

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 11th September 2017**

**REPORT OF THE HEAD OF PLANNING  
AND STRATEGIC HOUSING**



**WEST OXFORDSHIRE  
DISTRICT COUNCIL**

**Purpose:**

To consider applications for development details of which are set out in the following pages.

**Recommendations:**

To determine the applications in accordance with the recommendations of the Strategic Director. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

***List of Background Papers***

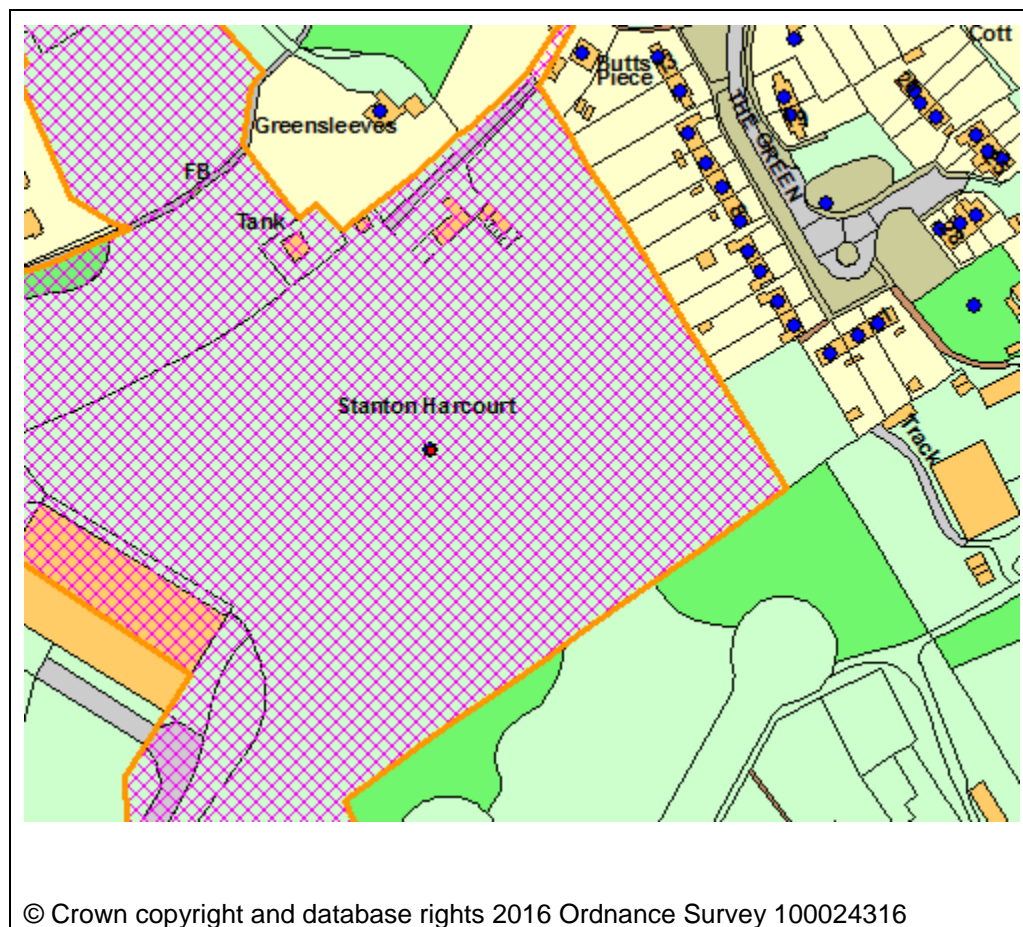
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from [www.westoxon.gov.uk/meetings](http://www.westoxon.gov.uk/meetings)

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Application Number	I6/03627/OUT
Site Address	Land at Butts Piece Main Road Stanton Harcourt Oxfordshire
Date	30th 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	11th September 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. Following further consideration, a request is now made for a footway to be provided on the south side of Main Road, together with a dropped kerb and tactile crossing point.  
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.

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|------|-------------------------------------|---|
| 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</p> |

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 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 2 expressions of support have 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  
S106 matters

Principle

- 5.8 Stanton Harcourt (with Sutton) is classified in the Local Plan 2011 as Group A settlement (village). Based on the settlement sustainability assessment (Nov 2016) the village is ranked joint 20th of the 41 settlements assessed in terms of services and facilities available.
- 5.9 The village benefits from services, including a primary school, community building, sports facilities and pub, but the bus service was withdrawn in the summer of 2016 and the village is not located in close proximity to a higher order settlement which would provide a wider range of facilities. It is understood that the viability of the current village shop is questionable. In this regard, it is likely that a higher resident population arising from this scheme and the airfield scheme would increase patronage of a village shop and provide the community with a useful service. In principle, the provision of a shop within this scheme, in close proximity to the village hall and existing development, is not objected to.
- 5.10 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, currently 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.
- 5.11 In accordance with a common assumed start date of 2021, the Council is proposing through the Local Plan that Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times on large, strategic sites. Furthermore, in order to maintain an annual requirement that is realistically achievable the Council is proposing that the accumulated shortfall will be spread over the remaining plan period to 2031 using the "Liverpool" calculation rather than addressing it in the next 5 years under the alternative "Sedgefield" calculation.
- 5.12 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.13 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying suitable sites in the SHELAA 2016, and approving, and resolving to approve, a large number of housing proposals. The Council will be making a strong case for the "Liverpool" calculation and is confident that its approach is appropriate to address housing needs in the District in a realistic and sustainable manner over the plan period.
- 5.14 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions taking place in 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. Objections have been received from the occupier of Butts Piece and Leena Cottage 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. Following further consideration it is requested by OCC that a footway on the south side of Main Road and tactile crossing point is provided to connect the proposed pedestrian access adjacent to Butts Piece to the north side of Main Road.
- 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.

### 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.
- 5.58 A legal agreement will be required to secure the provision of a footway on the south side of Main Road, together with tactile crossing to link to the north side of Main Road.
- 5.59 It is understood that the applicant is willing to fund the resurfacing of the village hall car park which is one of the items for which funding was requested by the Parish. This would be the subject of a unilateral agreement.

### Conclusion

- 5.60 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.
- 5.61 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.
- 5.62 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.

- 5.63 The access to the site is acceptable in highways terms, subject to conditions and legal agreement.
- 5.64 The site is at low risk of flooding and a sustainable drainage scheme can be secured by condition.
- 5.65 There would be no impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.66 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.
- 5.67 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.
- 5.68 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 legal agreements.

## **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, including footway and crossing point on the public highway to link the south of Main Road to the north of Main Road, 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 shall thereafter be 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 I6-I384 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 CO<sub>2</sub> 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

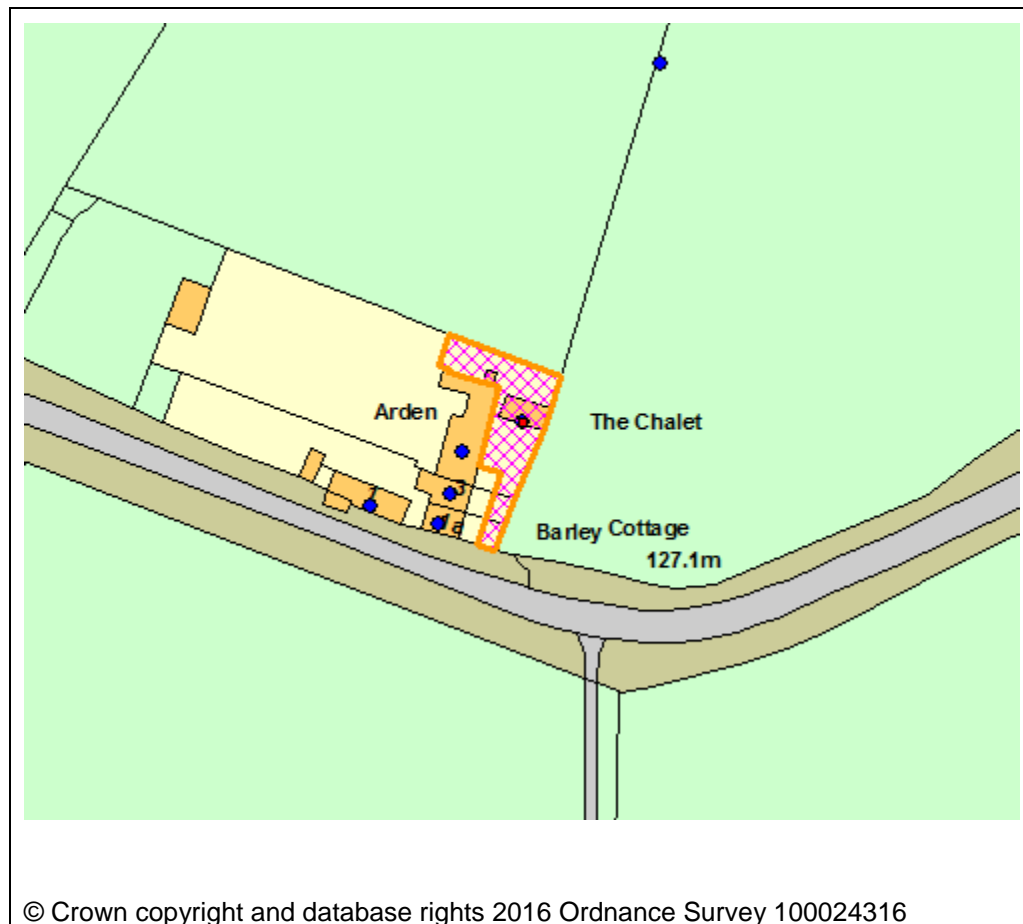
Building Research Establishment guidance - BR 212 'Construction of new buildings on gas-contaminated land' 1991

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	I7/00444/FUL
Site Address	The Chalet New Yatt Road North Leigh Witney Oxfordshire OX29 6TL
Date	30th August 2017
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	North Leigh Parish Council
Grid Reference	438102 E 213087 N
Committee Date	11th September 2017

**Location Map**



**Application Details:**

Erection of replacement dwelling.

**Applicant Details:**

Mr David Maundrell  
The Old Diary  
Littleworth  
SN7 8ED

**1 CONSULTATIONS**

- |     |                         |                                       |
|-----|-------------------------|---------------------------------------|
| 1.1 | Parish Council          | No objections.                        |
| 1.2 | OCC Highways            | No objection.                         |
| 1.3 | WODC Drainage Engineers | No Comment Received.                  |
| 1.4 | WODC Architect          | No design objection to revised plans. |

**2 REPRESENTATIONS**

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

**3 APPLICANT'S CASE**

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

This proposal seeks to replace a permanent dwelling with previous permission setting the precedent for a replacement. It is considered to not be disproportionate in size to the dwelling being replaced. The design of the new dwelling is of high architectural merit and will improve not only the physical nature of the site but also the architectural character of the local area. The design draws reference to significant building features and forms within the local area within a contemporary form.

The design considers the site not only for its dogleg shape but also for its orientation and surrounds. The building aims to face away from the existing stone terrace cottages. The proposal is considered to be sympathetic in scale, siting and to the local environment. There is only one and a half visible storey from the public highway and it is sited within the context of the existing dwelling. The design acts to conserve and enhance the quality of the landscape improving the existing development that is of poor visual quality. It pays real attention to adjacent buildings and spaces and nestles within a sympathetic landscape scheme that enhances the rural nature of the surrounds.

This building is a non-standard solution and this is its most significant positive contribution to its locality. It is a building that embraces modern technologies whilst heralding the greatest elements of its historical context. It is deliberately modern yet reminiscent of the fine residential and agricultural forms of buildings in the area and materials within the local vernacular.

**4 PLANNING POLICIES**

BE2 General Development Standards  
BE3 Provision for Movement and Parking

H2 General residential development standards  
OS2NEW Locating development in the right places  
H6NEW Existing housing  
OS4NEW High quality design  
T4NEW Parking provision

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

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 The application relates to a single storey dwelling on the edge of North Leigh. The existing dwelling is set back from the road. Residential properties are located immediately to the west and south of the application site. The site is not within a Conservation Area, and the existing building is not listed.
- 5.2 The application site has had previous planning history on the site for replacement dwellings, which included appeals, the most recent one being allowed, reference 13/1127/P/FP. This application seeks changes to the design and also includes a covered parking area rather than the previously approved turntable. The application is to be heard before the Committee as the Parish Council have not objected to the proposal.
- 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 Offices consider that the principle of a replacement dwelling has been established through previous planning permissions and the recent appeal which was allowed.

### Siting, Design and Form

- 5.5 The allowed appeal scheme showed the proposed dwelling as a modest building set away from the site boundaries. The proposed dwelling is to be of a more contemporary aesthetic with a lower eaves line. Although the general form of the proposed building is accepted, your officers requested amended plans to reduce the overall volume of the dwelling, as it was noted that the overall scale of the proposed dwelling had increased from the proposal allowed at appeal. This has resulted in the building appearing cramped, especially around the boundaries of the site. Officers advised that suggest that the rear wing should be much reduced in length, and also fitted with a duo-pitch roof, to reduce the ridge height and the building should be set back from these boundaries to allow more space around the site, especially given that the form of the dwelling had changed. Furthermore since the appeal was allowed, an outline application of 41 dwellings has been approved in the adjacent field, which included changes to the existing boundaries adjoining the application site and these had not been taken into account.
- 5.6 The revised plans have now been received and the proposed dwelling is now slightly set away from the northern boundary. However your officers remain of the opinion that the building will appear cramped within the site, and will not have an acceptable level of amenity in terms of light issues to serve any proposed occupants. Given that the windows serving the ground floor element are facing onto the northern boundary, your officers considered that this would also

result in a reduced level of amenity afforded to the proposed occupier of the new dwelling. Therefore the proposal is not in compliance with policies BE2 and H2 of the Adopted Plan and OS2 and H2 of the Emerging Plan.

#### Highways

- 5.7 The site has a planning history of three appeals in 2011 and 2014. In 2014, the Inspector when considering appeal APP/D3125/A/14/2211086 for development on this site acknowledged the safety issues but concluded the proposal, if permitted, would have an acceptable impact on highway safety. The appeal was allowed. This application, if permitted, would result in a traffic generation as that approved at appeal in 2014.

#### Residential Amenities

- 5.8 Your officers consider that the proposed dwelling will not adversely affect neighbouring properties' residential amenities.

#### Conclusion

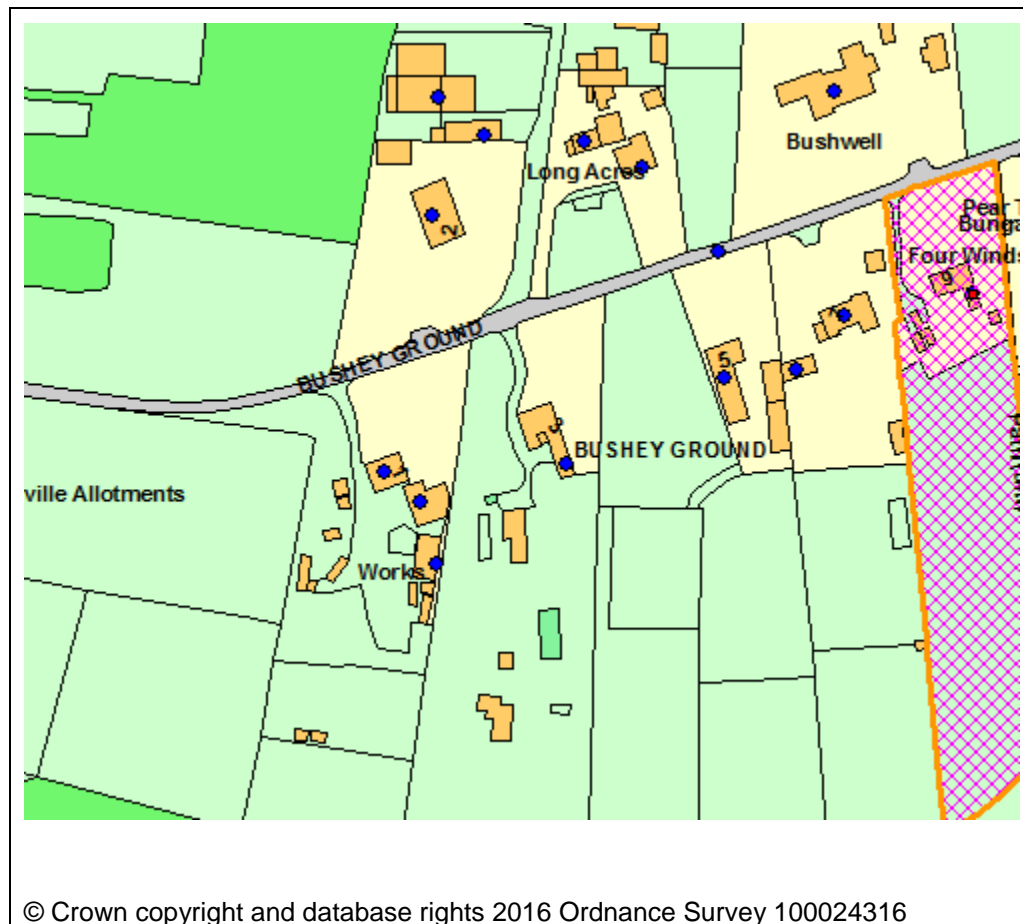
- 5.9 The principle of a replacement dwelling has been established by the existing planning history of the site. However your officers consider that the proposed dwelling as submitted by reason of its scale and location, would result in an over development of the site appearing cramped within the application site and to neighbouring properties leading to a low level of residential amenity to serve the proposed dwelling, contrary to Local Plan policies BE2, H2 and H6, and Emerging Policies OS2, OS4 and H2.

### **6 REASON FOR REFUSAL**

- 1 By reason of the scale, form and siting, the proposed dwelling will appear as an over development of the site which will result in a cramped appearance which will result in a poor level of amenity to serve the proposed dwelling. The proposal is therefore contrary to Policies BE2 and H2 of the Adopted West Oxfordshire Local Plan, Policies H2, OS2 and OS4 of the Emerging West Oxfordshire Local Plan and the relevant paragraphs of the NPPF.

Application Number	I7/01612/FUL
Site Address	Four Winds Bushey Ground Minster Lovell Witney Oxfordshire OX29 0SW
Date	30th August 2017
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431579 E 209797 N
Committee Date	11th September 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

## 1 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.<br>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.<br><br>It is felt that the application is therefore contrary to the following policies: -<br>West Oxfordshire Local Plan 2011 and the emerging Local Plan 2031:<br>-<br>OS2<br>BE2 d) General development standards.<br>H2 a), b), f) General residential development standards.<br>NPPF: -<br>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 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.
- 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. The application was deferred from August committee for a site visit.
- 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**

- I 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.

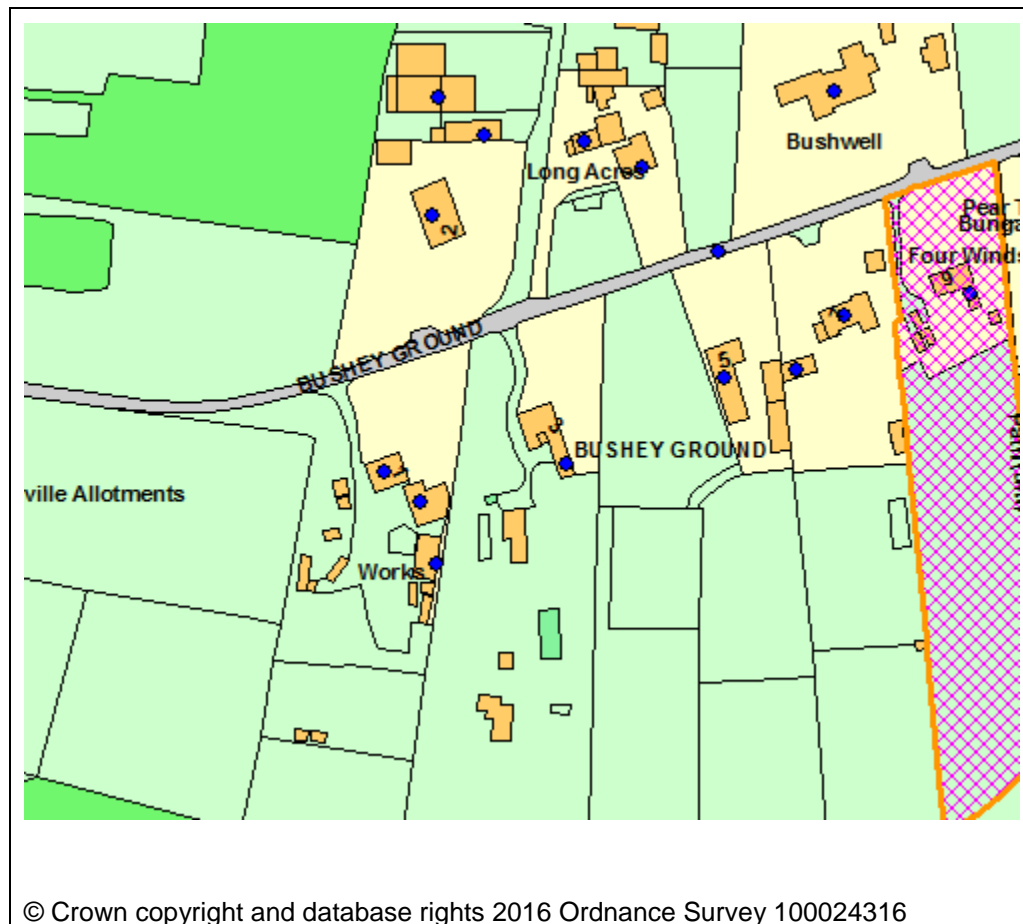
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The extensions, outbuildings and studio/office hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and 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

- 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))
  - 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	I7/01613/LBC
Site Address	Four Winds Bushey Ground Minster Lovell Witney Oxfordshire OX29 0SW
Date	30th August 2017
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431579 E 209797 N
Committee Date	11th September 2017

### Location Map



### Application Details:

Internal and external alterations to include extension.

### Applicant Details:

Ms Claire Dobner, C/O Agent

## I CONSULTATIONS

- I.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.
- I.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 refer to applicant's case under 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. The application was deferred from August committee for a site visit.
- 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

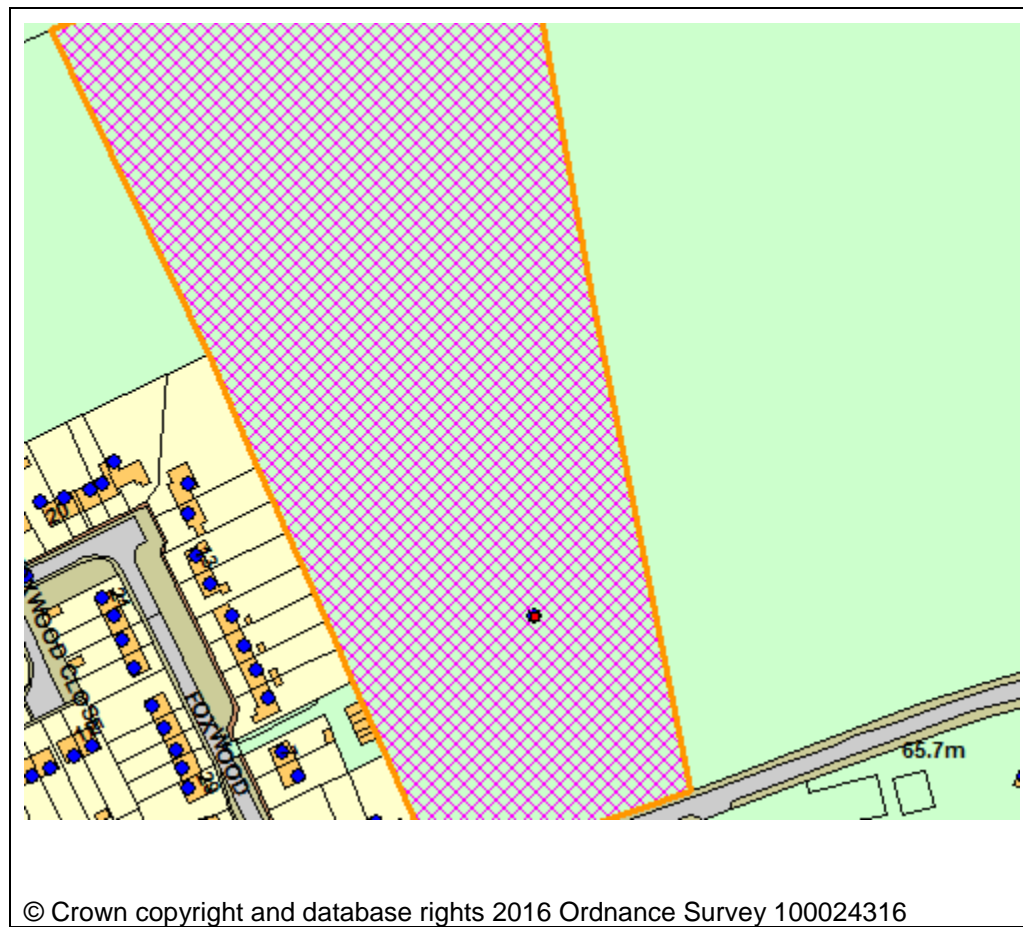
- 5.7 The proposal is not considered to cause harm to the listed building and is in accordance with local plan policy BE6 and emerging policy EH7 and is recommended for approval subject to the conditions below.

## **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	I7/01782/RES
Site Address	Land North of Cote Road Cote Road Aston Bampton Oxfordshire
Date	30th August 2017
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Aston, Cote, Shifford And Chimney Parish Council
Grid Reference	434511 E 203231 N
Committee Date	11th September 2017

### Location Map



### Application Details:

Proposed residential development for forty one dwellings, landscaping, public open space and associated infrastructure. (Amended).



## **Applicant Details:**

Mr William Smith  
c/o Mears New Homes  
26-28 Hyde Way  
Welwyn Garden City  
AL7 3UQ

## **I CONSULTATIONS**

### **I.1 Parish Council**

The Parish Council objects to the application.

#### **Inadequate Car Parking**

Whilst the declared number of parking spaces may meet the West Oxfordshire parking standards, the Parish Council considers that this will not be sufficient for the number of dwellings on the site. 24 of the parking spaces are within garages. Research shows that only a quarter of garage spaces are used for car parking, so one can assume that of the 24 garage spaces, only 6 will be used for car parking. On this 41 dwelling (128 bedroom) development, there are only 18 unallocated car parking spaces. On-street parking outside of the parking spaces will not be practical due to the layout (bends, proportion of the road edges which lead immediately onto driveways/garage spaces), and there is therefore a very real question about where cars that won't be accommodated by the parking scheme will be parked. Measures will need to be put in place to prevent parking on the public open spaces (which is covered in more detail later). Any parking on Cote Road will decrease road safety for all road users, and it will not be acceptable for displaced vehicles to park on Foxwood which would be inconsiderate to the existing residents, or in the village hall car park opposite the site which is in private ownership and is for visitors to the village hall and recreation ground only.

#### **Inaccurate Evidence**

The drawing on the cover page of the Design & Access statement showing the site includes the further area of land behind Foxwood Close which was the subject of a separate planning application which has been refused. The inclusion of this map clearly shows the developer's intention to pursue the development of this secondary area.

In section 2.1 of the Design & Access statement there is reference to "bus routes 18 and 19 (which) both operate on an hourly basis". In fact, bus service 18 ended a year ago when the County Council withdrew the bus subsidies, and service 19 was reduced in frequency, with only 8 buses a day at two hourly intervals on Monday to Saturday. The lack of accurate research and evidence base preparation undermines the reliability of the Design & Access statement and other supporting evidence, which should be completely accurate and robust as they are to form the basis of the planning decision.

#### **Cycle Storage**

Whilst the Parish Council does not have any great confidence that many of the new residents will choose to access services and amenities beyond Aston by bicycle - the amenities in Bampton are 2

miles away, requiring travel on a narrow, rural road with bends and bridge narrowings that are locally considered to make cycling to Bampton hazardous, and Witney is over 4 miles away, requiring travel on the very busy and fast-running A415 which is not a safe cycling route - the provisions within the application to encourage cycle use are inadequate. Nine cycle spaces for the 20 affordable housing units in Block A are clearly inadequate.

#### Public Open Space

In its response to the outline planning application for this site, the Parish Council raised concerns about the protection and management of the public open space. The Landscape and Biodiversity Management Statement details the management of this space for ten years only (presumably because condition 11 of the outline planning approval required a ten year plan). The Parish Council considers this to be inadequate - the developer should be required to specify who will manage the public open space beyond the 10 year timeframe, and who will own this land.

The Landscape Statement does not specify who will own the open space, nor who will pay for its maintenance; the Parish Council considers that the application cannot be approved until this is made more clear.

There remains no clear indication of what the large area of open space at the north of the site is to be used for - the Design & Access statement refers to this being an "amenity area for play and recreation", but the Landscape Statement specifies that the grass will only be cut twice a year. The length of the grass will make this open space entirely unsuitable for "play and recreation".

#### Protection of Open Spaces

In addition to the large area of open space at the north of the site, there is a significant strip of open space to the eastern boundary of the site. The Parish Council considers that this application cannot be approved without it including clear provision for the protection of these open spaces from vehicle incursion and car parking. We are of the opinion that the application needs to include a plan to install bollards or some other form of barrier to prevent car parking along the entire length of the eastern boundary strip and along the southern edge of the open space at the north of the site. Without this protection and taking into account the inadequate provision for car parking, it is clear that these areas are likely to be used as additional car parking by the new residents and their visitors.

#### Provision of dog and litter bins

On a development of this size, and particularly taking into account the large area of open space, if it is to have any amenity use, there needs to be provision for the installation (and arrangements therefore for the emptying) of dog waste and litter bins, which are not included in the current application. The Parish Council cannot support the application without this provision.

#### Construction Traffic Management Plan

The Parish Council is pleased to see that the Traffic Management Plan is intending that construction traffic will access the site from the B4449 through Cote and will leave the site by the same route.

However, we do not consider that the Plan is worded sufficiently strongly and request that it is made clear that all construction traffic is prohibited from travelling to the site through the centre of Aston and past the primary school. We expect there to be proper signage making clear this constraint, in addition to the requirement for there to be no parking or waiting on Cote Road, during the build.

#### Landscaping

We have experienced before the situation where landscaping is included in an application but not carried through as a condition of the development. When the landscaping "offered" in the application does not materialise, it is impossible to enforce its planting unless it has been included as a condition of the planning approval. We therefore request that all landscaping shown in the application is recorded as a condition of any approval, such condition to include the requirement to retain the landscaping and replace any hedging, trees, or shrubs that die within a 10 year time-frame.

#### Landscaping of eastern and western boundaries

The outline planning application showed the eastern boundary as being planted with a hedge boundary. This will soften the impact of the development on the open landscape as you approach Aston from Cote. We note that in this application there is no proposal for a hedge boundary (albeit that there are a series of proposed trees along this boundary - which as requested above should be included as a condition, not an "offer"). The Parish Council cannot support this application without a suitable boundary treatment at this location, and would like to see the inclusion of a mixed native hedge on this edge of the site.

The application does not show any boundary treatment for the western edge of the open space which runs onto the adjacent agricultural field. In order for this amenity space to have its own separate identity from that field, and in the interests of the encouragement of biodiversity, the Parish Council would require this boundary to also be planted with a mixed native hedge.

#### Traffic Calming

One of the concerns of the Parish Council (and local residents) expressed in response to the outline planning application, was that the increased traffic generated by the development would reduce highway safety on Cote Road. We note that the Design & Access statement refers in several sections to traffic calming, but does not offer any form of calming plan beyond the proposed extension of the 30mph zone and "new signage" (although not specifying what "new signage"). The Parish Council considers it essential that more consideration needs to be made to reducing the impact of this 41 home development on the local road network, given that the development is likely to bring a minimum of an additional 82 cars into the village.

#### Materials Choice

The Parish Council does not support the proposal to use yellow brick for some of the new dwellings. This is not a material commonly seen in the local area, and we consider that its use will detract from the Conservation Area and will reduce the extent to which the new

development will harmonise with the rest of the village.

Fibre Optic Broadband and provision for electric car charging

All new developments need to be designed and built to be suitable for current and future technology requirements. The Parish Council would like the planning application to include the provision of electric vehicle charging points for visitor cars and the installation of fibre-optic broadband to the new dwellings.

No Community Engagement

When responding to the outline planning application, the Parish Council highlighted the inadequacy of the community engagement carried out by Gladman, the applicant at that time. We are disappointed to note that neither Mears nor Sovereign Housing have sought to engage with the community on these revised plans.

Affordable Housing - Priority to local residents

In its response to the outline planning application, the Parish Council requested that it is given the opportunity to have some input into the establishment of the criteria for the allocation of the affordable housing, and the Parish Council would be keen to ensure that the allocations are done on the basis of local links. The Parish Council reiterates these requests at this point.

Flood Risk - surface water drainage

The approval of the outline planning application included a condition covering surface water drainage, which envisaged the use of a SUDS scheme on the site.

We note that the Design & Access Statement includes the following (section 4.9): "A drainage strategy has been produced by the Rolton Group including the soakage tests undertaken at the Cote Road, Aston site which suggest that the near surface soils may be considered as not conducive to infiltration in terms of soakage potential. Therefore soakaways and permeable surfaces cannot be used for surface water drainage without raising issues of localised site flooding. Instead surface water from both buildings and highways will, subject to agreements with the environment agency/local water authority, discharge via pipe/ditch to either adjacent watercourse along Cote Road or through the adjacent field."

This information is inadequate and insufficient for the application to gain approval. The plan for surface water drainage must be specified in far greater detail in order for the reasonableness and adequacy of this to be assessed before approval can be given. There is not an established ditch network at the location, and what exactly does the developer mean by "discharge...through the adjacent field?" On these grounds alone we consider that this application cannot be given approval at this point.

Sewerage

We raise again the very real concerns that the Parish Council and the whole community has about the inadequacy of the sewerage network to accommodate waste from 41 more dwellings. In its response to the outline planning application, Thames Water stated that it had "identified an inability of the existing waste water infrastructure to accommodate the needs of this application." Thames Water observed that the sewerage network would require significant investment in

order to accommodate the development, but no infrastructure improvement or investment has occurred since the outline planning application gained approval.

Whilst the outline planning application includes a condition (10) requiring that development cannot commence "until a drainage strategy, detailing any on and/or off site drainage works, has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker", the Parish Council is concerned that this condition is not worded sufficiently strongly. We have experienced another application in Aston where the initial reservations of Thames Water were overcome by the developer commissioning their own sewerage impact assessment, without this assessment being robustly examined by Thames Water. The very serious concerns of the Parish Council and the residents whose own waste water drainage depends on the infrastructure between Aston and Bampton cannot be disregarded. We are surprised that the developer has put forward this application at this point, when there can be no realistic chance of the development being built in a short timeframe, given that the new dwellings cannot be accommodated by the waste water infrastructure until and unless this is significantly upgraded by Thames Water, the prospect of which does not appear very likely in the short-to-medium term.

Given that the developer has decided to proceed with this application at this point, the Parish Council is therefore greatly concerned that the previously stated position of Thames Water (that the infrastructure is unable to accommodate this development) is going to be weakened and/or overcome by only minor measures, which will be inadequate, meaning that the development will significantly increase the rate at which our residents, and the residents of Bampton, experience failure of the sewage system. This application cannot be approved until and unless there is a clear plan, with timescales, for the required improvement of the waste water infrastructure.

#### Conclusion

In conclusion, the Parish Council of Aston, Cote, Shifford & Chimney objects to this application. The primary grounds for our objection include: the inadequacy of car parking; insufficient detail over the long-term ownership and management of the open space; inadequate protection of the open spaces from car parking; inappropriate boundary treatments on the east and west boundaries; inappropriate materials choice; insufficient clarity on the provisions for surface water drainage; and lack of forward movement on the improvements required to the sewerage system to enable the development to be connected to the mains sewer.

- |     |                                  |  |
|-----|----------------------------------|--|
| I.2 | Major Planning Applications Team | Highways - No objection subject to condition.<br>Archaeology - No objection. |
| I.3 | WODC Architect                   | No objections – conditions.  |

- |     |                                   |  |
|-----|-----------------------------------|--|
| I.4 | ERS Env Health - Lowlands         | <p>ERS Pollution Consultation I note the application is for reserved matters. There is no noise report attached to the application.</p> <p>Internal rooms spaces should be designed to afford occupiers the standards set by the appropriate British Standard; I therefore suggest the following condition:</p> <p>The dwellings hereby approved shall be designed and constructed to incorporate measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 'Guidance sound insulation and noise reduction for buildings'</p> <p>The standard currently requires:<br/> Resting 35 dB LAeq,16hour<br/> Dining 40 dB LAeq,16hour<br/> Sleeping 30 dB LAeq,8hour<br/> and any external amenity space(s) should achieve 55dB</p> |
| I.5 | WODC Housing Enabler              | <p>I can confirm that there are 35 separate households who would qualify for housing in Aston were it available today.</p> <p>The policy compliant scheme mix ought to comply with the following:<br/> A tenure split of 70 to 30% affordable rent to shared ownership,<br/> 65% smaller accommodation for singles, couples, small families and those requiring level access,<br/> 35% for family housing, principally 4 persons and above.</p>  |
| I.6 | Thames Water                      | No Comment Received.   |
| I.7 | WODC Env Services - Waste Officer | No Comment Received.   |
| I.8 | Biodiversity Officer              | No Comment Received.   |

## 2 REPRESENTATIONS

- 2.1 Ten letters of objection, and one general comment. The comments have been summarised as:
- I want our village to remain a village and have a sense of community. I don't want Aston to end up like Bampton, forever expanding.
  - Go build on a site that needs developing, stop ruining our lovely green fields and destroying our wildlife. Can the local primary school take more children?
  - It's already tricky to get a GP appointment at Bampton surgery.
  - Request that Sovereign Housing Association and the WODC planning committee understands fully the transport infrastructure of Aston to better inform their design of the development, in relation to likely employment locations and transport choices for new residents.
  - Request that Sovereign Housing Association and the WODC planning committee more than double the amount of secure cycle storage that will be made available to residents of Block A (and other dwellings as needed) to ensure that it is adequate to encourage cycling in the locality rather than use of cars.

- Increase the level of parking available on the development (both residents and visitors) to limit the impact on Cote Road and the surrounding area.
- Plans be amended to include a recessed bus stop on the new frontage of the development to mitigate increased congestion on Cote Road.
- Insist that Sovereign Housing Association set up an insurance policy to cover the repair of properties damaged by future flooding both on this site and in the surrounding area (the village hall, Foxwood, Saxel Close). Also request that the flood risk be assessed by an independent body chosen by the WODC planning committee with recommendations made without input from the developer.
- Ask that WODC require Sovereign Housing Association to explain in writing to the residents of Aston how the social and affordable housing elements of the development will be targeted to the housing needs of Aston, rather than Oxford.
- Recommend that as a condition of approval, WODC insists that the plans are modified to include elements that will bring enterprise and jobs to Aston, rather than adding bedrooms to a dormer village, particularly when the only viable option for commuting is the car. The current plans show a lack of joined-up thinking that will only add to congestion and will decrease the quality of life for existing and new residents of Aston.
- To enable new residents to work from home, it is essential that the development is connected to high-speed broadband services.
- Call on the developers to present these plans in an open Q&A session at the village hall, with WODC extending the deadline for comments so that residents of Aston are able to ask questions, raise concerns and contribute ideas in a public forum.
- It is good to see that the design and materials used will be sympathetic to the character of the village and that the traffic management plan has construction vehicles approaching from Standlake rather than coming through the village. We also welcome the traffic calming measures and pedestrian crossing that will be put in place.
- We insist that Sovereign Housing Association fund repairs to the road surfaces after they are damaged by construction traffic. It makes sense for funds to be put aside for this so that the road is not resurfaced and then damaged again by the West Waddy development, on the opposite side of Cote Road (as long as this is built in a similar timeframe).
- Increased congestion and potential damage to roadways and verges from construction traffic.
- The definition of a conservation is an area of notable environmental or historical interest or importance which is protected by law against undesirable changes. Building 40 plus houses here is in my opinion an undesirable change.
- Construction traffic should not be allowed to go through the village, but should approach from A415 at Standlake. Since planning control insisted construction vehicles for sites in Bampton should approach via Aston, the impact on the road surface and amount of traffic in the village has been awful. The 30mph limit should also be extended to cover this new residential area.
- Construction traffic should not be allowed to park in Foxwood or on the main road. Priority for affordable housing should be to local people.

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

3.1 As part of the original application, a Design Statement was submitted along with other supporting documents. These can be viewed on line. In response to the Parish Council's comments, a response from the agent has been received, and is summarised below:

- The provision of car parking meets WODC standards. All houses have their own allocated parking which is in excess of minimum standards. For example all 4 bed houses include two

garages and two allocated spaces giving a total of 4 which is in excess of the minimum requirement for 2.6 if these were unallocated spaces. 3 bed houses have a garage and two allocated spaces - a total of 3 allocated spaces where the minimum requirement would only total 2.4 unallocated spaces. The 14 houses (affordable) without garages would require a minimum total of 22 unallocated spaces. Provision has been made for 28 allocated spaces, in addition to which, there are also 4 visitor spaces nearby. The only properties where parking is unallocated is to the 6 flats in Block A parking court. The six flats have a total requirement for 7.8 spaces, where 8 spaces are provided including two further spaces for visitors giving a total of 10 spaces.

- While the research referred to regarding garage use may well suggest not all garages are used, it did not state a reason such as what proportion of garages are not used because of their small size. Local authorities now encourage adequate sized garages to ensure space is available and accordingly this advice is incorporated in the proposals with 6 x 3m garages also capable of additional storage. It must also be said that not all parking spaces, whether garages or surface parking, are required all at the same time owing to differing resident car usage patterns which effectively reduces parking demand and with the level of parking provided we feel is more than adequate to avoid any overspill parking.
- The boundary of the site on the front page of the D&A shows the entire land ownership that was under consideration by the previous developer for outline planning approval and that formed the basis of this reserved matters application. Though for clarity, this will be corrected to show just the current applicant ownership. The illustrations within the document all relate to the current ownership/application boundary. Potential access to the landlocked western field has had to be maintained as part of the agreement for the land purchase for this site. Currently the land/ western field is owned by the farmer (for which access is still required) and this does not form any part of Mears New Homes/Sovereigns application and remains outside their control or ownership.
- Bus routes could be revised cut or suspended at any time due to budget cuts or a lack of use. The D&A was based on the detailed technical reports provided in the previous application, which it might reasonably be expected to be correct. These will now be revised and reissued to take account of the changes to the service.
- The cycle storage for flats and houses are designed to meet the requirements of supplementary planning guidance with a separate cycle store for the flats (Block A) containing space for 12 cycles where only 9 are required under the guidance. Further cycle storage in each of the affordable houses is to be provided within a suitably sized lockable shed capable of accommodating bicycles in accordance with the minimum sizes required by housing associations in their own (national) guidance. Garages (where provided) are approximately 6m x 3m and designed to accommodate a minimum of 2 cycle spaces although at this size there is clearly space for more cycle storage.
- The preference for the open space to North of site is for it to be offered for adoption to WODC. In the meantime, it is the intention to appoint a management company to maintain it. The Landscape statement reflects this and refers to the 10 year maintenance although it is hoped to have been adopted before then. The Open space was designed as wildflower meadow with minimal maintenance to encourage wildlife and biodiversity but with maintained shortgrass paths through it for recreation purposes such as walking/dog walking and play and not for sports or ball games as there is adequate provision elsewhere in the village.



- The developer has agreed to provide some form of bollards/planting/other vehicle restriction to these edges/areas. This can either be added to updated plans or covered by a condition. The developer has agreed to provide bins at suitable points initially which again can either be added to updated plans or covered by a condition. The developer has agreed to update the CTMP adding clauses to all construction orders that all deliveries must observe the restrictions.
- The developer has agreed to add native hedgerow to the eastern boundary to create a separate identity from the adjacent field. As covered in the Design and Access statement section 4 covering Green/Countryside Edges such as Redmayes, it is envisaged to mirror existing boundaries found within the village including the proposed trees along the lower end of the boundary not only to create a separate identity, but also to soften the impact of development on the approach to the village whilst still allowing for some intermittent views out, adding to the amenity of this area as a walking route. All of which again, can either be added to updated plans or covered by a condition.
- The developer has agreed that the western field is to have a simple low maintenance post and wire fence/and native hedge to define the boundary ownership and extent of the Open Space. As the western field is the subject of a separate application which may include alternative proposals, it could lead to the redundancy of this boundary treatment.
- In terms of traffic calming measures this is currently still under detailed design by the highway consultant with a suitable solution to be discussed and agreed through the S278 process with the Local Highway Authority (OCC) and in most cases is covered by a condition attached to the approval. Together, the Highway Authority and highway engineer will ensure the design complies with all safety and highway regulation to accommodate any adverse effects anticipated as a result of the increase in traffic volume for that area.
- The developer has applied for superfast broadband but final speeds and technology is dependent on what can be provided by the network.
- Both Sovereign and Mears would like to reassure the PC and residents that their issues raised will still be considered and addressed where possible during the planning process. Both Sovereign and Mears accept and entertain using the planning channels to raise constructive issues as well as other channels if necessary.
- The surface water drainage design is being developed in line with the approved Flood Risk Assessment with surface water being stored in an on line swale and balancing pond within the site and restricted discharge to the adjacent Cote Ditch. This is currently under detailed design with options for the discharge route through the field or along Cote Road and will pass through the S104 process with Thames Water and land drainage consent with the Environment Agency. The foul water drainage design is being developed in line with the Thames Water Sewer impact study through the S104/S106 and requisition process with Thames Water. The foul drainage is currently under detailed design and will require Thames Water to complete upgrade works to their offsite sewerage system, subject to their further detailed assessments.

#### **4 PLANNING POLICIES**

##### **BE2 General Development Standards**

BE3 Provision for Movement and Parking  
BE5 Conservation Areas  
H2 General residential development standards  
NE1 Safeguarding the Countryside  
OS1NEW Presumption in favour of sustainable development  
OS2NEW Locating development in the right places  
H4NEW Type and mix of new homes  
H6NEW Existing housing  
EH7NEW Historic Environment  
T1NEW Sustainable transport  
T2NEW Highway improvement schemes  
T3NEW Public transport, walking and cycling  
T4NEW Parking provision  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 This application has been submitted following an approved outline application 15/01550/OUT in April 2016. At that time, the principle and access were approved. This application is now seeking the approval of reserved matters which include design, layout, scale and landscaping etc. The application site lies adjacent to Aston's Conservation Area at the edge of the village. The proposed access to serve the new dwellings will be from Cote Road.
- 5.2 The proposal seeks permission for 41 dwellings. As part of the Section 106 associated with the outline application, the amount of affordable housing was 50% of the total number of dwellings to be constructed on site. Other contributions included off site sport and recreations facilities, open space and traffic calming measures.
- 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 As the proposal is broadly in accordance with the outline permission that was approved for up to 41 dwellings, officers consider the reserved matters application is acceptable in principle.

### Siting, Design and Form

- 5.5 The main issue to be considered is the impact to the visual appearance of the adjacent Conservation Area, and to the general landscape as a whole. The application site is not within the Conservation Area, but Policy BE5 also discusses the setting of the Conservation Area. The landscape character of the application site is agricultural and would, after development be of a more domestic nature. However as part of the initial assessment of the proposal, officers requested that the eastern boundary of the application site be a softer/screened edge, rather than a hard uniform edge seen in more urban contexts.

- 5.6 Your officers consider that the proposal broadly follows the layout of the outline application, and has taken regard of condition 12 of the outline planning consent, in that the dwellings fronting onto Cote Road are single storey, with remaining dwellings being mainly two storey. The scheme is also less dense on the north east corner which helps to ease the development into the landscape. The proposed plans have been slightly amended to take into account of officer's comments, mainly relating to design, the lack of chimneys and proposed materials. Amended plans also now indicate dog bins and bollards to prevent overspill parking, in response to comments and the response from the Parish Council.
- 5.7 Further information has also been submitted relating to landscaping details and the types of boundary treatments that will be used. Conditions have been added in response to the amended plans.
- 5.8 In terms of the concerns raised regarding affordable housing, your officers have confirmed with the Housing officer, that although there is not a specific policy regarding allocation of housing in this case, that usually the general method is to offer the housing to local residents first.

#### Highways

- 5.9 Your officers have had regard to the comments raised regarding highway and construction issues. OCC has no objections to the proposal subject to conditions which relate to cycle provision, construction traffic management and travel plans. However they also stated that a drainage strategy was requested by condition previously, should be approved prior to any reserved matters layout, as it could affect the layout and construction materials used in the development. Your officers have advised the agent of this request and will update Members at the meeting.

#### Residential Amenities

- 5.10 Your officers do not consider that the existing adjacent residential properties will be adversely affected by the proposed development. The distances between new and existing dwellings are acceptable, as well as those within the proposed development.

#### Conclusion

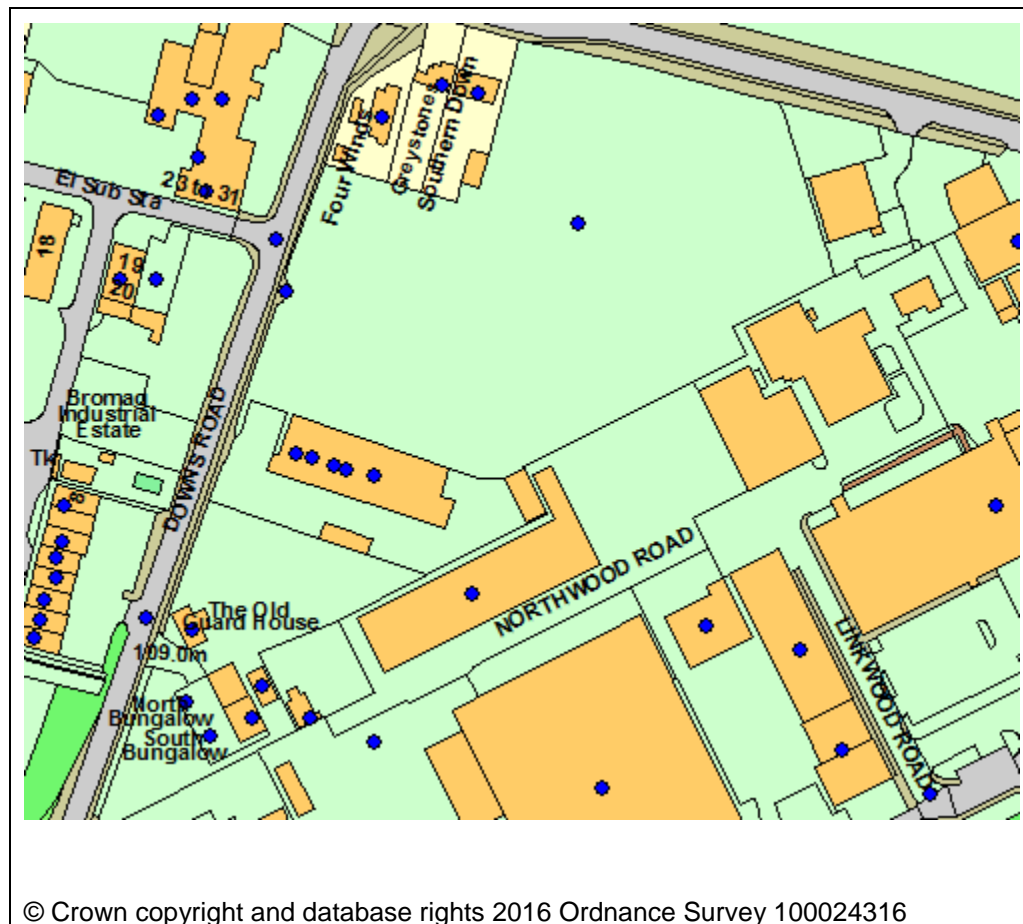
- 5.11 Whilst your officers understand the concerns raised, the main principles of the previous outline consent have been followed. The scheme will provide affordable housing, to which local need would be given priority as much as possible. The design and scale of the proposed dwellings reflect the existing visual appearance of the locality and the adjacent Conservation Area. Whilst your officers are waiting for details regarding the drainage strategy, the general opinion is that the proposal is acceptable subject to the conditions. However officers will update Members at the meeting regarding the outstanding issue relating to the requested information by OCC, and will also provide suggested conditions at that time.

## **6 RECOMMENDATION**

To be provided at committee.

Application Number	I7/01817/FUL
Site Address	Plot C Supergas Industrial Estate Minster Lovell Witney Oxfordshire OX29 0SZ
Date	30th August 2017
Officer	Jane Fray
Officer Recommendations	Approve
Parish	Curbridge Parish Council
Grid Reference	432929 E 210420 N
Committee Date	11th September 2017

### Location Map



### Application Details:

Installation and operation of LNG powered generators for the provision of flexible energy.

**Applicant Details:**

Reliance Energy Limited  
Plot C  
Supergas Industrial Estate  
Minster Lovell  
Witney  
Oxfordshire  
OX29 0SZ

**I CONSULTATIONS**

- 1.1 ERS Env Health - Lowlands ERS Pollution Consultation no objection subject to conditions.
- 1.2 Parish Council The Parish Council objects to this Application. This is in an area with resident Parishioners and a number of local businesses. We object on the grounds of noise pollution, fume pollution, safety and the increase in heavy traffic. We question some of the data supplied: for how long are the 6 generators likely to stick to the "potential" operational hours; the wind direction has been taken as south westerly but in the winter it is often from the north or north east.

**2 REPRESENTATIONS**

- 2.1 No neighbour objections received.

**3 APPLICANT'S CASE**

- 3.1 A Planning Statement has been submitted in support of the application and is summarised as follows:
- 3.2 The UK's electricity network faces two key problems; Capacity Provision and Quality of Supply. One solution that helps with both problems is the implementation throughout the country of FlexGen facilities.
- 3.3 The Land at Supergas Industrial Estate, Downs Road, Witney has been identified as a location that would benefit from, and be able to support, a FlexGen facility.
- 3.4 Sourcing a site that is suitable for FlexGen involves the consideration of several factors. Suitable sites must: be close enough to where they are needed, near a viable electrical connection and viable gas supply, be free from land use restriction and acceptable in planning and environmental terms.
- 3.5 The Site at the Supergas Industrial Estate is one that satisfies all of the criteria.
- 3.6 The submitted Planning Statement and a range of supporting documents demonstrate the nature of the Proposed Development, its compliance with local and national planning policy and provides detailed analysis of any potential impacts on the environment.

- 3.7 The results from detailed modelling indicated that the hourly average NO<sub>2</sub> AQS objective value is likely to be exceeded in the immediate vicinity of the Proposed Development and on land confined to the industrial estate.
- 3.8 Results from the modelling also showed that the operation of the FlexGen facility will not result in an exceedance of the AQS objective values for PM<sub>10</sub> and Carbon Monoxide. Similarly, NO<sub>2</sub> has also been screened out as insignificant.
- 3.9 The Environmental Noise Impact Assessment has shown that the maximum ascertained and permissible Rating Level noise limits are anticipated to be exceeded and, as such, will require mitigation as detailed in the report. The assessment concluded that, in light of the recommended mitigation measures being successfully implemented, there would be no significant adverse noise impacts associated with the Proposed Development.
- 3.10 The Landscape and Visual Impact Assessment concludes that the Proposed FlexGen facility should not cause any unacceptable adverse landscape and visual impacts in the wider landscape due to the already industrialised nature of the immediate surrounding landscape that the Proposed Development will sit in.

## **4 PLANNING POLICIES**

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE19 Noise

E1 Employment Allocations

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

E1NEW Land for employment

T1NEW Sustainable transport

T4NEW Parking provision

EH6NEW Environmental protection

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

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.2 This application seeks permission for the installation and operation of liquified natural gas powered generators and associated infrastructure to allow for the operation of a Flexible Generation Facility to service the National Grid at times of high demand.
- 5.3 The site amounts to 0.4 hectares and is a rectangular parcel of land, arranged with 9 No. generators in total, each to a height of 7.2 metres - five located along the eastern boundary and four along the southern boundary. The LNG infrastructure is concentrated in the north-western corner of the site and will comprise a set of eight vapourisers at 7.2 metres high, a vertical gas LNG tank at 10.7 metres high and a gas tanker bay.
- 5.4 The site is flat and is within the Supergas Industrial Estate, off Downs Road to the west of Witney. There is an industrial estate road frontage along the southern boundary, with two existing access points, one of which is proposed to be used for deliveries of LNG to the site,

with approximately two HGV movements per day. The site boundaries comprise industrial style fencing, with a belt of mature 10 metre high trees outside the northern perimeter of the land parcel.

- 5.5 An application for Hazardous Substance Consent (Reference 17/02352/HAZ) in connection with this proposal is currently also under consideration by the Local Planning Authority and at the time of writing, this application is undergoing public consultation.
- 5.6 The site has a planning history for industrial developments since the 1980's and was previously in use as a coach depot. Adjacent to the site are a variety of commercial uses, including a recycling facility. An LPG installation was also approved in the 1980's on a nearby site.
- 5.7 The site is located in a sustainable location in terms of both the adopted and emerging Local Plans. It is not within the AONB, Conservation Area or Green Belt and there are no listed buildings on, or near the site.
- 5.8 This application is to be considered by Committee, as the Parish Council has objected to the scheme.
- 5.9 Taking into account planning policy, other material considerations and the representations of interested parties, your officers are of the opinion that the key considerations of the application are:

#### Principle

- 5.10 In terms of the Adopted Local Plan and Emerging Plan Policies, proposals to improve the effectiveness of employment operations on existing employment sites will be supported where commensurate with the scale of the town or village and the character of the area. This may include redevelopment, replacement buildings or the expansion of existing employment uses.
- 5.11 Furthermore, the edge of the main service centres such as Witney provides the focus for new homes, jobs and supporting services, in terms of sustainability.
- 5.12 The principle of proposed employment use on the site is therefore considered to be appropriate and acceptable subject to the key considerations set out below.

#### Design, scale and siting

- 5.13 The proposed development is located within the heart of this employment area and would be adjacent to a variety of other commercial uses.
- 5.14 Detailed consideration has been given by Officers to the visual impact of the proposed development. A Landscape and Visual Impact Assessment has been submitted as part of the application, to demonstrate that the structures proposed would neither be prominent, or in fact, viewable from adjoining countryside or much of the surrounding employment area and residential areas beyond.
- 5.15 Officers consider that the scale and general design of development proposed is acceptable in relation to its location within this existing employment site. There are large buildings nearby and other similar structures such as storage tanks which are typical of industrial estates such as this. A street scene plan has also been submitted to demonstrate that the heights of the proposed

structures would not be greater than nearby buildings and trees, or adversely detract from the surrounding area in terms of visual impact.

#### Impact on Amenity

- 5.16 Objection has been received from the Parish Council in terms of impact on amenity of local residents and businesses by way of potential noise, fume pollution and safety. However, no objections have been received from occupiers of nearby dwellings.
- 5.17 In relation to noise aspects, the Council's Environmental Protection Officers have taken into account an Environmental Noise Impact Assessment produced by Sol Acoustics consultants which has been submitted as part of the application, and have raised queries regarding this report which have been satisfactorily addressed to gain the support of Officers. Consequently, no objections are raised in regard to adverse noise impact, subject to conditions relating to off-site noise limits, hours of operation, details of sound mitigation including silencers and enclosures to be submitted and other measures to be taken.
- 5.18 In terms of air quality aspects, detailed consideration of the scheme has been made by the Council's experts in this field and full account has been taken to the submitted Air Quality Assessment by Reliance Energy consultants and further technical information which has been received as a result of additional queries. Confirmation has been forthcoming that there are no objections from an air quality perspective.
- 5.19 Furthermore, no objections have been received in relation to potential ground pollution as a result of the relevant consultations.

#### Employment aspects

- 5.20 National Planning Policy offers a clear commitment to supporting sustainable economic growth. It is noted that the proposed development will generate employment at the construction phase for roughly 25 local people across various trades, with an additional part time roles expected to be equivalent to 4 full time jobs once the site is operational. This is supported by Officers.

#### Highways safety

- 5.21 The Parish Council has raised concerns about the increase in heavy traffic to and from the site. However, it has been clarified that once the site is operational, that there would be little traffic movement daily to and from the site, with only two HGV movements anticipated per day (1 in and 1 out) on average for LNG deliveries, plus minimal trips to and from the site by operatives, during the operational phase.
- 5.22 Given its location within an industrial estate, it is considered that the proposed use would not cause concern in relation to heavy or excessive traffic movements, likely to cause traffic safety issues. No objections have been forthcoming from County Highways Officers during the application process.

#### Use of site for Energy provision

- 5.23 Whilst the proposed LNG generators do not constitute renewable energy, the use of LNG is considered to be a low carbon alternative to traditional energy sources. The scale and nature of having a FlexGen facility embedded in the local network means that the surrounding area is less



likely to experience power shortages as well as reducing the overall demand on the national network. Furthermore, with the security of additional future capacity to accommodate additional renewable and low carbon facilities in the District, it is considered that the Proposed Development complies with local and national energy policy and is therefore considered by Officers to be afforded additional weight in terms of potential planning gain.

### Conclusion

- 5.25 In the light of the above, the application is considered to be acceptable and compliant with Policies BE2, BE3, BE18, BE19 and E1 of the adopted West Oxfordshire Local Plan 2011, OS1, OS2, OS4, E1, T1, T4 and EH6 of the emerging West Oxfordshire Local Plan 2031, and relevant paragraphs of the NPPF.

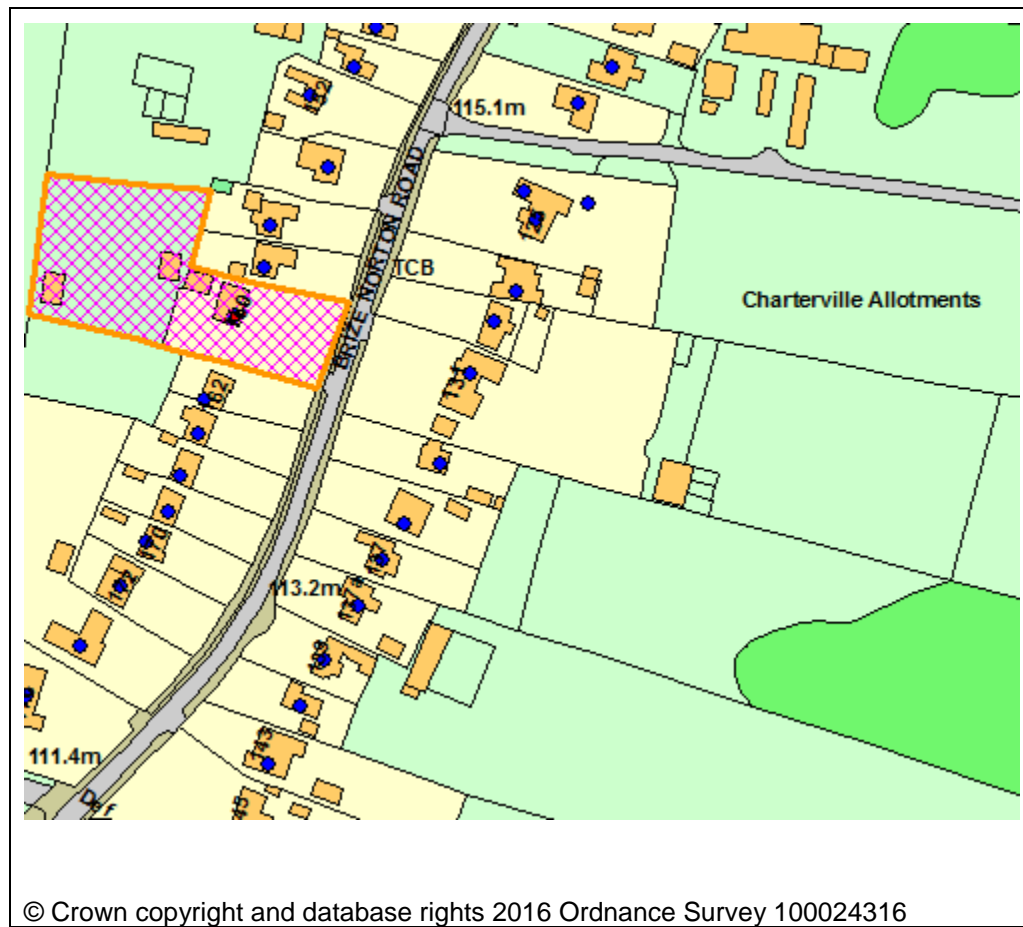
## **6 CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 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.
- 4 Noise from all external plant including generators, radiators and ancillary plant shall not exceed a weekend, daytime (07:00- 23:00 hours) rating level (L<sub>A</sub>r,Tr) of 34 dB according to the methodology of British Standard 4142:2014: 'Methods for rating and assessing industrial and commercial sound' and measured at 1 m from the rear façade of Pen Y Cae or The Anchorage.  
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.
- 5 Noise from all external plant including generators and ancillary plant shall not exceed a weekday, daytime (07:00-23:00 hours) rating level of 40 dB according to the methodology of British Standard 4142:2014: 'Methods for rating and assessing industrial and commercial sound' and measured at 1 m from the rear façade of noise sensitive premises fronting Burford Road.  
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.
- 6 There shall not be any discrete continuous low frequency noise, or distinct impulses (thumps, clatters, bangs, clicks that are repeated as part of normal operations), or perceptible tone audible at the nearest noise sensitive dwellings at any time.  
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.
- 7 Generators and ancillary plant shall only operate between 07:00 and 23:00 hours, on any day.  
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.

- 8 A comprehensive scheme of sound mitigation including silencers and enclosures shall be submitted for prior approval by the Local Planning Authority and implemented in full before commissioning.  
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.
- 9 A noise verification report to evidence that the Noise limits have been complied with, shall be submitted by an appropriate Acoustic Consultant, prior to plant commissioning.  
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.
- 10 Radiator fan rotors shall be in balance at all times, the blades of the rotor shall be symmetrical at all times.  
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.
- 11 Notwithstanding the information provided on the approved layout plan, details of all fences around the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. Such fences shall be erected before the development hereby approved is brought into use and thereafter be retained.  
REASON: To ensure that in the interests of visual amenity a high standard of boundary treatment is provided.
- 12 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has 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.
- 13 The vehicle manoeuvring areas shown on the approved plans shall be constructed before the development hereby approved is brought into use and thereafter retained and used for no other purpose.  
REASON: To ensure that adequate vehicle turning facilities are provided in the interests of road safety.

Application Number	I7/01848/FUL
Site Address	160 Brize Norton Road Minster Lovell Witney Oxfordshire OX29 0SH
Date	30th August 2017
Officer	Jane Fray
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431033 E 209725 N
Committee Date	11th September 2017

### Location Map



**Application Details:**  
Erection of store/workshop.

**Applicant Details:**

Mr Jim Shirley  
160 Brize Norton Road  
Minster Lovell  
Witney  
Oxfordshire  
OX29 0SH

**1 CONSULTATIONS**

- 1.1 Parish Council                      Minster Lovell Parish Council strongly object to this application on the grounds of:  
insufficient information regarding use of such a large building  
Scale of building in relation to size of plot  
Back land development  
Impact of neighbours
- 1.2 OCC Highways                      The proposal is to erect a new building to replace other existing buildings on the development site. This will result in a negligible, if any, intensification of use of the access on to Brize Norton Road.
- The proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view, therefore I offer no objection.

**2 REPRESENTATIONS**

- 2.1 No neighbour objections received.

**3 APPLICANT'S CASE**

- 3.1 A Design and Access Statement has been submitted in support of the application and is summarised as follows:
- 3.2 The proposed new Store and Workshop will be well integrated with existing development in terms of scale and design and are sympathetic to their location and represent a visual enhancement and would not have a negative impact on the surrounding area.
- 3.3 The proposal would not result in a significant intensification of the existing access as indicated on the drawing and also provides adequate off road parking. The entrance to the site also appears to be afforded with good visibility. The proposal would not therefore raise any undue concerns with regard to highway safety and access. The proposed hardstanding area will be finished with gravel to allow adequate ground drainage.
- 3.4 160 Brize Norton Road, Minster Lovell and the land associated with the property has always been used as either garden or allotment, and has never been a Brownfield site. It has no history of any form of ground contamination.
- 3.5 It is proposed to provide additional planting and screening to the boundaries to reinforce boundary screening and to minimise any visual impact on the surrounding area.

3.6 The planning policies of the West Oxfordshire Local Plan 2011, policies BE2 and E7 adopted in June 2006, together with Emerging Local Plan 2013 policies OS1, OS2, OS4 and E1, and the advice given in the West Oxfordshire Design Guide, have been the basis for preparing this scheme.

3.7 In relation to Policy BE2 it is considered that:

- a) the proposal is well designed and respects the existing scale, pattern and character of the surrounding area;
- b) new buildings or extensions to existing buildings are designed to respect and enhance the form, siting, scale, massing and external materials and colours of adjoining buildings, with local building traditions reflected as appropriate;
- c) the proposal creates or retains a satisfactory environment for people living in or visiting the area, including people with disabilities;
- d) existing features of importance in the local environment are protected and/or enhanced.

## **4 PLANNING POLICIES**

BE2 General Development Standards

BE3 Provision for Movement and Parking

E7 Existing Businesses

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

E1 Employment Allocations

T4NEW Parking provision

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

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 This application seeks permission for erection of a store/workshop at the rear of 160 Brize Norton Road, Minster Lovell in connection with the existing builder's yard operating from this site. The site amounts to 0.09 hectares and is a rectangular parcel of land which backs onto open countryside to the rear. An existing access drive between Nos. 160 and 162 serves both the yard and No. 160, which is in the same ownership as the yard. This driveway also provides access into an adjoining field. The site is relatively flat and the boundaries are a mixture of mature hedging, trees and ranch/open-style fencing.
- 5.2 The current use as a builder's yard has existed for a number of years and a Certificate of Lawfulness, Reference V2003/0158 was granted in 2003. Planning permission was also granted by this Committee in May 2017 under Reference 17/00808/FUL for demolition of the existing bungalow and garage and construction of two new dwellings, including the formation of an additional vehicular access. This application follows pre-application guidance being provided in May 2017 and reflects the advice given at that time, with a reduction in the overall height of the roof by 0.5 metres and proposed addition of further screening. (Reference 17/00245/PREAPP). There is no other relevant planning history for this site.
- 5.3 The Proposal is to erect a building measuring 20 metres in length by 10 metres width, with a gabled, pitched roof to ridge height of 4.5 metres and eaves height 3.5 metres. The materials are

proposed as steel frame, with Plastisol profiled steel cladding to walls and roof in an olive green colour. Two steel roller shutter doors to the east elevation are proposed, with a pedestrian door alongside. 10 No. rooflights are also proposed, comprising 5 to each side. The building would be positioned to the south west corner of the site, to replace an existing, smaller workshop/store in the same position and various other existing buildings, containers and portacabins, which are also proposed to be removed, in order to generally tidy up the appearance of the site. To the front of the proposed building, a hardsurfaced (gravel) area is proposed, encompassing 6 parking spaces adjacent to the southern boundary, vehicle access and manoeuvring area and yard area.

- 5.4 Minster Lovell is classified as a village in terms of both the adopted and emerging Local Plans. The site is not within the AONB, Conservation Area or Green Belt and there are no listed buildings on, or near the site.
- 5.5 This application is to be considered by Committee, as the Parish Council has objected to the scheme.
- 5.6 Taking into account planning policy, other material considerations and the representations of interested parties, your officers are of the opinion that the key considerations of the application are:
- 5.7 Principle In terms of Emerging Plan Policies, proposals to improve the effectiveness of employment operations on existing employment sites will be supported where commensurate with the scale of the town or village and the character of the area. This may include redevelopment, replacement buildings or the expansion of existing employment uses.
- 5.8 Policy E7 of the West Oxfordshire Local Plan 2011 states that "proposals for the expansion of existing established businesses either within, adjoining or adjacent to existing premises that are commensurate with the scale and character of the locality will be permitted".
- 5.9 The principle of a replacement workshop/storage building on the site is therefore considered to be appropriate and acceptable subject to the key considerations set out below

#### Design, scale and siting

- 5.10 The Parish Council has expressed concerns regarding the scale of development proposed. It is accepted that the proposed building is relatively large scale. However, your officers consider that given the footprint of the proposed building represents a similar area to the sum of the buildings/structures proposed to be removed, is positioned in the same area as an existing relatively unsightly structure and is of an acceptable visual appearance and relatively modest overall height, that the proposal is acceptable. Furthermore, the benefits of rationalisation of the built form into one corner of the site is considered to represent planning gain. It is recommended by officers that a condition that all existing buildings should be removed prior to occupation of the proposed replacement building, plus removal of Permitted Development Rights for any additional structures would ensure adequate control over potential further development on site.
- 5.11 In relation to screening of the proposed building from potential public views, the building would be set back and screened from street views on Brize Norton Road, being shielded from view by existing dwellings and vegetation to the main road frontage. It is noted that the building would be coloured green to blend with adjoining vegetation and positioned in the rear corner of the

site, adjacent to existing mature trees and hedges along the western site boundary, to further assimilate the building into the surrounding environment.

#### Use of the building

- 5.12 The Parish Council has objected on the grounds that there is insufficient information regarding the use of such a large building. Your officers consider that the details of the application submitted are that the site would continue in the existing use as a builder's yard, with the building proposed for storage and workshop use. As such there would be unlikely to be a significant intensification of this use, given a net additional gross internal floorspace increase of 18 square metres, from current internal floorspace of 182 square metres to 200 square metres as a result of the scheme. The use as a builder's yard is Sui Generis in planning terms and as such, it would not be permissible for it to change to any other use or activity without an application for planning permission. Therefore it is considered that the local planning authority would be able to control any potential intensification or change of the site's use for other purposes.

#### Residential amenity

- 5.13 No objections have been received from occupiers of nearby dwellings. However, the Parish Council has objected in terms of neighbourliness. Careful consideration has been given by your officers to the positioning and scale of the proposed building in relation to surrounding residential development, also taking into account the recent planning approval for two replacement dwellings on the existing plot of No. 160 Brize Norton Road, which would not be closer than the existing bungalow to the builder's yard site. It is considered by officers that the proposed workshop/store would be a sufficient distance away from dwellings not to result in significant adverse impact by way of overbearing or overshadowing of the main amenity areas, given that at its nearest point, the building would be 50 metres away from the closest dwelling. No windows are proposed to the elevations of the building facing east, only high level rooflights. Therefore, it is not considered by your officers that there would be significant overlooking as a result of the scheme.
- 5.14 Furthermore, in relation to potential noise disturbance and nuisance from activities currently taking place on the site, it is considered that by consolidating of the built form into the furthest corner of the site away from residential properties and also internalisation of storage and business activity that the proposal is likely to result in less general disturbance to surrounding neighbours than at present.

#### Landscaping

- 5.15 Existing trees are proposed to be retained to the boundaries of the site. Furthermore, it is proposed to carry out additional planting along the site boundaries, which is considered would create a further buffer in terms of visual impact of the development from external views.

#### Highway safety

- 5.16 The County Highways Officer has been consulted and has commented that the proposal to erect a new building on the development site would result in a negligible, if any, intensification of use of the access onto Brize Norton Road. In view of this it is considered that the proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view, therefore, no objection is offered.

## Conclusion

- 5.17 In the light of the above, the application is considered to be acceptable and compliant with Policies BE2, BE3 and E7 of the adopted West Oxfordshire Local Plan 2011, OS1, OS2, OS4, E1 and T4 of the emerging West Oxfordshire Local Plan 2031, and relevant paragraphs of the NPPF.

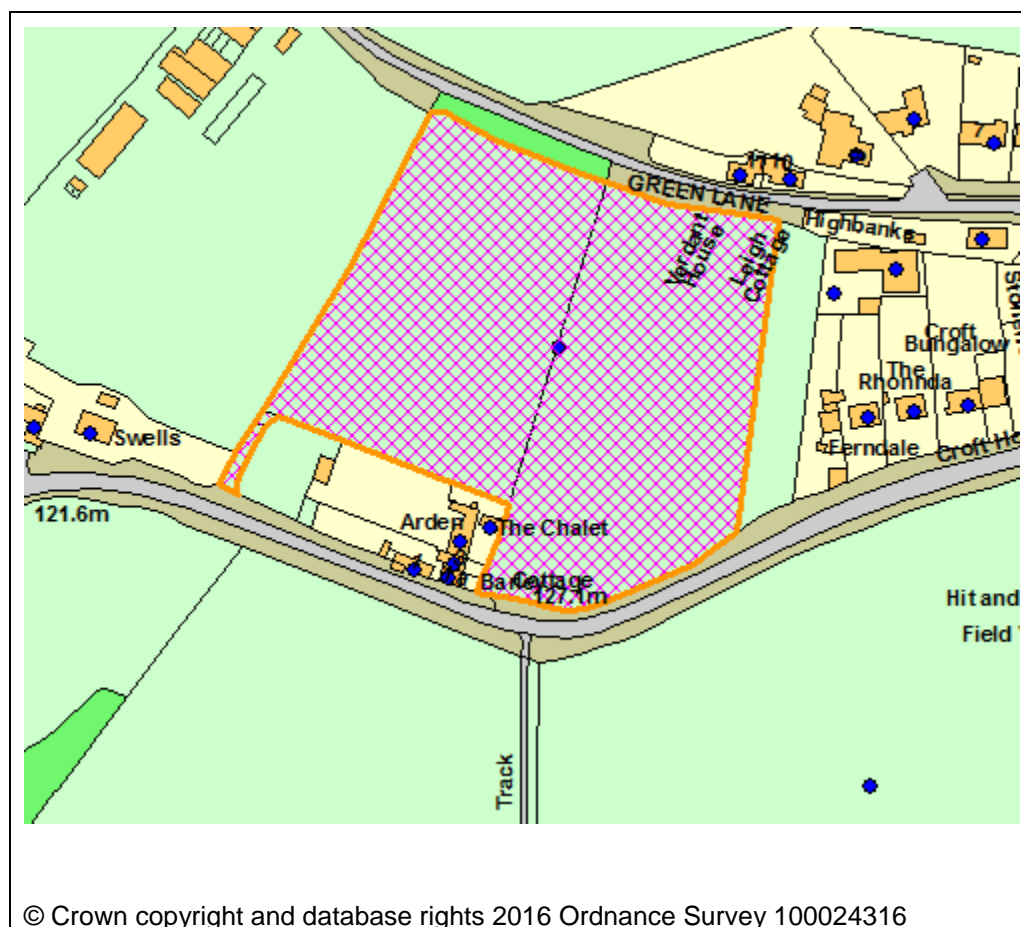
## **6 CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 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.
- 4 The existing buildings, portacabins and containers on the site shall be demolished or removed within one month of occupation of the building hereby permitted.  
REASON: The site is not capable of satisfactorily accommodating the existing building and the new development and in the interests of visual amenity.
- 5 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.  
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.
- 6 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.



Application Number	I7/01845/RES
Site Address	Land North of New Yatt Road North Leigh Oxfordshire
Date	30th August 2017
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	North Leigh Parish Council
Grid Reference	438125 E 213146 N
Committee Date	11th September 2017

### Location Map



### Application Details:

Residential development comprising of 40 dwellings together with associated works.

**Applicant Details:**  
 Ms Victoria Southern  
 Bellway Homes Ltd  
 Ground Floor  
 1120 Elliott Court  
 Coventry Business Park  
 Herald Avenue  
 Coventry CV5 6UB  
 West Midlands

## **I CONSULTATIONS**

- |     |                                     |  |
|-----|-------------------------------------|--|
| I.1 | Major Planning Applications Team    | No Comment Received.   |
| I.2 | WODC Architect                      | No Comment Received.   |
| I.3 | WODC Housing Enabler                | No Comment Received.   |
| I.4 | WODC Landscape And Forestry Officer | No Comment Received.   |
| I.5 | Biodiversity Officer                | No Comment Received.   |
| I.6 | Thames Water                        | <p>Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.</p> |
| I.7 | ERS Env Health - Lowlands           | No Comment Received.   |
| I.8 | Parish Council                      | <p>North Leigh Parish Council object to this application and submit the following comments</p> <p>1 Is the site of the new swale along Green Lane within the applicant's control?</p> <p>2 Are the culverts under Green Lane and the sewers through the site designed to take the combined flows of this site and the proposed new site for 76 houses on the south side of New Yatt Road?</p> <p>3 What funding will be available for the care and maintenance of the</p>  |

open space and special grassland habitat designed for the site?

4. What compensation will be made for the massive loss of trees on the New Yatt Road frontage?

5. The parking arrangements made for the main entrance road have failed to address residents' common practice of parking on-street. The narrowness of the road has the makings of major traffic incidents and will restrict emergency vehicle and refuse collection access, as has developed, for example, on Windmill Road, North Leigh and Harvest Way, Madley Park.

6. Why have the footpath provisions from the site towards North Leigh been altered from those agreed at the outline approval stage? It is now proposed that Bellway residents will be required the road twice and future Gladman residents three times on or near a blind bend. Clearly there is need to install a pedestrian crossing.

7. Who will be responsible for maintenance of the hydro brake system.

## **2 REPRESENTATIONS**

2.1 17 representations have been received raising the following summarised comments:

- Infrastructure cannot cope with more houses
- Houses are closer than the 25m face to face distance specified in the outline application and it is more like 20m
- Our garden will be overlooked
- Green Lane hedgerow will be unduly compromised which will result in a loss of privacy and ecological value
- There should be no access to Green Lane
- Cars may park on Green Lane
- Development should be sympathetic to its surroundings
- Density is too great
- Drainage needs to be resolved
- Loss of Trees and hedges
- Village needs to keep its rural appeal
- Roads and junctions are dangerous
- Big money wins and this is disgraceful
- Privacy is essential for peace of mind
- New building in corner of site is too intrusive
- More pedestrians in Green Lane is intrusive and dangerous
- Site slopes and so flooding may be caused
- What will happen to the sliver of land not part of the application site?

## **3 APPLICANT'S CASE**

3.1 Writing in support of the Reserved Matters application the agents have tabled a comprehensive suite of supporting information the key points of which are summarised as follows:

- The Section 106 agreement attached to the outline secured the following for the Local Planning Authority:
- 50% on site affordable housing;

- £158,427 towards education;
  - £43, 520 towards an off-site contribution towards community/sport and recreation facilities within the village;
  - £32,720 towards the enhancement and maintenance of the existing play/recreation areas in the village;
  - £40,000 towards improvements to the local bus services and;
  - £2,000 towards improvements/provision of bus stop.
- 3.2 The application is submitted pursuant to an outline approval for up to 40 dwellings granted in March this year.
- 3.3 Having regard to the provisions of the outline, the illustrative Masterplan, and subsequent pre-application discussions with the Council, the accompanying plans and documentation sets out the applicant's approach to creating a high quality residential environment for future occupiers.
- 3.4 It should be noted that the principle of residential development at the site, was established at outline stage.
- 3.5 Details of layout, scale, landscaping and appearance have been considered and full regard has been given to the Local and National Planning Policy in the evolution of the design of this scheme.
- 3.6 The Reserved Matters scheme reflects the importance placed on the design of the built environment, as set out in the NPPF, as well as complying with the requirements set out by Officers at pre-application stage and the comments made by local residents and other stakeholders.
- 3.7 Officers are therefore respectfully requested to recommend that the proposals are granted consent at the earliest opportunity.

#### **4 PLANNING POLICIES**

BE2 General Development Standards  
 BE3 Provision for Movement and Parking  
 H2 General residential development standards  
 H6 Medium-sized villages  
 H11 Affordable housing on allocated and previously unidentified sites  
 T2 Pedestrian and Cycle Facilities  
 T3 Public Transport Infrastructure  
 NE1 Safeguarding the Countryside  
 NE3 Local Landscape Character  
 NE6 Retention of Trees, Woodlands and Hedgerows  
 OS1NEW Presumption in favour of sustainable development  
 OS2NEW Locating development in the right places  
 OS3NEW Prudent use of natural resources  
 OS4NEW High quality design  
 H2NEW Delivery of new homes  
 H3NEW Affordable Housing  
 EH1NEW Landscape character  
 EH2NEW Biodiversity  
 EH3NEW Public realm and green infrastructure

EH6NEW Environmental protection  
T1NEW Sustainable transport  
T3NEW Public transport, walking and cycling  
T4NEW Parking provision  
NE13 Biodiversity Conservation

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

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 This application is a reserved matters pursuant to a recent outline application and the details are generally consistent with that outline. As such the application could have been determined under the scheme of delegation. However given the degree of comment Officers have taken the opportunity to bring it before Members for information/initial consideration.
- 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 The scheme closely follows the details contained in the recently approved outline application and as such the principle of development is already established.

### Siting, Design and Form

- 5.4 In its design form the scheme closely follows the illustrative details comprising an access from New Yatt Road with 5 detached houses fronting on to that road. The site spine road is predominantly fronted by terraced and semi detached units but the main green space is served from a secondary cul de sac and the built form there is detached. These units back on to the existing units in New Yatt Road. There is a pedestrian access to Green Lane where, as submitted, there is a flat/garage unit fronting on to Green Lane. The units are predominantly 2 storey with some 2 1/2 storey units at key points around the site.
- 5.5 As tabled the PC have raised concerns about 2 of the 5 units fronting New Yatt Road being constructed of brick and would prefer a greater use of artificial stone. Additionally the corner garage/flat unit involves loss of a considerable amount of hedgerow and would be located very close to existing houses set at a lower level in Green Lane such as to be unneighbourly. Back gardens backing onto Green Lane detail extensive hedge removal. There are a number of design tweaks to some of the units to improve their appearance that Officers have sought.
- 5.6 The applicants have been requested to make changes to the extent of brick use, the hedge loss to Green Lane and the orientation of the corner unit as well as the design improvements and amended plans are awaited. With these amendments the scheme is considered to have an acceptable design and form.

### Highways

- 5.7 The access details were largely approved as part of the Outline application. However there is some confusion as to how the pedestrian improvements associated with this scheme will integrate with the improvements associated with the development site opposite. That site has also been secured by this developer and Officers have requested a plan detailing the comprehensive set of road improvement measures but again at the time of agenda preparation this has not been received.

### Residential Amenities

- 5.8 The two key areas as regards residential amenity are the impact of the corner units mentioned above upon the houses in Green Lane and the back to back distances to the houses in New Yatt Road. Members will recall that in recognition of the very high standard of outlook of those latter properties a condition was imposed requiring a 25m (rather than the usual 21m) back to back distance. One of the representations raises concerns that this requirement has not been met but it is in fact approx 35m back to back. The back to gable distances are 27.5 to the main gable of the house but this does not have a direct principle outlook in that direction and 14m is considered the usual norm in such circumstances so it is approximately twice the usual distance. Consideration has also been given to the potential impact on amenity of a unit that has not as yet been constructed but as approved this has only secondary windows aspecting towards the development site in recognition that they cannot rely upon the third party land for amenity. This relationship is considered acceptable. Additionally the applicants are proposing further planting such that any views will be filtered. The neighbour amenity is such that Officers do not consider that a refusal could be justified.

### Other issues

- 5.9 Concerns have been raised regarding drainage etc but the scheme has been designed to restrict run off to green field rates and has the approval of TW. There is ongoing discussion regarding the retention of some trees located within the centre of the site. These were shown as retained on the outline scheme but a subsequent tree survey commissioned by the applicants has indicated that they have structural defects and should be felled and replaced. The advice of the Councils tree officer is awaited before a decision can be made on this matter. The views of OCC as Highway and drainage authority are also awaited.

### Conclusion

- 5.10 This application could have been determined under delegated powers but is brought before members for consideration. At the time of agenda preparation amended plans are awaited and a number of consultation responses are outstanding. Officers will update members verbally at the meeting whereupon it may be possible to bring the application forward for determination. Failing that Officers intend to present the proposals and, in order to expedite delivery of the units, seek delegated authority to determine the proposals when the outstanding matters have been addressed. A full verbal update will be given at the meeting.

## **6 RECOMMENDATION**

Officer to report when amended plans and outstanding consultations have been received.