

WEST OXFORDSHIRE DISTRICT COUNCIL

LANDS AREA PLANNING SUB-COMMITTEE

Date: 12th February 2018

**REPORT OF THE HEAD OF PLANNING
AND SUSTAINABLE COMMUNITIES**



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Purpose:

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

Recommendations:

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

List of Background Papers

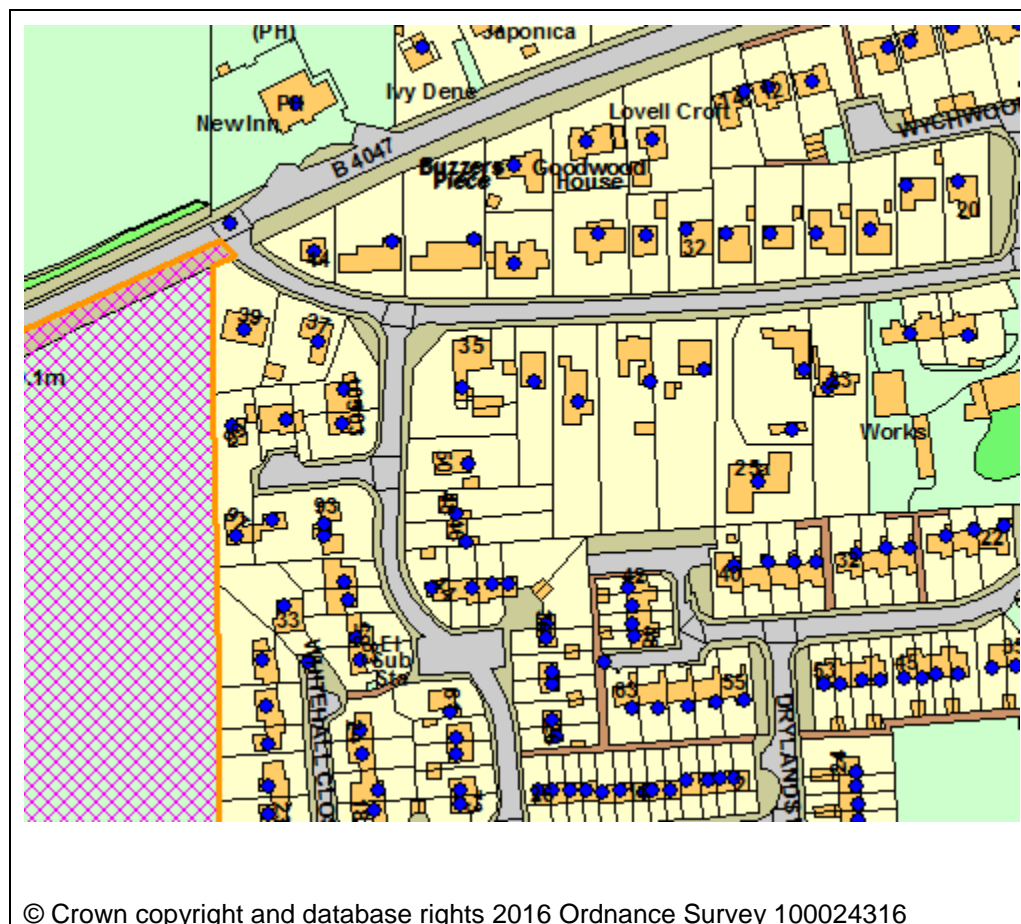
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
17/01859/OUT	<u>Land West Of Minster Lovell South Of Burford Road, Minster Lovell</u>	3
17/02772/FUL	<u>Cote Farm Barn, Cote</u>	21
17/03250/HHD	<u>50 Richens Drive, Carterton</u>	25
17/03521/S73	<u>Eynsham Nursery And Plant Centre Old Witney Road, Eynsham</u>	30
17/03989/FUL	<u>8 Crawley Road, Witney</u>	35
17/04007/FUL	<u>Common Leys Farm, Whitings Lane, Hailey</u>	40
18/00090/HHD	<u>4 Lovell Close, Ducklington</u>	52

Application Number	17/01859/OUT
Site Address	Land West Of Minster Lovell South Of Burford Road Minster Lovell Oxfordshire
Date	31st January 2018
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Minster Lovell Parish Council
Grid Reference	430851 E 210716 N
Committee Date	12th February 2018

Location Map



Application Details:

Residential development of up to 126 dwellings together with a new vehicular access onto Burford Road (B4047), footpath links, areas of public open space, children's play area and landscaping.

Applicant Details:

Mr & Mrs Martin and Jenny Kinch
C/O Agent

I CONSULTATIONS

- | | | |
|------|-------------------------------------|---|
| I.1 | Major Planning Applications Team | Transport - No objection subject to conditions and suitable legal agreements
Archaeology - No objection subject to conditions
Education - No objection |
| I.2 | WODC - Arts | Should this proposal be granted planning permission then the Council would favour an allocation of £15,960 towards a creative programme to promote positive health and wellbeing for residents post occupation |
| I.3 | Conservation Officer | No Comment Received. |
| I.4 | Environment Agency | No Comment Received. |
| I.5 | ERS Env Health - Lowlands | Mr ERS Pollution Consultation - I have no objection in principle to this outline proposal.
A noise report to inform the design and layout of the built form would be relevant at the appropriate stage in the evolution of the site, subject to your planning consent approval. |
| I.6 | WODC Housing Enabler | No Comment Received. |
| I.7 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.8 | Biodiversity Officer | No objections, subject to conditions |
| I.9 | Natural England | FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DOWNY WOUNDWORT
As submitted, the application could have potential significant effects on downy woundwort which is protected under Schedule 8 of the Wildlife and Countryside Act. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.
The following information is required:
An assessment of the site at an appropriate time of year to determine whether downy woundwort is present and any necessary mitigation.
Without this information, Natural England may need to object to the proposal. |
| I.10 | WODC - Sports | No Comment Received. |
| I.11 | Thames Water | Waste Comments
Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to |

approve the application, Thames Water would like a 'Grampian Style' condition imposed.

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.

Supplementary Comments

Thames Water request that an impact study be undertaken to ascertain, with a greater degree of certainty, whether the proposed development will lead to overloading of existing infrastructure, and, if required, recommend network upgrades. Please liaise with Thames Water Development Control Department (telephone 0800 0093921) with regard to arranging an impact study. Thames Water suggests that initial assessment indicates that connection to the North of the site is preferred but that both discharge routes should be considered. The proposed surface water discharge from the development does not communicate with a Thames Water sewer and as such Thames Water cannot comment.

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|------|-----------------------------------|---|
| I.12 | WODC Env Services - Waste Officer | No Comment Received. |
| I.13 | ERS Env Health - Lowlands | No Comment Received. |
| I.14 | Parish Council | <p>Minster Lovell Parish Council strongly objects to the application. It is contrary to the following planning policies: National Planning Policy Framework (NPPF)</p> <p>Policy 7 - The three dimensions to sustainable development:
Economic: Location</p> <p>The proposed arable site is not in the right place to consider it sustainable and compatible with the existing Chartist settlement and Village of Minster Lovell. It is a 'tacked-on' development which will be unconnected with the Village as there is currently no access available via Ripley Avenue, Whitehall Close or Wenrisc Drive into the existing Village. Since the original planning application (16/01859/OUT), to build up to 85 houses, was submitted and approved, this site has been included in WODC's Strategic Housing & Economic Land Availability Assessment which forms part of the Local Plan, however this is for 85 houses, not 126. Further development of this site does not form a logical complement to the existing scale and pattern of development; it is 'tacked-on.'</p> <p>Potential new residents will be required to travel, most likely by car, out of the Village to meet their employment needs. There are no details included in the application that support the local infrastructure - rather infrastructure will be eroded by this development.</p> <p>Whilst it could be considered that the site is within easy walking distance to the nearest bus stop on the B4047 (located 553m away), the road is an extremely busy route for vehicles including HGV's</p> |

accessing the A40 and Witney and therefore footpath users feel vulnerable and unsafe. It should also be noted that the tarmac footpath in between Minster Lovell and Worsham is now unusable due to lack of maintenance by Oxfordshire County Council (OCC). The footpath/cycle track between Minster Lovell and Winey is also of a declining standard due to OCC budget cuts.

Precedent

The Council notes that the Southern boundary has been designed to be in alignment with Ripley Avenue so that the Chartist Estate is not affected by this development thereby mirroring the existing design of this part of the Village. However, in the event that the application is approved, a precedent for other sites would undoubtedly be set where in equity development would be difficult to resist and where cumulatively the resultant scale of development would erode the character, setting and environment of the Village. Development of this site would most likely lead to the expansion of the Village South towards the A40 (to the rear of Brize Norton Road properties) and West (towards Worsham). Development in either direction would have irreparable consequences to the existing linear, historic structure and character. New applications for development could further 'mirror' the existing pattern of that part of the Village in order to comply with design policies that would not be classified as infilling.

Population increase/scale

126 new dwellings will increase Minster Lovell's population by an average of 375. Minster Lovell's population was 1409 in 2011. If this application is approved, Minster Lovell's population will therefore increase by an average of 26.5%. Minster Lovell Parish Council feel this is an unacceptable increase (regardless of previous years' modest number of new homes) which will cause problems and put pressure on the community and its infrastructure. Village car parks for the shops, St Kenelm's Church, Wash Meadow and Crescent Stores Spar Shop are regularly full to capacity. WODC's lack of a Local Plan or 5 year housing land supply should not be to the detriment of our community. It is considered that the population increase is out of proportion and balance to the scale of the Village.

Highways

The building of 126 houses would result in at least 200 additional vehicles on the surrounding roads, given that the majority of households have at least 2 vehicles. Children are staying at home or returning to live at their parent's home for an increasing number of years due to the inability to afford a home of their own. This aspect will impact on vehicle movements which do not appear to have been a consideration. The increased number of vehicles using the Burford Road is not an immediate concern. However, if the new residents wish to access the A40 they will use the Brize Norton Road which is of great concern given existing vehicle volume and speed data at peak times. Upper Crescent and Wenrisc Drive will become a rat-run for those wishing to avoid the Burford Road/Brize Norton Road junction, which will be unacceptable to existing residents. The safety of

residents is at risk.

Social

The application does not support a strong, vibrant and healthy community. There are limited accessible local services.

Public transport

The Parish Council has met with Stagecoach Oxfordshire several times over the recent years due to its reduction in viable bus services. This issue continues to be a concern with the withdrawal of the S2 (through Minster Lovell to Oxford) and more recently the S7 (Minster Lovell to John Radcliffe Hospital) leaving the 233 (Burford to Woodstock) and Swanbrook Coaches (Cheltenham to Oxford) only. Public transport does not meet the need of a development of such a scale and will exacerbate traffic problems.

Amenities

The most local convenience shop is located 602m from the closest point of the development. It is not unreasonable to expect that the majority of the new residents will drive to the shop instead of walking. The closest bus stop is a similar distance on the Burford Road. Minster Lovell does not have the amenities in place to support the increase in residents. At the time of the original application for this site, the closest doctor's surgery was 2 miles away at Deer Park. This has now been closed, resulting in pressure on other surgeries, there is no chemist, library service or other amenities unlike neighbouring parishes of a comparable size.

Education

It has been noted that St Kenelm's Primary School could be internally reconfigured to increase its pupil quantity by 15 - there are 106 places for the 2015/16 academic year. An increase in pupil numbers greater than 15 will add pressure to the existing school infrastructure and facilities; the school's outside space is limited. Children as young as 4 years old from Minster Lovell already have to attend school outside of the Village because the school has insufficient places. This is unacceptable. These children are excluded from local events and peer groups.

Green space

The Council does not have the ability or capacity to maintain further green spaces or grass verges.

In the event that the application is approved, this aspect will need to be overseen by a management organisation or the District Council. The Council will take no responsibility.

Environment

The application does not contribute to protecting or enhancing the natural, built or historic environment. Little consideration is given to the listed Chartist properties in close proximity whose settings will be negatively impacted. Minster Lovell is one of four Chartist settlements

in the Country. Development by Fergus O'Connor in 1847 as part of a social reform movement, the Village was built of linear design with identical bungalows on large open plots. Further development of this nature erodes this historic character and uniqueness of Minster Lovell and damages the design and concept forever. The area to the south of the B4047 does not currently have protected status, despite a recommendation by an appeal inspector in 2016. This is due to lack of funds available at WODC Biodiversity will undoubtedly be impacted by the development when considering the local SSSI, other non-protected species, visiting barn owls and other birds.

Other relevant NPPF policies

Policy 14 - Approving the development, without a development plan would significantly and demonstrably outweigh the benefits.

Policy 17 - One of the core planning principles is to secure high-quality design and good standard of amenity for all existing and future occupants of land and buildings. The application is considered contrary to this policy as the design elements of the applications do not reflect local surroundings. The development is not in the right area and does not contribute to conserving or enhancing the natural environment. The application does not protect the Green Belt land and does not recognise the intrinsic character and beauty of this area of our countryside. The extremely dense style of the plan as submitted does not reflect the style of the village.

Policy 35 - The application does not create a safe and secure layout which will minimise conflicts between traffic and cyclists/pedestrians or consider the needs of people with disabilities by all modes of transport.

Policy 38 - It could be argued that this development is not within walking distance of local shops or the primary school (located 448m away from the corner of the site). Parents will automatically use their cars to travel to school thereby adding pressure on the estate roads.

Other considerations

LEAP

1. further play area in the proposed area is not needed.
2. Attenuation basin
The grey water attenuation basin should not be located next to the LEAP for health and safety reasons.
3. Pedestrian crossing - Burford Road
pedestrian crossing for the Burford Road is considered extremely dangerous given the speed and size of vehicles accessing the Village. The Council does not support this proposal.
4. Statement dwellings
The Council strongly objects to any dwellings above 2 storey height. Most local properties are bungalow or 2 storeys. Proposed dwellings above this height are considered out of character and of inappropriate design.

Additionally, for the reasons outlined in this response, the application is also considered contrary to the following policies of WODC's emerging Local Plan 2031: -

OS1 - Presumption in favour of sustainable development

OS2 - Locating development in the right places /SHLAA

OS4 - High quality design

H2 - Delivery of new homes (1, 3)

T3 - Public transport, walking and cycling

EHI - Landscape character

EH2 - Biodiversity

Please see Appendix A (Planning Obligation) in the event that the application is approved.

Should any application details be changed or further documentation submitted, Minster Lovell Parish

Council request to be appraised and copies forwarded to us.

Appendix A

COMMUNITY INFRASTRUCTURE LEVY / TOWN & COUNTRY PLANNING ACT 1990 S106 CONTRIBUTIONS STATEMENT

For the avoidance of doubt, Minster Lovell Parish Council wish to make it clear that it strongly opposes the application.

The reasons for refusing the application are specified overleaf. The Parish Council is not the planning authority and the decision to approve or refuse the application is out of its control. In the event that the application is approved, the Parish Council seeks contributions for community facilities as detailed below:

- A contribution is sought towards the refurbishment costs of Ripley Avenue Play Area (LEAP). The Play Area is c.14 years' old and the Parish Council is saving towards refurbished/new facilities for the area. The Ripley Avenue LEAP serves approximately 45 properties and is very well used. The safety surface continues to be repaired and along with the play equipment, has exceeded its expected life by 4 years. It is estimated that new equipment (aimed at older children) and surfacing will cost in excess of £60,000.

The Council seeks the sum of £40,000 to pursue its Burial Ground project within the Village. Additional recommendations for consideration:

- Contribution towards the creation of west-facing slip roads at the A40/Minster Lovell junction as identified in WODC's Emerging Local Plan and Oxfordshire County Council's Local Transport Plan 4 - Carterton Area Transport Strategy.
- A new Village Hall was identified as a priority in the last Village Action Plan. In the event that this application is

approved, there could be many subsequent similar developments and the need to build a new hall will be required to meet the demands of a growing community. (For consideration/implementation by the Diocese of Oxford).

2 REPRESENTATIONS

2.1 68 letters of objection have been received from residents and the Society for the Protection of Minster Lovell raising the following main points:

Principle

- It represents a significant departure from the original application, namely that a significant part of the site which was originally promoted as green space has now been given over to additional housing units.
- The original proposal created a barrier to further development to the south with landscaping. The new application appears to circumvent this barrier.
- Overcrowding, 85 was already too many houses.
- Will set a precedent.
- Proposals should be considered afresh.
- Application is based on greed.
- Will bring no benefits.
- Grenfall Tower shows building standards are inadequate.
- Contrary to NPPF.
- ML has already has its fair share of housing and has done its bit.
- No local plan means no benefits.
- Loss of wildlife value of greenfield site.

Design

- Does not follow local vernacular traditions.
- Dwellings more than 2 storey would be out of character.
- Contrary to Preservation and Enhancement of setting of conservation area suburbanisation of setting of a rural settlement.
- Will stop ML staying as a village.
- Contrary to ML Design Guide and Chartist origins

Traffic

- 126 houses will result in impossible amount of traffic trying to access the B – road.
- Danger to pedestrians.
- Busses to secondary schools are already full.
- Will increase rat running through village.
- Disruption during building works.
- Roads will ice over in bad weather due to contours in NE corner of site.

Infrastructure

- Primary school would be unable to cope with additional pupils.
- How will planners offer doctors facilities in Minster Lovell.
- Services will not cope.
- Nobody wants the village hall.

- Extra pressure on A40 commute.
- Sewers and water supply will not cope.
- Frequent power cuts.
- Few employment opportunities in the village.
- Low broadband speeds.
- Increased flood risk.

2.2 Minster Lovell Playing Field Trust have made the following comments:

- Minster Lovell Playing Field Trust is not in a position to comment on the merits of this planning application. However, in the event that planning permission is granted, the Trust seeks contributions of £8000 from a Community Infrastructure Levy (previously S106) towards the replacement of play equipment located behind St Kenelm's Hall, Brize Norton Road, Minster Lovell.
- The current play equipment is minimal and in need of immediate replacement. Design schemes have been obtained and are now being considered - the play equipment will be for children up to the age of 6 years. Additionally, the tennis court surface and fencing needs refurbishment. The play area site is open to the public during daylight hours and is a community benefit for all ages.
- The Trust has been successful in obtaining grants towards the project from West Oxfordshire District Council, Minster Lovell Parish Council, Cottsway Housing and Crescent Stores Spar Shop plus S106 money from a small development in the Village.

3 APPLICANT'S CASE

3.1 Writing in support of the proposal post the confirmation of the LP Inspector that he is proposing to allocate the site for 125 dwellings the agent writes as follows:

3.2 As you know Members resolved to approve an outline application for 85 dwellings on the site at the Lowlands meeting in November 2016. At that point in time the site was allocated in the draft Local Plan as a 'non-strategic' housing site for around 85 dwellings (Policy WIT2b).

3.3 In the summer of 2017 the Council agreed to modify the Plan to refer to the provision of 125 dwellings for the site rather than 85 reflecting the fact that 'the Council is supportive in principle of a higher density scheme'. On 16th January 2018 the Local Plan Inspector wrote to the Council to confirm that subject to further modifications the Plan is likely to be capable of being found legally compliant and sound. Subsequently, I wrote to the Inspector (via the Programme Officer) to seek clarification as to whether his letter confirms the proposed allocation for Minster Lovell is 125 dwellings. The Inspector responded (again via the Programme Officer) in an email on 24th January 2018 - "Could you reply to say that it is the 125 dwellings as set out in the Council's suggested Further Main Modification (FMM) to policy WIT2b. The FMM will, of course, be subject to full consultation before I take a final view on its appropriateness, and I will set out my reasons for my final decision on the matter in my report." Therefore, the current application accords with the revised allocation in the Local Plan. The Council has acknowledged that the 'higher level of development would make a useful contribution towards meeting identified housing needs'.

3.4 The additional homes would be provided entirely within the same application area as the previously approved application and closely follows the design principles of that scheme. The proposal has been designed in a complimentary manner to the adjoining modern part of the village and will not cause any harm to the setting of the Charterville buildings some distance to

the south and east of the site. The additional homes would also accord with the thrust of Government policy. In the Housing White Paper published last year, the Government proposed to make changes to national guidance to encourage the better use of land. 'To help ensure that effective use is made of land, and building on its previous consultations, the Government proposes to amend the National Planning Policy Framework to make it clear that plans and individual development proposals should make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs.'

- 3.5 I would highlight that the new application offers the opportunity to provide an increased number of benefits for the village. My clients have always been keen to ensure that the proposal provides enhancements for the local community and agrees to meet the requests of the Parish, District and County Councils. This includes requests for additional projects identified by the Parish Council compared with the previous proposal. As a result of the further housing numbers, the total contributions will increase by around £275,000 compared with the consented scheme.
- 3.6 The contributions for the Parish Council and Minster Lovell Playing Field Trust are identified as set out below:
£69,000 towards the refurbishment of the nearby Ripley Avenue Play Area (LEAP);
£40,000 to pursue its burial ground project in the village;
£300,000 towards the provision of community facilities (including village hall project) within the Parish of Minster Lovell;
£9,000 for work to be carried out at the Pavilion/Wash Meadow to replace the sewerage system; and
£10,000 towards the replacement of new play equipment behind St Kenelm's Hall on the Brize Norton Road.
Furthermore, significant (increased) contributions will be secured towards improving sustainable transport which include
£125,000 to improve the frequency of the No. 233 bus service and over
£281,000 towards the Carterton Transport Package, principally the Witney to Carterton cycleway which will go via Minster Lovell and Brize Norton.
- 3.7 In summary, it is considered that the proposed development is an attractive scheme which will help deliver both much needed market and affordable housing (some 50 new affordable homes) along with a number of additional community benefits for Minster Lovell.

4 PLANNING POLICIES

The policies of the adopted plan remain as relevant considerations as they represent the development plan, but are increasingly out of date as the emerging plan nears adoption. The policies of the emerging plan are in a state of some flux as the LP Inspector is consulting Officers on a re write of a number of them for clarity. If there are any major issues as arise from this process a full verbal update will be given to the meeting The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to a site located to the west of Minster Lovell. Members will recall that they resolved to grant planning permission for a scheme of 85 units on the site under application

reference 16/02588 as this was the number of units then proposed by way of the emerging local plan. Subsequently the number of units was proposed by the agent to be increased with a view to the scheme being able to secure funding for a new village hall and it was this number that was put to the Local Plan Inquiry. The LP Inspector has now confirmed that he intends to support the 125 units number.

- 5.2 Members will recall that they considered an agenda item regarding this application where it was resolved to defer consideration of the application pending receipt of the Inspectors comments and in order to enable Members to make a site visit prior to determination
- 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 A housing scheme on broadly the same site has already secured planning permission. The local plan inspector has confirmed in writing that he is proposing to allocate the site for up to 125 units. The units likely to be generated by development of this site will be counted towards the 5 year housing land supply figures that underpin the likely soundness of the emerging local plan. For all these reasons the scheme is considered acceptable in principle. That is not of course to say that the scheme must inevitably be approved in that the emerging plan does not as yet have fully adopted status but rather is to suggest that it would more likely be any detailed impacts over and above those of the consented scheme that would need to trigger refusal rather than the principle per se which is now largely established by the history of the site and the suggested allocation by the Inspector

Housing land supply matters

- 5.5 The 5 year requirement is based on the 660pa midpoint identified in the Oxfordshire SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this is WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011. The emerging Local Plan intends to deliver at least 15,950 over the Plan period 2011 to 2031.
- 5.6 The first sessions of the Examination of the emerging Local Plan (EiP) took place in November 2015, with further sessions in May 2017, and July 2017. Following the latest sessions the Council commissioned independent assessment of landscape and heritage matters in relation to proposed allocated sites in the AONB and Woodstock. In addition a staged housing land supply scenario was put forward for consideration, with the annual delivery increasing over the plan period as the larger strategic sites come on stream. Some further modifications to the Plan text were also proposed.
- 5.7 The Council's assumed 5 year supply of deliverable housing sites includes existing large and small commitments, emerging 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.
- 5.8 On 16th January 2018 the EiP Inspector wrote to the Council advising that "Other than in respect of the strategy/site allocations for the Burford - Charlbury sub-area ... subject to

further modifications to the effect of those now proposed by the Council, the plan as previously proposed to be modified (doc CD5) is likely to be capable of being found legally-compliant and sound". The Inspector intends to liaise with the Council in respect of the precise wording of some of the suggested further modifications with a view to them then being subject to Sustainability Appraisal and Habitats Regulations Assessment (insofar as is necessary) followed by full public consultation. Following this the Inspector is anticipated to be in a position to produce his final report.

- 5.9 The removal of allocations in the Burford-Charlbury sub-area, amounting to 175 units, has little bearing on the 5 year supply which as a result would be 5.65 years based on the May 2017 position.
- 5.10 There is no suggestion that the EiP Inspector is contemplating the Sedgefield calculation. Therefore on the most conservative Liverpool basis (not including a staged approach) with a 20% buffer, Officers are of the view that a 4.9 year supply can be demonstrated. This represents a worst case scenario and a marginal shortfall.
- 5.11 In light of progress on the Emerging Plan, Officers are of the view that increasing weight can be attached to it. Officers are confident in the supply position. Nevertheless, whilst there is still some degree of uncertainty in advance of adoption of the Plan, and in light of the worst case scenario of a marginal shortfall, it remains appropriate to proceed with a precautionary approach and assess proposals applying the provisions of the second bullet of "decision taking" under paragraph 14 of the NPPF. In this context the delivery of housing will continue to attract significant weight in the planning balance until such time as the 5 year supply is confirmed.

Siting, Design and Form

- 5.12 This is an outline application and as such the details would be assessed as part of a reserved matters application. The principles plan accompanying the application shows that the site can accommodate the suggested number of units whilst allowing for significant buffer planting to the north, west and south and a substantial area of open space adjoining the existing open space owned and managed by the Parish Council. It also indicates that the proposed units to be provided backing on to existing houses at the western edge of the settlement can be provided with back gardens longer than the norm thus ensuring that the conventional back to back privacy distances are considerably exceeded (30m rather than 21m) The suggested internal road layout has been based upon an analysis of the roads and key spaces found within the settlement.
- 5.13 The key existing boundary hedges and walls are to be retained and enhanced and a new SUDS drainage basin provided to control off site surface water run off.
- 5.14 Whilst at a greater density than previously approved your officers do not consider that in context the proposed addition of more units on the site will give rise to any design based refusal reasons and in fact will have very little off site impact at all visually. With the imposition of similar conditions to those imposed on the scheme for 85 units your officers are satisfied that the scheme will be an appropriate addition to the village.

Highways

- 5.15 The scheme is to be served by one main vehicular access with a potential pedestrian link across the joint playing fields. Speed limits are proposed to be lowered with new vehicle activated signs

to deter speeding. OCC has confirmed that it has no objections to the application subject to conditions and legal agreements and your officers would concur that notwithstanding the extent of local concern raised by neighbours as to the traffic implications, that the scheme appears to meet the requirements of OCC as Highway Authority and that as such these are not sufficient to justify withholding consent.

Residential Amenities

- 5.16 Again as with the design of the houses, this is an outline application and the issues such as overlooking etc will fall to be considered as part of the reserved matters process should outline consent be approved. However in that the illustrative plans show relatively low density development with generous back to back arrangements that far exceed the minimum standards there is no reason that neighbourliness cannot be secured.

AONB 'setting'

- 5.17 The site is open countryside at present, immediately adjacent to the boundary of the AONB, on one of the major approaches to the settlement and sits atop a ridge forming one side of the Windrush valley. As such an adverse landscape impact would clearly potentially be a major issue. The applicants have produced a LVIA which concludes that the existing screening on the northern boundary means that the site is not as open and exposed as other Open Limestone Wolds, but rather is not highly visible from the north or east and is screened by vegetation from the south and west. Beyond the immediate environs of the site there are no large scale impacts and when seen from further afield e.g in the wider AONB it is in the context of existing residential development which establishes a context for the new scheme. Screening could reduce wider impacts to 'negligable' and limited to filtered views of rooftops in the context of existing development.
- 5.18 Your Officers (and presumably by extension the LP Inspector) would in general concur with the above assessment. The key here is that the legal duty arising from SECTION 85(1) of The Countryside and Rights of Way Act 2000 is not to protect land 'in the setting' per se, but to protect land in the AONB from effects arising from changes or activities occurring in the setting. Whilst activities and developments outside the boundaries of AONBs may affect land in the AONB in this instance the impacts upon its 'setting' are very limited and can be appropriately mitigated to result in a nil or negligible impact. Additionally it will be noted that the Governments advisors as to the impacts on the AONB (Natural England) are similarly not raising objections on landscape grounds. Whilst recognising that there will be some initial localised impact these very limited harms can be mitigated and are not considered to be sufficiently significant, even when given great weight, as to justify refusal.

Ecology

- 5.19 As originally tabled NE raised concerns regarding the potential presence of a protected plant, the Downy Woundwort. The applicant undertook additional surveys and no evidence of the plant was found. The Councils ecologist is satisfied with the timing and methodology of the survey and as such this issue appears to have been overcome.

Heads of terms/106

- 5.20 The applicants have in principle agreed to meet the stated /requested items of mitigation made on behalf of the County, Parish and District Councils. In addition to the contributions set out there would also be a need to ensure that the POS was properly maintained and that the Parish Council could at nil cost connect its land to the development site for the purposes of enabling better access to village facilities and connection of the sports facilities.

Conclusion

- 5.21 This is a controversial application where local residents hold strong views that the development should not be supported. When tested against adopted plan policies the proposals would fail the policy tests but these policies are increasingly out of date. The emerging plan policies are more permissive of development of this nature and indeed the site is proposed for allocation in the emerging local plan- although again this does not as yet have full weight but in light of the Inspectors report has increased weight. It is clearly indicative that the principle of development is considered acceptable by the Inspectorate. A verbal update will be given at the meeting in light of legal advice being sought as to the application or otherwise of the so called tilted balance but in weighing the merits of the scheme your Officers do not consider that the harms outweigh the benefits and indeed consider that both the physical form of the scheme and the associated mitigation package offers the opportunity to provide a number of social and environmental benefits to the village. As such conditional approval subject to the applicants first entering into a legal agreement to secure the benefits outlined earlier in the report is recommended.

6 CONDITIONS

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2. Details of the appearance, landscaping, layout and scale, (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 the details and plans accompanying the application but as modified by the agents letter dated 25/1/18.
REASON: The application has been clarified by the submission of additional details.
4. Notwithstanding the generality of the above conditions the dwellings on site shall comprise a mix of 1 and 2 storey units with no units above 2 storey height and shall feature extensive planting belts to the boundaries of the site with open countryside.
REASON To limit landscape impact, limit harm to the setting of the AONB and respect the built form context of the settlement.

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

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
6. An archaeological watching brief shall be maintained during the course of all works affecting the historic fabric and any ground works taking place on the site in accordance with a written specification that has first been submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the recording and inspection of matters of archaeological/historical importance associated with the site/building.
7. Bat and bird boxes and all measures set out in the ecological mitigation package shall be installed in accordance with details including phasing that have first been submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard and enhance biodiversity.
8. Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24Mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.
REASON: In the interest of improving connectivity in the District.
NB Council will be able to advise developers of known network operators in the area.
9. No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

10. No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.
11. Vision splays 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 road safety.
12. No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve the dwellings have been constructed, laid out, surfaced, lit and drained in accordance with details that have been 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 road safety.
13. Prior to the commencement of the development hereby approved, vehicle tracking analysis shall be submitted to and approved in writing by the Local Planning Authority that shows that refuse vehicles of not less than 11.4m in length can access and exit the development safely in forward gear.
The vehicle tracking analysis should also show that refuse vehicles can reach a point no more than 25m away from single domestic refuse bin.
REASON: In the interests of road safety.
14. A Residential Travel Plan is required for this development prior to first occupation. This should be updated on occupation of the 40th dwelling when adequate survey data becomes available. A Travel Plan monitoring fee of £1,240 will be required to enable the travel plan to be monitored for a period of five years.
REASON: In the interests of sustainable transport in accordance with guidance set out in the National Planning Policy Framework.
15. 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 may be 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.
- The drainage plans must show that there will be no private drainage into the public highway.
- There must be no private drainage to discharge onto any area of proposed adoptable highway.

REASON: In the interests of road safety.

16. As part of the submission of the first reserved matters application details of the following, including the timetable for provision, shall be submitted to and approved in writing by the LPA and the development shall only be undertaken and shall be retained thereafter in accordance with the said agreed details unless written consent is given by the LPA for any variation thereto:
- a. Details of the changing room, football pitch and car park, if to be provided(see parallel section 106 agreement).
 - b. Details of the proposed kickabout area if they are not provided.
 - c. The physical measures to ensure that the application site can be connected to the adjoining Parish Council playing field upon request from the Parish Council (see parallel 106 agreement).
 - d. The street lighting details.
 - e. The means to ensure that the dwellings are protected from road and aircraft noise
 - f. A layout that provides a minimum of at least 30m back to back to the existing properties to the east of the site

REASON: Because the application was not accompanied by such details or to ensure that the reserved matters details are acceptable

17. Prior to the commencement of the development hereby approved, full details of the proposed access to the site from the existing pedestrian and cycle network in Minster Lovell shall be submitted to and approved in writing by the Local Planning Authority. This facility must be at least 3m in width. Thereafter, and prior to first occupation of the development, construction of this facility shall only commence in accordance with the approved details.

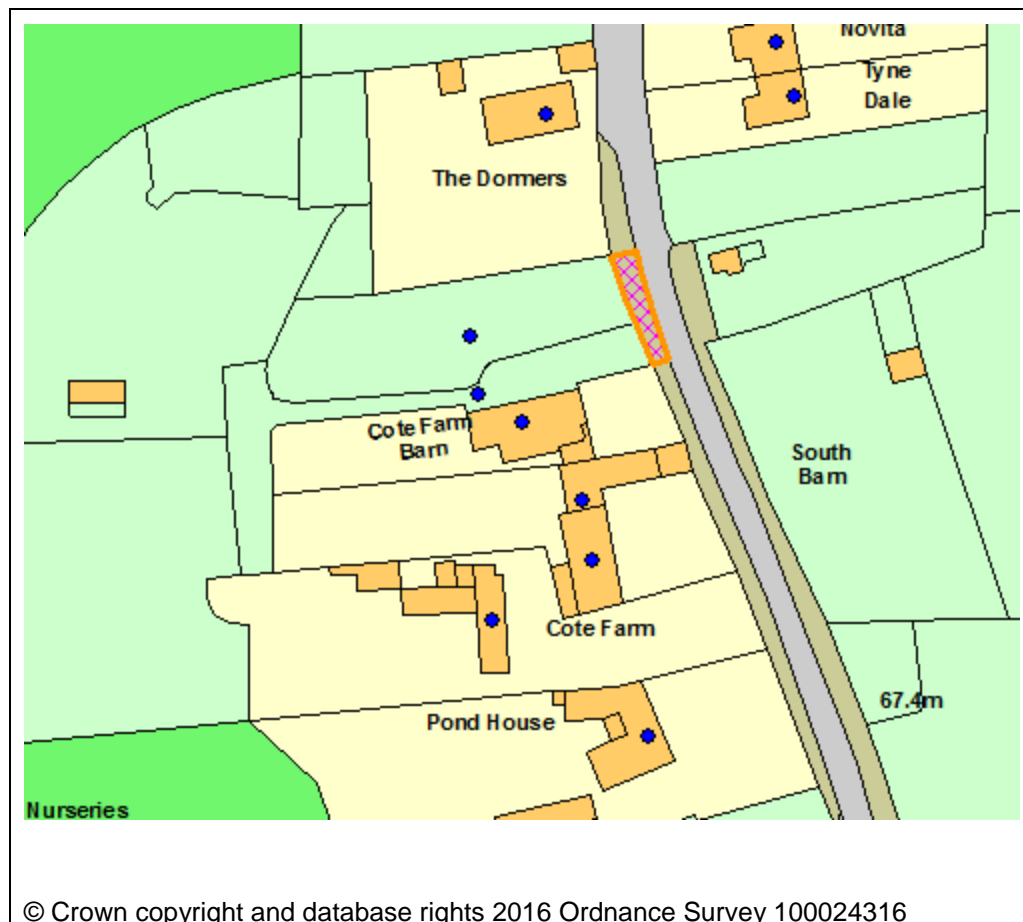
REASON: In accordance with highway safety and sustainable transport in accordance with the National Planning Policy Framework

18. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- i. Risk assessment of potentially damaging construction activities;
 - ii. Identification of 'biodiversity protection zones';
 - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - 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.
19. 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

Application Number	17/02772/FUL
Site Address	Cote Farm Barn Cote Bampton Oxfordshire OX18 2EG
Date	31st January 2018
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Aston, Cote, Shifford And Chimney Parish Council
Grid Reference	435128 E 203012 N
Committee Date	12th February 2018

Location Map



Application Details:

Close existing and relocate vehicular access. (Amended Plans)

Applicant Details:

Mr And Mrs T Keen
c/o PCA Architects

I CONSULTATIONS

- 1.1 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
No objection subject to
- G11 access specification
- G13 close ex access
- 1.2 Parish Council he Parish Council objects to this application. It has been brought to our attention that the applicant does not have legal ownership of the vehicular access that is being proposed for closure, and hasn't yet obtained permission from either the legal owner or other local residents who have a right of access over this land, to close and relocate the access. The Parish Council considers that this application is therefore premature and the legal issues must be resolved before the planning application can be considered and decided.

2 REPRESENTATIONS

- 2.1 Two letters have been received. They have been summarised as:
Mr Anthony Everex
Cote Farm Cote Bampton
I have never made a application to close my driveway to the north of Cote Farm Barn. I am the legal owner of this driveway and will not give any persons the right to close it.
- 2.2 Mr Iain Slater
South Barn Cote
I specifically object to the proposed closure of the existing driveway, north of Cote Farm Barn belonging to Mr Everex. My Land Registry Property Register gives me a right of way "at all times and for all purposes over the roadway". The Land Registry documents and maps these access rights which are inherent in my freehold. My access rights are attached to my property and are not subject to agreement with any other person.
As there is no side access to the rear of my property or garden, the existing road is my only means of moving any heavy and bulky articles or even garden waste to and from the front of the property.
Furthermore, the only double-door entrance into my house is at the rear for large objects such as furniture. It is therefore essential and not simply desirable to maintain this defined legal right of access.
I would urge the plans to be retracted by the applicant, resubmitted and then reconsidered by West Oxfordshire District Council to allow the applicant, in the first instance to enjoy his land with the new access opening. But not to apply for and approve the closure of access to the existing driveway. This would respect the rights of the legal owner and myself with legal rights of access.
I am supportive of the proposed new access opening and I am sympathetic to the applicant

wishing to try to consolidate his land parcels. But very regrettably I have no option to object to the plans as they have been submitted and with no coherent and legally credible plan proposed for a substitute solution. I hope all will understand the position that I have been placed in.

3 APPLICANT'S CASE

No comments were submitted with the application.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
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 site is located within Cote which is not within a Conservation Area.
- 5.2 Since the original plans were submitted, the applicant has noted the objections and sought to amend the plans to satisfy the comments received.
- 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 changing the access arrangements is acceptable. The amended plans now show that the existing access will still be closed with a low stone wall, and two accesses with a gate, instead of one access as originally proposed.

Siting, Design and Form

- 5.5 Your officers consider that the proposals will not harm the rural character and visual appearance of the streetscene. A sample of the proposed walling has been requested by condition to ensure that the new stone wall makes a positive impact to the existing visual character of the streetscene.

Highways

- 5.6 OCC Highways officer has no objection to the proposal subject to conditions.

Residential Amenities

- 5.7 With regards to the comments received initially, the applicant has sought to agree the proposals with neighbouring properties. Whilst planning permission if granted would not override the civil rights of adjoining property or land owners, your officers have included a note to advise the applicant of this, and to address the Parish Council's comments.

Conclusion

- 5.8 In view of the amended plans, your officers consider that the proposal is acceptable and compliant with the policies as stated within the report.

6 CONDITIONS

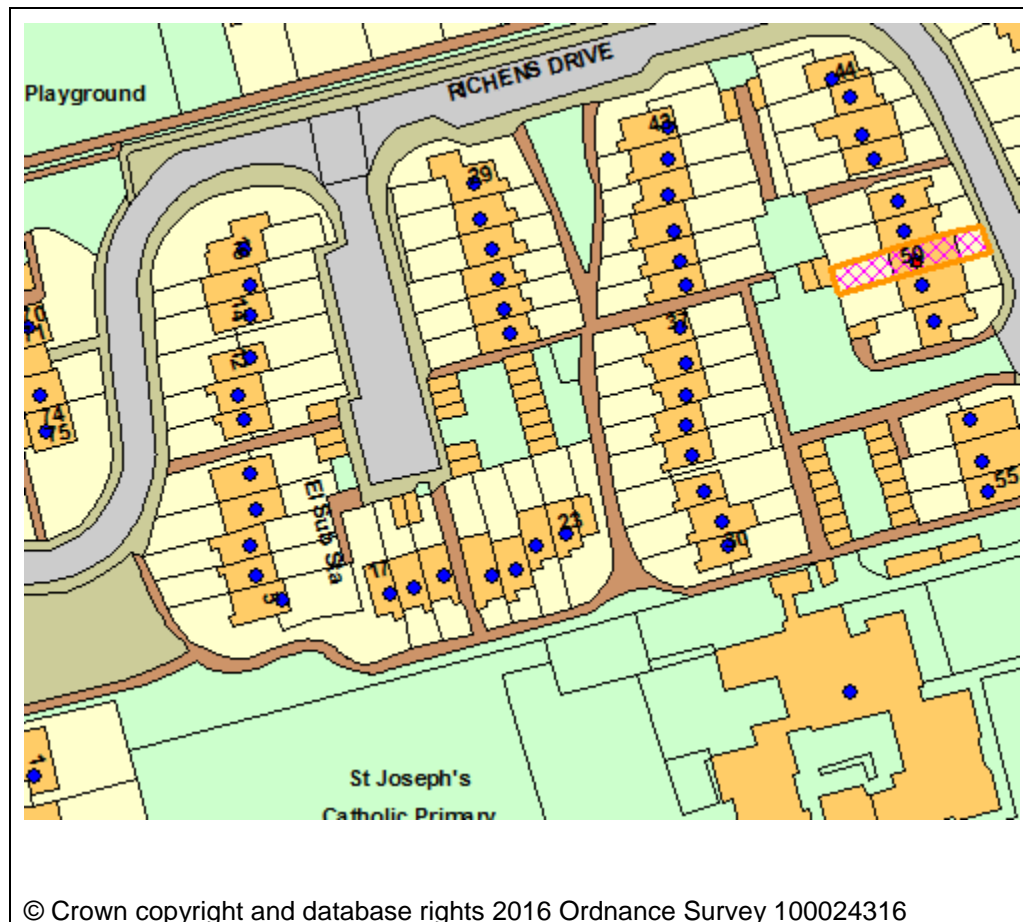
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 30 January 2018.
REASON: The application details have been amended by the submission of revised details.
3. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
4. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
5. 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: To ensure a safe and adequate access.
6. On commencement of the development the proposed access shown on the approved plans shall be formed and the existing access closed by the erection of a low stone wall..
REASON: To ensure a safe and adequate access.

NOTE TO APPLICANT

Please note that this planning permission does not override the civil or property rights of adjacent neighbouring properties or landowners.

Application Number	17/03250/HHD
Site Address	50 Richens Drive Carterton Oxfordshire OX18 3XU
Date	31st January 2018
Officer	Kelly Murray
Officer Recommendations	Refuse
Parish	Carterton Town Council
Grid Reference	427515 E 206827 N
Committee Date	12th February 2018

Location Map



Application Details:
Erection of a front porch. (Retrospective).

Applicant Details:

Mr Phil Caswell
50 Richens Drive
Carterton
Oxon
OX18 3XU

1 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

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 Members are already aware of this case which was presented at the last meeting. A decision was then deferred pending a site visit. Retrospective consent is sought 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.

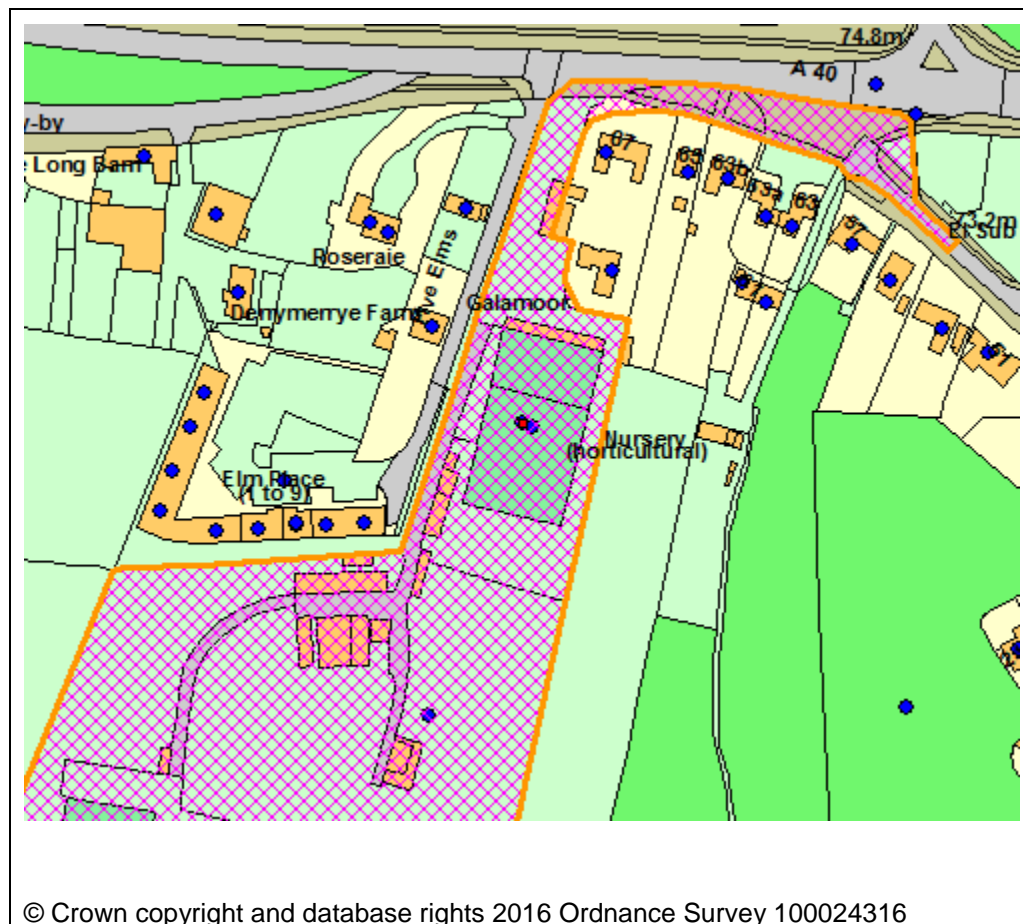
6 REASON FOR REFUSAL

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	17/03521/S73
Site Address	Eynsham Nursery And Plant Centre Old Witney Road Eynsham Witney Oxfordshire OX29 4PS
Date	31st January 2018
Officer	Phil Shaw
Officer Recommendations	Approve subject to Legal Agreement
Parish	Eynsham Parish Council
Grid Reference	442263 E 209882 N
Committee Date	12th February 2018

Location Map



Application Details:

Variation of Condition 2 of Planning Permission 15/00761/FUL to allow amendments to the approved plans.

Applicant Details:

Thomas Homes Ltd
C/O Agent

I CONSULTATIONS

- I.1 Major Planning Applications Team
- The site layout has been amended (Woodfield Brady Architects drawing No 979.001 Rev E) in an attempt to address the reason for objection stated below in the original response, and other key issues. For the properties that previously didn't have allocated off street parking in front of garages, this has now been provided OR car ports are proposed e.g. plots 1, 36 and 37. Together with the clarification of the visitor parking situation, I am now content that the tracking of a refuse wagon is acceptable and safe and suitable access has been demonstrated.
- As a result of further internal consultation on this revised drawing, we have some additional comments - the majority of these relate to the adoption of the streets and I would therefore recommend that there is early engagement with the county council's Road Agreements Team to understand their requirements better:
- No perpendicular parking bays would be considered for adoption. It is highly unlikely that the section of road ending at the south west corner of the site would be considered for adoption unless an appropriate turning head is proposed - there are no immediate firm plans for this road to serve further development.
- We have concerns about the alignment of the kerb on the east side of the spine road to the south of access to plots 17-19. If there is any on street parking on either north or south approach, there is an increased risk of conflict between vehicles travelling in opposite directions.
- We have concerns about the fact that some of the visitor parking on the amenity space coincides with the speed table. This should be avoided.
- There does not appear to be a hard surface adjacent to a number of the visitor spaces where they are provided on green spaces.
- I.2 Conservation Officer No Comment Received.
- I.3 OCC Minerals (Safeguarded Areas) No Comment Received.
- I.4 Adjacent Parish Council No Comment Received.
- I.5 Parish Council
- Eynsham Parish Council has no objection to this application subject to compliance with the objections of Oxfordshire County Council dated 4 December 2017.
- Eynsham Parish Council reserves the right to request a developer contribution towards street furniture, play and recreation areas and facilities or othr appropriate village amenities to reflect the additional strain on existing community infrastructure the

development will represent.

2 REPRESENTATIONS

2.1 A letter of objection and 2 letters of support have been received raising the following summarised points:

- The proposed link with the wider development area will lead to village sprawl it will destroy open space and increase flood risk.
- increased traffic on Old Witney Road.
- Poor pedestrian and cycle access.

2.2 We act for developers of adjoining land and support development of the nursery and the amended house types and now the emerging plan carries some weight we support the links/connections. Connections should be at nil cost and of a scale to facilitate a through route and constructed prior to occupation of any of the dwellings and to a standard that allows for the future use.

3 APPLICANT'S CASE

The applicants have submitted the usual suite of application documents that may be viewed in full on line . The conclusion to the Planning Statement is reproduced below:

- This application is submitted as a S73 submission, seeking variations to the approved plans relating to application 15/00761/FUL listed within condition 2 of the consent.
- The proposals were the subject of positive pre-application discussions with the local planning authority.
- The scheme is considered to be acceptable in principle, both given the site location and, most importantly, the enabling planning permission.
- The design changes are considered to be consistent with the local vernacular and an improvement in layout and visual terms to the previous scheme.
- Capacity is provided in the south-western corner of the site to provide future connectivity to further development.
- In all other relevant town planning respects the scheme remains consistent with the previous permission.
- Having regard to all matters it is considered that the proposed scheme is acceptable and planning permission should be granted without delay.

4 PLANNING POLICIES

The policies of the adopted plan are increasingly out of date and the policies of the emerging plan are securing almost full weight The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

5.1 This application relates to the former Nursery site located off the A40 just to the west of Eynsham. Members will recall that an application seeking redevelopment of the site for housing was refused on the basis that it was not a comprehensive scheme and that in isolation its

development would harm the edge of the village. The Inspector was not persuaded that the comprehensive development was likely to occur in the near future and considered the scheme acceptable on its merits. In the interim period the Local Plan Inspector has effectively confirmed the comprehensive development of the west of Eynsham and the site has been sold on to a new developer who has tabled this revised scheme in an attempt to address some of the design deficiencies of the scheme approved at appeal. Other than by the substitution of the submitted plans for those approved at appeal and the offer to vary the I06 agreement so as to address the issue of connectivity to the wider development site area the conditions etc approved at appeal will remain in place

- 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 principle of this development is already approved in that there is an extant approval as a result of the appeal decision. It is merely the changes to the form of the development that are to be considered with the housing mix etc remaining as approved at appeal

Siting, Design and Form

- 5.4 Along with highway matters this is the main issue. The proposals take the approved "cul de sac with a loop road " arrangement approved at appeal and seek to create a better environment and more cohesive layout. The scheme now facilitates connection through to the wider development site to the west (as was approved at the Thornbury Road development opposite the secondary school) by creation of a primary route along with a downgrading of the secondary route and creation of a mews type tertiary road
- 5.5 The house types have similarly been improved with a greater use of chimneys, dormers and architectural detailing to add interest in the streetscene and constructed in the main from artificial stone. They are now set within the site and back onto the surrounding land thereby enabling potentially better relationships with any wider development as may be approved there. The majority of parking is on plot with very limited use of parking courts and where these are provided they are convenient to the units that they serve. A larger area of POS than approved as part of the appeal scheme is also secured with the potential for pedestrian connections to the land beyond so that again it can tie into the wider scheme in due course

Highways

- 5.6 As originally tabled OCC had a number of reservations regarding the layout as submitted. They have however now withdrawn their objections in response to revised technical details and as such highway implications are not considered to preclude development

Residential Amenities

- 5.7 Some of the inter relationships between houses are somewhat tighter than ideal but the layout has sought to minimise the extent to which the units overlook each other. Third party properties are in the main sited some distance away or are orientated away from the new units such that their residential amenity is not unduly compromised.

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- 5.8 As part of the appeal process the applicants tabled legal obligations to ensure that the necessary contributions towards local services and facilities were provided. These will need to be updated to reflect the current scheme and to make provision for the road to be built to the boundary and to connect to the adjoining land at nil cost and upon request.

Conclusion

- 5.9 This is a variation of an extant approval. It secures betterment when compared to the approved details and as such conditional approval subject to the amendment of the legal obligations is recommended.

6 CONDITIONS

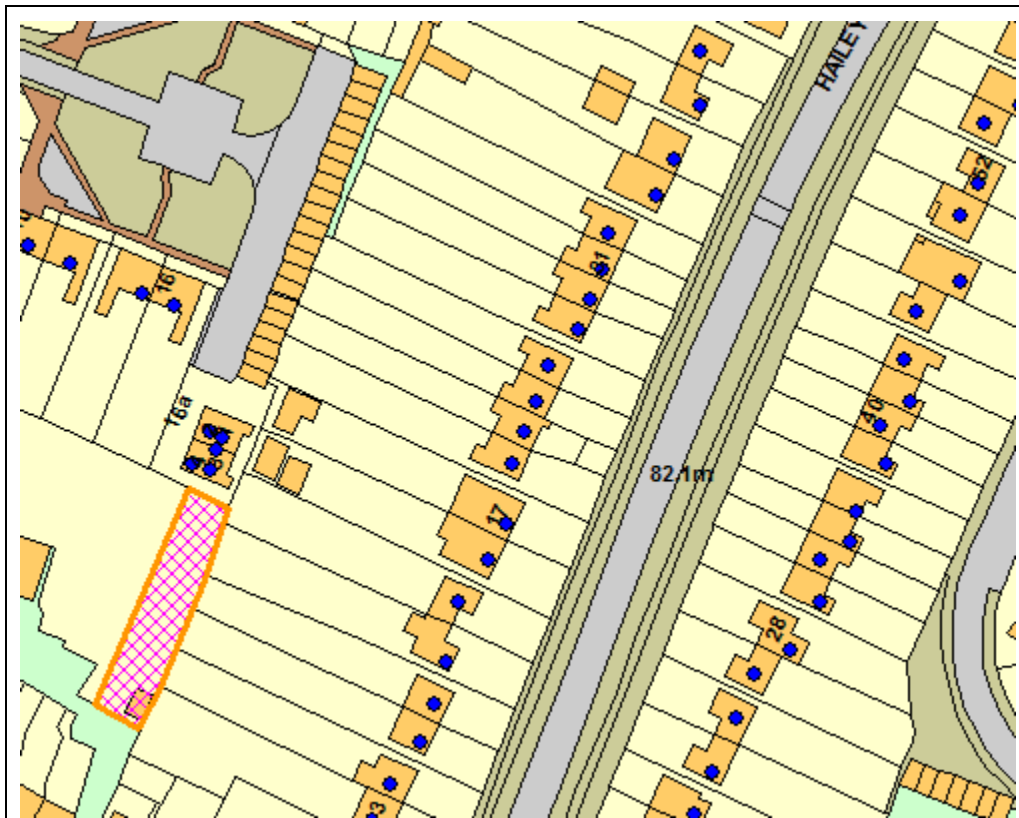
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. The development shall be carried out in accordance with the plans accompanying the application as modified by the agents plans and letter(s) dated 21/12/17 and accompanying plan(s).
REASON: The application has been amended by the submission of revised details.

NOTE TO APPLICANT

You are reminded that this scheme is a variation to that approved at appeal under ref 15/00761/FUL and other than the revised plans and the variations to the parallel legal agreements shall be carried out in accordance with those previously agreed details

Application Number	17/03989/FUL
Site Address	8 Crawley Road Witney Oxfordshire OX28 1HS
Date	31st January 2018
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Witney Town Council
Grid Reference	435531 E 210654 N
Committee Date	12th February 2018

Location Map



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Application Details:

Erection of dwelling and associated works.

Applicant Details:

Mrs Cheryl Dunning
Anchorage House
The Lanes
Bampton
Oxfordshire
OX18 2LA

I CONSULTATIONS

- 1.1 Town Council Mrs S Groth Witney Town Council has no objection to this application.
- 1.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.
No objection subject to
- G28 parking as plan.
 - Prior to commencement of development the provision of the vision splay improvement as shown on the application drawings and in accordance with a scheme to be submitted and approved.
- 1.3 WODC Drainage Engineers No objection subject to conditions.

2 REPRESENTATIONS

- 2.1 10 letters of objection have been received which raise the following issues:

Design

- 2.2 Will look like an eyesore.

Highways

- 2.3 The access is unsafe.
Will increase traffic.
Will worsen parking in area.
Will be unsafe for pedestrians.
Safety concerns once part of front wall has been removed.
The visibility splay is inaccurate and doesn't look like it can be accommodated to highway standards.

Amenity

- 2.4 Additional traffic will have an adverse Impact on neighbouring amenity.
Dwelling would overlook the neighbouring properties.
Dwelling will overshadow the allotment area.

Trees

- 2.5 Removal of trees will spoil the view.

Other Matters

- 2.6 There are land ownership discrepancies with the application.
Plans are inaccurate and out of date.
Not enough room for construction traffic.

3 APPLICANT'S CASE

- 3.1 A design and access statement has been provided as part of the application which can be viewed in full on the Council website. With regard to the proposal it states:
- 3.2 The front of the site comprises a terrace of two storey dwellings and the site is both comparable and slightly larger than the general pattern of development in this locality.
- 3.3 The site is generous in terms of size availability for redevelopment of a single dwellinghouse. It is possible to achieve a reasonably three bedroom unit with good car parking facility at the front of the site off the existing vehicular drive with good amenity garden space available to the rear.
- 3.4 It should be noted that there is currently vehicular access to the site and therefore the inclusion of a new dwelling will not increase traffic flow.
- 3.5 Witney is defined within the Local Plan as zoned to accept infill and rounding off. We would suggest that this site in its current form has no value to the town, is grossly underused and is perfect for adapting to good residential dwellinghouse usage without detriment to adjacent sites. Approval of the application would therefore be of benefit to the proven housing need of the locality.

4 PLANNING POLICIES

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks permission for the erection of a detached dwelling.
- 5.2 The site is located to the rear of a row of properties on Crawley Road. The site has been subject to a number of previous planning applications for a new dwelling which have been

refused by the Council. The most recent planning application on the site ref: 07/0951/P/FP was dismissed at appeal due to highway safety and its relationship to the existing pattern of development.

- 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 Members will be aware that on 16/01/18 the initial views of the Local Plan Inspector were received as regards to the likely soundness of the emerging plan and, in that to be sound a plan must be able to demonstrate an adequate 5 year housing land supply, the likelihood that the Council is now able to demonstrate a 5 year housing land supply. Clearly this could have potential implications for the application or otherwise of the so called 'tilted balance' set out in paragraph 14 of the NPPF and the weight to be given to adopted and emerging policies. At the time of agenda preparation Officers are in the process of securing legal advice as to how the planning balancing exercise will be affected and a full update will be given as part of the additional representations report.

- 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.

Siting, Design and Form

- 5.6 Crawley Road benefits from a range of different types and designs of dwellings on the street scene. The proposed dwelling will be located at the end of an access road and due to its location will be visible in the street scene. The general form and design of the dwelling is considered to be in keeping with the general design of the dwellings in the vicinity. In terms of the position of the dwelling and its relationship with the pattern of development in the area, the dwelling would be positioned in an isolated position behind the built up frontage of Crawley Road.
- 5.7 In coming to his decision in the 2008 appeal decision Ref: APP/D3125/A/08/2065456, the inspector states:
- 5.8 The proposed house would be located to the rear of a row of terraced properties fronting Crawley Road. It would not be prominent in the street scene but it would contravene the aims of Poilcy H7 of the West Oxfordshire Local Plan (LP) because it would not result in the infilling of a small gap in a built-up frontage or the rounding off of other development. Instead, the dwelling would be isolated from the nearby housing and relate poorly to the patterns of existing building, contrary to policy BE2 of the LP.

- 5.9 Officers are therefore of the opinion that whilst the policy requirement of infilling and rounding off has changed, the dwelling would still fail to form a logical addition to the pattern of development in the area and would still relate poorly to the surrounding dwellings.

Highways

- 5.10 As part of the comments received from neighbouring properties it has been suggested that the applicants do not own the area in which the visibility splay is proposed. As land ownership is not a planning consideration, officers are satisfied that if the visibility splay can be provided then given that the County Council has raised no objection subject to conditions, your officers have no objections on highway grounds.

Residential Amenities

- 5.11 Given the separation distances between the site and the neighbouring properties the proposed dwelling is not considered to have an unacceptable impact on neighbouring amenity and would allow for minimal separation distances to be achieved.

Conclusion

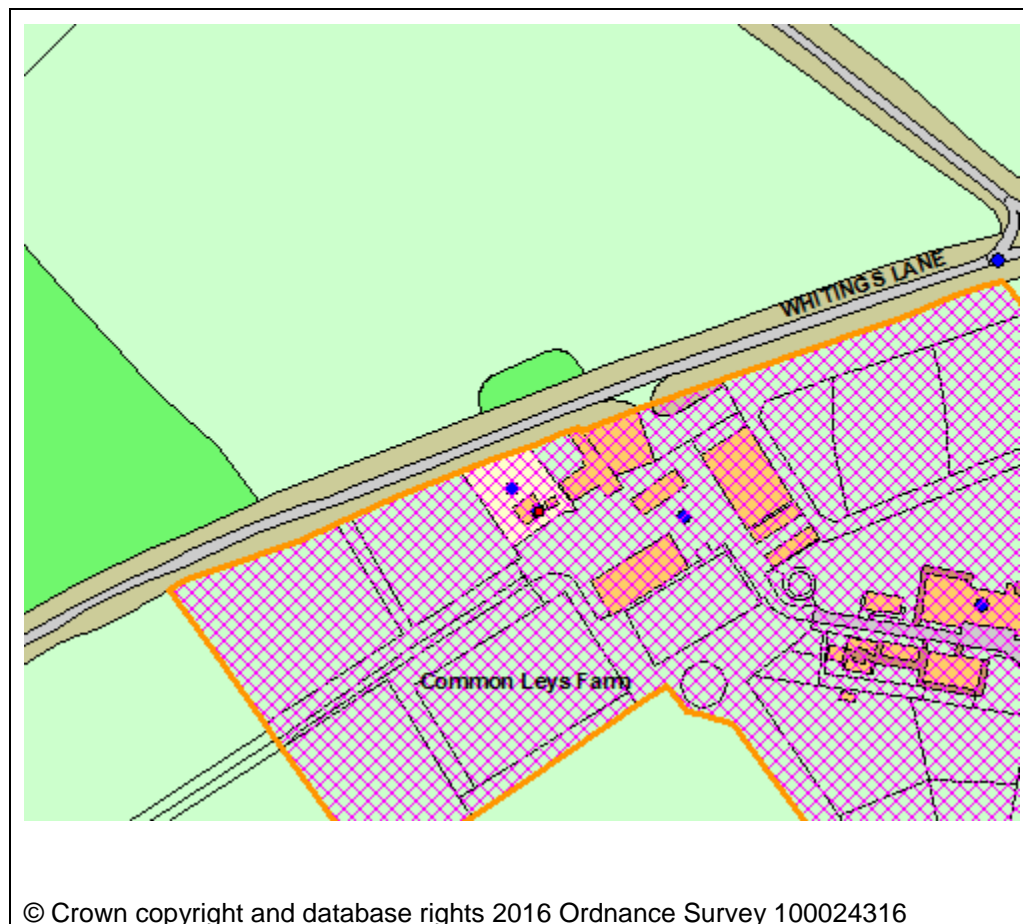
- 5.12 It is considered that due to the harm to the visual amenity and pattern of development in the area, the location of this proposal dwelling would fail to form a logical addition to the area and would instead be viewed as an incongruous addition. The harm would significantly and demonstrably outweigh the benefit of a single dwelling. Accordingly, the proposal is recommended for refusal.

6 REASON FOR REFUSAL

By reason of the position, visibility and relationship to the existing built up residential area, the development would fail to complement the existing pattern of development in the area and would instead appear incongruous within the street scene. The development as proposed is subsequently considered to be contrary to Policies BE2 and H2 of the Existing West Oxfordshire Local Plan; Policies OS4, H6 and H2 of the Emerging West Oxfordshire Local Plan 2031 and the relevant Provisions of the NPPF.

Application Number	I7/04007/FUL
Site Address	Common Leys Farm Whitings Lane Hailey Witney Oxfordshire OX29 9UY
Date	31st January 2018
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Hailey Parish Council
Grid Reference	436118 E 213641 N
Committee Date	12th February 2018

Location Map



Application Details:

Proposed construction of Agritech Innovation and Skills Centre, covered outdoor riding school and teaching block extension. With associated landscaping and parking.

Applicant Details:

Mr Michael Chiyasa
Common Leys Farm
Whitings Lane
Hailey
Witney
Oxfordshire
OX29 9UY

I CONSULTATIONS**I.1 Parish Council**

Objection on the following grounds:

Traffic management:

There is no provision on site for coach parking and only an extra 3 spaces for cars. This will create pressure on traffic and parking around the area. Whitings Lane is a narrow country lane and currently coaches are parking along it. This causes damage to verges and along the side of the road, which is breaking up. At times, even now, there are problems passing along the Lane when coaches are dropping off.

Location:

The proposed development seems too large for the location and orientation of the outdoor school reduces the ability to provide screening landscaping between it and Whitings Lane, especially during winter.

The outdoor riding school has been placed away from existing buildings and close to Whitings Lane. The college states that there is no intention to infill, so the riding school could be rotated 90 degrees and sited closer to the existing buildings. To allow the school to be located as proposed would result in a sprawl of buildings along Whitings Lane which would significantly erode the rural nature of the lane. The popular walking route from Hailey past Gigley and Turley Farms would be impacted by a string of new buildings close to the external boundary.

Light Pollution:

Hailey PC has a dark skies policy. Over several years this has been impinged by the campus as they build/erect more lights. Lighting impact is completely excluded from the Landscape Strategy. This development will further pollute the rural environment by increasing the (already very bright) lighting during the hours of darkness

Drainage and run off attenuation:

This area of Oxfordshire sits on heavy clay soil and Common Leys/Whitings lane is already prone to flooding in times of peak or prolonged rainfall.

The PC notes that there is a proposal for a large stormwater attenuation tank but does not feel that this adequately addresses the real situation. During periods of peak rainfall and heavy storms the water runoff from the hard roof covering on both the Agritech Building and the outdoor school will not totally be contained by the guttering system. In addition, the Agritech building is proposed to be surrounded by concrete hard standing so the expectation is for all surface water runoff to be directed to the French drains. At peak flood these may also not be able to cope. The attenuation tank is scheduled to cope with 228m³ of water which gives some indication as to the huge amount of runoff that might be expected.

In addition to this the Outdoor school is sited adjacent to Whittings Lane and no attenuation tanks are planned there at all. Thus, all runoff from that roof will be directed to ground level.

In the PC's opinion it is better to slow up the rate of runoff into the drainage system (and to ground level) in the first place. They have planned this in respect of the extension to the teaching block by way of green roofs, which the PC believes is a good plan.

The Agritech building and the Outdoor School are huge buildings to place in a rural landscape and should also have green roofs. These would help to blend them into the landscape and lessen the visual impact and a simple green roof on the Agritech building could accommodate some 47000 litres of water at full saturation point. This would drastically reduce the water runoff into the drainage system, particularly at peak times, and would be a far better solution in conjunction with smaller attenuation tanks than the current plan.

1.2 Major Planning
Applications Team

Highways

No objection - subject to conditions

The proposal seeks to create an additional floor space for an animal behaviour unit on site. This proposed development would provide a new educational facility for up to 15 students. Staffing levels will remain unchanged.

No additional or alterations are being proposed for the existing accesses to the school.

It has been recommended that a Construction Traffic Management Plan (CTMP) condition be placed upon the proposal; careful management of vehicular traffic during the construction phase will need to occur, this should be possible within the CTMP by limiting deliveries to outside the network peak times.

As mentioned above, with a stringent CTMP in place and effective co-ordination on-site any disruptions and conflicts between deliveries/construction traffic and members of the public will be

reduced.

Furthermore, whilst the applicant has provided details of the schools Travel Plan, it has been acknowledged that because of location and the relatively small increase in student numbers that there will not be a need to update the travel plan for this application.

However, I have noted that the Transport Statement makes reference to Figure 2 which highlights student postcodes relative to public transport coverage obtained from a survey. Interrogation of the report however shows that this illustration is missing. In terms of traffic activity (trip generation) the report makes it evident that additional traffic generated as a result of the proposed development would be modest and insignificant to the local highway network.

On the whole, I am of the assumption that the proposed development shall unlikely result in any significant detrimental impact to highway safety and traffic.

I.3 ERS Env Health -
Lowlands

I have no objection in principle.

I.4 ERS Env. Consultation
Sites

Review of the information submitted with the application suggests that one of the proposed buildings will occupy an area which is currently covered in loose rubble. It is not clear how this area has been previously used and if it and the other development areas are fit for use. Please consider adding the following condition related to contaminated land to any grant of permission.

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

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

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

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

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

Regards

Jackie McLaren
Technical Pollution Services

1.5 WODC Landscape And Forestry Officer No Comment Received.

1.6 Thames Water No Comment Received.

2 REPRESENTATIONS

2.1 Two representations have been received in relation to the proposals:

2.2 Mr Dodd objected to the proposals for the following reasons, which are summarised:

- The riding school would be located a distance from the existing buildings and would extend the envelope of the site. The development would have an adverse visual impact when viewed from Whittings Lane.
- The location of the building reduces the opportunity to provide landscaping.
- No assessment has been made of likely light pollution, which would have an adverse impact on the rural character of the area.

2.3 Mrs Moss made the following comments regarding the proposals, which are summarised below:

- There is no provision for coach parking on site.
- Parking permits should be restricted.
- No more parking should be provided adjacent to the old Common Leys Farm.
- Access along Whittings Lane is causing damage to the verges.
- There are no contextualised 3D drawings to gauge proximity, size and impact of proposals.
- Queries are raised as to whether more horses would be kept on site.

- Queries are raised regarding soakaways and on site drainage.
- Queries are raised regarding whether the proposals would attract more students to the site.

3 APPLICANT'S CASE

Layout

- 3.1 Agritech Innovation and Skills Centre
- 3.2 The building has been located and orientated to be within that part of campus given over the teaching of courses that relate to larger animals. Its position on the entry point to original farm defines its use and allows it to be used as a gateway to the 'farm'. By locating it away from the campus core, the opportunity is created to define clearly with landscaping and massing the three discrete parts of the site.
- 3.3 The pedestrian entrance is located to face east directing staff and students to use the building as a 'portal' to the rest of the site. It will also form the biosecurity line to the 'farm' element and encourage all users to treat this aspect of agriculture as central to safety and security. Vehicular access for tractors is afforded from the west to allow access to the rest of the farm for storage and use of equipment with direct access to the pasture land.
- 3.4 Internally the eastern end of the building provides entrance, changing and theory teaching space, whilst the western end is given over to the livestock areas which can be used flexibly to support research programmes and teaching. Users will pass through the changing facility before entering the livestock area and the wider farm, with boot wash and hygiene facilities on the journey back to the central core of the campus.

Teaching Block Extension

- 3.5 The extension of the teaching block seeks to seamlessly extend the existing building and create new IT teaching space, informal learning areas and two general purpose teaching rooms. It does this around a central spine which extends at right angles from the core of the building. This layout avoids further elongation of the building which would reinforce a linear pattern along the internal road, creating a layout which makes the site unnecessarily urban. All rooms would be designed to benefit from natural or mixed mode ventilation with high levels of natural light and strong visual connections to the landscape around the building.

Scale

- 3.6 Agritech Innovation and Skills Centre
- The proposed building is single storey to site harmoniously with the adjacent barns and stables. The eaves are positioned to allow tractor access into the building and reflect the proportions expected of this type of agricultural building.

Teaching Block Extension

- 3.7 The proposed extension is single storey to sit alongside the existing building, extend the circulation efficiently and minimise the perceived impact on wider views into the campus.

Outdoor Riding School

- 3.8 The roof of the outdoor school will be a single storey structure open to allow sides. Its height is driven by the use of the building with mounted horses entering the building from the gables end (southern façade). Internally the eastern end of the building provides entrance, changing and theory teaching space, whilst the western end is given over to the livestock areas which can be used flexibly to support research programmes and teaching. Users will pass through the changing facility before entering the livestock area and the wider farm, with boot wash and hygiene facilities on the journey back to the central core of the campus.

Teaching Block Extension

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Appearance

- 3.10 Refer to the proposed elevations drg.3482-18, 25 and 27.
All the buildings in the proposed development reflect the rural, agricultural landscape of the campus and its wider setting. Key characteristics:
- Single storey buildings
 - Pitched roofs
 - Use of materials from the context.

Access

- 3.11 Pedestrian, Vehicular and Transport Links
- 3.12 Pedestrian access to all parts of the development use existing defined routes, with buildings orientated to face approaching users to provide legible entrances. No new pedestrian access points are required to the site.
- 3.13 Vehicular access remains unaltered with the principal entrance to the campus being Hatfield Pitts lane and the Whiting Lane entrance used only for minor staff parking and service access to the 'farm'. The Transport Statement which accompanies this application identifies the need for additional parking (3No. spaces), these are provided within the first phase of development.
- 3.14 The College has developed a robust strategy of linking the site with its other campuses and the wider community. This is described in the Draft Travel Plan submitted with the application, it is designed to reduce car movements and develop a sustainable approach to arriving at the campus.

Inclusive Access

- 3.15 By developing within the fabric of the existing campus each of the developments benefits from the existing network of surfaces and disabled parking.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

NE1 Safeguarding the Countryside

NE3 Local Landscape Character

TLC1 New Tourism, Leisure and Community Facilities

OS2NEW Locating development in the right places

EH1NEW Landscape character

E5NEW Local services and community facilities

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning approval for development located within Abingdon and Witney College's Common Leys Farm Campus, which is a 25 acre site, located approximately 0.5 miles to the north east of Hailey. The site has a well-established use as an educational facility and comprises of a range of existing buildings, including classroom facilities and associated buildings used for agricultural and equestrian purposes, including an uncovered ménage. The principal means of access to the site is from Hatfield Pits Lane to the east of the site, though there is an existing staff means of access and parking which is accessed from Whittings Lane.
- 5.2 The proposed development would comprise of:
- Proposed Agritech skills and innovation Centre, which would be a large steel framed timber clad building, comprising of a classroom and changing facilities, livestock housing and tractor storage. The building would be 40 metres in length and would extend to a total height of 7 metres to the roof ridge. The building would cover an area of 571 square metres.
 - A 202 square metre extension to the existing main building, which would be an extension to the existing teaching block, which would be an extension of the teaching facilities.
 - Relocation of the existing outdoor riding school to a position to the south west of its existing location. This would comprise of a covered, steel framed building with lower level cladding. The building would extend to a height of 7.2 metres to the roof ridge and would measure 42.2 metres in length; the building would have a footprint of 800 square metres.
 - Extension to the existing on-site parking facilities, this would comprise of an additional 3 spaces.
- 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 of Development

- Design, scale and siting
- Landscape and Visual Impact
- Highways and Access
- Residential Amenity

Principle

- 5.4 Policies TLC1 of the Existing Local Plan and E5 of the Emerging Local Plan are permissive of the development of community facilities, which include the development of educational facilities, subject to the development not having an adverse impact on the character of the area or having a detrimental impact on highway amenity.
- 5.5 The site at present serves as an educational facility for Abingdon and Witney College. The proposals would represent an enhancement of the existing well-established educational facilities on the site and are considered justified in principle in accordance with Policies TLC1 of the Existing Local Plan and E5 of the Emerging Local Plan.

Siting, Design and Form

- 5.6 The proposed Agritech building is a large structure, though the scale of the building would not be dissimilar to a number of existing buildings on the site and would be sited within a central location adjacent to a number of existing buildings, which would limit the landscape impact and prominence of the building, considering that this would be sited adjacent to the existing built form. The building would have the appearance of an agricultural barn in terms of its form and consequently would be similar to the existing buildings on the site. Furthermore the building would be sited in the position of an existing ménage, which would be removed. The building would be clad in timber and is considered to be well-designed and sympathetic to the rural setting.
- 5.7 The proposed extension to the teaching block would comprise of a pitched roof, 16 metre long rear extension to the north facing rear elevation of the building. The extension, whilst sizeable in length would read as secondary to the relatively large existing teaching building and the roof ridge of the extension would sit below that of the main building. Officers consider that the extension would be acceptable in design terms and would not appear unduly prominent within the immediate setting.
- 5.8 The siting of the proposed riding arena would be significantly more detached in relation to the existing built form, though this would remain within the confines of the site and would be sited adjacent to two established mature hedgerows, which help to limit visibility from Whittings Lane to the north. The applicants have stated that the siting of the building would be necessitated by the need to locate the riding arena away from existing main farm buildings to allow the use of the school without disturbing horses and riders. There are proposals to provide additional planting to bolster the existing hedgerow, which would help to further limit visibility of the proposed building. The building is a utilitarian structure of a similar design typical of agricultural buildings commonly found within a rural context. The building would be a large structure, though the scale of the building is necessitated by its functional requirement and use as a riding arena. Officers consider that the siting of the building would not have an unduly adverse visual impact.

Highways

- 5.9 It is foreseen that the proposed development would result in 15 additional students attending. The application proposes the addition of an additional 3 parking spaces, this is based upon an assessment that 20% of existing students currently drive to the site. It is stated that staffing levels would be unchanged. The accompanying transport statement states that the level of additional traffic likely to be generated is would be low and the impact of the development on the local highway network is likely to be modest. Officers note that no objections have been raised by OCC Highways Officers in relation to the proposed development. As a condition your officers require that a construction management plan is submitted prior to the commencement of development.

Residential Amenities

- 5.10 The site is in a remote location and officers consider that the siting of the proposed buildings would not have an adverse impact on residential amenity.

Conclusion

- 5.11 The proposals relate to the development of two additional buildings and an extension to the existing teaching block, which would represent an expansion and enhancement of the existing educational facilities at this well established site. Officers are satisfied that the design and siting of the buildings would be appropriate and would not have an adverse visual impact on the character and appearance of the area. Your officers are satisfied that the proposed development would not have an adverse impact on the residential amenity of existing occupants and would not have an adverse impact with regards to highway safety or amenity.
- 5.12 Your officers consider that the proposals would be acceptable and compliant with the provisions of Policies BE2, BE3, NE1, NE3 and TLC1 of the Existing Local Plan.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
3. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
4. A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or

shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To safeguard the character and landscape of the area.

5. A Construction Traffic Management Plan (CTMP) will be required to be submitted for approval and the approved CTMP shall be implemented prior to any works being carried out on site.

REASON: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

6. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

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

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

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

8. No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

REASON: To safeguard the character and appearance of the area

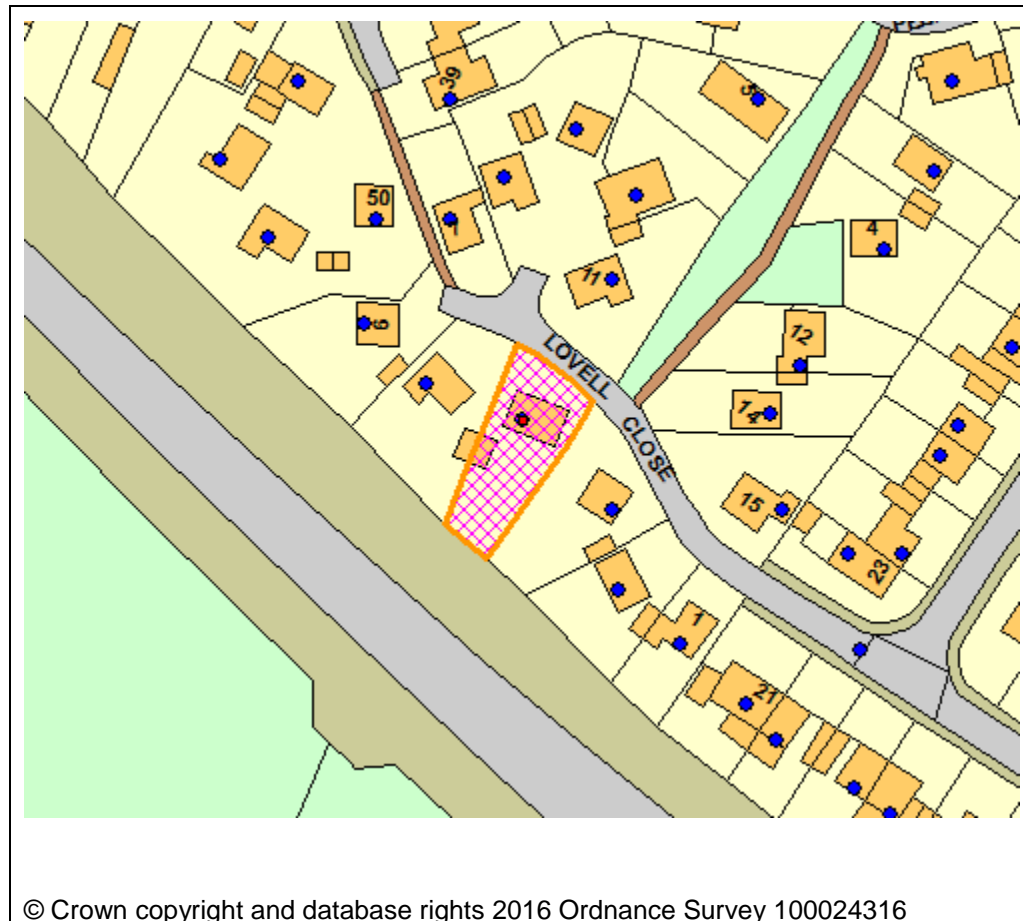
NOTES TO APPLICANT

A Construction Traffic Management Plan (CTMP) will need to incorporate the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities - to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity - details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot - contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Application Number	I8/00090/HHD
Site Address	4 Lovell Close Ducklington Witney Oxfordshire OX29 7YQ
Date	31st January 2018
Officer	Jane Fray
Officer Recommendations	Approve
Parish	Ducklington Parish Council
Grid Reference	435574 E 207538 N
Committee Date	12th February 2018

Location Map



Application Details:

First floor extension

Applicant Details:

Mr And Mrs Tara Edwards
4 Lovell Close
Ducklington
Witney
Oxfordshire
OX29 7YQ

1 CONSULTATIONS

1.1 Parish Council No comments

2 REPRESENTATIONS

No neighbour representations received

3 APPLICANTS CASE

None received

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

NE6 Retention of Trees, Woodlands and Hedgerows

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

T4NEW Parking provision

EH1NEW Landscape character

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

5 PLANNING ASSESSMENTBackground Information

- 5.1 The application relates to a 20th Century detached dwelling, 4 Lovell Close, in Ducklington. The area is characterised by predominantly modern residential development, with a landscaped area and footpath opposite the site. This application is being brought to Committee as the applicant is a member of staff.
- 5.2 The application property is a brick-built dwelling, with a plain concrete tiled roof and stained timber-effect Upvc windows/doors. The front garden area is open plan. There is a hard-surfaced drive to one side of the dwelling, providing access to the existing detached garage which is set back behind the rear building line. The rear garden is bounded by high privacy fencing.
- 5.3 The proposal is to construct a first floor extension above the existing ground floor side element, running the full depth of the property. This would provide an additional bedroom and en-suite bathroom, with internal access via an existing bedroom which would become a study. The

proposed design is to correspond with that of the host dwelling, comprising a gabled main roof, with eaves-level dormer to the front elevation serving the bedroom and a Velux rooflight to the rear. An additional window is also proposed to the first floor side elevation, for the bedroom. Proposed materials are to match the existing.

- 5.4 There is planning history for this property. Planning permission has previously been granted for erection of a first floor side extension (in the same position as now proposed) both in 2010, under Reference 10/0883/P/FP and 2004, under Reference 04/1875/P/FP. The potential to implement these approvals has now expired.
- 5.5 Taking into account current planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.6 Officers consider that the principle of provision of a first floor side extension is acceptable in this location. The key issues are set out below:

Design/Impact on character and appearance of the dwelling

- 5.7 The property is characterised by its late twentieth century design. Due to the overall scale and design of the proposed extension, coupled with its materials and architectural detailing, it is considered that the proposal would be sympathetic to the character and appearance of the existing property. In addition the design is very similar to that approved previously and whilst it is noted that it does not incorporate a lower ridge height or set-back from the existing front elevation, given the previous approvals also with no 'design break' and the scale of the extension proposed, it is considered by your officers that it would be unreasonable to withhold permission in this instance on design grounds.

Residential amenity

- 5.8 It is noted that no neighbour objections have been received to this application in relation to amenity aspects. Given the proposed scale and position of the extension, which is set away by approximately 4.5 metres from the adjacent property, No. 3, it is not considered by your officers that the scheme would give rise to a potential significant overshadowing or overbearing impact.
- 5.9 Furthermore, in relation to potential overlooking, this aspect has been carefully assessed on site by officers. It is noted that the main private amenity space for No. 3 is well away from the proposed extension, to the south west of that property. Whilst a small new bedroom window would be introduced to the flank, south-east elevation of the application property, this is in a position which is angled away from the nearest first floor dormer of No.3 and faces across a small utilitarian part of the neighbouring land and towards the road to the front, rather than directly towards this neighbouring window. In addition, the rear elevation of the extension proposes only one roof light for the bathroom, avoiding any potential views across the main rear garden area of No.3. There have not been any objections from either neighbours or the Parish Council in terms of amenity aspects.

- 5.10 In summary, it is considered that there would not be sufficient grounds to refuse this application in relation to a significant detrimental impact on adjacent amenity.

Impact on the site and surrounding area

- 5.11 There would be some impact on the street scene, given that the extension would be viewable from the front, so this has been carefully evaluated. The application property comprises one of a number of dwellings of differing design, which are set in an irregular, staggered pattern around the head of this cul-de-sac. Therefore, given that there is no strong conformity of design or 'building line', it is considered that the proposed development would be acceptable in the street scene.

Impact on trees

- 5.12 The site lies within 10 metres of a Tree Preservation Order to the opposite side of the road. However, given that there is no change of footprint proposed, or impact on the canopy of trees, it is not considered that there would be any harm to trees as a result of the proposal.

Impact on Highways

- 5.13 The County Highways Officer has raised no objections to the proposal. The site currently benefits from an existing vehicular access onto Lovell Close to the side. The current off-street parking provision would not be affected by the development and sufficient parking for approximately 3 to 4 vehicles would remain. This would meet with the Council's current maximum parking standards, and in view of no net gain of bedroom spaces resulting from the changes proposed, it is not considered that there would be an adverse impact on highway safety or loss of parking as a result of the proposed development.

Conclusion

- 5.14 In view of the above, your officers are of the opinion that the proposed development is acceptable and would not cause significant harm to the character or appearance of the host dwelling, residential amenity, the surrounding area, trees, or highway safety, subject to appropriate conditions to ensure a satisfactory appearance to the development.

6 CONDITIONS/REASONS FOR REFUSAL

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
3. The materials to be used for the external walls and roofs shall be of the same colour, type and texture as those used in the existing building.
REASON: To safeguard the character and appearance of the area.