

WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 9th July 2018

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Agenda Index

Please note that if you are viewing this document electronically, the agenda items below have been set up as links to the relevant application for your convenience.

17/02845/FUL	Eastnor House, Ducklington Lane, Witney	3
17/03959/FUL	24 High Street, Eynsham	8
18/00544/FUL	39 Brize Norton Road, Minster Lovell	9

Report of Additional Representations

Application Number	I7/02845/FUL
Site Address	Eastnor House Ducklington Lane Witney Oxfordshire OX28 4TJ
Date	6 th July 2018
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Ducklington Parish Council
Grid Reference	435184E 208516N
Committee Date	9 th July 2018

Application Details:

Demolition of existing dwelling and erection of two storey hotel (use class C1) and drive-thru coffee shop (use class A3) and associated car parking, access, landscaping and ancillary works (amended description and plans).

Applicant Details:

Mr James Hinton
Reims House
8 The Croft, Buntsford Drive
Bromsgrove
B60 4JE
Worcestershire

Additional Representations

No objection on ecology grounds subject to the following conditions:

a) The development shall be completed in accordance with the recommendations in Section 4 of the Ecological Report dated June 2017 and Section 6 of the Otter and Water Vole Survey report dated May 2018, both prepared by All Ecology Ltd, and the external lighting details shown on drawing number PI09-2736-G1 and landscaping scheme drawing number I7-058-01 Rev F (dated 02-06.2018). All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained.

REASON: To ensure that water voles, otters, bats, orchids, common toads, nesting birds and other protected/priority species are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13, NE14 and NE15 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

b) If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, repeat water vole and otter surveys shall be carried out to identify any likely new ecological impacts that might arise from any changes and to update the mitigation strategy (as approved under Condition (a)) with a timetable for implementation. Works shall then be carried out in accordance with the approved ecological mitigation strategy and timetable.

REASON: To ensure that up to date survey information for protected and priority species is obtained should the commencement of the development be delayed by 2 years.

c) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan – Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of ‘biodiversity protection zones’;
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including an orchid translocation method statement; habitat manipulation methodology during site clearance for common toads and the protection of river buffer area (e.g. fencing, no storage of materials and no site compound);
- 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 specialist 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 professional ecologist or similarly 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.

REASON: To ensure that protected and priority species and priority habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13 and NE15 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

d) A report prepared by a professional ecologist or similarly competent person certifying that the required mitigation and/or compensation measures identified in the CEMP-B (required by Condition (c)) have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

REASON: To ensure that protected and priority species and priority habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13 and NE15 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

e) A Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before occupation of the development hereby approved. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed; including locations shown on a site map;
- ii. Details of the ongoing protection of the river buffer area, including the installation of interpretation boards or appropriate signage to inform visitors and hotel residents of the importance of this area for water voles and other wildlife, and why it should remain undisturbed;
- iii. Details of the management of the river buffer area for water voles based on the 'Water Vole Mitigation Handbook (April 2016, The Mammal Society);
- iv. Landscape and ecological trends and constraints on site that might influence management;
- v. Aims and objectives of management;
- vi. Appropriate management options for achieving aims and objectives;
- vii. Prescriptions for management actions;
- viii. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- ix. Details of the body or organisation responsible for implementation of the plan;
- x. Ongoing monitoring remedial measures;
- xi. Timeframe for reviewing the plan; and
- xii. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

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

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

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

REASON: To maintain and enhance biodiversity, and to ensure long-term management in perpetuity, in accordance with the NPPF (in particular section 11), Policy NE13 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

f) Before occupation of the development hereby approved, a Water Vole and River Buffer Zone Monitoring Strategy shall be submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to ensure the successful establishment of the river buffer zone as water vole habitat. Monitoring shall be carried out annually for a period of at least 5 years following the completion of the development hereby approved. The content of the strategy shall include, but not necessarily be limited to, the following:

- i. Aims and objectives of monitoring to match the stated purpose;
- ii. Identification of adequate baseline conditions prior to the start of development;
- iii. Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged;
- iv. Methods for data gathering and analysis;
- v. Location of monitoring;
- vi. Timing and duration of monitoring;
- vii. Responsible persons and lines of communication; and
- viii. Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority annually (specific time each calendar year to be specified in the strategy). The report shall also set out (where the results from monitoring show that the aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The monitoring strategy will be implemented in accordance with the approved details.

REASON: To ensure that water voles and their habitats are safeguarded in the long term in accordance with the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13 and NE15 of the West

Oxfordshire District Local Plan 2011, Policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Application Number	I7/03959/FUL
Site Address	24 High Street Eynsham Witney Oxfordshire OX29 4HB
Date	6 th July 2018
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Eynsham Parish Council
Grid Reference	443385E 209240N
Committee Date	9 th July 2018

Application Details:

Erection of two bedroom dwelling with associated parking and garden. Removal of section of wall adjacent to parking provision.

Applicant Details:

Mr & Mrs Graham and Clementine Bannell
24 High Street
Eynsham
Witney
Oxfordshire
OX29 4HB

Additional Representations

It has been noted since preparation of the agenda that a now superseded policy has been incorporated which refers to the now amended policy EH7. The references to EH7 should be retained but the refusal reasons should also make reference to EH8 (Conservation Areas), EH11 (Historic Landscape Character) and EH13 (Scheduled Monuments and other Nationally Important Archaeological Remains) and the refusal reasons adjusted accordingly.

Application Number	I8/00544/FUL
Site Address	39 Brize Norton Road Minster Lovell Witney Oxfordshire OX29 0SF
Date	6 th July 2018
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Minster Lovell Parish Council
Grid Reference	431373E 210652N
Committee Date	9 th July 2018

Application Details:

Erection of ten dwellings with associated works.

Applicant Details:

Meadowgate Homes
C/O Agent

Additional Representations

OCC raise no objection as regards drainage, subject to the following condition:

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 include the maintenance and management of SUDS features. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Land owner details must be supplied in conjunction with the drainage maintenance plan.

REASON: In the interests of highway safety, to avoid the risk of flooding and in accordance with the National Planning Policy Framework.