

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 14th August 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

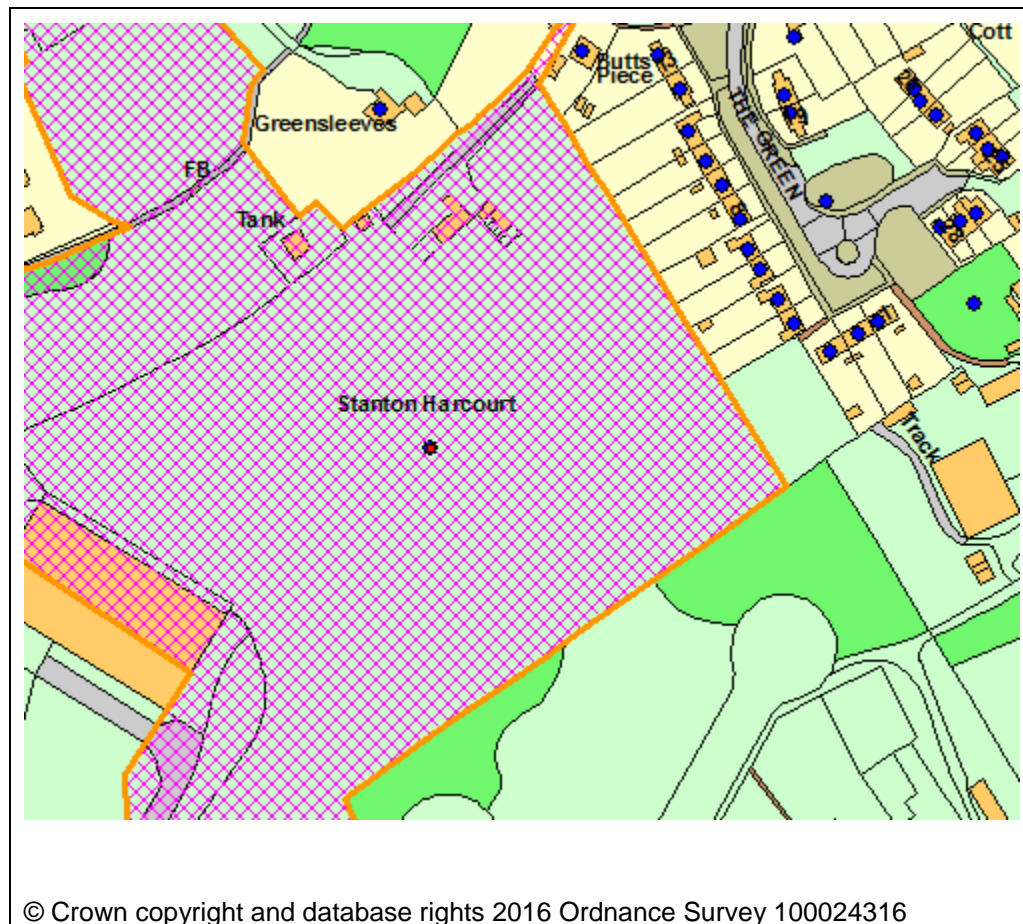
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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	<u>Land at Butts Piece, Main Road, Stanton Harcourt</u>	3
16/04234/OUT	<u>Land North and West and East of Belclose Cottage, Witney Road, North Leigh</u>	27
17/01248/FUL	<u>9 - 11 Burford Road, Carterton</u>	41
17/01563/HHD	<u>13 Elms Road, Cassington</u>	48
17/01612/FUL	<u>Four Winds, Bushey Ground, Minster Lovell</u>	53
17/01613/LBC	<u>Four Winds, Bushey Ground, Minster Lovell</u>	65
17/01785/FUL	<u>Land at Patchfield Barn, Standlake Road, Northmoor</u>	69
17/01844/FUL	<u>30 Stoneleigh Drive, Carterton</u>	77
17/01993/S73	<u>Grange Farm, Burford Road, Brize Norton</u>	82

Application Number	I6/03627/OUT
Site Address	Land at Butts Piece Main Road Stanton Harcourt Oxfordshire
Date	2nd August 2017
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Stanton Harcourt Parish Council
Grid Reference	441306 E 205597 N
Committee Date	14th August 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 | <p>The Parish Council objects to this development even with the reduction of dwellings from 60 to 40.</p> <p>The local area is unable to sustain this development.</p> <p>The Application contravenes the Category A status of this village- no new buildings except in exceptional circumstances in infilling or agricultural building conversion.</p> <p>The site lies within the Conservation Area of Stanton Harcourt and Sutton and fills in between the Village and is next door to the large Industrial Estate.</p> <p>The site is within one field of the Landfill at Dix Pit and adjoins the Old Airfield, Stanton Harcourt (planning granted Jan.2017-16/1054/OUT) (see report from Phil Crowcroft submitted to the Local Plan Inspector, which casts considerable doubt of the safety of building a residential development so near a landfill site).</p> <p>There is a significant lack of capacity within the local infrastructure.</p> <p>Roads - the development of 40 houses will result in the region of 70 additional vehicles in reality. While I understand that vehicle movements have been calculated due to established criteria, in this case those criteria are not a good basis for calculation. The village has no public transport, there are no local shops at which everyday goods can be purchased within walking distance, the proposed shop will not satisfy all needs of the residents of the site. There are few job opportunities in the area. Both of these facts mean that car journeys will be necessary above the figures calculated in the application. The roads through the village are unable to support such an increase in</p> |

traffic. Main Road has several blind corners on it where pedestrians could come into conflict with vehicle users.

Specific to the application is the access to the school would need to cross the busy Main Road at a dangerous corner- this is dangerous today, let alone with the traffic which the Old Airfield (50 dwellings and office space) and this Application for forty. With the possibility of a new link road round Eynsham, this road would be very crowded at school opening and closing times. Such times are already over subscribed at the entrance to the school so with walking access being dangerous, new parking would be necessary for the school.

If the Planning should proceed, a road should link the two sites with the B4449 to Northmoor, Standlake and the bridge on the A415 at Newbridge from Blackditch. All construction traffic should be directed if relevant to enter the site through Blackditch at the South end off the Haul Road and not through the village. Details of the responsibility of the maintenance of the proposed footpath needs to be stated.

Educational - While there is some space in the local primary and secondary schools, this is very limited, with other plans in the local area, there is insufficient capacity to accommodate the likely extra children from this development.

Medical - The local doctor's has a considerable patient list and getting an appointment at the current time is very difficult. With other plans in the local area, there is insufficient capacity to accommodate the likely demand from this development.

Water and sewage - There is currently insufficient capacity in the water delivery system during peak demand and much of the day. The water pressure is extremely low, resulting in dwellings that do not have storage facilities frequently having times when showers will not work and toilet cisterns that will not fill. While the plans indicate that the sewage output from the site can be accommodated, it is well known in the village that the local sewage system is frequently over full at wet times. There are many instances of local properties reporting sewage in their gardens.

We appreciate the merit of the 'Shop' in this application but would state that Stanton Harcourt cannot accommodate the commerciality of having three shops- one at the Harcourt Arms being we understand food oriented, one at this site and another being proposed at Greensleeves (Application pending 17/01245/ FUL). More information is vital as to the intentions of the three shop applications.

We accept that there is housing need and that development needs to occur, but this does need to do so in the correct area with appropriate infrastructure improvements. Development in this area would be more appropriate on land to the west of the B4449 at Sutton, between Friar's and Nicholls' Farms. With a bypass built around Sutton, appropriate road links to Standlake and Witney to the west and Eynsham and Oxford to the east could be achieved. Not only would this serve a new residential development but would greatly improve transport to the Stanton Harcourt Industrial Estate as well as reducing the impact of the lorries that currently use the

B4449 through Sutton. The land that could be served by this bypass would allow for the building of a replacement primary school.

The proposed development should be looked at in line with others that have recently been approved in the local area and are pending. While we appreciate that each application should be looked at individually and its own merits assessed, this is not a practicable or reasonable approach, in our opinion.

On balance we would not wish to see this Application granted, which would, as things stand, mean the housing in this historic village being increased within a very short period by 100 houses (some 25 per cent). We believe a figure nearer twenty five (absolute maximum 40- c.10% of existing stock) would be appropriate in normal circumstances, half of which would be of the affordable variety. We are disappointed that the two big applications in the village and that for Greensleeves have not been considered together. We would favour a site visit before this Application was granted.

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	<p>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?</p> <p>A comment from the applicants on this issue may be pertinent.</p>
I.21	WODC Housing Enabler	See comments above.
I.22	WODC Landscape And Forestry Officer	See comments above.
I.23	WODC - Sports	See comments above.
I.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 Expressions 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
- The revised proposal is an intelligent response to concerns about the previous proposal. It mitigates much of the concern about the open view to the south from Blackditch.

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
SI06 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 though 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 from. 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 Greensleeves 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.

SI06 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 (>24Mbps). 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 16-1384 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.

- 17 The development shall be completed in accordance with the recommendations in the following reports, as prepared by Lockhart Garratt:
- i. Section 5 of the updated Extended Phase I Habitat Survey report (Version 3) dated April 2017;
 - ii. Section 6 of the Badger Survey Report dated October 2016;
 - iii. Section 7 of the Bat Survey Report dated October 2016;
 - iv. Section 6 of the Bird Scoping Survey Report dated July 2016;
 - v. Section 4.2 of the Invertebrate Assessment Report dated December 2016;
 - vi. Section 6 of the Reptile Survey Report; and
 - vii. Great Crested Newt Mitigation Strategy March 2017.

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 badgers, bats, birds, invertebrates, reptiles, great crested newts and priority habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, The Protection of Badgers Act 1992, 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.

- 18 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- i. Risk assessment of potentially damaging construction activities;
 - ii. Identification of 'biodiversity protection zones';
 - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including:
 - o Measures to limit noise, dust and pollution, particularly with regard to nearby designated local wildlife sites;
 - o Measures to limit pollution of the watercourse/ditch to the north of the site;
 - o Measures to minimise the width of the gap created in the northern hedgerow/ mature tree line by the proposed new access road - either locate the break through the hedge in an existing gap (or where tree G38 is to be removed) or replace any lost trees with additional tree/hedgerow planting along this line; and
 - o Measures to minimise impact upon the ditch/watercourse during the construction of the new access road;
 - iv. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - v. The times during construction when specialists ecologists need to be present on site to oversee works;
 - vi. Responsible persons and lines of communication;
 - vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
 - viii. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
 - ix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a professional ecologist certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

REASON: To ensure that protected and priority species (great crested newts, reptiles, badgers, nesting birds and hedgehogs) and priority habitats (hedgerows) are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13 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.

- 19 No development shall take place until a landscaping scheme has been submitted and approved by the Local Planning Authority, including full details and specifications for the creation and enhancement of habitats for biodiversity and an initial 5-year maintenance plan. The scheme shall incorporate, but not necessarily be limited to, those habitats to be created within the ecological buffer zone, the creation of ponds for great crested newts, the enhancement of hedgerows, the northern wet meadows and the ditch, a reptile hibernaculum within the bund on the western

boundary and the planting of night-scented plants and avenue trees. It shall also confirm the form of robust garden boundary enclosure on the eastern and south-eastern edges of the development immediately adjacent to the ecological buffer zone.

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.

- 20 Before development takes place, details of the provision of bat roosting features and/or nesting opportunities for birds (House martin, House sparrow, Starling, Swift and Swallow) into the new buildings shall be submitted to the local planning authority for approval, including a drawing of the site 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 compensate for loss of existing swallow nests and 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.

- 21 Prior to occupation, a "lighting design strategy for biodiversity", particularly for foraging/commuting bats, badgers and great crested newts, shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- i. identify those areas/features on site that are particularly sensitive for foraging/commuting and roosting bats, and great crested newts; and
- ii. show how and where external lighting will be installed (including the type of lighting) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts, or disturb great crested newts.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To protect bats, badgers and great crested newts in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular section 11), policy 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.

- 22 A Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before occupation of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:
- i. Description and evaluation of features to be managed; including location(s) shown on a site map;
 - ii. Landscape and ecological trends and constraints on site that might influence management;
 - iii. Aims and objectives of management;
 - iv. Appropriate management options for achieving aims and objectives;
 - v. Prescriptions for management actions;
 - vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
 - vii. Details of the body or organisation responsible for implementation of the plan;
 - viii. Ongoing monitoring and remedial measures;
 - ix. Timeframe for reviewing the plan; and
 - x. 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 2006.

NOTES 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

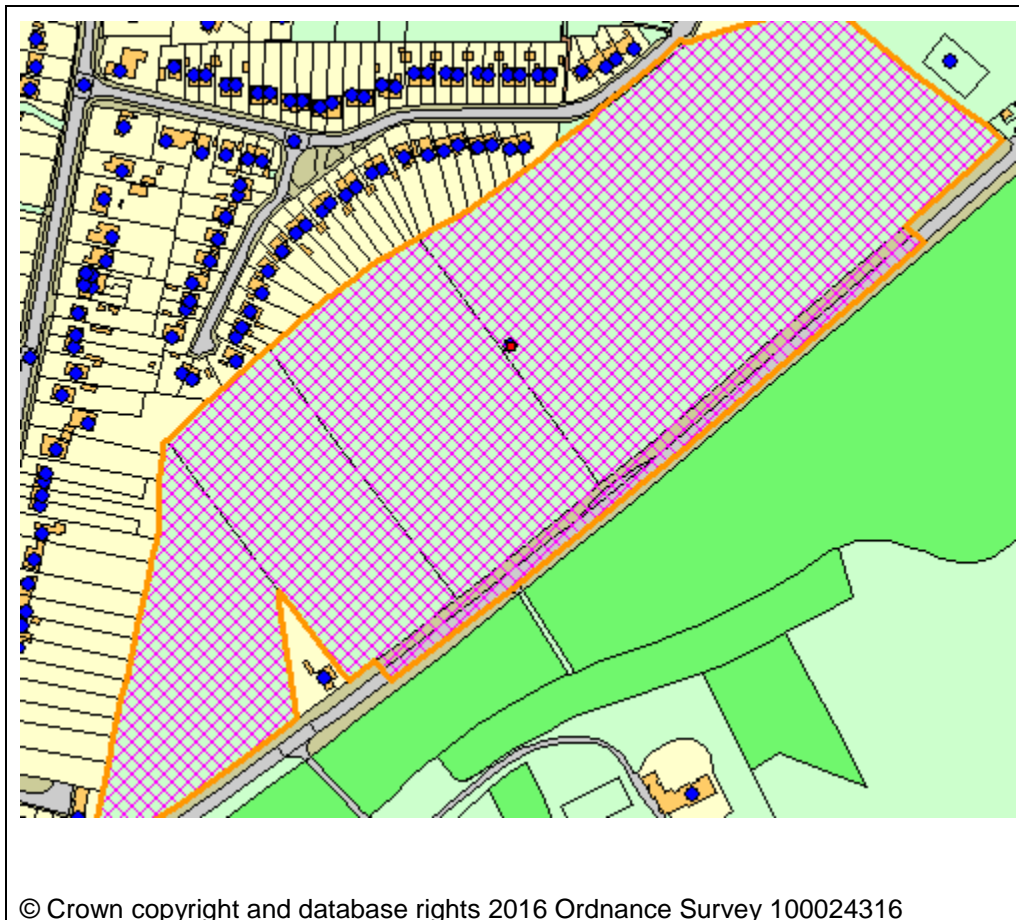
Building Research Establishment guidance - BR 212 'Construction of new buildings on gas-contaminated land' 1991

CIRIA Guidance - C665 'Assessing risks posed by hazardous ground gases to buildings' 2007

- 2 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	I6/04234/OUT
Site Address	Land North and West and East of Belclose Cottage Witney Road North Leigh Oxfordshire
Date	2nd August 2017
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	North Leigh Parish Council
Grid Reference	438829 E 212578 N
Committee Date	14th August 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 minimized.
- 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:-
1. 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. P16-230-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.

- | | | |
|------|-------------------------------------|--|
| 1.6 | WODC Housing Enabler | No Comment Received. |
| 1.7 | WODC Landscape And Forestry Officer | No Comment Received. |
| 1.8 | 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> |
| 1.9 | WODC Env Services - Waste Officer | No Comment Received. |
| 1.10 | 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 With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied - "Development shall not commence until a drainage strategy detailing</p> |

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.

- 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

- | | | |
|------|-------------------------------------|----------------------|
| I.15 | Parish Council | No Comment Received. |
| I.16 | WODC Architect | No Comment Received. |
| I.17 | Major Planning
Applications Team | No Comment Received. |

2 REPRESENTATIONS

- 2.1 27 representations have been received generally objecting to the proposal. I 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 Members will recall that the application was deferred at the last meeting for a Members site visit. 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 set 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.

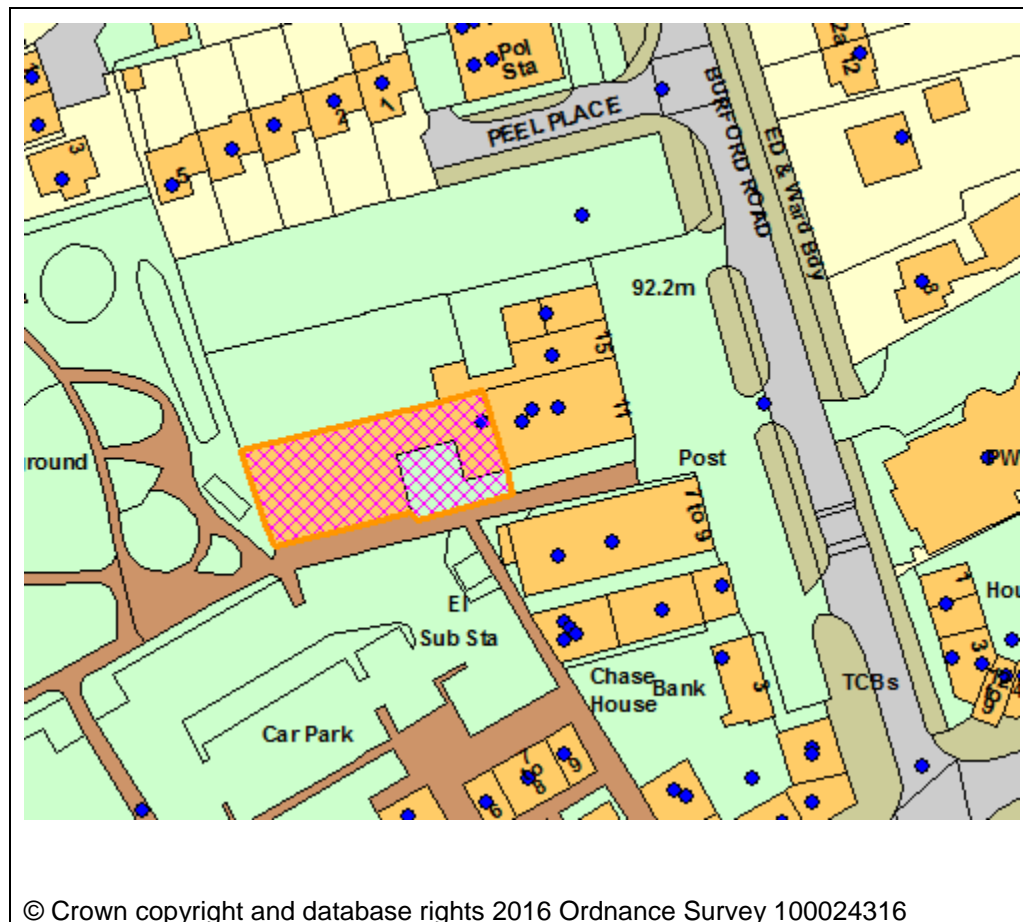
6 CONDITIONS

- I Officers are seeking delegated authority to determine the application 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	17/01248/FUL
Site Address	9 - 11 Burford Road Carterton Oxfordshire OX18 3AG
Date	2nd August 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	428026 E 206869 N
Committee Date	14th August 2017

Location Map



Application Details:

Demolition of existing dilapidated sheds and erection of 5 no. 2 bed flats with associated parking and landscaping.

Applicant Details:

Gentian Projects (Oxfordshire Two) Ltd, c/o Agent.

I CONSULTATIONS

- I.1 Town Council Objected for the following reasons:
Adequacy of parking/loading, turning - access for emergency services, refuse and visitors.
Smells - adjacent to a food outlet.
Road access- it is likely that access will be blocked by visitors to adjacent premises.
- 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 subject to:
- G28 parking as plan
- G25 drive etc specification
- I.3 ERS Env Health - Lowlands Mr ERS Pollution Consultation There are no adverse comments or observations.
- I.4 WODC Drainage Engineers We would currently object to planning permission being granted due to the lack of information provided on the existing surface water drainage system at the site. If the existing site is not currently discharging to the mains sewer, then the SuDS hierarchy must be adhered too and this will result in the applicant having to provide soakage testing results carried out in accordance with BRE365 to prove whether infiltration techniques are viable or not. If however, the existing site is currently discharging to the mains sewer, then the applicant will be required to submit a minimum 40% betterment proposal.
- I.5 WODC Architect Comments made regarding design. These issues have been resolved by amended plans.

2 REPRESENTATIONS

- 2.1 No comments received at the time of writing.

3 APPLICANT'S CASE

- 3.1 A Design and Access Statement has been submitted as part of the application. It has been briefly summarised as:
- The approach proposes a mews style development on the site. The proposal is for 3 small scale buildings linked in a chain by the access stairs to the first floor of the apartments. The scheme contains 2x 2 bed apartments and 1 x 2 bed apartment and undercroft car parking.
 - The scheme has sought to maximise the sense of space between and around the buildings and introduce generous amounts of planting across the site.
 - The site is located adjacent to car parking that is surrounded by larger scale buildings, typically 3 storeys with pitch roof. Our proposal is of a much smaller scale.
 - The apartments are to be constructed from a palette of high quality natural materials that is largely the same as the previous approved scheme.

4 PLANNING POLICIES

BE3 Provision for Movement and Parking

H2 General residential development standards

BE2 General Development Standards

OS2NEW Locating development in the right places

OS1NEW Presumption in favour of sustainable development

OS4NEW High quality design

CA2NEW Carterton Town Centre Strategy

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 Carterton Town Centre to the rear of a parade of shops and Costa Coffee. Adjacent to the application site is a pedestrian walkway, leading through to a car park and the recreation ground. The site has had various applications made on the site including the most recent planning application I6/02962/FUL which was for the removal of existing sheds and erection of two dwellings with associated car parking and landscaping. This was approved.
- 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 As the site is located within the town centre, close to local services, your officers consider that the principle of allowing development is acceptable, given also the previous approval for two dwellings on the site.
- 5.9 Previous applications on the application site included 15/00794/FUL Redevelopment of existing retail unit with 2 no. two bed flats above, 1 no. two bed flat over parking, 2 no. two bed houses and 1 no. three bed house, including associated bin & bike stores, external private amenity space and parking. This application was refused and later dismissed at appeal. At that time officers had regard to Policy CA2 of the Emerging West Oxfordshire Local Plan and that the scheme failed to have regard to the Carterton Town Centre Strategy's aims as per the new Policy. However at the appeal stage the Inspector did not agree with the use of Emerging Policy CA2. He stated;
- 5.10 "In principle, the appeal site is suitable for new residential development and such development would not, in broad terms, have adverse consequences for Carterton as a whole. Whilst I sympathise with the Council's desire to 'master plan' the area in the vicinity of the appeal site, there is no development plan policy requirement to undertake such an exercise. Furthermore, I agree with the appellant that, at the time of this appeal, it would be unrealistic to achieve a comprehensive redevelopment of the parade of shops due to the number of landowners involved and sites coming forward in a piecemeal fashion.
- 5.11 The Council provided an appeal decision (Doc 02), where the Inspector considered emerging Policy CA2. However, since I am unfamiliar with the full facts of that case, it attracts little weight. Accordingly, I have dealt with this appeal, as required, on its merits. I have already stated that the emerging Local Plan can only be given limited weight. In the light of this, I conclude that the scale of the proposal is insufficient to prejudice the strategic thrust of the emerging Local Plan or the Carterton Town Centre Strategy.
- 5.12 Additionally given the Council's housing land supply position, the development would contribute to the supply of housing addressing some of the shortfall in housing land, to which I attach considerable weight."
- 5.13 Following the appeal decision, a revised application for 3 new dwellings, without the proposed flat above the parking area, was submitted, but withdrawn after officers still had concerns regarding the cramped appearance. A later application was approved for two dwellings.

- 5.14 This current planning application proposes a chain of three linked two storey buildings to accommodate five, two bed flats.

Siting, Design and Form

- 5.15 The previous scheme was for a more traditionally designed dwellings. This application is for more contemporary forms with the massing of the buildings seen against the two storey development fronting along Burford Road. Your officers have requested some minor alterations which improves the overall scheme and design.
- 5.16 The buildings will be visible from the recreation ground, however your officers do not consider that the development would adversely affect the visual character and appearance of the immediate vicinity.

Highways

- 5.17 OCC Highways have no objection to the proposal subject to conditions. Your officers have noted the objection from the Town Council regarding the access issues. However as part of the approved scheme for two dwellings, Members requested that a note was added to the decision to recommend that appropriate signage should be erected to advise and warn other users of the site and location in general that the access leading to the proposed development should remain clear at all times. This has been repeated as part of the suggested conditions and informatives at the end of the report.
- 5.18 On site parking is proposed which would be below proposed flat 5.

Residential Amenities

- 5.19 The proposed buildings will be located to the rear of the existing building which has flat accommodation previously approved within it. Given the distance that the new building will be sited, your officers do not consider that an adverse impact will result to the residential amenities of these occupants. The front elevations of the proposed buildings will face onto the public car park which is accessed by vehicles from Alvescot Road.
- 5.20 The rear elevations of the proposed buildings are set back from the boundary with the neighbouring unit. The proposed fenestration along the rear elevations are limited and mainly serve hallways. As such your officers do not consider that there would be adverse overlooking to the neighbouring property.
- 5.21 In terms of the Town Council's comments regarding smells from adjacent commercial uses, your Environmental Health officers have no objection to the proposal.

Conclusion

- 5.22 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

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 The development shall be carried out in accordance with the plans accompanying the application as modified by the agent's letter dated 26th July 2017 and accompanying plan(s).
REASON: The application has been amended by the submission of revised details.
- 4 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions, porches, conservatories, roof extensions, roof lights, balconies, conservatories, sheds, garages or other out buildings;, other than those expressly authorised by this permission, shall be erected, or installed.
REASON: Control is needed to retain the open character of the vicinity, and to protect residential amenities of neighbouring properties.
- 6 Before first occupation of the buildings hereby permitted the window(s) to the rear (North) elevations 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 property.
- 7 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 8 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.
- 9 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 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.

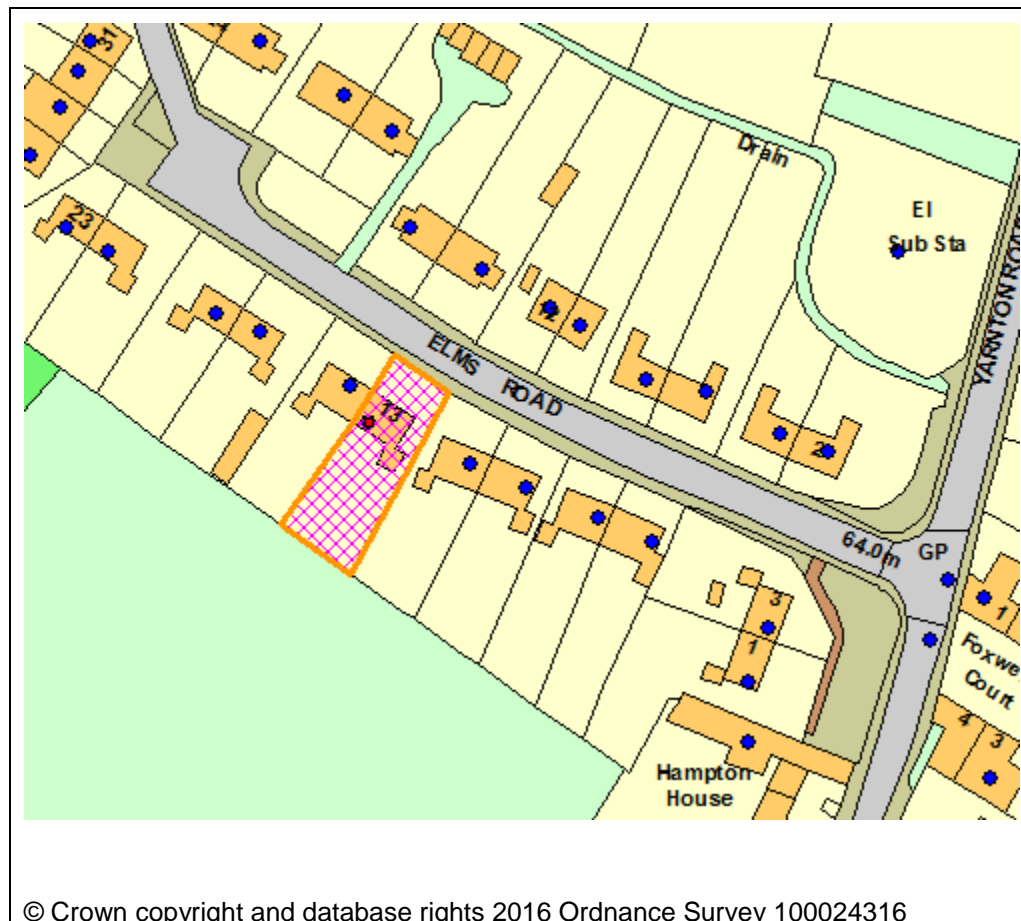
NOTES TO APPLICANT

- 1 I The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
 - Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
 - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
(follow link <https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/environmentandplanning/flooding/FloodStrategyActionPlan.pdf>).
 - CIRIA C753 SuDS Manual 2015

- 2 The Lowlands Area Planning Sub-Committee recommend that appropriate signage should be erected to advise and warn other users of the site and location in general that the access leading to the proposed development should remain clear at all times.

Application Number	I7/01563/HHD
Site Address	13 Elms Road Cassington Witney Oxfordshire OX29 4DR
Date	2nd August 2017
Officer	Jane Fray
Officer Recommendations	Approve
Parish	Cassington Parish Council
Grid Reference	445347 E 210927 N
Committee Date	14th August 2017

Location Map



Application Details:

New porch with rear single and two story extension with alterations to internal layout.

Applicant Details:

Mr & Mrs Johnson
13 Elms Road
Cassington
Witney
Oxfordshire
OX29 4DR

1 CONSULTATIONS

- 1.1 Parish Council The parish council has considered the above application and has no objection subject to any comments by adjoining neighbours.

2 REPRESENTATIONS

- 2.1 Objection from neighbours at 15 Elms Road on the following grounds:

- The proposed extension is over-bearing and out of scale, it is out of character in terms of its appearance compared to existing housing in the vicinity.
- We suffer with damp issues in our property, and this extension is going to make the problem worse, as it will be in constant darkness, due to severe over shadowing, partially blocking natural light from one of our ground floor windows.
- We feel that this may greatly reduce the value of our property.

3 APPLICANT'S CASE

The application can be viewed online.

4 PLANNING POLICIES

NE5 Oxford Green Belt
EH1NEW Landscape character
BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
OS4NEW High quality design
T4NEW Parking provision
H6NEW Existing housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application relates to 13 Elms Road, Cassington, a semi-detached Twentieth Century dwelling in a cul-de-sac of similar development on the edge of the village. Cassington is within the Oxford Green Belt. The dwelling sits on a flat site, backing onto fields. The front garden is hard surfaced and there is additional parking to the side. This application is being brought to Committee at the request of the Ward Councillor, as a result of concerns raised by neighbours.
- 5.2 The proposed development comprises a combined single and two storey rear extension, which incorporates the existing single storey rear projection comprising a store/outbuilding, and extends out the same depth as this element. The extension would be set in slightly by 0.5

metres from the common boundary with the adjoining neighbouring property at No. 15. The extension is designed as a shallow mono-pitched roof to the single storey element and two gables at first floor level. In addition a front porch is proposed to replace the existing front door canopy and to include a bay window to the front, beneath the porch roof. Materials are proposed to match the existing stone and render walls and concrete roof tiles, but with the addition of timber cladding to some elements of the scheme.

- 5.3 There is no specific planning history for this property.
- 5.4 Taking into account current planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

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

Design/Impact on character and appearance of the dwelling

- 5.6 Officers are of the view that the overall appearance of the proposed extensions is considered to be acceptable, though of slightly unusual design, but would be generally in-keeping with the character of the existing property and of a subordinate scale. In relation to the surrounding area it is noted that two storey extensions have been added to other properties in the vicinity, with No. 3 (Reference 06/0959/P/FP), 17 having a loft conversion and two storey rear extension (Reference W89/0305) and 21 (Planning Reference 14/0102/P/FP) having rear extensions to a similar depth as that proposed, albeit in differing configurations.
- 5.7 The property is characterised by its twentieth century design. Due to the subordinate scale and design of the proposed extension, coupled with its materials and architectural detailing, it is considered that the proposal would be sympathetic to the character and appearance of the existing property.

Residential amenity

- 5.8 In terms of impact on neighbouring amenity, this has been carefully assessed on site. The front porch would not have a significant impact due to its size and position. However, an objection has been received from neighbours to the north west of the property, at No. 15 Elms Road, on the grounds of overbearing impact, being out of character, scale and appearance, potential increase in damp issues as a result of overshadowing and loss of light to a ground floor window. Concerns are expressed that the proposals would also lead to a devaluation of the neighbouring property.
- 5.9 The above points have been carefully considered and it is considered by officers that although there would be some impact on neighbouring amenity by way of potential overshadowing and overbearing effect, it is not considered that this would be significantly detrimental enough to justify refusal of the application. Given that the proposed extension is set in by 0.5 metres from the shared boundary and is designed such that the two storey gable projects out by 1.7 metres and would not breach 45 degree guidance at this level, it is not considered that this would give rise to a significant impact on amenity in terms of overbearing or overshadowing. The roof design of the single storey element being mono-pitched also helps to further reduce the impact.

- 5.10 It is further noted that there have not been any objections from the Parish Council in terms of amenity aspects.
- 5.11 Furthermore, under current Permitted Development rules, an extension of greater single storey depth than the single storey element proposed, or a rear two storey extension set two metres away from the boundary but to a greater depth than that proposed would be permissible, plus the properties being relatively wide and facing southwards to the rear also helps to maximise light into the garden and existing rear rooms.
- 5.12 In relation to privacy aspects, officers' views are that there would not be any significant additional overlooking as a result of the scheme, as the flank side window at first floor level which would change from a bathroom to a bedroom is considered to be positioned such that it would not directly overlook neighbouring habitable room windows or private amenity space. A condition is recommended to avoid any additional side windows which could introduce overlooking.
- 5.13 In summary, it is considered that there would not be sufficient grounds to refuse this application in relation to a significant detrimental impact on adjacent amenity.

Impact on the site and surrounding area

- 5.14 There would be some impact on the street scene, given that the porch extension would be viewable from the front, so this has been carefully evaluated. The application property comprises one of a group of similar dwellings, which are set in a relatively regular, pattern in terms of front building lines. However, several have undergone front and side alterations adding some variety to the street scene. It is considered that the porch extension would be in-keeping with the street scene. As the proposal is for extensions to a residential dwelling within a residential area it is not considered that undue harm will be caused to the openness of the Oxford Green Belt.

Impact on Highways

- 5.15 The County Highways Officer has raised no objections to the proposal. The site currently benefits from an existing vehicular access onto Elms Road to the front. There would be no loss of parking as a result of the proposed development, with sufficient parking for approximately 3 to 4 vehicles and on-site turning space would remain. This would meet with the Council's current maximum parking standards, so it is not considered that there would be an adverse impact on highway safety or unacceptable loss of parking as a result of the proposed development.

Conclusion

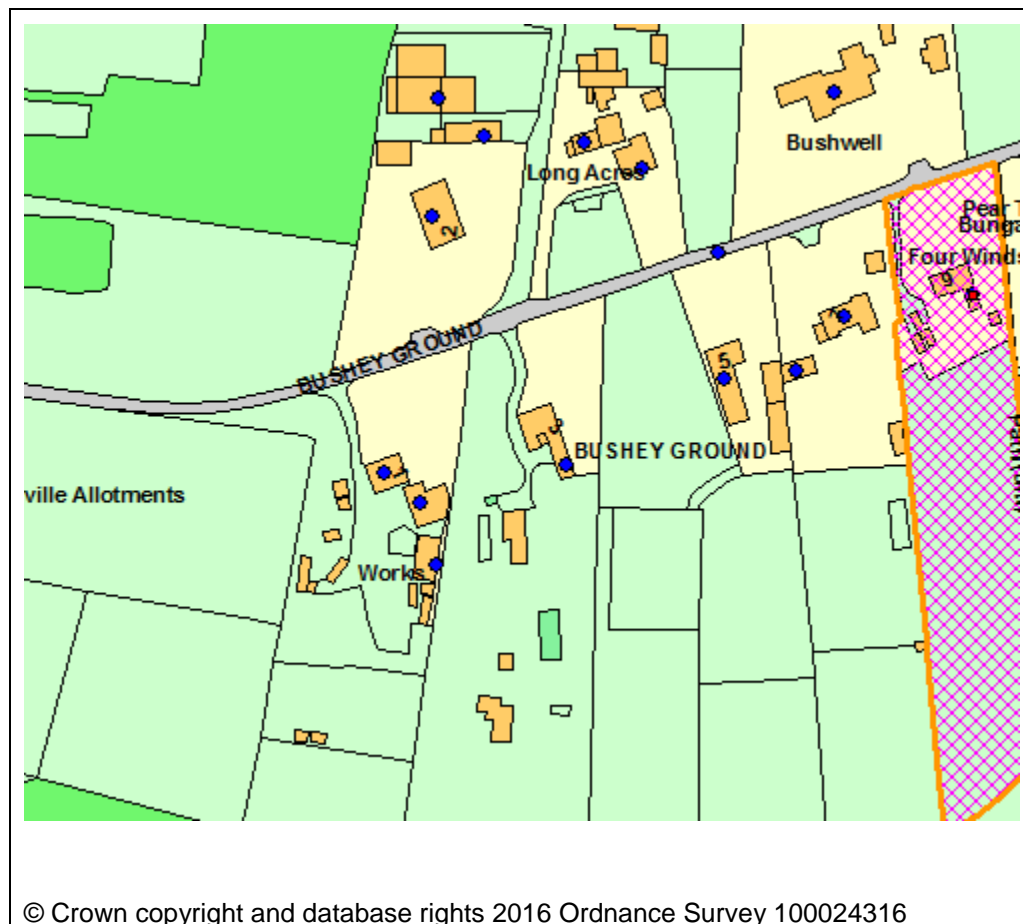
- 5.16 In view of the above, officers are of the opinion that the proposed development is acceptable and would not cause significant harm to the character or appearance of the host dwelling, residential amenity, the surrounding area, or highway safety, subject to appropriate conditions to ensure a satisfactory appearance to the development.
- 5.17 The application is therefore recommended for approval as being compliant with Policies BE2, BE3, NE5 and H2 of the adopted Local Plan, Policies OS4, T4, EH1 and H6 of the emerging Local Plan and other material considerations.

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 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows shall be constructed in the side elevation(s) of the extensions hereby approved.
REASON: To safeguard privacy in the adjacent property. (Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011)

Application Number	17/01612/FUL
Site Address	Four Winds Bushey Ground Minster Lovell Witney Oxfordshire OX29 0SW
Date	2nd August 2017
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431579 E 209797 N
Committee Date	14th August 2017

Location Map



Application Details:

Demolition of existing extension and out-buildings. Refurbishment and extension of the listed cottage, erection of ancillary accommodation in detached timber cabins, basement and sunken garage.

Applicant Details:

Ms Claire Dobner
C/O Agent

I CONSULTATIONS

- | | | |
|-----|-------------------------------------|--|
| 1.1 | Thames Water | No Comment Received. |
| 1.2 | WODC Drainage Engineers | No objection subject to conditions. |
| 1.3 | OCC Highways | The proposed use will be an ancillary use and hence I cannot demonstrate a significant intensification of use.
The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network. |
| 1.4 | WODC Landscape And Forestry Officer | No Comment Received |
| 1.5 | Parish Council | Minster Lovell Parish Council objects to this application as the Charterville bungalow is proposed to be altered. The Council feels that to alter it is unacceptable and would be another property from the Chartist Estate that would be lost. |

It is felt that the application is therefore contrary to the following policies: -

West Oxfordshire Local Plan 2011 and the emerging Local Plan 2031:

-

OS2

BE2 d) General development standards.

H2 a), b), f) General residential development standards.

NPPF: -

Specifically, paragraphs 58 (responding to local character) and 60 (reinforce local distinctiveness).

2 REPRESENTATIONS

- 2.1 Nine letters of objection have been received on the following grounds:

Access

- Bushey Ground is a very narrow, single track lane, with only one passing place.
- There are already a large number of vehicles using this road and it becomes very congested. The proposed development will cause increased traffic movement, including heavy lorries needed to remove waste from digging out the basement and underground garage. The proposed access to Four Winds is inadequate.
- Increase traffic flow down the lane, which at peak times such as the school run and work hours is already congested and very slow, being a single track road with the only passing places being in people's gardens and driveways, many of my neighbours have already had their gardens and fences etc damaged. Access to the site is very restrictive and narrow and

deliveries during works and heavy vehicles could seriously damage the already poor road surface not to mention blocking access to people's homes and existing businesses.

- Will increase the risk of a potentially dangerous accident at the junction with the Brize Norton road.

Drainage

- The plot concerned floods badly all winter and the area where the cabins, underground garage and basement are proposed is underwater for at least four months of the year.
- Water pressure is very low at the end of Bushey Ground and further development will exacerbate this.
- I believe the sewage system in the road is at full capacity.
- The back land of Four Winds floods every winter to knee height, this development would push the waters on to neighbouring properties, it would also destroy an area of wildflower land that has large swathes of cowslips and snakes head fritillaries, both protected?
- Also in regard to the construction of these four cabins, the occupation of these would put pressure on an already antiquated and strained fresh water and sewerage system, which already experiences loss of pressure and blocked drains, especially at the bottom of the lane.
- The proposed plan will change the property from having two beds, one bath and one kitchen to having four beds, two kitchens and four bathrooms plus additional toilet facilities. This will undoubtedly put stress on the already pressed sewage system in Bushey Ground. It would seem more practical to link the existing house with the main sewage system and install off system drainage for the balance of the buildings so as not to cause problems for the existing shallow drains and residents to the East of the property.

Listed building

- Four Winds is a lovely, listed building in a mainly residential area. It should not be given change of use for the proposed development as it will spoil the quiet character of the area.
- The area is a conservation area, to my knowledge no development has been allowed in Bushey Ground other than that to existing buildings with a permanent footprint.
- To allow this would be unsuitable for the local environment and set a precedent for further unwanted development in this conservation area.
- Four Winds is a listed building, one of a number down Bushey Ground. The proposed development would impact negatively on the curtilidge of this listed building.
- The development would spoil the heritage of the Chartists development down Bushey Ground.
- The wall to the front of the property is not in keeping with Bushey Ground, Minster Lovell, nor with the Charterville properties in the village.
- The additional builds to the rear of the property are not in keeping with the other properties in the Bushey Ground or Minster Lovell and do not compliment a Grade 2 listed building.
- The extensive alterations will destroy both the character and appearance of the property as a Grade 2 listed building, and given all Grade 2 buildings are 'of special interest, warranting every effort to preserve them', I strongly believe a development of this scale is radically indecorous for this property and location.

Other

- I am also very concerned to see that this could impact on the public footpath that runs to the side of the property and is used on a daily by walkers, dog walkers, cyclists and small children.
- How will this be protected for ongoing use both during the build (if successful) and ongoing from then on. The building work poses a risk of losing this right of way and also a risk to the Health and Safety of its users during any agreed works.
- I am very disappointed to see deliberate damage to a very mature tree that is in the middle of the public footpath, it has had the bark stripped and has axe marks in it up to the height of approx 6ft. Whilst I am not aware that there is a protected tree order in place and obviously do not know who has done this but as the tree has been untouched for at least the last 10 years.
- The noise assessment in the Design Statement clearly states that the changes to the property are expected to create adverse noise:
- Quote - "It is not anticipated that the proposal will not create any adverse noise generation through occupation." This will significantly impact all neighbours in what is currently a quiet countryside location, with families living in close proximity.
- This plan would appear to be changing Four Winds from a purely residential property to a rural business base for the owners (Green Door Picture Ltd) which in so doing would need a change of use application rather than just planning permission to modify the existing building and build ancillary accommodation, garages, editing suite etc.

2.2 One letter of comment summarised as follows:

Residential or business use?

This plan would appear to be changing Four Winds from a purely residential property to a rural business base for the owners (Green Door Picture Ltd) which in so doing would need a change of use application rather than just planning permission to modify the existing building and build ancillary accommodation, garages, editing suite etc. Other properties in the area have dual use so this change should not prove problematic to gain once the standard local impact checks have been undertaken.

Mains drainage:

The proposed plan will change the property from having two beds, one bath and one kitchen to having four beds, two kitchens and four bathrooms plus additional toilet facilities. This will undoubtedly put stress on the already pressed sewage system in Bushey Ground. It would seem more practical to link the existing house with the main sewage system and install off system drainage for the balance of the buildings so as not to cause problems for the existing shallow drains and residents to the East of the property.

Traffic movement and safety:

The plan will inevitably bring additional traffic to the property. The current entrance way has been problematic for many years with minimal traffic and needs to be widened enough to ensure that cars can get off the lane before the proposed electric gates. More importantly this part of the lane is well used by walkers, riders and children playing on bikes, as well as residents in their cars. The use of a five foot stone wall directly on the property boundary will undoubtedly cause issues regarding sight lines up the lane in the same way as the tall trees on

the western boundary currently cause issues looking down the lane. The wall if constructed directly on the boundary could also hamper the passage of large vehicles (e.g. bin lorries) passing along that part of the lane which is quite narrow.

Build impact

As this build progresses it will impact on everyone using the lane due to the lanes narrow nature and lack of passing places. Perhaps it might be possible to limit the activity of getting materials onto site and removal of waste from site to weekdays only, after 10am and before 3.30pm to avoid inconveniencing people getting to work, the school runs, car servicing drop offs/pick ups and the return of the articulated lorries and trailers to Colletts.

We are not against development of this site however, if not taken into consideration, the elements above could adversely affect other residents ability to enjoy safe passage on the lane and upset the balance on the sewage system. The issue of domestic or business/domestic use also has an impact on local residents and the intended use of the property should be clear.

3 APPLICANT'S CASE

3.1 Edgars Limited has been instructed by the applicant's architect to prepare and submit the following statement, highlighting the main planning issues and addressing concerns that have been raised in response to public consultation on the application. Each issue is considered in turn.

1. Whether the proposed development is residential use, business use or a mixed use

- The Design and Access Statement explains that, "The proposals have been designed to transform the property into a private retreat... The proposal utilises the listed cottage to provide communal accommodation for the site, with a linked extension providing a bedroom suite directly accessed from the cottage. Ancillary accommodation is proposed in the form of 3 detached residential cabins clad in black timber, which are arranged around the rear courtyard of the cottage. A further pair of cabins which provide accommodation for other live/work functions are clad in black zinc panels, and form an end to the development approximately half-way down the rear of the plot. The remainder of the site will be retained as a meadow or paddock area."
- The proposed residential cabins would be sited close to the cottage and close to one another. None of them would have their own recognisable curtilage or allocated car parking spaces. They have been described as "ancillary accommodation" and could be the subject of a suitably worded planning condition to ensure that they are only occupied in that manner and do not become used as separate dwelling houses in the future, if the sub-committee has similar concerns to local residents.
- The proposal accords with Policy H2 of the adopted West Oxfordshire Local Plan 2011 and Draft Policy OS4 of the emerging West Oxfordshire Local Plan 2031.

2. Impact on the character of the area

- The site is not in a designated conservation area, the character or appearance of which it is necessary to preserve or enhance. However, the proposed site layout and landscape design have been developed with care, and in consultation with officers to ensure that the proposals enhance the setting of the listed cottage, and minimise the impact on existing established trees and shrubs.

- Therefore, the proposal accords with Policies BE2 and NE3 of the adopted West Oxfordshire Local Plan 2011 and Draft Policies OS4 and EH1 of the emerging West Oxfordshire Local Plan 2031.

3. Impact on the listed building

- While the site is not in a conservation area, Four Winds is a grade II listed building of architectural or historic importance. In accordance with the requirements of Chapter 12 of the National Planning Policy Framework, a heritage assessment was carried out and a full report explaining the significance of the building as a heritage asset was submitted with the application. The report concluded that the proposed development would result in 'less than substantial harm' to the significance of the asset.
- This view is shared by the Council's Conservation Officer, who has stated: "Overall, the proposed extensions appear proportionate, detailed in a clear and low-key way, and will be largely undiscernible from the front. The proposals should result in net improvements to the character and appearance of the listed building". He adds that: "The site being a large one with plenty of vegetation, and the new buildings being to the rear of the listed building, the site should be able comfortably to accommodate these structures, and in such a way as to result in no undue harm to the setting of the listed building."
- The proposal accords with Policy BE8 of the adopted West Oxfordshire Local Plan 2011 and Draft Policy EH7 of the emerging West Oxfordshire Local Plan 2031.

4. Impact on trees

- A tree survey was carried out and a report prepared by a qualified and experienced arboriculturist. The report concluded that the trees within the site are mostly of a poor to moderate condition and have had limited or no management over their lifetime. "The C grade trees within the site are of poor quality and it is considered that the removal of these trees would not be detrimental to the visual amenities of the site or surrounding area. The two hedge groups of trees (TG1 and TG5) provide a well-established green screen to the site and are being retained. They will however require remedial pruning to ensure they remain compatible with the site before, during and after completion of any work. This would include topping to a level height and trimming back hard." Additionally, "The proposals involve the removal of three B grade trees within the site (T3 Ash, T4 Ash and T5 Birch) but it is considered that the removal of them will not have a detrimental impact on the character of the surrounding area. They will be replaced by new planting which will grow in harmony with the proposed development for future generations. All tree work is to be carried out in line with the current British standard for Tree Work BS 3998 by qualified Arborists."
- The proposal accords with Policy NE6 of the adopted West Oxfordshire Local Plan 2011 and Draft Policy EH1 of the emerging West Oxfordshire Local Plan 2031.

5. Effect on ecology

- An extended Phase I habitat Survey was undertaken and a report submitted with the application. The study did not identify any habitats within the site that are considered to be of local, regional or national ecological value. The majority of the site was considered to be of low ecological value, comprising amenity grassland, hard-standing, buildings and garden vegetation.

- The proposal accords with Policy NE13 of the adopted West Oxfordshire Local Plan 2011 and Draft Policy EH2 of the emerging West Oxfordshire Local Plan 2031.

6. Highways and access

- Many of the representations, made by neighbours, draw attention to Bushey Ground being a narrow single-track road with few passing places. They comment on a large amount of traffic already using the lane and increased vehicle movements arising as a result of the proposed development, especially heavy vehicles during the construction phase. They also highlight the need for adequate sight lines to be provided in each direction at the site access and for sufficient space to be provided in front of the gates to enable vehicles to stand clear of the lane.
- The County Council, as highway authority, has considered the proposal and commented: "The proposed use will be an ancillary use and hence I cannot demonstrate a significant intensification of use. 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."
- If necessary, planning conditions could be used to secure a construction phase traffic management plan, the provision of sight lines on each side of the proposed access and the provision of a waiting area in front of the gates in accordance with adopted standards.
- The proposal accords with Policies BE3, T1 and T6 of the adopted West Oxfordshire Local Plan 2011 and Draft Policies T1 and T4 of the emerging West Oxfordshire Local Plan 2031.

7. Noise

- Representations from neighbours have expressed concern about the potential for noise and disturbance arising from the proposed development. This concern may have arisen due to a typographical error in Section 5 of the Design and Access statement. The sentence should read, "It is anticipated that the proposal will not create any adverse noise generation through occupation".
- The proposal accords with Policy BE19 of the adopted West Oxfordshire Local Plan 2011 and Draft Policy EH6 of the emerging West Oxfordshire Local Plan 2031.

8. Foul water drainage

Representations from several neighbours have raised a question over the capacity of the existing sewer to accommodate the proposed development. This would normally be a matter for Thames Water. However, to the best of our knowledge, no objection or concern has been raised by Thames Water in relation to the capacity of the mains sewer.

9. Surface water drainage

- Concern has been expressed by neighbours that the part of the site where the cabins, basement and sunken garage would be located is regularly subject to flooding in the winter months. There is concern that the proposed development would lead to flooding of neighbouring properties and flooding of the public footpath that runs to the east of the site.
- The Government's Flood Map for Planning shows that the site is in Flood Zone 1, where there is a low probability of flooding.
- The District Council's Engineering Technician has confirmed that (i) the application site is at a low risk of ground water flooding, (ii) the site is not shown to have flooded previously

and (iii) the site is not within 20m of any mapped watercourse. A condition has been recommended that requires, prior to the commencement of development, a full surface water drainage plan to be submitted to and approved in writing by the Local Planning Authority. The applicant is willing to accept such a condition if the sub-committee considers it to be necessary.

- The proposal accords with Draft Policies OS3 and EH5 of the emerging West Oxfordshire Local Plan 2031.

10. Water supply

- It has been stated by local residents that the existing water pressure is very low at the (east) end of Bushey Ground and that further development will exacerbate the problem. This would normally be a matter for Thames Water. However, to the best of our knowledge, no objection or concern has been raised by Thames Water in relation to the mains water supply.
- The proposal accords with Policy NE10 of the adopted West Oxfordshire Local Plan 2011.

11. The public right of way

- Representations from neighbours have questioned how the public right of way would be protected both during and after construction of the proposed development.
- The Proposed Site Plan (1545_101) shows the erection of a two-metre high close boarded fence with trellis inside the site and running parallel with the eastern boundary. The fence will provide security for the occupiers of the proposed development and protect the health and safety of users of the public right of way both during and after the construction period. The applicant has no intention of causing an obstruction to the public right of way.
- The proposal accords with Draft Policy EH3 of the emerging West Oxfordshire Local Plan 2031.
- I trust you will find the above demonstrates that the main planning issues and concerns have been satisfactorily addressed and the application can be reported to the Sub-Committee with a recommendation that planning permission and listed building consent should be granted for this development.

4 PLANNING POLICIES

BE2 General Development Standards

BE7 Alterations and Extensions to Listed Buildings

BE8 Development affecting the Setting of a Listed Building

T1 Traffic Generation

NE13 Biodiversity Conservation

OS2NEW Locating development in the right places

OS4NEW High quality design

H6 Medium-sized villages

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 The application seeks consent for alterations and extensions to a Grade II Listed Chartist bungalow and the erection of outbuildings to provide ancillary accommodation to the main dwelling.
- 5.2 The site is along Bushey Ground in Minster Lovell which is a single track lane, fronted by listed and non listed Chartist bungalows. It is not a Conservation Area, or within the AONB or any other land designation. The properties immediately either side of the site are not listed, there are two further listed bungalows to the east which have been previously extended. There is a public footpath along the eastern boundary of the site from Bushey Ground to Witney Lakes Golf Course.
- 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
Heritage asset
Siting design and form
Residential amenities
Highways
Drainage

Principle

- 5.4 The principle of development is considered to be acceptable in terms of planning policy. The existing site has several dilapidated outbuildings (garage, workshop, shed) which sit behind the listed dwelling which are to be replaced with 3 cabins, a subterranean three bay garage and a studio/home office building. The buildings do not extend the full length of the plot and are roughly in line with development on the adjacent plots. The proposal is therefore considered to be in accordance with policies BE2 of the adopted plan and OS4 and H6 of the emerging plan.

Heritage asset

- 5.5 As the site is within the curtilage of a listed building, Officers are required to take account of section 66 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.
- 5.6 In this regard the proposed works to the listed building and within the curtilage of the listed building are not considered to have a detrimental impact to the character or setting of the listed building, given the siting, materials, design and nature of what is proposed. The listed building is in need of restoration and repair, and has been subject to a number of poor quality alterations, including a rear extension and a boxy porch on the front gable. The application proposes restoring the Listed Building, removing the inappropriate front porch, and replacing the existing rear extension with a slightly larger one separated from the main dwelling by a glazed link, and incorporating the previously detached rear outbuilding.

- 5.7 Overall, the proposed extensions appear proportionate, detailed in a clear and low-key way, and will be largely undiscernible from the front. The proposals should result in net improvements to the appearance and character of the Listed Building. The site is large and linear with plenty of vegetation, and the new buildings being to the rear of the Listed Building, the site should be able comfortably to accommodate these structures, and in such a way as to result in no undue harm to the setting of the Listed Building. It is considered to be in accordance with policies BE7 and EH7 of the Adopted and Emerging Plans.

Siting, Design and Form

- 5.8 The existing bungalow is very small, barely altered since the 1930's and consequently not fit for purpose for living today, with a range of functional but largely dilapidated outbuildings garage, workshop, sheds etc to the rear. The plot is considerably long and has an area of 0.77ha (just under 2 acres). The proposed developed area extends approximately half way down the length of the holding, which is similar to the neighbouring properties.
- 5.9 The proposed extensions have been designed to retain the cottage without detrimentally affecting the listed fabric whilst improving the living conditions. In order to achieve the accommodation it has been provided in separate buildings to the rear of the property. The existing 1930's extension to the rear which is currently the kitchen will be removed and replaced with another single storey extension, and a glazed link to another building with glazing which will provide the master bedroom. These proposals are considered to be in keeping in terms of their design and form.
- 5.10 The proposal also seeks to replace the existing outbuildings with three single-storey buildings, providing additional bedroom accommodation. The aesthetic treatment in these cases is for modern, physically low structures of relatively modest scale and massing, timber and glazed and with shallow monopitch standing seam roofs, or zinc-clad and flat-roofed in the case of the studio, and subterranean with a green roof in regard to the garage. Officers consider the proposed buildings to be acceptable in terms of their form, siting and materials.
- 5.11 The garage and studio/office are to be sited furthest from the listed building and are very modern but simple in design but are also low key and will be hidden from the main dwelling by the green roof of the partially subterranean garage. The drive runs along the western boundary. Many of the adjacent properties also have parking areas set quite far back into the site.
- 5.12 The application also proposes a 1.5m high dry stone wall along the front of the property as a boundary to Bushey Ground. There have been comments that it is out of character with Bushey Ground, however officers consider that there is no uniform means of enclosure as several houses have high fences and hedgerows and solid 1.8m high entrance gates, and some properties have low walls or fences.
- 5.13 The proposed extensions are considered to be an acceptable form and scale and in accordance with policies BE2 and BE8 of the Adopted Plan and OS4 and EH7 of the Emerging Plan.

Residential Amenities

- 5.14 It is not considered that the residential amenities of neighbouring properties will be affected. Each proposed building faces into the site and all the structures are single storey so they will not be perceived as overbearing and will not introduce overlooking. There is also significant existing

landscaping down both side boundaries, and significant gaps between the dwellings. The proposal is therefore considered to accord with Policies BE2 of the Adopted Plan and OS2 and H6 of the Emerging Plan.

Highways

- 5.15 The County Council as Highway Authority have raised no objection on the grounds that it is remaining as one household and therefore will not significantly increase traffic along Bushey Ground. There is plenty of off street parking on site and a 3 bay garage. A Construction Phase Management condition has been included so movements of construction materials can be managed in off peak hours.
- 5.16 There will be no detrimental impact on the adjacent public footpath that runs from Bushey Ground to the Witney Lakes golf course. A 2m high fence topped with trellis is proposed along the length of the footpath to define it, as it is currently undefined and runs through the garden. Officers therefore consider that the proposal is acceptable in highway terms and in accordance with BE3 of the Adopted Plan and T3 and T4 of the Emerging Plan.

Drainage

- 5.17 Several letters of representation have made reference to surface water on site during winter months. The Council's Drainage Engineers were consulted as part of the application process and have raised no objection subject to a drainage condition which has been attached to the recommendation.
- 5.18 Thames Water were also consulted but have not responded at the time of agenda preparation. The proposal is for ancillary accommodation to an existing dwelling which is already on the drainage system so officers consider that it is unlikely that TW would object to the proposal. In any event the provision of foul drainage and connection is dealt with under separate legislation. On that basis the proposal is considered to be acceptable and in accordance with EH6 and OS3 of the Emerging Plan.

Conclusion

- 5.18 The proposal is considered to respect and enhance the Grade II listed building, and be appropriate in terms of scale and form and siting and it accords with Adopted and Emerging Local Plan policies and the provisions of the NPPF and is therefore recommended for approval subject to the conditions below.

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 The extensions, outbuildings and studio/office hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as separate dwellings.
REASON: Separate dwellings in this location would be contrary to local plan policies and would unacceptably intensify the use of Bushey Ground.
- 4 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows, doors and cladding to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 6 Bat and bird boxes shall be installed in accordance with details including phasing that have been submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard and enhance biodiversity.
- 7 That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 30% CC event has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance)
- 8 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.

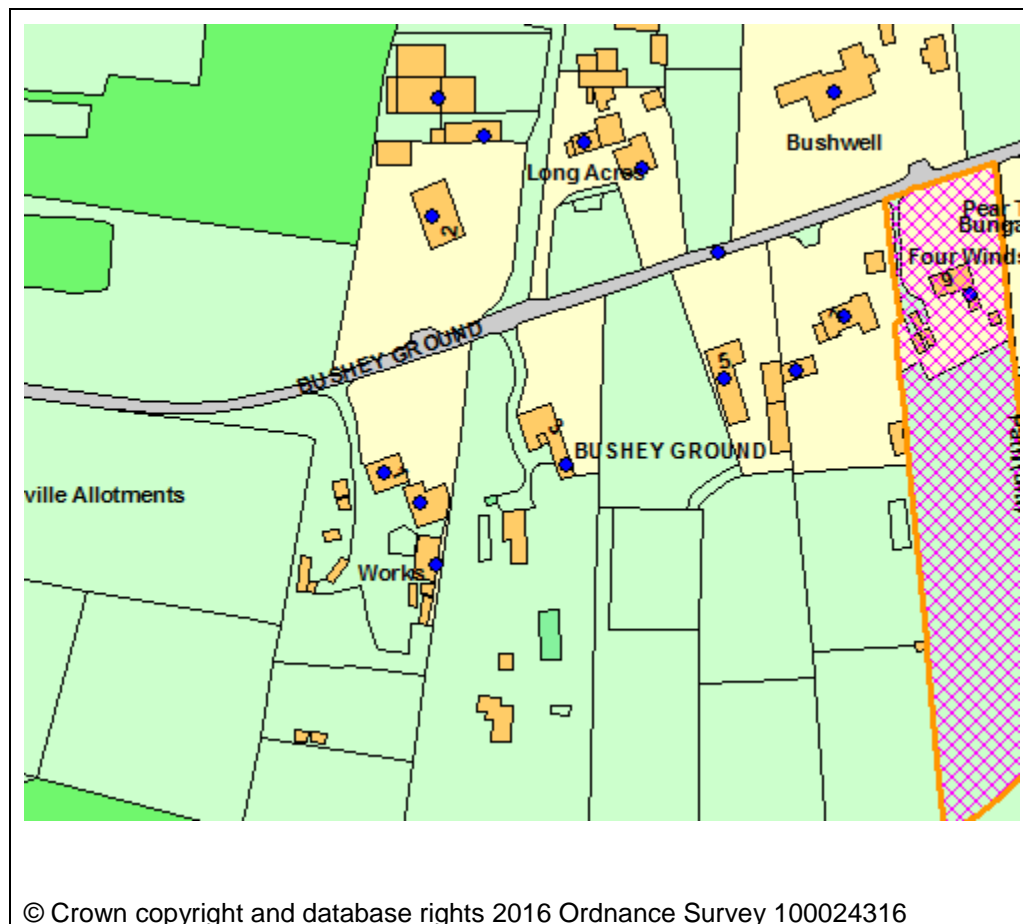
NOTE TO APPLICANT

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with:

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- CIRIA C753 SUDS Manual.
- The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after March 2015. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))

Application Number	17/01613/LBC
Site Address	Four Winds Bushey Ground Minster Lovell Witney Oxfordshire OX29 0SW
Date	2nd August 2017
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431579 E 209797 N
Committee Date	14th August 2017

Location Map



Application Details:

Internal and external alterations to include extension.

Applicant Details:

Ms Claire Dobner, C/O Agent.

I CONSULTATIONS

- 1.1 WODC Architect In respect of the LB, this is in need of restoration and repair, and has been subject to a number of poor quality C20 alterations, including 1920s/ '30s rear extension and a boxy porch on the front gable. The application proposes restoring the LB, removing the inappropriate front porch, and replacing the existing rear extension with a slightly larger one (given a degree of separation by a glazed link), and incorporating the previously detached rear outbuilding. Overall, the proposed extensions appear proportionate, detailed in a clear and low-key way, and will be largely undiscernible from the front. The proposals should result in net improvements to the appearance and character of the LB.
- 1.2 Parish Council Minster Lovell Parish Council objects to this application as the Charterville bungalow is proposed to be altered. The Council feels that to alter it is unacceptable and would be another property from the Chartist Estate that would be lost.
- It is felt that the application is therefore contrary to the following policies: -
West Oxfordshire Local Plan 2011 and the emerging Local Plan 2031:
-
OS2 /
BE2 d) General development standards.
H2 a), b), f) General residential development standards.
NPPF: -
Specifically, paragraphs 58 (responding to local character) and 60 (reinforce local distinctiveness).

2 REPRESENTATIONS

- 2.1 Nine representations have been received objecting on following grounds:

Listed building

- Four Winds is a lovely, listed building in a mainly residential area. It should not be given change of use for the proposed development as it will spoil the quiet character of the area.
- The area is a conservation area, to my knowledge no development has been allowed in Bushey Ground other than that to existing buildings with a permanent footprint.
- To allow this would be unsuitable for the local environment and set a precedent for further unwanted development in this conservation area.
- Four Winds is a listed building, one of a number down Bushey Ground. The proposed development would impact negatively on the curtilage of this listed building.
- The development would spoil the heritage of the Chartists development down Bushey Ground.
- The wall to the front of the property is not in keeping with Bushey Ground, Minster Lovell, nor with the Charterville properties in the village.

- The additional builds to the rear of the property are not in keeping with the other properties in the Bushey Ground or Minster Lovell and do not compliment a Grade 2 listed building.

3 APPLICANT'S CASE

See application no 17/01612/FUL above.

4 PLANNING POLICIES

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks consent for alterations and extensions to a Grade 2 Listed Chartist bungalow and the erection of outbuildings to provide ancillary accommodation to the main dwelling.
- 5.2 The site is along Bushey Ground which is a single track lane, fronted by Listed and non listed Chartist bungalows. It is not a Conservation Area, or within the AONB or any other land designation. The properties immediately either side of the site are not listed, there are two further listed bungalows to the east which have been previously extended. There is a public footpath along the eastern boundary that runs from Bushey Ground to Witney Lakes Golf Course.
- 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:

Heritage asset

- 5.4 As the site is within the curtilage of a listed building, Officers are required to take account of section 66 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 works to the listed building and within the curtilage of the listed building are not considered to have a detrimental impact to the character or setting of the listed building, given the siting, materials, design and nature of what is proposed.
- 5.5 The listed building requires restoration and repair, and has been subject to a number of poor quality alterations, including a rear extension and a boxy porch on the front gable. The application proposes restoring the Listed Building, removing the front porch, and replacing the existing rear extension with a slightly larger one separated from the main dwelling by a glazed link, and incorporating the previously detached rear outbuilding. Overall, the proposed extensions appear proportionate, detailed in a clear and low-key way, and will be largely undiscernible from the front. The proposals should result in net improvements to the appearance and character of the Listed Building.

- 5.6 In respect of the other buildings on the site, these include a range of functional but largely dilapidated outbuildings garage, workshop, sheds etc. The proposal is to replace these with a number of single-storey cabin- or workshop-like buildings, providing additional accommodation, studio space etc. The aesthetic treatment in these cases is for modern, physically low structures of relatively modest scale and massing, timber and glazed and with shallow mono pitch standing seam roofs, or zinc-clad and flat-roofed in the case of the studio. The site being a large one with plenty of vegetation, and the new buildings being to the rear of the Listed Building, the site should be able comfortably to accommodate these structures, and in such a way as to result in no undue harm to the setting of the Listed Building.

Conclusion

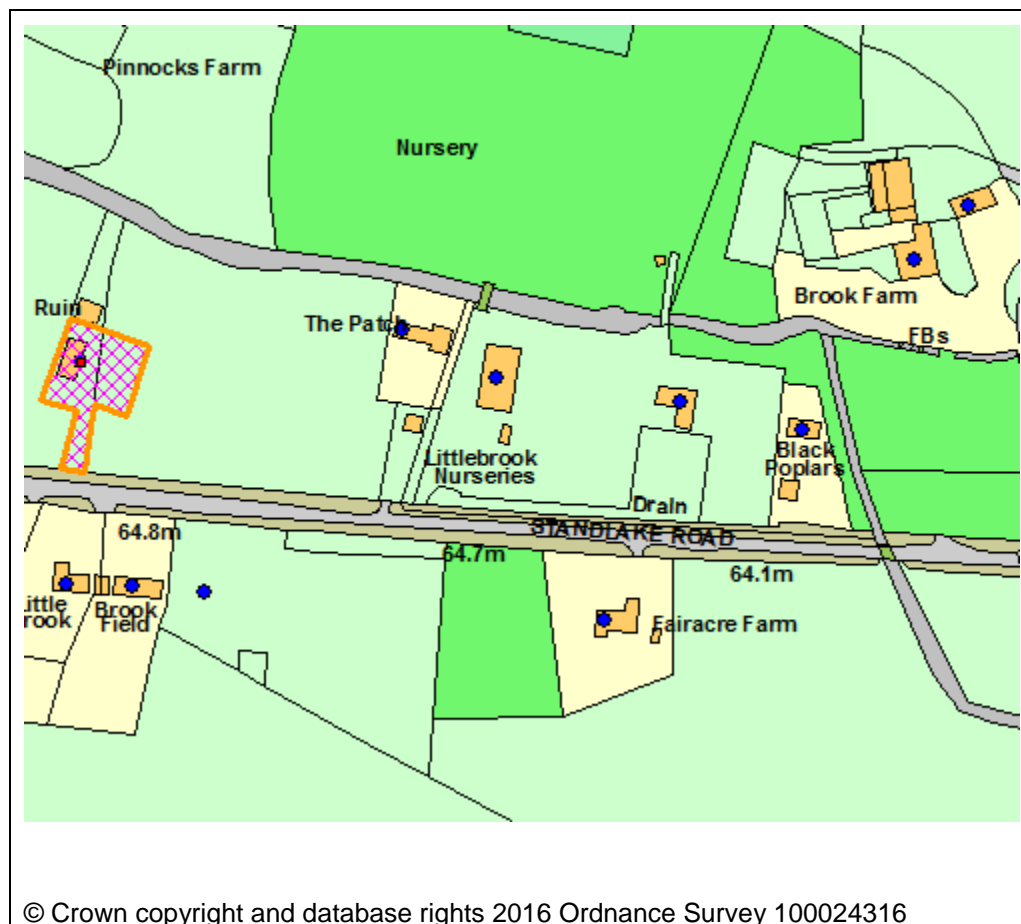
- 5.7 The proposal is not considered to cause harm to the listed building and is in accordance with local plan policy BE6 and emerging policy EH7 and is recommended for approval subject to the conditions below.

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 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 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.
- 4 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.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 6 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	I7/01785/FUL
Site Address	Land at Patchfield Barn Standlake Road Northmoor Oxfordshire
Date	2nd August 2017
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Northmoor Parish Council
Grid Reference	441344 E 202852 N
Committee Date	14th August 2017

Location Map



Application Details:

Conversion of Patchfield Barn to provide a single dwelling together with associated works.

Applicant Details:

Mr and Mrs Sparrowhawk
c/o Agent

I CONSULTATIONS

- | | | |
|-----|-------------------------------------|---|
| I.1 | 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.2 | Biodiversity Officer | No Comment Received. |
| I.3 | WODC Architect | No Comment Received. |
| I.4 | Historic England | Historic England has no objection to the application on heritage grounds |
| I.5 | OCC Minerals
(Safeguarded Areas) | No Comment Received. |
| I.6 | Environment Agency | We object to this application because the proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located and contrary to the National Planning Policy Framework Planning Practice Guidance. |

Reasons

The National Planning Policy Framework Planning Practice Guidance classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. In this case the application falls within Flood Zone 3b, functional floodplain, as defined by Cherwell and West Oxfordshire's Strategic Flood Risk Assessment (April 2009). This is land which would flood with an annual probability of 1 in 20 (5%) or greater in any year.

The development type in the proposed application is classified as a more vulnerable category in line with Table 2, Planning Practice Guidance. Tables 1 and 3 of the Planning Practice Guidance make clear that this type of development is not compatible with this Flood Zone and should not therefore be permitted.

Note to LPA

The Flood Risk Assessment (Water Resource Associates, Final report, May 2017, V3) submitted with this planning application, contains a topographical survey (page 9). This survey shows that the building is no longer below the 1 in 20 year flood level but in some parts at the same level. This is due to ground levels on site being slightly raised as a result of the laying of a water main. The rear of the site where the garden is situated is still below the 1 in 20 year flood level. As our flood model (Thames (Shifford to Eynsham) & Windrush A40 to Thames confluence 2011) has a level accuracy of plus or minus 250mm, we cannot confirm whether the building footprint is situated in the functional floodplain extent or not.

If you, as decision makers, are satisfied with this approach and willing to take the risk, then we would support you in this decision and

remove our objection on policy grounds. If you do not want to take this risk then our policy objection would still stand.

- I.7 WODC Drainage Engineers Condition requested.
- I.8 Parish Council
In considering this matter the Council made reference to their Planning Policy Guidance that they established in 2015 that set a number of categories that would be desirable in any application. The second of these was particularly applicable in this case, it read:- Request for something larger than an individual property improvement - ideally by a local family wishing to build a home for themselves rather than a commercial developer. These applications are likely to be on green field sites. Whilst current WODC guidelines would not allow green field development the PC might see an individual case as worthy of exception and give approval allowing WODC the final say. Preference might also be given to a development on the site of a pre-existing building. This Application fulfilled these expectations, Being a local family with strong family connections within the village, Making use of an pre-existing building, Having no or minimal impact on flood risk, Providing off road parking, Demonstrating a clear need, as Mr Sparrowhawk, now retired, currently lives in a tied property, Have adequate infrastructure in place, Have the support of their immediate future neighbours This Council expressed concern at the manner in which the Environment Agency considered this Application. Northmoor Parish Council approve and support this Application and encourage WODC to give their consent.

2 REPRESENTATIONS

- 2.1 Over 20 comments have been received supporting the application. The comments include:
- They have lived and worked in and around Northmoor all their lives and all they want to do is retire quietly in the village they know and love.
 - Barry's family have been associated with the village Northmoor for over 200 years.
 - He is living at the present time in a tired cottage and therefore is vulnerable.
 - He has five elderly infirmed relatives who rely on him within Northmoor.
 - We live almost immediately opposite this building and would welcome consent being given to convert the barn into a home.
 - When this application was originally made there were no objections from my immediate neighbours.
 - Any concern about potential flooding is ill-founded. The three houses on the opposite side have not flooded in the thirty years we have lived here and neither to our recollection has the barn.

- It is an otherwise redundant building, well within the curtilage of the village and an obvious site for a barn conversion in keeping with the local vernacular.
- This would provide affordable housing for a local couple. Permission should be granted.
- Patchfield Barn is not an isolated property.
- The recent granting of permission for building and converting existing properties in the immediate vicinity would seem to set a precedent for this development.
- Granting this permission would respond to the current thinking of building homes based on the needs of the local community.
- The proposed design will be in keeping with the traditional appearance and character of existing properties in the village. This development would positively enhance the appearance of the existing building and therefore also the surrounding area. The barn is in any case set well back from the road and is screened by hedges and trees. It benefits from safe access, has plenty of room for parking and is also connected to mains water and electricity.
- I do hope you will look upon this application favourably thereby granting the opportunity the Sparrowhawks so genuinely deserve to live in the community where they so clearly belong.

3 APPLICANT'S CASE

3.1 As part of the submission, An Ecological Appraisal, a Planning and D&A Statement and FRA have been submitted. These can be viewed in the usual manner. The Planning and D&A Statement's conclusion has been summarised as:

- Northmoor is a sustainable location where new residential development, including conversions of existing buildings to residential purposes, has been permitted.
- The Council does not have a 5-year supply of deliverable housing sites. This brings in to play paragraphs 49 and 14 in the NPPF. In light of the widely acknowledged, significant, and persistent lack of five-year housing supply of deliverable housing sites in the West Oxfordshire District, the policies for the supply of housing should be considered out-of-date and the application determined in accordance with a presumption in favour of sustainable development. Policies of otherwise constraint should be set aside.
- The conversion and extension of Patchfield Barn, as proposed, accords with Government policy as set in paragraph 55 of the NPPF. The proposal will re-use a redundant building and lead to an enhancement of the immediate setting.
- Mr and Mrs Sparrowhawk have a personal, social need for a home in Northmoor, which is material to the consideration of this application.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE10 Conversion of Unlisted Vernacular Buildings

H2 General residential development standards

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

NE15 Protected Species

OS2NEW Locating development in the right places

EH5NEW Flood risk

EH2NEW Biodiversity

H10 Conversion of existing buildings to residential use in the countryside and

H2NEW Delivery of new homes
BE12 Archaeological Monuments
EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal is for the conversion and extension of the existing building to form a dwelling. The application is to be heard before the Committee as the Parish Council are in support of the proposal.
- 5.2 A previous planning application was withdrawn prior to it being heard before the Committee in 2016 (16/00241/FUL). The existing building is located outside of Northmoor's Conservation Area and is not Listed. It is also considered to be within an open countryside location. It is also considered to be located within Flood Zone 3b.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.4 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, currently 1,978 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 closed on 20th 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.
- 5.9 Your officers consider that the starting point of assessing the application is to determine whether the existing building is suitable for conversion. Policy BE10 of the Adopted West Oxfordshire Local Plan states that the building should be vernacular - traditionally built in form and appearance. It states "ensuring the appropriate conversion of these buildings will prolong their life and the important contribution they make to the history of a settlement or the wider landscape." There are no policies for the conversion of non vernacular buildings as these types of buildings are not traditional to the area and most do not contribute to the landscape.
- 5.10 The building subject to the application is of modern construction with breeze block walls and a tiled roof. Your officers are of the opinion that the building is not vernacular and does not make an important contribution to the locality. As such officers consider that the proposal does not comply with this policy. Although the applicant will be improving the appearance of the building, there is no obvious aesthetic or historic interest, and as such there is no reason why officers would wish to see its existence perpetuated and it is the existing building which should be assessed initially.
- 5.11 A further conversion policy to consider is Policy H10. This policy discusses the conversion of existing buildings to residential use in the countryside and small villages. Northmoor is categorised as a small village, and due to the location of the building, your officers are of the opinion that the site falls outside of the main built up area of the village. However the requirements of this policy are the same. Conversion of a building to a dwelling will only be permitted in the following circumstances and where retention of the building meets overall sustainability objectives.
- 5.12 The building is not suitable or reasonably capable of the re-use for employment purposes, recreational or community uses, visitor facilities or tourist accommodation, and it is demonstrated that its retention can only be secured through its conversion to residential use, or that there is an essential operational or social need for a dwelling in accordance with Policy H4. In addition to this, the building should be of a substantial construction and capable of accommodating residential use without major reconstruction or significant enlargement, and the building makes a positive contribution to the character and appearance of the area. Officers consider that the proposal does not comply with this policy.
- 5.13 Your officers are also of the opinion that the application site is not sustainable and is located within the open countryside. In a recent appeal decision to the west of the application site, near the Dun Cow, (Land South West of the Dun Cow, Standlake Road, Northmoor (15/00532/FUL) the Inspector stated:

"To promote sustainable development in rural areas, paragraph 55 of the Framework advises that housing should be located where it will enhance or maintain the vitality of rural communities. Where there are groups of smaller settlements, development in one village may

support services in a village nearby. It is likely that future occupiers of the new dwelling would support the local pub, church and village hall in Northmoor, and the services and facilities in Standlake. However, and in the absence of evidence to demonstrate otherwise, I find that the contribution one new dwelling would make to the vitality of the rural community and local economy would be unlikely to be discernible. The social and economic benefits of an additional dwelling in this location, including the contribution that would be made to the supply of housing in the area and the employment that would be provided during the building of the property would be limited.

- 5.14 Given the limited services within Northmoor, and having regard to the local highway network with no pavements or street lighting, there would be a high probability that the future occupiers of the new dwelling would have a high dependency on the private car to access services and facilities in nearby towns and villages. Having regard to the limited range of services in Standlake, once in their cars, the potential for travelling further afield to access basic services would be enhanced.
- 5.15 Whilst I accept that the Framework recognises that sustainable transport solutions will vary from urban to rural areas, I find that future occupiers of the new dwelling would be highly dependent on private transport to access their basic day to day needs, including places of employment and education. For those without access to private transport, the services and facilities in nearby towns and villages would not be accessible. The bus service through the village is infrequent and would be unlikely to prove attractive or convenient as an alternative mode of transport. I therefore find that the scheme would conflict with the social and environmental roles of sustainability".
- 5.16 In view of the above, your officers are of the opinion that the existing building does not fall within the criteria of Policy BE10 which enables the conversion of appropriate vernacular buildings and as such cannot support the proposal in principle. Furthermore the benefits arising from one dwelling to not substantially outweigh the harm of a new dwelling in an unsustainable location. In addition your officers are also of the view that the proposal does not accord with Policies OS2 and H2 of the Emerging West Oxfordshire Local Plan 2031 as well as paragraph 55 of the NPPF.
- 5.17 In addition, the EA have objected to the application as set out in the consultation section of the report. According to the EA, the site sits within Flood Zone 3b (the functional flood plain) as the site is within 1 in 20 year flood extent. The application will increase the vulnerability of the use from less to more vulnerable. The advice from National Planning Policy is that development should be directed to areas of low risk from flooding and that this use is more sensitive to flooding than the existing use. It is therefore considered to be unacceptable on flooding grounds. The EA have stated that the applicant's FRA has taken a different approach and whilst the EA's flood model (Thames (Shifford to Eynsham) & Windrush A40 to Thames confluence 2011) has a level accuracy of plus or minus 250mm, they cannot confirm whether the building footprint is situated in the functional floodplain extent or not. However your officers, are seeking the EA's professional judgement and advice, as such officers are not wanting to take the risk of the information provided by the applicants following the EA's objection comments.

Siting, Design and Form

- 5.18 As well as the proposed conversion, the applicants also wish to extend the building to form the required level of accommodation. The building will also have timber cladding on a red brick plinth which officers consider would be acceptable if the principle was acceptable.

Highway

- 5.19 OCC Highways have raised no objections to the proposal.

Residential Amenities

- 5.20 Due to the location of the building within a field and opposite existing dwellings, officers do not consider that a loss of residential amenities will result to the existing or proposed occupiers.

Scheduled Ancient Monument

- 5.21 The proposed development site is within the scheduled monument known as Prehistoric and Later Settlements near Northmoor. The scheduled monument consists of an extensive area of crop marks identified through aerial photography. These cropmarks include trackways and rectilinear enclosures with probable domestic elements and with a very complex pattern of less regular features, perhaps at least part of which is Iron Age in date. Romano-British pottery recovered from the area suggests a broad Roman date for some of the features. Iron Age and Roman settlement enclosures have been excavated at Watkins Farm, Northmoor, a little over 1 km to the north-east. It is also very likely that other prehistoric and historic periods are represented within the scheduled monument.
- 5.22 Historic England have been consulted and they consider that overall the development will cause some harm to significance of the scheduled monument, but this will be less than substantial harm and consequently do not object to this development.

Conclusion

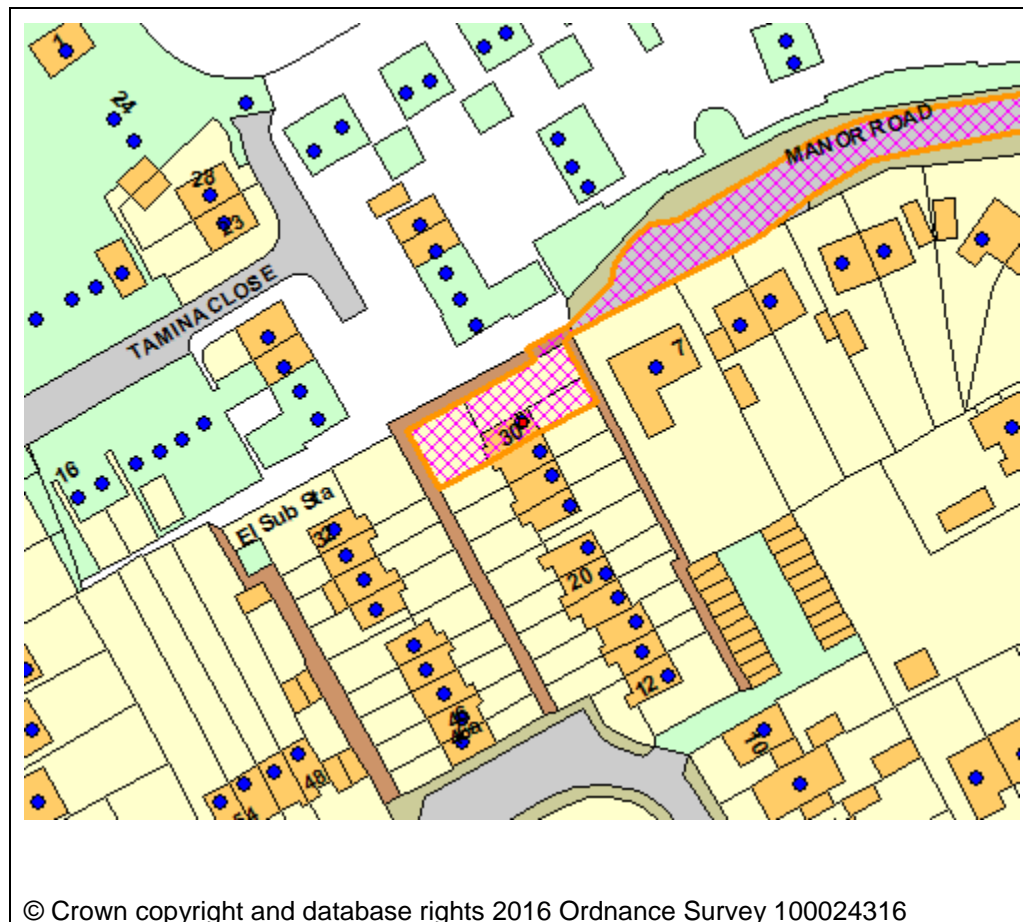
- 5.23 Having regard to all of the neighbour comments and the case made by the applicant, your officers have great sympathy with the applicants, however having referred to all of the relevant policies and the NPPF your officers are unable to support this proposal.

6 REASONS FOR REFUSAL

- 1 It is considered that by reason of the modern non vernacular design, form and materials of the existing barn, that the barn is not suitable for conversion and does not make a positive contribution to the wider landscape. Rather it is the creation of a new dwelling in an unsustainable location. As such the proposal is contrary to Policies BE10 and H10 of the adopted West Oxfordshire Local Plan, Policies OS2 and H2 of the Emerging West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide, and relevant paragraphs of the NPPF, including paragraph 55.
- 2 It has not been demonstrated to the satisfaction of the LPA that alternative lower risk flooding sites have been investigated for residential occupation and as such, the proposed development on the application site which is classified as a more vulnerable category of Flood Zone 3b, is contrary to Table 2, Planning Practice Guidance and Tables 1 and 3 of the Planning Practice Guidance, and relevant paragraphs of the NPPF including 100, 101, 102, and 103.

Application Number	17/01844/FUL
Site Address	30 Stoneleigh Drive Carterton Oxfordshire OX18 1ED
Date	2nd August 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	427577 E 208319 N
Committee Date	14th August 2017

Location Map



Application Details:

Erection of two flats with new access and associated works.

Applicant Details:
Mr & Mrs T Pritchard
30 Stoneleigh Drive
Carterton
Oxfordshire
OX18 1ED

I CONSULTATIONS

- 1.1 Town Council The layout and density of the building was not compatible with the area. Design appearance and materials were not appropriate.
- 1.2 OCC Highways 17/01844/FUL - repeat comments from 14/1037/P/FP.
- "This application should be granted but the suitable conditions applied.
The proposal seeks the creation of 2 x 1 bedroom units adjacent to no.30 Stoneleigh Drive with an access taken from Manor Road. A previous application (12/0314/P/FP) was for the provision of a parking area along with turning opportunity in this location in which the Highway Authority did not raise objection too.
The proposal has demonstrated a sufficient level of car parking in which to meet the required standards.
However, it has been recommended that the fencing along the parking space for unit 1 should be suitably splayed so as to achieve pedestrian vision splay requirement. It is possible for this to be achieved.
The proposal is unlikely to have a significant adverse impact on the highway network.
After investigation and reviewing the supplied documents, the Highway Authority has no objection subject to the above condition(s) being applied to any permission which may be granted on the basis of highway safety."

2 REPRESENTATIONS

- 2.1 Three comments have been received and are summarised as follows:

Highways

- The parking in Stoneleigh drive is horrendous, all illegally parked on pavements so no space there for either builders vehicles or flat occupiers.
- The problem is the same on the new estate adjoining this plot.
- Manor road access to this plot is utterly ridiculous and too narrow.
- There is a footpath which will be totally obliterated by this mad money making scheme.
- How do they access the site via a private road? Where are they going to park on our already over crowded cul de sac.
- My objection is that the proposed turning circle would become an area for people to park cars on it only two feet away from my front door.

Other

Had to endure 12 months of builders noises and dust when they built 200 plus houses.

Overlooking

- Not happy about this not a lot of thought has gone into the planning of this proposal. Please recommend objection.
- When this property first put in for planning the area my house now stands on was just fields.

3 APPLICANT'S CASE

Various information has been submitted to satisfy the conditions that were attached to the previous approved scheme. These can be viewed online.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

BE19 Noise

OS2NEW Locating development in the right places

OS4NEW High quality design

H2 General residential development standards

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

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

5.1 The application seeks consent for a detached building to accommodate two flats adjacent to No 30 Stoneleigh Drive. The application is to be heard before the Committee, as officers have received an objection from Carterton Town Council.

5.2 The planning history is as follows:

11/1739/P/FP - Construction of new access and parking area - Withdrawn.

12/0314/P/FP - Construction of new access and parking area - Grant.

14/1037/P/FP - Erection of 2 flats with new access and associated works - Grant

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

Principle

5.4 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan.

The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, currently 1,978 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.
- 5.9 As there has been a historical permission for this proposal it is considered to be in accordance with Local Plan Policies it will help towards the housing land supply and is recommended for approval.

Siting, Design and Form

- 5.10 The application site lies within a mature residential area of Carterton, and is adjacent to a line of terraced dwellings, located off a small cul-de-sac. At the time of the previous approved scheme, the adjacent land was undeveloped. Now the land accommodates new housing.
- 5.11 Your officers consider that the new building which will accommodate the two flats will appear in keeping with the residential character of the locality. The new building is set slightly away from No 30 Stoneleigh Drive, but officers do not consider that this would affect the overall visual appearance of the area.
- 5.12 The design and form are the same as the previously approved scheme. Materials have been approved under a separate condition application.

Highways

- 5.13 OCC Highways have requested that their comments and recommendation to the previous approved application are repeated. Officers have included the previous comments within the consultation section of this report.
- 5.14 The conditions requested have been discharged by a separate application.

Residential Amenities

- 5.15 In terms of overlooking issues, officers consider that there will be an acceptable level of privacy afforded to the existing occupiers adjacent to and opposite the site including No 30 Stoneleigh Drive. The new building will be in line with the existing row of terraced dwellings and as such your officers are of the opinion that no adverse overbearing or loss of light issues will result. In terms of the impact to the new dwellings at Tamina Close, your officers consider that no undue loss of residential amenities would result.
- 5.16 Although there would be some noise associated with vehicles parking to the new dwelling, given that Manor Road serves existing residential dwellings, and that this area is residential in character, that the level of noise would not be so significant to warrant refusal of the application on this issue only.

Conclusion

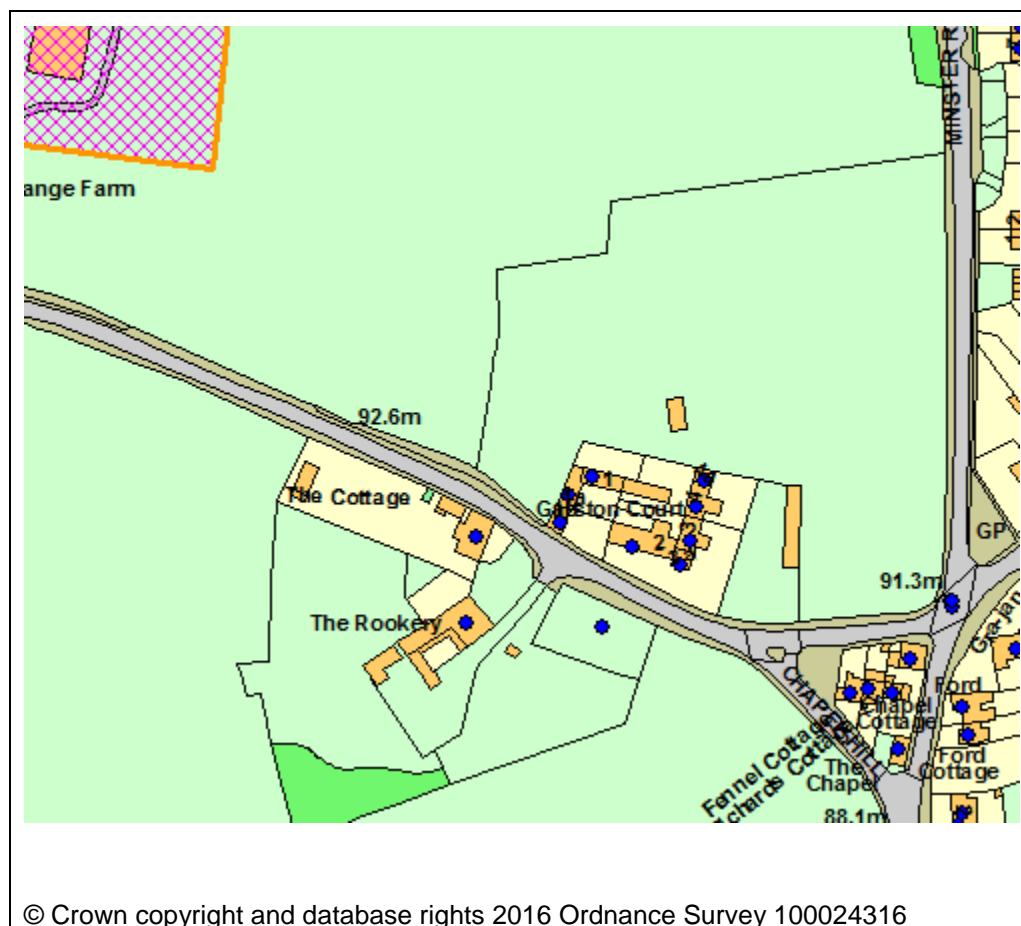
- 5.17 Officers have considered the comments received relating to the proposal. However given that a scheme has already been approved for such a proposal, your officers consider that it is an appropriate addition to this part of Carterton. In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

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 The development shall be built in accordance with the details submitted and approved under application reference I7/00492/CND.
REASON: For the avoidance of doubt of what has been approved.

Application Number	17/01993/S73
Site Address	Grange Farm Burford Road Brize Norton Carterton Oxfordshire OX18 3NN
Date	2nd August 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Brize Norton Parish Council
Grid Reference	429603 E 208209 N
Committee Date	14th August 2017

Location Map



Application Details:

Variation of condition 5 of planning permission 17/00154/FUL to allow working hours to commence from 7.30am rather than 9am.

Applicant Details:

Mr William Benbow
The Dean And Chapter Of Christ Church
Wytham Court
11 West Way
Botley
Oxon OX2 0QL

1 CONSULTATIONS

- 1.1 ERS Env Health - Lowlands No objection to this proposal for a variation to the condition. I would however ask that Sundays be excluded from the exemption.
- 1.2 OCC Highways The variation of working hours will not create an intensification of vehicular use of the site.
- 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 Parish Council Councillors made their decision to support application 17/00154/FUL based on the planning application submission and the information provided in the agents letter of 28 March 2017 that recorded the normal times of operation between 9am and 5pm excepting in harvest when the hours would increase from 9am to 10pm. The barns are sited next to residential areas and in the opinion of the councillors residents should not expect to have noise disruption early in the morning. Brize Norton Parish Councillors OBJECT to this variation of condition application.
- If West Oxfordshire District Council rule to approve this variation for extension to normal working hours please could they insist on making a condition in respect of the construction of the new barn that working hours 9am to 5pm are strictly adhered to.

2 REPRESENTATIONS

- 2.1 Over ten letters of objection have been received. The comments which have been summarised include:
- Farm traffic on Burford Road for the majority of the year is already a problem, with the heavy farm traffic churning up the verges on what is essentially a single track road.
 - During the wetter months the mud on the road was unsightly, dangerous and inconvenient.
 - The road is already under consideration for speed and safety for children and animals, after several accidents and incidents and agreeing to this would intensify the issue.
 - This is a residential area.
 - Children walk school or to school bus stops.
 - Strongly object to the new grain store being built and to the hours.

- What is being considered will create more noise, heavy loads on the narrow road, meaning more danger to the people who live down this road, pedestrians, children and pets. There are also narrow road exits at either end of Burford Road, with poor visibility for large vehicle drivers.
- Our road should be restricted to certain vehicles with certain weight limits.
- If the council persist in passing this then we will lodge a complaint at the High Court, we do not believe that the Council and Savilles have even bothered to view the comments and concerns of the neighbours and residents of the local populace at all.
- This current barn and new proposed barn are in a residential area/location - this is no longer a working farm as the planning application implies. It is a satellite storage unit away from the working farm accessing a residential area.
- The size of the lorries/wagons (we see now accessing this site and using the road) and farm traffic at this time would heighten the risk to injury and possible accidents.
- I would not appreciate this change in time for operations and the increase in traffic in this residential area where the access is used by Kings Barn, Grange Barn, Stable Barn & Albion heightening the danger to myself and others using this road.
- I have no problems with their 9am start and am happy for them to keep it at that when the traffic has reduced and the risks are then lesser than they would be between 7.30 & 9am.

3 APPLICANT'S CASE

3.1 A covering letter has been submitted as part of the application. The conclusion of the letter has been summarised as:

- It is important to acknowledge that without the alteration to the condition the agricultural building would not be viable, the working hours are currently deemed unrealistic. The condition will have a detrimental impact on the sustainable growth of the rural business, encouraged with the NPPF. The application adheres to Section 3 of the NPPF which states that the local rural economy should be supported and a positive approach should be taken towards sustainable growth of agricultural businesses.
- This application's approval would increase the working hours modestly.

4 PLANNING POLICIES

BE2 General Development Standards
H6NEW Existing housing
BE3 Provision for Movement and Parking
BE19 Noise
EH6NEW Environmental protection

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

5 PLANNING ASSESSMENT

5.1 This application is seeking consent to alter the operating hours condition which was placed on a recent approved planning application for a grain store at Burford Road. The approved application's reference is 17/00154/FUL. The condition was worded as follows:

The agricultural building hereby approved shall only be used for the purposes as described within the application documents and the agent's letter received on 6 April 2017 and for no other purposes. The hours of use shall also be as per the agent's letter received on 6 April 2017. REASON: The site is only suitable for the use specified because of the special circumstances of the site and to protect residential amenities.

- 5.2 The hours of use were stated by the agent for the existing barn as being 9am-10pm during harvest, and approximately office hours, 9am - 5.30pm for the rest of the year.
- 5.3 This application is to be heard before the Committee as the Parish Council have objected to the proposal.
- 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 Your officers consider that the principle of the grain store building has already been established as being acceptable. The building is for the storage of grain only. Your Environmental Health officers had no objection to the proposal, and OCC Highways also had no objection in terms of traffic movements.
- 5.6 The applicants are seeking changes to the hours of use of the grain store building from 09:00am to 07:30am. Your officers consider that the principle of altering the hours of use is acceptable subject to other issues being resolved.

Siting, Design and Form

- 5.7 The siting, design and form are not proposed to change from the previously approved application.

Highways

- 5.8 OCC Highways have stated that the variation of working hours will not create an unacceptable intensification of vehicular use of the site. As such your officers have taken their professional advice and consider that there would not be a highway safety issue resulting from the proposal.

Residential Amenities

- 5.9 In terms of noise disturbance, your Environmental officers have been formally consulted on the proposal. The comments are no objection but would ask that Sundays be excluded from the exemption.
- 5.10 Your officers are of the opinion that the change in hours will not result in any additional traffic noise overall, as there is no increase in the amount of traffic as is understood. The Environmental Health officers have advised that the proposal may increase the amount of traffic noise at 7.30 am (or around that time). Even if the amount of traffic at this time doubles it would only add 3 dB to the overall noise levels. It is generally accepted that there has to be an increase of around 10dB for a person to perceive a "doubling" of the amount of noise.

- 5.11 In view of the above advice your officers do not consider that the level of noise would be sufficient in that alone to warrant refusal of the application.

Conclusion

- 5.12 Whilst your officers have had full regards to the objections that have been received, following the professional advice of the formal consultees, your officers consider that the proposal is acceptable, subject to Sundays being excluded from the exemption.

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 plans approved under application 17/00154/FUL.
REASON: For the avoidance of doubt.
- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 The agricultural building hereby approved shall only be used for the purposes as described within the application documents and the agent's letter received on 6 April 2017 and for no other purposes.
REASON: The site is only suitable for the use specified because of the special circumstances of the site and to protect residential amenities.
- 5 The hours of use of the grain store shall be 7.30am to 10pm during harvest and office hours 7.30am - 5.30pm apart from Sundays where morning activity shall be restricted to 9:00am.
REASON: To protect residential amenities.
- 6 That a scheme for the landscaping of the site, as shown on the amended site plan received on 6 April 2017 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 after 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.