

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 15th January 2018

**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

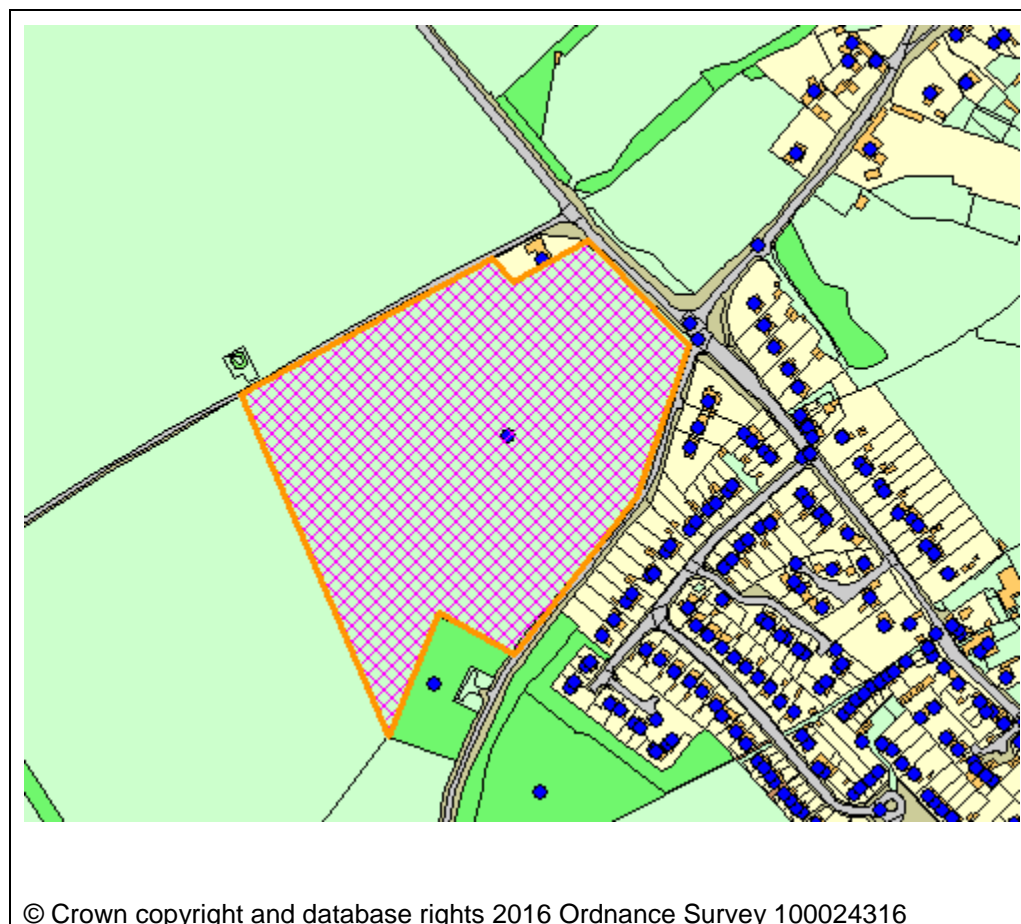
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

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| | |
|-------------------------|---|
| Application Number | 17/00992/OUT |
| Site Address | Land South West of Charlbury Road Hailey Oxfordshire |
| Date | 3rd January 2018 |
| Officer | Abby Fettes |
| Officer Recommendations | Approve subject to Legal Agreement |
| Parish | Crawley Parish Council |
| Grid Reference | 434955 E 212934 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Outline residential development with means of vehicular access from Charlbury Road for consideration, all other matters (layout, appearance, scale and landscaping) reserved for subsequent approval, for the construction of up to 50 dwellings (C3 use), of which 40% will be affordable, landscaping, earthworks to facilitate surface water drainage and all other ancillary infrastructure and enabling works.

Applicant Details:
Sharba Homes
c/o Barton Willmore

I CONSULTATIONS

I.1 Major Planning
Applications Team

November 2017 consultation response:

Highways

No objection

Drainage

I recommend objection to this proposal on the grounds that the applicant has not demonstrated that the increase in runoff volumes arising from the site can be fully mitigated for all events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change. Consequently runoff volumes leaving the site will increase, leading to increasing flood risk elsewhere. This is contrary to Paragraph 103 of the National Planning Policy Framework (NPPF).

Additionally, the applicant will need to provide proof of agreement of the adjoining landowner to discharge water into an existing watercourse and will also need to gain consent from West Oxfordshire District Council to carry out works to an ordinary watercourse.

Education

£234,030 Nursery and Primary School Contribution

Hailey CE Primary School does not have sufficient spare spaces to meet the needs of the proposed development, and would need to be expanded to an admission number of 20 (including in the nursery), adding 5 more nursery places and 35 more primary school places. This is the smallest viable scale of expansion for the school. It would require additional accommodation for both primary and nursery children; the exact nature of additional accommodation required would be identified by a full feasibility study, and would be planned in such a way as to keep open the potential for further growth of the school to 1 form entry in the longer term, if this is required.

Archaeology

No Objection.

I.2 Parish Council

In short, Crawley Parish Council continue to object strongly to the proposed development. Our objection is based primarily, but not solely, on the points outlined below, and we do not believe the reduced number of houses in this application addresses these concerns in any way, shape or form:-

I. Curtilage - It should be noted that this development falls

within the boundary of Crawley Parish Council, not Hailey; therefore the development planned would effectively substantially increase the size of the population of Crawley Parish; which would be an unsustainable increase by anybody's standards. We do, however, fully support the objections being raised by our neighbours in Hailey and share their concerns.

2. Traffic - Crawley Parish Council regularly object and raise concerns to the County Council about the amount of traffic that runs through the village at present. Any plans to develop housing in or around Crawley cannot be supported until sufficient infrastructure is put in place to ensure traffic can bypass the village. This is not merely a 'NIMBY' objection, the reality is the road infrastructure in Crawley cannot sustain it and the current level, speed, weight and size of the majority of the traffic is, on a day-to-day basis, creating damage to the environment and risk to the safety of our Parishioners, particularly our young children and elderly residents. It should be noted that Crawley has little in the way of pavements and our roads are narrow, it is becoming increasingly difficult to walk around the village safely. In our judgement the risk to pedestrians from existing traffic is already severe. Any increase in traffic would make this situation even worse. In addition the small bridge entering the village from the A40 is under severe strain and is currently in a poor state.

3. Flooding - We believe that the development would lead to an increased risk of flooding in Crawley Village. Without proper drain away Showell Brook is likely to flood Crawley again. This has happened previously (see attached photograph) and given the extent of this development this is likely to happen again, and more frequently.

4. Natural Beauty - This site is adjacent to a local wildlife site with heritage assets and would impact severely on an area of natural beauty. These incursions into open countryside threaten to erode the character of West Oxfordshire and destroy the rich heritage that the area is noted for. The view of the valley, across the land the proposed development would occupy, represents to many the start of The Cotswolds. The development would obliterate this view. As a Parish Council we feel we have a responsibility to preserve this heritage for future generations and we assume WODC feel the same way.

5. Local Plan - We recognise the need for housing, but this site is not part of the LOCAL PLAN. Given the amount of time, and taxpayers' money, that WODC have invested in putting the plan together, we do not feel we can support developments that fall outside of this remit. It is also our understanding that West Oxfordshire has one of the lowest unemployment figures in the country; therefore we assume potential residents of this development either already work in or around Witney or work outside of the area, negating any potential increase in economic benefits to West Oxfordshire.

6. Other Applications - It has been brought to our attention that other, less destructive applications have been rejected for

reasons that are relevant to this application. (16/01540/OUT - 25 Houses of Giernalls Road. 08/1844/P/FP - Former Pumping Station). I do hope the objections outlined above will carry weight in ensuring this development is not granted permission under any circumstance. It would surely be a disaster for Crawley Village and for our neighbouring parishes. The legacy of granting permission on any scale would cause irrecoverable damage to this beautiful part of West Oxfordshire.

I.3 Adjacent Parish Council Hailey PC object to revised application Nov 2017:

We believe that the revised outline planning application for 50 houses makes little difference in overcoming the strength of the objections previously raised.

This site is not a location that has been chosen for this quantum of housing through WODC's spatial strategy:

-The site was not included in WODC's June 2014 Strategic Housing Land Appraisal (SHLA).

-The site was not included in WODC's December 2016 Strategic Housing and Economic Land Availability Assessment (SHEELA).

-The site is not included in the original 2015 version of WODC's Local Plan 2031.

-The site is not included in the November 2016 version of WODC's modified Local Plan 2031 submitted to the Inspector

In the Government's latest draft methodology on calculating housing needs, West Oxfordshire's housing requirement is likely to go down. The Hailey Neighbourhood Plan has been published and is at the consultation stage.

Appeal at land between Chapel Lane and Poffley End Hailey, WODC state it wasn't sustainable and would detrimentally affect character of area and the inspector agreed.

I.4 Thames Water No objection subject to condition and informative.

I.5 Parish Council

Initial response to 85 dwellings
Crawley PC object strongly:

1. Curtilage

The development falls within Crawley Parish and would double the size of the parish.

2. Traffic

Raise concerns to OCC about amount of traffic through Crawley at present, any plans to develop housing in or around village cannot be supported without a bypass. The road infrastructure in Crawley cannot sustain it. Crawley has little in way of pavements and roads are narrow. Risk to pedestrians is already severe.

3. Flooding

Without proper drain away Showell Brook is likely to flood Crawley

again. Given extent of development it is likely to happen more frequently.

4. Natural Beauty

Site is adjacent to wildlife site with heritage assets and would impact severely on AONB. Incursions into open countryside threaten to erode character of West Oxfordshire. As a PC we feel we have a responsibility to preserve this heritage for future generations.

5. Local Plan

Site is not part of Local Plan, we do not feel we can support developments that fall outside of this remit.

6. Other applications

Other less destructive applications have been rejected for reasons that are relevant to this application (16/01540/OUT Giernalls Rd)

I.6 Major Planning Applications Team

Initial response to up to 85 units:

Highways

The County Council maintains an objection on the grounds of the assessment of the traffic impacts of the development not being carried out correctly.

Archaeology

No objection

Education

£414,750 Section 106 required for the necessary expansion of permanent primary and nursery capacity serving the area, at Hailey CE Primary School.

I.7 WODC - Arts

A S106 contribution of £10,710 towards temporary artist led events and activities in the vicinity of the site, post occupation, for the benefit of new and existing residents of the village.

I.8 Wildlife Trust

No Comment Received.

I.9 Conservation Officer

In terms of potential heritage impacts, the only designated heritage asset relevant to the context of the application site is Hailey Conservation Area (there being no Listed Buildings in the immediate vicinity) - and specifically, given that the site lies beyond the CA, we are dealing here with the setting of the CA. In terms of the CA context immediately adjoining the site, this comprises a mix of C20 residential properties, some detached and some semi-detached. This part of the CA is not of high sensitivity, and the impact of the proposed development on the architectural or historical interest of this part of the CA would be likely to be minimal.

In terms of the experience of the approach into this part of the CA, there currently exists a strong and pronounced edge to the settlement here, formed by the field boundary and Priest Hill Lane. The settlement edge formed by the road continues on the north-east

side of the B4022 towards Delly End. The approach into the CA from the north-west would be significantly altered, with the built envelope spreading north-west out into the adjoining rural/ agricultural landscape, and conspicuously urbanising the currently rural approach into the village and CA.

Overall, there would be some adverse impacts upon the setting of the CA, though the harm would be likely to be less than substantial.

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|------|-------------------------------------|---|
| I.10 | Environment Agency | No Comment Received. |
| I.11 | Biodiversity Officer | No Comment Received. |
| I.12 | WODC Housing Enabler | <p>The application is for 85 dwellings including 40% affordable housing provision. To be policy compliant the offer must be;</p> <ul style="list-style-type: none"> - 70% affordable rent and 30% shared ownership <p>Upon reviewing the application I note that the applicant's proposal requires slight amendment to meet the Council's policy in this regard. If the amendments could be made at this Outline stage, then I would be in a position to support this application. Just in Hailey alone, there are currently 60 households who would qualify for housing were it available in this settlement today. Of these 36 require one bedroom accommodation, hence the inclusion of one bedroom apartments in the above preferred scheme mix.</p> <p>In addition to those 60 households, a further 1,115 from Witney would also qualify for the new homes, in the same 2:1 ratio for rent and shared ownership.</p> |
| I.13 | WODC Landscape And Forestry Officer | <p>This is a very open and exposed site which contributes to the setting of the Conservation Area. It is conspicuous in public views around the area, particularly the more elevated half of the site to the north. It does not appear to form a natural extension to the village, being separated by the shallow dry valley to the south and not particularly integrated into the existing settlement pattern. On the face of it there do not appear to be any beneficial aspects when balanced against such a significant change to the local landscape, apart from the fact that it would provide more housing.</p> |
| I.14 | Natural England | No Comment Received. |
| I.15 | WODC - Sports | No objection subject to S106 contributions towards sport and recreation and play facilities in the vicinity. |
| I.16 | Thames Water | <p>Waste Comments</p> <p>There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.</p> |

Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development.

I.17 WODC Env Services - Waste Officer No Comment Received.

I.18 Adjacent Parish Council Hailey PC initial comments:
This speculative application is contrary to many of the saved policies in WODC's prevailing 2011 Local Plan as well as the policies contained in the emerging Local Plan 2031. It does not meet any identified housing needs in the Witney Strategic Development Area. The site is not within Hailey but would significantly urbanise and essentially remove a well-loved and attractive valley landscape (as described by the Inspector in APP/D3125/A/09/211173) on the edge of Crawley. The development will contaminate the views and setting of the Hailey Conservation Area and provide a disproportionate amount of additional housing in the wrong place.
The adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.

2 REPRESENTATIONS

2.1 Over 200 representations objection to initial scheme and a further 83 have been received objecting to the revised scheme. They are summarised as follows:

Principle

- Will set precedent for more edge of village development
- Hailey has virtually no street lighting and our house has total dark night conditions
- This will be lost because the new development will undoubtedly have street lighting
- This is an unacceptable and unsustainable rate of growth for a small village
- It is in violation of the local plan
- The village does not have the facilities to support a development of this scale.
- There will be impact on schools, roads and the local wildlife and environment will inevitably be impacted by the development
- District Council, through the modifications to its submission Local Plan and supporting evidence, is now able to demonstrate a housing strategy and five year housing supply.
- Would cause severe harm to the significance of the adjoining Hailey Conservation Area which is a designated Heritage Asset
- Doesn't take account of emerging Neighbourhood Plan
- Why develop a green field site beyond the village boundary when there is still land available within the village of Hailey
- The plan cannot demonstrate any positives for the community of Hailey, wildlife - building on green belt land or more widely to the environment
- The site was not included in WODC's June 2014 Strategic Housing Land Availability Appraisal (SHLAA).
- The site was not included in WODC's December 2016 Strategic Housing and Economic Land Availability Assessment (SHEELA).
- The site is not included in the original 2015 version of WODC's Local Plan 2031.
- The site is not included in the November 2016 version of WODC's modified Local Plan 2031 submitted to the Inspector.
- The planning balance should indicate that although there will be greater benefits from a larger scheme in terms of support to the economy and provision of housing the harm through unsustainable location, landscape quality and conservation area also rise proportionately.
- Adverse impacts significantly and demonstrably outweigh the benefits.

Highways

- Delly End cross roads already dangerous
- Vehicles speed up when leaving the Hailey
- B4022 has had numerous fatal accidents in the past
- Increase in traffic from additional dwellings
- Hailey regularly grid locked
- Priest Hill Lane leading to Crawley village, is very narrow, with very few passing places
- Crawley village also grid locked and mainly served by single track lanes
- Concerns over the amount of traffic going into Witney
- The West End link road will probably never be built
- If North Witney goes ahead traffic will be impossible
- The entrance to this new development will have limited vision in Charlbury direction
- Will put school children and other pedestrians at risk with this increase traffic flow

Landscape

- The proposal is a visually intrusive development in an open and sensitive landscape character area
- Totally destroy the landscape of this beautiful village
- Will ruin countryside walks
- Development would restrict the beautiful view of the fields and evening sunsets
- The houses design appearance and layout are certainly not in keeping with the village
- The proposed housing will be outside of the existing village envelope
- Will lead to a significant detrimental change of landscape character on this side of the village.
- Disrespects its scale, pattern and character, and failing to integrate well with its existing built form.

Drainage

- Water run off from field
- Water will enter Showell Brook which floods Crawley village
- Water will flood the Delly End crossroads
- Experienced numerous flooding, and sewerage leakage from the pumping station
- During wet winter conditions, a spring appears in the field, causing the field to flood for several weeks at a time

Amenities

- We will lose our privacy and enjoyment of our back garden, because the whole development will be looking directly on to our property
- With proposed development at the end of Giernalls Road, we would be surrounded on all sides with the noise, dust and disruption of construction
- It overlooks multiple residencies

2.2 The CPRE object on the following grounds:

- The site is not allocated in the Local Plan, so granting permission would mean exceeding the housing target.
- The site is not considered in the SHLEAA.
- The site represents an incursion into open countryside and would be prominent particularly from the west from far afield and from the east on a vantage point along the main road. The LVIA does not superimpose the finished site on the viewpoint photos, but the impact is obvious.
- The site is arable and although the applicant claims it is of low value, no doubt that is subjective and we need all the arable land we can get without growing population.
- The site is adjacent to a local wildlife site and is close to the CAONB and to heritage assets, such as an ancient ditch.
- The ecological assessment is a Phase I study (basically 1 visit), so the conclusions regarding low potential for all the main protected species cannot be relied upon.

2.3 Hailey Action Group have made the following comments:

- Emerging evidence shows that there may well be a reduction in the future housing needs of the District when using the Government's proposed consistent methodology for calculating future housing requirements. We note that this emerging evidence on likely changes to housing numbers has led to Local Plan Examinations being halted in some areas (for example Leeds).
- Since the earlier application, the Hailey Neighbourhood Plan has been progressed and is now well advanced, with the regulation 14 consultation ending on 11 December. This sets out a proactive approach to development, with a clear strategy for where development should take place. The application site is not included as an allocation within the Neighbourhood Plan and allowing this application would considerably undermine the Neighbourhood Plan.
- The site is not within the built-up area of Hailey and the scale of the application would significantly and adversely affect the character of the village.
- We have set out above that we support the Council's position in that they are currently able to demonstrate a 5-year housing land supply using the Liverpool methodology, meaning that paragraph 49 of the NPPF is not invoked. However, if, at the point that the application is determined, the Council cannot be proven to demonstrate an up to date housing land supply position, we have set out in our letter above why this application, factually, cannot possibly be assessed as sustainable development.
- On behalf of the Hailey Action Group, we therefore respectfully request that the application be refused.

3 APPLICANT'S CASE

3.1 Several supporting documents have been submitted with the application and are available to view online.

3.2 The applicant has submitted the following statement:

This scheme has been the subject of pre-application consultation with planning officers and statutory consultees, as well as community engagement through a one day public exhibition and two week website consultation. The points raised as part of the consultation process have been responded to. There are no designations or heritage assets on the site. The Conservation Area lies adjacent however the Conservation Officer agrees the harm is negligible and has no objection to the scheme. In addition, there are no objections from any other statutory consultees. The applicants have listened closely to the advice of officers in reducing the number of homes down to 50 and significantly reducing the extent of developable area on the site.

The starting point for the determination of this planning application is the Development Plan. However, given the age of the Local Plan, which was only intended to guide development to 2011, it is considered that its policies can only attract limited weight in accordance with their consistency with the NPPF. Whilst the Council are preparing a new Local Plan, this is currently at Examination and its policies are yet to be found sound. As such, it is considered that the policies of the emerging Local Plan can also only attract limited weight at this point in time.

In addition, the Council have accepted in recent appeals that they cannot demonstrate a five year housing land supply. As such, the balance is tilted in favour of the grant of planning

permission. The test is therefore whether the adverse impacts significantly and demonstrably outweigh the benefits.

The lack of any statutory objection confirms that there will be no adverse impacts as a result of the proposed development, save for the loss of Greenfield land. However, it is confirmed in the LVIA that any impact on the landscape as a result of this will be localised and will reduce over time with the benefit of significant additional planting. The year 15 position should be used to assess the overall impact and this would be moderate-minor. The recent appeal decisions at Milton-under-Wychwood and Long Hanborough confirm the weight that should be afforded to landscape impact in West Oxfordshire District and, even in the AONB, housing need has outweighed landscape harm. Accordingly, where a landscape is not nationally designated, the harm caused to it should be reduced to moderate or less. In the context of policy and decision precedents, it is therefore not considered that the limited harm to the landscape arising from this development 'significantly and demonstrably' outweighs the considerable benefits of the proposal highlighted below.

However, notwithstanding the limited weight to be applied to the Emerging Local Plan; and the current housing land supply position, this site is in accordance with the emerging spatial strategy and as such can be approved regardless of the housing land supply position. Within the emerging Local Plan, Hailey falls within the Witney sub-area and within this sub-area and indeed across all sub-areas, windfall developments are expected to be a significant contributor to the overall housing target. Windfall sites are previously unidentified greenfield or brownfield sites and this site is one such site. The delivery of windfall sites is expected and indeed required to meet the District wide housing target and would address the concern raised by the Local Plan Inspector regarding a lack of short term delivery to plan, to avoid the need to rely on back loading the Plan as well as giving choice in the marketplace.

It should also be noted that Hailey falls within the 'village' category within the emerging Local Plan and yet, the village itself has accommodated little by way of development, particularly when compared to other villages, such as Minster Lovell and North Leigh for example, which have accommodated significantly more development and on more sensitive sites. It is important that growth is delivered in a balanced way and thus each village should play its part in providing sufficient homes.

It is also necessary to highlight that whilst the Hailey ward boundary encompasses some of the major development sites at Witney, these sites are meeting Witney's housing need and not that of the village. In addition, whilst the Hailey Neighbourhood Plan is currently out for consultation, the application site sits within Crawley Parish and outside of the Hailey Neighbourhood Plan area. Regardless however of the administrative boundaries, this site will be part of Hailey and thus will be delivering much needed housing for Hailey.

This proposal will bring a considerable number of benefits to Hailey and the local area including:

- A development which is in accordance with the spatial strategy of the emerging Local Plan, which will contribute towards meeting the Council's significant need for windfall sites in housing land supply;
- The provision of 40% affordable housing;
- The potential for a range of two - five bedroom dwellings to create a mixed and sustainable community and improve housing choice in the local area;

- Additional residents to provide support for existing services and facilities within Hailey and the surrounding area, including the Primary School at Hailey in accordance with the Draft Neighbourhood Plan (albeit the site sits outside of the defined Neighbourhood Plan area).
- The creation of additional jobs during the construction period;
- The creation of an extensive area of publicly accessible open space;
- Significant additional planting across the site; and
- The Council will benefit from additional revenue generated through the New Homes Bonus scheme.

3.3 The proposal has been demonstrated to be sustainable in accordance with the three dimensions outlined at paragraph 7 of the NPPF and this should be approved without delay.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE5 Conservation Areas

BE18 Pollution

BE19 Noise

NE1 Safeguarding the Countryside

NE3 Local Landscape Character

NE6 Retention of Trees, Woodlands and Hedgerows

NE13 Biodiversity Conservation

H2 General residential development standards

H6 Medium-sized villages

H11 Affordable housing on allocated and previously unidentified sites

T1 Traffic Generation

T2 Pedestrian and Cycle Facilities

T3 Public Transport Infrastructure

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

EH1NEW Landscape character

EH2NEW Biodiversity

EH5NEW Flood risk

EH6NEW Environmental protection

EH7NEW Historic Environment

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks Outline Planning Consent for up to 50 dwellings, with the means of access to be considered and all other matters reserved. The application description was amended in October (it was previously up to 85 dwellings) and further information was submitted at that time to address earlier consultation comments.

- 5.2 The site is a large agricultural field approximately 5.3 hectares, bounded by highways on three sides. The land rises steeply away from Priest Hill Lane. There is a sewage treatment works to the south west corner. Existing properties face the site in Priest Hill Lane and there is one detached property to the North East corner of the site. The site is adjacent to Hailey village but is actually within Crawley Parish.
- 5.3 The proposal is for access to be taken from the B4022 and for development to be sited on the lower part of the site following the contours of the hill, approximately 1.66 hectares of developable area.
- 5.4 There is no relevant planning history associated with the site.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle of development
Highways
Heritage impact
Landscape impact
Siting design and layout
Drainage
Other matters
S106

Principle

- 5.6 The site is on the outskirts of Hailey which is categorised as a medium sized village in the Adopted Plan 2011. The village benefits from services, including a primary school, sports facilities, a hairdresser and a pub. It is, however, acknowledged that job opportunities in other sectors are limited in Hailey.
- 5.7 Hailey also falls within the Witney Sub area and the Emerging Local Plan sets out a requirement for 4,400 new homes between 2011 and 2031 including 304 dwellings through windfall sites. The site is not specifically identified in the Local Plan for development so would be considered as a windfall site.
- 5.8 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.
- 5.9 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. The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.

- 5.10 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying suitable sites in the SHELAA 2016, and approving, and resolving to approve, a large number of housing proposals. The Council will be making a strong case for the "Liverpool" calculation and is confident that its approach is appropriate to address housing needs in the District in a realistic and sustainable manner over the plan period.
- 5.11 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, and further sessions took 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.
- 5.12 The site adjoins 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 when tested against emerging plan policies. However, as with the adopted plan these policies cannot be afforded full weight.

Highways

- 5.13 The site is to be accessed by a single access from the B4022 Charlbury Road. Highway safety has been raised as a matter of concern in many of the representations.
- 5.14 Following the most recent consultation OCC in their capacity as Highway Authority had the following comments:
- The applicant has submitted the same Transport Assessment that they submitted with the original application in the early summer of 2017 and has supplemented this with a covering letter, and the same drawing of the access that was submitted with the previous iteration of the application. I maintain my view that visibility splays of 2.4m x 120m are required in a north-westerly direction and 2.4m x 95m in a south-easterly direction. I still think these can be achieved so have no objection on these grounds. However, the applicant proposes a bell-mouth with a radius of 12m. This is too large and could cause motorists to pull into and out of the access at too high a speed, possibly leading to collisions. The applicant needs to reduce the radius of the bell-mouth to 9-10m. This will slow motor traffic that approaches the junction down and will make it easier for pedestrians to cross the junction.
 - I am satisfied that the trip rates and final year traffic impact assessment that were used in the previous iteration of the application are still valid and I had no objection on these

grounds in my last response to the previous application on 22 June 2017. This development, if the same assumptions are used, will create less of an impact on the local highway network so I have no objection on these grounds.

- The applicant proposes three pedestrian accesses to the development, both via a pedestrian footway that goes most of the way around the edges of it with one on to Priest Hill Lane, and two on to Broken Hatch Lane. Should the applicant wish for the Local Highway Authority to adopt the pedestrian accesses and route, it will need to have a width of at least 3m and be lit and surfaced in accordance with Highway Authority standards.
- The two proposed pedestrian accesses on to Broken Hatch Lane are not suitable, as they lead on to a narrow, un-paved, unlit single track road, which leads on to a section of the B022 Hailey Road that is also unlit and has no footway. Likewise the proposed access on to Priest Hill Lane at the south-eastern corner of the site would need to be adopted by the Local Highway Authority, be 3m in width and be hard-surfaced and lit.
- In my view it is preferable to have a pedestrian access via the main access to the development. To facilitate this, the applicant should construct 50m of footway along the frontage of the development to the B1022 Hailey Road/Priest Hill Lane junction. This must include dropped kerbs and tactile paving either side of this junction and will enable pedestrians from all parts of the development to have expedient access to the existing footway network (see the above section on legal agreements). The presence of the footway should also slow through traffic along this stretch of the B4022 Hailey Road down and help address the issue of speeding motorists along this stretch of the road heading north-west that the applicant's speed surveys showed.

5.15 In the absence of a Highway objection there is no justification for a highway reason for refusal. The above matters can all be addressed by the submission of further details secured by conditions.

5.16 Furthermore, it is considered that the indicative layout includes sufficient space for parking and manoeuvring for 50 dwellings.

Heritage Assets

5.17 The site is adjacent to the Hailey Conservation Area, and there are a large number of listed buildings within it. The setting of and the effect on the Conservation Area need to be considered under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There are no known archaeological features within the site.

5.18 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. 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.

5.19 The applicants Heritage statement asserts that:

"No 'substantial harm' is occasioned to any designated heritage assets, and paragraphs 132 and 133 of the NPPF are not engaged.

A very small level of harm (at the lower end of 'less than substantial harm') would be occasioned to the significance of the Hailey Conservation Area. This level of harm should be weighed against the public benefits of the proposals as required by paragraph 134 of the NPPF"

- 5.20 The Conservation Officer concurred with the conclusions of the Heritage Statement.

Landscape impact

- 5.21 The site is not within a designated area of landscape. The Cotswolds AONB is 600m to the north and because of the topography the site is not visible from the AONB. The West Oxfordshire Landscape Assessment categorises the site as Semi enclosed limestone wolds smaller scale, with a minor valley to the south west corner. Development sensitivities are the open limestone wolds are very visually exposed and it is suggested that any development would need to be closely and sensitively integrated with existing buildings or within a strong landscape structure, and tall structures are to be avoided.
- 5.22 The existing edge of Hailey village is quite abrupt and this site could be considered an opportunity to provide a softer edge to the village. The proposal includes a large area of open space on the higher contours that would lend itself to structural planting. Landscaping is a reserved matter.

Siting, design and layout

- 5.23 The indicative layout provided must be treated as such and the arrangement of built form and open space would be carefully considered as part of any reserved matters submission. Strategic landscaping can be secured on the open space land to the north and areas of open space and planting could be provided throughout the site.
- 5.24 The applicant has stated that the houses would be 2 storey, which would be consistent with the scale of properties in this location. Nevertheless, to minimise visual impact and provide for a varied roofscape, a mix of 1.5 and 2 storey forms is likely to be the preferred approach, particularly towards the north of the site. However, the house types are for future consideration as part of a subsequent reserved matters application. The design is likely to be vernacular in form, but no detailed elevations are available as part of the application.
- 5.25 It is considered that the use of the site for housing would represent a logical complement to the existing pattern of development in this location, subject to the precise siting of properties, and carefully designed heights.
- 5.26 The indicative layout shows that a development of 50 units can be accommodated on the site without causing impacts on privacy, light or general amenity to neighbouring property. Properties to the south are at the closest point 20m to the boundary of this site so distances with properties off site will well exceed recommended privacy distances. The detailed arrangement of buildings would be addressed at the reserved matters stage in any event.

Drainage

- 5.27 The site is within Flood Zone 1 but there are known surface water drainage issues in the vicinity. County have raised an objection to the application on these grounds. Their comments were as follows:

- The site of the proposed development receives surface water from Delly End, Hailey. This area has seen a number of flooding events in recent years and the applicant's Drainage Strategy does not reflect this. The catchment area for the existing drainage system is large and the volume of water that discharges into the proposed site is significant. The drainage strategy needs to be revised to allow for this.
- Consequently, I recommend objection to this proposal on the grounds that the applicant has not demonstrated that the increase in runoff volumes arising from the site can be fully mitigated for all events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change. Consequently runoff volumes leaving the site will increase, leading to increasing flood risk elsewhere. This is contrary to Paragraph 103 of the National Planning Policy Framework (NPPF).
- Additionally, the applicant will need to provide proof of agreement of the adjoining landowner to discharge water into an existing watercourse and will also need to gain consent from West Oxfordshire District Council to carry out works to an ordinary watercourse

5.28 The following comments were received from OCC on 6th December.

The consultant has revised the drainage proposals, therefore my comments are as follows:

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

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features (inc contact details of any management company)
- Sizing of features - attenuation volume
- Infiltration tests to be undertaken in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing plans

5.29 The proposed strategy is required to deal with an existing surface water system within the site boundary & the current proposals do accommodate this need. This is a vital component of the drainage strategy & must be retained.

Other matters

5.30 An Ecology report was submitted with the application and the District Ecologist has commented on the proposal and conditions have been included in the recommendation, but further clarity is required over ecological mitigation and this will be expanded upon before the meeting.

S106

- 5.31 The applicant has referred to the provision of 50% affordable housing which is a policy compliant contribution. The mix of housing would be set out in a legal agreement.
- 5.32 OCC have requested an agreement to secure the sum of £50,000 to contribute towards the cost of improving the frequency of bus services that operate between Chipping Norton, Hailey, and Witney town centre, and £9570 to secure funds for a bus shelter and bus stop flagpoles near the site on the B4022 Hailey Road, and to secure 2m x 50m of footway along the frontage of the site from the southern edge of the proposed access to the point at which it will join the existing footway network on this side of the road.
- 5.33 This piece of footway shall be constructed by the applicant under S278 of the Highways Act 1980. The same agreement will also include an uncontrolled pedestrian crossing, with dropped kerbs and tactile paving on the B4022 Hailey Road in the near vicinity of the Hailey Church of England Primary School.
- 5.34 They also require a £234,030 Nursery and Primary School Contribution indexed from 4Q2014 using PUBSEC Index towards the expansion of Nursery and Primary education capacity at Hailey CE Primary School.
- 5.35 A S106 contribution of £57,800 towards sport and recreation facilities within the catchment and £40,900 towards play provision and maintenance.
- 5.36 A S106 contribution of £10,500 towards temporary artist led events and activities in the vicinity of the site, post occupation, for the benefit of new and existing residents of the village.
- 5.37 Hailey Parish Council also requested the following but they are not considered to be directly related to, necessary or proportionate in line with the S106 requirements.
- 5.38 An agreement is required under Section 106 of the Town and Country Planning Act 1990 and / or under the emerging WODC Community Infrastructure Levy (CIL) to secure the following projects contained in Hailey Parish Council's Infrastructure Development Plan (IDP):
- Replacement of Hailey Village Hall (estimated cost is £600,000 - based on the actual cost of a similar hall in Freeland)
 - Replacement of Sports pavilion - 2 Team changing room plus officials - Traditional construction (estimated cost of £240,000 - Sports England)
 - A 'pelican crossing' outside Hailey CE Primary School (£60,000 - Wiltshire CC estimate))
 - A mini roundabout at the junction of the B4022 with Priest Hill Lane and Delly End - £10,000 (Wiltshire CC estimate)
 - A bus shelter on Delly Hill (identified in OCC's submission - £8,230)

Conclusion

- 5.39 The site is undeveloped land immediately adjoining the built up area of the village, which is considered a suitable location for some new development. This is recognised in emerging Policies OS2 and H2, up to 50 dwellings is considered to be of a proportionate and appropriate scale.

- 5.40 The site is adjacent to Hailey Conservation Area. Although there would be some effect in terms of siting housing development adjacent the Conservation Area, the impact on the setting of these heritage assets is judged 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.
- 5.41 The access to the site is acceptable in highways terms, subject to conditions and legal agreement.
- 5.42 Existing trees and hedgerow would be retained, save for limited removal to facilitate the access to the development.
- 5.43 There would be no adverse impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.44 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.
- 5.45 A number of S106 contributions will be required to address impacts on infrastructure provision.
- 5.46 In terms of restrictive policies of the NPPF, assessing harm and public interest/public benefit with regard to impact to heritage assets respectively suggests that the balance is in favour of granting consent.
- 5.47 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, subject to consideration of restrictive footnote 9 policies. Officers have applied the restrictive policies that pertain to heritage assets and have undertaken the planning balance. There is limited environmental harm in landscape and heritage terms. However, significant weight is attached to the social and economic benefit of the provision of new housing (in general terms), and in particular the required 40% affordable housing in this case. The economic benefits associated with the construction of new dwellings, and potential economic activity associated with new residents are acknowledged.
- 5.48 On balance, it is considered that the harm arising from the proposal would not significantly and demonstrably outweigh the benefits. Accordingly, it is recommended that the application is approved subject to conditions and the completion of legal agreements.

6 CONDITIONS

- I (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 6131:ASP 5 A and the Design and Access Statement November 2017. The height of buildings shall not exceed two storey.

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

- 4 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF).

- 5 Visibility splays of 2.4m x 120m in a north-westerly direction from the proposed vehicular access, and 2.4m x 95m in a south-easterly direction from the proposed vehicular access, shall be shown on the submitted plan shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.9 metres above the level of the access they are provided for.

REASON: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF).

- 6 No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, lit, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF).

- 7 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas, and parking courts that serve that dwelling has been constructed, lay out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF).

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

- Discharge Rates
- Discharge Volumes

- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features - attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing
- No private drainage into the public highway drainage system.

REASON: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF).

- 9 Prior to the commencement of development, a vehicle tracking drawing, which will show that a refuse vehicle of not less than 11.6m in length can enter, turn in, and exit the development safely in forward gear, will be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall only commence in accordance with the approved details.
REASON: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF).
- 10 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.
- 11 Fire hydrants shall be installed in accordance with details, including the phasing of installation, which have first been submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the safety of occupiers of the proposed dwellings.
- 12 Prior to the first occupation of the development, a travel information pack will be submitted in writing to the Local Planning Authority. Thereafter, the development shall be occupied in accordance with the approved details.
REASON: In the interests of maximising the opportunities for travel by sustainable modes in accordance with the National Planning Policy Framework.
- 13 Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.
- 14 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.

- 15 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);
- 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 (hedgehogs, nesting birds) and scrub 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.

- 16 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.

- 17 Prior to occupation, a "lighting design strategy for biodiversity" [and in particular for foraging/commuting bats] 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 bats and bat roosts; 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.

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 foraging/commuting bats 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.

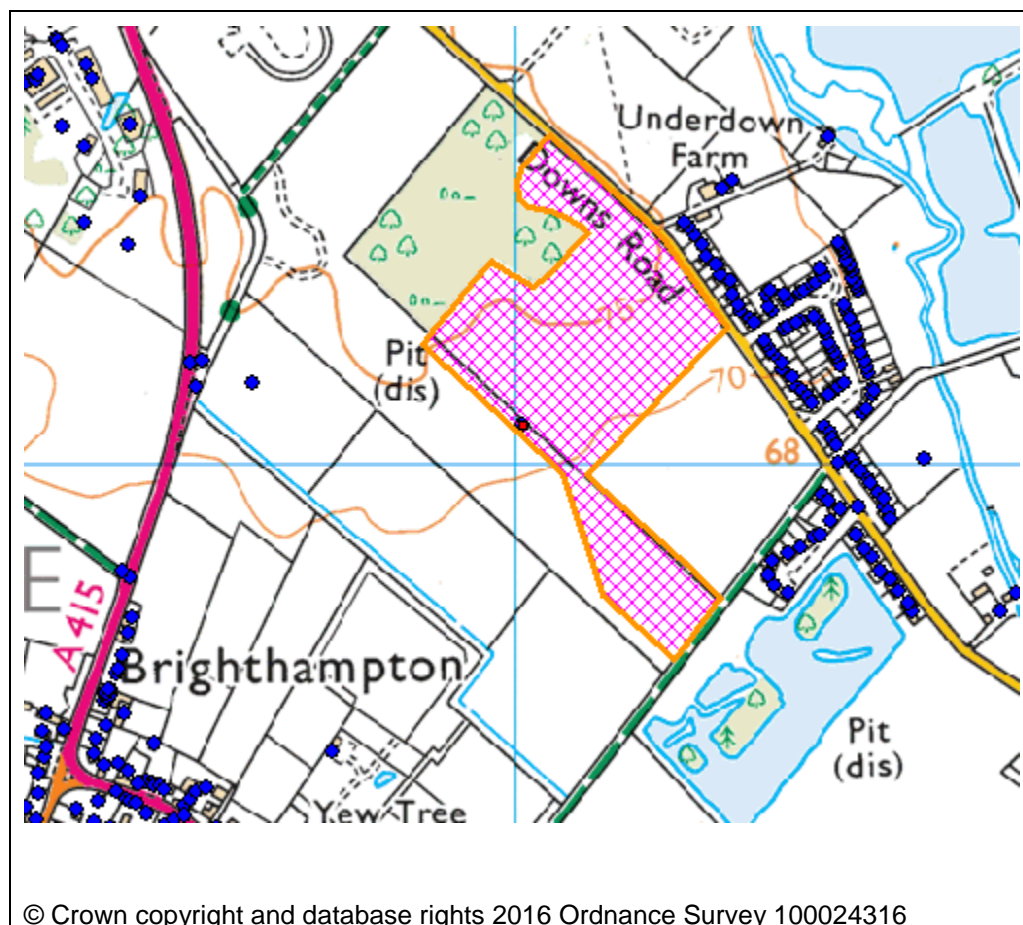
NOTES TO APPLICANT

- 1 Oxfordshire Residential Roads Design Guide
For issues relating to the internal layout of the development, particularly accesses and parking provision please see the Oxfordshire County Council Residential Roads Design Guide in the link below: <https://www.oxfordshire.gov.uk/cms/content/transport-development-control-tdc>.
- 2 Legal Agreements under the Highways Act 1980
For more information on this, please contact our Road Agreements team at: RoadAgreements@Oxfordshire.gov.uk
- 3 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover

- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

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| Application Number | 17/02568/OUT |
| Site Address | Land at The Downs Standlake Oxfordshire |
| Date | 3rd January 2018 |
| Officer | Phil Shaw |
| Officer Recommendations | Refuse |
| Parish | Standlake Parish Council |
| Grid Reference | 439009 E 204052 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Outline application for the erection of up to 100 dwellings with associated access, landscaping and open space.

Applicant Details:

Mr Nevin Holden
C/o Agent

I CONSULTATIONS

- I.1 Historic England We do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- I.2 Parish Council Standlake PC objects to the application as follows:
1. It is in contravention of the emerging local plan; for specific details, see below*.
 2. It is in contravention of saved local plan; specifically policies H4, H6, NE7, NE10 and NE11.
 3. The development would far exceed the capacity of existing sewage capacity as stated by Thames Water. In addition, it would overwhelm the drainage system which has frequently resulted in localised flooding. Neither of these vital considerations is satisfactorily addressed in the application.*
 4. In a village of some 560 dwellings this near 20% increase would represent an unacceptable impact and would create a precedent which could potentially change the character of the village permanently.
 5. If granted, this application would set a precedent leading inevitably to further such development on adjacent land; this land is in the ownership of the same landowner on whose land this current application rests.
 6. The access out of the development is on to a narrow minor road with poor sight lines. Furthermore, the pedestrian access, along the road to the village facilities (over 1 mile), consists of, initially, an unpaved grass verge followed by a single sub-standard footpath on the opposite side from the development.*
 7. Given the lack of work opportunities in Standlake, it is inevitable that yet more vehicular traffic will be generated on local roads by at least 100 per day; in no way can this be considered sustainable. It is inevitable that much of this traffic will go in the direction of Oxford/Abingdon and will cause even more congestion at the narrow, winding Church End. * The local bus services have been severely reduced with the direct link to Oxford being removed altogether. The remaining 'rush hour' timetable does not provide a flexible enough service for commuters and, consequently, the proposed development will increase the need for travel, not reduce it..*
 8. The development would remove public views over hedgerows and open countryside onto prime agricultural land; this is a vital part of the Standlake village identity.
 9. There is evidence of an area of archaeological importance on the site.
 10. *Many of the above objections are specifically covered by the emerging local plan 2011 - 2031. They are, inter alia:
 11. Policy CO10:" before any planning permission is given for development WODC must "Ensure that land is not released for new development until the supporting infrastructure and facilities are

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| | | secured". 12. Policy CO4: new residential development will be supportedwhere it will "reduce the need to travel". |
| I.3 | Major Planning Applications Team | <p>Transport No objection subject to S106 contributions and entering in to S38 and S278 agreement.</p> <p>Education No objection.</p> <p>Archaeology Further information required.</p> |
| I.4 | WODC - Arts | <p>Should this proposal be granted planning permission then the Council would favour the following approach: - A S106 contribution of a minimum of £12,390, towards community and public art activity to develop artist-led features to aid connectivity between the site and its immediate environs.</p> |
| I.5 | Wildlife Trust | No Comment Received. |
| I.6 | Conservation Officer | No Comment Received. |
| I.7 | Environment Agency | No Comment Received. |
| I.8 | Biodiversity Officer | Objection. Insufficient information provided |
| I.9 | ERS Air Quality | No Comment Received. |
| I.10 | ERS Env. Consultation Sites | <p>Mr ERS Pollution Consultation The following report has been submitted with the application.</p> <p>' Glanville. Phase I Geo-Environmental Assessment Land at The Downs, Standlake. 02 Aug 17.</p> <p>While the report goes someway to identifying the potential risks posed to future receptors by contaminated land, the conclusions of the report are not supported. Given the proximity of a number of areas of filled ground and landfill material there is considered to be potential for ground gas to be present beneath the subject site. As further consideration to potential pollutant linkages is required and it is likely that an intrusive site investigation will also be necessary to demonstrate the site is suitable for use, please consider adding conditions to any grant of permission.</p> |
| I.11 | ERS Env Health - Lowlands | Mr ERS Pollution Consultation The applicants have not presented a Noise assessment report for the site. This could be considered unusual for such a large proposal even at Outline stage. |

Notwithstanding the lack of a noise appraisal, I have No Objection in principle to this Outline application for this site.

A standard noise condition should be considered to ensure that all the new dwellings are designed and built to a scheme and layout that enables compliance with the internal noise levels required by the following British Standard:-

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| I.12 | WODC Housing Enabler | The current proposed affordable housing scheme mix fails to meet the District Council's affordable housing requirements, and without amendment cannot be supported at this stage. |
| I.13 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.14 | WODC - Sports | Response Should this proposal be granted planning permission then the Council would require a contribution towards sport, recreation and play facilities. Sport/Recreation Facilities |

Off-site contributions are sought for sport/recreation facilities for residents based on the cost of provision and future maintenance of football pitches (the cheapest form of outdoor sports facility) over a 15 year period at the Fields in Trust standard of 1.2ha per 1,000 population.

Based on a football pitch of 0.742ha, a provision cost of £85,000 (Sport England Facility Costs Second Quarter 2016) and a commuted maintenance cost of £212,925 per pitch (Sport England Life Cycle Costings Natural Turf Pitches April 2012), this would equate to £481,819 per 1,000 population or £1,156 per dwelling (at an average occupancy of 2.4 persons per dwelling).

Contributions

$£1,156 \times 100 = £115,600$ off-site contribution towards sport/recreation facilities within the catchment. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS.

Play Facilities

WODC endorses the Fields in Trust (FIT), formerly the National Playing Fields Association, standard of 0.8ha of children's play space for every 1,000 people. It also endorses the FIT guidance on distinct types of play areas to cater for the needs of different age groups (LAPs - Local Areas for Play, LEAPs - Local Equipped Areas for Play and NEAPS - Neighbourhood Equipped Areas for Play).

- 1.15 Thames Water No objection subject to a Grampian style condition.
- 1.16 WODC Env Services - No Comment Received.
Waste Officer
- 1.17 MOD (Brize Norton) No Comment Received.

2 REPRESENTATIONS

- 2.1 182 letters of objection and one letter of comment have been received.
- 2.2 They are summarised as follows:

Principle

- There is a need for affordable housing
- Development is not infill or replacement
- Land is not all in their ownership
- Brownfield sites should be considered before greenfield sites
- Site is isolated from the village
- There is a lack of facilities for this scale of development
- The land proposed for development is high-quality agricultural land
- The proposal reflects an increase in size of approx. 25% for the village and would in effect create a sub-village within the village
- WODC SHELAA report has already deemed the site to be unsuitable for development
- If outline consent is granted, then a precedent will have been set
- The proposed location is on the edge of the village, a significant distance from the core village facilities.
- The site is not allocated for development under either the existing local plan or the emerging one
- It would set a precedent for further development
- Negligible employment opportunities in Standlake
- This development does not comply with the policy for Group B as it is clearly not Infilling, rounding off existing built up area or the conversion of appropriate existing buildings.
- Village does not have or want the facilities to accommodate a development of this kind

Landscape and visual amenity

- View of the countryside will be ruined
- Development out of character
- Development is an eye sore
- Doesn't form a logical addition to the existing scale and pattern of development
- Development is totally out of scale with the size of the village
- Visual impact on the landscape will be significant for neighbours
- The proposed design layout is very unimaginative
- The loss of the open farmland aspect, and the resurfacing of one of our few bridleways, Martins Lane, will contribute to the destruction of the village character
- Resurfacing of Martins Lane will further urbanise the area
- Little consideration appears to have been given to building materials

- The proposed site is classed as Grade I farmland - the most productive available. There are many other sites across the county and country that would have a less significant impact on our ability to produce crops
- The design is not compatible with the linear ribbon development of the existing settlement

Residential amenity

- Will reduce levels of amenity
- Banger racing track is located close by and will increase noise for any new residents
- We do not want to be overlooked or to be subjected to noise disturbance caused by extra traffic
- Light pollution
- Traffic noise
- Increased pollution

Drainage/flooding/SUDS

- Site has inadequate sewage
- Site and wider area has history of flooding
- Lorries already have to come and pump waste - development will make situation worse
- Standlake cannot accommodate the additional sewage and water runoff
- Increase flooding in Standlake
- Water pressure in the village is low

Traffic/Parking/Highways

- Downs Road is narrow and is already used for parking
- Development will cause serious congestion and traffic
- Increase possible accidents
- Increase in traffic
- Increased pollution
- Cycle paths not viable given the narrow roads
- Will create a pedestrian safety hazard
- No traffic calming or street lighting - don't want it in the village
- Newbridge would also be affected - is already congested
- Oxfordshire County Council have recently taken away the free transport to our partnership secondary school
- How will children travel to school
- Construction traffic will damage the road
- The existing narrow footpaths are not safe
- A415 is already overused and dangerous
- There is no easy commuting route into Oxford
- Inadequate bus service serving Standlake
- Not a sustainable location
- A settlement of its size, means that the combination of bus services 15 and 19 in Standlake continues to offer a broadly hourly facility to Witney, as well as buses that meet key scholar flows in particular towards both Carterton Community College and the Abingdon and Witney College sites in both towns. Frequent direct connections are available at Witney to

and from Oxford, and regular travellers using our Megarider Gold passes pay no penalty making the connection

Infrastructure

- School would need expanding to accommodate additional children
- Who will fund the school
- School can't accommodate the extra children
- School is at maximum capacity
- Not sufficient broadband/internet infrastructure
- The infrastructure in the village has no capacity for such a huge development
- Doctor surgeries can't accommodate the extra people
- Standlake does not have nor wants street lighting
- Village has inadequate amenities

Biodiversity

- Loss of wildlife
- Damage to ecology which would be irreparable
- The village is akin to a wildlife sanctuary and there are many protected species on and around the site
- The loss of hedgerows, trees and fields will impact on wildlife habitats
- The loss of the wildlife habitat would be detrimental to the locality.
- The neighbouring fishery has very diverse wildlife and plants
- A number of species reside in the neighbouring fishing lakes
- Loss of trees, hedges, flora and fauna

Archaeology

The area is rich in archaeological remains so not only will such a large scale build destroy the character of the village it may also cause demonstrable harm to the Iron and Bronze age remains that surround the area.

Other

- Omissions in the planning application
- Not against all development in Standlake - A small development in proportion to the scale of the village would be welcome
- The development offers no benefits to existing villagers with no new school, shops or other amenities.
- This development creates no employment
- The Developer made no attempt to consult immediate neighbours
- The arable land will be extremely important for food production following brexit
- On frequent occasions, the electricity power supply is cut
- The surgery at Bampton is almost at full capacity
- Loss of views across the countryside
- Will affect insurance premiums due to flooding

- The immediately affected neighbouring properties will lose visual amenity enjoyed by generations of residents, and their right, under the Human Rights Act Protocol 1
- Play park is located in an inappropriate location
- All children are bused to secondary schools at a cost of £600 per child
- Development has the potential to destroy the village and community of Standlake
- Where are the occupants of this proposed development going to work

3 APPLICANT'S CASE

- 3.1 Several supporting documents have been received with the application and are available to view in full online. The Planning Statement is concluded as follows:
- 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 It has been demonstrated 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 adopted Development Plan that are still relevant and policies of 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 foregoing, and having regard to the planning policy considerations set out above, the weight of evidence lies with a decision to approve this 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
 BE13 Archaeological Assessments
 NE1 Safeguarding the Countryside
 NE3 Local Landscape Character
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 T1 Traffic Generation
 H2 General residential development standards
 H3 Range and type of residential accommodation
 H6 Medium-sized villages
 TLC7 Provision for Public Art
 TLC8 Public Rights of Way
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources
 OS4NEW High quality design
 OS5NEW Supporting infrastructure
 H1NEW Amount and distribution of housing
 H2NEW Delivery of new homes
 H3NEW Affordable Housing
 H4NEW Type and mix of new homes
 H5NEW Custom and self build housing
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 EH1NEW Landscape character
 EH3NEW Public realm and green infrastructure
 EH7NEW Historic Environment
 EW2NEW Eynsham-Woodstock sub-area
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks outline consent (with access considered at this stage) for up to 100 dwellings with 40% being affordable. The site is located north-west of the village of Standlake and between Downs Road, Martins Lane and adjoining agricultural land.
- 5.2 The site forms part of a wider relatively flat landscape with areas towards the middle of the proposed site comprising slightly higher ground. The application provides an illustrative plan which shows the general layout that the development may take.
- 5.3 The site is located in a prominent position along Downs Road, given the flat landscape character, the site will also be visible from locations along the A415. The site is mostly bounded by hedging with the north-west of the site being bounded by a wooded area.
- 5.4 This site has previously been promoted for development through the SHLAA/SHELAA process as part of Site 343. The latest assessment (2016 SHELAA) concluded that the site is not suitable for development on the basis that:
- 'The site comprises high quality agricultural land most of which is some distance from the main built-up area of the village and where development would not relate well to it. This would be accentuated by the only potential vehicular access being remote from the centre of the village. Pedestrian access from the northern part of the site would be distant from village facilities. A major development would be out of scale with the existing village and its facilities.'
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle
 - Siting, design and form
 - Landscape
 - Highways

Heritage
Ecology
Drainage
Residential amenity
S106 matters

Principle

- 5.6 The overall scale and distribution of development in West Oxfordshire, as set out in the Adopted Local Plan 2011 and the Emerging Local Plan 2031, is one of directing growth to those areas that are the most sustainable. An assessment of sustainability has considered a range of positive (e.g. frequent bus service) and negative (such as area of high flood risk) indicators in order to rank the settlements in the District. (The West Oxfordshire Settlement Sustainability Report 2016 is the most up to date assessment). This ranking has helped to inform the settlement hierarchy which in turn has associated local plan policies. The general policy approach directs a significant proportion of development to the main service centres of Witney, Carterton and Chipping Norton; Eynsham and Woodstock are also identified for growth, with Bampton, Burford, Charlbury and Long Hanborough having a more modest scale of development; villages are considered to be suitable for limited development; and finally, small villages, hamlets and the countryside are areas where building is restricted.
- 5.7 Standlake is identified as a Group B, 'medium-sized village', in the Adopted West Oxfordshire Local Plan 2011. In terms of new housing proposals, Policy H6 allows for new dwellings provided they are in the form of infilling, rounding off on previously-developed land within the existing built-up area and the conversion of appropriate existing buildings. The local plan was, however, adopted prior to the NPPF and prior to the Government's objective to boost the country's supply of housing. Policy H6 is not, therefore, being applied with full weight, with each case considered on its merits, weighing up the potential benefits of the development versus the harms.
- 5.8 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.
- 5.9 In accordance with a common assumed start date of 2021, the Council proposed 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.
- 5.10 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.

- 5.11 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 made 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.
- 5.12 Following consultation on the modifications to the Plan, it was 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.
- 5.13 With reference to a range of policy considerations, and the balancing of harm and benefit required under paragraph 14 of the NPPF, the detailed merits of the proposal are assessed below.

Siting, Design and Form

- 5.14 An indicative plan has been provided with the application showing how the dwellings could be accommodated on the site.
- 5.15 The indicative layout plan shows that the site would be accessed from Downs Road. The proposal would look to create low density edges with linear streets comprising predominantly detached houses. Two large parcels of land are proposed to be retained as open space on the south-east and north-west area of the site. The plans show that the scheme would comprise mostly 2.5 storey dwellings to the front of the site with a mixture of both 2 and 2.5 storey dwellings in the site.

Landscape

- 5.16 Standlake benefits from a linear character with only a few pockets of development extending in to the countryside beyond. The site lies within the Lower Windrush Valley and Eastern Thames Fringes character area, as identified in the West Oxfordshire Landscape Assessment. The landscape type is identified as semi-enclosed flat vale farmland and the site itself comprises high quality agricultural land. The loss of which should be taken in to account be reason of paragraph 112 of the NPPF. The development sensitivities identify the landscape as 'visually sensitive and development would be highly prominent and exposed unless integrated within strong new landscape frameworks'. The application site is highly visible from a number of public vantage points given its flat nature therefore the development of the site is likely to have a significant visual impact on the site and the wider area.
- 5.17 The development site comprises a number of parcels of land but allows the site to continue to be bounded by agricultural land. Given its landscape character, officers are of the opinion that

due to the topography of the site, the remaining agricultural land fails to mitigate the overall visibility of the development. The site will allow views of the development from public viewpoints such as the public footpath in Martins Lane, Downs Road and varying places on the A415. In addition given the flat appearance and agricultural character of the site the development of the site is likely to put further pressure on surrounding land to be developed as there are no natural barrier features.

- 5.18 Officers are therefore of the opinion that the scheme would have a significant adverse harm on the landscape due to its position, scale, layout and its poor relationship with the pattern of development of the village.

Highways

- 5.19 Oxfordshire County Council Highways have been consulted on the application and raise no objection to the development and instead request funds to improve the level of public transport in the area as well as the associated infrastructure.
- 5.20 The site is located outside of the main village centre and the nearest amenities can only be accessed along a narrow footpath which benefits from no street lighting. Currently there is a bus service which operates hourly, Monday - Friday between Witney, Carterton and Abingdon. Outside of these times occupiers of the development would be heavily reliant on public transport. For those that are unable to drive and unable to walk the distance in to Standlake, the bus would be the only form of access to services.
- 5.21 Officers therefore raise serious concerns about the development which is located some distance from the village centre which benefits from relatively limited services and facilities, and as such it does not represent sustainable development in the context of the NPPF.

Heritage

- 5.22 The site is not located within or adjacent to a conservation area, whilst there are no listed buildings in the direct vicinity there are a number of listed buildings in the wider area. The setting of all nearby listed buildings need to be considered under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.23 Church Mill, Church Mill Cottage, Underdown Mill House and St Giles Church are the closest listed buildings. Underdown Mill House is located more than 200m away with Church Mill and Church Mill Cottage being located further still. These listed buildings are located on the other side of the road and set back from the built up form, views in and out from the buildings towards the application site are obscured and affected by the residential development in Downs Road. St Giles Church is Located on the edge of Rack End and is also screened by residential development located in The Glebe. Views in and towards the site are therefore restricted. There are number of listed building located in Brighthampton and Abingdon Road which also benefits from being separated by the built up form and associated domestic screening which minimises the impact to views available to and from the application site.
- 5.24 Officers have considered the impact of the development on the setting of these buildings and are of the opinion that there is no material harm to the setting. There would therefore be no material conflict with the Act and the provisions of the NPPF.

- 5.25 The County Archaeologist has been consulted on the application and has raised an objection to the development.
- 5.26 The application site is within an area of considerable archaeological potential with extensive cropmarks directly to the west. Elsewhere in the vicinity extensive archaeological features have been identified that form part of an important extensive and well preserved historic landscape. Given the archaeological potential of this site a predetermination evaluation is required on the site.
- 5.27 Additional information was requested from the applicants and this has not been provided. It is not considered that this could be dealt with via conditions given the nature of the information, therefore the Council are including an archaeological objection.

Minerals

- 5.28 As detailed in the County Council's response, the application site lies within a mineral resource area. The development of the site could adversely impact the future working of the minerals on site as the development could sterilise the mineral deposits within the site, as well as adjacent land due to the required buffer zones. It is considered that the developments impact on the mineral resource has not been sufficiently considered and therefore the County Council raises an objection.

Ecology

- 5.29 A Phase I Habitat survey has been provided as part of the application, it is considered that a survey of this type is insufficient for an application of this scale. It is considered that an Ecological Impact Assessment should also be submitted in order to assess the impact of the development on all ecological receptors. The ecological officer therefore raises an objection.

Drainage

- 5.30 The site is within Flood Zone 1 and therefore at low risk of flooding. 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.
- 5.31 Thames Water have been consulted on the application and has identified an inability of the existing waste water infrastructure to accommodate the needs of this application and therefore has required that should the application be approved a 'Grampian style' condition should be Imposed.
- 5.32 In addition with regard to surface water drainage and the existing water supply, the site is considered to have insufficient capacity to serve the site and therefore a condition is recommended to require agreement of a drainage strategy prior to commencement of the development.

Residential Amenities

- 5.33 The indicative layout shows that a development of 100 dwellings can be accommodated on the site without causing material impacts on privacy, light or general amenity to nearby property. The detailed arrangement of buildings would be addressed at the reserved matters.

5.34 The site is located next to a site which is used for banger car racing. Environmental Health has been consulted on the application and are of the opinion that any noise issues can be dealt with via planning conditions.

SI06 matters

5.35 The application proposes 40% affordable homes which is compliant with planning policy.

5.36 A contribution of £142,500 towards public transport and associated infrastructure has been requested.

5.37 A contribution of a minimum of £12,390, towards community and public art activity to develop artist-led features to aid connectivity between the site and its immediate environs has been requested.

5.38 A contribution of $£1,156 \times 100 = £115,600$ towards sport/recreation facilities within the catchment is requested.

5.39 A contribution of $£818 \times 100 = £81,800$ for the enhancement and maintenance of play/recreation areas within the catchment is requested.

5.40 A contribution towards the Lower Windrush Valley Project has been requested by the County Council Environmental Strategy Officer although an exact figure has not been provided.

5.41 The applicant has not entered into legal agreements to ensure that the development is adequately mitigated; therefore a further refusal reason relating to SI06 contributions has been added.

Conclusion

5.42 Taking in account the assessment above, 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 also acknowledged.

5.43 It is considered that notwithstanding the current lack of an adopted and up to date local plan and with paragraph 14 of the NPPF engaged that due to a lack of information, and with the harm to the landscape, visual amenity and character of the area, the scale and location of this proposal next to a village with relatively limited services and facilities would fail to constitute sustainable development and the harm would significantly and demonstrably outweigh the benefit. Accordingly, the proposal is recommended for refusal.

6 REASONS FOR REFUSAL

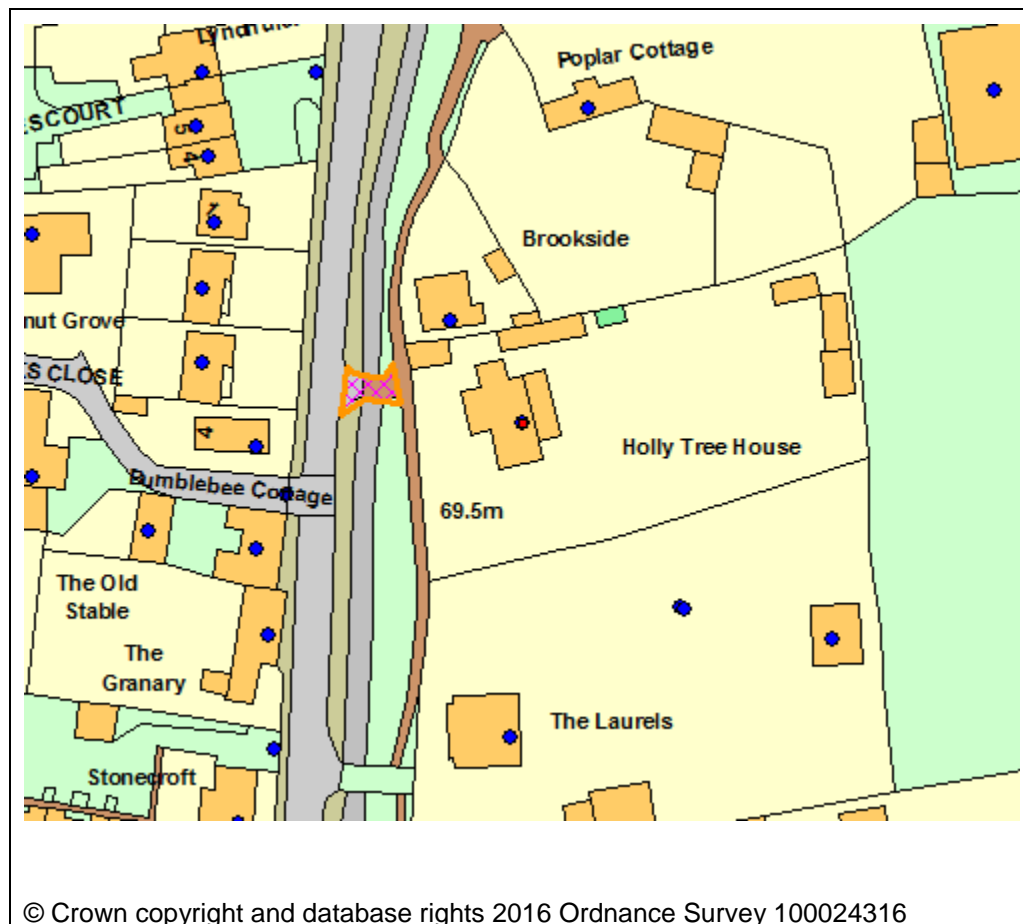
1 The proposed development would be sited away from the village centre of Standlake and would be remote in terms of locational proximity to existing services and facilities. Furthermore given that the main route into the village lacks street lighting any future occupants of the development would likely to be dependent on private vehicular means of transport. The proposed development would therefore not represent sustainable development and would be contrary to the provisions of the West Oxfordshire Local Plan 2011 Policies BE2, H2 and BE3, Emerging

West Oxfordshire Local Plan 2031 Policies OS1, OS2, H2, T1, T3 and EW2, and the relevant provisions of the NPPF.

- 2 The site is located in the countryside beyond the existing settlement edge of the village of Standlake. The development would encroach unacceptably into an extensive area of farmland that characterises the landscape in this location. It would fail to relate satisfactorily to the village or the existing rural environment which provides a setting for the village, and it would not easily assimilate into its surroundings, resulting in the loss of an important area of open space that makes a positive contribution to the character of the area. It would be highly prominent and visible in public views from the Downs, the public footpath down Martins Lane, and would also be visible at various points along the A415. There would be a substantial impact on the character and appearance of this location, and the countryside would be urbanised and its tranquillity disturbed to a harmful degree. The proposal is therefore contrary to the West Oxfordshire Local Plan 2011 Policies BE2, BE4, NE1, NE3, and H2, Emerging West Oxfordshire Local Plan 2031 policies OS1, OS2, OS4, H1, H2 and EH1, the relevant provisions of the NPPF, West Oxfordshire Landscape Assessment and West Oxfordshire Design Guide.
- 3 The applicant has provided insufficient information to demonstrate that the proposal would be acceptable in terms of the conservation and enhancement of biodiversity. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 Policies NE13 and NE15, Emerging West Oxfordshire Local Plan 2031 Policy EH2, and the relevant provisions of the NPPF.
- 4 The application fails to provide sufficient information with regard to the archaeological significance of the site, contrary to West Oxfordshire Local Plan 2011 Policy BE13, Emerging West Oxfordshire Local Plan 2031 Policy EH7, and the relevant provisions of the NPPF.
- 5 The application fails to include an explanation of, or justification for, the choice of proposed location for the proposed dwellings in relation to the sterilisation of mineral deposits on the site contrary to policy M8 of the Oxfordshire Minerals and Waste Local Plan (OMWCS) and section 13 of the NPPF.
- 6 The applicant has not entered into legal agreements to ensure that the development adequately mitigates its impact on community infrastructure; secures the provision of affordable housing; secures the provision and appropriate management of landscaping and open space; makes an appropriate contribution to public transport; and provides for sport/recreation facilities and arts. The local planning authority cannot therefore be satisfied that the impacts of the development can be made acceptable. Consequently the proposal conflicts with West Oxfordshire Local Plan 2011 Policies BE1, TLC7 and H11, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS5, and H3, and the relevant paragraphs of the NPPF.

| | |
|-------------------------|---|
| Application Number | 17/02930/S73 |
| Site Address | Hollytree House Main Street Clanfield Bampton Oxfordshire OX18 2SP |
| Date | 3rd January 2018 |
| Officer | Miranda Clark |
| Officer Recommendations | Approve |
| Parish | Clanfield Parish Council |
| Grid Reference | 428505 E 201791 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Non compliance with condition 8 of Planning Permission 14/0859/P/FP to retain the existing access.

Applicant Details:

Mr & Mrs Shaun and Caroline King
Hollytree House, Main Street
CLANFIELD
OX18 2SP

I CONSULTATIONS

- I.1 Parish Council
- The Parish Council strongly objects to non-compliance with condition 8 of the original planning permission granted I4/0859/P/FP). Following the flood in Clanfield in 2007 a Flood report was issued for Clanfield by WODC (May 2008) highlighting the causes and suggesting measures to be put in place to alleviate any future flooding. The Parish Council has taken this matter very seriously and has spent considerable funds to ensure that the Clanfield Brook flows freely and with minimum hindrance. I have included below two of the many points in the report that are relevant to this situation. The access bridge to Holly Tree House is a very old bridge with limited capacity and is one of the crossings mentioned below.
- 5.4.1 Clanfield Brook
- The Clanfield Brook flows parallel to Main Street on the eastern side. There are numerous bridge crossings, some of which restrict flow, push flood waters onto the highway and flood surrounding property.
- Mid-Term (under 1 -2 years)
- Increase the capacity of existing bridge crossings at driveway access points along Main Street. Where they are restrictive, flood relief culverts should be used (Option C).
- You may not be aware that, when Mr. Pearson submitted his original planning application, he wished to build a new bridge to provide access for both Holly Tree House and the new dwelling he wished to build in the grounds of Holly Tree House. To enable him to do this, the Parish Council granted an easement to build the new access bridge to serve these two properties. The easement requires that the existing bridge access to Holly Tree House be demolished. This requirement reflects the planning consent granted at the time by WODC regarding the street scene and, ensures that no addition bridge crossings are constructed across the Clanfield Brook. Finally, the applicants for this 'non-compliance' were fully aware of the proposals to demolish the access bridge to Holly Tree House at the time they purchased it.
- I.2 OCC Highways No Comment Received.

2 REPRESENTATIONS

- 2.1 2 letters have been received and summarised as:

2.2 Mr Calvert, Poplar Cottage Clanfield

- The construction of the adjacent bridge was authorised on the proviso that the Hollytree bridge be removed. An additional bridge is yet another pinch point along a brook that is already prone to flooding.
- The number of bridges should be reduced where possible, not increased.

2.3 Peter and Raena Farley

- We would like to register our objection to the removal of the bridge. For us it is a very important access point to our Cottage and it's destruction would be a major inconvenience. It is used by visitors to our Cottage. Deliveries of Post and parcels, our heating oil is delivered over the bridge and it would be virtually impossible to deliver our oil without the bridge. It is used by removal men for delivery of large furniture items. The bridge is used by many villagers seeking access to either the causeway or the main road, it's loss would be very inconvenient.
- We understand it is a question of the number of bridges that is the problem. As you will see from the attached photograph taken around the turn of the last century that it is an integral part of the village, one might say the bridges are iconic features and have been photographed many times over the years and attracts photographers to this day.
- As for flooding, the bridge at Hollytree House does not impede the flow. We were flooded in 2007 but not from Clanfield Brook but from groundwater. Our Cottage overlooks the bridge and so it is easy for us to monitor the water levels.
- We would ask you to reconsider the requirement to have the bridge removed. It would be a great loss to the village in so many ways.

3 **APPLICANT'S CASE**

A Planning Statement has been submitted as part of the application. The conclusion has been summarised as:

- The retention of this access would not lead to substantial harm to the highway safety of road users and we ask for the retention of the access
- The character of the area is safeguarded, the number of accesses in total in the vicinity is very low in relative terms and visibility in a road with a 30mph limit is twice than that required by the Highways Authority.

4 **PLANNING POLICIES**

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

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 non compliance with a condition which was placed on a permission in 2014 for a new dwelling which included the proposal to remove the existing access bridge. The reason for imposing the condition was in the interests of the visual amenity of the area.
- 5.2 Now that the new dwelling has been erected, the applicants wish for the bridge to remain as access to the original dwelling, Holly Tree House as vehicular access would be difficult.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.4 Your officers consider that the principle of retaining the bridge is acceptable subject to no adverse comments being received.

Siting, Design and Form

- 5.5 The delegated officers report in 2014 where the existing bridge was to be removed stated that the removal of the bridge was considered necessary if a further bridge was to be allowed within the streetscene. This was to avoid a proliferation of such features which would have an urbanising impact on the character of the streetscene.
- 5.6 In assessing this application, given that Clanfield is not within a Conservation Area, your officers are of the opinion that the retention of the access bridge would not adversely affect the visual amenity of the streetscene. If refused, your officers are concerned that a refusal reason based on visual amenity issues alone, would not be able to be defended at an appeal stage.

Highways

- 5.7 OCC Highways have not responded to be planning application, but given that clear visibility can be obtained, as well as a 30mph speed limit within this part of the village, your officers consider that the retention of the existing bridge would not result in highway safety issues.

Residential Amenities

- 5.8 Given that the Parish Council have raised objections regarding flooding issues, your officers have sought advice from the drainage engineers. However at the time of writing the report, no written comments have been received from them. Whilst flooding was not part of the reason for the bridge to be removed, your officers consider that given the Parish Council and a local resident have objected in terms of flooding, this is an issue which needs to be addressed as it is a valid planning issue. It is anticipated that written comments from the Drainage Engineers will be received before the meeting and Members will be verbally updated.

Conclusion

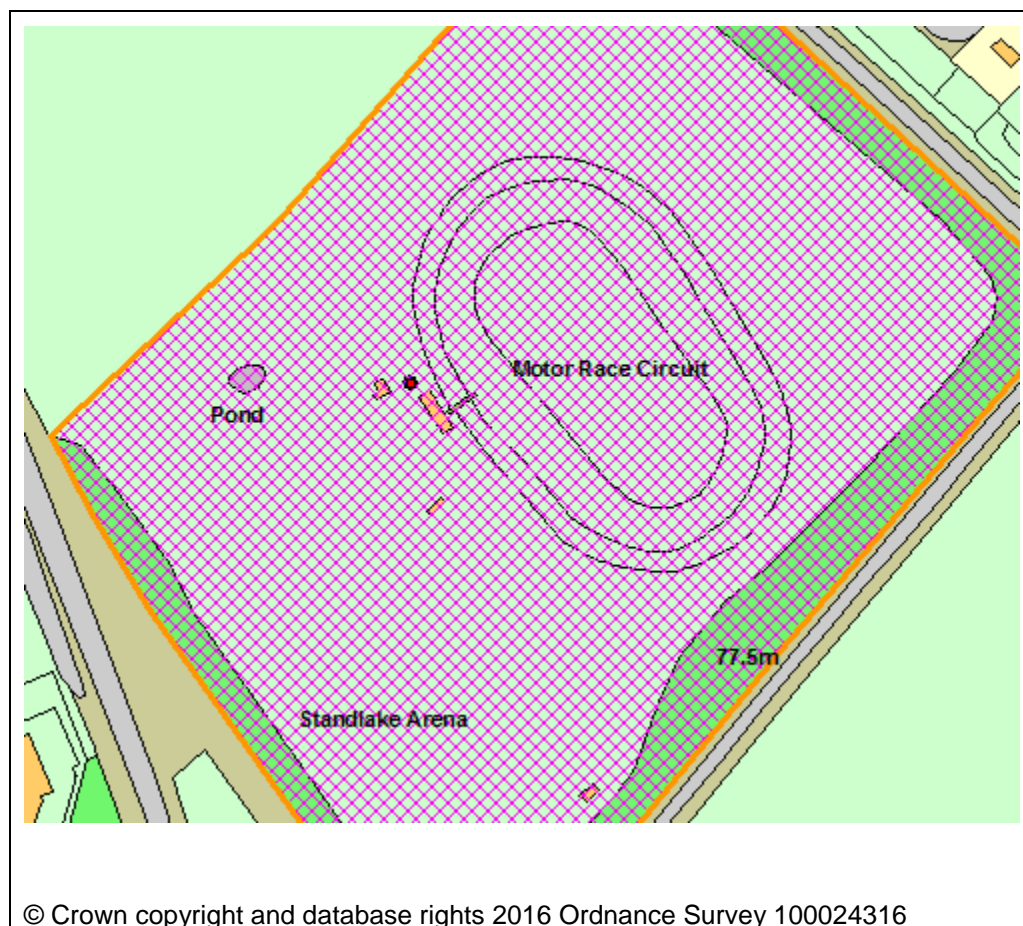
- 5.9 Although officers have no objections to the proposal in terms of visual amenity or highway issues, there is an outstanding issue of whether the retention of the existing bridge access will impede the flow of water. As officers are waiting for a written response from the Drainage Engineers, a list of conditions has not yet been included in the report. However a full verbal update will be given by your officers at the meeting.

6 CONDITIONS

To be verbally reported at the meeting.

| | |
|-------------------------|--|
| Application Number | 17/03382/S73 |
| Site Address | Standlake Arena Witney Road Standlake Witney Oxfordshire OX29 7RE |
| Date | 3rd January 2018 |
| Officer | Miranda Clark |
| Officer Recommendations | Approve |
| Parish | Standlake Parish Council |
| Grid Reference | 438627 E 204587 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Non compliance with conditions 5 and 6 of planning permission 07/1853/P/S73 to allow continued use for motor racing and to allow family members of Mr Keith Hook to carry out the use.

Applicant Details:

Mr Keith Hook
Cote Bungalow Farm
Cote
Bampton
Oxfordshire
OX18 2EG

I CONSULTATIONS

- I.1 Parish Council
- There is no objection to the family of Mr. Keith Hook carrying on with the use of the track.
However, Standlake PC objects to any application for a continuous use lease and wishes to see the interval reduced to an annual review. This is in the light of proposed development in the village which, if approved, would bring a large number of dwellings closer to the track and therefore being affected by it.
Furthermore, it is essential that the present conditions of use, such as the frequency of and notification of meetings in advance on an annual basis (which have not been passed to this council for many years) must be adhered to.
There have been complaints regarding:
Noise. The PC have asked the its District Councillors to take up the matter of noise monitoring with both Planning Enforcement and Environmental Health to ensure standards are being adhered to.
Traffic: The traffic through Standlake (and adjacent villages) on track days is the source of many complaints of excessive speed and aggressive driving by drivers of vehicles towing race cars. At the least, the organisers must make efforts to advertise this fact and attempt to educate those attending the meetings by the means of PA broadcasts and notices on the day and on their website.
- I.2 OCC Highways
- The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- No objection
- I.3 ERS Env Health - Lowlands
- Mr ERS Pollution Consultation Thank you for the opportunity to consult on this planning application.
- I know of the site and I am not aware that there have been any noise complaints and as such have no objection to the continued use of the motor racing and have no other adverse comment on the application.

2 REPRESENTATIONS

- 2.1 2 letters of support have been received from Mr Johns of 57 Falkland Road Evesham and Mr Saunders of Pitstop Ltd Viscount Court Brize Norton.

2.2 The comments have been summarised as:

- As a lifelong supporter of Standlake Arena , I feel I should comment and just say what a well run operation this is , being run by the Hook family and their team ,all disciplines are in place, with racers and spectators to ensure it has little or low impact on neighbouring houses, businesses, and other local recreational facilities.
- The racetrack outshines many others within the UK, in the way it is run, and would strongly recommend to West Oxfordshire Planning department, to give the Arena permanent planning rather than having to review every 5 or 10 years.
- Mr Hook and his family have turned the facility into one of the best short Oval Arena's in the country. The success of the venue can be measured not only by the consistent number of entrants who arrive and race at every meeting, nor by adding the constantly full spectator areas, where families sit and watch racing for an entire day, at a fraction of the cost of a cinema ticket. But also by the lack of friction over the operation of the venue with its neighbours.
- This lack of friction is not some stroke of luck, it is achieved, I believe, by the carefully planned and organisation of the meetings, Noisy cars are "loaded up." (sent home.) Meetings start later than they could, so as not to upset their closest neighbours, every driver and spectator is told to respect the villagers both on the way in and on the way out of the venue. The construction of the huge earth banks to help eliminate the noise, can make being sat in the car waiting to get into the venue, eerily quiet, so quiet that sometimes you wonder whether there is in fact any racing going on today. The promoter understands the need to respect the village, and this rubs off on every driver and spectator who visit.
- In this day and age, to commit to the costs and workload to any venture is daunting, to live from hand to mouth with the threat of someone taking your livelihood away at any moment on a whim, would; for most of us be, too stressful. Yet this is where the Hook family find themselves, having traded successfully and without any serious conflict for the last thirty years, they still have to come cap in hand every few years or so, to beg to be allowed to continue trading. This at a venue, where they have possibly resided longer than some of those making decisions about their future.
- Isn't it about time WODC did the right thing and issued proper consent?

3 APPLICANT'S CASE

3.1 A letter has been submitted as part of the application, as well as a copy of a letter which was submitted at the time of the 2007 application. The contents have been summarised as:

- As a family we have now been running Standlake Arena for 35 years with temporary planning. Whenever temporary planning has been granted the conditions have always been met and continued to be adhered to.
- Should full planning be granted I can assure the site will not be used for any more events as for the last ten years we have only ever utilised 23 of our permitted 24 race days.
- From 1972-1982 the track ran 14 meetings a year without the need of planning consent
- In 1982 my father took over running the track with the intention of making a living from the racing. He finished farming on his small farm in Cote to devote the rest of his life to the racing. Since 1997 I have taken over the running of the track from my father who passed away. The track continues to be successful and is acknowledged as one of the top short circuit tracks in the country. This year we have over 320 registered racers including 54 juniors aged 10-16 years.

- Concerns in the past - we are allowed 24 events a year but for the last two years only 23 race meetings have been run.
- Much has been done to alleviate noise with raised banking ground. I have monitored the noise at the nearest houses and depending on wind direction you can sometimes hear the race in the background. It fails to register a reading on a decibel meter and is drowned out by any passing car on the road.
- No increase in traffic.
- How many complaints have there been since our last planning application? Certainly no complaints have been brought to my attention in the last 10 years.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

BE19 Noise

EH6NEW Environmental protection

H6NEW Existing housing

T2NEW Highway improvement schemes

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application is to be heard before Members as the Parish Council have raised objections to the proposal. The application site is located on the edge of the village. The use of the racing track was first approved in 1983 and has been subject to a condition which restricted the use for ten years. This has resulted in the applicant having to apply for further consents for the use. The last application was approved in 2007. The permission was also subject to a personal use for Mr Hook only.
- 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 Your officers consider that the proposal to lift the temporary consent is acceptable. The reason for the temporary use condition was that the proposal was an exception to policies for the area and that it was inappropriate to perpetuate indefinitely a use of that nature until its effect on the amenities of the locality could be adequately assessed. Given the length of time that the use has been operating, and that your Environmental Health officers have not received complaints regarding the use, officers consider that the use is appropriate for a permanent permission.
- 5.4 In addition, Government Guidance is clear when conditioning temporary consents. It states;
- 5.5 Under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only. A condition limiting use to a temporary period only where the proposed development complies with the development plan,

or where material considerations indicate otherwise that planning permission should be granted, will rarely pass the test of necessity.

- 5.6 Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.
- 5.7 It will rarely be justifiable to grant a second temporary permission - further permissions should normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning of planning permission should be granted permanently.
- 5.8 Although your officers note the objections from the Parish Council, given that your technical officers have no objection to the application, officers consider that there is no justification for refusal of this application or a further temporary consent. Permanent planning permission should now be granted.
- 5.9 The application also proposes to include family members as well as Mr Hook to carry out the use. Your officers have no objection to this element of the application.

Siting, Design and Form

- 5.10 These issues are not affected by this application.

Highways

- 5.11 OCC Highways have not objected to the proposal. With regard to the Parish Council's comments officers attended a meeting in November, where the tannoy announcements included information about exiting the site and continuing along the local roads. However your officers have advised the applicant of this comment.

Residential Amenities

- 5.12 As previously stated your technical officers have no objection to the application. The Parish Council have stated that the proposed development in the village would bring the proposed dwellings closer to the track and therefore be affected by it. However your officers consider that as the use of the track has had permission since 1983, any new proposed housing development that might be granted should be assessed against existing uses.
- 5.13 Furthermore, in terms of the Parish Council not being informed of the frequency of meeting, notification has been sent to the District Council.

Conclusion

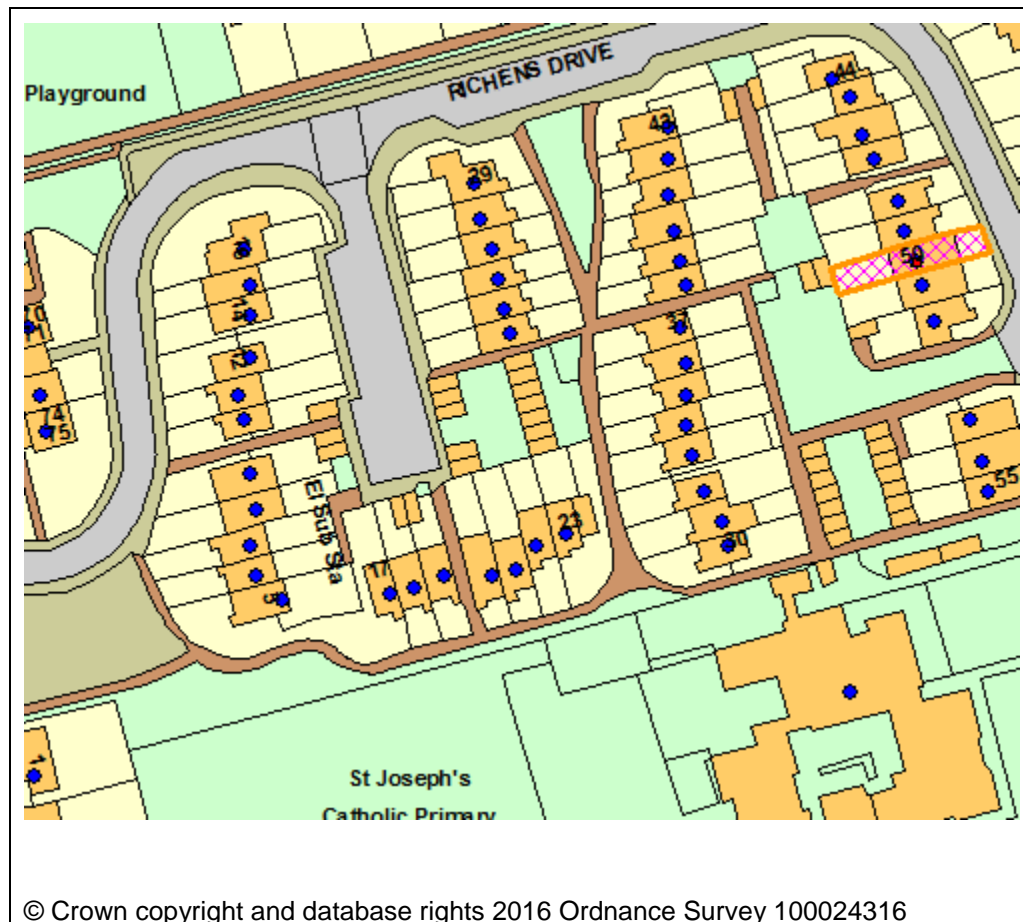
- 5.14 Although your officers understand the concerns of the Parish Council, given that no noise complaints have been received, and that OCC Highways have no objection to the application, officers consider that the established use is acceptable in its location. This is in addition to the Government Guidance regarding the appropriate use of temporary conditions.

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 All vehicles participating in the race meetings or practice sessions shall be fitted with full exhaust silencer systems as specified in the details accompanying the application under reference 1664/87.
REASON: To minimise any noise disturbance to surrounding users.
- 3 Race meetings and practice sessions shall only take place between the hours of 11.00am and 6.30pm on not more than 24 days per year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the surrounding area.
- 4 Prior to the commencement of each race season, a schedule of race meetings and practice sessions shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the District Planning Authority retains control over the timing of the meetings in the interests of the amenities of the surrounding area.

| | |
|-------------------------|--|
| Application Number | 17/03250/HHD |
| Site Address | 50 Richens Drive Carterton Oxfordshire OX18 3XU |
| Date | 3rd January 2018 |
| Officer | Kelly Murray |
| Officer Recommendations | Refuse |
| Parish | Carterton Town Council |
| Grid Reference | 427515 E 206827 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Erection of a front porch. (Retrospective).

Applicant Details:

Mr Phil Caswell, 50 Richens Drive,
Carterton, Oxon, OX18 3XU

I CONSULTATIONS

- 1.1 Town Council The Town Council support the application.
- 1.2 OCC Highways At the time of writing, no response received.

2 REPRESENTATIONS

- 2.1 The neighbour at 49 Richens Drive has commented that the porch extends 17 feet (5.12 metres) from his living room window and as such affects the light to his property. It also alters the appearance of the front area of the property so that it is dissimilar to adjoining properties.

3 APPLICANT'S CASE

- 3.1 The applicant has written in support of the application as follows:

Principle

- 3.2 The applicant has a disability and is unable to work. His significant reduction in mobility results in his having problems going up and down stairs and he requires a downstairs toilet. The enlarged porch provides the space needed to access and exit the property with ease. The design has also considered the future need for grab rails and possibly a ramp.

Visual amenity

- 3.3 The housing within Richens Drive comprises of 'blocks' of terraces that are staggered because some properties were constructed with integral garages and others only have front gardens, due to having garages separate from the respective properties. Although the porch does extend forward of nos. 51 and 52, nos. 48 and 49 are set back from the front of 50 Richens Drive as they do not have an integral garage as part of the property design but a front garden.
- 3.4 The porch has been built with bricks that closely resemble those used in the original build and the design is such that the privacy of neighbouring properties has been a major factor in the decision to have a sky light and not windows. The entire flat roof has been recovered, and not just the porch area, using material that is designed to last 30 years and to have no adverse impact on the environment as it weathers. Unlike the felt roof with gravel that it replaced.
- 3.5 The porch was inspected by building control (WODC) and the Federation of Master Builders (FMB) who both were very complimentary of the design and the way that it blended in with the current build and its surrounds.

Impact on neighbour amenity

- 3.6 The design of the porch took into consideration the neighbouring properties and neighbours were informed of the work being undertaken before it commenced, there were no concerns raised. Regarding the outlook from the living space of no. 49 (as the porch has no effect on the view from the kitchen of no. 51), the view from their living area is affected by the large tree in their front garden that must block out significant light from their primary living space. The addition of the porch has minimal impact as their property is set back from no. 50 by 3.3mtrs. If

the porch were to be reduced by 40cm in line with the regulations, there would be no or very negligible difference.

Impact on off-street parking

- 3.7 No. 50 was built with a garage and drive way (with space for one vehicle) and a small front garden. Previous owners have turned the garage into part of the house (living room with bay window) and some years ago block paving was laid across the entire front of the property maintaining the original allocated parking space. The porch has had no effect on this as there has never been off street parking allocated for two vehicles directly to the front of the property. The off-street parking that was allocated when the house was built has been maintained and as such the porch has had no impact on the highway.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

T1NEW Sustainable transport

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application seeks retrospective consent for the erection of a porch extension. Whilst the construction of a porch with a ground area of up to 3 square metres falls within the category of permitted development rights, the size of this particular porch (3.89 square metres) takes it outside the General Permitted Development Order and therefore planning permission is required.
- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

Siting, Design and Form

Residential amenity; and

Parking

Principle

- 5.3 The principle of a porch extension in this case is considered to be appropriate and acceptable subject to the considerations below.

Siting, Design and Form

- 5.4 The porch projects further forward than other front extensions along the length of the terrace and other terraced development fronting on to Richens Drive. By reason of its length, it appears as an overly intrusive and overbearing feature which is considered alien and out of character within the streetscene.

Residential amenity

- 5.5 In your officers' opinion, the length and massing of the porch together with the existing gable which extends 5.12 metres along the common boundary to the front of the neighbouring property at 49 Richens Drive, adversely affects the outlook of the neighbouring property's primary living space window and reduces the light to the detriment of the neighbours residential amenity.

Highways

- 5.6 Whilst Oxfordshire County Council Highways have not yet commented on the retrospective application, your officers are concerned that the porch extension has reduced the amount of off-street parking serving 50 Richens Drive from a potential two cars to only one car, which has the effect of displacing vehicles on to the highway to the inconvenience of users of the highway.

Conclusion

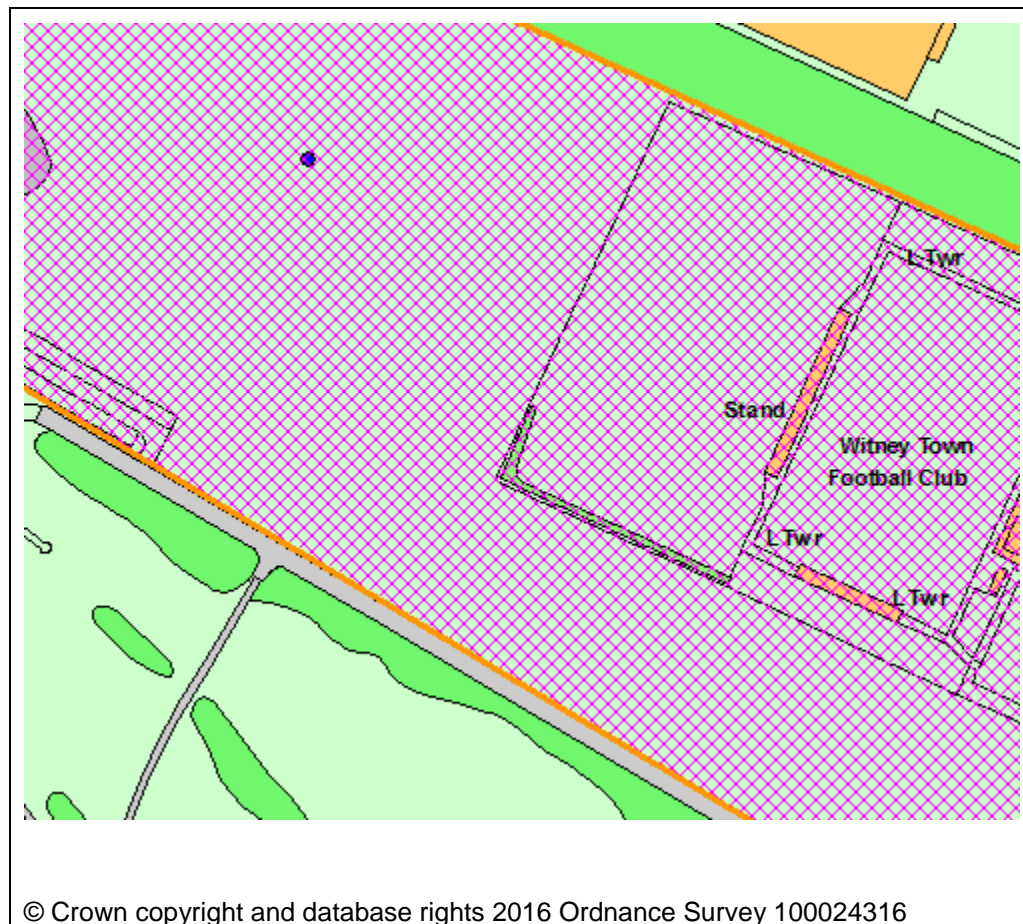
- 5.7 The visual impact of the porch on the character and appearance of the street scene, the adverse impact on the neighbours' amenity arising from the disproportionate length of the extension and the displacement of cars onto the highway are in officers' view, when considered in combination, on balance harmful. In your officers' opinion the case put forward by the applicant does not override the harm identified in this report. The application is therefore considered to be contrary to Policies BE2, BE3 and H2 of the West Oxfordshire Local Plan 2011, Policies OS2, OS4, T1 and T4 of the emerging West Oxfordshire Local Plan 2031 and relevant paragraphs of the NPPF.

6 REASON FOR REFUSAL

- I The porch by reason of its disproportionate length appears as an incongruous and alien feature within the street scene failing to respect or enhance its surroundings. Further, by reason of the combined length of the existing gable, and the porch extension along the common boundary with the neighbour, the retrospective development adversely affects the outlook and light serving the primary living space of the occupiers of 49 Richens Drive. In addition, the reduction of off-street parking as a result of the porch extension displaces vehicles on to the highway to the inconvenience of other highway users. As such the porch extension is considered contrary to policies BE2, BE3, and H2 of the adopted Local Plan 2011 and policies OS2, OS4, T1 and T4 of the emerging Local Plan 2031 and relevant provisions of the NPPF.

| | |
|-------------------------|---|
| Application Number | 17/03252/RES |
| Site Address | Land at Downs Road Curbridge Witney Oxfordshire |
| Date | 3rd January 2018 |
| Officer | Phil Shaw |
| Officer Recommendations | Provisional Approval |
| Parish | Curbridge Parish Council |
| Grid Reference | 432541 E 210044 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Mixed use development comprising; an employment area of up to a maximum of 3,720 sq metres BI (a) offices; a hotel (up to 62 bed); up to a maximum of 257 homes together with public open spaces; landscaping, new access to Downs Road and other associated works.

Applicant Details:
Crest Nicholson (Chiltern)
c/o Agent

I CONSULTATIONS

- I.1 Major Planning Applications Team Objection on the grounds of lack of suitable footways either side of the main access/spine road, lack of an appropriate surface water drainage system, lack of vehicle tracking for a refuse vehicle of appropriate dimensions, and lack of visitor parking spaces.
- I.2 Biodiversity Officer The updated survey this summer included a botanical survey of the semi-improved grassland, which confirms that this comprises species-rich neutral grassland with several species of orchids present and the nationally scarce Slender Tare. The main recommendation of the 'Ecology Surveys' report by Green Shoots Ecology dated October 2017 is that the most species-rich areas of grassland should be retained or translocated within the site. The 'Statement re: Condition 15' submitted for the CND application does not refer to the grassland being priority habitat and the associated requirements of planning policy (NPPF paragraphs 109 and 118, policy NE13 of the adopted local plan and policy EH2 of the emerging local plan). Instead, it states "...the areas of existing managed grassland to be lost are considered to be of generally low/moderate ecological value in the local context..... although this is enhanced to a certain extent by the botanical diversity of some areas of the semi-improved / unimproved neutral grassland... and associated invertebrate interest... Where possible, swathes of this grassland will be retained and incorporated into the scheme".
- At no point does the information prepared by Liz Lakes Associates refer to the size of the semi improved neutral grassland priority habitat, the extent of loss and the extent of retention. Section 2.2.8 refers to "...significant swathes of the existing species-rich unimproved mesotrophic grassland habitat are to be retained within the central open space extending from the vicinity of the retained pond to the east". Figures for the amount of habitat to be lost and retained should be provided to quantify the "significant" extent of retained habitat. If there will be a residual loss of priority habitat, this will need to be compensated off-site or through a financial contribution towards habitat creation or restoration elsewhere. Also, no habitat map is included, so it is unclear where the most species-rich areas of grassland are located to ensure that they are retained within the area of proposed open space.
- The retained central area of open space includes the existing attenuation pond, retained grassland and native shrub planting. However, it is not connected to any off-site habitats, as referred to in section 1.2.7 of the 'Statement re: Condition 15' by Liz Lakes Associates ("...links with offsite habitats.") and is effectively isolated to the south and west by the proposed road and residential development abutting the southern and western boundaries.

Translocation of some areas of the priority habitat may also be required, particularly the turves containing orchids and other nationally scarce plant species where they would otherwise be lost to the proposed built development. This has not been considered as part of the mitigation strategy and I recommend that this should be included to retain more of the priority habitat on site albeit in a different location. A habitat translocation method statement should be submitted for approval by the LPA.

The western boundary hedgerow has been assessed as being "important" using the criteria of the Hedgerow Regulations 1997. This hedgerow should therefore be retained, protected, enhanced and managed in the long term to maintain its viability as part of the proposal. I note from the site layout plan that the southern part of this hedgerow is retained, but the northern half (within the blue line boundary) adjacent to the proposed hotel and office buildings would be lost.

This needs further clarification to ensure that the important hedgerow is retained or adequate compensation provided where necessary. Small heath butterfly has been recorded on site, which is a priority species. The retention of species-rich grassland priority habitat would also benefit this species and other wildlife, including Cinnabar moth.

An external lighting strategy is required to minimise the impact of lighting on nocturnal species such as bats. Daubenton's, brown long-eared, common pipistrelle, soprano pipistrelle, noctule and lesser noctule bats have been recorded in the bat activity survey carried out during the survey season 2017 by Grassroots Ecology. The direct illumination of the existing pond should therefore be avoided and in the current proposed layout this is unlikely to be feasible due to the impact of roads, footpaths and houses. The impact of lighting needs to be taken into account as part of the layout design of this site.

I.3 WODC Housing Enabler

If this development were available today, there are 1,259 households registered with Homeseeker Plus who would qualify for accommodation on this scheme. Therefore there are sufficient households on need of affordable accommodation to warrant the 40% provision on this development.

I.4 Thames Water

Thames Water would like the following 'Grampian Style' condition imposed.
"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 1.5 WODC Env Services - Waste Officer No Comment Received.
- 1.6 Adjacent Parish Council Witney TC Witney TC object to this proposal. The plans differ slightly from those previously considered by the TC. The TC is concerned that there is now a lack of access to the hotel, which is now sited at the rear of development and also about the amount of commercial freight that will have to travel through the whole estate to reach it. The same issue applies to emergency vehicles. The new layout is not bus friendly.
- 1.7 Parish Council The Parish Council has no objections to this Application.

2 REPRESENTATIONS

- 2.1 None received at the time of agenda preparation

3 APPLICANT'S CASE

The proposals which have been submitted to the Council as part of this Reserved Matters application comply with the requirements of the outline permission. The Applicant has engaged with the case officer at the pre-application stage and the proposals have been adapted to reflect the feedback received. The proposals are in accordance with all relevant local and national policy and guidance. The proposal is considered to accord with Section 38(6) of the Planning and Compulsory Purchase Act and paragraph 14 of the NPPF. It is therefore respectfully requested that the application be approved.

4 PLANNING POLICIES

BE2 General Development Standards
 H2 General residential development standards
 OS4NEW High quality design
 H4NEW Type and mix of new homes
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application seeks reserved matters approval for the scheme that recently gained outline planning permission on the former football club site in Downs Road. That application (ref 16/01450/out) gave permission for development of the description sought with appearance, landscaping, scale and layout details reserved for determination at this point. Conditions attached to the outline required, inter alia, broad compliance with the illustrative plan negotiated, ecological enhancements, a public art plan, various road improvements and connections to adjoining land to facilitate potential wider development in future. 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

- 5.2 The principle was largely established by the grant of outline planning permission. The submitted details are generally consistent with those details in so far as they relate to the housing elements of the scheme. The commercial elements are reserved for a further separate application. As such the principle is considered to be established.

Siting, Design and Form

- 5.3 The scheme proposes a central avenue served from Downs Road in the approved position. Behind this there is a service road which enables the frontage houses to address Downs Road without the need to punch additional holes in the existing hedgerow. As a result of a drainage easement which cannot be built over the spine road runs around the pond on site before returning towards the frontage. This somewhat circuitous route has a particular advantage in that it enables a very large area of central open space to be created that only has a major road along one side. The road layout has been designed to enable adjoining land to be serviced in future should that land come forward and a large number of the units enjoy an aspect over either the central open space or the Golf Course or open countryside.
- 5.4 The majority of units are two storey but there are a number of flats located along the northern boundary which are three storey. These are flat roofed structures and will be read against the backdrop of the extensive planting belt screening the Haytor Commercial buildings.
- 5.5 At pre application stage Officers advised that given the lack of a historical context in this part of the Town that there may be opportunities to utilise a more contemporary design form rather than replicating the usual neo vernacular forms. The flats referred to above have embraced this concept and a number of the other housetypes have been adapted to appear modern - albeit familiar. There were however one or two where perhaps the designs appeared more odd than quirky or have fallen between two stools and so a further round of amendment was undertaken which has addressed the concerns. The amended plans will need to be secured by condition.
- 5.6 It will be noted that TW are requesting a Grampian condition regarding drainage. However this is not appropriate to a reserved matters application and there is already a drainage condition on the outline application. Officers are however in discussions to ensure that any drainage issues can be satisfactorily addressed.

Highways

- 5.7 It will be noted that OCC is raising a number of detailed technical matters that will need to be addressed by way of amended plans. However these are mainly technical in nature rather than fundamental and as such Officers would recommend that Officers be given delegated authority to determine this matter once OCC has advised that it is happy with the scheme.

Residential Amenities

- 5.8 The site lies between the golf course and the Commercial complex to the north. Members may recall that the issue of noise was a key consideration in the determination of the outline application. With regards to the details submitted in respect of the Outline conditions EHO advise as follows: "I think a well presented and a good acoustic design report has now been submitted and is satisfactory in scope to sign off Condition 14. I have been involved with this

application site and for providing noise advice from the outset. The acoustic design is a reflection of the key challenges inherent to the context of this west Witney site. The mitigation schemes as outlined in the current report must now be implemented in full, to ensure that dwellings are afforded the level of protection required of NPPF and the new British Standard." It would thus appear that the noise issues can be addressed in a manner that is acceptable.

Ecology

- 5.9 It will be noted that the Council's ecologist has raised a series of issues that the applicants have sought to address by way of amended plans and further mitigation strategies which in the main involve translocation of species rich habitats to the more peripheral POS areas along with a suite of more general ecological mitigation measures. Whilst not yet the subject of a formal response from the Council's ecologist it is considered unlikely that the amendments required will impact in a fundamental way on the layout and as such it is hoped that this matter may be delegated to Officers to sign off and be secured by condition.

Parish/Town Council comments

- 5.10 Curbridge PC raise no objections but Witney TC do object- apparently on the basis of the original illustrative plan which was in fact superseded as part of the negotiations on the Outline application. Whilst the hotel site has been relocated to a more backland position this was because there was considerable uncertainty as to whether it was commercially viable and because the Council wished to retain as much of the site in more conventional employment generating use as part of a mixed use rather than housing-only development. The location of the employment element was informed by its ability to provide a buffer from the residential use to help reduce the impacts of the noise from Stewart Milne to acceptable levels for incoming residents.

Conclusion

- 5.11 The scheme follows the principles set by the outline and in overall concept is considered acceptable. There are some minor design changes required along with comment from the technical consultees as to the amended information regarding the ecological and highway impacts which may result in slightly amended plans. Given the lack of objections and the largely technical nature of the amendments officers will be seeking delegated authority to issue the consent once the technical matters have been resolved. If they cannot be or major amendments are required then the application will be brought back to members for determination.

6 CONDITIONS

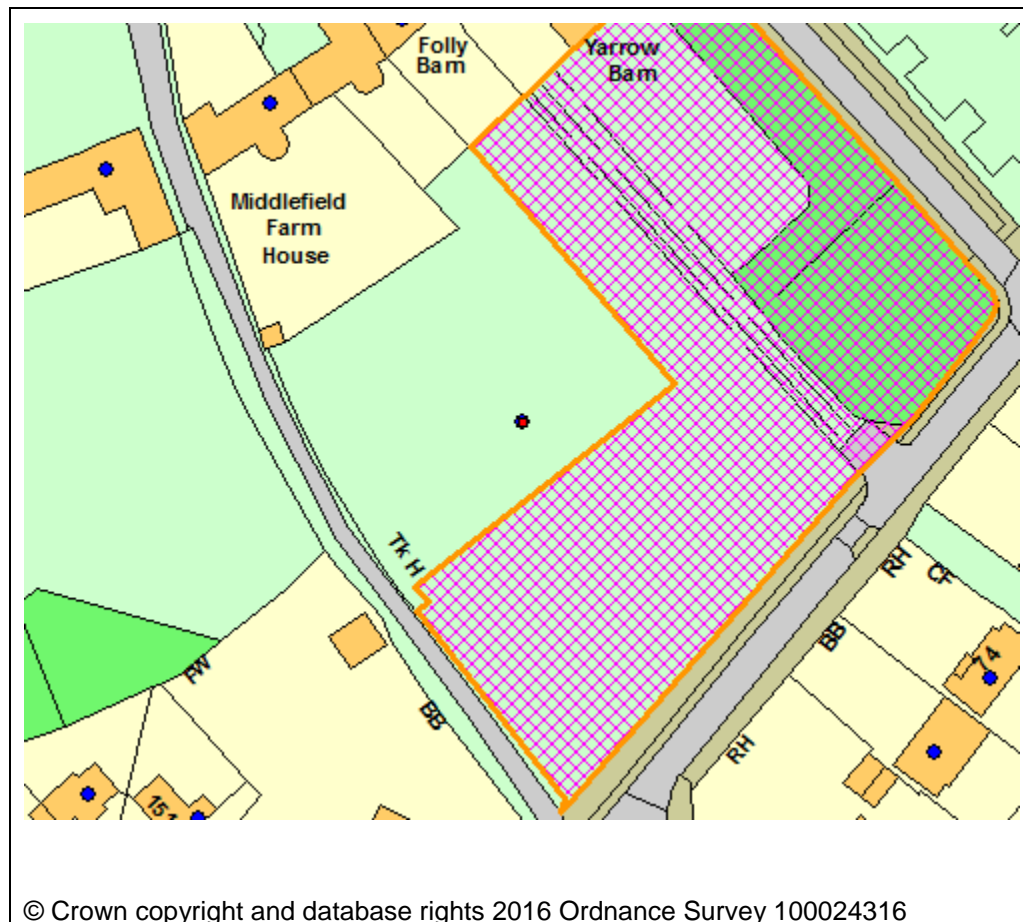
- I Officers are recommending provisional approval as a number of revisions are required. It is anticipated that conditions would be required to address the following issues:

Amended plans,
Material samples,
Removal of PD rights for garage conversions, new windows etc
Landscape implementation
Amended ecological details implemented
Drainage details dependant on on going negotiations
Noise mitigation measures implemented
Etc

Note regarding compliance with conditions on Outline Consent

| | |
|-------------------------|--|
| Application Number | 17/03259/OUT |
| Site Address | Land South of Middlefield Farm New Yatt Road Witney Oxfordshire |
| Date | 3rd January 2018 |
| Officer | Sarah De La Coze |
| Officer Recommendations | Refuse |
| Parish | Hailey Parish Council |
| Grid Reference | 436427 E 211145 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Outline Planning Application (all matters reserved except for access) for the erection of up to 5 dwellings.

Applicant Details:

Mr David Carrington, C/O Agent

I CONSULTATIONS

- | | | |
|-----|-----------------------------|---|
| I.1 | WODC Drainage Engineers | No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full. |
| I.2 | OCC Highways | <p>The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network</p> <p>No objection subject to</p> <ul style="list-style-type: none">- G28 parking (inc cycle) in accordance with standards- G11 access specification- G25 drive etc specification- G35 SUDS sustainable surface water drainage details |
| I.3 | OCC Archaeological Services | I can confirm that there are no archaeological constraints to this application. |
| I.4 | Biodiversity Officer | No Comment Received. |
| I.5 | Conservation Officer | <p>Context: A site adjacent to the Grade II listed Middlefield Farm, and a Grade II listed dovecot. Not in the Conservation Area, but adjacent to a fairly important route.</p> <p>Opinion: From our point of view there are three primary objections to the principle of this, viz:</p> <p>1) At this point along the road built form is giving way to countryside, with development in close proximity to the road on the south-east side only. The proposed development on the north-west side of the road would inevitably tend to urbanize what is still very much a country lane.</p> <p>2) There are fine views from the road of both the listed farm and the listed dovecot, which are still largely seen in their original countryside setting. The proposed development would inevitably restrict these views from the road.</p> <p>3) The character of the setting of the listed farm and the listed dovecot would also be impacted by the proposed development, which would replace open countryside in fairly close proximity with built form.</p> <p>So, from our point of view, the principle of this is not supportable.</p> <p>Recommendations: Refuse outline consent.</p> <p>Reasons: Appears non-compliant with policies BE2 and BE7.</p> |
| I.6 | Thames Water | No Comment Received. |
| I.7 | Adjacent Parish Council | Witney Town Council has no objection to this application. |
| I.8 | Parish Council | Hailey PC has no objection to this planning application. |

2 REPRESENTATIONS

- 2.1 11 letters of objection and 3 letters of comments have been received which raise the following concerns:

Impact on ecology

Highways/dangerous access.

Impact given the school traffic/Need to consider improving the road safety at this part of New Yatt given the school

Design

Flooding, sewage, surface water

Impact on landscape and views

Impact on listed building and dovecote

Pattern of development

Agricultural / paddock land and would require a change of use

Increased overlooking

Impact on foundations of nearby properties

Position of site notices

3 APPLICANT'S CASE

- 3.1 A full version of the Planning Statement submitted can be viewed on the Council's website. It is concluded as follows:

The proposal will provide for 5 high quality and sensitively designed new homes in Witney.

It is acknowledged that West Oxfordshire District Council are unable to demonstrate a five year supply of deliverable housing sites. Accordingly, policies relevant to the supply of housing are considered out of date and afforded severely limited weight, in accordance with Paragraph 49 of the NPPF.

The Planning Appraisal of this Planning Statement has evidenced that in accordance with Section 38(6) of the Planning and Compulsory Purchase Act and Paragraph 14 of the NPPF, the principle of development is acceptable. Benefits Arising from the Development.

In summary, there are a number of significant benefits of the scheme, including but not limited to:

- Sympathetic Design - A sympathetic approach that has been taken in the proposal and its design.
- A Deliverable Housing Site - This proposal would contribute to the housing land supply of the area, and would have a positive effect upon the shortfall of housing in the Authority.
- Natural environment - The proposal retains existing boundary planting, and can provide ecological biodiversity enhancements.
- Urban design - The proposal is of a high quality, led by a landscape based design. The scheme has been developed to in a sensitive manner, and as the Heritage Statement concludes the proposals comply with the relevant paragraphs of Section 12 of the NPPF as it sustains the significance of nearby heritage assets and the new development makes a positive contribution to the character and distinctiveness of New Yatt Road.

- Job creation - The proposal will create construction employment roles and support the local employment market accordingly. This economic benefit will also trickle down to ancillary services such as estate agencies and local removal firms.
- Economic support - The development will indirectly support local spending power and accordingly will support local business and amenities, through the new future occupiers. The development will provide a boost to the local workforce and support a strong, responsive and competitive economy.

3.2 The proposal represents a high quality and sympathetic approach that has a positive principle of development, and as demonstrated within the submitted plans and technical reports the proposal is compliant with policy where relevant, and compliant to 'other material considerations', such as the emerging West Oxfordshire Local Plan 2031. The proposal is deliverable, developable and available. Planning permission should be approved without delay.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 BE8 Development affecting the Setting of a Listed Building
 BE13 Archaeological Assessments
 BE21 Light Pollution
 NE1 Safeguarding the Countryside
 NE2 Countryside around Witney and Carterton
 NE3 Local Landscape Character
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 T2 Pedestrian and Cycle Facilities
 H2 General residential development standards
 H7 Service centres
 TLC8 Public Rights of Way
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 H2NEW Delivery of new homes
 T4NEW Parking provision
 T3NEW Public transport, walking and cycling
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH6NEW Environmental protection
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks outline permission for the erection 5 dwellings with principle and access to be considered. The site comprises a parcel of land on the edge of Witney. To the north west of the site there is the Grade II Listed Middlefield Farmhouse and Dovecote. To the north east there is a relatively new school building and there is existing housing to the west and on the

opposite side of New Yatt Road. The former farm buildings which have been converted form a traditional farmstead group which retain an open countryside setting. The access to the site is proposed through an existing access opening located on New Yatt Road.

- 5.2 Outline permission was sought in 1987 for residential development, including the land now be considered under reference 0783/87. This was refused for a number of reasons based around the need for, and appropriateness of, new housing in this location, as well as concerns about traffic generation.
- 5.3 Permission for the erection of 3 detached houses and 2 semi-detached houses and associated garaging was refused on 23rd August 2001 in relation to: the proposal not comprising acceptable infilling or rounding off; design, siting and impact on setting of listed buildings; and impact on residential amenity. This was subsequently appealed and dismissed on 2nd July 2002, with the Inspector finding in favour of the Council on all grounds.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.5 The adopted and emerging local plan identifies Witney as a service centre based on the settlements sustainability where new development is acceptable in certain circumstances. Emerging policy H2 refers to new dwellings and takes a less prescriptive approach. The policy states that new housing will be allowed on sites allocated for housing, on previously developed land within the built up area or on undeveloped land within or adjoining the built up area where development is necessary to meet identified housing need and is consistent with the general principles as outlined in the policy.
- 5.6 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.
- 5.7 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.
- 5.8 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.

- 5.9 The Council has made 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 has made 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.
- 5.10 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.
- 5.11 Emerging Local Plan 2031 Policy OS2 refers to the main service centres, such as Witney, being the focus for a significant proportion of new homes. Emerging Policy H2 allows for housing development on undeveloped land within or adjoining the built up area where the proposal is necessary to meet housing needs and is consistent with a number of criteria (now expressed in OS2), and is consistent with other policies in the plan.
- 5.12 With reference to a range of policy considerations, and the balancing of harm and benefit required under paragraph 14 of the NPPF, the detailed merits of the proposal are assessed below.

Siting, Design and Form

- 5.13 The application red line area comprises an "L" shaped piece of land which fronts New Yatt Road. The development as shown on indicative plan and by the shape of the red line area would focus any development on the edge of the site. The indicative plans shows that the majority of the dwellings would be located on the North East edge of the site to allow them to sit in line with the existing barn range with just one additional house being located in the South West corner of the site.
- 5.14 The site currently in its undeveloped form allows views of the listed building and Dovecot to be seen from the street scene as well as from the public footpath. The listed building and its associated buildings form an important cluster of building which when viewed together allow for sites historic past to be recognised.
- 5.15 The site is located on the edge of Witney where there is a change from urban development to countryside. There is no designation on the land and it lies close to, but not within, the policy area around Witney which seeks to prevent urban sprawl and protect existing character.
- 5.16 There is a public footpath which runs to the west of the site which is well used and, in common with New Yatt Road, affords public views across the site. Officers are of the opinion that the site in its current form adds positively to the character and appearance of this part of the Town acting as a buffer between the built up form of Witney and the countryside beyond.

- 5.17 Whilst the application is in outline officers have concerns with the way the land is shown to be development in the indicative plans. The 4 dwellings proposed on the North East of the site is shown to follow the line of development of the barn range. Officers are of the opinion that a development in this pattern would fail to respect the historic pattern of development, more so because the pattern of development here relates to a barn range. Historically barn ranges would not evolve in this overly long linear pattern and therefore the indicative plans fail to show how the development would respond appropriately to the pattern of development in the area and the overall character and appearance. Furthermore this pattern of development would allow for all the domestic paraphernalia to be located in a highly visible location facing in to the open space in the centre of the site. The remaining house would be located on the other end of the site, the positioning of the dwellings would require an access road to be created and given the separation distances this would require a road to be created further domesticating and urbanising the site.
- 5.18 As the site is located within the setting 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.
- 5.19 In line with the NPPF great weight should be given to an assets conservation and any harm should be assessed against any public benefits. Officers are of the opinion that the benefit of 5 new homes in this location to the housing supply would not outweigh the harm to the setting of the listed building and the overall character and appearance of the area.

Highways

- 5.20 Oxfordshire County Council Highways have been consulted on the application and raise no objection

Residential Amenities

- 5.21 The application is made in outline and therefore whilst the position of the dwellings aren't fixed at this point, an indicative plan had been provided showing how the properties could be located on the site. From the plans provided it is shown that the dwellings would likely be accommodated without compromising the amenity of neighbouring properties in this pattern with minimal distances being adhered to. Notwithstanding this, given the shape of the site if the layout were to be amended this may give rise to neighbour impact issues specifically with regard to Yarrow Barn.

Conclusion

- 5.22 Your officers consider that by reason of the location and proximity to the neighbouring listed building and public footpath, the development would encroach unacceptably into a largely unspoilt edge of settlement location which currently contributes positively to the setting and character and appearance of the area. The development would fail to complement the existing pattern of development and consequently would appear incongruous, eroding the character and appearance of the wider area.

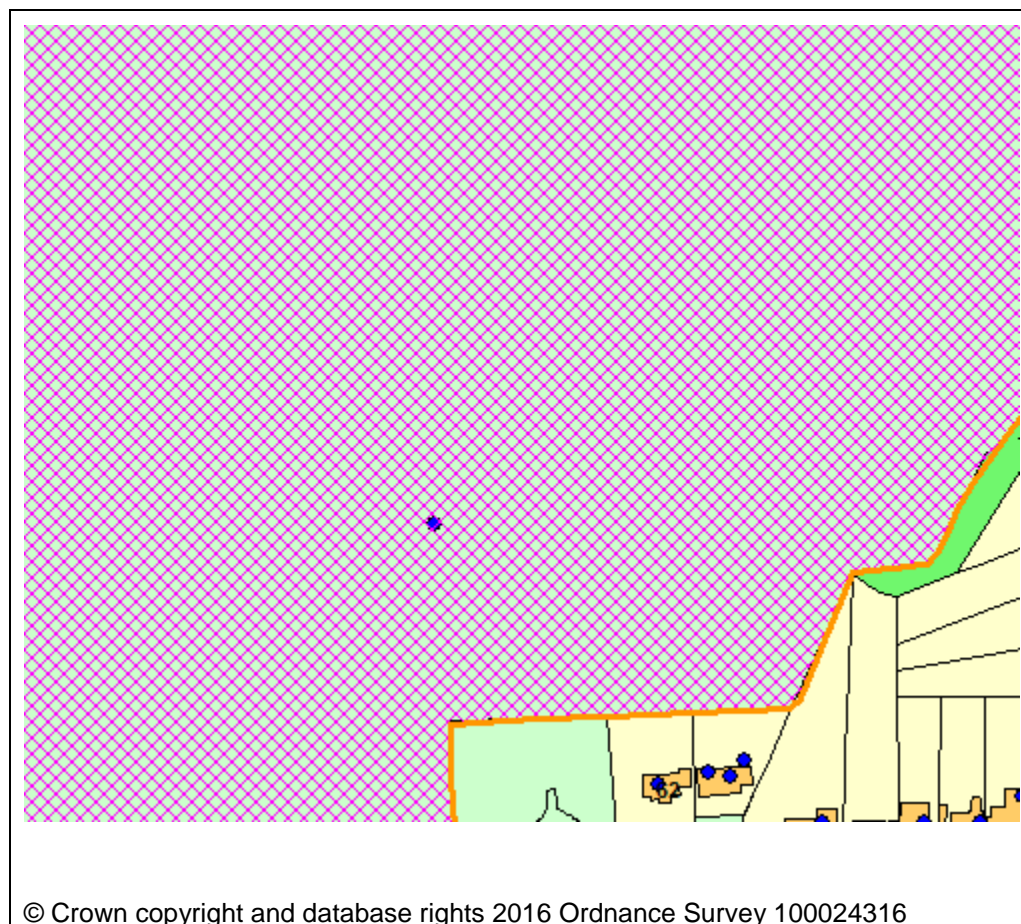
- 5.23 Taking in account the assessment above, significant weight is attached to the benefit of the provision of new housing (in general terms), and the economic benefits associated with the construction of new dwellings, and the potential economic activity associated with new residents are also acknowledged.
- 5.24 The benefits arising from the delivery of five new dwellings are outweighed by the adverse impacts that would result from the development. The development would consequently fail to comply with the provisions of Policies BE2, BE2, BE4, BE8, NE2, NE6 of the existing West Oxfordshire Local Plan 2011, policies OS2, OS4, H2 and EH6 of the emerging West Oxfordshire Local Plan 2031; The West Oxfordshire Landscape Assessment and the provisions of the NPPF. For these reasons officers recommend the application be refused.

6 REASONS FOR REFUSAL

- 1 The location of the site is within an open space that provides a rural edge setting for Witney and the neighbouring listed buildings. The proposed development would have an urbanising effect on the setting of the Listed Buildings Middlefield Farmhouse and Dovecote. This would lead to less than substantial harm to the setting and significance of the assets which is not outweighed by public benefits. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 Policies BE2 and BE8, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS4 and EH7, and the relevant paragraphs of the NPPF.
- 2 The proposed development fails to form a logical compliment to the existing loose knit pattern of development along this section of New Yatt Road. In addition the siting of dwellings and associated domestic paraphernalia together with a vehicular accessed from New Yatt Road to serve the development would be likely to result in an adverse urbanising impact of an important open space which currently contributes positively to the semi- rural character and appearance of the area. As such the proposal fails to preserve or enhance the character and appearance of the area and adversely urbanises the semi - rural setting of both the adjacent Grade II listed building Middlefield Farmhouse and Dovecote and the public footpath which runs both alongside the site. In light of the above the development proposal is considered contrary to West Oxfordshire Local Plan Policies BE2, BE4, H2 and BE8, Emerging West Oxfordshire Local Plan Policies OS1, OS2, OS4, H2 and EH7, and relevant paragraphs of the NPPF.

| | |
|-------------------------|--|
| Application Number | I7/03338/RES |
| Site Address | Land North of Burford Road Witney Oxfordshire |
| Date | 3rd January 2018 |
| Officer | Kim Smith |
| Officer Recommendations | Provisional Approval |
| Parish | Witney Town Council |
| Grid Reference | 434666 E 210448 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Construction of 260 dwellings (appearance, scale, landscaping and layout).

Applicant Details:

Mr Luke Webb, David Wilson Homes, Remus 2, 2 Cranbrook Way
Solihull Business Park, Solihull, B90 4GT

I CONSULTATIONS

I.1 Major Planning
Applications Team

Transport

Recommendation:

Objection

This is on the grounds of:

1. Lack of drainage detail submitted
2. Obstructed visibility splays

Key issues:

Road layout along the Lane must be addressed, as currently, it is not up to adoptable standard

Hardstanding required adjacent to visitor parking spaces

Clarification needed about shared use spaces

Visitor parking spaces across the site are too few

Layout issues on the site plan

Visibility splay obstructions

Garage dimensions

Rear access to plots

Pedestrian crossing points

Details of cycle parking for plots without garages

OCC require tracking for a refuse vehicle that is 11.6m in length

Detailed scheme for the provision and future management and

maintenance of surface water drainage required

Construction Traffic Management Plan required

Legal agreement required to secure:

A Unilateral Undertaking has been signed as part of this agreement, dated 16th January 2016

Conditions:

Accesses

Prior to the commencement of development, plans showing how the means of access to the development between the land and the existing highway boundary will be constructed, laid out, surfaced, lit and drained, shall be submitted to the approved in writing by the Local Planning Authority. Thereafter, and prior to first occupation of the proposed development, construction of these accesses shall commence only in accordance with the approved details.

Reason: To enable safe and suitable access to the development for all road users in accordance with the National Planning Policy Framework.

Visibility Splays

Prior to the commencement of development, a plan showing the required visibility splays for both of the vehicular accesses shall be submitted to and approved in writing by the Local Planning Authority. The plan must show that the visibility splays can be achieved and maintained and that they will not be obstructed by any object, material, or structure that exceeds 0.9m in height. Thereafter, and prior to first occupation of the development, construction shall only commence in accordance with the approved plans.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Drainage

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

Discharge Rates

Discharge Volumes

Maintenance and management of SUDS features

Sizing of features - attenuation volume

Infiltration in accordance with BRE365

Detailed drainage layout with pipe numbers

SUDS Permeable Paving, Rainwater Harvesting, Green Roof

Network drainage calculations

Phasing

The plans must show that there will be no private drainage into the existing public highway drainage system.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Roads, Driveways and Footpaths

No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and of maximising the opportunities for sustainable transport in accordance with the National Planning Policy Framework.

Accesses, Layout, Turning Areas for Cars and Service Vehicles, and Parking for Cars and Cycles

No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas (for cars, pantechnicons and refuse vehicles of not less than 11.6m in length), and parking courts that serve that dwelling has been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Travel Information Pack

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

Reason: In the interests of maximising the opportunities for sustainable travel in accordance with the National Planning Policy Framework.

Vehicle Tracking Plan

Prior to the commencement of development, a plan showing that a refuse vehicle of not less than 11.6m in length can enter, turn in, and exit the development safely in forward gear shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall only commence in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Construction Traffic Management Plan

Prior to the commencement of development, a Construction Traffic Management Plan (CTMP), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall only commence in accordance with the approved details.

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

Cycle Parking Provision

Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and

approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

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

Temporary obstructions

No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to Public Right of Way 410/28 that obstructs it whilst development takes place.

Reason: To ensure the public right of way remains available and convenient for public use.

Route alterations

No changes to the public right of way 410/28 direction, width, surface, signing or structures shall be made without prior written permission by Oxfordshire County Council or appropriate temporary diversion.

Reason: To ensure the public right of way remains available and convenient for public use.

Informatives:

If any of the roads within the new development are to be offered up for adoption to the Local Highway Authority, a S38 Agreement will be required. For any private roads, a Private Road Agreement will be required between the developer and Oxfordshire County Council. For guidance and information on road adoptions please contact the County's Road Agreements Team on 01865 815700 or email Road.Agreements@oxfordshire.gov.uk

Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners.

No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design will be subject to a full technical audit.

Informative note: OCC require saturated CBR laboratory tests on the

sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site but the location of the samples must relate to the proposed location of the carriageway/footway.

Foul and surface water manholes should not be placed within the middle of the carriageway, at junctions, tyre tracks and where informal crossing points are located.

No property should be within 500mm of the proposed highway. No doors, gates, windows, garages or gas/electric cupboards should open onto the proposed highway.

If there is not a footway adjacent to the carriageway an 800mm maintenance margin is required.

Trees within the highway will need to be approved by OCC and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.

Trees that are within 5m of the carriageway or footway will require root protection; trees must not conflict with street lights.

No private drainage to discharge onto existing Highway.

No private drainage to discharge onto any area of proposed adoptable highway.

Improvements to routes: Routes through the site should be integrated with the development and where possible connecting to the public rights of way outside of the site. They do not have to be designated as public rights of way and can form part of public open space and managed accordingly. If it is planned for them to be dedicated as public rights of way then written agreement and appropriate specification and commuted sum will need to be secured.

I.2 Conservation Officer

No reply at the time of writing.

I.3 Biodiversity Officer

In summary, the following is a list of the main issues relevant to biodiversity, which require clarification and/or amended details:

Landscaping proposals need to effectively translate the mitigation, compensation and enhancements contained in Section 5 of the Ecological Appraisal report by FPCR dated February 2015, including the enhancement of existing hedgerows (i.e. infill planting to improve structure and species diversity)

Compensation is required for the partial loss of the important hedgerow along the southern boundary of the site to the new vehicle and pedestrian access points for the development; no native species-rich hedgerow planting is specified on the Landscape Plan

Retained hedgerows that qualify as important and those classified as priority habitat (all of them) should not form domestic curtilage and should be located within the public realm to allow maintenance access, e.g. eastern boundary hedgerow is isolated and will not be adequately maintained for its biodiversity value management by the

future homeowners cannot be enforced

"Agricultural Area" needs to be clarified - what does this mean?
Why are the "agricultural areas" not being enhanced for biodiversity (despite the recommendations in the ecological appraisal report)?

Northern area forms part of riparian/river corridor and is within the floodplain - this should be enhanced as priority habitat to contribute towards the targets of the CTA

Western area is also an opportunity for enhancement to create new habitat such as woodland, scrub or species-rich grassland (e.g. lowland meadow) to contribute to the targets of the CTA and to provide an attractive buffer to the adjacent depot

Natural play space in northeastern corner of site lies within the riparian/river corridor and although it is specified as being "natural", it appears to be a formal play space with inappropriate artificial and brightly coloured structures and ornamental landscaping; the emphasis for this area should be on natural timber play products and structures, willow weaving, tunnels and native species-rich habitats such as wildflower meadow beds, hedgerows and trees, etc; also an education opportunity that could be used to demonstrate the value of wildflowers and other wildlife-friendly plants such as pollinator-friendly flowers, including lavender, mint and other herbs (e.g. a community herb garden) - the natural play area therefore needs to be re-designed or re-located to a more formal part of the site

The planting of ornamental non-native tree species within the site is not in-keeping with the landscape or the biodiversity value of the location within the Upper Windrush river valley and does not reflect the CTA objectives - in particular the planting of a re-coloured tree species *Acer platanoides* 'Crimson Sentry' is considered to be unacceptable and should be replaced with an alternative such as field maple, willow or oak (existing species on site).

Native tree planting in particular along the northern and western edge of the development site should reflect the species composition of the riparian/river corridor, which includes willow, alder and birch, and other species such as oak, field maple and hazel could be added. The planting of non-native, ornamental species in these areas is unacceptable and does not contribute to the targets of the CTA.

All "majestic tall canopied trees" should be locally characteristic, ideally native, with sufficient space to grow to full maturity. The planting of non-native trees and shrubs within the formal landscaped areas and private domestic gardens is not an issue.

In particular, I would refer to paragraph 102 of the Inspectors appeal decision report, which states, "The proposed partitioning and tree

planting of the "inner zone" would be of benefit. In general, the proposal will deliver green infrastructure and habitat benefits in the short and long terms providing a net increase in biodiversity, including the planting of native tree species, improvements to existing hedgerows and provision of scrape land to the site boundary". I do not know what the term "scrape land" refers to, but I assume that it is wetland creation, including the SUDS proposals. Scrapes are small depressions in the ground that hold water for aquatic wildlife and can be particularly valuable for wading birds. I cannot see any of these in the landscaping proposals.

The Oxfordshire County Council ecology response to the outline application highlighted the potential for contribute towards the CTA targets, including management, restoration and creation of lowland meadows, floodplain grazing marsh, fen, mixed deciduous woodland, wet woodland and the management and restoration of the river corridor. Opportunities to provide such new habitats or restored habitats have not been adequately incorporated into the landscaping proposals, particularly the retained "agricultural land" to the north and west of the red line boundary (within the blue line boundary). Further details of the proposals for these areas are required.

b) Legislation, Policy and Guidance Considerations

All relevant legislation, policy and guidance considerations have been taken into account as part of this response, including the following:

Wildlife and Countryside Act 1981 (as amended)
The Conservation of Habitats and Species Regulations 2017
Countryside and Rights of Way Act 2000 (as amended)
Natural Environment and Rural Communities Act 2006
Protection of Badgers Act 1992
Hedgerow Regulations 1997
ODPM Circular 06/2005 Biodiversity and Geological Conservation
Statutory Obligations and their impact within the Planning System
National Planning Policy Framework - paragraphs 7, 9, 17, 109 and 118
Planning Practice Guidance (how development can affect biodiversity and how biodiversity benefits can be delivered through the planning system)
West Oxfordshire Local Plan 2006 policies NE13, NE14 and NE15
Natural England Standing Advice

c) Conclusion

I conclude that the missed opportunities for contributing towards the conservation targets of the adjacent CTA are significant and need to be addressed before determination of this reserved matters application. Several aspects of the landscaping proposal are considered to be inappropriate from a biodiversity point of view and I

have made recommendations in my comments as to how this should be rectified. A development of this scale in a sensitive location should be making more significant biodiversity and landscape compensation.

I.4 ERS Env Health -
Lowlands

Thank you for the opportunity to provide comment. Our records indicate that there are number of former quarries and areas of unknown filled ground on and in the vicinity of the proposed development site. There has also historical been a gas cylinder refilling station adjacent to the west of the site. Given the agricultural use of the site, the potential for contamination to be present and the proposed scale of the residential development please consider adding the following condition to any grant of permission.

1. 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 a 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.

2. 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.

3. 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 written confirmation that all works were completed in accordance with the agreed details".

4. 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 condition 1, 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 condition 2.

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 condition 3.

Reason: To prevent pollution of the environment in the interests of the amenity.

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

I.5 Health And Safety Executive

No reply at the time of writing.

I.6 WODC Housing Enabler

The reserved matters application makes a provision of 40% affordable housing, which equates to 104 dwellings. The tenure split includes 37

dwellings for shared ownership and 67 dwellings for Affordable Rent.

Currently there are 1,392 households registered and in need of affordable housing in Witney. Therefore the 104 new affordable homes here, will go some way towards assisting the Council in meeting its affordable housing need.

Of the 1,392, 309 require family homes of 3 bedrooms and above, and more than 1,200 are in need of smaller accommodation. Within the 104 affordable homes provided on this scheme, the developer has included 65 smaller homes and a further 39 of 3 bedrooms for the larger households.

I can support this reserved matters application.

- | | | |
|------|-----------------------------------|---|
| I.7 | Thames Water | No reply at the time of writing. |
| I.8 | WODC Env Services - Waste Officer | No reply at the time of writing. |
| I.9 | Adjacent Parish Council | No Comment Received. |
| I.10 | Town Council | <p>The Town Council objects to the application for the following reasons:</p> <ul style="list-style-type: none">- Affect local ecology- Design and layout- Highways- Increase danger of flooding- Landscape- Neighbourliness- Policy / Principle <p>Witney Town Council has objected previously to this site and continues to have reservations to its suitability. Witney Town Council object to this application as it stands and request that the following concerns and recommendations be taken into account in consideration of this application:-</p> <ul style="list-style-type: none">- ACCESS POINT - Witney Town council understand that the means of access to the site was granted by the Secretary of State, however Witney Town Council feel that the increased traffic on the Burford Road that will be as a consequence of this and other forthcoming developments will have a negative effect, Particularly with regard to the position of the proposed entrance which in our consideration has not been thought through adequately with regard to position, size, visibility and volume of traffic. <p>Witney Town Council considers that the entrance to the site is too narrow and appears to look like a drive between houses which may</p> |

confuse drivers entering the site. Witney Town Council recommends that a new entrance similar to that for Madley Park off Woodstock Road be located to provide direct access an enlarged Tower Hill Roundabout.

This is a very busy road with stationary traffic located in front of the proposed entrance several times during the day, and will require a hatched area on the East bound Carriageway so as not to obstruct exit from the site unduly, along with alternative route planning than the use of the Burford Road, Bridge Street / High Street routes. Witney Town Council are also concerned that the location of the 2x lanes just inside the Burford Road entrance to access are too close along with dwellings fronting the entrance road potentially causing traffic to be stationary on the Burford Road.

The lack of 2 entrances and exits to the site is of concern to Witney Town Council, particularly because it is contrary to the guidance of the NPPF guidelines considering it's proximity to the gas storage depot. The location of the emergency vehicle entrance is also too close to the roundabout and is likely to be utilised as the main entrance for the site by its residents and visitors.

Witney Town Council Recommend that an additional wider entrance off the Tower Hill roundabout makes far more sense particularly as only one access point for the estate is suggested.

Witney Town Council raise concern of emergency & Waste Vehicle access to the site, consideration should be made to incorporate access to the North Springfield Road site, this would create a second entrance and spine road from Tower Hill Roundabout where local busses, Waste Collection and emergency vehicles could travel through.

- ROAD STRUCTURE - Block paving was used similarly in Madley Park for aesthetic and traffic calming measures, this does not wear well needing frequent remedial work, Oxfordshire County Council repairs are not like for like using Tarmac to infill the damaged area and eventually leaves the area looking in a poor condition.

Witney Town Council would like to see the removal of the block paving on Roads within the development.

- INFRASTRUCTURE - This development adds significant pressure onto the local infrastructure giving the following predicted population levels based upon 3.2x persons per dwelling, All Primary schools are currently full in this locality and Secondary Scholl catchment area in the other side of the Windrush River with the only Bridge Crossing being in Bridge Street.

This development increases the population approximately by an additional 832 persons, of which we estimate will be circa 80 primary school children and 65-80 Secondary School Pupils.

Further to this, Witney Town Council would like to see the following infrastructure provision

- a) Provision towards additional year entry Primary School for 80 Pupils est.
- b) Provision towards an additional 3rd Secondary School for 65-80 Pupils est
- c) Contribution for expansion of Nursery School places for 2-4year olds
- d) Contribution towards construction of New / or expansion of Witney Hospital, ½ a GP and Surgery provision.
- e) Road improvements along Burford Road and provision of a safe crossing.
- f) Enlarging of Tower Hill Roundabout to create a safer and practical route for vehicular access to the site including for Busses and Waste Collection Vehicles, Cyclists and Pedestrians.
- g) Suitable and accessible play and park facilities for use by residents and visitors.
- h) Provision of Bus & Waste Collection Routes through the site, along with a Bus Stop and shelter central to the site.
- i) Inclusion of Play equipment within the NEAP area and development of the undeveloped northern area to provide additional recreational space.
- k) Contribution towards the 'WELL' West End Link Road river crossing.

- UTILITIES

Sewerage: Witney Town Council notes that provision of a pumping station for sewerage is located next to a play area in the north East corner of the site pumping towards Tower Hill.

The services in Tower Hill are old and in need of upgrading. Witney Town Council would like to reassurance that the developer ensure that adequate provision be set aside for remedial works that may be required to upgrade the Waste water services in Tower Hill and Ducklington lane.

Electricity: with the move towards electric vehicles, Witney Town Council seek to ensure adequate provision is made available for all dwellings to have Electric Vehicle Charging Points.

Fibre Broadband: Witney Town Council consider that Fiber Optic cable to be a 'NEW' Utility and request that it be installed to all dwellings during the development. 3G, 4G & 5G mobile network: Mobile phone networks in Witney are poor and the advent of 5g is upon us with the next generation of phones in early 2018. Witney

Town Council considers that with the safety zone being uninhabitable that provision of a 3G, 4G & 5G Mast could be hidden unobtrusively within the site.

Water, Gas, BT - Witney Consider that these are standard utilities and will be provided

- FLOOD ALLEVIATION

The Northern /edges of this site are known to Flood, and residential areas and Business sites downstream flood on a bi-annual basis. Witney Town Council are concerned that additional hard surfacing of this site will exacerbate the problem.

Witney Town Council considers that the size and location of the Attenuation Pond is insufficient and are concerned that it will lead to direct flow of polluted surface water into the River Windrush. Witney Town Council Recommend that grey and surface water capture is incorporated into every dwelling to mitigate Flood Alleviation concerns with filtration to ensure pollution does not enter the River Windrush.

- BUILDING MATERIALS

Witney Town Council considers the use of Red & Yellow Brick overlooking the Cotswold AONB inappropriate and request that properties visible from the Road and Windrush Valley are constructed in Cotswold Stone or Reconstituted Cotswold Stone. Witney Town Council Considers that the proposed roof materials Red Clay etc are not in keeping with the Predominately Slate of the Cotswold AONB, use of Solar slate tiles on the southern side of roofs should also be considered.

AONB

Witney Town Council requests that the development is constructed so as to respect the view the Cotswold AONB.

PARKING PLACES

Witney Town Council do not consider enough parking facilities have been allocated and that visitors and residents will park along the narrow roads causing obstructions for emergency vehicles.

Witney Town Council would like to see the following minimum parking provision.

- 1 Bed Dwellings - 1x Parking Space
- 2 Bed Dwellings - 2x Parking Spaces
- 3 Bed Dwellings - 3x Parking Spaces

4 Bed Dwellings - 4x Parking Spaces
5+ Bed Dwellings - 5x Parking Spaces

NON DEVELOPED AREAS

There are 2 large areas that remain undeveloped on the plans.

Safety Zone - Witney Town Council are concerned that this area is an open invitation for children to play, there is no indication on the plans as to how this area will be managed, planted and secured.

Witney Town Council would like to see a high mound created and Trees Planted to shield the view to the Gas Storage Depot and assist to mitigate in case of an explosion.

Flood Zone

Witney Town Council understand that this area will flood, however the majority of the year it can be utilised recreationally.

Witney Town Council would like consideration for this area to be utilised for provision of a 3G Pitch or grassed to play football, Rugby and Hockey with sufficient area for parking.

This area can then be used as a drop off point for Buses, and access to the Cotswold hiking path network.

Consideration could be made for provision of Bus Shelter and snack shop.

CYCLE PATHS

There appears to be sufficient consideration - if any - for cycle tracks and pedestrian access to town.

TheTown Council Considers that adequate Provision be made for Cycle and Pedestrian access to the Burford Road with adequate crossing points to safely facilitate these paths/tracks.

LACK OF INTEGRATION

The mix of proposed housing is unacceptable in terms of different types of family. Witney Town Council seek that the design should be seeking full integration of property types and not segregating the smaller and affordable at the back of the estate.

Witney Town Council request that affordable properties are fully integrated into the site.

2 REPRESENTATIONS

2.1 At the time of writing 28 letters of objection have been received the comments of which are precised as follows:

General

- This is not an appropriate location for such a large development.
- This development is a step too far for Witney. The state of the Burford Road alone and then Mill Street reveal the depth to which local facilities have perished and need renewal, not increased footfall and traffic. Footfall in our little estate will be increased along a path that was never designed as a thoroughfare but as an access means for those living here.
- We now have the situation where an unwanted development is imposed on us, by people who have no interest what-so-ever in, our town, the local community or the safety of residents, both current and future. Anyone with an ounce of common sense would NOT put a new housing estate next to a gas storage / distribution centre.
- The plans are unclear as to what will happen to the green buffer zone between the gas installation and the estate. Is there going to be a blast wall / mound built to protect residents.
- There are other more suitable brown field sites that would be better prospects for the additional housing requirements of the area.
- There are other areas of Witney, away from the Windrush Valley, but still on the town margins that can successfully be used for housing development.
- This just seems to be a housing estate with no planned amenities such as local shop or medical centre or school or hall or church? Surely it is unacceptable to simply continue to destroy not only the countryside but also significantly increase the burden on the existing town infrastructure and amenities. Now is the time to ensure that something is done and introduced for the benefit of future generations.
- Living directly opposite the proposed plans, I wish to object to the concept of the housing on, firstly, the grounds of the ecology of the area. The whole area is an important one of flood plain that is important for the safety of the whole town. It is also near to the gas plant that requires huge amounts of safe space surrounding it; many years ago some of the dwellings on Burford Rd were affected by the Gas plant when there was an explosion.
- Extremely concerned about the local environmental and ecological effect of the project.
- I believe this development has a long way to go before detailed planning can be approved, this is a very sensitive ecological site and sustainability should be at the heart of any development that gets the final approval.
- Fully aware that Witney needs more housing but it should be to the south of Witney with easy access from the A40.

Principle in policy terms

- Integral to planning consent was the availability of services to accommodate the potential 1,000 new residents likely to be present in the new development.
- Subsequent to the Secretary of States decision we have seen the closure of Deer Park Surgery and the school intake exceed availability. This now calls in to question any traffic plan put forward as there are no available nursery, primary / secondary school places or Doctor's surgeries in close (walking distance) proximity. Thus residents will have to utilise vehicular movements, thus rendering the original environmental / traffic and social impact of this site significantly. I believe that this now renders the sustainability of this site as causing significant harm and based on the principles of NPPF should be blocked until sufficient Infrastructure and services are put in place to deliver a sustainable development.
- Surely based on the significant detrimental impacts that this site now represents to the people of Witney and its lack of available services / infrastructure to deliver benefit to new residents for this site, an appropriate approach should be made to the Secretary of State to advise that this development no longer delivers on the three pillars of sustainability. Economic, Social & Environmental benefits.

Windrush Valley and Visual Amenity

- The Windrush Valley, which is an integral part of the character of Witney, will be permanently altered, to the detriment of the area.
- This area is already subject to a restriction order in respect of the height of hedges to allow unrestricted views across the Windrush Valley. This restriction was placed upon Messrs Smiths Industries to maintain the hedges stiles and footpaths in this area and beyond to Dry Lane, Crawley, for the ongoing enjoyment of the people of Witney and West Oxfordshire. This development will destroy this view forever.
- Rural and valley views will be compromised.

Flooding

- The land adjoins the water meadows and run off water will reach the Windrush, and then the Bridge St area, which is already a high risk flood area. I believe any additional development in the valley so close to town will inevitably cause more flooding in Witney.
- This piece of land is subject to flooding! It's also very close to a gas works. These two reasons alone should make the council see sense and stop this development.
- Increased Risk of Flooding - Any run off from the huge amount of concrete that will be put down will go into the valley and increase the risk of flooding to the Bridge Street area.
- Wonder if the owners of these houses will get insurance because of the flooding?
- The balancing pond illustrated will not cope with the amount of water.
- Flooding needs to be taken into serious consideration after the drastic floods of 2007.

- No detail has been provided around the surface drainage or SUDS system. As this was a key area of concern, I would expect a fully detailed and agreed system including sustainable long term solutions to ensure NO impact to the valley, sewerage systems and bridge street Witney, using the best attenuation, storage and capture models in place today.
- A SUDS assessment or a more comprehensive flood risk assessment (to assess potential effects of development on downstream Witney) is needed.
- The developer should contribute financially to the flood defence requirements in downstream Witney as future flooding events are likely to be influenced by the removal of such a large area of grassland.

Highways

- Witney has major traffic problems and the local road network has no capacity. The route to Oxford from this development will be down Mill St, Bridge St and the A40, all of which suffer major congestion, and related poor air quality due to standing traffic.
- Traffic on our main highway will be further increased and with no railway connection in sight, the burden will fall on all of us, in terms of increased time pressures at peak times.
- Traffic Congestion and Pollution- This development will increase considerably the traffic movement in the Burford Road and Bridge Street which already suffers from serious traffic congestion and high levels of pollution.
- Emergency Access to and from Estate - The width of the roads on the estate are not shown, however, this particular estate will need sufficient room for two cars to pass, i.e. No on- street parking, as clear access will be required throughout (unlike the very congested roads in Madley Park) for emergency vehicles, Dustbin lorries, etc. Specifically, as and when an incident occurs in or close by the gas installation, access to, or evacuation from the estate will be urgently required (A reminder that two fires occurred close to the gas site in 2015 and 2016 requiring an exclusion zone and closure of the Burford Road).
- Have the planners taken into consideration the need for each house to have sufficient space for three bins (General waste, Green Waste and Recycling) one black box for glass and a food box? If not then again they need to ensure that these facilities are catered for so that they are not left on the street line causing hazard and obstruction to road users.
- There does not appear to be sufficient car parking. As with the development of Jacobs Mill further down the road, residents require more spaces than are provided. There was a proviso for all purchasers on that site that they would not park on the internal roads, but that has never been adhered to. The same will happen here, resulting in the internal roads being clogged with vehicles, causing problems with access for emergency vehicles and council vehicles.
- The traffic generated from this development will cause misery to the residents of the town, as the vast majority of new residents will be making their way down Mill Street to gain access to the A40 towards Oxford. There will be constant traffic jams along Burford Road,

Mill Street, Bridge Street and onto Oxford Hill. Pollution levels on the bridge are already over acceptable limits.

- The proposed entrance to the site is far too close to the existing entrances to the Windrush Inn car park (3 in number), the service road to the north of Burford Road and the entrance to Davenport Road. Given that 260 new homes will probably mean 500+ additional vehicles trying to join or leave the traffic stream in Burford Road morning and evening, to site this new entrance at this location will inevitably cause collisions as vehicles from all these existing access points also attempt to safely negotiate their respective junctions. We already cope with daily hazards as there is no clear delineation between the Windrush Inn car park and the service road and patrons of this establishment give no thought to vehicles entering or leaving the service road and many near collisions have resulted. In my opinion, the only safe access point for this new development would be at the mini-roundabout at the Tower Hill/Burford Road junction. This would allow much safer merging of the additional traffic regardless of their proposed direction of travel.
- Whilst I commend the builders on building low level housing at the front of the site and not turning the road into a canyon I feel the position of the access to the estate is wrong and could potentially cause road accidents in the future. Early morning when all the occupants of these houses are leaving for work the potential traffic hazards are immense, surely it would be safer to make the exit onto the existing roundabout that is at the junction with Tower Hill rather than have another major exit just yards down the road. This round about and stretch of road down to Mill Street is now a very busy area during rush hour.
- This proposal would push at least another 500 cars each day onto Burford rd most likely driving past my property down Mill St, to access the A40. I mention my property only to back up a point given from personal experience, that currently extensive traffic queues form morning and afternoon/evening past my house - cars trying to drive into the west end of Witney and onto the A40. I currently commute into Oxford for work and choose to drive out of my way, driving across Witney to avoid these queues. It is not sustainable to add more cars to Burford rd/Mill st unless the current problems are solved first.
- The speed limit on Burford Road was originally 40mph and a great number of drivers regularly exceed the current 30mph limit, making turns in and out of the road dangerous enough. An additional junction between the mini roundabout and the pub entrances will only add to the problem.
- I suffer from a lack of mobility and so, living opposite the proposed entrance to the whole site, I am deeply concerned about the difficulties that will be caused and the lack of adequate and safe access that would arise.
- Need to take into account the additional traffic generated from the Springfield Oval development.
- This development should NOT start until the Shores Green slip road has been given the green light as this was the only reason cited as a mitigation factor (in the appeal) which will allegedly negate the negative impact of the development on the Witney (Bridge Street) air quality management zone.

Health and Safety

- The development is very close to the flo-gas site, and represents a risk of major incident not just for the unfortunate residents in the new development, but for the whole community.
- To put a housing estate next to a registered COMAH gas storage and distribution centre is dangerous and should not be allowed. You would not be allowed to build such a gas installation next to a housing estate.
- Some of the houses will be 100 yards from the gas plant which stores 150 tonnes of LPG then at the other end of the field it floods annually and for weeks not just overnight.
- A blast protection wall near the Flo Gas boundary as a result of intentionally placing residential properties in a known blast zone.

Infrastructure

- Witney has just lost a GP practice in Deer Park. Residents of this new proposed development will inevitable have to register at one of the other practices, that are already overstretched due to Deer Park closure. Waiting time for a routine appointment at the Windrush Practice can be as long as 4 weeks. Where will several hundred more patients get their essential services?
- The existing sewerage is under perpetual pressure and more homes should mean an upgrade by Thames Water, but it won't.
- The infrastructure is in dire need before any further development should come under applications or further consideration. It should be dismissed out of hand.
- Building more houses when we do not have the infrastructure to support the extra residents is ridiculous.

Ecology

- The ecology of this rural town is being damaged irrevocably by further developments.
- Destroy the view and wild life habitat across this area of the Windrush Valley

Density

- They intend to build 260 houses. Their Design evaluation shows the initial boundary when 270 houses were suggested. The current plan shows a much smaller development area with much of the lower part of the development being green areas, with a pond, trees and a large play area (Much of this will be under water anyway during the winter floods).
- There is also a public green square as well as a green buffer zone between the gas installation and the estate. Yet despite this only 10 houses have been dropped from the initial plan, therefore I can only assume that these houses are going to be squeezed into a much smaller area than initially planned for. This must increase the density of the housing

which can only be for the benefit of the developers and not residents. There are simply too many houses for the area available.

Design

- Most of the houses that are planned to be built are two storey, however, I note that there are a number of three storey houses (House Type T447 E-7, T447-T and SH66). The height of these houses is not shown, but in my view should not be taller than the two storey houses as this will adversely effect and obstruct any view that may still be available across the Windrush Valley.
- The site appears cramped now that the design has been amended to include 260 houses in a reduced area and it does not appear that sufficient space has been allowed for parking around most of the houses.
- The materials specified for brick and roofing are not in keeping with the traditional colours for the area and will significantly impact the amenity view across the site and within its location, contrary to statements presented at pre-approval stage. They will not be sympathetic or in harmony with its landscape.

Noise Nuisance

Our house is a band F property that has backed onto open farm land since it's construction in 1954. This change of use and the proposed siting of "Affordable Rent properties" so close to our boundary will cause a great deal of additional noise that is characteristic of this type of home. If we have any influence over this layout then we would prefer to see private dwellings sited at this location, occupied by owners on a longer term basis who are more likely to have more regard for their neighbours. The presence of rental properties on our boundary may well render large parts of our garden unusable.

Topography

We have already suffered a loss of privacy, caused by the developer of 60/60A Burford Road elevating the rear garden of that property, to the effect that the former six foot boundary wall between our two properties is now only a two foot six inch wall on their side leaving us completely overlooked. We are deeply concerned that no changes are made to the topography of this field that may elevate the proposed properties to a more over-bearing height. The field slopes towards the valley bottom and we would like to see the present topography remain.

Layout

- The proposed properties are far too close to the boundaries of the Windrush Inn, 62 Burford Road. 60/60A Burford Road, 58 Burford Road & Springfield Oval. Given that the Flo-Gas plant was not considered an impediment to the development of this land, nor indeed the flooding, then the empty spaces to the north and west of this proposed development could be utilised for housing leaving a larger
- gap between the existing and new housing thus lessening the impact of noise and overlooking, as safety is clearly not an issue here given that the Secretary of State has deemed it so.

- It is clear that 260 units have been shoehorned in to a smaller land allocation due to the flooding area and blast zone, resulting in insufficient numbers of guest parking places against OCC policy and road widths not meeting requirements, as well as undersized garages.
- The NEAP area is situated at the furthest North Eastern point on the development, in a known area for flooding, rendering limited access and use during winter / spring and giving rise to significant health & safety concerns for traversing the various estate roads for access by families and children in particular. It should be sited centrally for maximum benefit and use to the new residents throughout the year with a much more beneficial and mitigated lower risk assessment.

Affordable Housing

- The proportion given to "affordable housing" is unlikely to help solve the housing problems in West Oxfordshire where average house prices locally far exceed the national average and therefore "affordable" does not do what it says on the tin. There appears to be no designation to social housing at all.
- The vast majority of affordable housing has been placed on the perimeter of the site adjacent to existing neighbours contrary to policy and also best practice for integrated mix housing schemes across England. They should be FULLY integrated across the whole of the site, not as proposed with what appears to be a potential social divide impact.

Pollution

Toxic air needs to be seriously talked about.

Residential Amenity

- Properties adjacent to the site perimeter (Burford Road & Pope's Piece) are in an elevated position of some 6-15ft above the proposed site levels. Full provision should be given ensuring that all rear gardens are fully protected, including privacy rights. The minimum boundary fence should be 10ft tall to ensure gardens are secure and retain their current privacy. I have two areas of decking that sit 6 ft above the boundary level, whilst my garden is a further four feet above the decking, albeit currently screened. A six foot boundary fence will provide no privacy whatsoever and is unacceptable mitigation.
- Due to the prevailing south easterly winds across the valley throughout the year that full noise, dust and environmental monitoring will be agreed before works start. Also that existing householders will be provided with clean up services attributable to the developers budget to ensure our properties are not adversely impacted by their construction works, including potential adverse impact to existing ground conditions caused by heavy machinery and disturbing the natural land. Written guarantees will be required.

3 APPLICANT'S CASE

- 3.1 The site currently benefits from a previous outline approval reference (App/D3125/W/15/3005737) for up to 260 residential dwellings and associated infrastructure.

3.2 This reserved matters planning application is pursuant of the above. A more detailed summary of the key planning records is set out within the planning statement accompanying this application.

3.3 The Proposal is outlined in the planning statement as follows:

The application is seeking permission for the approval of 260 dwellings, following the precedent set in the outline approval.

The application includes a 40% on-site provision of affordable housing, which equates to 104 dwellings. The tenure split includes 37 dwellings for Intermediate Housing and 67 dwellings for Affordable Rent.

The location of the affordable dwellings was discussed during the pre-application meeting and deemed acceptable by the Planning Officer. From a management perspective, the dwellings are located in a position to ensure ease in the future.

The arrangement of the street hierarchy is an underlying key element of place making and aids the creation of attractive places. Vehicular access, as established and approved, will be provided off the Burford Road (A4095).

As discussed within the Design and Access Statement, there will be a range of materials used to create a sense of place and increase legibility throughout the scheme. The materials will reflect those of the surrounding environment and adjacent residential dwellings. The materials that are proposed within the Design and Access Statement have been discussed with the Local Planning Authority.

The layout provides and promotes a sustainable transport network to ensure residents can move throughout the site to the wider area. Walking and cycling have both been encouraged within the scheme, where possible and appropriate.

The proposed market housing mix includes two and three beds at a total of 48% and four bed plus bedroom dwellings at a total of 52%.

The mix provides a balanced scheme, offering a wide range of properties to the future residents. The scheme is representative of the wider area and provides a continuation to the core of Witney.

The range of house types ensures a balanced community in the future.

There is sufficient Public Open Space provided within the scheme, in accordance with the approved Masterplan. There is scope to provide a footpath in the northeast corner of the site, creating a connection to the recently approved residential development immediately adjacent.

Landscaping details have been submitted with the reserved matters and should be reviewed in conjunction with the planning layout. The landscaping proposals follow the principles established within the outline consent.

As discussed within the appeal decision and condition 1 of the outline approval, the layout has been produced in accordance with the 'HSE Consultation Zones'. This ensures the safety of the future residents.

There are a mixture of 2 and 2½ storey dwellings plotted in various location. These dwellings have been plotted where most appropriate, in order to create vista and key points throughout the development. This has enabled the scheme to development key character areas, such as the 'Feature Square'.

A detailed appraisal and justification of the proposed scheme is provided within the submitted Design and Access Statement.

3.4 The Planning Statement concludes as follows:

The principle of development was established via the outline consent, application reference: 14/1215/P/OP.

Early engagement with the Local Planning Authority has ensured the layout submitted for approval reflects a fully integrated design, providing a sustainable development.

The reserved matters proposals are consistent with the outline planning permission and the submitted technical information. This demonstrates compliance with local and national policies and it is therefore respectfully requested that this planning application be approved.

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
BE20 Protection for hazardous substances, installations and airfields
NE1 Safeguarding the Countryside
NE2 Countryside around Witney and Carterton
NE3 Local Landscape Character
NE7 The Water Environment
NE13 Biodiversity Conservation
NE15 Protected Species
T1 Traffic Generation
T2 Pedestrian and Cycle Facilities
H2 General residential development standards
H3 Range and type of residential accommodation
H7 Service centres
TLC8 Public Rights of Way
WIT3 Windrush in Witney
BE18 Pollution
H11 Affordable housing on allocated and previously unidentified sites
OS2NEW Locating development in the right places
OS4NEW High quality design
EH1NEW Landscape character
EH2NEW Biodiversity

EH3NEW Public realm and green infrastructure

EH6NEW Environmental protection

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

H2NEW Delivery of new homes

H3NEW Affordable Housing

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application is a Reserved Matters submission following the grant of outline planning permission for up to 260 houses on the site by the Secretary of State on 24 August 2016.

The Reserved Matters application is limited to the following considerations:

Layout

Scale

Appearance

Landscaping hard and soft

Boundary treatments

Footpath link through the site to the existing footpath network

The proposed wooded area in the north part of the site

The provision, timing, layout and equipping of a neighbourhood equipped play area

- 5.2 In addition to the above, Condition 1 of the outline planning permission requires that the Reserved Matters application shall follow the general parameters and broad design layout concepts set out in the Design and Access Statement dated Feb 2015, Development Framework Drawing no. 5857L102 rev M and the HSE Consultation Zones.

The pre commencement conditions on the outline approval will address the following matters and do not need to be duplicated as part of this Reserved Matters application:

Archaeology

Full details of the proposed site access junction and emergency access

Off site highway works to include alterations to the junction at Tower Hill and Burford Road, toucon crossing on the Burford Road, shared use footway cycleway along the north side of Burford Road and specified works to bus stops

Details of all road construction, street lighting and drainage

Access, parking and turning areas to serve each dwelling

A detailed scheme for the provision of affordable housing has been approved which shall be pepper potted throughout the development and which shall consist of not less than 40 per cent of the dwellings

Phase II Contamination Site Investigation is carried out and the results submitted to and approved in writing by the LPA. If investigations indicate that remediation is necessary that a remediation scheme be submitted to and approved in writing by the LPA and the approved scheme must be carried out in accordance with its terms prior to the commencement of development unless otherwise agreed in writing by the LPA. Following completion of the measures identified in the remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out, must be submitted to and approved in writing by the LPA

A scheme of landscaping for the area shown blue on the approved site plan

A habitat ecological and landscape management plan, including long term design objectives, future management responsibilities, protection during construction, timetable for implementation, compliance with the mitigation measures contained within the Feb 2015 Ecological Assessment and maintenance schedules for not less than 15 years for all areas of the appeal site including the blue land

An Environmental Construction Management Method Plan and Statement with respect to the construction phase of the development have been submitted to and approved in writing by the LPA

A detailed scheme for the provision and future management and maintenance of surface water drainage, including any necessary attenuation together with a timetable for implementation has been submitted to and approved in writing by the LPA

No development shall take place until the existing and proposed ground levels across the site and the levels of the proposed floor slabs and ridge heights have been submitted to and approved in writing by the LPA.

The Proposal

- 5.3 This Reserved Matters application proposes the construction of 260 dwellings of which 104 are affordable units. The dwellings are a mix of 2 and 2 and a half storey across the site and are of a generally vernacular design in terms of detailing, plain eaves and verges, chimneys on the ridge lines, balanced casements. The palette of materials is mixed to reflect the sites context and consists of walling of red brick and render to reflect the materials used along the Burford Road, a lighter sandstone coloured brick and natural stone to reflect the more vernacular West Oxfordshire building material. The proposed roofing materials are a mix of slate grey and russett coloured tiles.
- 5.4 The proposal consists of a mix of detached, semi-detached and terraced housing offering 2,3,4 and 5 bedroom homes.
- 5.5 The main access to the site is taken off of the Burford Road in the position approved on the outline consent and a tree lined street will link through to a landscaped formal public square. The streets within the development consist of primary streets, secondary streets, lanes and mews.
- 5.6 To the north and north east of the site the land is designated on the approved master plan for use as an equipped play area and a new pond provided as part of a sustainable drainage system

to serve the development. These spaces together with the more formal public square form the public open space serving the development.

- 5.7 In addition the outline permission is subject to a planning obligation by way of a unilateral undertaking which secures the following financial contributions:

Adult day care contribution-£53,008.06

Bus infrastructure contribution-£10,000

Day care, Education and library contribution of £1,922,626.67

Highway contribution of £1,162,011

- 5.8 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

- 5.9 In terms of the principle of redeveloping the site for residential purposes, conditional outline planning permission has been granted following an appeal in respect of the refusal of planning permission 14/1215/P/OP for up to 260 dwellings of which not less than 40 per cent shall be affordable housing units.

- 5.10 The outline consent is granted with a number of pre commencement conditions which will address technical issues relating to amongst other things, access arrangements, contamination, surface water drainage, ecology and landscape management, a construction management plan and levels across the site.

- 5.11 In light of the above the issues to be considered in respect of this reserved matters application are limited to the following:

Layout

Scale

Appearance

Landscaping hard and soft

Boundary treatments

Footpath link through the site to the existing footpath network

The proposed wooded area in the north part of the site

The provision, timing, layout and equipping of a neighbourhood equipped play area

Impact on residential amenity

Affordable Housing

Layout

- 5.12 Condition 1 of the outline planning permission requires that the Reserved Matters application shall follow the general parameters and broad design layout concepts set out in the Design and Access Statement dated Feb 2015, Development Framework Drawing no 5857L102 rev M and the HSE Consultation Zones.

- 5.13 The layout that has been submitted follows the general parameters and broad design layout as approved in the outline consent in terms of the access location, the proposed main vehicular

routes through the site, the proposed emergency and pedestrian access onto the Burford Road, the location of the proposed equipped play area, the location of the proposed attenuation basin and the restriction of 10 percent of the dwellings within that part of the site located within the HSE Mid Consultation Zone. At the time of writing OCC Highways have some concerns about the layout as detailed in the 'Major Planning Application Team' consultation response. These issues are presently being addressed through discussions between the applicant and County Highways and it is anticipated that the concerns will be addressed prior to the presentation of the application to Committee.

Scale

- 5.14 The proposed dwellings are a mix of 2 and 2 and a half storey buildings and as such are considered to be acceptable in terms of scale given the scale of existing sky line buildings fronting onto the Burford Road and that the land generally falls down from the skyline towards the river valley.

Appearance

- 5.15 The dwellings which are a mix of terraces, semi-detached and detached units are generally of the local vernacular in terms of proportions and design details. The mix of materials proposed which include red brick, a sandstone coloured brick, natural stone and render with a mixture slate grey and a reddish roofing material are considered acceptable given the context of the site, the red brick and render reflecting existing skyline development along the Burford Road.

Landscaping, Boundary Treatments and Proposed Wooded Area

- 5.16 At the time of writing following consultation with both the Council's Forestry Officer and Ecologist the applicant has been asked to provide amendments to the landscaping scheme as submitted in order to achieve the following:

Reflect the landscape context of the site

To physically delineate the boundaries between the gardens of the dwellings and the boundary planting to be maintained by a management company in the future

To plant the 'inner zone' located adjacent to the Flo Gas installation with native tree species as required by the Inspectors appeal decision letter in the interests of delivering green infrastructure and habitat benefits in the short and long term.

Footpath Link

- 5.17 In accordance with the condition of the outline consent a footpath link to the public footpath network running along the river valley has been provided from the site located adjacent to the Neighbourhood Play Area.

Provision of the Neighbourhood Equipped Play Area

- 5.18 At the time of writing this matter is still under consideration as Officers are in discussions with the developers about where the equipped play area would be best located given the natural land levels in the corner of the site where the NEAP is located on the approved concept plan.

Impact on Residential Amenity

- 5.19 The residential properties that will be most impacted by the development are the five dwellings located adjacent to The Windrush public house and a number of properties located at the bottom end of Popes Piece, the gardens of which overlook the development site. Given the changes in natural ground levels the proposed dwellings will sit at a lower level than the existing adjacent development and as such the proposed development will not either overbear or overshadow those properties.
- 5.20 Whilst the existing dwellings that abut the site will be able to see the development, the back to back and side to side distances of new and existing housing accords with the general development management parameters of 21 metres and 14 metres.
- 5.21 Notwithstanding the above back to back and side to side distances, given the change in land levels it is the proposed development that abuts the dwellings fronting onto Burford Road and sits at a lower level that may be impacted by a level of perceived overlooking. This however can be overcome by the use of intervening boundary screening.
- 5.22 In light of the above the development is not considered to adversely affect the residential amenity of either existing or proposed occupiers.

Affordable Housing

- 5.24 The Reserved Matters application makes a provision of 40% affordable housing, which equates to 104 dwellings. The tenure split includes 37 dwellings for shared ownership and 67 dwellings for Affordable Rent. This is considered to accord with requirements of the outline consent and is supported by the Council's Housing Enabling Manager.
- 5.25 Another requirement of the outline consent is that the affordable housing provision shall be pepper potted throughout the development. Approximately 60 percent of the affordable units abut the eastern boundary of the site and approximately 40 percent are located elsewhere within the development. Given the substantial weight afforded to the provision of much needed homes, both affordable and market, as outlined in the appeal decision letter, your officers consider that the degree of pepper potting as proposed is acceptable. It will be noted that the Housing Enabling Officer is not objecting to the proposals.

Conclusion

- 5.26 In light of the above assessment, subject to the amendments requested by your officers in terms of the landscaping proposals and the neighbourhood play areas being addressed by the applicants and OCC highways being satisfied with the layout in highway terms, it is anticipated that the application will be recommended favourably with conditions pertaining to the Reserved Matters application only which it is anticipated will include amongst other things a requirement for the following:
- Samples of materials
 - Walling sample panels
 - Fenestration details
 - Removal of PD rights for extensions and means of enclosure
 - That the garages be retained for the parking of vehicles only,

Detailed planting and hardstanding schemes
Provision of the footpath link prior to first occupation of the dwellings etc.
Management proposals for landscaping
Details of boundary treatments

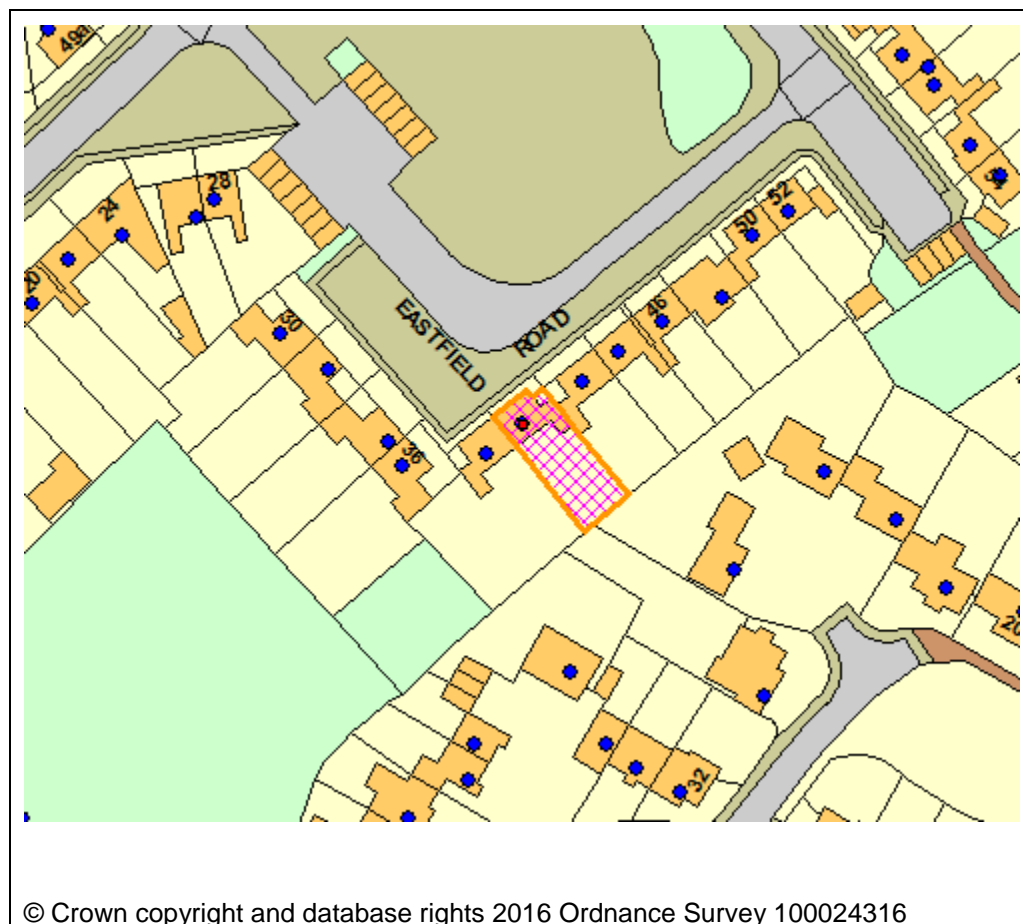
- 5.27 Members are asked to note that whilst a large body of the representations received in respect of this application relate to concerns about flooding, contamination, highway and access issues amongst other matters, as advised earlier in this report these technical issues are controlled through pre commencement conditions attached to the outline consent.

6 CONDITIONS

Provisional Approval

| | |
|-------------------------|--|
| Application Number | 17/03618/FUL |
| Site Address | 40 Eastfield Road Witney Oxfordshire OX28 1HN |
| Date | 3rd January 2018 |
| Officer | Sarah De La Coze |
| Officer Recommendations | Refuse |
| Parish | Witney Town Council |
| Grid Reference | 435910 E 210975 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Part change of use to allow child minding business with maximum of 12 children.

Applicant Details:

Miss Simone Potts, 40 Eastfield Road, Witney, Oxfordshire, OX28 1HN

I CONSULTATIONS

- 1.1 Town Council Witney Town Council has no objection to this application.
- 1.2 OCC Highways The proposal does not include off street parking for staff and pick up/drop off however given the location I cannot demonstrate the severe harm that would warrant the recommendation of refusal for the application.
- The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- No objection.
- 1.3 ERS Env Health - Lowlands Mr ERS Pollution Consultation I have no objection to his child care business expansion on noise grounds.

2 REPRESENTATIONS

- 2.1 No letters of representation have been received.

3 APPLICANT'S CASE

The applicant has provided a covering letter which states:

I wish to apply for planning permission to take my current numbers from 6 to a total of 12 with an assistant the maximum of EYFS under 8 year olds at any one time at the property will only be 6 as this is what Ofsted allow. The rest will be school children. As stated the house is not to be altered in anyway internally or externally and is just planning for an increase in numbers. The house is big enough for the increase in children and has the required floor space to do so.

There is ample parking outside the front of the property and my current parents are aware they most park their cars at all times and not block my neighbours in. I work from 7am to 7pm and we only go into the garden between the hours of 10am-4pm in winter and 9am - 6pm in summer.

4 PLANNING POLICIES

H2 General residential development standards

E7 Existing Businesses

BE3 Provision for Movement and Parking

H6NEW Existing housing

E1NEW Land for employment

T4NEW Parking provision

EH6NEW Environmental protection

BE19 Noise

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the use of the dwelling as a childminding business for up to a maximum of 12 children.
- 5.2 The application site is located in the residential street of Eastfield Road in Witney. The dwelling is currently used as a childminding business with a maximum of 6 children. The dwelling comprises a rear garden and small frontage. The site benefits from off street parking in close proximity to the dwelling.
- 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 and Residential Amenities

- 5.4 Policy E7 of the adopted local plan and Policy E1 of the emerging plan relates to existing employment uses. The policies state that the expansion of existing businesses will be supported where commensurate with the scale and character of the area.
- 5.5 Officers are of the opinion that given the nature of the residential area, the intensification of the use of the dwelling as a childminding business for up to 12 children would not be considered commensurate given the residential location.
- 5.6 The nature of the business type requires the business to be open most of the year and as detailed in the supporting statement, the garden area would also potentially be in use for long periods of the day Monday to Friday all year round.
- 5.7 The intensified use of the site would increase the number of children to a level which is likely to impact on neighbouring amenity with regard to increased noise, movements to and from the property and increased staff numbers depending on Ofsted requirements.
- 5.8 Whilst Environmental Health raise no objection to potential noise issues, officers are of the opinion that the combination of increased noise, vehicular and pedestrian activity from children and any staff throughout the year, would cumulate in a business activity which would fail to be commensurate to the residential location. Officers are therefore of the opinion that the increased use for 12 children would be unacceptable.
- 5.9 The application proposes no change to the layout of the dwelling and proposes no external alterations.

Highways

- 5.10 Oxfordshire County Council Highways have been consulted and raise no objection to the proposal.

Conclusion

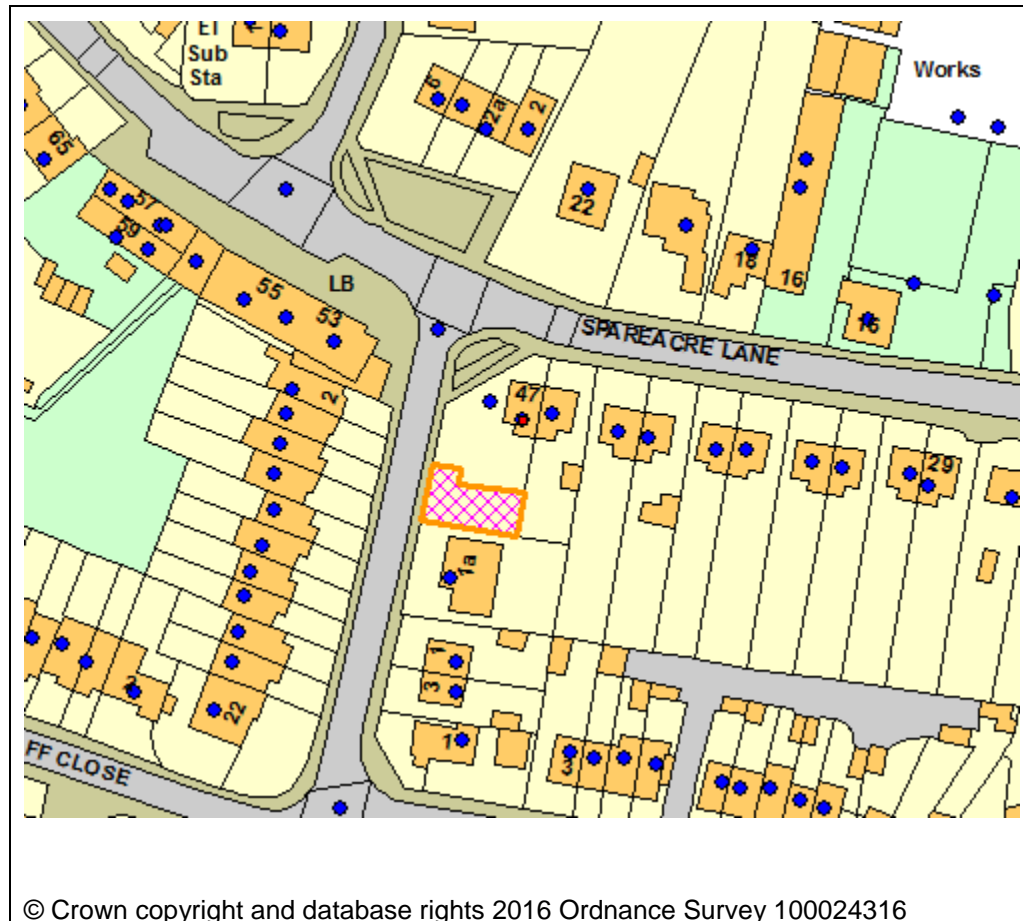
- 5.11 Taking into account all of the above matters and weighing all material considerations and those raised through third party consultations, officers are of the view that the impact on neighbouring amenity is unacceptable. The development would consequently fail to comply with the policies E7, BE19 and H2 of the adopted West Oxfordshire Local Plan 2011 and policies E1, EH6 and H6 of the emerging Local Plan 2031.

6 REASON FOR REFUSAL

- 1 The proposed intensified use of the dwelling as a childminder business for 12 children, by reason of the combination of increased movements to and from the property, noise and general disturbance is considered likely to have a detrimental impact on the residential amenities enjoyed by neighbouring residential properties. As such the proposal is considered to be contrary to West Oxfordshire Local Plan 2011 Policies E7, BE19 and BE2, Emerging West Oxfordshire Local Plan 2031 Policies E1, EH6 and H6, and the relevant paragraphs of the NPPF.

| | |
|-------------------------|---|
| Application Number | 17/03704/FUL |
| Site Address | 47 Spareacre Lane Eynsham Witney Oxfordshire OX29 4NJ |
| Date | 3rd January 2018 |
| Officer | Sarah De La Coze |
| Officer Recommendations | Refuse |
| Parish | Eynsham Parish Council |
| Grid Reference | 443226 E 209697 N |
| Committee Date | 15th January 2018 |

Location Map



Application Details:

Erection of detached dwelling.

Applicant Details:

Mr Ian P. Jackman, 52B Shakespeare Road, EYNSHAM, OX29 4PY, Oxfordshire

I CONSULTATIONS

- 1.1 Parish Council Eynsham Parish Council has no objection.
- 1.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network. Given the location I cannot demonstrate that the parking provision would cause such harm as to warrant the refusal of the planning application for reasons of highway safety and convenience
- No objection subject to
- G28 parking as plan
- G11 access specification
- The applicant is advised not to commence work in the public highway until formal approval has been granted by Oxfordshire County Council by way of a section 184 Notice under the Highways Act 1980
- 1.3 WODC Drainage Engineers No objection subject to conditions.
- 1.4 Thames Water No Comment Received.

2 REPRESENTATIONS

- 2.1 Two letters of representation have been received from Mr Goodall which states:

I am concerned about the above proposed planning application for a detached dwelling, which will be a back lane address not a Spareacre Lane address. This proposed planning is on a site which was a one dwelling site which if passed will become a four dwelling site. I live opposite the proposed planning and I am worried about the parking provisions for this new dwelling as we have already lost several on street parking places due to the expansion of this site. I don't think it right we have to suffer if this planning goes ahead.

and Mrs Ward which states:

Allowing another dropped curb will take out one and possibly two more car parking spaces two spaces were taken out last year for the same reason. Since the last dropped curb which allowed 2 cars other cars attached to that dwelling still park in Back Lane. Back Lane will effectively become a car park causing distress to people like myself who have lived here for over 30 years.

3 APPLICANT'S CASE

A full version of the Design and Access Statement submitted can be viewed on the Council's website. It is concluded as follows:

The demolition of a double garage and proposed attractive detached dwelling in the Eynsham area would not have a detrimental effect on any of the neighbouring properties or on the area

as a whole. The proposed dwelling would add interest to the corner in this prominent location within the suburban area. The general appearance would be improved by the proposals compared to the current situation. Bin storage areas and sheds for cycles would be provided to the rear of the property, therefore out of sight, not resulting in a change to the character of the area. Most importantly good sized accommodation will be created that will be more affordable than some of the other larger properties in the village. The extra unit that would be created will go towards quotas set in order to address the national housing shortage.

4 PLANNING POLICIES

BE2 General Development Standards
H2 General residential development standards
OS2NEW Locating development in the right places
H2 General residential development standards
OS1NEW Presumption in favour of sustainable development
OS4NEW High quality design
BE3 Provision for Movement and Parking
T4NEW Parking provision
H6NEW Existing housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site comprises former curtilage land of 47a Spareacre Lane. The application seeks permission to erect a two storey dwelling fronting on to and with access from Back Lane.
- 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 adopted and emerging local plan identifies Eynsham as a service centre based on the settlements sustainability where new development is acceptable in certain circumstances. Emerging policy H2 refers to new dwellings and takes a less prescriptive approach. The policy states that new housing will be allowed on sites allocated for housing, on previously developed land within the built up area or on undeveloped land within or adjoining the built up area where development is necessary to meet identified housing need and is consistent with the general principles as outlined in the policy.
- 5.4 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since

the year 2011, currently 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.

- 5.5 In accordance with a common assumed start date of 2021, the Council is proposing through the Local Plan that Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times on large, strategic sites. Furthermore, in order to maintain an annual requirement that is realistically achievable the Council is proposing that the accumulated shortfall will be spread over the remaining plan period to 2031 using the "Liverpool" calculation rather than addressing it in the next 5 years under the alternative "Sedgefield" calculation.
- 5.6 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.7 The Council has made 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 has made a strong case for the "Liverpool" calculation and is confident that its approach is appropriate to address housing needs in the District in a realistic and sustainable manner over the plan period.
- 5.8 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions 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.
- 5.9 Emerging Local Plan 2031 Policy OS2 refers to the main service centres, such as Witney, being the focus for a significant proportion of new homes. Emerging Policy H2 allows for housing development on undeveloped land within or adjoining the built up area where the proposal is necessary to meet housing needs and is consistent with a number of criteria (now expressed in OS2), and is consistent with other policies in the plan.
- 5.10 With reference to a range of policy considerations, and the balancing of harm and benefit required under paragraph 14 of the NPPF, the detailed merits of the proposal are assessed below.

Siting, Design and Form

- 5.11 Back Lane comprises a number of residential properties with a mix of terrace, semi and detached dwellings. The proposed dwelling will be a two storey detached dwelling comprising a small parking and garden area to the front as well as a garden to the rear. The dwelling will be highly visible in the street scene. Officers are of the opinion that whilst the dwelling will be smaller in scale and height of the neighbouring properties, given the range of properties located on Back Lane the design and position of the proposed dwelling would generally be in keeping with the pattern of development in the street scene. The dwelling would be located in a logical

position on the street scene and the design and position is not considered to have an adverse impact on the street scene or wider area.

Residential Amenities

- 5.12 The proposed dwelling will be sited adjacent to the side of no.1b Back Lane and to the rear of no.47a Spareacre Lane. The distance between the side of the proposed dwelling and the rear of no.47a is approx 9.8m. Given the modest separation distance, officers are of the opinion that the proposed dwelling would be overbearing which would then also result in an unacceptable outlook from the rear of no.47a as well as the garden area.
- 5.13 The proposed dwelling would be located to the south of no.47a and therefore it is also considered that due to the modest distance the dwelling would overshadow the property unacceptably. Given the above the development is considered to have an adverse impact on the amenity of the neighbouring property and is therefore unacceptable.
- 5.14 As the dwelling would be set generally in line with no.1a the property is not considered to impact on the amenity of the property.

Highways

- 5.15 The objections received refers to the loss of off street parking due to the new proposed access. Oxfordshire County Council has been consulted on the application and raise no objection.

Conclusion

- 5.16 Taking into account all of the above matters and weighing all material considerations and those raised through third party consultations, officers are of the view that whilst the principle in general terms may be considered acceptable, the impact on neighbouring amenity is unacceptable. The development would consequently fail to comply with the provisions of Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011, policies OS2, OS4 and H2 of the emerging West Oxfordshire Local Plan 2031.

6 REASON FOR REFUSAL

- I By reason of its siting in close proximity to the rear of No.47a Spareacre Lane, the proposed dwelling is considered likely to unacceptably overbear and overshadow the neighbouring amenity space as well as impact on the outlook afforded to the neighbouring properties, to the detriment of the residential amenity of the occupiers. As such, the proposal is considered contrary to West Oxfordshire Local Plan 2011 Policies BE2 and H2, Emerging West Oxfordshire Local Plan Policies OS2, OS4, and H6, and the relevant paragraphs of the NPPF.