

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 11th March 2019

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



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Purpose:

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

Recommendations:

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

List of Background Papers

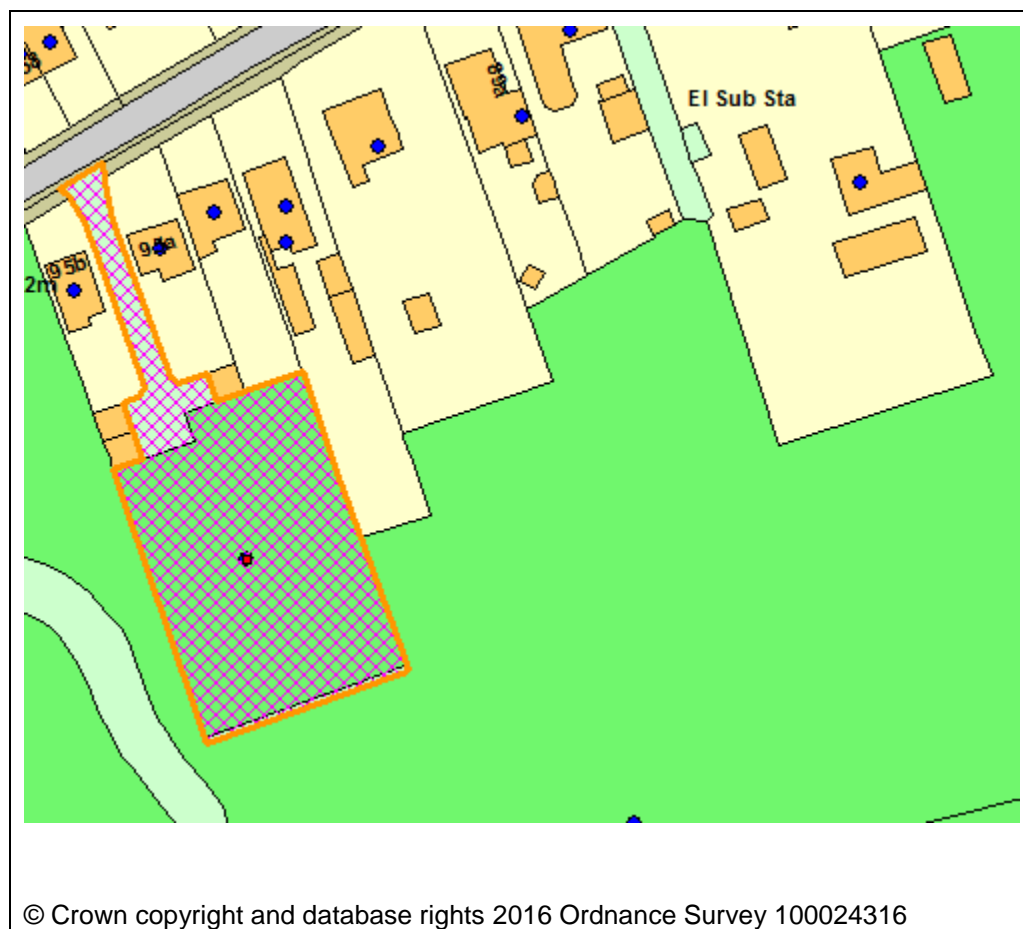
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
18/03646/FUL	Land South of 95 Milestone Road, Carterton	3
18/03669/FUL	The Osprey, Upavon Way, Carterton	12
19/00289/FUL	65 Mayfield Close, Carterton	21
19/00387/PN42	143 Thorney Leys, Witney	27

Application Number	18/03646/FUL
Site Address	Land South of 95 Milestone Road Carterton Oxfordshire
Date	27th February 2019
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	427678 E 205984 N
Committee Date	11th March 2019

Location Map



Application Details:

Erection of five dwellings with associated parking

Applicant Details:

Fieldpark Developments Ltd, 95 Milestone Road, Carterton, Oxfordshire, OX18 3RL

I CONSULTATIONS

- I.1 OCC Highways Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions:
G28 parking as plan
G11 access specification
G25 drive etc specification
G35 SUDS sustainable surface water drainage details
- I.2 ERS Env Health - Lowlands I have no objections and no conditions for this application.
- I.3 ERS Env. Consultation Sites The proposal is not situated on or near land that has been identified as being of potential concern with respect to land contamination. Therefore I have no objection in relation to land contamination human health risks from this proposed development and will not be requesting planning conditions.
- I.4 WODC Drainage Engineers No objection subject to condition
- I.5 Thames Water General comments received, and informatives to add to permission.
- I.6 Conservation Officer No Comment Received.
- I.7 MOD (Brize Norton) No Comment Received.
- I.8 Town Council The Committee felt that this was an over development of the site.

2 REPRESENTATIONS

2.1 Mr O Puddle, 5 Walkers Close Freeland

- I used to live at 95A Milestone Road and the development site is a small orchard that was a haven for wildlife on the edge of the town. We regularly saw Red Kites (listed Schedule I of the Wildlife and Countryside Act), Buzzards and Woodpeckers resting in the orchard trees and foxes and hedgehogs were frequent visitors to our garden. This development will therefore impact local ecology.
- The development site appears quite small for the erection of 5 dwellings, I believe the land was only ever intended to be used for 3 houses if the noise buffer zone from the RAF base was ever lifted. I also therefore object to the design and layout of the application.
- The driveway to the properties at 95 Milestone Road was only constructed with the existing 3 properties in mind. It is very narrow with limited parking and the surface isn't suitable for increased traffic. I also object on Highways grounds too.

2.2 Mrs J Puddle, 95A Milestone Road Carterton

- There were plans submitted previously for 5 houses on this piece of land, these were not passed. Plans were approved for 3 houses. This latest application is again for 5 houses. My main concern is the existing driveway being used as the access. Is it adequate to accommodate another 10 vehicles or possibly more? I understand there are more low cost houses needed but feel 5 is too many.
- I would just like to add that I was lead to believe that all boundary trees would remain, it is unfortunate that these were ripped out. Trees are essential, especially next to the airfield they help to absorb noise and harmful air pollution, fences have no effect whatsoever

3 **APPLICANT'S CASE**

A Noise Assessment, Transport Assessment, and Planning Statement have been submitted as part of the application. The conclusion part of the Planning Statement has been summarised as:

- The proposed scheme makes a good residential use of an available, windfall site, in a sustainable, accessible location and provides for 5 new family housing units.
- It is a more efficient use indeed of this opportunity site that is already in benefit of extant consent for 3 dwellings but which reworks it to a better and improved scheme overall.
- It is carefully planned, sensitive and appropriately designed, most mindful of its local context and is a scheme that a raft of up-to-date policy, at both national and local level, positively supports.
- It follows on from a formal pre-application process with the Council and delivers a high quality scheme that has included all of the design based advice offered by the Council at that stage.
- Parking and amenity space are all provided on site in an acceptable fashion to standard and the proposed site layout is generous and spacious.
- There are no identified planning related issues that properly mitigate against the proposed scheme.
- There are no highway related impacts.
- There are no noise related issues.
- Carterton is a settlement, at the top of the District's hierarchy, where new development is first to be directed, because of the sustainable nature of the location.
- As such, the scheme stands in an eminently accessible location and is an entirely sustainable form of development, delivering a most efficient residential use out of a site, already in benefit of consent for residential use, the like of which Government and local planning policy is specifically designed to permit for.
- In the clear circumstances and planning context of the case, it is very much hoped that the proposal can be straightforwardly granted planning permission as applied for.

4 **PLANNING POLICIES**

OS2NEW Locating development in the right places
OS1NEW Presumption in favour of sustainable development
T4NEW Parking provision
OS4NEW High quality design
H6NEW Existing housing
CA2NEW Land at Milestone Road, Carterton

EH8 Environmental protection

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the erection of five dwellings. A previous application for three dwellings was approved in 2017 (17/01556/FUL).
- 5.2 The application site comprises an enclosed section of land accessed from Milestone Road. The site lies on the South West edge of Carterton, adjacent to a large vacant area of land separating the southern edge of Carterton from the Northern perimeter of Brize Norton Airbase. The area of land to the south of the site is included as a strategic allocation within the now adopted West Oxfordshire Local Plan and is identified as having the potential to deliver around 200 homes.
- 5.3 The application site would be accessed by an existing means of access to two garages serving Nos. 95A and 95B Milestone Road. The development comprises of a semi detached pair of dwellings parallel to the access road, with two 3 bed link attached properties and a single detached dwelling sited in a central position to the rear of the site.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.5 Policy OS2 of the adopted West Oxfordshire Local Plan categorises the District's settlements into a hierarchy, with 3 "main service centres" at the top, identified for their sustainable, accessible nature and the range of shops, services, employment opportunities, general facilities for daily living that they contain, and where new development should first be directed and concentrated. Carterton is identified as one of the District's 3 main service centres. As such your officers consider that the principle of development is acceptable in this location.
- 5.6 The site lies adjacent to a large area of open undeveloped space sited between the settlement edge and Brize Norton RAF base. The development would not encroach into this open space given that the site forms a separate enclosed parcel of land, although the proposed development would visibly extend the built form beyond the existing developed form south of Milestone Road. Your officers however note that the large adjacent site is included as an allocated site within the Adopted WOLP, which offers development potential for up to 200 homes. In the context of this site being brought forward as a strategic allocation, the application site would be surrounded by development on all sides. In this context the proposed development would be contained within the settlement envelope and the development could be deemed as complementary to the existing built form.
- 5.7 Your officers consider that the site would be within a sustainable location in terms of its locational proximity to existing services and facilities within Carterton.

Siting, Design and Form

- 5.8 The proposed appearance of the dwellings follow a traditional design and use of materials as per the West Oxfordshire Design Guide. All of the proposed dwellings have a portion of front garden amenity space with attached garages and parking spaces in front of them. Policy OS4 of the adopted WOLP requires high quality schemes.
- 5.9 Your officers have negotiated for a softer arrangement of development, so glimpses of the new development from Milestone Road will be of planting rather than just dwellings and garages.
- 5.10 Biodiversity mitigation measures form part of the suggested conditions.

Highways

- 5.11 OCC Highways have been consulted as part of the formal planning process and have no objection subject to conditions.

Residential Amenities

- 5.12 The proposed dwellings would be sited approximately over 20m from the rear elevations of both 95A and 95B Milestone Road. As such your officers do not consider that there would be undue loss of residential amenities in terms of loss of privacy or loss of light issues. Due to the proposed layout, your officers do not consider that the residential amenities of the proposed occupiers will be adversely affected by existing occupiers. In addition due to the distance, your officers do not consider that an excessive level of noise and disturbance from the use of the driveway will adversely affect the residential amenities of the occupiers of the No 95a or 95b Milestone Road.
- 5.13 Your Environmental Health officers have no objections to the proposed development in terms of the adjacent airfield and noise related issues.

Conclusion

- 5.14 The application proposes the erection of five modest designed dwellings within a relatively sustainable location on the edge of Carterton. Your officers are satisfied that the scale and siting of the dwellings would not result in adverse harm to the residential amenities of the occupants of any adjacent properties by reason of overlooking or overbearing, or noise and disturbance issues.
- 5.15 Given that no objections have been received from OCC Highways regarding highway safety issues, your officers are satisfied that the proposed access to serve the proposed development would not adversely affect highway safety. Officers consider that the proposals represent sustainable development and the development would be acceptable and compliant with the relevant provisions of the Adopted West Oxfordshire Local Plan in addition to the relevant paragraphs of the NPPF.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The external walls shall be constructed of either artificial stone or natural stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 5 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 6 The cheeks and pediment of the dormer window(s) shall be rendered in a colour and texture the specification for which has been first submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the character and appearance of the area.
- 7 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 8 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.
- 9 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

- 10 The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.
REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.
- 11 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.
- 12 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.
- 13 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.
REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 14 No part of the development shall be occupied until the facilities for refuse bins to be stored awaiting collection have been provided in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.
REASON: To safeguard the character and appearance of the area and in the interests of the convenience and efficiency of waste storage and collection.
- 15 Prior to the above ground works commencing of the development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate

(expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to protect the residential amenities of adjoining and adjacent neighbouring properties.

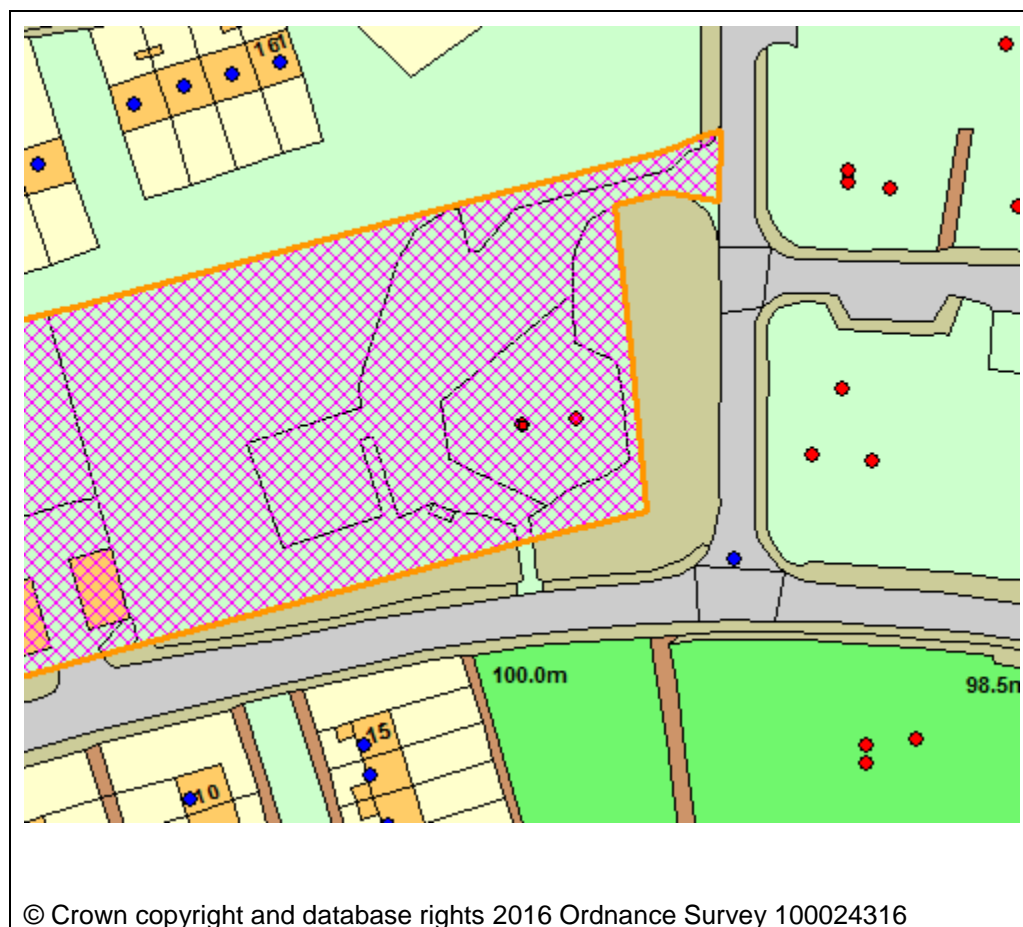
NOTES TO APPLICANT

- 1 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
 - Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
 - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
 - CIRIA C753 SuDS Manual 2015
- 2 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>
- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 4 As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>.

- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Application Number	I8/03669/FUL
Site Address	The Osprey Upavon Way Carterton Oxfordshire
Date	27th February 2019
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	428243 E 207529 N
Committee Date	11th March 2019

Location Map



Application Details:

Removal of existing buildings and construction of forty six dwellings of two and three storeys with associated car parking, and access from Upavon Way

Applicant Details:

Cottsway Housing Association, Cottsway House, Heynes Place, Avenue Two, Witney, OX28 4YG

I CONSULTATIONS

- I.1 WODC - Arts We have considered the scale and mix of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site.
- I.2 Conservation Officer No objection.
- I.3 ERS Env Health - Lowlands Mr ERS Pollution Consultation I am pleased to see that this plot of land - The Osprey, brought forward for a useful development. I have No Objection in principle.
- Clearly new dwellings needs to consider the acoustic and noise requirements of the neighbourhood and I am obliged to flag to you the appropriate British Standard and a condition to ensure dwellings are afforded the appropriate level of protection. I can't see any noise report. You may be minded to request a noise assessment at this stage. To comply with any noise condition a noise professional would need to comment in any event on the acoustic design.
- I.4 ERS Env. Consultation Sites This references two other reports dating from 2006 and 2016 respectively that involved invasive investigations at this site, however I have only received a part of the 2016 report and none of the 2006 report, albeit that the 2017 report relies on both of these when drawing conclusions. This is significant because petrol forecourts tend to be contaminated from leaks and spills that accumulate over the years however of only 3 monitoring wells in the forecourt just one derives from the 2006 investigation, with the full details of the well apparently not known, and none are in the forecourt itself. There appears to be doubt as to the state of the former PFS infrastructure, that is whether/how much remains. From a developer's perspective this is a significant cost consideration, because this would need to be carefully managed prior to development commencing in this part of the site for safety reasons and by an experienced contractor. The report speculates that the underground storage tanks have been removed, but it is unclear whether there may be previous generations of underground tanks remaining as is common at long established retail filling stations. A certificate of decommissioning from the former owner or petroleum regulator would be helpful in this respect. I have put in a request for information on the site to the County Petroleum Officer.
- I can find only one record of a visit for ground gas monitoring. On a site of this type (petrol station) I would have expected at least 6 repeat visits to monitor gases.
- Although we have a certain amount of (encouraging) ground condition information, there appear to be sufficient gaps in our knowledge of the site to require further investigation and subsequent remedial works for contamination. A pre-commencement condition

will be required to ensure all of these matters are appropriately addressed.

I.5	Environment Agency	No Comment Received.
I.6	Major Planning Applications Team	No Comment Received.
I.7	Biodiversity Officer	No objection.
I.8	WODC Planning Policy Manager	No objection.
I.9	WODC - Sports	No S016 request as 100% affordable
I.10	Oxford Clinical Commissioning Group NHS	No Comment Received.
I.11	WODC Env Services - Waste Officer	No Comment Received.
I.12	MOD (Brize Norton)	No Comment Received.
I.13	TV Police - Crime Prevention Design Advisor	I do not wish to object to the proposals. In fact, I commend the applicants for including a section on crime prevention within their Design and Access Statement (DAS), and for proposing that they will incorporate the principles and standards of Secured by Design (SBD) across the scheme.
I.14	Natural England	Natural England has no comments to make on this application.
I.15	WODC Housing Enabler	No Comment Received.
I.16	Town Council	The Town Council Planning Committee asked officers to consider the contamination issues on the site when processing the application.

2 REPRESENTATIONS

2.1 One letter has been received making the following comments:

- In principle this seems a good area to redevelop as the current plot has been an eyesore for years and much needed housing will be welcomed, especially if it is aimed at first time buyers and those needing support to buy or rent (social housing).
- Although the area looks uncared for I would imagine that there is still plenty of wildlife using the site, including nesting birds, small mammals such as hedgehogs, many types of invertebrates, and possible bats and reptiles. It is very important these are thought about in the design and mitigation.

- It would be very disappointing if the area is cleared of all vegetation and then just a few small trees planted and the usual couple of bird and bat boxes stuck on to the sides of buildings. More care and thought is needed than that.
- I also hope that when the site is cleared far more care is taken that was the case with the removal of the trees and hedgerow plants along Monahan Way as part of the Brize Meadow development. This was done with little regard for wildlife.

3 APPLICANT'S CASE

The application is accompanied by a Design and Access Statement, Transport Statement, Reptile report, Tree Survey, Contamination and Environmental Investigation which are all available to view on line.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH8 Environmental protection

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T4NEW Parking provision

H2NEW Delivery of new homes

H3NEW Affordable Housing

H4NEW Type and mix of new homes

CA5 Carterton sub-area strategy

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks consent for the removal of existing buildings and construction of forty six dwellings of two and three storeys with associated car parking, and access from Upavon Way. There are residential dwellings to the north, west and south, and a site with planning permission for residential to the east.
- 5.2 The application site has a long history, the most recent uses being a petrol filling station and a public house. An outline application for residential dwellings (10/1287/P/OP) was approved at committee in 2013.
- 5.3 The application is just before committee due to member interest in the site. As you can see the Town Council have not objected and we have received no adverse technical objections.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.5 The site is within Carterton, the second largest settlement in West Oxfordshire. Carterton is one of the three main service centres in the District, and Local Plan Policy OS2 notes that these will be the focus of a significant proportion of new homes, jobs and supporting services. The town benefits from services, including primary and secondary schools, community buildings, sports facilities, shops and pubs/restaurants.
- 5.6 Policy H2 states that new dwellings will be permitted at the main service centres on previously developed land. This site is brownfield, having previously been occupied by the Osprey pub and a petrol filling station. The scheme proposes 11 no. one bed flats, 16 no. two bed flats, 10 no. two bed houses and 9 no. three bed houses.
- 5.7 Policy H3 required 35% of any market scheme to be affordable housing. This scheme is proposed to be 100% affordable, with the split between social rented and shared ownership to be agreed by the council, but likely to be 31 affordable rent, 15 shared ownership.
- 5.8 The proposal is therefore considered to be acceptable in principle.

Siting, Design and Form

- 5.9 The proposal is for two and three storey buildings fronting Upavon Way, in a modern style with vernacular detailing. The three storey apartment building is on the corner of Northwood Crescent and Upavon Way but it is set well back from the road as there is a landscape buffer retained in front of the site so it is not considered to be overbearing on the street.
- 5.10 The buildings on the internal street are two storey to reflect the lower development beyond in Britannia Way.
- 5.11 They are proposed to be constructed predominantly in buff and red brick, with slate and some red tiles, with grey joinery. Officers have requested some changes in materials to ensure it is in context with the surrounding area and with the guidelines set out in the Councils design guide regarding materials.
- 5.12 The proposal is generally considered to comply with policies OS2 and OS4 of the local plan.

Highways

- 5.13 The main access to the site is from Upavon Way, with additional pedestrian access onto Northwood Crescent. The proposal has made provision for 44 allocated parking spaces and 35 unallocated parking spaces.
- 5.14 Comments have yet to be received from OCC regarding the parking, layout and access so members will be updated either in the additional representations report or verbally at committee.

Residential Amenities

- 5.15 The residential amenities of adjacent properties in Britannia Close are not considered to be unduly harmed as there is a minimum 30m back to back between the proposed properties and existing houses.
- 5.16 To the west of the site the flats at Dove Court have bedroom windows looking onto the site. It is considered that those adjacent to the flat block are not unacceptably harmed, there will be some loss of light in the morning but they are secondary windows and the proposed flats have no openings on the boundary so there will be no overlooking. However, amended plans have been sought to re-site plots 38 and 39 to avoid unacceptable overlooking between Dove Court and the proposed gardens.
- 5.17 It is considered that there is sufficient space around the buildings for amenity purposes of future residents.

Other matters

- 5.18 As the site has been unoccupied for some time, the ecologist has recommended a condition to mitigate the development.
- 5.19 The Crime Prevention Officer is satisfied that the layout is safe.

Conclusion

- 5.20 The proposal is considered to accord with local plan policies and is provisionally recommended for approval subject to amended plans being received to address the amenity issue and materials, and to no objections being received from the Highway Authority.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to maintain acceptable residential amenity.
- 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 window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 7 The external walls shall be constructed of either buff brick, red brick or cream render in accordance with sample panels which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 8 Site Characterisation
No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any remaining contamination on the site, especially any risks due to ground gas or from former fuel infrastructure.

Submission of Remediation Scheme, including contaminated ground and removal or making safe of redundant filling station infrastructure:

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. As well as addressing contaminated ground, the scheme shall include details for the identifying and making safe or removal of all redundant filling station infrastructure from the site. This shall include all subsurface tanks, fuel lines, offset fill points, pumps, dispensers and oil/fuel interceptors. Subsurface equipment shall be made safe by concrete/foam/slurry filling or complete removal.

Implementation of Approved Remediation Scheme:

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

infrastructure has been made safe full details shall be provided including completion certificates for any concrete/foam/slurry filling.

Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination. An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with condition above (condition 2).

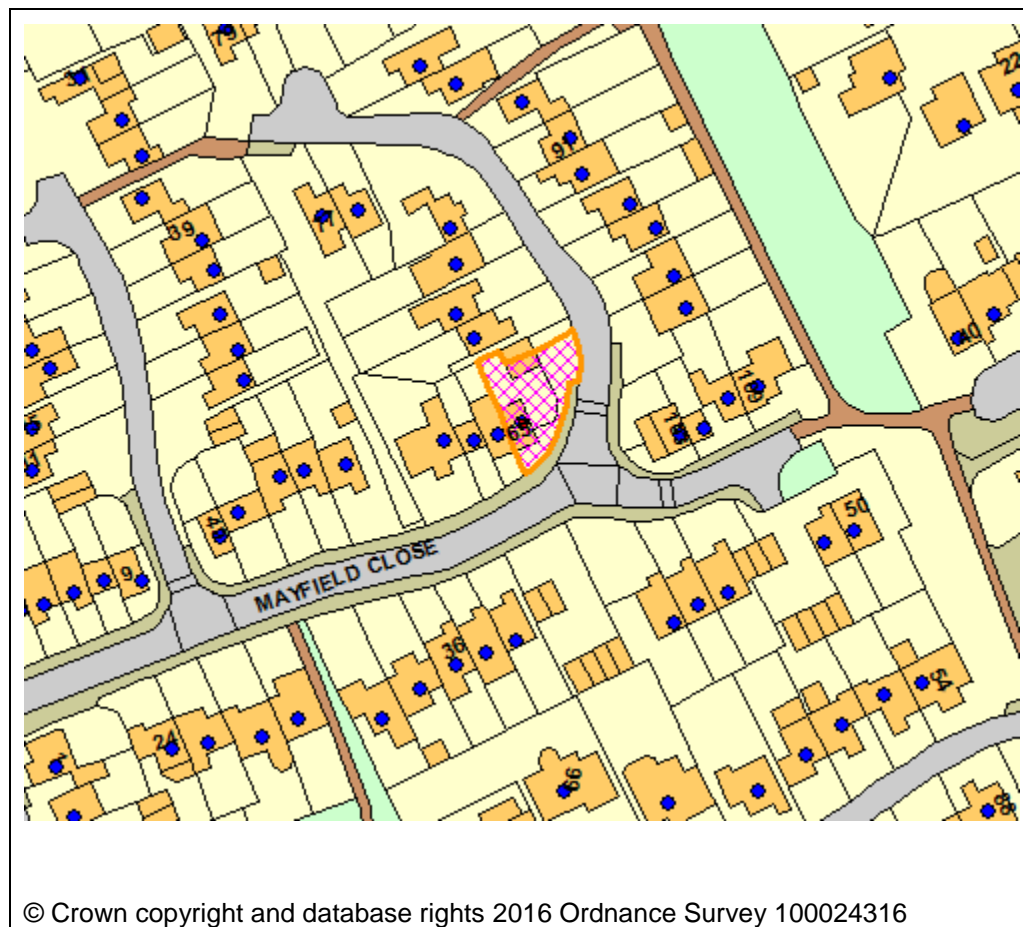
REASON: To ensure that any unsuspected contamination encountered during the developments is suitably assessed and dealt with, such that it does not pose an unacceptable risk to ground or surface water in accordance with Section 15 of the National Planning Policy Framework (NPPF).

- 9 The dwellings hereby approved shall be designed and constructed to incorporate measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 (or later versions). These standards currently require:
Resting 35 dB LAeq,16hour
Dining 40 dB LAeq,16hour
Sleeping 30 dB LAeq,8hour
45dB LAFmax and any external amenity space(s) should achieve 55dB.
REASON: In the interests of future residential amenity.
- 10 Prior to commencement of above ground works, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority
REASON: In the interests of crime prevention and residential amenity.
- 11 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.
- 12 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

Application Number	I9/00289/FUL
Site Address	65 Mayfield Close Carterton Oxfordshire OX18 3QS
Date	27th February 2019
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	42759I E 206340 N
Committee Date	11th March 2019

Location Map



Application Details:

Erection of attached dwelling, off street parking and access. (Revised Scheme)

Applicant Details:

Mr Dave Haines, Unit 3, Avenue 3, Station Lane, Witney, OX29 4PB

I CONSULTATIONS

- | | | |
|-----|-------------------------|-------------------------------------|
| 1.1 | Town Council | Support. |
| 1.2 | OCC Highways | No objection subject to conditions. |
| 1.3 | WODC Drainage Engineers | Condition to be attached. |

2 REPRESENTATIONS

At the time of writing, 3 objections have been received. These have been summarised as:

- Parking too tight for additional cars to be parked there and would be dangerous especially around a corner. There are lots of small children around this area (walking to school etc) and cars coming in and out at a corner angle would not work.
- As ex Fire Safety Office with GMC fire service the access required for emergency vehicles at peak times will be even more restricted due to the addition of cars visiting yet another new build on an estate built 30 years ago when cars were not seen as problem. Parking a major issue as with all estates in Carterton this will only add to it.
- Pedestrian safety will be further compromised as double parking on a bend will be inevitable.
- I live directly opposite the proposed building and will have privacy infringed our house is slightly lower so line of sight will be directly into my house.

3 APPLICANT'S CASE

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

- We have suggested a traditional form of dwelling that will blend in with the character of the site and its surroundings, while adding to new house numbers in a popular location. It adds to the housing mix.
- The intention is to form a small scale dwelling, with good aspect and an appropriate amenity space, off street parking and sufficient internal accommodation and facilities. No. 65 Mayfield Close retains the larger rear garden, commensurate with being a slightly larger dwelling. In our view this proposal makes best use of available developed land, at a time when the as yet unprecedented under supply of new small scale housing is at such a critical level.
- There is a high demand for new 1 & 2 bed dwelling units all across the District. Local agents confirm this. This demand is rising more quickly perhaps than 3 and 4 bed large homes, which are often beyond the pockets of many local residents, either for rent or to buy.
- Our view is that in principle this proposal is sustainable as it is within a built up housing area of Carterton. The detailed relationship of the proposal to its site and surroundings has been carefully considered, as set out above.
- Relevant matters such as amenity, parking, and bio-diversity have also been carefully arrived at, taking into account the character and merits of the site and its surroundings.
- The proposal is smaller in scale than No. 65 (as was approved for the two storey extension on the same site) and neighbouring dwellings. It is designed so as not to overlook

neighbours, and as we see it, would function well and provide a good standard of living conditions.

- Our aim is to create a one bed dwelling unit, which we believe is of the scale most in demand, and will add to the housing mix locally, as recommended by the NPPF.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

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 site is located in a mature residential housing estate within Carterton. The previous planning history includes:
- 5.2 17/01871 - Attached dwelling - This application was withdrawn following concerns from your officers, regarding a proposed side extension and insufficient drainage details.
- 5.3 17/02498 - Attached dwelling - Refused on two issues:
By reason of the scale of the proposed development, the parking to serve the proposed development would be detrimental to the safety and convenience of other road users being located partly on the public highway and would fail to provide adequate off street parking set by the OCC highway standards, which in the proposed location would also be detrimental to the safety and convenience of highway users. The proposal is therefore contrary to policies BE2, BE3 of the West Oxfordshire Local Plan 2011 and policies OS2 and T4 of the Emerging Local Plan 2031 and the relevant policies of the NPPF.
- 5.4 The development as proposed would contribute to an over development of the site which is further emphasised by the parking provision being partly located on the public highway, it would appear cramped in relation to the footway, would appear incongruous and unduly prominent to the detriment of surrounding properties and to the visual amenity and appearance of the street scene. The proposal is therefore contrary to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and policies OS2, OS4 and H2 of the Emerging Local Plan 2031 and the relevant policies of the NPPF.
- 5.5 17/03830/HHD - Erection of two storey side extension - Refused
The development as proposed would contribute to an over development of the site, fails to represent a secondary and subservient addition and it would appear cramped in relation to the footway. It would appear incongruous and unduly prominent to the detriment of surrounding properties and the visual amenity and appearance of the street scene. The proposal is therefore contrary to policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and policies OS2 and OS4 of the Emerging Local Plan 2031 and the relevant policies of the NPPF.
- 5.6 Subsequent appeal dismissed. The Inspector stated that the main issue is the effect of the proposal on the streetscene. He stated:

The proposed extension would add significantly to the overall size of the appeal property and because of its footprint, volume and height, I do not regard it as a subservient addition. Consequently, there is some conflict with the Council's Design Guide. In addition, the open character of the corner adjacent to the footway provides a relatively spacious appearance to this part of the streetscene. In my opinion, the close proximity of the front corner of the extension to the footway (because of its limited set-back from the front wall of the dwelling) would result in the development appearing cramped, visually dominant and overbearing at that point. Paragraph 58 of the Framework states (amongst other things) that developments should add to the overall quality of the area, whilst paragraph 17 seeks to ensure that planning should always seek to secure high quality design. For the reasons given above, I consider that the proposal conflicts with the Development Plan and with the Framework.

- 5.7 18/02999/HHD Two storey extension - Approved
This current application seeks planning consent for an attached dwelling within the same scale as the details approved under the 2018 planning application.
- 5.8 Your officers consider that the main issues assessing this application is parking on site to serve the proposed dwelling and visual appearance of the proposed dwelling within the streetscene.
- 5.9 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.10 The adopted West Oxfordshire Local Plan Policy OS2 allows development within Service Centres. Carterton is considered to be a Service Centre. Development is permitted subject to it being in accordance with relevant other policies of the adopted West Oxfordshire Local Plan.
- 5.11 The previous application for a dwelling was refused as the proposed parking to serve the dwelling was located on highway land. In addition the scale and design of the proposed building failed to represent a secondary and subservient addition, appearing cramped in relation to the adjacent footway. It was also considered it would appear incongruous and unduly prominent to the detriment of surrounding properties and the visual amenity and appearance of the street scene.

Siting, Design and Form

- 5.12 Since that application was refused, your officers consider that the applicants have overcome the scale and design of the building.
- 5.13 The proposed dwelling's roof is set down from No 65's existing ridge line, with the proposed form of the building being substantially set back from the front elevation of No 65 Mayfield Close. As such your officers consider that the proposal will not appear as a cramped over development within the streetscene or appear visually incongruous within the general streetscene, and that these concerns have therefore been addressed/overcome.

Highways

- 5.14 OCC Highways have not objected to the proposal. The comments state:

- The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- I note parking complies with standards - 1 off street space/1 bed dwelling

5.15 Whilst your officers note the objections regarding highway safety issues from neighbouring properties, as OCC Highway are not raising an objection, it is not considered justified to refuse the application on highway safety grounds.

Residential Amenities

5.16 Your officers consider that due to the distances that the proposed dwelling will be from existing neighbouring properties, that no undue loss of light, privacy or overbearing issues will result to residential amenities.

Conclusion

5.17 In view of the above your officers consider that the applicant has overcome the previous refusal reasons regarding highway and design matters. No objections have been received from formal consultees including the Town Council. As such your officers consider that the proposal complies with the relevant policies as stated above.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to protect the residential amenities of the adjoining property.
- 5 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.

- 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 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.
- 8 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework, The West Oxfordshire Strategic Flood Risk Assessment and Planning Practice Guidance). If the surface water design is not agreed before works commence it could result in abortive works being carried out on site or additional works being required to ensure flooding does not result, which may result in changes to the approved site layout being required.

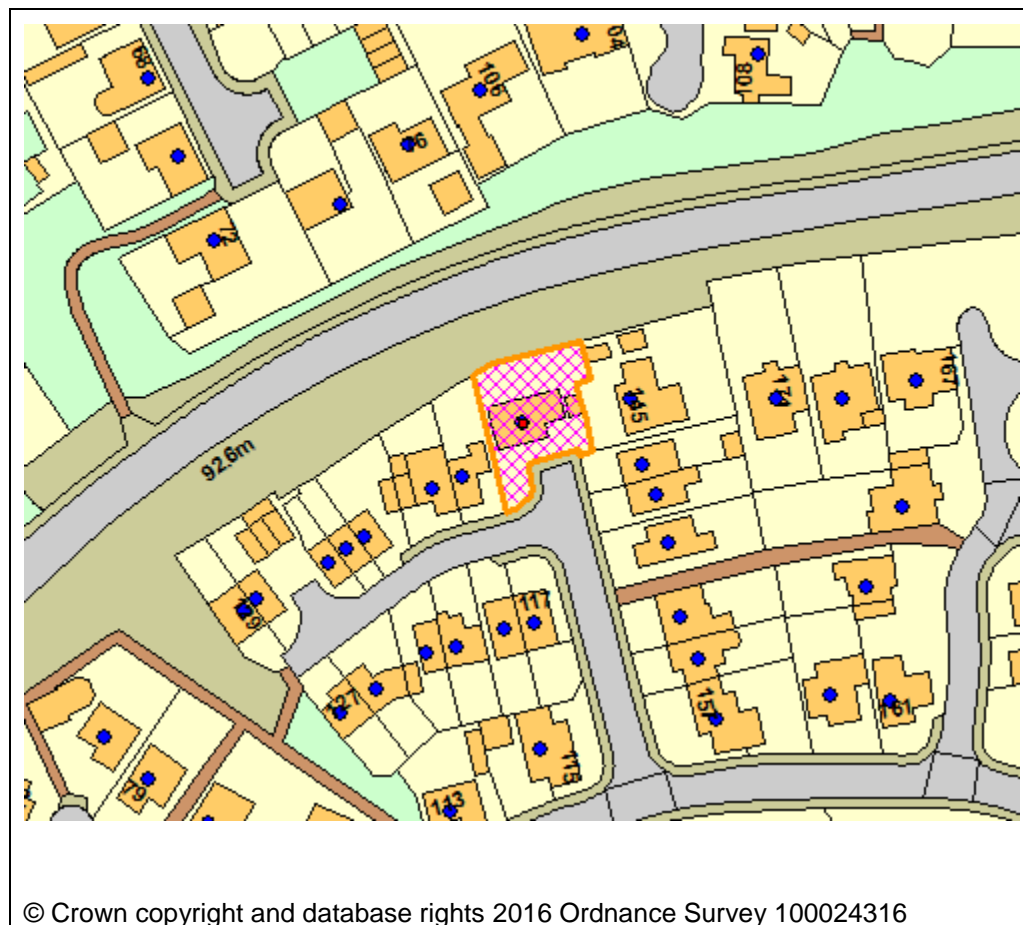
NOTE TO APPLICANT

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

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Oxfordshire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
- CIRIA C753 SuDS Manual 2015

Application Number	I9/00387/PN42
Site Address	143 Thorney Leys Witney Oxfordshire OX28 5NS
Date	27th February 2019
Officer	Miranda Clark
Officer Recommendations	Prior Approval Not Required
Parish	Witney Town Council
Grid Reference	434069 E 209262 N
Committee Date	11th March 2019

Location Map



Application Details:

Erection of single storey rear extension (4m x 3.5m x 2.4m, height to eaves/3.5m, max height).

Applicant Details:

Mr Benjamin Woodruff, 143 Thorney Leys, Witney, Oxfordshire, OX28 5NS

I REPRESENTATIONS

No representations received.

2 PLANNING ASSESSMENT

Background Information

- 2.1 The application is to be heard before the members of the Lowlands Area Planning Sub-Committee as the applicant is a District Councillor.
- 2.2 This type of application seeks to determine whether the erection of a rear single storey extension at 143 Thorney Leys, Witney requires planning permission, or whether it may be built under Permitted Development under Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Description of Site

- 2.3 This application relates to 143 Thorney Leys, a detached dwelling located within a modern residential area in Witney.

Proposal

- 2.4 The application proposes a single storey rear extension with a width of 2.594m, a depth of 4m, an eaves height of 2.4m and overall height of 3.5m.

Assessment

- 2.5 The proposed single-storey rear extension would comply with the following limitations of Class A as follows:
- The application site is not within Article 2(3) land or within a SSSI.
 - Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class, M, N, P, or Q of Part 3 of this Schedule (changes of use).
 - As a result of the works the total area of ground covered by buildings within the curtilage of the dwellinghouse would not exceed 50% of the total area of the curtilage.
 - The height of the extension would not exceed the height of the highest part of the roof of the existing dwellinghouse.
 - The height of the eaves of the extension would not exceed the height of the eaves of the existing dwellinghouse.
 - The extension would not extend beyond a wall which fronts a highway and forms either the principal elevation or a side elevation of the original dwellinghouse.
 - The extension would be single-storey and would not extend beyond the original rear wall of the dwellinghouse by more than 6m or exceed 4m in height.
 - The extension would be single storey.
 - The extension would be within 2m of the boundary of the curtilage of the dwellinghouse and the eaves height would not exceed 3m.
 - The extension would not extend beyond a wall forming a side elevation of the original dwellinghouse.

- The materials would match those used on the exterior of the existing dwellinghouse.

Conclusion

- 2.6 This application does not exceed the limitations within paragraph A.1(e) and there have been no material planning objections from adjoining neighbours. It is therefore considered that the proposed development would meet all the necessary criteria under Class A and prior approval is not required.

3 CONDITIONS

- 1 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.
- 2 Development is permitted by Class A subject to the following condition stipulated within A.3; The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.