar level of internal space, also do not benefit from any outside amenity space, the application is considered to be acceptable in these terms.

Conclusion

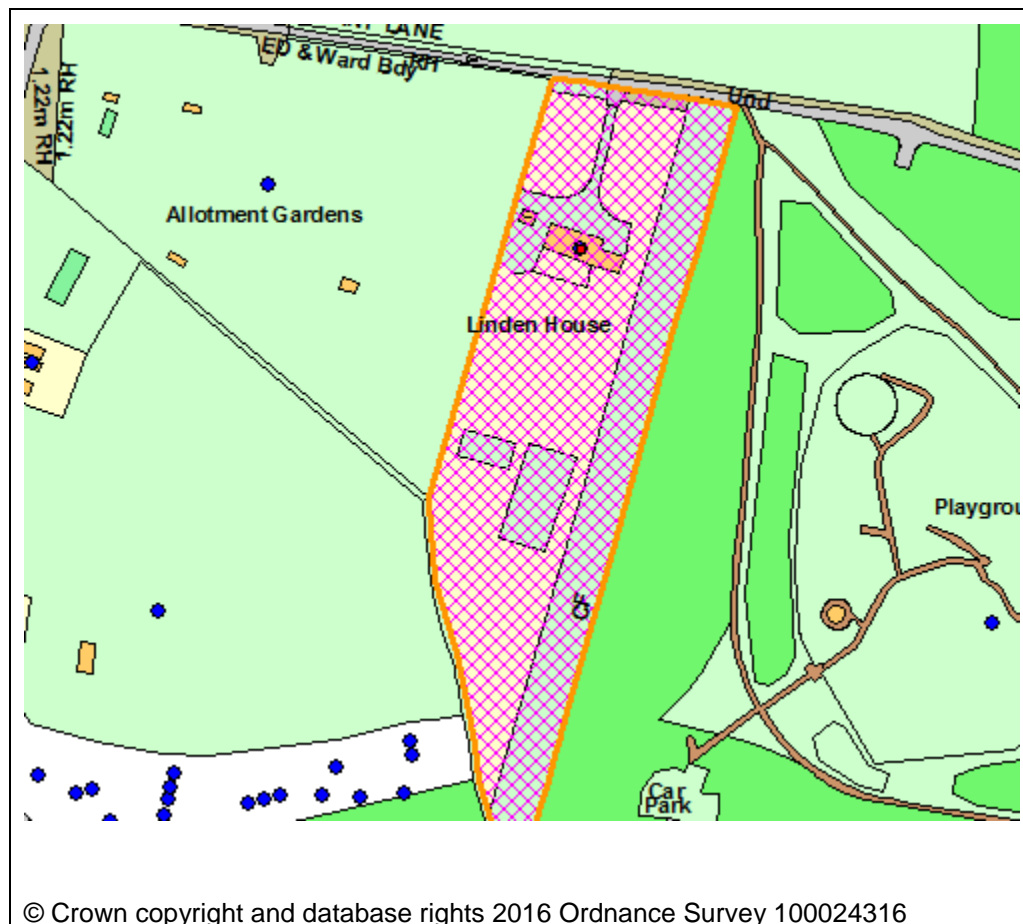
- 5.9 In light of the above, the application is considered to be acceptable and compliant with policies BE2, H7, and E6 of the adopted West Oxfordshire Local Plan 2011, OS2, H2 and E1 of the emerging West Oxfordshire Local Plan 2031 and relevant policies of the NPPF.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of 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.

Application Number	17/00831/OUT
Site Address	Linden House Kilkenny Lane Brize Norton Carterton Oxfordshire OX18 3NU
Date	28th June 2017
Officer	Phil Shaw
Officer Recommendations	Defer
Parish	Carterton Town Council
Grid Reference	427961 E 208632 N
Committee Date	10th July 2017

Location Map



Application Details:

Residential development of up to 28 dwellings (means of access only), to include 4 affordable housing units.

Applicant Details:

Mr And Mrs R P C Howse
Linden House
Kilkenny Lane
Brize Norton
Oxon
OX18 3NU

I CONSULTATIONS

- | | | |
|------|-------------------------------------|---|
| I.1 | Town Council | The Planning Committee did not support the previous application and feel that the number of homes is excessive for the size of the site. |
| I.2 | Adjacent Parish Council | No Comment Received. |
| I.3 | WODC - Arts | A contribution of £5,040 towards temporary public art activities in the vicinity of the site, post occupation, for the benefit of new and existing residents of the village |
| I.4 | WODC Architect | This is a significant encroachment of denser built form into an area that is only sparsely developed with flat and open longer views and where trees cannot be relied upon to screen the development. A precedent could be set albeit that 10 dwellings have already been approved. 10 is however less than 28 and would give a softer edge. Do not welcome this proposal and recommend refusal |
| I.5 | Biodiversity Officer | No objections subject to conditions requiring amendments to the layout to take account of ecological value of the site |
| I.6 | ERS Env Health - Lowlands | I have no adverse comment on this Outline application and consider that suitable conditions to ensure dwellings are designed to appropriate standards for internal noise criteria, can and will be advised by this team at the appropriate time. |
| I.7 | WODC Housing Enabler | No Comment Received. |
| I.8 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.9 | MOD (Brize Norton) | No Comment Received. |
| I.10 | Thames Water | Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. |
| I.11 | WODC Env Services - Waste Officer | No Comment Received. |
| I.12 | WODC - Sports | £1,156 x 28 = £32,368 off site contribution towards sport/recreation |

facilities within the catchment. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS.

£818 x 28 = £22,904 for the enhancement and maintenance of play/recreation areas within the catchment. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.

2 REPRESENTATIONS

- 2.1 Mr Hughes of Sedge Way considers that there are too many properties planned for this space, and not enough regard to the proximity of the Kilkenny Country Park has been taken in the design of the development. In addition protection of and enhancement to the water course in the area seems insufficient.
- 2.2 However, if you are minded to grant planning permission I hope that you will at the very least ensure significant new planting of trees, hedgerows and shrubs on site. I also hope that new bird and bat boxes are installed and nesting sites for House Martins and Swallows that are numerous in the area are provided. I hope that Hedgehog habitat and highways (including fence and wall holes) are provided and good habitat for pollinators.

3 APPLICANT'S CASE

Writing in support of the proposals the agent has supplied a considerable volume of supporting information that may be viewed on line. In essence the agent argues that the reduction in the level of AH provision is justified as a result of the high site value and higher than average external works costs as a result of a long access road. The proposal is in outline but the masterplan has evolved to enable the landscape setting to be enhanced. The issue of affordable housing was the sole reason that the Inspector dismissed the earlier appeal

4 PLANNING POLICIES

H11 Affordable housing on allocated and previously unidentified sites
H3NEW Affordable Housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to the site of an existing dwelling located between the allotments and the Country Park. Members will recall that there is an extant permission for retention of the house and erection of 10 dwellings with a 100k Affordable Housing Contribution but that a scheme for complete redevelopment of the site was refused under application ref 16/00385/OUT. The refusal reasons centred on the landscape impact and the lack of affordable housing. The appeal was dismissed but only as a result of the refusal reason relating to lack of affordable housing. The applicants are now proposing 4 units of affordable housing (14%) whereas the adopted policy would seek 35% (10 units). The previously offered 100k towards off site AH is also offered in lieu of OCC contributions.

- 5.2 Members will recall that this application appeared before them at the last meeting where it was deferred to await the receipt of the consultant's report regarding the viability of the scheme to bear a policy compliant affordable housing contribution. At the time of agenda preparation that advice has not been received so the application is placed on the schedule in the anticipation that it may be received in time to be determined at the meeting.
- 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 related solely to whether the revised offer has addressed the refusal reason related to affordable housing contributions.

Principle

- 5.4 In that the Inspector did not consider that any issue other than the extent of affordable housing contribution was deficient with a recently refused almost identical proposal there would need to be materially different planning circumstances to justify either raising new objections or withdrawing that as a potential refusal reason.
- 5.5 In terms of the former, as will be noted from other applications elsewhere on this agenda, whilst the LPA are now claiming a 5 year housing land supply as part of the emerging local plan process the advice being offered by Officers is that until such time as this has been endorsed by the LPI that as a precautionary approach the so called tilted balance set out in paragraph 14 of the NPPF should be used for determining applications. Thus whilst the housing position has improved markedly when compared to that which was the subject of the appeal deliberations it is not yet at a point where Officers would advise relying upon it to justify a refusal. Secondly a recent court case has clarified the position as regards to landscape policies and their on going relevance notwithstanding that they may impact on the ability to deliver houses. This site lies within such a policy area (policy NE2 refers) but given the lack of traction that the landscape impact refusal reason had with the Inspector again your officers would not suggest that this would materially alter the planning balance. Thus notwithstanding the reservations that Officers retain it is not considered that any material changes would justify re-introducing new or refreshed refusal reasons.
- 5.6 This leaves the second element of the equation - has the applicant done enough by way of their revised offer to address the concerns that the AH offer at below policy compliance had not been justified. In order to test that position the applicants full case has been sent to the consultants who advised the Council as regards the viability of the AH policies in the emerging plan for comment. Clearly the presence of an existing house on the site establishes a land value but the applicants claim that the costs of development and existing values are such that the 14% plus 100k offer is all that can be afforded also needs to be looked at in considerable detail. Failure to ensure that this position is fully justified could clearly have considerable adverse implications for the policies of the emerging plan in terms of their ability to meet the pressing AH needs of the area. Your Officers will not be in a position to make a formal recommendation until such time as the consultant's response has been received and considered.
- 5.7 In light of the above the application is currently recommended for deferral as it is not possible to frame a recommendation in the absence of the external advice. Members gave consideration at the last meeting as to whether they wished to delegate authority to Officers to determine or whether they wished to bring the matter back to committee and decided that they wished to

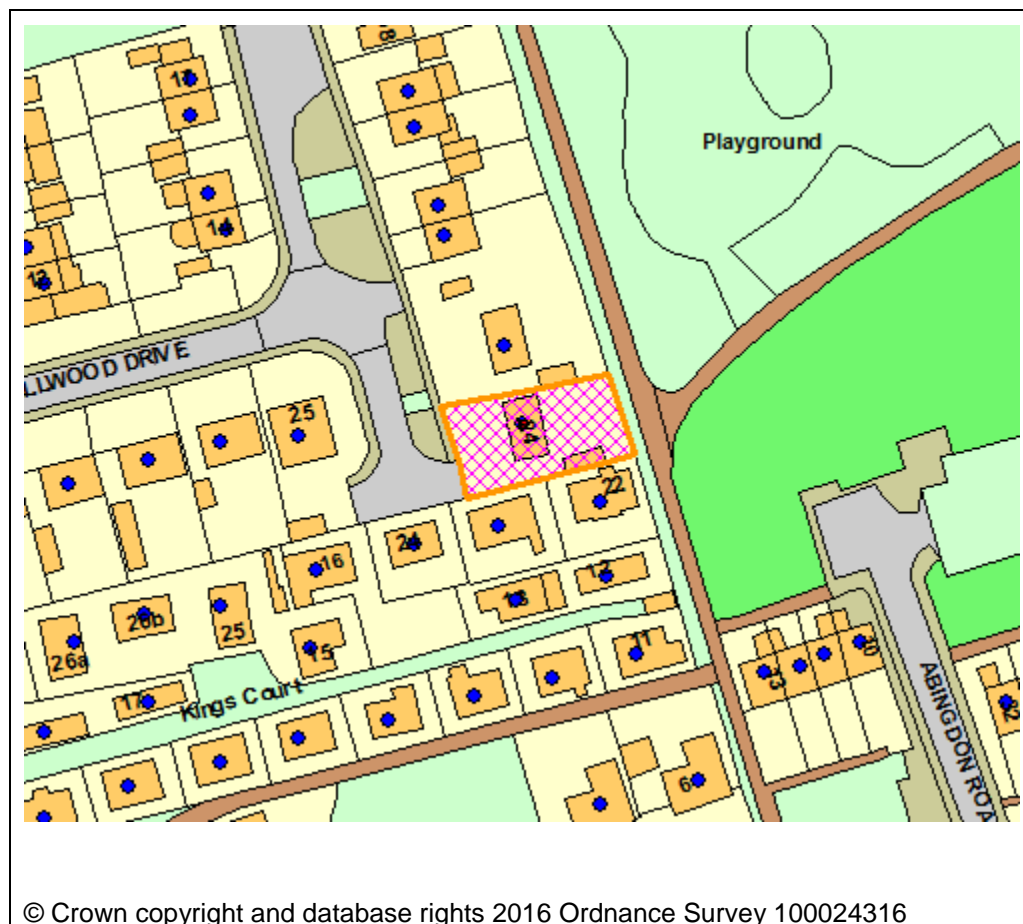
formally consider the matter. A full verbal update will be given at the meeting if the report has been received.

6 RECOMMENDATION

Defer, but with the possibility of the application being brought forward for determination if the outstanding Consultants report regarding viability is received.

Application Number	17/01618/FUL
Site Address	24 Sellwood Drive Carterton Oxfordshire OX18 3AZ
Date	28th June 2017
Officer	Cheryl Morley
Officer Recommendations	Refuse
Parish	Carterton Town Council
Grid Reference	428211 E 207087 N
Committee Date	10th July 2017

Location Map



Application Details:

Erection of replacement dwelling

Applicant Details:

Mr Simon Taylor
13 Halton Road
Carterton
Oxfordshire
OX18 3SD

I CONSULTATIONS

- 1.1 WODC Drainage Engineers No objection subject to conditions.
- 1.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.

No objection
- 1.3 WODC Architect No Comment Received.
- 1.4 Town Council Carterton Town Council -comments in support of the Planning Application.

Councillors commented that the front of the building line was different to neighbouring houses.

Windows form the new property will over look directly adjacent properties.

2 REPRESENTATIONS

- 2.1 Two letters of representation have been received and are summarised below:

Mrs Truman - 14 Sellwood Drive, Carterton

- The development will change the aspect of the drive;
- Noise of development;
- Highway Safety.

Mrs Southam - 23 Sellwood Drive, Carterton

- The frontage of the proposed building and the height will be well forward of my bungalow blocking out sunlight;
- Location of car parking.

3 APPLICANT'S CASE

- The existing house at 24 Sellwood Drive is a post war non-standard construction build house. The property is non mortgageable and the lowest of the SAP performance table. The build format makes upgrading the house unrealistic.

- It is requested to replace the current house with a new build Potton timber frame chalet house. The new dwelling is to be highly insulated and at the upper end of the SAP performance table.
- Carterton Village is designated a Hierarchy of Settlements Group C: Service Centre Main Centres and as such has fewer restrictions on style and no scale limitation.
- The existing street scene is varied with the main northern side of Selwood Drive being two storey semi detached houses, some with side extensions and dormer windows.
- The southern side of the road is single storey bungalows. The entrance to Selwood Drive from Burford Road has a bungalow to the North and three chalet houses to the south. The chalet houses are similar in style and proportion.
- The site location falls at the intersection where the two storey houses and bungalows meet and forms a natural change in style junction. The side which the site sits is predominantly two storey houses.
- The replacement dwelling will enhance the setting replacing a two bedroomed out dated property with a four bed family home.
- The upgrade to the home exceeds the current building regulations.
- A high design standard provides windows to the front and rear with no overlooking issues.
- Consideration has been given to the loss of light, a chalet bungalow has no effect on neighbouring properties.
- Three parking spaces have been provided.
- The application fully accords with the West Oxfordshire Local Plan 2011.
- The new house will be built by the new owner and fully accords with the NPPF requirement to provide self build plots. The self builder is not a developer but works for the RAF at Brize Norton and is building a home for his family.

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

OS4NEW High quality design

H2NEW Delivery of new homes

T4NEW Parking provision

H7 Service centres

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the erection of a replacement dwelling at the site with associated works. The current dwelling appears as a small single storey bungalow.
- 5.2 The application is to be heard before the Committee as the Parish Council are in support of the application.
- 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:

The principle of a replacement dwelling;
The siting and design;
Highway safety;

Principle

- 5.4 Carterton is classified in the Local Plan 2011 as a Group C settlement (service centre). The town benefits from a full range of services.
- 5.5 The Emerging Local Plan 2031 Policy OS2 refers to development within Main Service Centres will be primarily focused within and on the edge of these settlements.
- 5.6 The Emerging Local Plan 2031 Policy H2 allows for replacement dwellings within main service centres coinciding that they are consistent with other policies of the plan. Officers therefore are of the opinion that some form of replacement dwelling would be acceptable in terms of principle.
- 5.7 However, Policy H2 also identifies in the general principles in section 3 that where acceptable in principle, all residential development will be expected to be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality; not have a harmful impact on the amenity of adjoining occupants; form a logical complement to the existing scale and pattern of development and the character of the area; Protect and where possible enhance the local landscape and setting of the settlement of which officers are of the opinion the proposed development would not.

Siting, Design and Form

- 5.8 The key adopted local plan 2011 policies in the determination of the application are H2 and BE2.
- 5.9 The adopted policy H2 identifies that proposals for replacement dwellings should not erode the character and appearance of the surrounding area and should not set an undesirable precedent for other sites where equity development would be difficult to resist and where cumulatively the resultant scale of the development would erode the character and environment of the area. Given the scale and form of the development officers are of the opinion that the development would be unacceptable in regards to policy H2.

- 5.10 Policy BE2 also highlights that new development should respect and where possible improve the character and quality of its surrounding and provide a safe, pleasant, convenient and interesting environment. The proposal should be well designed and should respect the existing scale, pattern and character of the surrounding area.
- 5.11 New buildings or extensions to existing buildings are designed to respect and enhance the form, siting, scale and massing and external materials and colours of adjoining buildings, with local building traditions reflected as appropriate.
- 5.12 Officers are therefore of the opinion that the proposed development would not respect the existing scale, pattern and character of the surrounding area and is not designed to respect and enhance the form, siting, scale and massing of the surrounding area and would therefore fail to comply with policy BE2.

Highways

- 5.13 The local highways authority have raised no objections to the application.

Residential Amenities

- 5.14 The proposed development would be located in close proximity to the neighbouring boundary to the south by locating the development within 1 metre of this boundary. The dwelling would also be set forward of the neighbouring property No. 22 to the other side by 4.5 metres. Officers are therefore of the opinion that a replacement dwelling of this scale would cause an overbearing impact to neighbouring properties and a loss of light to the south. The proposal is therefore contrary to Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011 and policies OS2, OS4 and H2 of the Emerging Local Plan 2031.

Conclusion

- 5.15 Given the above officers consider that although a replacement dwelling of a comparable scale and form could be acceptable, the development as proposed due to its scale, height and massing will result in a visually over dominant form and overdevelopment of the site that would appear incongruous and unduly prominent to the detriment of surrounding properties and the immediate street scene. The proposal is therefore contrary to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and policies OS2, OS4 and H2 of the Emerging Local Plan 2031 and the relevant policies of the NPPF.

6 REASON FOR REFUSAL

The development as proposed due to its scale, height and massing will result in a visually over dominant form and overdevelopment of the site that would appear incongruous and unduly prominent to the detriment of surrounding properties and the immediate street scene. The proposal is therefore contrary to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and policies OS2, OS4 and H2 of the Emerging Local Plan 2031 and the relevant policies of the NPPF.

Application Number	17/01561/RES
Site Address	Land South of Stanmore Crescent Carterton Oxfordshire
Date	28th June 2017
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	428313 E 207175 N
Committee Date	10th July 2017

Location Map



Application Details:

Demolition of existing no. 54 dwellings and construction of 135 residential dwellings together with associated works (reserved matters appearance, landscaping, layout and scale) and discharge of conditions 5-12 and 14 of outline consent 15/04061/OUT

Applicant Details:

Mrs Sally Parsons
Annington Rentals (No.4) Ltd
1 James Street
London
WIU IDR

1 CONSULTATIONS

- | | | |
|-----|-----------------------------------|---|
| 1.1 | Town Council | Carterton TC support the Planning Application |
| 1.2 | Major Planning Applications Team | Highways
Object on vehicle tracking, drainage and cycle parking grounds.
Archeology
No objection |
| 1.3 | Biodiversity Officer | No Comment Received. |
| 1.4 | ERS Env Health - Lowlands | I have no adverse or relevant comment. |
| 1.5 | WODC Housing Enabler | No Comment Received. |
| 1.6 | MOD (Brize Norton) | No Comment Received. |
| 1.7 | Thames Water | No objection subject to grampian condition and informatives. |
| 1.8 | WODC Env Services - Waste Officer | No Comment Received. |

2 REPRESENTATIONS

No representations have been received in respect of this application.

3 APPLICANT'S CASE

3.1 Planning Statement summarised as follows:

- The reserved matters are set out in planning condition 2 of the outline planning consent 15/04061/OUT which requires the submission and approval of 'appearance', 'landscaping', 'layout' and 'scale'. Matters relating to means of access was submitted and approved at the outline stage. The reserved matters submission is wholly compliant with the outline approval for the demolition of the existing 54 dwellings and development of 135 new residential units (Class C3).
- In addition to seeking approval on the reserved matters, a number of pre-commencement planning conditions were imposed in the outline planning consent and discharge of those conditions are also sought as part of planning submission. The details submitted in this application provides the necessary level of detail and information to enable the Council to discharge the pre-commencement planning conditions.

- Key to the success of the design approach has been to ensure that the character and appearance is high quality and provides local distinctiveness whilst taking account of the of the local context. Regard has been had to the National Planning Policy Framework (NPPF)
- Paragraphs 56 and 57 and this application, we consider, meets a very standard of design and quality.
- In preparing the scheme the due regard has been paid to Submission Draft Policy OS4 - High Quality Design which requires that 'New Development should respect and contribute to local distinctiveness and where possible enhance the character and quality of the surroundings.
- We consider that the submitted scheme:
 - Demonstrates high quality design;
 - Does not harm the living conditions of nearby properties;
 - Preserves and enhance habitats of biodiversity value; and
 - Enhances the local green infrastructure.
- The proposal accords with the development plan and Framework and consequently the approval of the reserved matters and discharge of planning conditions should be supported.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 H2 General residential development standards
 NE13 Biodiversity Conservation
 NE6 Retention of Trees, Woodlands and Hedgerows
 OS4NEW High quality design
 EH2NEW Biodiversity
 EH3NEW Public realm and green infrastructure
 H2NEW Delivery of new homes
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks consent for reserved matters following the approval of the outline application 15/04061/OUT which was approved on 18th November 2016. It also seeks to discharge some of the conditions attached to the outline consent.
- 5.2 The site is within the built up area of Carterton, in a predominantly residential area to the north of the air base.
- 5.3 Although there was no objection from the Town Council, Officers felt it would be prudent to bring the reserved matters to committee for comment.
- 5.4 The principle of the development has already been considered and the assessment here will deal only with matters of detail in terms of layout, scale, appearance and landscaping.

Layout, scale and appearance

- 5.5 The layout broadly follows the indicative plan submitted with the outline application. There are some issues with some of the house types and scale that need to be amended and further plans have been requested to address this.
- 5.6 The materials proposed are recon stone, render, facing brick, timber cladding for walls, fibre cement and plain concrete tiles for roofs. Building heights range between 2 and 2.5 storey across the site and the small apartment block will be 3 storey. The materials and the building heights will help to define the character areas.
- 5.7 The scheme includes two areas of public open space. There are also areas of existing landscape that are being retained which will help assimilate the new development into the town. The general landscape plan is acceptable however there are play area details that have been submitted for which comments from the Leisure team are awaited.

Highways and drainage

- 5.8 The roads layout is mainly as it was previously but with some former cul de sacs now forming through roads to make the estate more permeable. Most properties have access to on plot parking and cycle parking.
- 5.9 County as Highway Authority have raised objections regarding refuse vehicle tracking, cycle parking for the apartments and drainage. Further information was submitted on 26th June to address the above concerns and County have been reconsulted. Officers hope to be in a position to update members either in the additional representations report or verbally at the meeting.
- 5.10 Thames Water were consulted as some information has been submitted to discharge one of the conditions on the outline application and they have suggested a further Grampian condition. As this is a Reserved Matters application it is not appropriate to attach the condition but the informatives will be included on the decision.

Conclusion

- 5.11 The proposed layout and landscaping is in accordance with the indicative plans of the outline application. Officers seek delegated authority to approve subject to design and highway and any other objections being overcome.

6 RECOMMENDATION

Seek delegated Authority to approve subject to removal of technical objections and amended plans to address design issues.

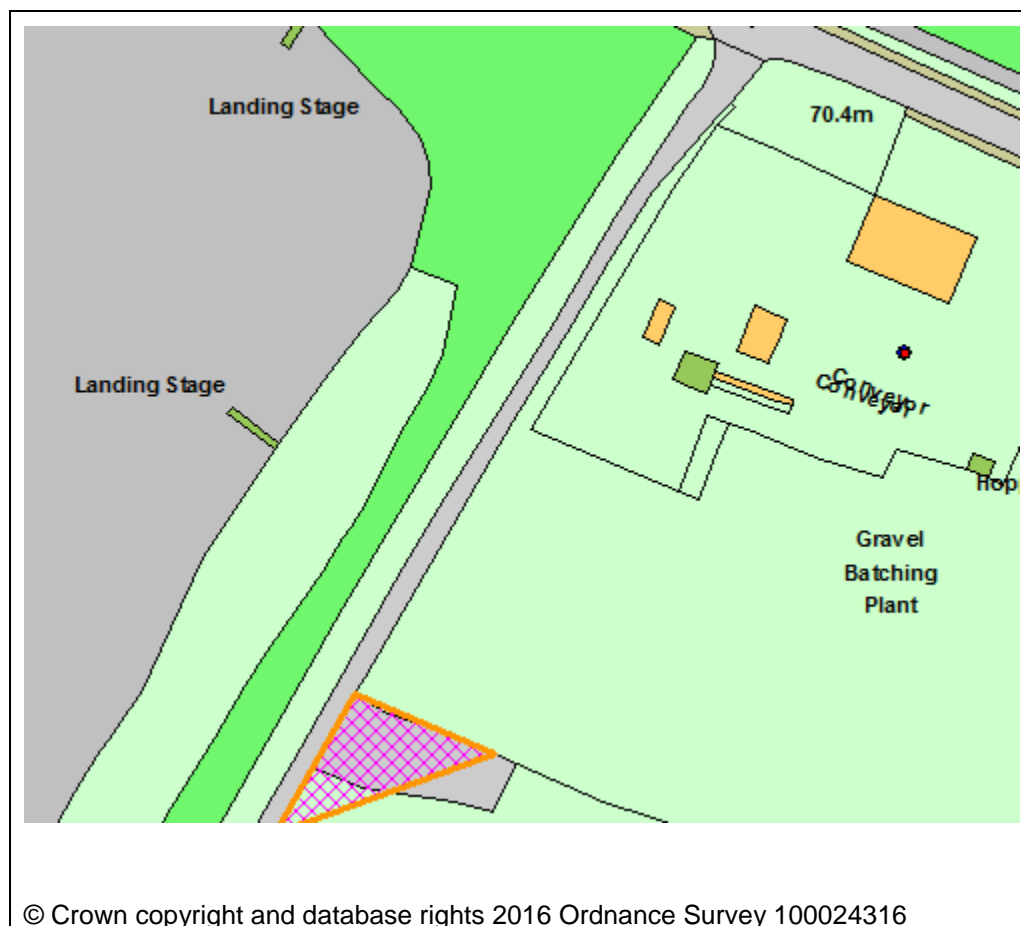
NOTES TO APPLICANT

- 1 No private surface water is allowed to drain into the highway system. There are some private roads which look to be doing this. However, this is ok if TWA are intending to adopt the sewers - if so we will need to see the TWA agreement before adoption.

- 2 Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the new highway vehicular access under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.
- 3 The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

Application Number	I7/01623/FUL
Site Address	Hardwick Quarry Downs Road Standlake Witney Oxfordshire OX29 7QF
Date	28th June 2017
Officer	Cheryl Morley
Officer Recommendations	Refuse
Parish	Standlake Parish Council
Grid Reference	439022 E 205525 N
Committee Date	10th July 2017

Location Map



Application Details:

Change of use from waste recycling (B2 general industrial use class) and parking to B8 (storage and distribution use class) and parking.

Applicant Details:

Mrs Adele Hawes
Troy House
2 Aston Road
Ducklington
Witney
OX29 7XA

1 CONSULTATIONS

- | | | |
|-----|----------------------------------|--|
| I.1 | Parish Council | Standlake PC has no objection to this application. |
| I.2 | OCC Highways | The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.

No objection. |
| I.3 | ERS Env Health - Lowlands | Mr ERS Pollution Consultation I know of this site. I have no adverse observations or comments. |
| I.4 | OCC Minerals (Safeguarded Areas) | No Comment Received. |
| I.5 | Environment Agency | No Comment Received. |
| I.6 | WODC Drainage Engineers | No Comment Received. |
| I.7 | Biodiversity Officer | Objection: An ecological survey/assessment should be carried out to inform mitigation and compensation measures. No ecological information has been submitted with the application. The lack of ecological assessment could be a reason for refusal. |

2 REPRESENTATIONS

No letters of representation have been received to date.

3 APPLICANT'S CASE

- The proposal is to change the existing use of the land from waste recycling (B2 general industrial use class) and parking to B8 (storage and distribution use class) and parking. The scheme would involve installing twenty 20ft containers and twenty 10ft containers placed in two rows, with the smaller containers stacked on the larger ones, to provide a self-storage facility.
- A parking area of eight spaces both for visitors to the self-storage facility and for visitors to the Island would also be laid out adjacent to the containers.

- The area that would be used to locate the containers covers about 620 square metres with the parking area being accommodated in the remaining 330 square metres of the application site.
- The National Planning Policy Framework (NPPF) makes clear that development which is sustainable should go ahead, and that there are three mutually dependent dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 7 and 8). The NPPF further clarifies that the presumption in favour of sustainable development means granting planning permission, where the development plan is silent, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (paragraph 14).
- The relevant development plan for the area is the West Oxfordshire Local Plan 2011 (WOLP), which was adopted in June 2006. Paragraph 215 of the NPPF explains that the weight to be given to (saved) policies in plans adopted prior to the publication of the NPPF (in March 2012) depends on their degree of consistency with policies in the Framework.
- There is an emerging local plan, the Submission West Oxfordshire Local Plan 2031 (SWOLP), which since it has reached submission stage may also be given weight according to the extent of unresolved objections to relevant policies (NPPF paragraph 216).
- In light of these policies, and the issues raised in the Council's pre-application advice dated 7 April 2017, it is considered that the matters that need to be addressed in the assessment of the development proposal are as follows:
 - o Supporting economic development;
 - o Use of previously developed land;
 - o Landscape and visual effects; and
 - o Flood risk.
- The proposed development is concerned with establishing a new business venture on and adjacent to an existing industrial (employment) site. About 70% (430 square metres) of the area to be used to locate the storage containers already has a lawful B2 use.
- The primary emphasis of the NPPF is to promote a presumption in favour of sustainable development and to balance any harm against possible benefits; that planning permission should only be refused if the harms significantly and demonstrably outweigh the benefits (paragraph 14).
- The proposed change of use of the application site would provide significant benefits for sustainability in terms of supporting economic development and use of previously developed land. Any adverse impacts on the countryside and local landscape character would be minimal given the enclosed nature of the site and the existing industrial context. There would furthermore be no increased risk of flooding as a result of the development proposal. In such circumstances it is hoped that, a positive approach will be taken to the proposed development in accordance with SWOLP policy OS1, and as the NPPF advises that planning permission will be granted.

4 PLANNING POLICIES

NE1 Safeguarding the Countryside

E3 Individual Premises

BE2 General Development Standards

EH1NEW Landscape character

EH5NEW Flood risk

OS2NEW Locating development in the right places

OS4NEW High quality design

BE3 Provision for Movement and Parking

T4NEW Parking provision

NE13 Biodiversity Conservation

EH2NEW Biodiversity

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the change of use from waste recycling (BE2 general industrial use class) and parking to B8 (storage and distribution use class) and parking. The scheme would involve installing twenty 20ft containers and twenty 10ft containers placed in two rows, with the smaller containers stacked on the larger ones, to provide a self-storage facility.
- 5.2 A parking area of eight spaces both for visitors to the self-storage facility and for visitors to the Island would also be laid out adjacent to the containers.
- 5.3 The area that would be used to locate the containers covers about 620 square metres with the parking area being accommodated in the remaining 330 square metres of the application site.
- 5.4 The application site is located to the rear of Witney Concrete Plant in rural countryside in Hardwick where new development is restricted.
- 5.5 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 and Design;
Highways;

Principle

- 5.6 In terms of the principle of development your officers are taking the view as to whether this type of development is considered to be acceptable within an open countryside location.
- 5.7 Policy NE1 of the Adopted Local Plan 2011 states that development in the countryside should maintain or enhance the value of the countryside for its own sake: its beauty, its local character

and distinctiveness, the diversity of its natural resources, and its ecological, agricultural, cultural and outdoor recreational values.

- 5.8 Your officers are of the opinion that the proposal could not be supported in principle as the storage containers would be visually intrusive and would not maintain or enhance the value of the countryside. Officers are also of the opinion that allowing this form of development could cause a risk for future expansion of the business, or could set an undesirable precedent for other businesses in surrounding areas.
- 5.9 This is further established within the Emerging West Oxfordshire Local Plan 2031 through policy EHI which identifies that new development should respect and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape. Proposals which would result in the loss of features, important for their visual amenity, or historic value will not be permitted unless the loss can be met by appropriate mitigation and/or compensatory measures. Officers are of the opinion that the proposed development would not respect or enhance the intrinsic character and therefore the proposed development could not be supported in principle.
- 5.10 Additionally Policy E3 of the Adopted West Oxfordshire Local Plan 2011 also requires that new build employment development in the open countryside will be strictly controlled. In these areas exceptions will only be made for small additions to existing dwellings required to provide for people working from home and for development that will help to sustain farming operations in the district. Your officers are therefore of the opinion that the proposal does not comply with this policy.
- 5.11 Policy OS2 of the Emerging Local Plan 2031 also states that development should protect and enhance the local landscape and the setting of the settlement of which the proposed development would not.

Siting, Design and Form

- 5.12 The proposed siting of the storage containers would be forward of an area of an existing raised bank which screens the existing Hardwick Plant. Officers are of the opinion that locating a substantial amount of storage containers two storey high would be highly visible from wider views and would cause a detriment to the surrounding open countryside and would defeat the reason for the raised bank.

Ecology

- 5.13 Given the nature of the site the WODC ecologist was consulted on the application and has provided the following comments:
- 5.14 The site comprises an area of existing hardstanding surrounded by trees/scrub to the north, east and west. To the south is a large lake with scrub along the edges. The photographs of the site in the planning application file appear to show ruderal vegetation re-colonising parts of the site with rubble piles.
- 5.15 The site is superficially suitable for reptiles such as grass snakes, which could be present along the lake edge in suitable habitat, including scrub and tall ruderal vegetation for basking and foraging.

- 5.16 The site is also in close proximity to habitats, including the wooded corridor immediately to the west of the site and the lake, which have potential for foraging/commuting bats, hedgehogs, badgers, reptiles, nesting birds and European otter. There are records of otters at Hardwick Leisure Park and the sailing club on the lake. Lighting would be a key issue with regard to bats and otters using the lake and lakeside habitats, as they are nocturnal species that are sensitive to light. No floodlighting or external lighting that would spill into adjacent habitats and the lake should be installed. There should be no loss of trees or scrub, which provide suitable laying up sites for otter.
- 5.17 Bird and bat boxes could be installed on trees.
- 5.18 Further tree/shrub planting could occur to the south of the site towards the lake.
- 5.19 There is no ecological objection to the proposed development, but an ecological survey/assessment should be carried out to inform mitigation and compensation measures. No ecological information has been submitted with the application. The lack of ecological assessment could be a reason for refusal due to the potential for a range of protected species, including the European otter and bats, in accordance with current local plan Policy NE15.
- 5.20 Given the above comments officers have included an additional refusal reason due to the lack of ecological survey and assessment that has been provided.

Highways

- 5.21 The Local Highways Authority has raised no objections to the application.

Conclusion

- 5.22 In the view of the above, your officers consider that the proposed development by reason of its scale, design and amount would appear visually intrusive in front of an area of land that screens the existing Hardwick plant and therefore would cause a detrimental impact to the surrounding open countryside. The site would also be at risk of future expansion and could set an undesirable precedent for other businesses. The site would go from a low key neglected parcel of land to a more urbanised appearance that would appear incongruous and visually over dominant in respect of wider views, and the surrounding area.

6 REASONS FOR REFUSAL

- I The proposed development by reason of its scale, design and amount would appear visually intrusive in front of an area of land that screens the existing Hardwick Plant and therefore would cause a detrimental impact to the surrounding open countryside. The site would also be at risk of future expansion and could set an undesirable precedent for other businesses. The site would go from a low key neglected parcel of land to a more urbanised appearance that would appear incongruous and visually over dominant in respect of wider views, and the surrounding area. The proposal is therefore contrary to policies BE2, NE1 and E3 of the Adopted West Oxfordshire Local Plan 2011 and policies OS2, OS4 and EH1 of the Emerging Local Plan 2031, and the relevant paragraphs of the NPPF.

- 2 It has not been demonstrated to the satisfaction of the Local Planning Authority that important ecological habitats and species (including the European otter and bats) would not be harmed by the proposed development. As such the policy is contrary to Policy NE15 of the Adopted West Oxfordshire Local Plan 2011, Policy EH2 of the West Oxfordshire Emerging Local Plan 2031 and the relevant policies of the NPPF.