

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 14th October 2019

REPORT OF THE BUSINESS MANAGER – DEVELOPMENT MANAGEMENT



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 Business Manager. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

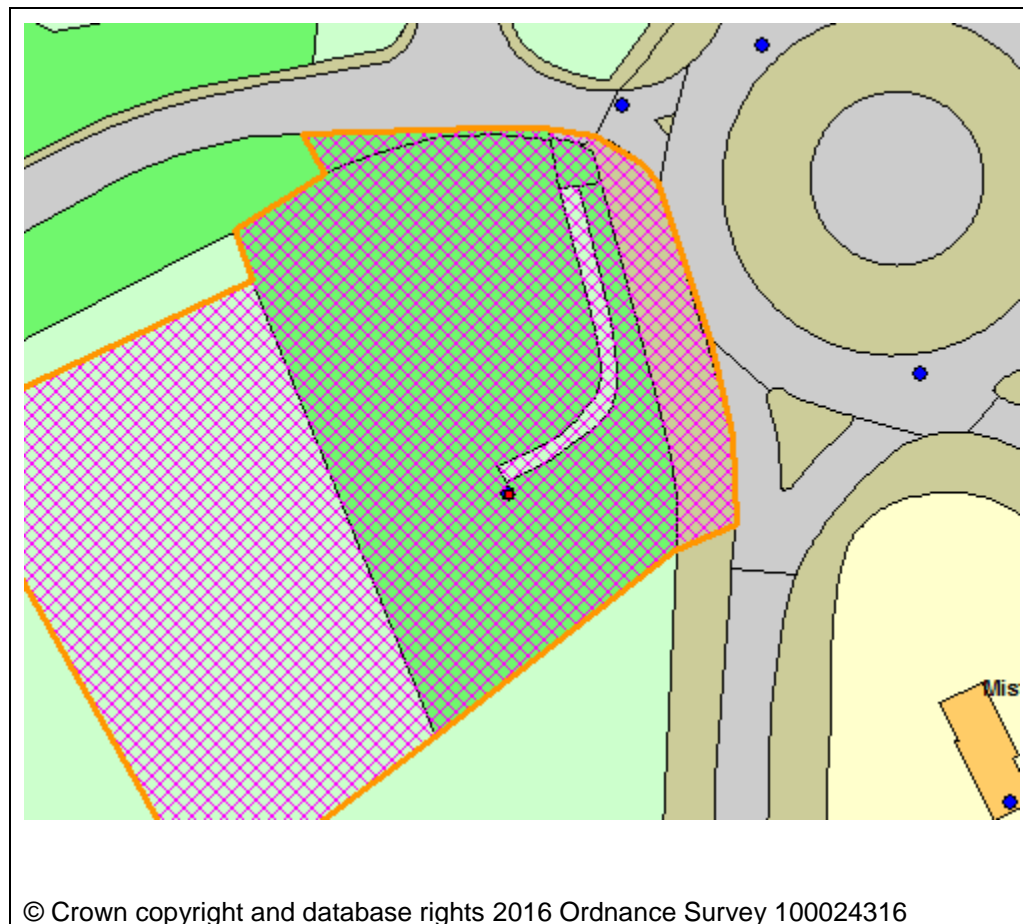
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

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18/02838/FUL	Former Art Royal Caravan Site, New Close Lane, Ducklington	3
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19/01804/FUL	Blenheim Court, Sycamore Drive, Carterton	26
19/02120/FUL	Abbott Diabetes Care, Range Road, Windrush Industrial Park, Witney	35
19/02013/FUL	27 Market Square, Witney	39

Application Number	I8/02838/FUL
Site Address	Former Art Royal Caravan Site New Close Lane Ducklington Witney Oxfordshire
Date	2nd October 2019
Officer	Abby Fettes
Officer Recommendations	Approve subject to Legal Agreement
Parish	Ducklington Parish Council
Grid Reference	435099 E 208400 N
Committee Date	14th October 2019

Location Map



Application Details:

Erection of a Class A1 retail foodstore with associated car parking, access, landscaping and associated engineering works. (Amended).

Applicant Details:

Lidl UK, C/O Agent.

I CONSULTATIONS

- I.1 Major Planning Applications Team Highways
- Amended plans September 2019: The new car park layout, as illustrated in the attached tracking drawings, is an improvement over the previous arrangement. The 7.0m wide aisles allow plenty of space for manoeuvring into and out of the bays. As the proposed access bellmouth into New Close Lane is unchanged, I maintain my recommendation of "no objection".
- Pedestrians from Ducklington will be tempted to follow the desire line and enter via the south-east corner of the site and across the car park, with minor safety implications. A suitable barrier alongside the planting will be necessary to prevent this from happening.
- I.2 Parish Council Ducklington PC
- 1) That planners require a Pelican Crossing be installed to cross from the proposed store site to the other side of the A415 (to the south)
 - 2) That the speed limit on the A415 coming from Standlake be progressively reduced down to 30 MPH well in advance of the store site and proceeds past it into Witney town centre, where vehicle speed is already limited to 30MPH.
 - 3) That the roof line of the building as viewed from the far side of the road be hidden from view (West Elevation) - constructed such that it is of local stone to be in line with the style of existing buildings that surround that area.
- I.3 WODC Env Services - Landscape No Comment Received.
- I.4 Adjacent Parish Council Witney Town Council has no objection to this application but does have concerns about the safety of pedestrians and cyclists and requests S106 money for the provision of a foot/cycle path on the West side of Ducklington Lane from the 4 way traffic lights to the site. The Town Council also requests a pelican crossing at Thorney Leys road and a pedestrian crossing from the Shell Garage on the Ducklington Roundabout to the site.
- I.5 Major Planning Applications Team Transport
- No objection subject to:
- S106 Contributions as summarised in the table below and justified in this Schedule:
 - An obligation to enter into a S278 agreement as detailed below.
 - Planning Conditions as detailed below.
 - Note should be taken of the informatives stated below.
- I.6 WODC - Arts No Comment Received.
- I.7 WODC - Sports No Comment Received.

- I.8 Lower Windrush Valley Project
- Should this proposal be granted planning permission then the Council would favour a contribution of £4000.00 for improved signage and interpretation for Witney Lake and Country Park. The development site is just 450 metres from Witney Lake and Country Park, an important community resource and gateway to the Lower Windrush Valley from Witney. The figure of £4000.00 is based on the cost of designing and installing two new A1 interpretation boards for Witney Lake and Country Park and signage from the development site. The exact specification for the signage would be agreed with Witney Town Council, who own and manage Witney Lake and Country Park, and any other relevant landowners. Interpretation panels inspire visitors and can help to create a sense of community. Supporting public health objectives to improve access to greenspace and nature, the panels at Witney Lake and Country Park will highlight information about the site and promote links to nearby footpaths, such as the Windush Path.
- I.9 Conservation Officer
- Dealing first with the proposed location, I note that the site is currently undeveloped and is also fairly green - and it very arguably marks the beginning of the open countryside. The site also lies on a nodal corner - and is extremely prominent to the main southern approach to the town. It is also notable that development here would further erode the already somewhat tenuous separation between Witney and Ducklington - which is as yet still readable, but only just. And I do not consider that the existing garage or the recently approved hotel ranged around the traffic island set a precedent for this development - as they are both located some way to the north, and as they both lie on land that is already compromised by the embankment of the A40. So, in my view, any built development here would tend to be transformative - and particularly so when the green borders of the site would be thinned and opened out, as currently proposed.
- Turning to the proposed architecture, I note that the position is not redeemed. A building of very sizeable footprint is proposed, together with a considerable area of car park and, of course, associated traffic movement. I also note that the building is fairly tall, with somewhat lengthy elevations that tend towards the monotonous, with largely un-modelled planes of render, glass or metal panel. Not a particularly joyful design, in short. In my view, were there to be development here (which would need very strong justification, as above), it would need to be much lower lying, with much more modelling.
- I.10 Environment Agency
- We have no objection to the proposed development providing the following planning condition is imposed.
- I.11 Biodiversity Officer
- A Preliminary Ecological Appraisal and a Reptile Survey Report prepared by Estrada Ecology Ltd have been submitted and I can confirm that I am satisfied with the methodologies and

recommendations of these reports. No further ecological survey work is required before determination of the application. The recommendations in section 7 of this report should be implemented as a condition of planning consent (apart from reptile survey, which has already been completed).

An amended landscaping scheme is therefore required and this could be submitted for approval as a condition of planning consent. Other biodiversity enhancements such as integrated bird (house sparrow terraces) and bat (tubes) boxes should be incorporated into the proposed superstore building; for example, 8 no. bat tubes in four groups of two could be integrated within the rendered wall on the southern elevation and 3 no. house sparrow terraces could be integrated into the wall on the western elevation. These elevations are recommended as they are away from the majority of disturbance and lighting. Details of bird and bat boxes can be submitted for approval as a condition of planning consent.

I.12 ERS Env. Consultation Sites

I have no objection in principal to the application, however the site investigation information accompanying the report indicates some contamination was found at site and describes the location of site as being close to infilled quarries and a former landfill and thus I believe it is necessary for the applicant to carry out some further investigation and remedial works before the site can be safely developed. In particular the recommendations made in the technical report accompanying the application (CSG, May 2018 ref 879-R-01) regarding further investigations for soil gases and subsequent incorporation of gas mitigation should be followed through and approved by this authority before the development commences. As well as that found, other ground contamination may be present in areas of the site apparently inaccessible at the site of the survey, and this may need to be managed as part of a mitigation scheme.

Therefore the following conditions are recommended so as to ensure that the land is suitable for the proposed use:-

1. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

2 The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is

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

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

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

I.13 WODC Env Health - Lowlands

I have reviewed the submissions and know of the site and its context. In summary I have No Objection to the proposal and no specific noise conditions to recommend.

However I do think a condition to require a Construction Environmental Management Plan is needed to address noise and dust in construction.

No development, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

I The parking of vehicles for site operatives and visitors

II The loading and unloading of plant and materials

III The storage of plant and materials used in constructing the development

IV The erection and maintenance of security hoarding including decorative displays

V Wheel washing facilities

VI Measures to control the emission of Noise, Dust and dirt during construction to accord with the relevant British Standards.

VII A scheme for recycling/disposing of waste resulting from demolition and construction works.

Viii The week day working hours for the site shall be 07:30 am to 18:00 pm and 08:00 am to 13:00 pm Saturdays. Absolutely no Sunday workings.

REASON: To safeguard the means to ensure that the character and appearance of the area.

I.14 Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

I.15 Thames Water

No objection subject to conditions.

- I.16 WODC Env Services - Waste Officer No Comment Received.
- I.17 WODC Planning Policy Manager
- I have some in principle concerns about this application. It appears from the supporting information submitted with the application that Lidl has been trading well since opening in 2010 and has effectively 'outgrown' its existing site.
- The company require more retail floorspace as well as more parking for customers and has identified the application site as a potentially suitable opportunity.
- However, this is essentially a commercial decision and could only be considered a material planning consideration if there was a significant 'qualitative' deficiency in the existing retail offer - which is evidently not the case given the strong performance of the current store.
- The retail policy arguments revolve around the potential impact of the proposal and the availability (or lack of) other, sequentially preferable sites.
- In terms of impact, whilst the applicant has identified no significant harm this is to be expected and their conclusion should ideally be validated by an independent retail planning consultant.
- With regards to the sequential test, only four sites have been considered and it does seem as if greater effort could be made to identify alternatives. As suggested above, it may be worth exploring potential availability in the Station Lane area with the Council's business development officer.
- Whilst not dramatically closer to the Town Centre, this area is at least on the northern side of the A40 within the main built up area of Witney. Further development here would also have no effect on the gap between Witney and Ducklington.
- The effect of development on this gap requires very careful consideration. This is an undeveloped site and lies closer to Ducklington than the hotel site recently permitted nearby which in itself was acknowledged to cause a 'significant erosion' of the gap between the two settlements.
- Other relevant considerations include the ability of the site to attract and promote 'non-car' trips which I believe to be relatively limited by virtue of its location as well as the amenity issues associated with the adjoining uses to the west including a large sewage treatment works and abattoir.
- If permission were to be granted, consideration should be given as to whether it would be appropriate to seek a financial contribution towards the Lower Windrush Valley project the boundary of which lies adjacent to the site.
- I.18 WODC Business Development
- West Oxfordshire District Council has always been pro-active with its actions to encourage and support vibrant and viable town centres particularly through its policies of free parking and 'town centre first' planning policy. Market town centres and high streets are under huge pressure at the moment as the way people shop and therefore use

town centres is changing. Our new local plan's policies (particularly E6) seek to continue this support to town centres. We need to find a way to help Lidl move to the town centre, not further away from it. Their current location is far from ideal and a move even further away from the town centre, south of the A40, should be resisted at all costs. Given the emerging trends in the restructuring of high street chains, it is likely that large voids suitable for Lidl could appear over the next few years. A decision allowing Lidl to move further away from the town now would do nothing to help the town centre evolve and would undo many years of hard work to make Witney the vibrant and successful town centre it is now.

2 REPRESENTATIONS

No third party representations have been received.

3 APPLICANT'S CASE

3.1 Several supporting documents were submitted with the application and are available to view online. The planning and retail statement is concluded as follows:

Lidl currently trades from a store at Ducklington Lane. As a result of its small size and restricted parking the existing store is unable to be stocked and serviced efficiently and the service to customers has become compromised. There is no scope to expand or redevelop the existing site to address these matters and so Lidl is seeking to relocate to a larger site at New Close Lane. The existing store would close on the opening of the new store, and its future use would be subject to the consideration of an application in due course.

Design, Scale and Appearance

- The design of the foodstore is simple and modern. It will be located along the site's southern boundary with car parking to the north and the customer entrance on the north-eastern corner of the building. It will comprise 2,175 sqm gross (1,325 sqm net). Access will be from a priority junction on New Close Lane.
- Lidl's operational model drives a particular approach to the size and layout of its stores. These matters, coupled with the location of access from New Close Lane, have led to the conclusion that the store is best located in the southern part of the site with its glazed and most active elevation facing the junction.
- The proposed foodstore has a mono pitch roof, rather than a traditional pitched roof. A simple, linear canopy frames the glazing on the elevation facing the roundabout. These matters reduce the massing of the building. This is an appropriate outcome in the context of the nature of development around the junction, and is consistent with the reduction in height of the proposed Travelodge scheme from four to two-storey.
- Moreover, the clean and modern lines of the proposed building, coupled with the use of a limited palette of materials (including the introduction of stone to the east and north elevations) presents a high quality design solution to the development of the site, and one which is appropriate to its location at an entry point to Witney and Ducklington. The appearance of the site is further enhanced by a landscaping strategy which incorporates native species and which retains and manages existing trees and hedges where appropriate.

- The proposal is for new retail development outside any designated centre and on a site that is not allocated for retail use. On this basis the application is supported by an assessment of the potential for adverse impact on Witney town centre. The assessment is supported by a review of the 'health' of the town centre and concludes that the impact of the additional turnover arising from the net increase in convenience goods floorspace proposed (525 sqm) on the convenience goods turnover of Witney town centre is not expected to be 'significant adverse' for the purpose of the application of policy. This is to be expected given that the proposal is for a relocation of an existing store and a modest increase in floorspace.
- It is also necessary to consider the proposals in accordance with the sequential approach whereby proposals for new retail development should be preferred in town centres, before edge-of-centre locations, and with out-of-centre locations to be considered only if suitable sites are not available in or on the edge of centres. The assessment should determine whether sites are suitable and available to accommodate the proposed development taking into account the need to demonstrate reasonable flexibility in scale and format. A relevant consideration in this case is that the existing store is also out-of-centre so that the proposal is 'neutral' in that sense.
- We have not identified any premises within Witney town centre that would be capable of accommodating the development. We have also reviewed sites that are allocated in the development plan and which include elements of retail development, and which are more centrally located than the application site, and again have not identified any that could accommodate the proposed development. We have also
- considered sites which have been promoted via the 'Call for Sites' process. In all cases we have adopted a flexible approach, having regard to the requirements of policy.

Landscape and Visual Impact

- 3.2 The Adopted Local Plan confirms that the site is located in the open countryside and within a 'strategic gap' between Witney and Ducklington where development is controlled through policy NE2. The Adopted Local Plan will soon be replaced by the WOLP 2031 which will remove the reference to the 'gap' between Witney and Ducklington. Proposals for development should still be considered, however, in relation to their potential impact on landscape and settlement form. An assessment of impacts on landscape and visual receptors has, therefore, been carried out by way of a Landscape & Visual Appraisal. The LVA has concluded that:
- in terms of landscape character the overall effect is considered to be negligible for NCA 109 (Midvale Ridge), County LCT 'Lowland Village Farmlands' and District LCA 10 (Brampton Vale). Landscape effects will be 'minor adverse-negligible' in the long term for District LCA F2 (South Witney-Valley Floor).
 - in terms of visual impact effects will be highest for users of the allotments, but will be filtered, glimpsed, partial and negligible in the long term for users of highways, adjacent development and the closest residential properties.
- 3.3 In relation to the potential impact of the development on setting, and the potential for 'coalescence', the location contains existing and planned commercial and other development at all quadrants of the junction, and further development lies to the west. Whilst the site falls outside the settlement boundary it comprises the last undeveloped parcel of land fronting the roundabout. In this context, and having regard to the baseline assessments in the LVA (including that the site has a 'very limited visual envelope') and to the LVA's conclusions on landscape and

visual effects, we conclude that the proposal would not lead to any greater perception of coalescence and would have no impact on the identity of Witney and Ducklington.

Other Material Considerations

- 3.4 Paragraph 19 of the NPPF sets out a commitment to supporting sustainable economic growth. Paragraph 80 confirms that 'significant weight should be placed on the need to support economic growth' and, in this regard, the proposals are anticipated to deliver additional jobs over and above those relocating from the Ducklington Lane store. The proposed development will also generate economic benefits throughout the construction phase, from the creation of new jobs, including the use of local trades.
- 3.5 We have also concluded that there are no technical considerations relating to drainage, highways, noise, or ecology that would impact on the deliverability of the proposals. Having regard to the lack of conflict with the relevant policies of the development plan, and the compliance of the proposals with policy in the NPPF, together with the lack of technical, environmental or amenity based reasons why the development may not proceed, we conclude that the proposals are for sustainable development to which the presumption in the NPPF should apply.

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

E1NEW Land for employment

E6NEW Town centres

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH8 Environmental protection

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

- 5.1 The site is to the south of the A40 between Witney and Ducklington. It is accessed from the roundabout and there is a petrol station and recently approved storage unit to the north directly between the site and the A40, the sewage treatment works to the west, allotments to the south and Ducklington Village to the east separated by the A415.
- 5.2 The site was formerly a caravan site but has been unoccupied for a significant period of time. There is a strong boundary of conifers to the eastern boundary and a deciduous tree belt along the lane to the sewage treatment works. It is 0.85ha in area.
- 5.3 The application seeks full consent for the erection of a Class A1 retail food store with associated car parking, access, landscaping and associated engineering works. It will comprise 2,175 sqm gross floorspace. Amended plans have been received, addressing officer concerns regarding visual impact, landscaping and siting of the building.

- 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
Siting, Design and Form
Highways
S106 and S278 requests

Principle

- 5.5 As set out in the Policy section and in the comments of the Councils Business Development Officer the Council has a long established and successful policy of resisting out of centre developments in order to protect the High Street. This policy, coupled with the policy of free parking and the Council investment in the form of Marriotts Walk and Woolgate centres has ensured that Witney has survived the peaks and troughs of the economic cycle with high occupancy rates and a vibrant town centre. That position is now perhaps not so clear cut as vacancy rates appear to be becoming longer and anecdotal evidence is that the wider retail sector is struggling to adapt to the change in customer habits arising from the increase in on line shopping.
- 5.6 This proposal which proposes a larger store than the existing one and further from the town centre thus posed a series of questions as to the likely impact on the town centre. Officers thus sought separate professional advice from a retail consultant to assess the scheme against Government Policy and to health check the claims made by the applicants as to the extent of trade diversion. This report may be viewed on line but in essence it concluded that if the proposed store were additional to the existing store it would be harmful but if it were replacing the existing store and the existing store had its retail use extinguished then the harms would not be such as would justify refusal as in essence the larger store would merely perform as if it were an extended existing store and the fact that it was slightly further from the town centre was unlikely to materially impact on linked trips etc.
- 5.7 A long period of negotiation was then undertaken to try to formulate and then encapsulate into a legally enforceable 106 agreement/obligation the means whereby the necessary closure and cessation of the extant use related to the creation of the new use could be delivered. This has now been secured and with that in place the professional advice that Officers are receiving is that there is no case in retail impact terms to justify withholding consent for the new store - provided that the legal agreement is in place.

Siting, Design and Form

- 5.8 Whilst the above negotiations were being undertaken the matters of the detail were put on hold as there was little point in negotiating upon them if the principle was unacceptable. The proposal sought a standardised store located flank on to the view across the allotment land and with a somewhat contorted parking arrangement.
- 5.9 The proposal is very similar in design to the existing store on Duckington Lane, being proposed in stone, render, glass and metal cladding.

- 5.10 Paragraphs 127 of the NPPF requires development to be visually attractive, sympathetic to the area, establish a strong sense of place. Officers sought to negotiate a revised scheme that re-orientated the store through 90 degrees such as to present a less monolithic approach to the town and would allow better servicing and parking arrangements.
- 5.11 Those plans have now been received and the store is located on the western boundary, turned through 90 degrees so it faces the A415. The parking is laid out in front of the store in a more ordered and spacious way, allowing for some planting to break up the visual appearance of the parking area and the store when viewed from the road.
- 5.12 Officers are now satisfied that the proposal is in the right location on this site.

Highways

- 5.13 A Road Safety Audit (RSA) has been carried out, as requested. This, and the designer's response, have concluded that any potential problems can be dealt with satisfactorily. Tracking of HGVs has been performed to demonstrate that two can pass each other along New Close Lane, even though there will be very few deliveries to the store and those will mainly be at night. Minor concerns about the visibility splay were also picked up by the RSA, but adequate visibility has been demonstrated and will be controlled by condition.
- 5.14 The number of cycle parking spaces shown on the revised plans remains at 12. However, as previously noted, the guideline provision is one stand per 200m², which equates to 11 stands, or 22 cycles.
- 5.15 As requested, the revised plans include the provision of a footway/cycle track around the southern and western side of the roundabout, which will greatly assist pedestrians and cyclists from Ducklington. This new facility has been considered in the RSA and no issues have been raised. Furthermore, two electric car charging points have been included in the latest iteration of the layout.
- 5.16 Highways have been consulted on the new layout and have raised no objections as they feel the new arrangement is an improvement on the previous iteration, with the 7m wide aisles facilitating ease of movement in and out of the spaces. They are concerned about customers walking from Duckington wanting to cut through into the site from the south eastern corner which could cause issues with pedestrians walking across the car park so additional planting will be requested to discourage this.

Landscaping

- 5.17 The site is currently well tree'd on the western and northern boundaries which maintains the rural approach to Witney and Officers were keen to maintain a significant area of planting here to screen the store to retain the rural appearance. However, the applicants are seeking to remove the existing conifers on the eastern boundary to open up the site and offer views of their store.
- 5.18 Following significant negotiations, officers have agreed that the trees can be removed, provided they are replaced with trees within the car park to filter the view of the store and soften the scheme. The amended landscaping scheme is an improvement but officers consider further

planting can be achieved and in that regard have attached a notwithstanding the submitted details condition so further planting can be achieved on site.

S106 and S278 requests

- 5.19 OCC have requested that £1240 be collected for Travel Plan Monitoring
- 5.20 Lower Windrush Valley Project have requested £4000.00 for improved signage and interpretation for Witney Lake and Country Park.
- 5.21 An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:
- Formation of a new site access
 - Enlargement of the New Close Lane traffic island to accommodate pedestrians, and associated footway tie-in to the north
 - Provision of a shared-use footway/cycle track around the south and west side of the roundabout.
- 5.22 The applicants have submitted a Unilateral Undertaking to secure the mechanism to prevent the existing site being used as a supermarket, and the county have agreed that the travel plan monitoring can be included within that UU. Negotiations are still taking place regarding the Windrush Valley project contribution.

Conclusion

- 5.23 Officers have been particularly careful, given the apparent fragility of the retail sector at present, to ensure that this scheme jumps through the relevant policy and procedural hurdles to ensure that the town centre first approach is applied to protect the vitality and viability of Witney town centre. With the parallel legal agreement this is considered to have been achieved
- 5.24 Now significant amendments to the layout have been received and are considered acceptable in terms of the siting and parking requirements, and the outstanding matters regarding landscaping and boundary treatments etc will be secured by condition.
- 5.25 Officers consider that the proposal is now in accordance with Local Plan Policies and are recommending approval subject to the following conditions.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 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 planting details submitted with the application, an amended landscaping scheme shall be submitted and approved in writing by the Local Planning Authority before

occupation of the development hereby approved, including boundary treatments, planting within the car parking areas, planting on the eastern boundary hedgerow to enhance its species diversity and structure using native species of local provenance the extension of the existing eastern boundary hedgerow along the southern and western boundaries (comprising at least 6 woody species), wildflower meadow areas and a 5-year hedgerow maintenance plan. The entire landscaping scheme shall be completed by the end of the first planting season following the first occupation of the development hereby approved. 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 provide amended details of landscaping within the development to enhance the site for biodiversity in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- 4 No development, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of Noise, Dust and dirt during construction to accord with the relevant British Standards.
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - VIII The week day working hours for the site shall be 07:30 am to 18:00 pm and 08:00 am to 13:00pm Saturdays. Absolutely no Sunday workings.
- REASON: To safeguard the means to ensure that the character and appearance of the area.

- 5 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.
- The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.
- If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.
- REASON: To ensure contamination of the site is identified and appropriately remediated.

- 6 The development shall not be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.
REASON: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents."
- 7 Prior to the commencement of development, plans showing how the means of access to the development between the land and the existing highway boundary will be constructed, laid out, surfaced, lit and drained, shall be submitted to the approved in writing by the Local Planning Authority. Thereafter, and prior to first occupation of the proposed development, construction of these accesses shall commence only in accordance with the approved details.
REASON: To enable safe and suitable access to the development for all road users in accordance with the National Planning Policy Framework.
- 8 Prior to the commencement of development, a plan showing the required visibility splays for the vehicular accesses shall be submitted to and approved in writing by the Local Planning Authority. The plan must show that the visibility splays can be achieved and maintained and that they will not be obstructed by any object, material, or structure that exceeds 0.9m in height. Thereafter, and prior to first occupation of the development, construction shall only commence in accordance with the approved plans.
REASON: In the interests of highway safety in accordance with the National Planning Policy Framework.
- 9 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Discharge Rates
 - Discharge Volumes
 - Maintenance and management of SUDS features
 - Sizing of features - attenuation volume
 - Infiltration in accordance with BRE365
 - Detailed drainage layout with pipe numbers
 - SUDS - Permeable Paving, Rainwater Harvesting, Green Roof
 - Network drainage calculations
 - Phasing
 - The plans must show that there will be no private drainage into the existing public highway drainage system.
- REASON: In the interests of highway safety in accordance with the National Planning Policy Framework.

- 10 No building shall be occupied until all the roads, footpaths and parking for cars and cycles serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety in accordance with the National Planning Policy Framework.
- 11 The submitted travel plan will be revised in line with comments received and resubmitted for approval by the Local Planning Authority before first occupation of the site.
REASON: In the interests of maximising the opportunities for sustainable travel in accordance with the National Planning Policy Framework.
- 12 The development shall be completed in accordance with the recommendations in Section 7 of the Preliminary Ecological Appraisal dated 12th July 2018 prepared by Estrada Ecology Ltd. 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 the trees, hedgerows, nesting birds, hedgehogs and bats 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 Chapter 15), Policy EH3 of the Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 13 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks into southern elevation) and integrated nesting opportunities for birds (e.g. three no. house sparrow terraces on the north or west-facing elevations) within the walls of the new building shall be submitted to the local planning authority for approval. The details shall include drawings 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 building hereby approved is first brought into use and thereafter permanently retained.
REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, 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.

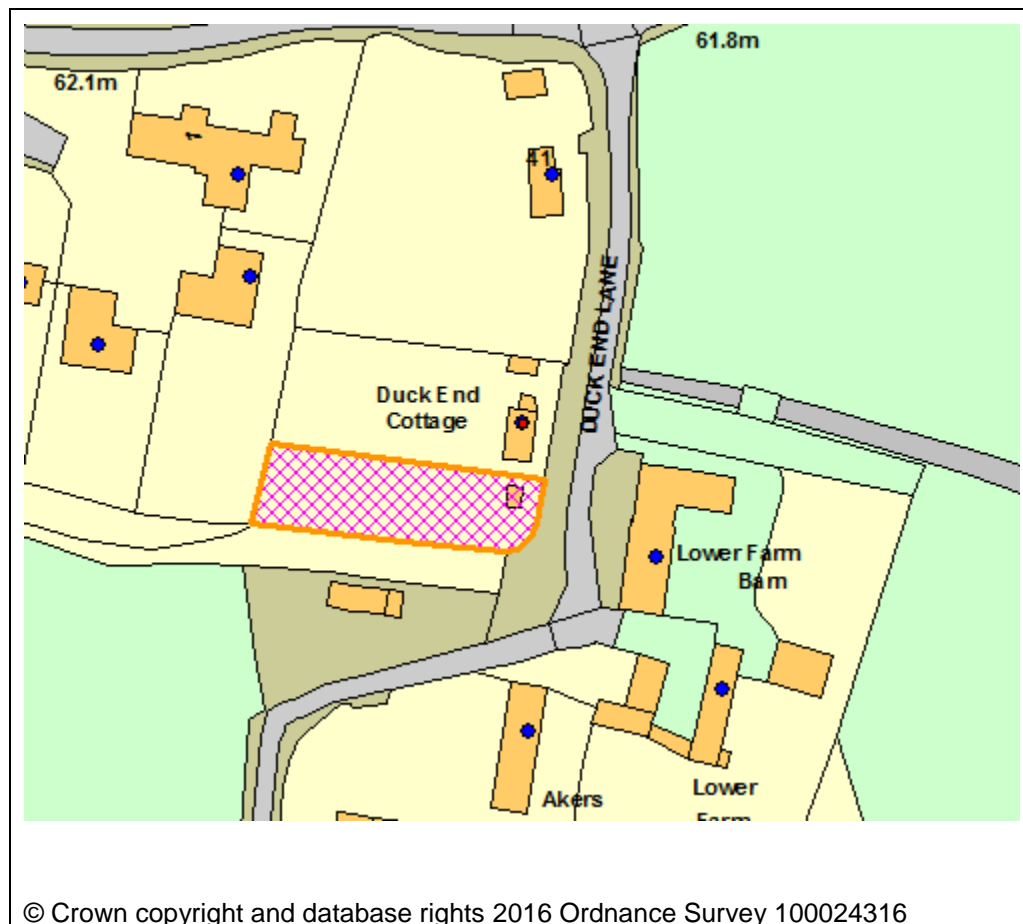
NOTES TO APPLICANT

- 1 You are advised that no consent is hereby given for any of the advertisement material shown on the submitted plans for which separate Advertisement Consent may be required.
- 2 There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, 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>

- 3 On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. 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.
- 4 For guidance and information on road adoptions and S278 works please contact the County's Road Agreements Team on 01865 815700 or email Road.Agreements@oxfordshire.gov.uk
- 5 Please be aware that Ducklington historic landfill, which abuts the northern boundary of this development site, has in the past taken biodegradable waste and sewage sludge (putrescible wastes that release landfill gases). There is a possibility that landfill gas could still be produced within this site and therefore the impact of horizontal migration towards this retail foodstore may need to be addressed.

Application Number	I9/01573/FUL
Site Address	Duck End Cottage Duck End Lane Sutton Witney Oxfordshire OX29 5RH
Date	2nd October 2019
Officer	Stephanie Eldridge
Officer Recommendations	Refuse
Parish	Stanton Harcourt Parish Council
Grid Reference	442028 E 206146 N
Committee Date	14th October 2019

Location Map



Application Details:

Erection of dwelling.

Applicant Details:

Ms S Kench, Duck End Cottage, Duck End Lane, Sutton, Witney, Oxfordshire, OX29 5RH

I CONSULTATIONS

- I.1 OCC Highways No objection.
- I.2 Conservation Officer I note that the proposed new dwelling would be created by alteration and extension of an existing ancillary structure, given consent in 1983. The extension would be sizeable, although it would be of low single-storey form, leaving the existing duo-pitched block as the dominant element - although this would be increased in volume with raised eaves and lowered roof pitch. Overall, the design is clean and well-proportioned, and whilst it is of contemporary form, the timber aesthetic does chime with the vernacular in this particular lowlands area. With respect to the impact on the listed building, I don't think that this is very significant - the main block already exists, the extension is set on the side away from the listed building, the site divides fairly naturally, and there would be a separate access. With respect to the impact on the conservation area, again we note that a building already exists here and we note that the additional accommodation would be low-lying. However, an issue here appears to be the associated parking beyond the south boundary, where a wide, green and well-wooded border would be affected - and whilst they already appear to be parking occasionally amongst the bushes here, this is not a use we would wish to see consolidated or developed in this peaceful and rural lane. From our point of view they need a different strategy on this.
- I.3 Biodiversity Officer No Comment Received.
- I.4 WODC Drainage Engineers No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
- I.5 ERS Env. Consultation Sites I confirm that I have no objection to the development but as a precaution would suggest that a condition is added to any grant of permission.
- I.6 Parish Council Whilst Stanton Harcourt Parish Council feels the use of the term eco build is misleading, they endorse this application.
- All workmen vehicles must be parked off the road and deliveries preferably made outside school entry and exit times.

2 REPRESENTATIONS

17 letters of support have been received in respect of this application. Full versions of these are available on the Council's website. The key points made are as follows:

- The house would be sympathetic to the local area and well screened from view
- Attractive design
- Minimal impact on ecology

- Applicant is an important member of the community
- Affordable housing is needed in Sutton
- Happy to support the proposal but are concerns over parking in the verge which will urbanise the narrow rural lane, and heavy traffic generation.

3 APPLICANT'S CASE

- 3.1 A full design and access statement is available on the Council's website. A supporting letter has also been submitted and raises the following points:

I accept that Sutton is a "small village" and that, accordingly, this brings it within the ambit of the "small villages, hamlets and open countryside" section of Local Plan Policy H2. I have set out below each of the criteria listed under that part of Policy H2 that applies to development in small villages, hamlets and the open countryside and under each criterion I have set out the position in so far as this proposal is concerned.

- Where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. Where appropriate, new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or the 'rural exception site' approach for permanent affordable dwellings.

There is a local (and national) need for housing and an assumption that part of the need in WODC will be met by windfall developments, "including the [re]use of existing buildings" such as that which Ms Kench is proposing at Duck End Cottage.

- Where residential development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset.

The proposal to extend the existing residential accommodation and to remove the "ancillary" tag does, in the circumstances of this case, represent the optimal use of this heritage asset. In this regard, you have confirmed that "the Conversation Officer was/[is] happy in principle in terms of the impact [of the proposed of the scheme] on the character and appearance of the heritage assets".

You report however that he has raised concerns over the proposed parking "as we would not want to see a parking use consolidated or developed within the wide, green and well wooded border along the peaceful and rural lane."

I would respond to this last point as follows:

- The land is already used for parking; it is not a new proposal;
- Parking a car on this land does not constitute development in any event;
- There are necessity to 'consolidate' or intensify parking in this location. Moreover, this is a matter that could be controlled by condition or agreement;
- There is an existing vehicular access to 'Akers' immediately opposite on the south side of this "peaceful and rural lane" and an open sided shelter beyond, which is also used for parking.
- Residential development of exceptional quality or innovative design.

The scheme design is of exceptional quality - evidence the Conservation Officer's confirmation that he has no objection to the proposal on design grounds.

Policy H2 also cross-refers to Policy OS2 which inter alia sets out a number of General Criteria against which all new development will be assessed. For completeness, I consider each of those criteria below:

- Proportionate and appropriate scale - there has not been any criticism of the proposals under this heading; nor could there be given that the it comprises only a modest extension to an existing building which even once extended will remain subservient to the existing Grade I listed Duck End Cottage.
- Form a logical complement to the existing scale and pattern of development/character of the area - the proposal seeks to make more effective use of an existing building in residential use, and includes a modest extension that is in keeping with the existing scale and pattern of development and the residential character of the Conservation Area.
- Avoid coalescence - not an issue in this case.
- Compatibility with adjacent uses - the adjacent uses are all residential.
- Protect the setting of, in this case, the Conservation Area - the Council's Conservation Officer has confirmed that he is happy in principle in terms of the impact of the proposed of the scheme on the character and appearance of the heritage assets, which include the Conservation Area.
- Not involve the loss of an area of open space - the proposal will not result in the loss of any open space that makes an important contribution to the character or appearance of the area (see response above with regard to the existing parking space).
- Provide safe and convenient vehicular and pedestrian access - there is no objection from the Highway Authority.
- Not increase the risk of flooding - there is no objection from the Environment Agency on flooding grounds.
- Conserve and enhance the natural, historic and built environment - see responses above on the impact on heritage assets and the land used currently for the parking.
- Safeguarding mineral resources - not an issue in this case.
- Effect on the AONB - the site is not located in or close to an AONB.
- Effect on the Green Belt - the site is not located in or close to the Green Belt.
- Be supported by necessary infrastructure - the services necessary to support the proposed scheme are readily available.

In light of the foregoing, I would invite you to reconsider your position regarding the 'principle' of the development as proposed and, in the absence of any identified 'material harm', to agree with me that this is an application that warrants officer support.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

H2NEW Delivery of new homes

EH9 Historic environment

EH10 Conservation Areas

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

5 PLANNING ASSESSMENT

5.1 This application seeks consent for an extension to an existing ancillary outbuilding to create a new dwelling on land adjacent to Duck End Cottage in Sutton. Duck End Cottage is a grade II listed building and the site falls within the Stanton Harcourt and Sutton Conservation Area.

5.2 The application was deferred at the September sub-committee meeting in order for Members to undertake a site visit.

5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

Siting, design and form

Impact on heritage assets

Residential amenity

Highways safety

Principle

5.4 Sutton is identified in the West Oxfordshire Local Plan 2031 settlement hierarchy as a small village. Policy H2 of the adopted WOLP 2031 only permits new dwellings in Sutton in the following circumstances:

- where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. Where appropriate, new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or to the 'rural exception site' approach for permanent affordable dwellings;
- where residential development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset;
- residential development of exceptional quality or innovative design;
- re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting and where it has been demonstrated that the building is not capable of re-use for business, recreational or community uses, tourist accommodation or visitor

facilities or where the proposal will address a specific local housing need which would otherwise not be met.

- 5.5 In this case, it has not been demonstrated that there is an operational or specific local need for this dwelling which cannot be met in any other way, nor is it considered to be a rural exception site providing affordable housing. Further, it has not been demonstrated that the re-use of the building is not capable for business, recreational or community uses, as tourist accommodation or visitor facilities. In addition, your officers do not consider that a new dwelling in this location would fall within any of the other exceptional circumstances listed above. These points will be assessed in detail below. Therefore, the application is contrary to policies OS1, OS2, OS3 and H2 of the adopted West Oxfordshire Local Plan 2031 and is unacceptable in these terms.

Siting, Design and Form

- 5.6 Whilst your officers are of the opinion that on its merits, due to the low single-storey form of the proposed extension, which leaves the existing duo-pitched block as the dominant feature, the overall design of the new dwelling would appear as a clean, well-proportioned building of relatively contemporary form, it is not considered that the dwelling is of exceptional enough quality or innovative design in that it warrants the provision of a new dwelling in this location which would otherwise be unsupported due to its unsustainable location. Nor would the re-use of the existing building lead to an enhancement of the immediate setting given that the existing development reads as a well designed and appropriate ancillary outbuilding serving the main dwelling which is well screened and sits comfortably within the site and the wider street scene.

Impact on heritage assets

- 5.7 As Duck End Cottage itself is a grade II listed building, in accordance with Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act as amended, the local planning authority shall have special regard to the desirability of preserving the buildings setting or any features of special architectural or historic interest which it possesses. In this case, given that the main block of the building already exists, and by virtue of the siting of the proposed extension on the side away from the listed building and its design, scale and form, your officers are of the opinion that the setting of the listed building would be preserved.
- 5.8 Given that the listed building already represents its optimal viable use as an occupied residential dwelling in a good condition your officers do not consider that the provision of a new dwelling here is necessary to secure the future of the heritage asset or to establish a more optimal viable use.
- 5.9 Since the application site is within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this case, by virtue of the siting, scale and design of the proposed development, the new dwelling itself would be unobtrusive and preserve the character and appearance of the Conservation Area. However, the Conservation Officer has raised concerns over the formalisation of the proposed car parking arrangement which sits within the green, well-wooded border of the site. Whilst your officers understand that the applicant occasionally parks in the bushey area, the formalisation of

this parking use here would be detrimental to the character and appearance of this peaceful, rural lane in the Conservation Area.

Residential Amenities

- 5.10 Your officers are of the opinion that by virtue of the siting, design and scale of the development, the new dwelling would not result in a loss of light or privacy to the detriment of the occupants of Duck End Cottage, nor would it be overbearing. Further, by virtue of the size of the plot, your officers consider that sufficient amenity space and levels of privacy will be afforded to the occupants of the new dwelling. As such, the application is considered to be acceptable in these terms.

Highways

- 5.11 In terms of highways safety, the Local Highway Authority has raised no objections to the application. As such, the application is considered to be acceptable in these terms.

Conclusion

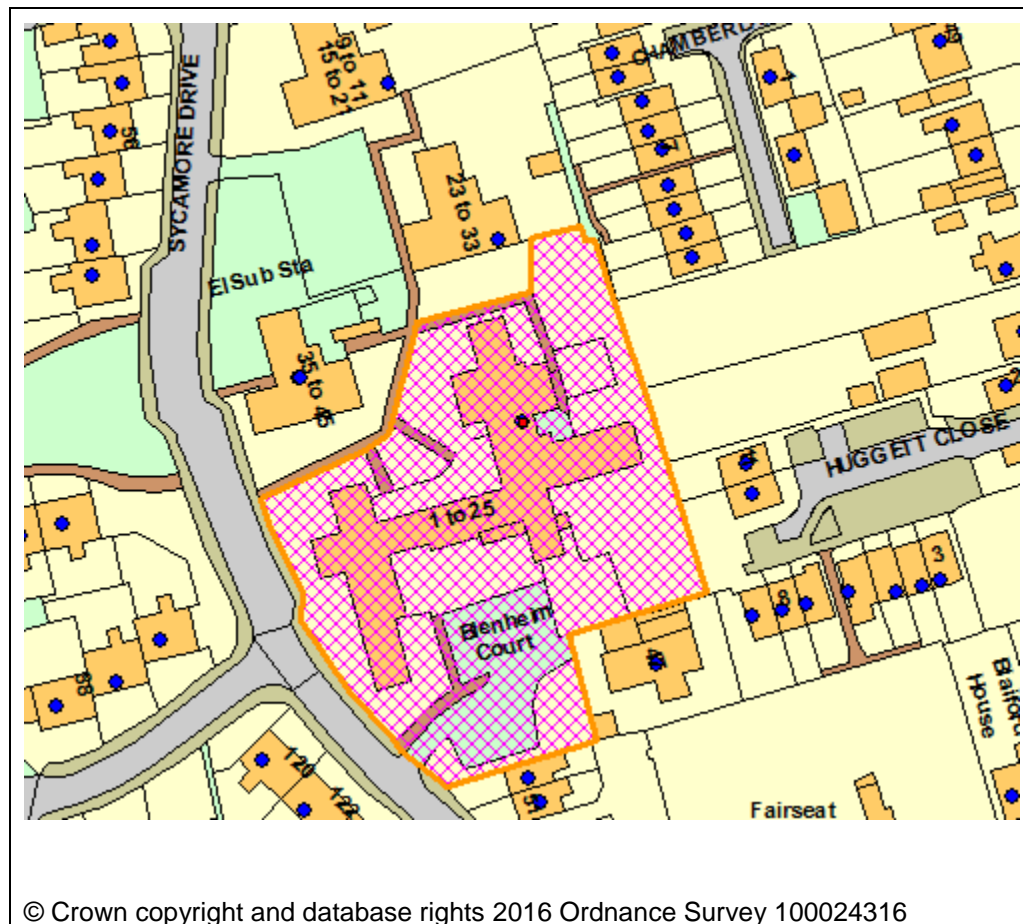
- 5.12 In light of the above, the application is considered to be unacceptable and is contrary to policies OS1, OS2, OS3, H2, EH9, and EH10 of the adopted West Oxfordshire Local Plan 2031 and the relevant paragraphs of the National Planning Policy Framework.

6 REASONS FOR REFUSAL

- 1 The proposed development would not represent sustainable development given the very limited range of services and facilities within Sutton. The applicant has failed to demonstrate justification for this development proposal as either essential operational or other specific local need that cannot be met in any other way, as a residential development that would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset, as residential development of exceptional quality or innovative design, that the re-use of the existing building would lead to an enhancement of its immediate setting, that the building is not capable of re-use for business, recreational or community uses, tourist accommodation or visitor facilities, neither has the site been allocated for housing development within the adopted West Oxfordshire Local Plan 2031 or an adopted (made) neighbourhood plan. The proposed development would therefore, be contrary to policies OS1, OS2, OS3 and H2 of the Adopted West Oxfordshire Local Plan 2031, and the provisions of the National Planning Policy Framework 2019.
- 2 The proposed car parking area, by reason of its siting, would have an urbanising impact in the low-key, rural lane failing to preserve or enhance the character and appearance of the Stanton Harcourt and Sutton Conservation Area. This is contrary to policies OS2, EH9 and EH10 of the adopted West Oxfordshire Local Plan 2031 and provisions of the National Planning Policy Framework 2019.

Application Number	19/01804/FUL
Site Address	Blenheim Court Sycamore Drive Carterton Oxfordshire OX18 3BX
Date	2nd October 2019
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	427889 E 207086 N
Committee Date	14th October 2019

Location Map



Application Details:

Removal of the existing building and erection of a two-storey building to provide 31 residential flats intended for elderly people with associated car parking and amenity

Applicant Details:

Ms Marissa Yeoman, Cottsway House, Heynes Place, Avenue 2, 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 Major Planning Applications Team
Recommendation
No objection subject to planning conditions as detailed below.
County Highways - No objection subject to highway conditions.
Key points
o The level of car parking provision is greater than required, but acceptable.
o The increase in trip generation is considered negligible and will not have a significant adverse effect on the surrounding road network.
o A Construction Traffic Management Plan will be required.
o A residential Travel Information Pack will be required.

Lead Local Flood Authority - No objection subject to conditions.

County Archaeological Officer - No objection.
- I.3 WODC Drainage Engineers No Comment Received.
- I.4 WODC Community Safety No Comment Received.
- I.5 Town Council Object - Car parking is inadequate for the potential number of residents. The Committee would like confirmation that sufficient facilities are included for people with mobility problems. From an environmental viewpoint, solar panels and electric vehicle charging points should be considered.
- I.6 ERS Air Quality No Comment Received.
- I.7 Oxford Clinical Commissioning Group NHS No Comment Received.
- I.8 ERS Env. Consultation Sites Our records indicate that the site has previously been used as a Poultry Farm. There is potential for contamination on site and as such the following condition should be added to any grant of permission.

I. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report

specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

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

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

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

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

- 1.9 Thames Water On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

2 REPRESENTATIONS

One letter received querying need to replace the existing building.

3 APPLICANT'S CASE

- 3.1 The application is accompanied by a Design and Access Statement, Transport Statement, Preliminary Ecological Appraisal and Arboricultural Assessment which are all available to view on line.
- 3.2 A supporting letter advises that the existing building has provided older persons flats on the site for many years, but these no longer meet the desired standards and requirements for housing for the elderly. However, the demand for this type of housing in the area remains and indeed increased in line with the rest of the country. The proposed scheme will provide independent living accommodation for the elderly allocated, using a local lettings policy working with the Council.

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
H1NEW Amount and distribution of housing
H2NEW Delivery of new homes
H6NEW Existing housing
T1NEW Sustainable transport
T3NEW Public transport, walking and cycling
T4NEW Parking provision
CA5 Carterton sub-area strategy
NPPF 2019
DESGUI West Oxfordshire Design Guide
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 removal of the existing building and erection of a two-storey building to provide 31 residential flats intended for elderly people with associated car parking and amenity space.
- 5.2 The current building contains 25 units with communal facilities. The new facility seeks to improve this facility by providing 22-two bed flats and 9-one bed flats for independent living of the elderly, with communal outdoor space, car parking and amenity space.
- 5.3 The site lies within Carterton, off Sycamore Drive.
- 5.4 Taking into account planning policy and other material considerations your officers are of the opinion that the key considerations of the application are:

Principle

Layout, design and scale
Highway/Parking Issues
Neighbouring amenity

Principle

- 5.5 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the West Oxfordshire Local Plan 2031 adopted in September 2018.

- 5.6 The National Planning Policy Framework (2018) advises that there is a presumption in favour of sustainable development. This is echoed within policy OS1 of the Local Plan. The site lies in Carterton, one of the main service centres in the district. It is a sustainable location and Policy OS2 of the Local Plan which sets out the overall locational strategy states that a significant proportion of new homes will be focused within the main service centres. Policy H2 of the Local plan supports development on previously developed land provided the loss of any existing use would not conflict with other plan policies and complies with the general principles set out in Policy OS2 and any other relevant policies in the plan.
- 5.7 The principle of this development is therefore acceptable and would provide additional housing accommodation for the elderly for which it is recognised there is an increased demand.

Layout, Design and Scale

- 5.8 Paragraph 127 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policy OS4 of the Local Plan reflects this advice and encourages development of a high quality design that responds positively to and respects the character of the site and its surroundings.
- 5.9 The proposal is for a building with a single, large articulated footprint in a similar location to the existing following pre-application feedback from the planning department. The proposed footprint is deeper than the existing to accommodate larger units either side of a suitably wide corridor for elderly residents. The car parking area is located to the south, served by the existing access, and open space/communal amenity to the east, north and west of the building, with windows/balconies directly overlooking the open spaces around the building including this amenity space. The proposed building will be two-storeys high with a pitched roof, matching the height of the bulk of the surrounding residences and existing building. Although it has a deeper footprint this is not particularly evident from the exterior because each range of flats has its own pitched roof either side of a flat roof above the corridor. This reduces the bulk of the roof and articulates the building when viewed from the ends of the corridors.
- 5.10 The surrounding buildings are predominantly late C20 constructed of buff brick with slate roofs and simple white casement windows. In addition the existing building and adjoining flats have white weatherboarding cladding to flat and projecting bays. A combination of façade treatments are proposed to result in a contemporary design with influence from the local character which include brick and render to walls and artificial slate to roofs. Similar to the immediate locality and the existing building a light buff brick is the main facing material with feature elements between some windows to add depth and articulation. Off-white render is proposed to the recessed ends of corridors, recessed balcony areas and to the gabled areas behind projecting balconies, including the entrance, for articulation, emphasis and light reflection. Relatively large grey aluminium casement windows and doors are proposed to provide plentiful daylight to the proposed units and a more contemporary feel to the elevations. This is enhanced by the proposal of grey metal balconies to provide private amenity space to all units. Locations for PV panels have been indicated on the proposed roof plan, where they would be concealed from public view. The agent has advised that their inclusion will depend on several factors including the sustainability and financial viability of the scheme.

- 5.11 The proposed development would be of a similar height and scale to the existing building and many of the surrounding buildings. The contemporary design of the building using contextual materials in keeping with the locality will make a positive addition to the street scene.

Highway/Parking Issues

- 5.12 The existing vehicular access is to be used. As a result the proposed car parking is located in a similar position to the existing building. There will be an increased parking provision of 1.2 cars per unit, including four disabled bays, secure internal cycle and mobility buggy storage. A Transport Statement submitted with the application, identifies that there will be 37 car parking spaces. County Highways have commented that this level of provision is significantly more than will be required for a development of this nature. However, this level of provision is considered adequate since it will allow all site related parking to be within the site itself and will minimise the incidence of site related on-street parking. County Highways has raised no objection to the application as the increase in traffic generation is considered negligible and will not have a significant adverse effect on the surrounding road network. Appropriate highway conditions are recommended to ensure suitable access and car parking provision.

Neighbouring amenity

- 5.13 The existing building, the houses to the west and flats to the north, were built contemporaneously with habitable room window elevations directly facing each other and across neighbouring amenity /open spaces. In places this separation is as little 12 and 12.3m. The houses to the south have existing windows gaining views across flank elevations, front and rear gardens. Recently houses have been built to the east so windows in the existing building overlook their rear elevations and gardens with the separation from the boundary as little as 4.1m.
- 5.14 The proposed building has been placed to replicate the location of the existing building with habitable room windows, balconies and balcony screens located to reduce the risk of overlooking. Although it has a deeper footprint this is proposed extending into existing larger open spaces such as the car parking area to the south, the amenity space to the east and between the adjoining blocks of flats to the north. In none of these locations does it extend nearer to the adjoining habitable room window elevations than the nearest part of the existing building or within the existing 12m separation distance.
- 5.15 Where the ends of proposed balconies raise a risk of overlooking they will be provided with privacy screens to address the issue. Otherwise the proposed location of balconies means the nearest oblique views towards adjoining habitable room windows and rear garden areas exceeds the existing, comparable direct habitable room window to feature separation distance. Therefore the proposed building design and separation distances demonstrate an improvement over the existing situation suggesting there should be no issues of overlooking.

Other Matters

- 5.16 The Arboricultural Assessment identifies that there are a few mature trees scattered around the grounds to the building and along the eastern boundary of the site. The majority of trees were found to be of low quality. The proposed development will involve some loss of trees but the mature trees along Sycamore Drive are to be retained. A tree protection condition is recommended.

Conclusion

- 5.17 Taking into account the above matters the proposal is considered acceptable and is therefore recommended for approval. The application complies with Policies OS2, OS4, H2, T1 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

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 development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 No additional means of access whatsoever shall be formed or used between the land and the highway.
REASON: In the interests of road safety.
- 5 Vision splays shown on Drawing No: 8180988/6101 Rev A contained in Appendix D of the Transport Statement shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.9 metres above the level of the access they are provided for.
REASON: In the interests of road safety.
- 6 No residential unit shall be occupied until the vehicular access, car, cycle and buggy parking spaces and turning areas has been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety.
- 7 Prior to the commencement of development, a Construction Traffic Management Plan (CTMP), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details.
REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
- 8 Prior to first occupation a Residential Travel Information Pack shall be submitted to and approved by the Local Planning Authority and then distributed to all residents at the time of first occupation.
REASON: To encourage residents to use sustainable modes of transport as much as possible in line with the NPPF.

- 9 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.
- 10 Notwithstanding the submitted drainage strategy, no development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.
REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal.
- 11 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with Appendix 5 of the submitted Arboricultural Assessment. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.
- 12 Before the development hereby authorised is brought into use, EV charging points shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of air quality and to reduce greenhouse gases.
- 13 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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

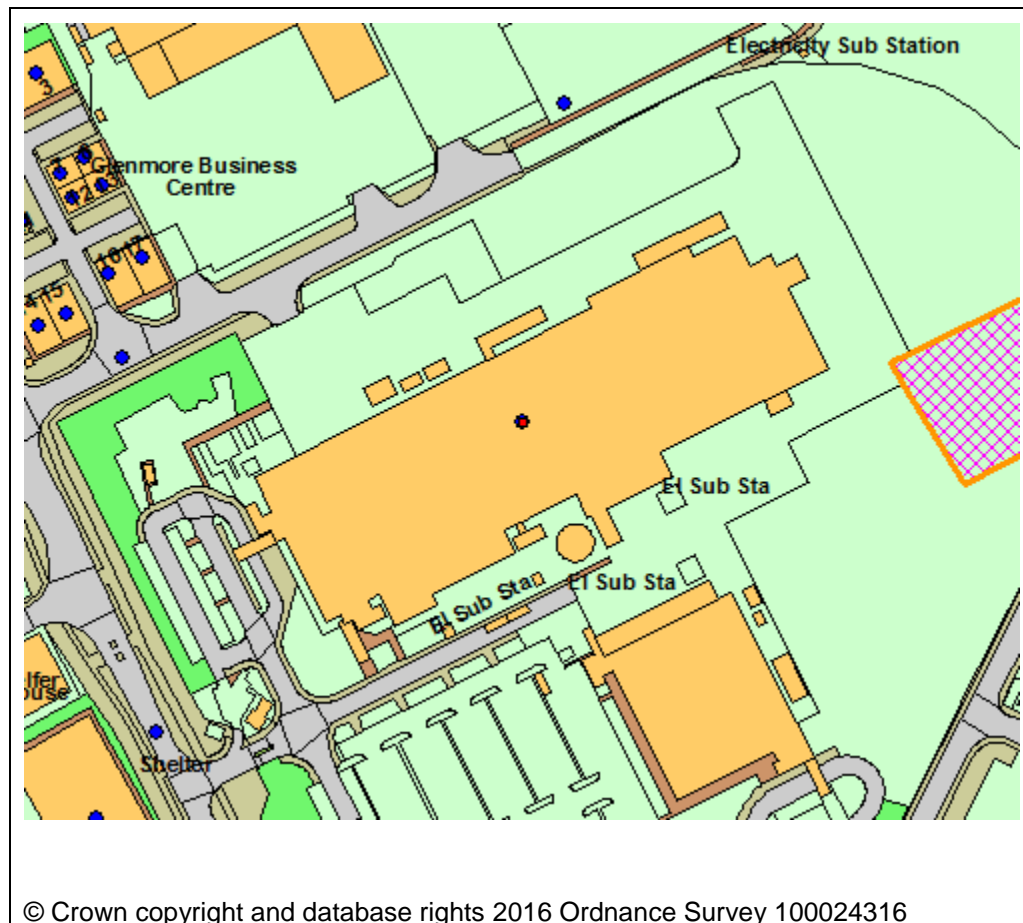
NOTE TO APPLICANT

- I 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.

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 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Application Number	19/02120/FUL
Site Address	Abbott Diabetes Care Range Road Windrush Industrial Park Witney Oxfordshire OX29 0YL
Date	2nd October 2019
Officer	Stuart McIver
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	433308 E 210081 N
Committee Date	14th October 2019

Location Map



Application Details:

Creation of multi-use games area and associated works (part retrospective).

Applicant Details:

Abbott Diabetes Care, C/O Agent.

I CONSULTATIONS

- 1.1 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.
- Recommendation:
- 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.
- 1.2 ERS Env. Consultation Sites I have reviewed the above referenced planning application in relation to contaminated land and human health. I have no objection to the proposed development.
- 1.3 WODC Env Health - Lowlands I have No Objection in principle to this application. And no conditions to recommend.
- 1.4 Town Council Witney Town Council has no objections to this proposal.

2 REPRESENTATIONS

No representations have been received.

3 APPLICANT'S CASE

- 3.1 The applicant has proposed a multi-use games area and associated floodlights within their grounds and to be used by their staff.
- 3.2. A lighting report, surface brochure and technical specification brochure have been submitted. Full versions of these documents are available on the Council's website.

4 PLANNING POLICIES

OS2NEW Locating development in the right places
OS4NEW High quality design
EH5 Sport, recreation and childrens play
EH8 Environmental protection
DESGUI West Oxfordshire Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal seeks consent for the erection of a multi-use games area and associated 6 x 8m high floodlights. It was confirmed on 30th September 2019 that the works have nearly been completed.

- 5.2 This application has been brought to Members for consideration in line with the scheme of delegation which states that applications for floodlight masts exceeding 6m in height when operational should be considered by the planning sub-committee.
- 5.3 This application relates to Abbot Diabetes Care Ltd, a manufacturing site located on the outskirts of Witney. The site is located in an industrial estate over 200m away from the nearest residential development. The site does not fall within any special designated areas of control.
- 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
Visual amenity
Residential amenity
Highways

Principle

- 5.5 In terms of the principle of development, your officers consider that the proposal is acceptable subject to it complying with the relevant policies of the adopted West Oxfordshire Local Plan 2031. Policy OS2 that all development should be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality and be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. Policy EH8 states that the installation of external lighting and lighting proposals will only be permitted where the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light.

Scale, Design and Form

- 5.6 In terms of the scale and design, the industrial nature of the site ensures that the footprint of the multi-use games area and height of the fencing and floodlights are considered acceptable. The type and form of the multi-use games area, floodlights and fencing are not considered out of character for the site.

Visual Amenity

- 5.7 With reference to visual amenity, the proposed development is set within the grounds of Abbot Diabetes Care Ltd and the distance from the development to the nearest residential area at Deer Park is over 250 metres. The development is well screened from public views by existing trees and vegetation.

Residential Amenity

- 5.8 In terms of residential amenity, the nature and location of the development ensures that it would not have a negative impact on the immediate neighbours in terms of overlooking, overbearing, loss of light or loss of privacy. A lighting report has been submitted as part of the application and illustrates that there will be minimal light spill outside of the confines of the sports pitch. Your WODC ERS officers have been consulted as part of the planning process and have raised no objection to the development. As such the development is not considered to

have a negative impact on light pollution. No objections have been made by neighbours or the Town Council.

Highways

- 5.9 The County Highways Officer was consulted as part of the planning process and has raised no objections to the details regarding the development and the impact it will have on the adjacent highway network.

Conclusion

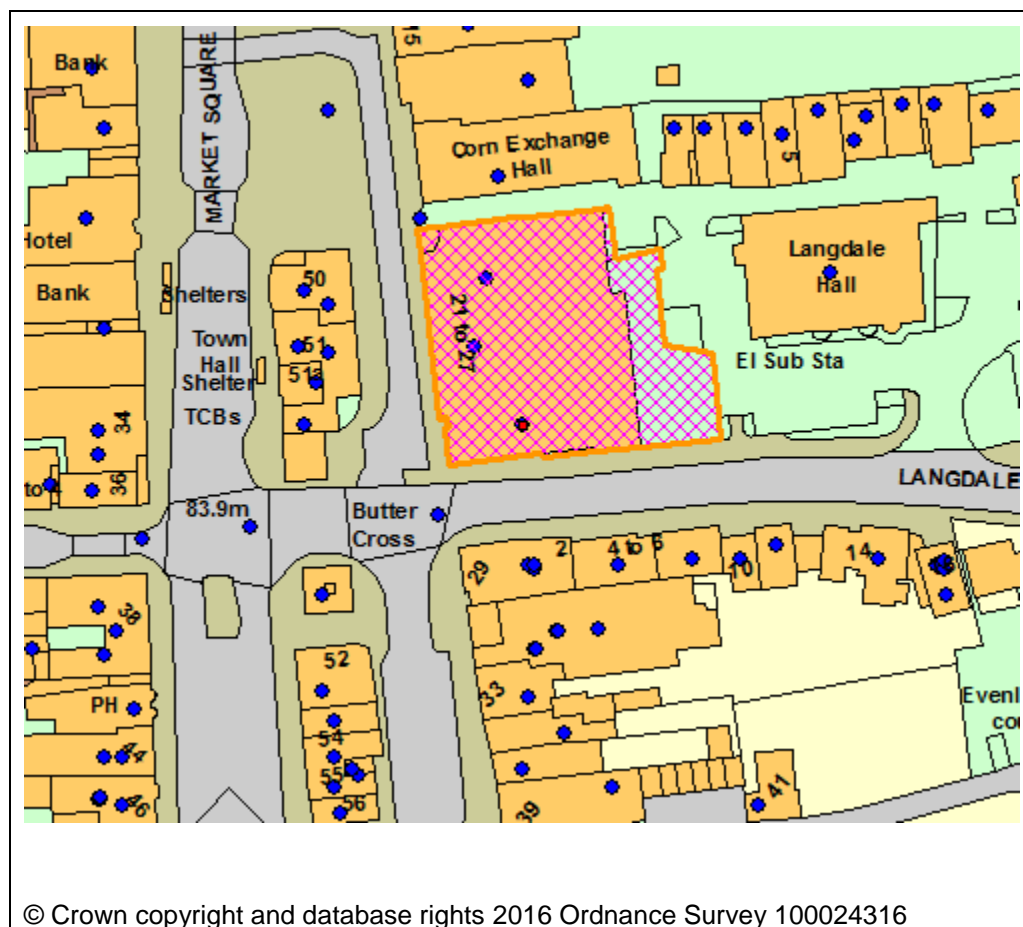
- 5.10 In light of the above assessment, the application is recommended for approval as your officers consider it complies with the provisions of policies OS2, OS4 EH5 and EH8 of the adopted West Oxfordshire Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

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 development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 The hereby approved MUGA shall only be used by staff of Abbott Diabetes Care Ltd and not by members of the general public.
REASON: The site is only suitable for the limited use of Abbott Diabetes Care Ltd staff and not for general use by members of the public.
- 5 Except for any emergency use (not including any maintenance), the floodlights shall remain switched off when the multi-use games area is not in use.
REASON: To prevent unreasonable disturbance to the occupiers of nearby residential properties.

Application Number	19/02013/FUL
Site Address	27 Market Square Witney Oxfordshire OX28 6AD
Date	2nd October 2019
Officer	Miranda Clark
Officer Recommendations	Approve subject to Legal Agreement
Parish	Witney Town Council
Grid Reference	435639 E 209594 N
Committee Date	14th October 2019

Location Map



Application Details:

Changes to ground floor layouts of Units 2 and 3, to include new pedestrian access in side elevation to access first floor and provision of rear bin/cycle store. Conversion of empty first floor storage space to create 10 residential units.

Applicant Details:

Mr Smith, 27, Market Square, Witney, Oxon, OX28 6AD.

I CONSULTATIONS

- I.1 Major Planning Applications Team
Objection for the following reasons:
The proposal includes insufficient cycle parking provision
It has not been demonstrated that access to the cycle parking is assured.
If, despite OCC's objection, permission is proposed to be granted then OCC requires planning conditions as detailed below.
Key points
There is inadequate storage for cycles.
An unobstructed route to the cycle storage is not guaranteed.
Town centre location and local parking restrictions make the "car-free" development viable.
Measures to prevent car parking in the service yard are to be included.
Adequate space for manoeuvring of a Refuse Collection Vehicle has to be demonstrated.
- I.2 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.3 Conservation Officer
Changes to the fenestration required and for a parapet roof to the proposed single storey extension.
- I.4 WODC Business Development
No Comment Received.
- I.5 WODC Planning Policy Manager
Policy H3 of the West Oxfordshire Local Plan 2031 requires schemes of 11 or more units or that which have a maximum gross floor space of more than 1000 square metres to provide affordable housing on site.

There is therefore no requirement for the provision of affordable housing on this scheme.
- I.6 WODC Env Health - Lowlands
I am minded to suggest that a noise assessment report is commissioned by the applicants given the town centre location.
- I.7 Biodiversity Officer
No Comment Received.
- I.8 Thames Water
No objection – notes.
- I.9 WODC Env Services - Waste Officer
No Comment Received.
- I.10 WODC - Sports
 $\pounds 1,814 \times 10 = \pounds 18,140$ off-site contribution towards sport/recreation facilities within the catchment. This is index-linked to second quarter 2019 using the BCIS All in Tender Price Index published by RICS.

£818 × 10 = £8,180 for the enhancement and maintenance of play/recreation areas within the catchment. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.

- 1.11 Natural England No comments to make.
- 1.12 Town Council Witney Town Council objects to this proposal as it is an over development of the property and only 3 flats exceed the recommended 70 sqm of floor space per 4 people. The Town Council also objects on the grounds that there is not enough cycle parking and no provision of car parking. None of the public car parks in the vicinity have 24 hours parking.

2 REPRESENTATIONS

No comments received.

3 APPLICANT'S CASE

- 3.1 A Design and Access Statement has been submitted with the application. It has been summarised as:

The Application is for the conversion of empty/unused storage space to the conversion of 10 separate dwelling houses.

- 10 new separate dwelling houses in total.
- All Proposed flats to contain kitchen/lounge area bathroom/Ensuite and separate bedrooms the number of which depends on the flat size.
- Construction of new internal studwork walls to separate flats.
- Construction of new internal communal corridors.
- Construction of new Lobbies to flat entrances to accommodate fire safety regulations.
- New drainage alterations.
- Removal of part of the existing flat roof to accommodate for the new central courtyard area.
- Construction of new bin storage/ cycle storage area to ground floor.
- Construction of planters and seating area in courtyard.
- Construction of paving slabs to the floor in the courtyard area.
- Certain windows to have obscure glass installed to accommodate for the new bin/cycle store area.
- Certain doors to be blocked up on the ground floor as no longer needed.
- Some windows on the first-floor level to be made bigger to accommodate for fire safety regulations.
- Construction of a new access entrance to the flats on the ground floor and construction of a communal corridor area.
- Construction of 3 roof lights as shown on the proposed plans.

There are no internal walls being removed for this proposal, however as mentioned in the previous section we will be removing part of the existing flat roof to accommodate for the new courtyard area.

The design for the conversion to residential seeks to protect and enhance significant and key elements of the building's historic fabric. The design intention is to clearly differentiate between historic fabric and new contemporary interventions. No attempt is to be made to replicate any historic detailing unless there is a need to repair or replace historic fabric.

Access is via a proposed side door to the western side of the existing building. From here you can gain access via stairs to the first floor and in turn to all 10 flats. A designated bin and recycling store area is situated on the ground floor of the existing building to cater for the residents of all the 10 flats. It is secured by a locked double door that the residents will have a key too.

A secure cycle store is situated on the ground floor of the existing building to cater for the residents of all the 10 flats. It is secured by a locked double door, that the residents will have a key too.

There are 5 car parks close to the development. No dedicated parking is currently provided, and none will be provided.

Bus and rail transport are easily accessible from the development.

The proposal transforms an unused empty storage space, into a modern multi flat complex with impressive features. It also removes some of the old unattractive roof element to cater for a unique courtyard look alongside the new flats. This proposal in turn will be of benefit to the local area, providing housing accommodation for local residents that is regularly needed and in high demand in the local area.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

H2NEW Delivery of new homes

EH10 Conservation Areas

T4NEW Parking provision

E6NEW Town centres

EH8 Environmental protection

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within Witney Town Centre. The existing building is not Listed but is a prominent building within the Conservation Area.
- 5.2 The proposal is for the conversion of the upper floors to ten flats. It is to be a car free development.

- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.4 Policy OSI of the adopted West Oxfordshire Local Plan categorises Witney as a Main Service Centre, as the town currently offers the widest range of services and facilities, has suitable and deliverable development sites available, is accessible by a choice of transport modes (other than rail) and offers a good range of job opportunities.
- 5.5 New dwellings will be permitted at the main service centres on previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan.
- 5.6 Given that the building is existing and only the upper floors are proposed to be converted to flats, your officers consider that the principle of development is acceptable in the town centre location.

Siting, Design and Form

- 5.7 The proposal includes changes to the existing building, in terms of a small extension to the rear, changes to the existing fenestration, and proposed new fenestration and the removal of part of a flat roof. At the time of writing, your officers are currently discussing minor alterations to the external appearance of the building with the applicant's agent. Revised plans will be included as part of the Committee presentation.
- 5.8 Since the application site is within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.9 Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area.
- 5.10 Your officers consider that the proposed development will not adversely affect the visual character and appearance of the Conservation Area.

Highways

- 5.11 OCC have initially objected to the proposed development in terms of insufficient cycle parking. The applicant's agent has since sent in additional information and OCC has been re consulted. It is anticipated that comments from OCC will be received prior to the meeting.

- 5.12 Witney Town Council have also objected in terms of insufficient cycle parking. Whilst your officers note their objection in terms of car parking, this development is proposed to be "car free". OCC Highways have objected only on the provision of cycle parking.

Residential Amenities

- 5.13 Your officers consider that due to the location of the existing building, and the relatively minor changes to the external appearance, that residential amenities will not be adversely affected. A noise survey has been recommended by your Environmental Health officers and a condition has been suggested.
- 5.14 Your officers have noted the objection from Witney Town Council regarding over development, and that only 3 flats exceed the recommended 70 sqm of floor space per 4 people. However there are no recommended figures in terms of planning or building control guidance regarding floorspace. The applicant's agent has responded to these comments as set out below;
1. There is no limit to the size/Sqm for flats that can be built in Witney, we have designed them all to a descent size with the purpose to put them on the rental market.
 2. Due to Witney being a town centre, no provisional parking needs to be provided.
- 5.15 Cycle storage is currently provided and we will provide the necessary amount as recommended by yourselves, not the parish council.
- 5.16 In terms of the refuse and drainage issues raised in the OCC response, officers have incorporated conditions to address these points.

Conclusion

- 5.17 Given the town centre location and the anticipated changes to the design your officers consider that the proposed development is acceptable and complies with the relevant policies of the adopted West Oxfordshire Local Plan. However your officers will fully report the OCC comments at the meeting.

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 and the requirements of the Legal Agreement dated (date to be inserted once agreed)
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 Prior to commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.
REASON: In the interests of highway safety and the residential amenities of neighbouring occupiers.
- 5 Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of Refuse Collection Vehicle manoeuvring into and out of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.
- 6 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. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010. The details provided should have referred to the full comments contained in the OCC response dated 13 September 2019.
- 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.
- 7 Prior to the first occupation of the proposed development hereby approved a noise assessment report shall be first submitted to and approved in writing by the Local Planning Authority and any measures recommended from that report shall be incorporated into the building.
REASON: To ensure there is no adverse noise issues to new occupiers from existing town centre uses.

NOTE TO APPLICANT

Waste Comments

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommends the following informative be attached to this planning permission. 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.