

WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 12 August 2019

Report of Additional Representations



WEST OXFORDSHIRE
DISTRICT COUNCIL

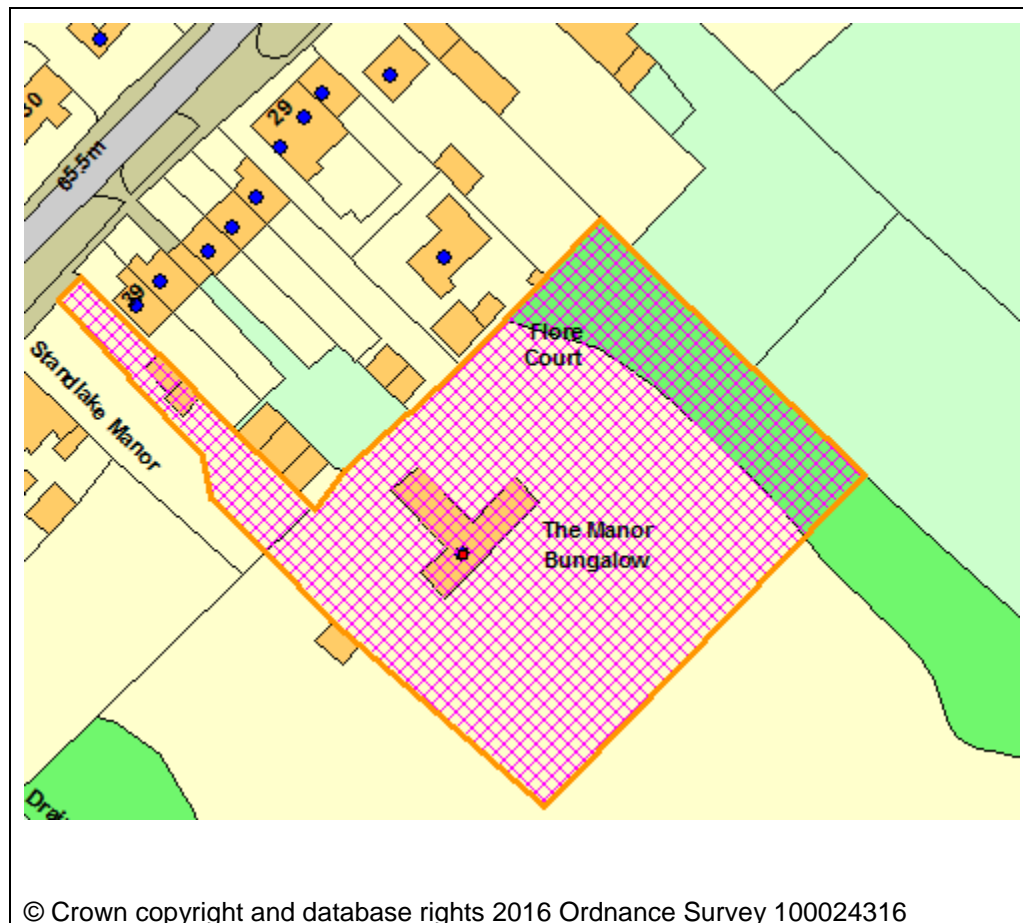
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Application Number	19/00684/FUL
Site Address	Manor Bungalow 41B High Street Standlake Witney Oxfordshire OX29 7RH
Date	31st July 2019
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439774 E 203054 N
Committee Date	12th August 2019

Location Map



Application Details:

Demolish existing bungalow and erection of four dwellings with associated garaging and works.

Applicant Details:

Mr Nicholas Blakemore, c/o Agent.

Additional Representations

An ecological assessment has been submitted. A full version of this is available on the Council's website. It is summarised as follows:

Bats: The Manor Bungalow hosts at least one bat roost, which, based on the surveys carried out to date, is very likely to be a soprano pipistrelle day roost of low conservation status. As such demolition works which would disturb or destroy the roost could not legally commence until a licence for development works affecting bats had been obtained from Natural England.

In this case, because the roost is very likely to be of low conservation status, it is likely that the site can be registered under Class Licence WML-CL21, which is a fast track system of licensing works that affect low conservation status roosts.

This report includes a mitigation plan, comprising the provision of bat boxes and tiles, and the careful demolition of the bungalow, that will ensure that bats are not harmed and there will not be a detrimental impact on the favourable conservation status of bats.

Great crested newts: There are three ponds within 250m of the application site, one of which is unsuitable for great crested newts and two of which tested negative for great crested newt DNA. As such, it is highly unlikely that great crested newts occupy the application site or will be harmed by the proposals. As such great crested newts should not be a constraint to the proposals.

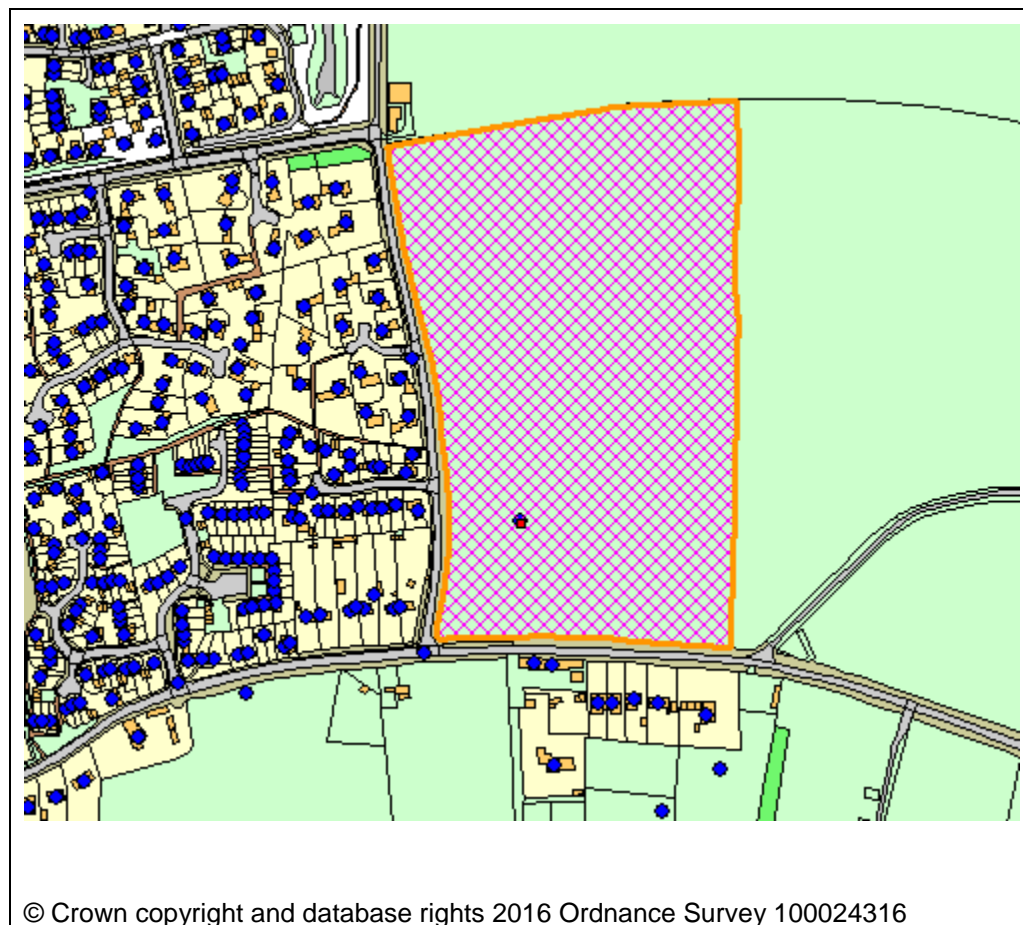
Nesting birds: birds are likely to nest in the outbuildings, dense vegetation and trees. As such, demolition and vegetation removal should be undertaken outside of the bird nesting season or, if this is not practicable, then areas to be cleared or demolished will first need to be checked by a suitably qualified ecologist.

A further 13 letters of objection have been received since writing the committee report. Full versions of these are also available on the Council's website. The main points raised are:

1. Not exceptional enough to allow this windfall development
2. Loss of trees has a detrimental impact on biodiversity
3. Impact on the local road network would be unsafe for pedestrians, cyclists and motorists
4. Thames Water agree that sewage system in the area cannot take anymore
5. Development would set a precedent
6. Development represents overdevelopment of the area
7. It will have a detrimental impact on the grade II listed Manor House and wall.

Application Number	19/00875/RES
Site Address	Land East of Mount Owen Road Bampton Oxfordshire
Date	31st July 2019
Officer	Abby Fettes
Officer Recommendations	Provisional Approval
Parish	Bampton Parish Council
Grid Reference	432221 E 203365 N
Committee Date	12th August 2019

Location Map



Application Details:

Reserved Matters application for the construction of 160 dwellings and provision of public open space with associated infrastructure and earthworks, pursuant to outline planning permission 16/03415/OUT. (Amended plans).

Applicant Details:

Taylor Wimpey, C/O Agent

Additional Representations

1.1 Lead Local Flood Authority

Comments received 9.8.19

The proposed site is for 160 dwellings, it is an allocated site in the local plan and already has outline approval for up to 160 dwellings.

The LLFA previously objected to the application for the following reasons;

- Space is not being made available for adequate sustainable drainage measures.
- Drainage proposals are not in line with original strategy approved at outline.
- Drainage proposals are not in line with Local and National Standards.

Further to our concerns above, concerns have been raised locally regarding Groundwater and surface water flooding at the site and the potential of the development increasing the flood risk elsewhere. These issues should and may have been addressed at the outline stage through the initial Flood Risk Assessment however, to ensure any potential risk has been mitigated against, we have carried out a full review of the site again as if this was a new application.

Further detailed plans and correspondence have been submitted to the LPA and the LLFA. We have taken these, and the further concerns raised locally into consideration in our response. The following documents and information have been reviewed;

- Drawing 102 Rev A – Drainage Layout
- Drawing 21381/500 – Basin Cross Section
- Drawing CONS-03 – Existing Levels Plan
- Dr Roger Preston's Report June 2019 and Comments on rebuttal response by Dave Baker of Travis Baker for Taylor Wimpy, July 2019, on behalf of the Society for the Protection of Bampton
- 19_008475_RES_AGENT_RESPONSE_TO_DRAINAGE_OBJECTIONS – 744621.pdf
- Lidar Digital Terrain Model 1m Grid 2016 from DEFRA www.environment.data.gov.uk
- Report No: 16176/FRA01 Flood Risk Assessment & Drainage Strategy by Jubb Consulting.
- Environment Agency Flood Risk Maps for Planning (Flood Zones 2 & 3)
- Environment Agency Maps Risk of Flooding from Rivers
- Environment Agency Maps Risk of Flooding from Surface Water
- <https://www.oxfordshirefloodtoolkit.com/risk/> which includes the above flood maps

- www.uksuds.com HR Wallingford tool to calculate greenfield runoff rates

Existing Surface Water Flood Risk

We have reviewed the flood maps again and as stated in numerous different reports and correspondence, the site is in Flood Zone 1. Further to the Flood Risk Maps for Planning which highlights Flood Zone 2 (1 in 1000 year) and Flood Zone 3 (1 in 100 year) extents, the Environment Agency (EA) have produced updated maps for surface water and river flooding which classify the flood risk as follows;

- Very Low - each year this area has a chance of flooding of less than 0.1% (1 in 1000 years).
- Low - each year this area has a chance of flooding each year of between 0.1% (1 in 1000 years) and 1% (1 in 100 years).
- Medium - each year this area has a chance of flooding of between 1% (1 in 100 years) and 3.3% (1 in 30 years).
- High - each year this area has a chance of flooding of greater than 3.3% (1 in 30 years).

Their flood maps for rivers show no flooding on the site but surface water flood maps show that a couple of areas on the site are shown to be at low risk of surface water flooding which correlate with existing low points on the site. The surface water flood maps are based on lidar data so give a good indication of potential overland flow routes. None have been highlighted within or immediately adjacent to the proposed site.

We have obtained Lidar Digital Terrain Model 1m Grid 2016 from www.environment.data.gov.uk and have used it to determine if any significant catchments falling to the site. It provides an accuracy of +/-150mm however, due to this being based on a grid of levels taken at equal intervals, it is not able to pick up distinct changes in level and therefore features such as ditches are not picked up appropriately.

The catchment areas falling to the site are minimal which suggest that the risk of overland flooding to the site is low however, we are aware of the New Road Development which provided additional flood mitigation and discharges water to the ditch adjacent to the existing site which outfalls to the ditch to the north of the proposed development. This is a tributary of the Aston Ditch located approximately 600m to the east of the development and away from Bampton.

Although the flows have been restricted to greenfield runoff and attenuation has been provided which should be in line with the approved flood risk assessment, there is still a risk to the proposed site from failure if the ditch to the north of the proposed development is not sufficient to take flows away to the east.

Concerns have been raised regarding the current capability of this ditch and questions raised regarding the levels used by Taylor Wimpey. We requested the level details from Taylor Wimpey and they provided the topographical survey and confirmed the ditch bed levels of 66.42m AOD at the outfall into the ditch on site boundary, and 65.456m AOD to the east at a culvert bridge 360m downstream. As with the topographical survey, they confirmed that the levels were taken using a Leica Total Station. This station utilises GPS data to give accurate co-ordinates and elevations in relation to ordnance data. This produces levels up to 15mm in

accuracy. As explained previously Lidar does not pick up features such as ditch levels appropriately.

The Taylor Wimpey levels confirm the ditch has a gradient of 1 in 373. The ditch is approximately 1.4m deep at the site boundary and over 1m deep according to the lidar levels at this location. Therefore, if the ditch is appropriately maintained at the boundary of the site and for an appropriate length downstream, we feel that the risk of over topping of this watercourse is low.

Concerns have also been raised with the ditch to the west of the development which now is shown to have restricted connections to it. It is not clear if this ditch is connected to the wider ditch network. This will need to be clarified.

We are aware of Flooding immediately adjacent to the site and if surface water isn't managed appropriately on the site to Local and National Standards then this could increase the risk of flooding elsewhere.

Groundwater

Groundwater was a concern previously due to the strategy being reliant on deep ponds (3.5m deep) which would have been within the Northmoor Sand and Gravel Aquifer.

The Hydrock Site investigation, Section 6.4 Groundwater, which was highlighted in Dr Preston's report stated the following;

“Groundwater is anticipated to be shallow on site given that it is underlain by superficial deposits consisting of alluvial and river terrace deposits. The bedrock is an unproductive stratum.”

Trial Pit 2 was excavated at the location of the proposed pond and the extract of the log is below;

Samples / Tests			Water-Strikes	Stratum Description	Depth (m)	Level m OD	Applied
Depth (m)	Type	Results					
0.10	D			Dark greyish brown slightly gravelly silty CLAY. Gravel is fine sub rounded chert. (TOPSOIL)	0.20	(0.20)	
0.10	ES						
0.30	D			Brown slightly gravelly silty CLAY. Gravel is fine to coarse sub rounded chert. (ALLUVIUM)	0.25	(0.25)	
0.30	ES						
0.50	D	120kPa		Stiff orangish brown very gravelly sandy silty CLAY. Gravel is fine to coarse sub rounded chert and limestone. (ALLUVIUM)	0.65	(0.25)	
0.55	HSV						
0.70 - 0.90	B			Soft orangish brown slightly gravelly slightly sandy CLAY. Gravel is fine to coarse sub rounded chert and limestone. (ALLUVIUM)	0.70		
1.00	D				1.00	(0.90)	
1.50	D				1.50		
1.70	D			Yellowish brown SAND and GRAVEL. Gravel is fine to medium sub- rounded chert, sand is fine to coarse. Estimated as loose to medium dense based on excavation characteristics. (NORTHMOOR SAND AND GRAVEL)	1.70	(0.10)	
				Base of Excavation at 1.70m			

The general remarks stated that Groundwater was encountered at 1.6m.

The new proposed pond invert level is set at 1.3m below ground level so has been removed out of the Northmoor Sand and Gravel Aquifer. Although we still have minor concerns with groundwater flows through the alluvium deposits, measures can be provided through detailed design to prevent ingress into the pond which we felt could not have been provided previously with the pond invert being significantly below the groundwater table.

Meetings and correspondence

Meetings have taken place between Taylor Wimpey and the LLFA, some including the Planning Officer and OCC Highways, on the 2nd, 5th, 15th and 17th July 2019 to discuss the drainage proposals and ensure an appropriate drainage solution can be provided within the current constraints of the site.

The constraints that were discussed at the meetings were;

- The site is allocated for 160 dwellings in the Local Plan
- Taylor Wimpey purchased the site on the basis of providing 160 dwellings following conversations with WODC and Thames Water that an acceptable solution could be provided at the site.
- There were two possible solutions discussed at this stage;
 1. Raise the site significantly to provide a gravity solution in line with the approved strategy – This was not acceptable to WODC due to the visual impact and would also not be acceptable to OCC due to the impact on the Highway.
 2. Provide a pumped solution for surface water – Thames Water confirmed that this could be an acceptable solution if it was built to their standards. This is not acceptable to the LLFA and not inline with local and national standards unless there is no other solution for the disposal of surface water.
- The site is relatively flat, gravity connections may be achievable in some areas of the site, but this is limited by requiring crossings under roads and footpaths which are to be adopted.
- The roads are being offered for adoption so will need to be to OCC standards. This puts a significant emphasis on the depth of drainage required and restricts the scope of shallow SuDS due to legal issues with connections under the highway from dwellings that will not be acceptable to OCC Highways unless adopted by Thames Water.
- Limited flexibility to change the layout due to other requirements.

The LLFA stated that the information provided at this stage was not adequate to demonstrate that a gravity solution could not be achieved. There was a significant amount of open space that wasn't being utilised and the LLFA requested that shallow SuDS were implemented throughout the site to remove the reliance on a pumped solution. If a pump solution was still required then the strategy would not be acceptable unless an adequate SuDS scheme, in line with local and national standards was provided first and adequate extra capacity was provided at a shallow level in case of a pump failure.

If adequate space could not be provided, then the LLFA would expect the number of dwellings to be reduced to provide more space for the drainage requirements and remove the reliance on a pumped solution. Taylor Wimpey stated that the numbers would have to decrease significantly, to remove the reliance of a pumped solution completely without having to significantly raise the site.

Revised Drainage Strategy

The revised drawing 102 Rev A – Drainage Layout unfortunately still shows the reliance initially on a pumped solution however, the pipes have been upsized significantly to provide initial storage and further attenuation within a further basin and several swales as well as a further tank to take the initial surcharge from the pipes have also been provided.

Taylor Wimpey have confirmed the following attenuation volumes have been provided;

The small basin within the site = 800m³

The larger basin to the north-east = 1000m³

Cellular storage = 205m³

Manhole volume = 110m³

Pipe volume = 360m³

Total Storage = 2,475m³ (excluding swales & POS)

The previous strategy by Jubb Consulting was proposing 745m³ in the southern pond and 1442m³ in the northern pond, a total of 2187m³. This was based on restricted discharge of 4.3 l/s from the southern pond and 7.7l/s in the northern pond.

Although the attenuation has increased in the revised strategy, the proposed discharge rate has now been increased to 13 l/s from the pumped outfall into the northern ditch and further connections of 2 l/s have been provided, 2 in the eastern ditch and 1 in the southern ditch.

The increased flows are now in excess of the calculated Qbar greenfield rates that were calculated in the Jubb Consulting Drainage Strategy. We have compared this to the calculated rates in HR Wallingford's UK SuDS tool and this suggests that the greenfield Qbar rate for the site is actually 30l/s however, this is based on a soil type of 4 which is solid clay and is not true of the actual site conditions.

The rates used in the Jubb Consulting Drainage Strategy seem to have been based on a soil type of 2 which is based on freely draining gravel. Although the soil at the site location does contain alluvium deposits, the soil between the top soil and the sand and gravel aquifer is predominantly classed as clay. Therefore, it could be said that Soil Type 3 is more appropriate for the soil conditions which provides a rate of around 18l/s for Qbar. This will need to be confirmed by the applicant and the appropriate value adopted in the design based on the actual site area to be positively drained.

We will expect further clarification on the condition, connectivity and capacity of the ditches around the site. These must be shown on the landscaping plans going forward and included in the maintenance management plan.

We will expect further shallow SuDS measures to be implemented within the open space in the southern corner of the site not only to provide further above ground storage but mainly for water quality to serve the roads falling to the eastern boundary.

We will also require further clarification on the configuration of the overflow and the potential to provide a controlled gravity discharge on the overflow that provides attenuation above that level.

Conclusions

From the information provided above, we can confirm that the risk of flooding to the site is low and if an appropriate drainage solution is provided, to managed surface water on the site, then there will be no increased flood risk to the village of Bampton.

Although the roads and drainage are currently being proposed for adoption, the developer will have to apply for adoption through agreements with OCC for the roads and Thames Water for the drainage. It is not until the end of this process that we can be sure adoption will take place.

This can take a significant period of time and as with all developments, it is done after the approval of the planning application. However, the pre-commencement drainage condition will ensure that no development will take place until we have comfort that the drainage scheme is built appropriately to adoptable standards and will be acceptable to both OCC and Thames Water. The LLFA will also comment on the proposals through the OCC adoption process.

There is ample open space on the site that could also be used as temporary above ground storage if required. It has been confirmed that further requirements in the open space, and further alterations to the current basins can be provided within the Landscape and Drainage conditions. Therefore, on this basis, the LLFA has no further concerns with the approval of reserved matters but would request that a further condition is attached to the approval. The previous drainage condition (7) read as follows;

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

- (i) Discharge Rates
- (ii) Discharge Volumes
- (iii) Maintenance and management of SUDS features (including contact details of any management company)
- (iv) Sizing of features - attenuation volume
- (v) Infiltration in accordance with BRE365
- (vi) Detailed drainage layout with pipe numbers
- (vii) SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- (viii) Network drainage calculations

(ix) Phasing

(x) The plans must show that there will be no private drainage into the public highway drainage system

REASON: To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government guidance contained within the National Planning Policy Framework.

We suggest the following condition is added to ensure that the strategy is continued to be developed in line with Local and National Standards, through detailed design;

Development shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Detailed design drainage layout drawings of the SuDS proposals including cross section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and
- Details of how water quality will be maintained during construction.

2. **Highways**

Comments received 7.8.19

Car parking is still above standard and further details are required for cycle parking, can be conditioned.

The following still need to be accommodated in the adoptable design :-

- OCC require a swept path analysis for an 11.6m in length refuse vehicle for all manoeuvres in forward gear. All internal bends and junctions will need to be tracked with two vehicles using the bend/junction at the same time.
- Highway boundary needs to be checked with OCC Highway Records (highway.records@oxfordshire.gov.uk) to determine whether or not it coincides with the site boundary at the proposed access junction. If there is a ditch present the highway boundary is usually the roadside edge of the ditch.

- Visibility Splays must be dedicated to OCC if they fall out of the existing highway boundary.
- No private drainage to discharge onto existing Highway.
- No private drainage to discharge onto any area of proposed adoptable highway.
- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design will be subject to a full technical audit.
- Offsite works to be designed in accordance with the DMRB.
- Minimum width of access road to be 5.0m
- Footway width adjacent to carriageway to be a minimum of 2m
- If there is not a footway adjacent to the carriageway an 800mm maintenance margin is required.
- Any vertical deflection along bus route to be agreed with Bus operators (table tops etc.)
- Trees within the highway will need to be approved by OCC and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.
- Trees that are within 5m of the carriageway or footway will require root protection, trees must not conflict with street lights.
- Visitor parking bays parallel to the carriageway, can be adopted but accrue a commuted sum. Any other bays (echelon or perpendicular) or private bays will not be considered for adoption.
- Shared surfaces width is to be a minimum of 6m (localised narrowing's are permitted). A minimum of 800mm maintenance margin is required either side of the shared surface.
- Service corridors are to be 2m wide.
- Roads, apart from spine road, that are straight for over 70m will require some form of traffic calming.
- No property should be within 500mm to the proposed highway. No doors, gates, windows, garages or gas/electric cupboards should open onto the proposed highway.
- Foul and surface water manholes should not be placed within the middle of the carriageway, at junctions, tyre tracks and where informal crossing points are located.
- Minor residential roads that serve four or less properties will not be considered for adoption. Roads serving 5 or more houses can be considered for adoption but will need to meet adoptable criteria.

Informative note: OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site but the location of the samples must relate to the proposed location of the carriageway/footway”

3 Local Member

Cllr Ted Fenton

1. My comments on the earlier version on this application still stand in their entirety; I don't think that any of the matters raised have been addressed adequately.

2. I am disappointed to see that there has not been very much change to the original plans – in fact it is very difficult to spot the difference. In particular, I am disappointed to note that there does not seem to have been any improvement in the permanent access to limit the traffic using Mount Owen Road, at the very least the 'emergency access' should be an additional one for normal use.

3. The solution for refuse collection seems to be wholly inadequate. The OCC objection to the road layout because of refuse vehicle access has not been addressed. On the contrary it seems to be abdicating responsibility for providing suitable roads. Providing collection points remote from houses may be necessary in older settlements but to design it into a new development would seem to me to be wholly unacceptable. I would also question whether access for emergency vehicles would be adequate.

4. I note that OCC officers' suggestion in response to the previous version that outline planning permission was for up to 160 houses and that a smaller number should be considered has not been reflected in the revised plans. Consequently, there are very similar constrictions in the revised layout to the ones in the original.

5. I find it hard to believe that the document posted on the WODC website entitled "cycle store details" can be intended to be taken seriously; it is a screen shot of a photograph on a mobile telephone of a garden shed – it is even captioned as such; it is certainly not a detailed or adequate solution. I cannot find any reference to improved walking or cycling connections to the centre of the village or any other provision toward active travel as promoted by OCC.

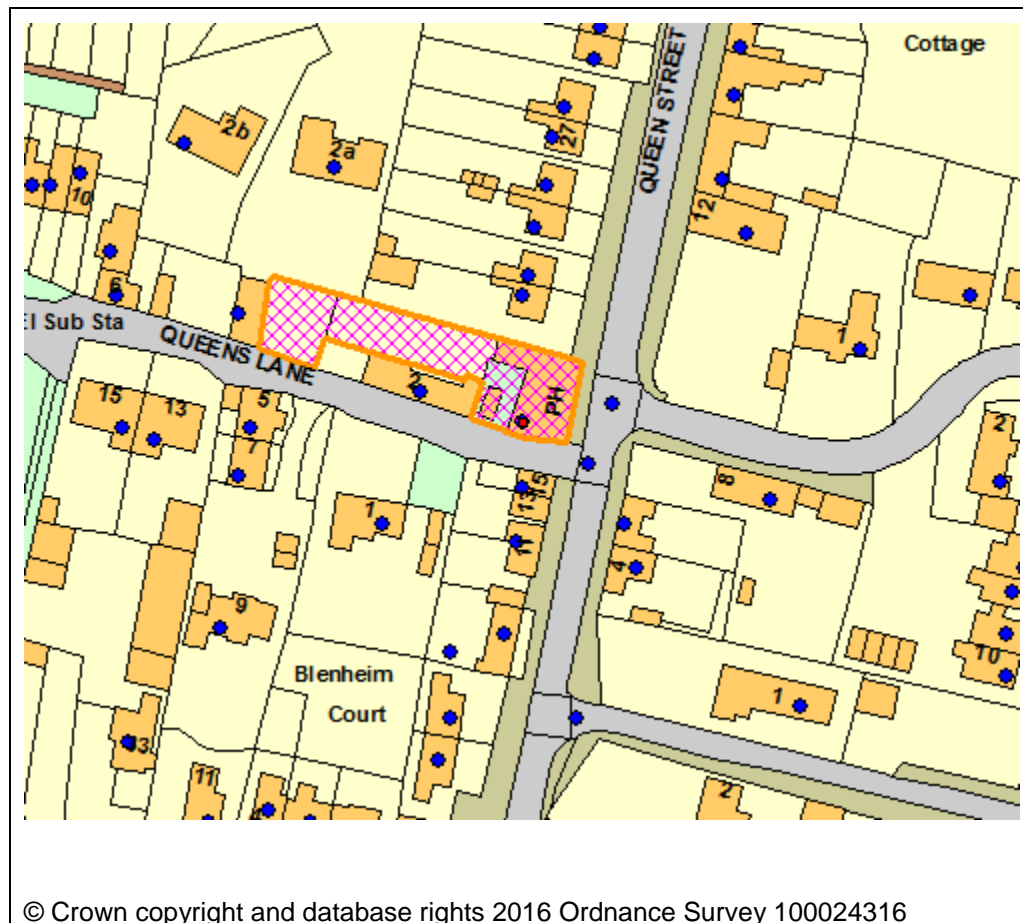
6. I can't see any reference to the provision for a formal pedestrian/cycle crossing of Mount Owen Road although it was in earlier plans and is much needed as is improvement of the path which connects Mount Owen Road with the centre of the village.

7. I am no drainage expert but comments from a Bampton resident, who is, would suggest that the amended drainage plan is still inadequate. I would ask that OCC officers investigate this carefully.

Date: 30 July 2019

Application Number	19/01364/FUL
Site Address	Queens Head 17 Queen Street Eynsham Witney Oxfordshire OX29 4HH
Date	31st July 2019
Officer	Claire Green
Officer Recommendations	Refuse
Parish	Eynsham Parish Council
Grid Reference	443462 E 209365 N
Committee Date	12th August 2019

Location Map



Application Details:

Erection of pizza shack and oven for consuming on the premises and take away. (Retrospective)

Applicant Details:

Mr Mark Crocker, Queens Head, 17 Queen Street, Eynsham, Witney, Oxfordshire, OX29 4HH

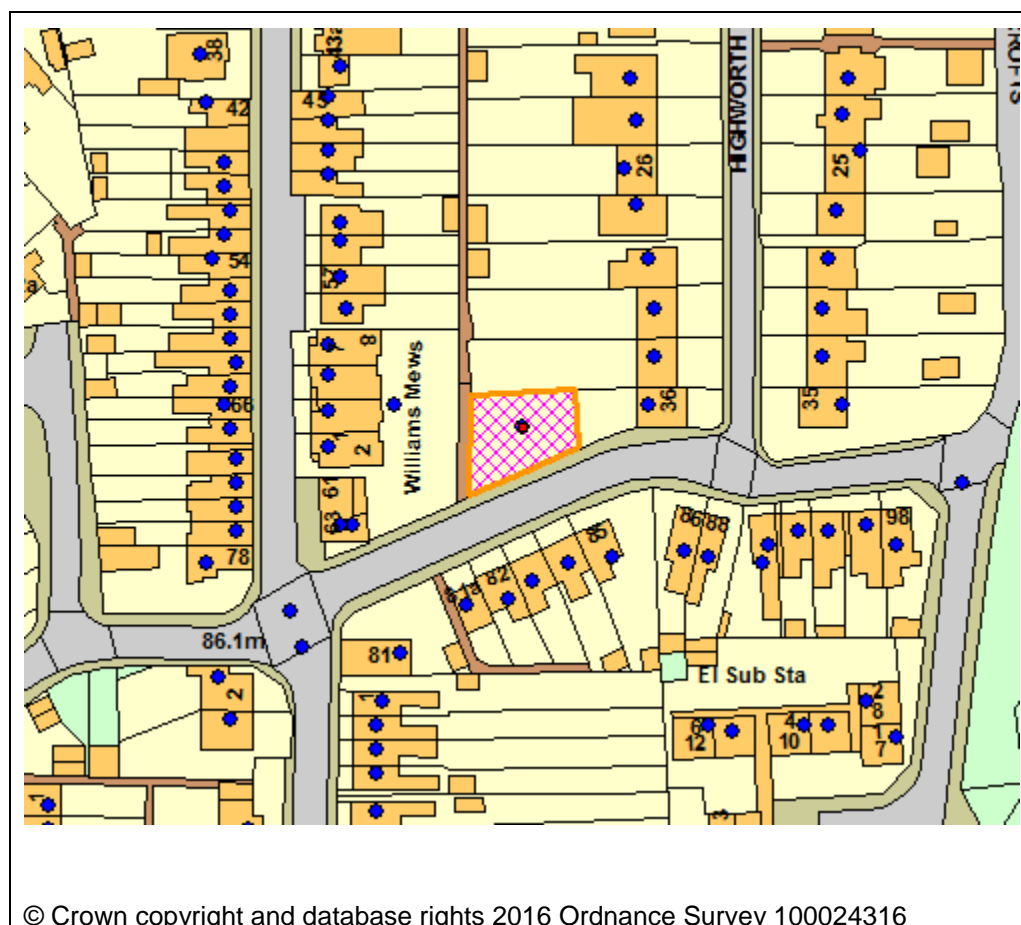
Additional Representations

Two further letters of support have been received since writing the committee report. Full versions of these are available on the Council's website. The main points raised are:

1. I receive no noise or smells from the applicant in respect of the Pizza Oven.
2. This applicant has the best Pizza's in this area.
3. The applicant is a very good neighbour.
4. The Queens Head is an important local asset and as such should be supported in its entrepreneurial endeavours.
5. It can be seen with the gates closed, but it is not "extremely prominent". A casual passer-by would not even notice it as being anything out of the ordinary. They would notice the telephone exchange however.
6. First of all Queens Lane may accurately be described as "characterful" but not necessarily in a charming way.

Application Number	19/01654/FUL
Site Address	Land at 36 Highworth Place Witney Oxfordshire
Date	31st July 2019
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435309 E 209380 N
Committee Date	12th August 2019

Location Map



Application Details:

Erection of dwelling and associated works.

Applicant Details:

Mr Marc Bowles, Leat House, High Street, Bampton, Oxfordshire, OX18 2JN

Additional Representations

Your officers are still awaiting the submission of the required ecology report. Members will be verbally updated on this matter at the meeting.