

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 2nd March 2015**

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



**WEST OXFORDSHIRE  
DISTRICT COUNCIL**

**Purpose:**

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

**Recommendations:**

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

***List of Background Papers***

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

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

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Application Number	I4/I102/P/OP
Site Address	Land To East Of Church Road Long Hanborough
Date	18th February 2015
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	441853 E 214136 N
Committee Date	2nd March 2015

**Application Details:**

Erection of up to 64 dwellings, public open space and ancillary enabling works together with access from Church Road.

**Applicant Details:**

Corpus Christi College, C/O Agent

**I CONSULTATIONS**

I.1 Parish Council

COMMENTS ON AMENDED SCHEME

The reduction in the number of dwellings (from 68 to 64) was seen as a step in the right direction, but far too small to prompt a re-think of HPC's comments on the negative impacts of a development of this scale. The proposal to provide a building and grounds that would afford alternative accommodation for the pre-school play group currently located on local primary school premises was noted. However, concerns remain about the volume of traffic that would be generated by this site as a whole. We feel that this addition would only serve to increase the volume of traffic entering and leaving the site from Church Road as moving the facility further from the centre of the village would increase rather than decrease the number of parents using cars to drop off and pick up their children. We saw the offer to Oxfordshire County Council (OCC) of 1.8 hectares of land as a site for a new primary school with capacity for 315 pupils as a generous gesture with little prospect of realisation. Such a significant addition to the development would dramatically increase the volume of traffic using Church Road, and therefore the junction with the A4095, which has already been identified as a concern in the original application. Furthermore, the demolition of a perfectly serviceable and presentable existing building would be wasteful of scarce resources, in the absence of any reliable forecast of future demand. As OCC's Service Manager for Pupil Place Planning has pointed out, "expanding a school by more than local population growth brings its own difficulties. Either the school fails to recruit as many pupils as assumed, undermining their budget, or they recruit pupils from further afield, undermining other schools' budgets, and adding to traffic. Moreover, as most funding available for new school buildings is directly linked to expected pupil numbers, there simply isn't sufficient funding to build more classrooms than justified by the forecast scale of growth."

This amendment to the original application appears to be attempting to address a potential lack of school capacity by suggesting the expansion or reconstruction of the existing school onto the application site. This would move part or all of the school from its current location in the centre of the village to its extreme edge making it considerably less accessible for many residents, thereby further increasing traffic through the village and the proposed development. Furthermore, the financial viability of such a move is seriously questionable. We therefore believe that this revised application remains unacceptable. We would suggest that either a completely new application is submitted dealing with both the new school proposal and the housing development so that the viability of both elements can be tested, or the proposed housing development is scaled down to such an extent that the school's capacity can be expanded without the need for more space than can be made available on its existing site. HPC will of course continue to engage in constructive dialogue with OCC, Hanborough Manor Primary School and community groups, such as the Hanborough Playing Fields Association (HPFA), in a joint effort to achieve the right school capacity for the circumstances in which we expect to find ourselves. We see no justification for reopening discussions about a land swap, on the strength of the information currently available.

1.2 One Voice  
Consultations

INITIAL COMMENTS

OCC Highways

No objection subject to a travel plan and developer contributions of £1000 per dwelling towards public transport plus monitoring costs and conditions regarding the access, traffic calming, travel plans and drainage.

OCC Education

No objection subject to contributions towards expansion of permanent primary school capacity in the area (£194,346), secondary school capacity ((£217,812), and Special Education Needs (£9,923) provision in the area.

The Primary School could grow to 1.5fe if adjacent land were acquired and planning is underway for expansion of Bartholomew School. OCC would like to investigate a land swap to enable the school to expand.

OCC Property

Mitigation of the impact on existing community infrastructure may be required and OCC may require contributions towards library, strategic waste and recycling facilities, museum resources, social and health care (adult day care) and adult learning based on the final housing mix. A condition should require provision of fire hydrants.

OCC Archaeology

Initial objection as the site lay to the west of two kilns of Romano British period amongst the earliest such kilns found in Britain and as

such of a regional/national interest. Subsequently a further survey has been undertaken that reveals no archaeology on site such that OCC now have no objection subject to a condition requiring a programme of evaluation and mitigation in accordance with an approved scheme.

### COMMENTS ON AMENDED SCHEME

The county council has separately responded to the two planning applications under consideration for Long Hanborough. There has been extensive discussion about the potential impact of these developments on local primary school provision, and this letter seeks to clarify the implications should one or both application be approved.

Hanborough Manor CE Primary School (part of the Eynsham Partnership Academy Trust) is the catchment primary school for, and thus directly related to, both proposed developments. Expansion of primary school provision would be required as a direct consequence of the proposed housing. We therefore require that, should either/both application(s) be approved, the developer(s) contribute towards the capital costs of expanding primary school provision to an extent fairly and reasonably related in scale and kind to their development. This has been assessed in the detailed response to both applications on the basis of expected pupil generation from each development.

However, Hanborough Manor CE Primary School already has a shortage of capacity, and in-catchment children had to be turned away in 2014. Early indications are that the school is again over-subscribed for 2015. Pressure on school places would be expected to increase as a result of the already permitted development at Riely Close. In the absence of any further housing development, additional primary school capacity would still be necessary in the area.

Pupil place planning would therefore need to meet both the existing pressure on school places and the impact of the proposed housing development if permitted. Until the scale of housing growth permitted is known, it is not possible to confirm the scale of expansion required, and thus the cost of expansion.

There is inevitably some margin of error when estimating future school population growth, but it is currently assessed that:

- Without any housing growth in the area, local population growth would exceed the current primary school capacity, to the extent of somewhat less than one classroom's worth of children.
- If only the Church Road (14/1102/P/OP) application is approved, total local population growth would be of a scale greater than the capacity provided by one additional classroom, but less than that provided by two additional classrooms.
- If only the Witney Road (14/1234/P/OP) application is approved,

total local population growth would be of a scale greater than the capacity provided by two additional classrooms, but less than that provided by three additional classrooms.

- If both applications are approved, total local population growth would be of a scale in line with the capacity provided by three additional classrooms.

Clearly, school capacity can only be increased in multiples of whole classrooms. Therefore, if only the Church Road application is approved, the county council would need to work with the Eynsham Partnership Academy Trust and Hanborough Manor CE Primary School to plan the expansion of the school by two classrooms. If only the Witney Road application is approved, or if both are approved, the scale of expansion would be three classrooms.

The school and its academy trust have confirmed that, while expansion of the school by the equivalent of one classroom would not be viable for school financial and educational management, expansion by the equivalent of two classrooms would be acceptable; expansion by the equivalent of three classrooms is considered more supportive of school financial and educational management.

Any expansion of the school is currently severely constrained by the school's site area which only just meets the minimum standards (set out in the government's Building Bulletin 103) for a 1 form entry primary school (i.e. the school's current size). Given that there is also a pre-school on site; the area used by the primary school is already below the recommended minimum. Clearly, any additional pupils at the school will exacerbate this deficiency in site area and be detrimental to the educational service provision.

In order to facilitate the school's expansion, therefore, additional site area needs to be made available to the school. Each of the planning applications proposes a potential way to achieve this.

The Church Road application, as amended 13th January 2015, includes a proposal to provide a building of circa 60m<sup>2</sup> which has the potential to provide the accommodation for a pre-school playgroup. This could enable the existing play group which is located within the site of the primary school to relocate, releasing site area for use by the primary school. The indoor and outdoor accommodation and facilities provided for the playgroup would need to be acceptable to them, and further work would need to be necessary to clarify exactly what would need to be provided. In order to provide sufficient certainty that such a solution could be delivered, there would need to be an appropriate provision within the s.106 agreement for the applicant developer to mitigate the impacts of the development by entering into an agreement with the playgroup for re-location prior to implementation.

The Church Road application (14/1102/P/OP) also proposes to safeguard 1.8 hectares of land, to be offered to Oxfordshire County Council for either provision of open space or educational purposes. Should there need to be further expansion of primary school provision within Hanborough, it is understood that this land could facilitate the relocation of the primary school or a split site primary school. The land would need to be free of costs to the public purse.

The Witney Road application (14/1234/P/OP), as amended 2nd February 2015, proposes that a detached playing field for the school is provided on land under the control of the applicant, with a linking pedestrian access route. This additional site would need to accommodate (at a minimum) a primary school playing field approx. 110m x 76m, which meets the County Council's required standards, and additional informal play areas to a maximum total supplementary site area of 13000m<sup>2</sup> subject to feasibility. Further work would need to be completed to fully assess the requirements for this provision, but the school and the academy trust have indicated in principle that, subject to the details being appropriate, this could be a satisfactory method of adding to the school's operational site area.

The applicant proposes that a further application to provide the playing field and pedestrian link is submitted as part of the reserved matters application for the Witney Road development; in order to provide sufficient certainty that such a playing field could be delivered, any s.106 agreement for the Witney Road development would need to include a provision whereby the applicant developer would need to have secured the land & planning permission for the playing fields in order to mitigate the impacts of the development on necessary education place provision. The land would need to be free of costs to the public purse.

In summary, therefore, the county council does not object on Education grounds to either, or both, of the proposed applications being approved, subject to appropriate conditions and planning obligations applying to facilitate expansion of school capacity.

In order to allow for the necessary expansion of school capacity as a direct result of the Church Road development, it would be required to:

- Safeguard 1.8 hectares of land and access to it for the provision of educational purposes, free of charge to the County Council;
- Reach an agreement prior to implementation with Hanborough Playgroup, which currently occupies part of Hanborough Manor CE Primary School's site, that allows the Playgroup's relocation (at no cost to the Playgroup) through the provision by the applicant of a suitable new site and satisfactory new accommodation;
- Contribute proportionately towards the capital costs of expanding primary, secondary and SEN school capacity as set out on the county council's detailed response.

- In order to allow for the necessary expansion of school capacity as a direct result of the Witney Road development, it would be required to:
- Provide, prior to implementation, (freehold and free of charge) a satisfactory supplementary site area for the primary school, with a secure, safe, wheelchair accessible linking pedestrian route, to include a primary school playing field meeting the County Council's required standards;
- Contribute proportionately towards the capital costs of expanding primary, secondary and SEN school capacity as set out on the county council's detailed response.

I.3 First Great Western

Note that the development will have an impact on the station where passenger growth is well above the national average. The station has a significant part to play in reducing car usage and congestion but additional investment in station facilities is required. Demand for rail travel has grown and is anticipated to grow further. The newly extended car park is already full and needs to expand. Negotiations are on-going to secure land to create a further 44 spaces and in the longer term decking will be required. The line may need to be re doubled and a second platform created. Additional parking space may also be required. Third party developer funding is a means to unlock and enable such projects to take place. Decked car parking costs approx. £14,000.00 per space and there is potential to improve cycle parking and link with commuter bus services.

I.4 Hanborough Parish Council

INITIAL COMMENTS

Hanborough Parish Council (HPC) objects to Savills planning application on behalf of landowner Corpus Christi College, because the proposed development would not be sustainable in our parish.

Our reasons for objecting are threefold:

- 1) Traffic generated by a development of this scale, added to existing traffic congestion in the parish, would have a severely detrimental impact and would degrade our environment, our economy and our social fabric;
- 2) A development of this scale would overwhelm public sector and voluntary support services for residents, damaging the community's health/social fabric;
- 3) Hanborough Manor Primary School could not accommodate the 17 additional primary school pupils that would be expected\* from a development of this scale, without sacrificing scant outdoor play space and thereby jeopardising children's health, fitness and socialisation.

None of these threats to Hanborough's sustainability could readily be mitigated, except by a substantial reduction in the scale of development proposed. Traffic projections are already dire and neither the GP Surgery nor the School has room to expand their premises for extra people from up to 68 residential units.



I.5	WODC Env Services - Car Parking	No Comment Received.
I.6	WODC Legal & Estates	No Comment Received.
I.7	WODC Community Safety	No Comment Received.
I.8	WODC Env Services - Waste Officer	No Comment Received.
I.9	WODC - Sports	Contributions should be made to off-site sport/recreation facilities and casual and equipped children's play spaces should be provided and maintained or funded at a cost of £131,083.
I.10	WODC - Tourism	No Comment Received.
I.11	TV Police - Crime Prevention Design Advisor	Request £11,350 towards IT, Bicycles and ANPR cameras."
I.12	WODC Env Services - Engineers	No objection subject to a condition requiring SUDs.
I.13	WODC Env Services - Landscape	No Comment Received.
I.14	WODC Env Health - Uplands	No objections or conditions required from an Environmental Protection point.
I.15	WODC Head Of Housing	No Comment Received.
I.16	WODC Planning Policy Manager	No Comment Received.
I.17	WODC - Arts	A public Art statement is required to deliver public art at the Reserved Matters stage.
I.18	Environment Agency	No objections subject to standard criteria.
I.19	Thames Water	Request a Grampian condition to require the developer to produce a drainage strategy and to implement the works before any dwellings are occupied.

## 2 REPRESENTATIONS

- 2.1 The following is a summary of the main matters raised in response to the application proposals. It is not practical to provide details of all of the representations, some of which include detailed technical submissions. However, all representations have been considered in full and are available for inspection.
- 2.2 Objections have been received in some 100 representations on the following summarised grounds:

### Policy

- The development would conflict with Policies BE1, BE2, BE3, BE4, NE1, NE3, NE6, H2, H4, H7 and T1 of the adopted Local Plan.
- The housing would not accord with the principles in the emerging plan of growth proportional to the size of settlement and phased over the plan period: it would be disproportionate in number and built at an unsustainable rate.

### Scale and impact on infrastructure

- A number of substantial developments have already recently been approved or proposed in the village.
- The increase in residents could not be supported by the Hanborough Manor CE Primary School and Long Hanborough Surgery, which are at capacity with inadequate parking and no scope for expansion, shops (for which parking is already problematic) and employment leading to commuting and increased tensions.
- Claims that Freeland and Long Hanborough schools have identified expansion space are not true.
- Children having to attend school outside the village would be socially harmful and would increase traffic: every child should be able to attend their local school and integrate into their community.
- Freeland School is also near capacity, experiences parking problems and the village does not have street lighting to make walking from the site safe in winter.
- Eynsham Medical Centre to which a modest extension has been made in recent years is not a practical alternative to the village facility as it is 7.25km away and a return journey is impractical by public transport. The only realistic option would be for the developer to make provision for increased capacity.
- Train services are already overcrowded and additional carriages could not be added without an expansion of the station.
- Recent surveys show heavy use of the station car park (85-90%) and this will only increase as there are plans to encourage greater use of the station by residents of Witney.
- No consideration has been given to the impact on inadequate broadband, electricity (brief interruptions of supply are regular) or sewerage infrastructure (regular and recent sewerage blockages nearby in Long Hanborough and Freeland) which are inadequate.
- Additional police infrastructure would be necessary.
- The need for possible off-site sewerage network improvements is identified but a solution should be found before the application is determined.

- Local voluntary groups will not be able to cope with the increased demands from the new development.
- The development would destroy the local community.
- The site is not well sited to access local services and facilities.
- If the development is to be approved, the dualling of the A40, all infrastructure improvements, etc should be in place before development commences, and an improved cycle path to the station and a footpath to the village centre through the green space north of Hurdeswell and opportunities for self-build housing should be secured. Also, no development should take place until a year after completion of the Wolvercote and Cutteslowe Roundabout improvements, further traffic surveys have been undertaken and a Pelican crossing is provided at the site entrance.
- A smaller development may be more easily assimilated.
- It is too many too quickly.

### Traffic impact

- Increased traffic on the A4095, which is already congested and could take additional traffic from planned development at East Witney, would result in traffic delays and jams and inhibit use by emergency services.
- The Transport Assessment concluded that the A4095 traffic flow is above capacity.
- It is peak flows not average flows that need to be considered and road will become gridlocked.
- Congestion on the A4095 would make egress from roads leading to it and from the site very difficult (particularly turning right in the morning peak time to destinations in the village, the station and towards Oxford) and construction vehicles would cause a particular problem at the Bladon pinch point.
- The Local Plan 2011 (p64) identifies the A4095 as one of the roads where a combination of local and through traffic are causing congestion and environmental damage particularly in settlements on these routes.
- Church Hanborough would become a rat-run.
- Survey data is unrepresentative
- Increased traffic increase noise would spoil a quiet area and the villages of Long Hanborough and Freeland.
- Increased fumes in the villages and wider impact on global warming for CO emissions.
- Church Road varies in width.
- Increased traffic on narrow, unlit village roads in Long Hanborough and Freeland (en route to the A40) without footways would be dangerous.
- Increased traffic on the A4095 at speeds that are not controlled by cameras would be a danger to an increased number of pedestrians trying to cross the road.
- There are few local employment opportunities so residents will commute to work.
- Residents will be likely to use cars because buses are infrequent, unreliable and stop at 7pm; there are no bus shelters or real time timetables; bus services do not coincide with train times; buses do not go to the Summertown area; cycle lanes are inadequate and dangerous; there are no cycle racks at bus stops and inadequate racks at the station; the station is too far away to walk to.
- Insufficient provision is made for car parking and there would therefore be congestion within the development.

- Consideration should be given to improving bus routes through the village; to a cycle path between Long Hanborough and the Eynsham roundabout along Lower Road, and to supporting alternative routes to Oxford and London from Witney.
- Landscape impact and character.
- The green gap between Long Hanborough and Freeland would be significantly eroded.
- The loss of productive agricultural land and greenfield development is not justified: it would harm the rural character and context of the area.
- The development would not be physically integrated in the village, being a clear extension.
- The development would be a satellite rather than being absorbed within the village and would not contribute to social cohesion.
- The scale of development would fundamentally spoil the rural feel of the village and urbanise an existing village.
- The density, layout and design are inappropriate for a rural village setting Light pollution would be caused.
- The development would result in the loss of trees and hedgerows.
- Pinsley Woods would be affected.

#### Biodiversity impact

- The site sustains a lot of flora and wildlife.
- HPFA will continue to cut hedges as required by needs of sport.

#### Drainage

The ability of the site, which has flooded in recent years, to accommodate run-off water with heavy winter storms and increased hard surfaces is queried -particularly following the new Cottsway development.

#### Living conditions

- Existing properties would experience noise disturbance and loss of privacy and light and of outlook.
- If approved, conditions should control construction access and hours of operation to safeguard local residents.

#### Other options

If there is to be development in this area it should be smaller and sited to the north of Witney Road where it would be bordered on two sides by existing development, by Witney Road and a public footpath and would not reduce the gap to Freeland.

#### Other issues

- This development could set a precedent for further development.
- No EIA, and no measures to mitigate CO2 emissions, for local energy generation or for renewable energy have been required or proposed.

### Procedural matters

- The site is not within walking distance of Chipping Norton or 1.2m from Combe Station (it is only a request stop halt) as stated in the submitted Planning and Consultation Statement.
- Few local residents were aware of the public consultation event.
- The submitted Travel Plan lacks details.
- More information is needed on the types and mechanisms for the affordable housing and potential infrastructure contributions before the application is determined.
- A site visit should be undertaken before the application is determined.
- Consent of HPFA is needed before a land swap is undertaken.
- No access should be shown to HPFA land.
- Approval in advance of local plan is premature.

2.3 A further 9 letters of objection have been received raising the following summarised points:

- There is now a better place to site the school provided OCC consider it financially viable.
- Can the plans be modified to this extent even though they are only in outline?
- 2 people per house will result in 500 additional residents with the other developments.
- Rush hour gridlock will get worse.
- Increased pollution and journey times.
- Surgery waiting times will grow.
- I support Hands off Hanborough campaign.
- Huge pressure on existing services.
- Traffic has got noticeably worse in recent years.
- Our roads cannot cope.
- Lower oil prices will increase road traffic.
- Traffic impacts will therefore be greater than assessed as there will be less modal switch and greater car use.
- Accurate revised data should be sought before an informed decision can be taken.
- There are at least three current development proposals in the village.
- New sites for facilities should be sought.
- Failure to address need for facilities will undermine the concept of the village as a rural service centre.
- Countryside should not be concreted over.
- Where are the jobs?
- Trains will not cope with additional demand.
- What happens in Hanborough affects me in Witney as it impacts on my journey to work and puts pressure on Witney services.
- Increased chaos, stress and inconvenience and decimation of lifestyle.
- Surface water problems.
- Thanking officers for their time in dealing with the complicated applications.
- The NPPF is flawed and untested with its pro development stance.
- Concerned that the lack of an adopted plan should not stop WODC securing what WODC wants.
- Will block the vital artery that is the A 4095 with consequences beyond the village.
- OCC has not assessed traffic impact properly.
- Planning decisions should not be influenced by financial pressures.
- Where will the funding for the station improvements come from?

- Will they ever happen?
- Small scale development is acceptable but we are now at capacity.

### **3 APPLICANT'S CASE**

3.1 A Planning Statement, Ecological appraisal, Landscape and Visual Assessment, Design and Access Statement, Sustainability Statement, Draft Heads of Terms, Flood Risk Assessment, Archaeological Assessment, Transport Assessment and Arboricultural report were submitted in support of the application and are available to view on line or upon request to the case officer. The full summary of the original Planning Assessment is reported below:

- This planning application is submitted on behalf of Corpus Christi College and seeks outline permission for a residential development of up to 68 dwellings, including means of access and associated development on land off Church Road, Long Hanborough.
- This scheme is demonstrated to offer a means of delivering sustainable residential development in a highly sustainable location in Long Hanborough, a settlement which is able to offer the facilities and services necessary to sustain a development of this character. Those facilities and services, including public transport connections, are easily accessible from the site by cycling or walking.
- The site currently forms agricultural land and in policy terms, lies outside of the existing built up boundary of Long Hanborough. The Council's SHLAA confirms the site's suitability for development of up to 70 dwellings.
- The development plan for the site is now largely outdated with the South East Regional Spatial Strategy now revoked and the plan period for the West Oxfordshire Local Plan having expired in 2011. The NPPF therefore forms a key material consideration in the determination of this application. Notwithstanding this, the proposal fully accords with spatial strategy of the emerging local plan which specifically refers to the application site as a suitable location for development. As set out in Section 5, the NPPF requires Local Planning Authorities to demonstrate a five year supply of housing land. The Council has confirmed in its Housing Consultation paper (July 2013) that West Oxfordshire District Council is currently unable to demonstrate a full five year supply (at 4.7 years) of deliverable land. Paragraph 14 of the NPPF is therefore engaged. The statement has demonstrated that the proposals are highly sustainable in all three dimensions referred to in the Framework.
- The only way to address this shortfall in housing within the District is to approve planning applications for deliverable housing development in suitable locations. In accordance with paragraph 14 of the NPPF planning permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. Paragraph 14 requires a presumption in favour of sustainable development.
- Where relevant, the proposal accords with the provisions of the adopted and emerging development plan, together with the Core Planning Principles as listed in paragraph 17 of the NPPF. The application has no specific land use constraints or landscape designations of merit that would adversely affect development.

- The proposal clearly demonstrates an entirely deliverable sustainable development that will deliver much needed housing in the short term and hence in accordance with paragraph 14 of the NPPF planning permission should therefore be granted.

3.2 With regards to the amended proposal the covering letter advises as follows:

The proposed changes are as follows:

1. A reduction in the number of dwellings to 64;
2. A proposal to provide a building of circa 60m<sup>2</sup> which has the potential to provide the accommodation for a pre-school play group. This could provide alternative accommodation for the existing pre-school play group included within the site of the primary school;
3. The safeguarding of 1.8 hectares of land on the eastern part of the application site. This area of land is proposed to be offered to Oxfordshire County Council for either provision of open space or educational purposes. The County Council will have the opportunity to develop this land for educational purposes. It will also have the opportunity to seek to enter into an agreement with the Parish Council and Playing Fields Association to facilitate a land exchange. In turn, this would allow the primary school site to expand onto open space adjoining its southern boundary, in return for the offer of the land on the eastern part of the application site as an extension to the existing recreation ground which it adjoins. This would allow an overall increase in the site area of the recreation ground.

The application provides the opportunity to secure a range of planning benefits, which could include the following financial contributions which would be secured by means of a Section 106 planning obligation:

- a) Provision of off-site sport/recreation facilities and equipped children's play spaces.
- b) Public transport plus monitoring costs.
- c) Expansion of primary school capacity.
- d) Expansion of secondary school capacity.
- e) Provision of education for special educational needs.
- f) Contributions to Thames Valley Police to provide information technology, bicycles and Automatic Number Plate Recognition cameras.
- g) 32 affordable homes on the basis of 50% provision.

The recent appeal decision which refers to West End Farm, off Churchill Road at Chipping Norton dated 18th December 2014 makes reference to the issue of housing land supply in Paragraph 19 of the decision. The Inspector concluded that the District Council is unable to demonstrate a five year supply of housing land. This should therefore be a material consideration in the determination of this planning application. It is respectfully requested that the above outline planning application should be reported to the Uplands Area Planning Sub-Committee on 2nd March 2015.

#### **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.  
 BE2 General Development Standards  
 BE3 Provision for Movement and Parking  
 BE4 Open space within and adjoining settlements  
 NE1 Safeguarding the Countryside

NE3 Local Landscape Character  
NE6 Retention of Trees, Woodlands and Hedgerows  
NE13 Biodiversity Conservation  
T1 Traffic Generation  
T2 Pedestrian and Cycle Facilities  
T6 Traffic Management  
H2 General residential development standards  
H3 Range and type of residential accommodation  
H7 Service centres  
H11 Affordable housing on allocated and previously unidentified sites  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 BACKGROUND INFORMATION**

- 5.1 This application is seeking outline planning permission for the erection of up to 64 dwellings, up to 32 of which are to be affordable dwellings, with access from Church Road. The illustrative plans include open space and associated works. The application site has been promoted by the applicant as part of the Local Plan process and is identified in the SHLAA as potentially being able to accommodate development of the general nature now proposed.
- 5.2 Members may recall that they gave initial consideration to the application, following a site visit, in November of last year. Since that time the description of development has been changed to reduce the number of units from 68 to 64. A series of meetings has also been undertaken to seek greater clarity as to the educational impacts of the proposals and this has resulted in the applicants offering to fund the relocation of the nursery use from its existing site on the school campus to the application site, provision of additional classroom capacity at the school and making the balance of the site not used for housing available at nil cost to OCC for a new school site should the need arise- and in the interim its use as open space.

## **6 PLANNING HISTORY**

There is no relevant planning history for this site as it is previously undeveloped and has been used historically for agricultural purposes only.

## **7 PLANNING ASSESSMENT**

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

Principle of Development  
5 year housing land supply and status of housing policies  
Traffic and Highways Impact  
School provision/expansion  
Landscape impact  
Design  
Neighbourliness, Pollution and Environmental Health  
Archaeology  
Ecology  
Infrastructure and S106 requirements generally



7.2 During discussion at the November meeting the sub-committee also highlighted the following:

- It was noted that a number of respondents had made reference to capacity at the doctor's surgery and this should be considered;
- The future expansion of the school needed to be properly outlined by OCC;
- Car parking at Hanborough railway station should be considered as it was already near capacity;
- Members requested that future plans show the recently built housing scheme at Reily Close so that it could be seen in context against the proposed development;
- Traffic issues, particularly at the Co-op roundabout, needed to be fully assessed together with proposals for improved public transport; and
- Evidence regarding the viability of the scheme, particularly in relation to affordable housing, was required.

Principle of Development, 5 year housing land supply and status of housing policies

7.3 Long Hanborough is a service centre in the adopted local plan with a range of facilities and services including access to the rail network. Housing policy H7 is the key relevant policy of the adopted plan. This seeks to restrict housing development to infilling, rounding off, conversions or allocations. The development falls within none of these categories but rather is an extension of the village out into the countryside at the edge of the settlement and as such is contrary to adopted policy H7.

7.4 However, Members will be aware from the recent discussions in the context of the emerging plan that policy H7 pre dates the introduction of the NPPF with its presumption in favour of sustainable development and principle of significantly boosting the supply of housing. The level of housing growth anticipated when H7 was adopted was much lower than is now being required of the planning system and it was predicated upon sites within settlements rather than greenfield sites which are now required to meet the increased target. The site forms part of the supply that is anticipated as contributing to the achievement of a 5 year housing land supply as it has been considered as part of the SHLAA to be acceptable in principle for development due to the sustainable credentials of the settlement. For all these reasons the site is considered acceptable in principle.

7.5 The developers are additionally citing paragraph 49 of the NPPF which states that where authorities cannot demonstrate a 5 year housing land supply relevant housing policies (such as H7) should be considered out of date and the presumption in favour of sustainable development set out in paragraph 14 of the NPPF applies. This in turn sets out that proposals should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF. Members will be aware that the issue of the 5 year land supply is not a fixed one with developers and objectors querying the methodology, supply side, target, how historic shortfalls are met and how unmet needs from other authorities is met. The authority is currently claiming a 5 year land supply based on the methodology it has adopted - albeit that this position is challenged by developers. This means that some weight can still be given to adopted policy and the weight to be attached to paragraph 14 is not as great as were there a demonstrated shortfall against the supply requirements. However, in that the site forms part of the supply side of the 5 year land supply, has been assessed as being a potentially sustainable development in the context of the SHLAA and as the form of development is consistent with that likely to be considered acceptable and necessary as part of the policies of the emerging plan, your officers consider that the principle of

development of this scale in proximity to one of the larger and more sustainable settlements in the District is acceptable.

#### Highway

- 7.6 This is a key concern of those objecting to the development. Members will be fully aware that as traffic on the A40 has become increasingly problematic during peak hours commuters have diverted along the A 4095 as an alternative route and this in turn has also become increasingly congested- particularly at the mini roundabout in the centre of the settlement. The objectors fear that the traffic generated from this proposal will exacerbate the existing problems and this impact is recognised in the applicants supporting traffic model where it is acknowledged that there will be increased delays during peak hours. The traffic position has also been modelled by the developer for the other current application site in the village and by a consultant acting on behalf of the Parish Council. OCC has reviewed all of this information and has concluded that whilst the position will be made worse that this is not sufficient to justify withholding consent with monies being made available to improve public transport. They have however been asked by the PC to review that position and an update will be given if a different conclusion is reached.
- 7.7 There is no doubt that traffic congestion will be worsened, albeit that if located in the higher order settlements of Witney or Carterton development would be likely to have a similar impact on the settlement as much of the traffic from those locations would pass through Hanborough on its way to Oxford and beyond. Hanborough is also one of the few locations in the District where it is possible to foresee some modal switch to rail transport due to the presence of a station in the village. In the absence of an objection from OCC as Highway Authority it is not considered that a highways based objection could be sustained at appeal.

#### School provision/expansion

- 7.8 As with transport above this is a key issue. The existing school is over capacity and turning down pupils from within catchment. A pre-school on site and a small campus means that there is currently insufficient space to add additional classrooms without rendering the external play space excessively below standards. Whilst land adjoining the school site appears most amenable to meet the needs of the school to expand- associated with a land swap whereby the land transferred to educational use is replaced elsewhere, the Hanborough Playing Fields Association has indicated that it does not wish to entertain that possibility. A series of meetings have thus been held with the Head of the school, the Academy Chair and the County Council as Education Authority along with developers and landowners representing this site and the land owned by Blenheim to try to ascertain how the existing educational deficiencies can be remedied and the pupils generated by any new development can be accommodated. The position statement from OCC set out at paragraph 2.15 of this report represents the culmination of that process.
- 7.9 For this scheme the developer is funding 1 additional classroom and the County Council are funding another to make a 2 classroom addition to the school. The developer is also funding the relocation of the pre-school and making an area of land sufficient to accommodate a 2 form entry school available should that need arise in future. These measures are acceptable to the County Council as education authority and also apparently to the school head and academy chair. They will enable existing deficiencies to be overcome as well as accommodating the new pupils and in addition will provide the pre-school with a new facility. Longer term expansion is facilitated by either relocating or splitting the school should the need arise.

- 7.10 In that OCC are content with these measures and they will secure educational improvement in helping to remedy existing deficiencies this aspect of the development is considered acceptable.

#### Landscape

- 7.11 The site is currently a fairly undistinguished flat field that forms part of the open land lying between Church Hanborough and Long Hanborough. The land opposite appears to have been quarried in the past and has a somewhat more unkempt appearance. The existing approach to the settlement from the south is dominated by the line of existing development comprised in Pinsley Road. Pinsley Wood forms an attractive backdrop in views across the site to the East
- 7.12 The West Oxfordshire Landscape Assessment(WOLA) identifies the site as semi enclosed rolling vale farmland which generally has a stronger structure of hedges and blocks of woodland with a semi enclosed character and moderate intervisibility. It notes the predominantly linear form of settlements strung out along a road for this part of the district and the threat that suburbanisation of the wider countryside may threaten its quality. It identifies strengthening additional planting as a means to soften the urbanising effects of existing or proposed peripheral development and that the semi enclosed vale landscapes may offer the opportunity to absorb small scale development within a strong structure of trees and woodland and that landscapes on the immediate fringes of the larger settlements are potentially more tolerant of development if it conforms to existing field patterns, is sensitively designed and does not significantly alter settlement form.
- 7.13 The application is in outline and as such the details that have been provided are largely illustrative. However they do show that it is possible to create a scheme where the built form sits largely within the visual envelope of existing development when approaching from the south. The school/open space land would provide a buffer to Pinsley Wood and the density is such that additional buffer planting could be introduced along the southern boundary to supplement existing hedgerows and reduce the impact of the houses on the approach, possibly to a better position than the current impact. In these respects the scheme is considered to have taken account of the concerns and opportunities set out in the WOLA and provides a basis for a scheme of neutral or slightly beneficial long term landscape impact provided that the height of the dwellings is limited to a maximum of 2 storey height.

#### Design

- 7.14 As set out above the scheme is in outline and so the details will be reserved for future determination. However the details on the illustrative plans of a mix of detached, semi-detached and terraced properties all with on plot parking and with good access in an attractive layout mean that there is no reason to suppose that an acceptable scheme cannot be secured at Reserved Matters stage. The detailed design will also need to ensure that the highway and footway improvements necessary to enable safe and amenable pedestrian and vehicular access do not unduly urbanise this edge of settlement location and retain as much of its currently rural character as possible.

#### Neighbourliness, Pollution and Environmental Health

- 7.15 Again with an illustrative plan the details are not for determination but whilst existing properties would lose what is undoubtedly an attractive southerly outlook across the fields the illustrative

layout demonstrates that all the usual privacy and overshadowing standards could be accommodated and as such the impact on residential amenity is not considered to be a refusal reason.

- 7.16 There are no on site reasons in terms of contamination from previous uses why the site should not be developed and whilst clearly the additional traffic generated will cause pollution levels to increase there has been no objection from Environmental Health that this would cause sufficient concern to justify refusal.

#### Archaeology

- 7.17 Whilst there were initial concerns that the site may have potentially very significant remains subsequent work has demonstrated that the remains are not there and as such a condition can address this matter.

#### Ecology

- 7.18 There are no species or habitats that would warrant withholding consent and a condition can be imposed requiring measures to enhance biodiversity and promote energy and water saving measures as part of the detailed scheme.

#### Infrastructure and S106 requirements

- 7.19 Critical to mitigating the impact of the development and ensuring that it is sustainable in the longer term is the package of measures to be delivered by way of any section 106 agreement.
- 7.20 In this regard the applicants have agreed to meet the contribution requests of OCC for monies towards education, transport and other OCC facilities. Additionally the relocation of the pre-school and provision of a site for a new school at nil cost would also need to be safeguarded. WODC would be requiring 50% affordable housing and the leisure contributions and an arts strategy and the police contributions towards ANPR, IT and bicycles is also included.
- 7.21 In contrast to the other development in the settlement this scheme is not making a contribution towards Doctors facilities albeit that other scheme is not proposing relocation of the pre-school. The matter of the recent request for contributions towards facilitating improvements to the rail network/station is considered reasonable and is currently under discussion with the developer. A verbal update will be given at the meeting regarding this aspect of the proposals.
- 7.22 The Parish Council has not identified any impacts that they would wish to be mitigated by way of 106 agreement or contributions.
- 7.23 In terms of the overall viability the scheme has not been the subject of detailed viability analysis in that the developer has agreed that the tabled requests are reasonable and necessary and has agreed to meet them. Officers have however been given to understand that the landowning college have been prepared to receive a return less than would have been a full commercial rate given their long standing relationship with the village and a desire to ensure that the development plays its part in meeting community needs.

## Conclusion

- 7.24 This is a contentious application and the fact that a larger proposal has been submitted concurrently has exacerbated concerns about the impact that it will have on the quality of life and character of the village. Concerns have been raised in particular about the scheme exacerbating the existing traffic.
- 7.25 If Members are minded to approve the application it will be necessary to impose conditions that are anticipated will address the following matters:
1. Time limits
  2. Amended plans
  3. Reserved matters details
  4. Development to closely follow illustrative plans
  5. 2 storey only
  6. Provision and maintenance of landscape belts and open space
  7. Archaeological works
  8. Ecological enhancement
  9. Energy and water saving measures
  10. Highway works to specification
  11. Suds drainage
  12. Grampian condition regarding foul water capacity
  13. Materials predominantly artificial stone and render
  14. Details of the Pre-school to be agreed and use only as a pre school
  15. Fire hydrants

## **8 CONDITIONS/REASONS FOR REFUSAL**

Conditions to be reported in the Additional Representations report.

Application Number	I4/I234/P/OP
Site Address	Land South Of Witney Road Long Hanborough
Date	18th February 2015
Officer	Hannah Wiseman
Officer Recommendations	Refuse
Parish	Hanborough Parish Council
Grid Reference	441670 E 214193 N
Committee Date	2nd March 2015

**Application Details:**

Erection of up to 169 dwellings; with new Doctors' Surgery, to be up to 740 sq metres in size, with around 27 car parking spaces; with access from the Witney Road, plus open space, and associated works.

**Applicant Details:**

Mr Graham Flint  
Pye Homes Ltd  
Langford Locks  
Kidlington  
Oxon  
OX5 1HZ

**I CONSULTATIONS**

I.1 Natural England No Comment Received.

I.2 One Voice Consultations OCC Highways

Objection: The proposed development would increase traffic through the mini-roundabout at the junction of Main Road (A4095), Church Road and store access, resulting in considerable queuing and delay to the detriment of the convenience of highway users and contrary to Oxfordshire Local Transport Plan 3 and the NPPF. It is noted that the submitted transport assessment fails to appraise properly the traffic impact of the development.

OCC Education

No objection subject to contributions towards expansion of permanent primary school (Hanborough Manor CE Primary School is the catchment school) capacity in the area (£625,428), secondary school (Bartholomew School is the catchment school) capacity (£721,235), and Special Education Needs (£33, 722) provision in the area.

The Primary School could grow to 1.5fe if adjacent land were acquired and planning is underway for expansion of Bartholomew School

### OCC Property

Mitigation of the impact on existing community infrastructure may be required and OCC may require contributions towards library, strategic waste and recycling facilities, museum resources, social and health care (adult day care) and adult learning based on the final housing mix. A condition should require provision of fire hydrants

### OCC Archaeology

No objection subject to a condition requiring a programme of evaluation and mitigation in accordance with an approved scheme.

#### I.3 Hanborough Parish Council

Objection in summary on the following grounds:

- The site is not suitable for development under the District Council's housing policies and site assessments (SHLAA).
- The site is isolated and not integrated with the existing village, so cannot represent good design to which great importance is attached.
- There is a lack of capacity in key infrastructure to serve the development including primary schools and GP surgery, with no proposals to address this.
- The development would compromise the separation of Long Hanborough and Freeland, harming the local landscape character.
- There are significant concerns regarding traffic impact and how this has been assessed. The 'recalibrated' traffic assessment model neither appears to represent the reality of drivers', cyclists', and pedestrians' daily experience, nor is it consistent with the parallel survey by Cole Easton. It is implausible to assert "no adverse impact in terms of delay and queuing".
- The suggested improvements to local infrastructure and support for the maintenance of Blenheim Estate are not secured, are unsubstantiated and should be disregarded.
- The proposal clearly conflicts with adopted Local Plan policies including Policies BE1, BE2, BE3, NE3 and NE6 and with a number of policies in the NPPF. There are significant and demonstrable adverse impacts arising from the development, such that it can only be concluded that the proposals does not represent sustainable development under the terms of local and national planning policy. Accordingly, planning permission should be refused.

#### I.4 Adj Council Freeland

Objection: the development is not sustainable and the adverse impacts referred to below would significantly and demonstrably outweigh any benefits when assessed against government and local planning policies. In summary, these impacts are:

- severe detriment to the character of the village and its landscape setting because of the sensitive nature of the local landscape, the highly prominent and exposed nature of the site and the considerable size of the development.

- the increased traffic and number of vehicles generated by the development (particularly having regard to the few local employment opportunities) which will aggravate the existing severe congestion on the A4095 and increase the difficulty and danger for vehicles accessing the road from Freeland to travel eastwards. It would also result in more 'rat running' through Freeland to the A40.
- the inadequacy of the local infrastructure and especially local school and the GP surgery, both of which are at capacity with no space to expand. Freeland Primary School already has a problem with too many parked cars at drop-off and pick-up times and this would get worse to the detriment of safety.
- These concerns are identified in the District Council's SHLAA and Infrastructure Delivery Plan.

I.5	WODC Env Services - Car Parking	No comments received.
I.6	WODC Legal & Estates	No Comment Received.
I.7	WODC Community Safety	No Comment Received.
I.8	WODC Env Consultation Sites	No Comment Received.
I.9	WODC Env Services - Waste Officer	No Comment Received.
I.10	WODC - Sports	Contributions should be made to off-site sport/recreation facilities (£187,590) and casual and equipped children's play spaces should be provided and maintained or funded at a cost of £138,217.
I.11	WODC - Tourism	No Comment Received.
I.12	TV Police - Crime Prevention Design Advisor	No comments received.
I.13	WODC Env Services - Engineers	No objections subject to conditions regarding drainage being imposed.
I.14	WODC Env Services - Landscape	No Comment Received.
I.15	WODC Env Health - Lowlands	No Comment Received.
I.16	WODC Env Health - Uplands	A noise assessment report should be produced to assess the noise impact of the increasing road traffic flows along the Witney Road.



This assessment should follow guidance laid out in the National Planning Policy Framework.

- 1.17 WODC Head Of Housing Thank you for the opportunity to comment upon this residential application.  
An interrogation of the Council's affordable housing waiting list shows that there are in the region of 200 households who would qualify for housing in this location were the housing available.  
  
The proportions of units type and tenure mix that conform to both planning policy and will meet established need are as;  
65% smaller and 35% family homes and tenure split of 2:1  
  
If the development provided this mix to meet local need, then I would be able to support this application
- 1.18 WODC Landscape And Forestry Officer No Comment Received.
- 1.19 WODC Planning Policy Manager No Objections in principle to the proposal, providing the council are satisfied the development is sustainable and that there is no clear or demonstrable harm likely to arise as a result.
- 1.20 WODC - Arts No Comment Received.
- 1.21 Environment Agency No objections subject to drainage conditions being imposed.
- 1.22 Thames Water No Comment Received.

## 2 INITIAL REPRESENTATIONS

2.1 Objections have continued to be received since the original report; an additional 51 representations have been received in addition to those reported previously, totalling approximately 450 objections. The comments up until February 2015 can be summarised as:

### 2.2 Policy

- The development would conflict with Policies BE1, BE2, BE3, BE4, NE1, NE3, NE6, H2, H4, H7 and T1 of the adopted Local Plan.
- The housing would not accord with the principles in the emerging plan of growth proportional to the size of settlement and phased over the plan period: it would be disproportionate in number and built at an unsustainable rate. The site was considered unsuitable for development in the SHLAA (June 2014).

### 2.3 Scale and impact on infrastructure

- A number of substantial developments have already recently been approved or proposed in the village (over 100 including Church Road).
- The increase in residents could not be supported by the Hanborough Manor CE Primary School and Long Hanborough Surgery, which are at capacity with inadequate parking and no

scope for expansion, shops (for which parking is already problematic) and employment leading to commuting and increased tensions.

- The applicant's claims that Freeland and Long Hanborough schools have identified expansion space are not true.
- There is no scope for increasing capacity at the surgery by increased hours.
- Children having to attend school outside the village would be socially harmful and would increase traffic: every child should be able to attend their local school and integrate into their community.
- Freeland School is also near capacity, experiences parking problems and the village does not have street lighting to make walking from the site safe in winter.
- Eynsham Medical Centre to which a modest extension has been made in recent years is not a practical alternative to the village facility as it is 7.25km away and a return journey is impractical by public transport. The only realistic option would be for the developer to provide a site and building shell for a new medical practice to maintain a high standard of care.
- Train services are already overcrowded and additional carriages could not be added without an expansion of the station.
- Recent surveys show much greater use of the station car park (85-90%) than suggested by the applicant and this will only increase as there are plans to encourage greater use of the station by residents of Witney.
- New bus stops near the site entrance could have an impact of the existing stop near Wroslyn Road which serves Freeland - it could be unviable/impractical to operate both.
- No consideration has been given to the impact on inadequate broadband, electricity (brief interruptions of supply are regular) or sewerage infrastructure (regular and recent sewerage blockages nearby in Long Hanborough and Freeland) which are inadequate.
- Additional police infrastructure would be necessary.
- The need for possible off-site sewerage network improvements is identified but a solution should be found before the application is determined.
- Local voluntary groups will not be able to cope with the increased demands from the new development.
- No application does not consider access to and the impact on infrastructure and traffic in Woodstock and Bladon.
- The development would destroy the local community.
- The site is not well sited to access local services and facilities.
- If the development is to be approved, the dualling of the A40, all infrastructure improvements should be in place before development commences, and an improved cycle path to the station and a footpath to the village centre through the green space north of Hurdeswell and opportunities for self-build housing should be secured. Also, no development should take place until a year after completion of the Wolvercote and Cutteslowe Roundabout improvements, further traffic surveys have been undertaken and a Pelican crossing is provided at the site entrance.

#### 2.4 Traffic impact

- Increased traffic on the A4095, which is already congested and could take additional traffic from planned development at East Witney, would result in traffic delays and jams and inhibit use by emergency services.

- The Transport Assessment conflicts with that (Cole Easdon) for a development of 68 homes at Church Road, which concluded that the A4095 traffic flow is above capacity. It is also based on observations on one day only.
- It is peak flows not average flows that need to be considered.
- Congestion on the A4095 would make egress from roads leading to it and from the site very difficult (particularly turning right in the morning peak time to destinations in the village, the station and towards Oxford) and construction vehicles would cause a particular problem at the Bladon pinch point.
- The Local Plan 2011 (p64) identifies the A4095 as one of the roads where a combination of local and through traffic are causing congestion and environmental damage particularly in settlements on these routes.
- Wroslyn Road would become a rat-run.
- Increased traffic increase noise would spoil a quiet area and the villages of Long Hanborough and Freeland.
- Increased fumes in the villages and wider impact on global warming for CO emissions.
- Increased traffic on narrow, unlit village roads in Long Hanborough and Freeland (en route to the A40) without footways would be dangerous.
- Increased traffic on the A4095 at speeds that are not controlled by cameras would be a danger to an increased number of pedestrians trying to cross the road.
- There are few local employment opportunities so residents will commute to work.
- Residents will be likely to use cars because buses are infrequent, unreliable and stop at 7pm; there are no bus shelters or real time timetables; bus services do not coincide with train times; buses do not go to the Summertown area; cycle lanes are inadequate and dangerous; there are no cycle racks at bus stops and inadequate racks at the station; the station is too far away to walk to.
- Insufficient provision is made for car parking and there would therefore be congestion within the development.
- Consideration should be given to improving bus routes through the village; to a cycle path between Long Hanborough and the Eynsham roundabout along Lower Road, and to supporting alternative routes to Oxford and London from Witney.
- Access through Hurdeswell or Marlborough Crescent would cause rat-running, congestion and safety problems and result in the loss of a green area used by local residents.
- Fuel costs are a determinant of car travel and recent reductions suggest that assessments of future car travel are likely to be underestimates.

## 2.5 Landscape impact and character

- The green gap between Long Hanborough and Freeland would be significantly reduced (by 50%) to the detriment of their distinctiveness and separate characters and to their landscape setting.
- The loss of productive agricultural land and greenfield development is not justified: it would harm the rural character and context of the area.
- The development would not be physically integrated in the village, being a clear extension, not infilling and having only one direct link along the busy A4095.
- The development would be a satellite rather than being absorbed within the village and would not contribute to social cohesion.
- The scale of development would fundamentally spoil the rural feel of the village and urbanise an existing village.

- The density, layout, design and height (particularly 3 storey houses) are inappropriate for a rural village setting- family houses with good gardens are needed not a dense development with flats.
- The proposed landscaping is totally inadequate.
- Light pollution would be caused.
- The development would result in the loss of trees and hedgerows.
- The hedgerow between the two fields should be retained in its entirety.
- It is not clear how the altered pavement cycle route can be accommodated without removing a hedgerow.
- A Category 'A' oak tree should not be lost for a bus stop.

## 2.6 Biodiversity impact

- The site and copse on the edge sustain a lot of flora and wildlife, which is underestimated in the specialist reports, including great crested newts, bats, bird species of conservation concern/importance and apparently a badger sett.
- The ecological report is based on a desktop study and a broad based Phase I study and is inadequate.
- If the development is to be approved, biodiversity mitigation measures should be required.

## 2.7 Drainage

- The ability of the site, which has flooded in recent years, to accommodate run-off water with heavy winter storms and increased hard surfaces is queried.
- Would the proposed attenuation pond really work and would it be safe?
- The existing foul sewer is old, collapsing in places, has overflowed and is unsuitable to serve additional development.
- The Flood Risk Assessment is flawed being based on data collected at the height of one of the driest summers for some years.

## 2.78 Living conditions

- Existing properties in Hurdeswell and Marlborough Crescent would experience noise disturbance and loss of privacy and light and of outlook because of the excessively high houses and the elevated position of existing housing.
- A turning circle to the rear of properties in Hurdeswell would not provide a good standard of amenity for existing residents but would cause noise and pollution.
- A proposed public footpath along the rear garden of 54a Hurdeswell would be likely to have street lighting which would be a nuisance and being of little use would encourage anti-social behaviour.
- If approved, conditions should control construction access and hours of operation to safeguard local residents.

## 2.9 Other options

If there is to be development in this area it should be smaller and site to the north of Witney Road where it would be bordered on two sides by existing development, by Witney Road and a public footpath and would not reduce the gap to Freeland.

## 2.10 Other issues

- Why are 6m and 7m easements proposed - are these for access for further development?
- How was a figure of 83 affordable homes derived - there is no record of a need in the village for that number? Affordable housing should be provided nearer towns and cities where those in need are already living and where facilities exist.
- Why is the open space mainly at the back of the larger houses where the outlook is open anyway rather than closer to existing houses?
- Why is a disproportionate number of affordable houses and 1 bed properties closest to existing houses?
- The stated need for small family housing in the village is not substantiated.
- Following the grant of permission for major development at Carterton there is now 5 year supply of housing land.
- This development could set a precedent for further development, particularly to the north of Witney Road.
- Blenheim should not be rescued at the expense of the harm the development would cause and are the estimates of the funds required credible? How would any profits be secured to be spent on the World Heritage Site?
- If the development is to be approved, could the developer donate serviced land to Freeland for a slower community-build scheme?
- No EIA, and no measures to mitigate CO2 emissions, for local energy generation or for renewable energy have been required or proposed.
- The field was a landing place for bombers in WW2 and there could be bombs on the land.

## 2.11 Procedural matters

- The site is not within walking distance of Chipping Norton or 1.2m from Combe Station (it is only a request stop halt) as stated in the submitted Planning and Consultation Statement.
- The application draws conclusions from a National Traffic Survey dated 2008 and the 2001 Census both of which are out of date. Why was the 2011 Census not used?
- Few local residents were aware of the public consultation event.
- The submitted Travel Plan lacks details.
- More information is needed on the types and mechanisms for the affordable housing and potential infrastructure contributions before the application is determined.
- The need for an Environmental Assessment has been avoided by dividing the development (originally 362 houses) into two phases.
- A specific consultation with residents of Hurdeswell should take place if there is any chance of it being used to access the development.
- A site visit should be undertaken before the application is determined.

### Comments Received Since Submission of Amendments

#### First Great Western

- 2.12 Note that the development will have an impact on the station where passenger growth is well above the national average. The station has a significant part to play in reducing car usage and congestion but additional investment in station facilities is required. Demand for rail travel has grown and is anticipated to grow further. The newly extended car park is already full and needs to expand. Negotiations are on-going to secure land to create a further 44 spaces and in the

longer term decking will be required. The line may need to be re doubled and a second platform created. Additional parking space may also be required. Third party developer funding is a means to unlock and enable such projects to take place. Decked car parking costs approx. 14 k per space and there is potential to improve cycle parking and link with commuter bus services.

#### OCC Education

- 2.13 The county council has separately responded to the two planning applications under consideration for Long Hanborough. There has been extensive discussion about the potential impact of these developments on local primary school provision, and this letter seeks to clarify the implications should one or both application be approved.
- 2.14 Hanborough Manor CE Primary School (part of the Eynsham Partnership Academy Trust) is the catchment primary school for, and thus directly related to, both proposed developments. Expansion of primary school provision would be required as a direct consequence of the proposed housing. We therefore require that, should either/both application(s) be approved, the developer(s) contribute towards the capital costs of expanding primary school provision to an extent fairly and reasonably related in scale and kind to their development. This has been assessed in the detailed response to both applications on the basis of expected pupil generation from each development.
- 2.15 However, Hanborough Manor CE Primary School already has a shortage of capacity, and in-catchment children had to be turned away in 2014. Early indications are that the school is again over-subscribed for 2015. Pressure on school places would be expected to increase as a result of the already permitted development at Riely Close. In the absence of any further housing development, additional primary school capacity would still be necessary in the area.
- 2.16 Pupil place planning would therefore need to meet both the existing pressure on school places and the impact of the proposed housing development if permitted. Until the scale of housing growth permitted is known, it is not possible to confirm the scale of expansion required, and thus the cost of expansion.
- 2.17 There is inevitably some margin of error when estimating future school population growth, but it is currently assessed that:
- Without any housing growth in the area, local population growth would exceed the current primary school capacity, to the extent of somewhat less than one classroom's worth of children.
  - If only the Church Road (14/1102/P/OP) application is approved, total local population growth would be of a scale greater than the capacity provided by one additional classroom, but less than that provided by two additional classrooms.
  - If only the Witney Road (14/1234/P/OP) application is approved, total local population growth would be of a scale greater than the capacity provided by two additional classrooms, but less than that provided by three additional classrooms.
  - If both applications are approved, total local population growth would be of a scale in line with the capacity provided by three additional classrooms.
- 2.18 Clearly, school capacity can only be increased in multiples of whole classrooms. Therefore, if only the Church Road application is approved, the county council would need to work with the Eynsham Partnership Academy Trust and Hanborough Manor CE Primary School to plan the

expansion of the school by two classrooms. If only the Witney Road application is approved, or if both are approved, the scale of expansion would be three classrooms.

- 2.19 The school and its academy trust have confirmed that, while expansion of the school by the equivalent of one classroom would not be viable for school financial and educational management, expansion by the equivalent of two classrooms would be acceptable; expansion by the equivalent of three classrooms is considered more supportive of school financial and educational management.
- 2.20 Any expansion of the school is currently severely constrained by the school's site area which only just meets the minimum standards (set out in the government's Building Bulletin 103) for a 1 form entry primary school (i.e. the school's current size). Given that there is also a pre-school on site; the area used by the primary school is already below the recommended minimum. Clearly, any additional pupils at the school will exacerbate this deficiency in site area and be detrimental to the educational service provision.
- 2.21 In order to facilitate the school's expansion, therefore, additional site area needs to be made available to the school. Each of the planning applications proposes a potential way to achieve this.
- 2.22 The Church Road application, as amended 13th January 2015, includes a proposal to provide a building of circa 60m<sup>2</sup> which has the potential to provide the accommodation for a pre-school playgroup. This could enable the existing play group which is located within the site of the primary school to relocate, releasing site area for use by the primary school. The indoor and outdoor accommodation and facilities provided for the playgroup would need to be acceptable to them, and further work would need to be necessary to clarify exactly what would need to be provided. In order to provide sufficient certainty that such a solution could be delivered, there would need to be an appropriate provision within the s.106 agreement for the applicant developer to mitigate the impacts of the development by entering into an agreement with the playgroup for re-location prior to implementation.
- 2.23 The Witney Road application (14/1234/P/OP), as amended 2nd February 2015, proposes that a detached playing field for the school is provided on land under the control of the applicant, with a linking pedestrian access route. This additional site would need to accommodate (at a minimum) a primary school playing field approx. 110m<sup>2</sup> x 76m<sup>2</sup>, which meets the County Council's required standards, and additional informal play areas to a maximum total supplementary site area of 13000m<sup>2</sup> subject to feasibility. Further work would need to be completed to fully assess the requirements for this provision, but the school and the academy trust have indicated in principle that, subject to the details being appropriate, this could be a satisfactory method of adding to the school's operational site area.
- 2.24 The applicant proposes that a further application to provide the playing field and pedestrian link is submitted as part of the reserved matters application for the Witney Road development; in order to provide sufficient certainty that such a playing field could be delivered, any s.106 agreement for the Witney Road development would need to include a provision whereby the applicant developer would need to have secured the land & planning permission for the playing fields in order to mitigate the impacts of the development on necessary education place provision. The land would need to be free of costs to the public purse.

- 2.25 In summary, therefore, the county council does not object on Education grounds to either, or both, of the proposed applications being approved, subject to appropriate conditions and planning obligations applying to facilitate expansion of school capacity.
- 2.26 In order to allow for the necessary expansion of school capacity as a direct result of the Witney Road development, it would be required to:
- Provide, prior to implementation, (freehold and free of charge) a satisfactory supplementary site area for the primary school, with a secure, safe, wheelchair accessible linking pedestrian route, to include a primary school playing field meeting the County Council's required standards;
  - Contribute proportionately towards the capital costs of expanding primary, secondary and SEN school capacity as set out on the county council's detailed response.

#### OCC Highways

- 2.27 At the time of writing the OCC Highways officer has not submitted their final comments; a verbal update will be provided at the committee meeting.

#### Eynsham Medical Group

- 2.28 Thank you for your email of 2nd February inviting our comments regarding the amendment to planning application 14/1234/P/OP. The amendment makes reference to provision of a surgery of up to 740 sq metres and associated parking, and suggests that ' the Vanbrugh Unit Trust and Pye Homes Ltd would gift the land to the Long Hanborough Medical Centre and construct a shell before the 40th private dwelling is sold. The NHS and doctors' surgery would take responsibility for the internal works and equipping the surgery'
- 2.29 I received an email from Graham Flint of Pye Homes on 10th February where he states that the land and shell building would be provided in exchange for our current surgery site: ' The land and the shell will be provided to the LH Medical Centre as part of a land swap.' It is disappointing that it has taken so long for Pye to engage in meaningful discussions with us, such that at this late stage there remain too many unresolved questions for us to be in a position to withdraw our objection to the proposed development.
- 2.30 We have been quite clear from the initial proposal that, in spite of NHS Property Services agreeing in principle with our need for more space to cope with development, there is no clear funding stream for this, and it is not affordable for the Medical Practice to take out further loans of this size. The suggested land swap arrangement would take our current premises and leave us with an unusable building. As such 2.6.4 we do not believe this offers a realistic solution as it stands. I believe we would be able to withdraw our objection under the following conditions:

Pye/Blenheim to gift land and completed building of 740 m sq in exchange for the existing Long Hanborough Surgery building and site. The new surgery building should be fully finished internally and ready for use. Medical equipment will be provided by Eynsham Medical Group. The new building shall be built to Eynsham Medical Group specification, compliant with Health Building Notes (HBN) and Health Technical Memoranda (HTM), with our direct input in design at all stages after outline planning to ensure that it is fit for purpose.



- 2.31 There should be greater transparency regarding timing of completion of the new surgery building. The planning application suggests that the building should be constructed before the 40th private dwelling is sold. It is unclear if this refers to the 40th house, or if a distinction is being made between affordable housing and the remaining new houses. We would suggest it would be clearer to stipulate that the surgery building should be completed within 2 yrs of commencement of works on the development.
- 2.32 Without these stipulations it is difficult to see how the project could be deliverable, and a valuable opportunity to maintain the quality of health care to the residents of Long Hanborough will be lost.

#### Hanborough Parish Council

- 2.33 Hanborough Parish Council (HPC) believes that this development remains an unsustainable proposition, despite attempts to gloss over and mitigate its faults. The concerns we expressed on 26th September 2014, in a report compiled by Edgars Ltd, are largely still valid; moreover, like many hundreds of residents, we find the proposed deviation from Local Plan policy H7 utterly unacceptable. Three elements of our previous commentary require updates in the light of further assertions and proposals by the developer: traffic impact, surgery capacity and school capacity.

#### Traffic Impact

- 2.34 Oxfordshire's Local Highway Authority (LHA) objected to planning application I4/I234/P/OP in September 2014, because the proposed development would increase traffic through the 'mini roundabout' at the junction of Main Road (A4095), Church Road and store access, resulting in considerable queuing and delay to the detriment of the convenience of highway users and contrary to Oxfordshire Local Transport Plan 3 and National Planning Policy Framework.
- 2.35 In November 2014, 'David Tucker Associates' Technical Note on behalf of Pye Homes Ltd conceded that it is clear that the A4095 is carrying high levels of flow and is subject therefore to peak hour flow breakdown, but still insisted that a 4% worsening caused by the development would have 'no material ..... or adverse impact on junction operation.' Their 'less than 4%' estimate is conveniently below the 5% threshold where, according to convention, negative impact would be classed as 'severe' and fail the NPPF standard.
- 2.36 Generic modelling is too imprecise to decide on whether traffic would be 4% or 5% worse in a particular situation. We can say that, in December 2014, all parties assessed the amount of negative impact as falling within the margin of error in respect of what would be deemed severe impact. HPC was therefore surprised to hear that the LHA no longer believed that it had sufficient evidence that traffic worsening would be severe. The LHA admitted that this fact alone does not preclude an objection on grounds of impact, as it is clear this is a sensitive part of the local highway network operating (at) about its theoretical capacity. Nevertheless, the LHA withdrew its objection to planning application I4/I234/P/OP.
- 2.37 Worried about the possibility of having an award of costs made against it, the LHA had accepted Tucker Associates' low estimate of the development's traffic impact, using the following argument: as development traffic increases along that route (the A4095 through Hanborough), so the amount of diverted traffic (from the A40) would diminish, the route being a less attractive alternative. In other words, congestion exacerbated by the development would be so

severe that it became a worse prospect than staying on the A40 and would thus be self-limiting; an argument to rival Catch 22: congestion would become more severe, but not as severe as it might become if drivers were undeterred by its severity.

- 2.38 At HPC's January 2015 meeting, the Leader of the County Council confirmed that the County could not afford to challenge the Technical Note produced on behalf of Pye Homes Limited, regardless of whether it might be flawed. The County could not spare resources to conduct its own traffic assessment or risk having to pay the developer's costs in the event of being judged at fault in a dispute under the terms of NPPF Planning Practice Guidance. In a meeting with a representative of HPC on 6th February 2015, the Prime Minister said his government does not want LHAs to be so wary of an adverse award of costs that robust planning practice is compromised.
- 2.39 Aware that a key statutory consultee had been advised by his County superiors that he lacked sufficient countervailing evidence to maintain an objection, HPC commissioned a traffic assessment from the Technical Director of Mode Transport Planning. HPC sent this report to the statutory consultee (in the person of Oxfordshire's Principal Engineer), in the absence of his being afforded resources of his own, and to the leader of OCC on 19th January 2015.
- 2.40 Neither of the latter two recipients so much as acknowledged receipt of Mode's independent traffic assessment until 6th February 2015; whereas, on 30th January 2015, West Waddy wrote to WODC on behalf of Pye claiming that 'Further information has been provided to the local highway authority who are now satisfied. A further review by Mode Transport Planning has identified no new issues.' On the contrary, Mode found that Ratio of Flow Capacity (RFC) values seem to have been underestimated and are 'possibly over 5% with the consequent knock-on effects on queues and delays, which increase exponentially once capacity is reached.'
- 2.41 HPC therefore wishes to ask Uplands Planning Committee members to recognise that there is countervailing assessment evidence, which gives rise to concern in respect of whether there would be (in Mode's words) 'severe residual cumulative impact on the local highway network from the proposed development.' We are disappointed that neither the County nor the developer has offered to fund a detailed traffic survey and assessment by LHA engineers rather than commercial companies, so that a definitive report could be produced.
- 2.42 As things stand, there is a risk that the LHA's fear of financial liability for a landowner's or a developer's costs could pervert the course of a critical planning decision. The LHA has apparently chosen to rely upon the traffic assessment commissioned by the developer and to ignore the traffic assessment commissioned by the parish council. Tucker Associates' Transport Addendum of 27th January 2015, which accompanied West Waddy's letter of 30th January 2015, fails to address the technical flaws identified by Mode (incorrect road measurements, number of lanes etc.) and resorts to the dismissive language employed previously in the Technical Note.
- 2.43 Hanborough is a gateway to several inter-urban corridors (see Figure 27.1 of OCC's Local Transport Plan 3). It has a railway station that attracts commuters from all around and it is a vital route for emergency vehicles from Kidlington Ambulance Station. Oxfordshire cannot afford to let our stretch of the A4095 become much more congested. Hanborough residents cannot afford it either. Parliament's Environmental Audit Committee has recently (15th December 2014) called for a ban on building schools, hospitals and care homes near busy roads, due to the threat to health from air pollution.

### Surgery Capacity

- 2.44 Pye is offering to build the 'shell' for a new surgery on its proposed site south of the A4095, together with 'around 27 parking spaces.' HPC acknowledges the increased capacity of the building, but dislikes the village-edge location. Many residents who walk to the present surgery will be daunted by the extra distance and take to their cars instead, thereby worsening traffic problems. Hence, once again, the Transport Addendum does not tell the whole story; paragraph 3.2 says: 'The new surgery would cater for existing demand plus development demand, primarily from the wider development site itself. The traffic would therefore be predominantly a re-assignment of traffic on the local road network rather than new traffic.'
- 2.45 Travel by bus to the surgery is not a realistic proposition. Apart from the discomfort of waiting in inclement weather, residents would have to contend with infrequent (hourly) services. Prospects for any significant improvement in the bus services as a result of Section 106 contributions from the developer are uncertain, as Stagecoach has made clear to Pye: 'While the services continue to develop patronage, they are still very marginal in terms of their viability. We are evaluating, at this time, how the services can be designed to be more attractive and efficient and thus, develop further revenue, in the fairly short term, though I would stress that we have arrived at no firm conclusions.' (Ref. West Waddy e-mail to WODC on 15th January 2015).

### School Capacity

- 2.46 West Waddy's letter of 30th January 2015 tells us: 'Pye Homes Ltd and the landowner, the Vanbrugh Unit Trust (Blenheim Estate), have suggested as a solution that a detached playing field is provided on land under their control, that would enable extending the existing Long Hanborough Primary School onto the existing play facilities on the western part of the site, while converting at least part of the existing grass playing field into an all-weather play area and providing a replacement grass playing field south of the affordable housing being built adjacent to Riely Close (under planning permission 14/0684/P/FP) with a pedestrian link across the County Council owned part of the adjoining recreation ground.'
- 2.47 While this may seem the least bad of the options put to the school, HPC has serious doubts about its practicability: either lesson time or organised sports and informal games time would have to be sacrificed to allow for inter-site movement; playing field and pathway security would be difficult to achieve and, if both were fully enclosed, general public users of surrounding recreational space would find their way barred. We also have serious doubts about the advisability of the school suddenly increasing its capacity from 210 to 315 pupil places, anticipating intakes of 45 pupils (instead of 30) per year, which seems to be a planning condition that the County's Service Manager for Pupil Place Planning insists upon. Her rationale is that, 'it is important to expand the school in such a way as to protect the longer term ability of the school to move towards a more sustainable admission number in the longer term, should there be further population growth.'
- 2.48 HPC considers this speculative reasoning to be at odds with the education officer's own analysis of the potential pitfalls, communicated to us on 12th January 2015: 'expanding a school by more than local population growth brings its own difficulties. Either the school fails to recruit as many pupils as assumed, undermining their budget, or they recruit pupils from further afield, undermining other schools' budgets, and adding to traffic. Moreover, as most funding available

for new school buildings is directly linked to expected pupil numbers, there simply isn't sufficient funding to build more classrooms than justified by the forecast scale of growth.'

- 2.49 On 5th February, the Leader of the County Council confirmed that the matter of whether sufficient funding would be available for the requisite classrooms was still uncertain. He wrote: 'We are currently advising that we are not objecting to either of the two applications (14/1234/P/OP and 14/1102/P.OP), subject to continued progress in securing the site area and resources necessary for the school's expansion. The school is, of course, an academy, so decisions on what is or is not an acceptable solution to expanding the school ultimately rests with the academy trust.'

### Conclusions

- 2.50 HPC contends that too little is known about the ramifications of planning application 14/1234/P/OP for it to be approved, no matter how many caveats are attached. We infer from West Waddy's letter of 30th January 2015, which mentions Freeland Primary School in paragraph 3.2, that they too recognise that the issue of Hanborough Manor Primary School's capacity has not been resolved. This reminds us of how peripheral the proposed site is to Hanborough, how near it is to Freeland, and how it contravenes policy H7 (neither infilling nor rounding-off within an existing built up area). PYE's PROPOSALS FOR HANBOROUGH FAIL IN RESPECT OF THE SOCIAL ELEMENT OF SUSTAINABLE DEVELOPMENT. As West Waddy have said in relation to another of Pye's proposals: 'Social sustainability must extend to existing residents' as well as 'the population generated by the proposed development..... with good access to facilities that will create further opportunities to maintain and improve their standard of living.' HPC has explained how Hanborough's education and healthcare facilities would be disrupted and displaced, with little prospect of satisfactory mitigation. WODC's 2014 Strategic Housing Land Availability Assessment found the proposed site unsatisfactory.
- 2.51 PYE's PROPOSALS FAIL IN RESPECT OF THE ENVIRONMENTAL ELEMENT OF SUSTAINABLE DEVELOPMENT
- 2.52 As West Waddy have said in relation to another of Pye's proposals, environmentally sustainable development seeks 'to enhance the environment and responds in a positive manner to climate change, creating the opportunity to reduce the carbon footprint of citizens and services both in the local and wider context.....' and 'will improve the ecological value of the site and will not increase the risk of flooding. The development will preserve the character of the area and improve the environment for future generations'
- 2.53 HPC, with the help of an independent expert's assessment of likely traffic impact (see submitted report by Mode), has demonstrated that the A4095 is already used beyond its capacity and further congestion (estimated at or near 5%) would have a severely detrimental effect in terms of pollution and lost working time. Hanborough Action Group's survey of railway station users found most had arrived by car. Stagecoach described the chances of an improved bus service as marginal.
- 2.54 PYE's PROPOSALS FAIL IN RESPECT OF THE ECONOMIC ELEMENT OF SUSTAINABLE DEVELOPMENT

- 2.55 Employment opportunities in Hanborough are relatively small scale, as one would expect from a village community. People with modest incomes would be ill-advised to move into affordable homes in a location that necessitated travelling to distant work. Existing residents, who have chosen to live in this relatively unspoilt rural service centre, could be driven away. Many hundreds have submitted objections to what they perceive as damagingly excessive development (see Hanborough Action Group's analysis of reasons for objection).
- 2.56 Hanborough Parish Council respectfully requests that West Oxfordshire District Council either refuses application 14/1234/P/OP outright or else requires fresh registration encompassing all elements now on the table, so that is possible to determine whether the proposal constitutes a coherent and sustainable whole.

#### Sustrans

- 2.57 National cycle route 442 passes the site using the shared use foot/cycle way alongside the A4095. This route provides a direct link to Hanborough train station and therefore a high quality cycle route is essential to sustainability.
- 2.58 It is requested that any development should enhance the quality of the existing cycle route- this existing path is narrow and the applicant's owns both sides of the road there is an opportunity for this here. The link would need to be 3m width and there is scope for further improvements to the section linking Hanborough station and Bladon which could be secured through section 106 contributions.

#### Summary of Further third Party Objections Received since submission of Amendments

- 2.59 Objections have been received in 51 representations since receipt of the revised submission. These are based on many of the concerns expressed about the original submission but also make the following points:

#### Policy

- 2.60 The development would be an unsustainable development of greenfield land and loss of green space contrary to Local Plan Policy H7.

#### Scale and infrastructure

- At least two proposed roads stop at the perimeter of the site and suggest further development.
- The revision of the application is an acknowledgement that the village facilities cannot support the development.
- Major changes are now proposed including expansion of the village school and a relocated surgery. These have not been shown to be practical and should themselves be the subject of community consultation.
- Would the extension to the school into the playground involve a journey through a covered walkway to a new playground as well as to remote playing fields. This would look ridiculous and would be less safe.

Extension onto land beyond Reily Close would involve crossing a footpath that would need to be kept open.

- 2.61 If the school would be 1.5 times bigger, would there be 1.5 times as much hard play space, school hall, playing fields etc? It is a huge increase in the size of the school and the schooling experience.

Expansion of the school as planned does not address the staff car park which is already full.

- 2.62 The expansion of the surgery would only benefit the new development and its relocation to the edge of the village would put it out of immediate access for many elderly patients, would be subject to noise and fumes and would increase traffic, safety and parking problems: the proposed car park is far too small and should be required to be larger if the development is permitted.
- 2.63 The Eynsham Medical Group maintains an objection because the terms offered for a relocation of the surgery are not acceptable.
- 2.64 A modular surgery to allow for growth does not address the associated need for additional parking.
- 2.65 Facilities for local clubs in the village would be inadequate: an additional scouting club for example would be likely to be needed.
- 2.66 Mobile phone coverage is poor.

2.67 Traffic

- HPC commissioned a traffic assessment which identified flaws in the David Tucker Associates traffic assessment which could materially affect the modelling process and make the developer's report unreliable.
- The traffic survey is flawed: Hurdeswell is not a typical cul-de-sac having a high proportion of retired and home workers, unlike the likely occupation of a new development and the sensor was broken/damaged, so its findings are unreliable.
- The revised traffic study confirms a capacity issue and that the site would contribute an extra 4% and just below Government guidelines of 'significance' (but not statutorily defined or within the NPPF or PPG) but the figures conflict with previous analyses and reality and must be subject to a margin of error.
- There is no footway to the primary school and secondary school children would have to cross the road to the bus stop: the elderly would face similar problems accessing the lunch club, shops and surgery.
- The traffic survey makes no allowance for the traffic generated by the larger relocated surgery and the assessment is based on the assumption of a full-size roundabout with dual lane feed, not the existing traffic-blocking mini roundabout.
- Have the cumulative effects of all proposed new housing, of new employment in Headington and Begbroke Science Park, future park and ride facilities and the potential increase in parking provision at Long Hanborough station been considered? An independent impartial survey is needed.

- It is misleading for the applicants to seek to link an extension to Long Hanborough Station Car Park to this application. It also does not justify development on the far side of the village.
- Why extend the train station and contemplate a multi-storey car park to cater for a development that is not needed?
- If approved, a footpath between Slatters Court and the development should be created and between Slatters Court and Hurdeswell improved to cater for all mobility abilities.

#### 2.68 Character and landscape

The amendment includes a surgery and car park but the same number of houses so will be at the expense of higher density, less parking or less open space, all of which are unacceptable.

#### 2.69 Other issues

- What precisely does the developer mean by affordable housing? Is there a need – there has been little interest in recent provision?
- The site adjoins land which formed a prehistoric course of the River Thames in which archaeological sites assume national importance. An archaeological field search programme should therefore be carried out.
- The Council can now show a 5 year housing land supply.

#### Procedural matters

- 2.70 The amendments to the development should be regarded as a new application which should not be determined until the future of the school and surgery, which will be subject to negotiations with OCC and the surgery and planning applications, are known.
- 2.71 The proposal is enabling development but does not satisfy English Heritage's policy and in particular should not be the subject of an outline application and should demonstrate that it is the minimum scale of development that is necessary to meet the heritage need.
- 2.72 The Council has failed to discharge its duties under the Energy and Climate Change Act 2006 as the pre-application advice states that no EIA is required; no measures to mitigate carbon dioxide from the additional 405 vehicles are included; no measures for local energy generation have been requested, and no measures for renewable energy sources are to be installed as part of the construction.

### **3 APPLICANT'S CASE**

- 3.1 Both a Planning Statement and a Design and access statement were submitted in supported of the application originally which was summarised in the November report, along with an addendum, and can be viewed with the rest of the supporting documents. Since then a further statement has been submitted listing amendments to the scheme and setting out the actions taken to try and overcome objections. That statement is copied below.

#### List of Amendments

## Introduction

- 3.2 A planning application was submitted on the 20th August 2014 to create a new neighbourhood for Long Hanborough, consisting of up to 169 dwellings with access from Witney Road, open space and associated works.
- 3.3 An Addendum to the Planning Statement was submitted to the Council on the 16 October 2014, which provided an update to the Council on issues brought up by third party consultees, members of the public, and other matters requiring consideration since the application was submitted, such as the Council's assessment of its 5-year housing land supply.
- 3.4 Since that time there has been further negotiation with regard to infrastructure provision and how the necessary improvements, particularly to health and education provision could be made. This addendum seeks to update the Council on the outcome of these negotiations and to provide an update on Pye Homes Ltd's view of the current five year housing land supply in West Oxfordshire.

## New Doctors Surgery

- 3.5 The current doctor's surgery at Long Hanborough has a floor area of 273.1 square metres, and serves a population of 5,480 residents. Both NHS Property Services and Long Hanborough Medical Centre have confirmed that there is no capacity at Long Hanborough Medical Centre to accommodate the increase in population that would result from the Pye Homes Ltd application. They have also stated that it would not be possible to extend the current medical centre as this would result in the loss of car parking spaces.
- 3.6 Accordingly an amendment to the scheme is proposed and land has been allocated for a doctors' surgery on the frontage to Witney Road. This is shown on plans 13136 (B) 120 Revision A (Indicative Site Layout) and 13136 (B) Revision B (Indicative Site Layout Tenure), which are submitted with this letter and replace drawings 13136 (BV) 120 and 13136 (B) Revision A submitted with the original application. The surgery as shown on the plan would have a floorspace of approximately 740 square metres and 27 parking spaces are shown, which would include three for people with disabilities and a drop off for 1 - 2 cars. This compares with the current floorspace of 273.1 square metres and 12 parking spaces. The floorspace of the surgery is more than is currently required when measured against NHS standards, but has been future proofed to ensure that there is adequate provision available for future population increases.
- 3.7 The new surgery details have been submitted to the Long Hanborough Medical Centre, and the partners are agreeable to the principle of relocating the surgery and the particular location identified for it. The 27 parking spaces proposed are in line with the surgery's requirements. If further spaces are required there is scope for a limited number of extra spaces to be provided.
- 3.8 Infrastructure has confirmed that the doctors' surgery can be provided without an adverse impact on drainage and that the flood exceedance route could easily be accommodated within a swale to one side of the doctors' surgery; Lockhart Garratt have confirmed that it would not adversely impact on the existing hedgerow along Witney Road while DTA has assessed the transport implications and concluded that there would not be a significant adverse impact.



- 3.9 Regarding delivery of the surgery, the intention is that the Vanbrugh Unit Trust and Pye Homes Ltd would gift the land to the Long Hanborough Medical Centre and construct a shell before the 40th private dwelling is sold. The NHS and doctors' surgery would take responsibility for the internal works and equipping the surgery. The details will need to be subject to further negotiation and an agreement, which would be concluded before a reserved matters application is made.
- 3.10 The proposals represent a really significant benefit to all residents of Long Hanborough. The current doctors' surgery has a floorspace of only 273.1 sq m while serving 5,480 patients, when according to NHS standards a surgery serving this number of patients should have a floorspace of 455 sq metres. As there is no opportunity to expand on the existing site, providing a replacement represents an opportunity to address this problem and also to provide capacity for future increases in population in the village. The opportunity to make this provision only arises because the site is of a sufficient scale to make this possible, and will not arise on smaller development proposals in the village which will still have a cumulative impact on the doctors' surgery.
- 3.11 Because of this amendment to the scheme the description of the proposed development has been amended to: Outline application for the erection of up to 169 dwellings; with a new doctors' surgery, to be up to 740 sq metres in size, with around 27 parking spaces; with access from the Witney Road, plus open space, and associated works. Lockhart Garratt state on the attached plan 3607/14/D14-2273 that the 'total root protection area (RPA) of the retained hedgerow (H1) is 330m<sup>2</sup>. The approximate encroachment into the RPA of this hedgerow through the proposed construction of car parking spaces is 8.3 m<sup>2</sup>. This equates to a total encroachment of 2.5% of the total RPA. It is considered that this will have no adverse impact on the long term sustainability of this hedgerow, providing protection measures are put in place to protect the remaining RPA.'

#### Education

- 3.12 Oxfordshire County Council has stated that expansion of the Long Hanborough primary school will be required as a consequence of the proposed development.
- 3.13 The applicant has met with Oxfordshire County Council; the head teachers at Long Hanborough and Freeland Primary Schools and the Head Teacher at Bartholomew School in Eynsham on 13 January 2015. This has resulted in Oxfordshire County Council revising its comments, which are now contained in the representations dated 15 January 2015 and summarised below.
- 3.14 Currently Long Hanborough Primary School has 1 form entry (admission number 30, total capacity 210). In order to meet the combined local need arising from new development in Long Hanborough it is envisaged that three additional classrooms would be needed, bringing total capacity up to 315 with a 1.5 form entry (equivalent to an admission number of 45).
- 3.15 Hanborough Manor Primary School's total site area currently just meets the minimum size recommended in the Department for Education's Building Bulletin 103 for a 1 form entry school; given that there is also a pre-school on site, the area used by the primary school is already below the recommended minimum. It would therefore be further below the recommended minimum total size for a larger school.

- 3.16 To enable the necessary expansion of the school to proceed, it will therefore be necessary to reach an agreement to secure an additional site area to allow the school to expand in line with the scale of the proposed development, while not compromising its ability to further expand should that become necessary as a result of further local population growth.
- 3.17 Pye Homes Ltd and the landowner, the Vanbrugh Unit Trust, have suggested as a solution that a detached playing field is provided on land under their control, with a linking pedestrian access route. At the meeting on the 13 January 2015 there was a consensus that this is a potential solution and that it would involve extending the existing Long Hanborough Primary School onto the existing play facilities on the western part of the site, while converting at least part of the existing grass playing field into an all-weather play area and providing a replacement grass playing field south of the affordable housing being built adjacent to Reily Close (under planning permission 14/0684/P/FP) with a pedestrian link across the County Council owned part of the adjoining recreation ground.
- 3.18 The County Council have stated that to be acceptable the replacement pitch would need to meet Oxfordshire County Council's required standards for a primary school playing field; be secured for sole use by the school; be of close proximity to the school site (to avoid time being wasted in walking back and forth); and have a safe, surfaced, lit path linking to the main school site. The County Council state that while 'Further work needs to be completed to finalise the requirements for this provision, but the school, and the academy trust, has indicated that subject to the details, this would be a satisfactory method of adding to the school's operational site area.' The preferred location for the route is over the Oxfordshire County Council land on the eastern part of the recreation ground, which would provide the most direct link to the replacement playing field.
- 3.19 It is proposed that an application to provide the playing field and pedestrian link is submitted as part of the reserved matters application, once necessary supporting studies including an arboricultural impact assessment and ecological assessment have been carried out. An option agreement would need to be concluded with Oxfordshire County Council regarding the land proposed for the playing field.
- 3.20 The contribution that the County Council are seeking towards expansion of the primary school is £625,428, which is based on the formula that the County Council use when considering all applications for development. Officers at West Oxfordshire District Council have queried whether this would be sufficient to fund the necessary expansion. Communication with the Education Officers at Oxfordshire County Council has indicated that they will not have the cost until there is a full feasibility study. However, should there be a funding gap this would be covered by the County Council, including from any other developments in the area. The County Council has confirmed that the contribution would not be sufficient to cover the replacement playing field and the pedestrian link to it, which would therefore be funded by the applicant in addition to the primary school contribution.
- 3.21 As with the provision of the replacement doctors' surgery this would enable a long term solution to the current problem that the school site is already below the Department for Education space standards, by providing additional land close by. However, it is also important to note that the Academy Partnership have stated that due to the Long Hanborough school currently being at capacity it would not be financially viable to meet the extra costs of the additional pupils arising from the Church Road proposed scheme on their own, as it would not be possible to make the business case for employing an extra teacher to instruct them, and

adding them to existing classes would take the number of pupils in each class above the preferred maximum of 30 per class. Providing a 1.5 form entry with new classrooms, which would only occur if the Pye Homes Ltd scheme proceeds, is the best long term solution that would both be financially viable in terms of school running costs and would also provide the necessary improvement to school infrastructure.

3.22 The Education Team at Oxfordshire County Council have stated that their recommendation for this application is: 'Approval subject to the conditions,' which are:

- i) 'satisfactory agreement to secure the resources required for the necessary expansion of education provision'
- ii) 'agreement being reached to secure sufficient additional usable site area to support the expansion of Hanborough Manor Primary School.'

3.23 It is therefore considered that it has now been demonstrated that a feasible solution is available and as the Education Authority is recommending approval there are no grounds for refusing the application on educational grounds.

#### Extension to Long Hanborough Station Car Park

3.24 Representations have been made indicating that despite the recent extension, the car park at Long Hanborough station is operating close to capacity. The Vanbrugh Unit Trust are prepared to make available some land for an extension to the car park and are in reasonably advanced negotiations with First Great Western and Network Rail. This is likely to lead to the provision of around 44 extra parking spaces, and will further enhance the sustainability of Long Hanborough as a service centre.

3.25 An application for this extension is expected to be submitted next year.

3.26 Long Hanborough is one of the few settlements in West Oxfordshire to have a station with regular train services. The presence of the rail link is of major significance in making Long Hanborough a sustainable settlement, which provides people with a real alternative to using the car. Stagecoach has also confirmed that the proposed development would materially assist in securing the longer term viability of bus services through the village.

#### Transport

3.27 Further information has been provided to Oxfordshire County Council as highway authority who have now formally confirmed that they have no objections to the scheme.

3.28 A further Transport Addendum (attached) has been prepared addressing additional transport issues that have arisen, including the comments made by Mode on behalf of Long Hanborough Parish Council and the transport implications of providing a doctors' surgery on the site. It supports the previous findings that the local road network would be able to accommodate the proposed development.

#### Five Year Housing Land Supply

3.29 In the Planning Addendum Statement dated 16 October 2015, it was explained why in the applicant's view West Oxfordshire District Council does not have a five year housing land

supply. This argument has received further support from the recent appeal decision (18 December 2014) on land at West End Farm, off Churchill Road, Chipping Norton (Appeal Ref: APP/D3125/A/14/2213853).

- 3.30 In this decision the Inspector states in paragraphs 18 -19 that: 'It has been held that where, as in this instance, the housing supply policies of the development plan are not up to date the full objectively assessed needs (FOAN) or 'policy off' figure) for market and affordable housing should be identified. This is likely to be different to the housing requirement figure that may be adopted by the Local Planning Authority (LPA) following an Examination of the emerging Local Plan and where policy considerations, such as AONB constraints, have been taken into account to determine the actual housing target for the area ('policy on').
- 3.31 Following another ruling, the 'policy off' figure should be calculated using the Strategic Housing Market Assessment (SHMA). Although the LPA has a generally good record in the delivery of housing, in this instance, and having regard to the advice in the Planning Practice Guidance and the need to boost significantly the supply of housing, the 'Sedgefield approach' should be used to calculate housing land supply. Whether reliance is placed on the LPA's figures (just over three years supply) or the appellant's (just over two years supply) there is a considerable shortfall in the supply of housing land within the district. This weighs substantially in favour of granting permission.'
- 3.32 From this it is evident that it is the Strategic Housing Market Assessment figures of 660 dwellings per year that should be used in calculating the five year supply, not the 541 dwellings per year used in the Council's Interim Position Statement on Housing Land Supply (September 2014). The current situation is the 'policy off' figure as there is no adopted Local Plan and therefore it is not appropriate to reduce the figure to reflect constraints and other considerations, which will be taken into consideration at the Local Plan Examination and could potentially lead to a reduction in the overall requirement. The Council's intention to publish a further iteration of its Local Plan will thus have no effect on the current calculation of the five year supply, whatever housing figure the Council chooses to adopt in this document. Considerable weight should also be placed on the Inspector's comments that there is a considerable short fall and that even if reliance is put on the more favourable council figures there is only just over three years housing supply.
- 3.33 At Chipping Norton the Inspector stated that: 'The proposed development would assist in addressing both the shortfall in housing land supply, as well as contributing towards meeting the needs of those who are unable to access the local housing market. It would also add to the mix and choice of housing within the area. This further supports the appellant's arguments for approving the scheme.' (para 20).
- 3.34 These same arguments therefore apply to the current application for development south of Witney Road at Long Hanborough.
- 3.35 These arguments are further reinforced by a more recent appeal decision relating to the provision of 16 dwellings at Kingham, where the hearing was held on 7 January 2015 and the decision issued on 15 January 2015 (Appeal Ref: APP/D3125/A/14/2227827). The Inspector states in paragraphs 3 and 4 of his decision letter that 'the Council accepted in the Statement of Common Ground that it could not demonstrate a five year supply of deliverable housing sites and this was confirmed during the Hearing. In such circumstances, paragraph 49 of the National Planning Policy Framework (the Framework) states that relevant policies for the supply of

housing, such as Policy H5, should not be considered up-to-date. Furthermore, housing applications should be considered in the context of the presumption in favour of sustainable development.'

- 3.36 'Where relevant policies are out of date, paragraph 14 of the Framework confirms that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or specific policies in the Framework indicate that development should be restricted. Footnote 9 of the document confirms that such policies could include those relating to an AONB, amongst other things.'
- 3.37 The Council and Planning Inspectorate have therefore accepted this month that it does not have a five year supply and that housing development proposals should therefore be considered in the context of the presumption in favour of sustainable development. The same approach should therefore be taken to the Pye Homes Ltd application relating to land south of Witney Road.

#### Strategic sites at North Curbridge & Carterton East

- 3.38 In addition subsequent events have confirmed the contention in the Planning Statement Addendum (16.10.14) that the council has been over optimistic in its calculation of housing supply at the two key strategic sites at North Curbridge and Carterton East.
- 3.39 At North Curbridge the Council is expecting to deliver 700 dwellings in the five year period 2015-2020. However, checking on the council's web site (26.1.15) has indicated that the decision notice has still not been issued, despite a resolution to approve in March 2013. In the scenario given in Table 1 of the Planning Statement Addendum (16.10.14), Pye Homes Ltd estimated that the decision notice was likely to be issued in February 2015. This is now the earliest date that this could occur. The scenario given in Table 1, which is produced below, and which indicates a likely provision of only 185 dwellings in the next five years, is therefore likely to apply.

Table 1: North Curbridge Likely delivery of dwellings 2015 -2020

(For tables see full document available on Website)

- 3.40 It is highly unlikely that North Curbridge and East Carterton strategic sites will deliver anywhere near the 1,000 dwellings that WODC expect over the plan period 2015 - 2020. The more likely figure will be around 370.
- 3.41 Deliverable homes on sites with planning permission or with planning permission subject to legal agreements.
- 3.42 An Examination of the Uplands and Lowlands Area Planning Committee minutes during the period October 2014 to January 2015 indicates that in addition to the 700 dwellings at East Carterton a total of only 102 dwellings have received planning permission during that period (excluding the Lowlands Area Committee on 19.1.15 which considered applications relating to a further 77 dwellings for which no minutes are currently available).
- 3.43 While it is not possible to give a precise indication of the current position on the five year supply as no information is available on completions since September 2014, the total five year

supply requirement using the SHMA figure of 660 dwellings per annum is 3,300 plus 165 dwellings if a 5% buffer is applied (total 3,465) and 3,300 plus 660 dwellings if a 20% buffer is applied (total 3,960). The Council's latest housing update (September 2014) identified only 823 dwellings being completed during the period 2011 - 2014 and 307 predicted to be delivered during 2014/15. This means that only 1,130 of the target 1,825 (62%) dwellings were delivered and that a strong case can be made, in view of this low level of delivery, that a 20% buffer should apply.

- 3.44 In the Interim Position Statement on Housing Land Supply (September 2014), the Council stated that total deliverable dwellings over the next five years was 3,114, but this included the delivery of 700 dwellings at East Curbridge, but as outline planning permission has not yet been issued this scenario is considered unlikely, and delivery of about 185 dwellings is considered more likely. While outline permission has since been granted for 700 dwellings at East Carterton, issue of the permission is likely to be still several months away, and it is considered likely that only about 185 dwellings will have been delivered on this site by 2020 as outlined in Table 2 above.
- 3.45 Rather than 700 dwellings the total from these two sites is more likely to be around 370, which would reduce the total deliverable dwellings to 2,784. Even when the further 102 dwellings granted permission since September 2014 are added in the total is 2,886, which indicates that there is likely to be a substantial shortfall of several hundred dwellings.

#### Benefits of the scheme

- 3.46 In the Planning Statement Addendum issued in October 2014 it was stated that the benefits of the scheme include:
- Provision of much needed housing.
  - Provision of 83 affordable housing units for local people.
  - Increasing the mix and choice of housing available for local people.
  - Enhancement of the biodiversity of the site.
  - Increased open space for the community to enjoy.
  - Improvement to cycle and pedestrian routes through the village.
  - Easy access to regular public transport, both by bus and train service located within Long Hanborough.
  - Easy dedicated pedestrian and cycle access to the local shops, bus stops and railway station.
  - The location of the site close to one of WODC significant employment area (Long Hanborough Business Park).
- 3.47 These benefits still apply but in addition there are now the additional benefits of significant improvements to infrastructure, including the provision of a new doctors' surgery; new playing field for the school enabling the existing school to expand and the landowner has confirmed that they are intending to extend Long Hanborough station car park. The highway authority have also withdrawn its holding objection and the Council's drainage engineer is also satisfied with the proposals from a drainage point of view, while the distinct identity of Long Hanborough and Freeland will be maintained by the retention of a 250m gap between the settlements and extensive landscaping on the western boundary of the proposed development. When reviewing the representations submitted on the application, the three most significant areas of concern are traffic, Long Hanborough Primary School and the doctors' surgery. Through working with the

County Council and the doctors' surgery satisfactory solutions to these issues are now proposed.

- 3.48 For all of these reasons it is considered that the benefits of the scheme significantly outweigh any adverse impacts and that therefore the principle of sustainable development as set out in paragraph 14 of the National Planning Policy Framework (NPPF) applies, which means that:

'Where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.'

- 3.49 In this case there are no specific policies in the Framework, which indicate that development should be restricted in this location. It is considered therefore that planning permission should be granted.

#### Conclusion

- 3.50 West Oxfordshire District Council is unable to demonstrate a 5 year supply of housing land. The Local Plan and planning policies contained within, are time expired; for decision making paragraph 14 of the NPPF requires planning permission to be granted unless, any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits.
- 3.51 Long Hanborough is one of the most sustainable settlements in West Oxfordshire, with excellent access to a variety of modes of public transport that operate throughout the day, evenings and weekends. Long Hanborough has a range of local facilities, shops, pubs and junior school that are within walking or cycling distance of the site. It is clearly therefore a sustainable location for new development.
- 3.52 The proposed development will enable the provision of significant new infrastructure, which will not only serve the new development, but also enable existing inadequacies in doctors' surgery and school space standards to be rectified, thus providing substantial benefit to existing residents. Such an opportunity to make the necessary provision for infrastructure improvements only arises because the development is of a sufficient scale to make this possible.
- 3.53 A sensitively designed illustrative Masterplan, underpinned by robust supporting information demonstrates that the development will not have adverse impacts that would outweigh the benefits accrued in developing the site. The proposed development is located in a sustainable location, and Consists of sustainable development. In accordance with paragraphs 14 and 15 of the NPPF the application should be approved without delay.

## **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.  
BE2 General Development Standards  
BE3 Provision for Movement and Parking  
BE4 Open space within and adjoining settlements  
NE1 Safeguarding the Countryside  
NE3 Local Landscape Character

NE6 Retention of Trees, Woodlands and Hedgerows  
NE13 Biodiversity Conservation  
T1 Traffic Generation  
T2 Pedestrian and Cycle Facilities  
T6 Traffic Management  
H2 General residential development standards  
H3 Range and type of residential accommodation  
H7 Service centres  
H11 Affordable housing on allocated and previously unidentified sites  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

- 5.1 This application is seeking outline planning permission for the erection of up to 169 dwellings, 83 of which are affordable, provision of a Doctors Surgery, with access from Witney Road, including open space and associated works. An indicative site layout and tenure mix has been provided however all detailed matters are to be reserved.
- 5.2 The application site comprises of a fairly low grade arable land south of the Witney Road in Long Hanborough and west of a residential development on Hurdeswell. To the rear and west of the site lies open fields, apart from one detached property on the Witney Road called the Old Police House. The site is not within a conservation area nor the AONB. Currently the site is accessed from a single gateway on the Witney Road.

### Background Information

- 5.3 Members will recall visiting the application site on 30th October 2014 following which an interim report was presented to the Uplands Area Sub Committee at the November meeting. At that time there were many technical matters yet to be resolved and further information was required and therefore a recommendation to defer the application was proposed by officers which was subsequently agreed.
- 5.4 Since the presentation of that report further information has been supplied and consultee comments sought to the extent that Officers are now in a position to fully assess the planning merits of the proposal, as will be set out below.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle of Development  
Design and layout  
Impact on Neighbouring amenity  
Impact on visual amenity- Landscape and coalescence  
Traffic and Highways  
Ecology  
School capacity  
GP surgery capacity  
Infrastructure and S106



5.6 During discussion at the November meeting the sub Committee also highlighted the following issues:

- The addition matters suggested for the application no. 14/1102/P/OP were also relevant for this proposal and needed to be considered;
- Clarification was needed for both applications in respect of the position of the five year housing land supply;
- An assessment was needed regarding policies BE4 and NE 3 in relations to the separation gap between the development and Freeland; and
- Options for a second access to the site away from the A4095 should be considered.

#### Principle

5.7 The proposal is on the edge of the village of Long Hanborough which is classed as a designated rural service centre being one of the District's more sustainable settlements in relation to the services and facilities it offers. The principle of residential development on the western side of Long Hanborough has already been considered by the Council in the most recent SHLAA update (June 2014). The assessment, albeit relatively high level and for a larger site, considered a number of different factors including accessibility, landscape impact, flood risk, ecology, heritage assets and residential amenity. The overall conclusion was that the site (Site 167) is available and achievable but not suitable for development because of the harm to the landscape setting and the separate identities of Long Hanborough and Freeland.

5.8 With regard to the adopted Local Plan, the site adjoins the built up area of Long Hanborough which is defined in as a Group C Service Centre. The overall strategy of the plan is to focus most new development towards these larger settlements by virtue of the fact that they enjoy a good range of services and facilities.

5.9 Policy H7 applies which allows for new housing on schemes that comprise infilling, rounding-off, conversion of existing buildings or local plan allocations. As the application proposal does not fulfil any of these criteria it is contrary to Policy H7 and has been advertised as a departure to the Local Plan. However an important consideration for this application is the amount of weight to be afforded to Policy H7 in the context of the NPPF.

5.10 The applicant argues that because the Council does not have a 5-year housing land supply, Policy H7 is automatically rendered out of date and carries no weight. Importantly, whilst that was the case at the time the applicant's supporting statement was prepared, the Council has since resolved to grant outline planning permission for the development of 700 new homes on land to the east of Carterton. Taken in combination with a number of other recent commitments and taking account of the proposed housing target and strategic sites set out in the Council's pre-submission draft Local Plan, the Council is currently able to demonstrate that it does have a 5-year housing land supply in place. As such, Policy H7 carries more weight than would be the case in the absence of a 5-year supply.

5.11 However, it must be recognised that Policy H7 was adopted in 2006 and therefore pre-dates the NPPF (2012). Importantly, the policy was adopted at a time when the Council was able to demonstrate that its housing target (derived from the former Oxfordshire Structure Plan) could be met on allocated and brownfield sites without recourse to large speculative, undeveloped sites on the edge of settlements.

- 5.12 Since then the Council has publicly acknowledged that to meet future housing targets, there will be a need for development on Greenfield sites in suitable locations. Importantly, the emerging Local Plan seeks to focus most future housing growth at the District's larger towns and villages including Long Hanborough which is defined as a rural service centre.
- 5.13 In light of the above, in terms of the principle of residential development on this site, officers suggest that it could be considered acceptable (insofar as it adjoins a designated service centre) but only provided that the development represents sustainable development as defined by the Local Plan and NPPF and that there would be no significant and demonstrable adverse impacts that would outweigh the potential benefits of the scheme. This will be further addressed below.

#### Design and Layout

- 5.14 Indicative site plans have been submitted which indicate a mix of housing types situated around one main access road and a series of Cul de Sacs. The layout indicates some open green spaces and attenuation ponds to the rear of the site. The existing hedge at the front of the site is proposed to be retained (apart from where the new access would be required) as is the hedge that partially dissects the site at the eastern corner.
- 5.15 No details of the actual house types have been provided as these are matters to be reserved, however the proposed tenure mix and layout is considered generally acceptable for a development of this size. Each property has off street parking in line with the OCC standards and private amenity space.

#### Impact on Neighbouring Amenity

- 5.16 Due to the layout and the distances involved between existing properties and proposed properties there would not appear to be any detrimental impacts arising from the proposal in terms of a direct loss of privacy or daylight etc. However it is noted that the outlook from the properties on Hurdeswell will be affected, however there is no right to a view and protection of private views are not valid planning matters, nor is the devaluation of property.
- 5.17 However as the proposal seeks outline permission for 169 dwellings, if officers assume an average of 2.5 people per home, this represents an approximate 16% increase in the village's population. Such a level of growth clearly has implications for a range of factors, including impact on services and facilities, traffic implications, effect on character of settlement and landscape impact.
- 5.18 The level of community objection to the scheme has been duly noted and it is not unreasonable for residents to be concerned regarding the potential increase in pressures on the local services. The applicant has attempted to address these as will be considered further in section 5.10.

#### Impact on Visual Amenity- Landscape and coalescence

- 5.19 The applicant's own comprehensive assessment of Landscape and Visual Impact accepts that the development of the site will have a 'slight to moderate adverse impact' on the area due to the sensitivity of the receptors and the magnitude of change. One of the key considerations is whether development on this scale would form a logical complement to, and relate well to the existing pattern of development in Long Hanborough.

- 5.20 Linked to concerns over the scale of the development proposed, and its landscape impact, is the issue of potential coalescence with Freeland, located close to the south west of the site. The Landscape and Visual Impact Assessment accompanying the application, recognises that 'the site could be considered to have some significance in terms of providing separation between Long Hanborough and Freeland.'
- 5.21 Officers note that the SHLAA identifies coalescence and loss of individual settlement character as one of the reasons for the unsuitability of this particular site. Repeated visits have been made to this site to assess the potential impact, on views in to and out of the site and how the development may look on the approach to Long Hanborough. Officers consider that there will be an impact on the coalescence between the settlements and the development as proposed has not taken account of this fully, in the design.
- 5.22 Long Hanborough is a linear settlement and it is considered that the inappropriate siting of this proposal would further exacerbate this and lead to a 'ribbon' development. The applicants have failed to take the opportunity to design a locally distinctive development that reflects the character of Long Hanborough and its settlement pattern. As a result the encroachment on to the open countryside around the village has detrimental effect on the environmental character of the village and its setting, further urbanising this stretch of open land between the settlements of Long Hanborough and Freeland.
- 5.23 The Emerging Local Plan contains Housing Policy H2 which states as a general principle that development will be expected to avoid coalescence and loss of identity of separate settlements. For the reasons listed above the development is considered to result in a loss of an area of open space that contributes to the character of the area and would result in inappropriate ribbon development contrary to policy H2 of the Emerging Local Plan, albeit that this currently only has limited weight.

#### Traffic and Highways

- 5.24 Traffic flows through Long Hanborough are high, especially during the morning and evening rush-hours. The applicant's Transport Assessment, however, concludes that the impact of their proposal on the local roads will not be severe, in accordance with NPPF para 32, and that there is adequate capacity within the highway network. It also says that highway improvements to Wolvercote and Cutteslowe roundabouts should result in a reassignment of traffic to the A40 from Long Hanborough and thereby reducing peak period traffic flows.
- 5.25 There is no technical objection from the County Council on the grounds of highway safety. The Highways Officer has been requested to review the supporting documentation and the report from commissioned by the Parish Council and at the time of writing had not responded with their final comments. A verbal update will be provided at the meeting.
- 5.26 It is noted that traffic remains one of the key concerns for residents in the locality, and there is no doubt that traffic congestion would be worsened as a result of this proposal, however there is, as stands, no technical objection to the scheme on the grounds of highway safety.

#### Ecology

- 5.27 An Ecology report has been submitted as part of this application. There are no species or habitats identified on this site which would withhold development on this site. There are

recommendations for mitigation measures in the submitted report which the developer should adhere to and attain the necessary licences from Natural England where necessary.

#### School Capacity

- 5.28 The capacity of Hanborough Village school is a key issue to this case. The current situation at the school is that it is over capacity and has to turn away in catchment children. The current site is restrained in size and has no capacity to expand without seriously compromising the external play space, which would take it below the recommended standards.
- 5.29 Various options have been explored through discussions, the first and most obvious being a potential 'land swap' and expansion of the school on to the land immediately adjacent to the site which is already in use as a playing field/recreation area. However the Hanborough Playing Fields association has indicated that it does not wish to entertain this as a possibility.
- 5.30 As a result the applicants have looked to offer land of a similar size to provide an offsite playing field. They have come forward with a proposal to 'gift' a section of land south and rear of Riely Close in Long Hanborough which is proposed to be accessed by a footpath to be laid across County Council owned land. This position of the OCC on this potential solution has been reported at paragraph 2.4 and subject to a separate planning application being approved, and legal agreement and additional funding, this a solution which may be possible.
- 5.31 Whilst this may present a solution to both the current shortfall of space on the school site and potential growth of the school in line with potential population increase, there is still some way to go before this option is truly viable and would of course be subject to a whole fresh planning application and consultation process, and on-going maintenance issues. This has been a common theme in comments received in relation to this amendment and whilst those issues are not insurmountable, they do indicate the solution would be some way off before the school would be at a capacity to be able to cope with an increase in intake, in any sustainable way. This indicates that the wider sustainability issues of a site for this size are yet to be fully addressed, notwithstanding there is no technical objection to the application on the grounds of education.

#### GP Surgery Capacity

- 5.32 The amended scheme includes the provision of a 740msq building for use as a Doctors Surgery with provision of around 27 car parking spaces. The surgery is proposed to be accessed via the one access road from the Witney Road, and be built to a shell standard and 'gifted' to the Eynsham Medical Group along with a land swap of the old surgery site, with any additional funding to complete the internal fit to be funded by the surgery.
- 5.33 This offer by the applicant is seen as a benefit of the scheme. However the Eynsham Medical Group are unable to withdraw their objection to the proposal at the time of writing as there is not the funding available to complete the fit of the build and they may leave themselves vulnerable at the point of the land swap if the new surgery is not completed to standard and yet the old surgery would no longer be in their possession. There is no signed agreement between the Medical Group and the Applicants at the time of writing this report, therefore there would appear to be no realistic mechanism for the land swap to take place at this stage.
- 5.34 Without the expansion of the surgery the local facilities would be stretched to an unsustainable point by the addition of the proposed new population. It is therefore considered that the

scheme has not evolved to take proper account of these needs or provide a realistic solution to the GP Surgery capacity, at this stage.

#### Infrastructure and S106

- 5.35 In order to mitigate the impact the development would have on the local infrastructure a package of measures and contributions would be required by way of delivery through a section 106 agreement. The contributions expected have been set out earlier in the report; however the applicants have agreed to meet the request for monetary contributions towards education, transport and other Oxfordshire County Council facilities. The land swap, as detailed above at 5.8.3, for the school playing field would also need to be safeguarded.
- 5.36 West Oxfordshire District Council would be requiring 50 % affordable housing as well and leisure and arts strategy and contributions to the Thames Valley Police for ANPR and IT facilities. As detailed above at 5.9.1 the contribution to the GP Surgery would come in the form of a land swap and shell standard building. There has been no specific request from the Parish Council as to any mitigations they are seeking in terms of any contributions through section 106 agreements.

#### Conclusions

- 5.37 This is a contentious proposal which has resulted in several hundred objections from not only local villagers but residents from North Leigh, Freeland and Witney who are concerned about the wider effects of this application. This application has been submitted alongside another application, albeit for a smaller number of dwellings, but this has led to a concern regarding the overall sustainability of the development and the capability of Long Hanborough's current facilities to be able to absorb this extra growth.
- 5.38 The applicants have, through the application process, attempted to overcome the issues raised by residents in terms of the pressures on the Doctors' and the local school, but these have not been fully completed to the extent that they are deliverable in the near future. There are therefore obvious concerns about granting consent for this number of dwellings without the assurance the required facilities are secured. There are still too many uncertainties surrounding this proposal for officers to be persuaded the proposed benefits of the scheme, outweigh the identified harms.
- 5.39 The development as proposed will not form a logical compliment to the settlement pattern and by reason of its design is likely to become isolated from the village core leading to a unsustainable development that harms the setting and character of this village and does not take the opportunity to secure good design. For the reasons set out in the preceding report and taking into account all representations received, the application is recommended for refusal, for the following reasons set out below:

## **6 CONDITIONS/REASONS FOR REFUSAL**

- 1 By reason of the scale of development both in its own right and in combination with other planned and approved schemes, the failure to take the opportunity to create a locally distinctive development, the coalescence of the settlements of Long Hanborough and Freeland and the precedent for further encroachment into the open countryside around the village the proposed development represents a disproportionate addition that will damage the social and

environmental character and sustainability of the village and urbanise the road between the settlements of Long Hanborough and Freeland with inappropriate ribbon development. As such the proposals are contrary to policies BE2 and H7 of the adopted plan, H2 and OS1 of the emerging plan and paragraphs 14, 64 and 66 of the NPPF. These are considered to represent significant and demonstrable harms that substantially outweigh the benefits of the scheme.

Application Number	I4/01627/FUL
Site Address	Wood Hay 10 Green Lane Milton Under Wychwood Chipping Norton Oxfordshire OX7 6JY
Date	18th February 2015
Officer	Gemma Smith
Officer Recommendations	Approve
Parish	Milton Under Wychwood Parish Council
Grid Reference	426890 E 218338 N
Committee Date	2nd March 2015

**Application Details:**

Erection of new single storey dwelling in rear garden and erection of replacement garage to serve existing house.

**Applicant Details:**

Hallmark Homes Limited  
Tithe House  
Freshfields Lane  
Chieveley  
Newbury  
RG20 8TB  
United Kingdom

**I CONSULTATIONS**

**I.1 OCC Highways**

Given the characteristics of the carriageway, vehicular traffic and speeds are likely to be low.

The proposal is unlikely to result in any significant intensification of transport activity at the property. No change is proposed to the existing access arrangements. The proposal is unlikely to have a significant adverse impact on the highway network.

It is my opinion that the vehicle movements associated with the proposal does not present 'severe harm' as required in the recent Government guidelines in the Nation Planning Policy Framework to warrant a recommendation for refusal on highways grounds.

After investigation and reviewing the supplied documents, the Highway Authority has no objection subject to appropriate condition(s) being applied to any permission which may be granted on the basis of highway safety.

- |     |                |   |
|-----|----------------|---|
| 1.2 | Parish Council | Object on the grounds that the proposal represents backland infill. |
| 1.3 | OCC Highways   | Comments as above.  |
| 1.4 | Parish Council | Comments as above.  |

## **2 REPRESENTATIONS**

- 2.1 Two letters of representation have been received from Mrs Roberts of 6 Shipton Road and Mr. Dyckes of 5 Shipton Road. The representations are summarised as follows:
- The character of the properties front facing would be lost with the proposal within a garden setting.
  - Appropriate development solution would be an extension to existing property.
  - Concerns of impact to our property boundary particularly the view out into our garden and enjoyment of our garden.
  - We were not notified of the application.
  - If this planning were to go ahead, it would set a precedent for all the houses with large gardens off Green Lane and Shipton Road and destroy the beauty of the area and cause overcrowding.

## **3 APPLICANT'S CASE**

The scheme has been amended to reflect the Officer's concerns and the proposal represents an appropriate form of development in this location.

## **4 PLANNING POLICIES**

NE4 Cotswolds Area of Outstanding Natural Beauty  
 BE2 General Development Standards  
 BE3 Provision for Movement and Parking  
 H6 Medium-sized villages  
 H2 General residential development standards  
 The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

- 5.1 This application is seeking planning permission for the erection of a single-storey detached new dwelling and replacement garage.
- 5.2 The matter was deferred by Members on the 2nd February 2015 at Uplands Sub-Committee following the request for a Members Site Visit. The application is before the Uplands Area Sub-Committee as an objection has been received from the Parish Council and neighbouring properties to the rear of the proposal.

### Background Information

- 5.3 This application seeks planning permission for the erection of a single-storey new dwelling to the rear of an existing dwelling and replacement garage. The site relates to an existing



residential property with the proposal to the rear of the plot. Access from Green Lane would remain and shared with the new property and existing.

- 5.4 The application site is located outside of the Conservation Area but located within the Cotswolds Area of Outstanding Natural Beauty.

#### Planning History

- 5.5 There is no relevant site history.
- 5.6 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle of development;  
Design and the impact on the character of the area;  
Neighbourliness; and  
Highways and parking implications.

#### Principle

- 5.7 The principle of the erection of a new dwelling within Milton-under-Wychwood would be considered under Policy H6 of the West Oxfordshire Local Plan. Officers consider that the proposed new dwelling would complement the development to the rear of properties along Green Lane comprising infill. As such the proposal is considered to be policy compliant with the strategic elements of Policy H6.

#### Siting, Design and Form

- 5.8 The single storey detached dwelling would be located to the rear of the plot of 'Woodhay' situated along Green Lane.
- 5.9 An objection has been raised with regards to the original siting of the new dwelling which was considered to not comprise infilling. As such officers sought to re-site the original position of the proposal. The revised scheme shows the new dwelling would sit along the rear boundary of the plot with a garden to the front. In your Officers' opinion the siting of the proposal is considered to complement existing development within the vicinity; namely 'Frog Cottage' to the West.
- 5.10 The proposal would be single-storey and of a simple design and form. In your Officers' opinion the proposed materials of Cotswold stone under blue slates with painted timber fenestration, are considered to be appropriate to the character of the area, and would not result in a detrimental impact to the character of the Cotswolds AONB.
- 5.11 The replacement detached garage is considered to be constructed in acceptable materials; roughcast render, painted timber doors under artificial slate and would be in-keeping to the character of the area and existing dwelling. Officers consider that the replacement garage would therefore remain innocuous within the character of the street scene.

- 5.12 In your Officers' opinion the proposal would be in-keeping with the character of the area, and it is considered that the development complies with policies BE2, H2 and NE4 of the West Oxfordshire Local Plan 2011 and the National Planning Policy Framework.

#### Impact on Neighbouring Amenity

- 5.13 The property is designed to be single-storey and low-key in form to protect the privacy of adjacent neighbouring properties. It is considered that the single storey design would not result in overshadowing or detrimental impact to the nearest affected neighbouring property at 'Frog Lane' situated approximately 25m in distance to the proposal site.
- 5.14 Concerns have been raised by the occupier of No.6 Shipton Road which lies to the south of the proposal. This is in relation to views out of the garden and enjoyment of the garden. Officers consider that loss of view is not a material planning consideration and the enjoyment of the garden would not be unduly affected by the single storey development proposed.
- 5.15 In your Officers' opinion the proposed new dwelling would accord to Policy BE2 and H2 of the West Oxfordshire Local Plan, 2011.

#### Highways and Parking

- 5.16 The Local Highways Authority Area Liaison Officer has assessed the proposal from parking and safety perspectives and has not objected to the scheme subject to appropriate conditions. Therefore officers do not consider that the proposed new dwelling will create undue danger within the site or that it will detract from the safety and convenience of users of the public highway.
- 5.17 Two parking spaces have been provided which is in accordance with parking standards for a two bed dwelling. The proposal is therefore considered to accord with Policy BE3 of the West Oxfordshire Local Plan, 2011.

#### Conclusion

- 5.18 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

## **6 CONDITIONS/REASONS FOR REFUSAL**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The external walls of the shall be constructed with natural stone and render, samples of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.

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

- 4 The roof shall be covered with blue slate; a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.  
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all windows and doors; at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall be carried out in accordance with the approved details.  
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 6 Prior to occupation of the dwelling vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level.  
REASON: In the interest of highway safety.
- 7 Prior to the first occupation of the development hereby approved a turning area and car parking spaces shall be provided within the curtilage of the site so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway. The turning area and parking spaces shall be constructed, laid out, surfaced, drained and completed in strict accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The turning area and car parking spaces shall be retained unobstructed except for the parking and manoeuvring of motor vehicles at all times.  
REASON: In the interests of highway safety and to ensure the provision of off-street car parking.
- 8 The surfacing to the parking area shall be in a permeable material.  
REASON: To avoid surface water run-off and reduce the risk of flooding.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Classes A to E of Schedule 2, Part 1 shall be carried out other than that expressly authorised by this permission.  
REASON: Control is needed because this proposal represents infill development within the Cotswolds Area of Outstanding Natural Beauty. It is important that further development is controlled in the interests of maintaining appropriate amenity and the character of the area.

Application Number	I4/01884/FUL
Site Address	Land South And East Of Walterbush Road Walterbush Road Chipping Norton Oxfordshire
Date	18th February 2015
Officer	Abby Fettes
Officer Recommendations	Approve subject to Legal Agreement
Parish	Chipping Norton Parish Council
Grid Reference	431292 E 226179 N
Committee Date	2nd March 2015

### Application Details:

Demolition of existing buildings and erection of 228 dwellings, a new clubhouse for Football Club, associated parking, landscaping, new vehicular accesses and servicing.

### Applicant Details:

Bellway Homes Ltd And Archstone Chadlington Ltd  
C/O Barton Willmore

## I CONSULTATIONS

### I.1 Parish Council

Chipping Norton Town Council are positive about this planning application but would like to raise the following constructive comments:-

1. The Town Council insists on a zebra crossing or pelican crossing to assist pedestrians across the Burford Road from the new development. A footpath would also need to be installed from the crossing to the Greystones recreational site.
2. Speed bumps to be included on the new site.
3. There aren't enough car parking spaces at the Football Club.
4. There is a need for a coach park at the Football Club.
5. The office area at the Football Club is positioned right at the end of the corridor and not near the main door. This would allow access for people and the receptionist may not be aware of their presence. (safety and security)
6. The Town Council would like to see inclusion of ground pumps and solar panels on the proposed site.
7. The huge traffic document does not make any comment at all on the impact on the town centre with the additional cars.
8. The Town Council accepts to take on the responsibility of the LAP and LEAP areas marked on the plan as recreational areas.
9. The Town Council does not accept to take on the responsibility of the other green areas on the proposed site.
10. The Town Council understands that there will be Section 106 money for recreational facilities in the town. The Section 106 money

would cover a skate ramp for Greystones, new recreation equipment on the LEAP site and the remainder of the money would go towards improving the existing recreational grounds in the town.

11. A new place would need to be found for the re-cycling centre which was at the Football Club.

- I.2 Parish Council The Town Council is positive towards this proposed development but still insist a pedestrian crossing is installed on Burford Road. The Town Council has made a decision to install a Skate Park at Greystones and this would link in with the new development, safety for pedestrians is a big concern. The Town Council understands that the developer has promised funds for a pedestrian crossing and will be pursuing this matter with OCC. Re-cycling point. The Town Council insists that re-cycling point is kept on site as they understand the existing re-cycling point is very well used.
- I.3 Environment Agency No Comment Received.
- I.4 Thames Water No objection subject to a Grampian condition.
- I.5 TV Police - Crime Prevention Design Advisor
- Vehicles  
The purchase of vehicles including response and neighborhood patrol cars and bicycles. The (three year lifetime) capital costs of these items are;  
Patrol Vehicle - £42,300  
PCSO Vehicle - £25,960  
Bicycles - £800  
Current fleet deployment within West Oxfordshire administrative area (therefore serving 43,200 households) is broken down as follows;  
Patrol Vehicle 15  
PCSO Vehicle 10  
Bicycles 15  
This equates to a cost of £20.97 per household. Accordingly therefore in order to maintain this level of provision the development would generate a required contribution of £4781 (20.97 x228).
- Mobile IT  
Provision of mobile IT capacity to enable officers to undertake tasks whilst out of the office, thus maintaining a visible presence. Cost of each item - £4250, therefore for this development (which generates 0.54 additional uniformed officers, the cost would be £2295 (4250 x 0.54).
- Radio Coverage/Capacity  
TVP is currently at capacity with regard to its coverage, therefore each additional household places an additional burden upon our communications ability. TVP roll out a programme of capacity enhancements and improvements of £368,467p.a that is based on a cost of 0.40 per household. These improvements are expected to last

for 5 years, by which time the telecom capacity will be able to absorb this additional demand. Therefore the cost of this contribution would amount to £456 (.40 x 228 x 5)

Premises. At present within West Oxfordshire area Policing is delivered from premises in Witney, Woodstock, Carterton and Chipping Norton. TVP maintain full capacity of accommodation for staff and officers, with any additional capacity delivered via new works to provide floorspace.

Each new officer/member of staff is allocated 16.88sqm of floorspace (workstation, storage, locker room etc.) at a cost of £1800per sq m. This is a derived cost of adaptation/new build (TVP operate an estate policy of delivering new accommodation principally through the adaptation of existing buildings as opposed to new build at a 90:10 ratio. As this development will generate 0.65 staff/officers the cost is £19750 (16.88 x 1800 x 0.65)

#### Automatic Number Plate Recognition (ANPR) Cameras

There is a limited budget for this at present but a requirement to roll out more cameras. The number and location of cameras is driven by the scale location and road network in the area. As yet there are no ANPR cameras located in and around this part of Chipping Norton, given the scale of development proposed and its location close to a number of strategic roads it is considered that the development should contribute towards the provision of ANPR coverage in this area. Accordingly a contribution of £5500 (one camera costs £11000) is sought.

Premises

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Each new officer/member of staff is allocated 16.88sqm of floorspace (workstation, storage, locker room etc.) at a cost of £1800per sq m. This is a derived cost of adaptation/new build (TVP operate an estate policy of delivering new accommodation principally through the adaptation of existing buildings as opposed to new build at a 90:10 ratio. As this development will generate 0.65 staff/officers the cost is £19750 (16.88 x 1800 x 0.65)

#### Control room and Police National Database capacity

At present Police control room handling is used to capacity at peak times. Our various call handling centre's deploy resources to respond to calls as quickly as possible. We are able to assess the capacity of the existing technology and calls currently dealt with (based on the minimum times with callers) and are able to assess the additional impact of growth upon this capacity. Existing lines, telephony, licenses, IT, workstations and monitoring will be required on the basis of

£15.75 per unit. Therefore the cost generated by this development would be £3591 (15.75 x 228).

I.6 One Voice Consultations

The County Council is concerned with this proposal for the following reasons:

The submitted transport assessment fails to appraise appropriately the traffic impact of the development and therefore does not demonstrate that traffic arising from the site can be accommodated safely and efficiently on the transport network, contrary to Policy SD1 of Oxfordshire Local Transport Plan 3 and the National Planning Policy Framework.

The submitted transport assessment fails to assess the transport impact or propose any mitigation of the impact on air quality in the town centre of Chipping Norton, which is an Air Quality Management Area.

The proposals fail to mitigate the traffic impact of the development by promoting sustainable travel for local journeys, contrary to Policy BE3 of the Draft West Oxfordshire Local Plan Policy BE3, and Policy SD1 of Oxfordshire Local Transport Plan 3. Allocated car parking is well in excess of Oxfordshire maximum parking standards, there is no cycle parking, and very limited off-site improvements are proposed to encourage walking and cycling.

The parking layout proposals compromise road safety, in particular along Walterbush Road, contrary to Policy BE3 of the West Oxfordshire Draft Local Plan (2012), Policy SD1 of the Oxfordshire Local Transport Plan 3 and the National Planning Policy Framework. It is the view of the County Council that the West Oxfordshire District Council should ask the applicant to address the above concerns appropriately. However, should District Council minded to approve this application then in addition to mitigate the traffic impacts satisfactorily the development would also require to deliver a number of on-site and off-site infrastructure improvements and provide financial contributions to mitigate the potential impacts from the development.

NB: The Highway Authority have not yet finalised their comments on the amended scheme

Education

No objection subject to S106

Archaeology

No objection subject to condition

Property

No objection subject to S106

Minerals and Waste

No objection

I.7	WODC Community Safety	No Comment Received.
I.8	WODC Env Services - Engineers	<p>The drainage strategy provided in the FRA relies purely on infiltration techniques. Soakage tests to BRE 365 will be required to demonstrate the infiltration rate and the final design must show that all surface water will be contained on site, up to and including the 1 in 100 year plus climate change event.</p> <p>The final design must ensure that adequate measures are incorporated for future maintenance of all the proposed drainage systems on the site.</p> <p>As the local geology shows that infiltration is likely to be feasible, we will expect permeable paving to be used for all hardstanding areas on the site, wherever possible.</p> <p>If full planning permission is granted, can you please attach a condition.</p>
I.9	WODC Env Consultation Sites	No Comment Received.
I.10	WODC Env Health - Uplands	No Comment Received.
I.11	WODC Env Services - Car Parking	No Comment Received.
I.12	WODC Head Of Housing	<p>Thank you for the opportunity to comment upon this application that includes 91 affordable housing units that amounts to 40% of the residential development.</p> <p>There are currently 187 households on the council's waiting list that would qualify for affordable housing in Chipping Norton, if it were available today.</p> <p>Since early negotiations on the affordable scheme mix, the Council's Housing Allocations team has conducted a thorough review of the waiting list and has determined that there is a significant number (39) of households in need of either wheelchair accessible housing. Therefore it would be helpful if a number of the houses for rent and shared ownership could be built to this specification.</p> <p>The 59 one and two bedroom apartments and houses will go some way to meeting the need presented by 119 households for this type of smaller dwelling. Whereas the 30+ families will benefit from the provision of 21 larger homes.</p> <p>I am pleased to support this application.</p>
I.13	WODC - Arts	A S106 contribution towards the development of additional creative education space in association with the Theatre Chipping Norton to



extend youth and community services is required of £63,407. As an alternative to the contribution a space could be provided onsite.

ACE/MLA Standard Charge Approach Guidance 2010 states a mean construction figure of £2280 for arts education space. Recommended benchmark is 45sqm of space per 1000 population. So £2280 x 45/1000 = 102.60 per person. Estimating resident figures of 618 x 102.60 = £63,406.80

As an alternative to the contribution a space could be provided onsite. Youth and Community services at the Theatre are oversubscribed and provide a vital service engaging young people and adults in meaningful activity which increases confidence, health and wellbeing and life skills. The Theatre is actively looking to secure a suitable site in the town.

- |      |                              |  |
|------|------------------------------|--|
| 1.14 | WODC - Sports                | £186,470 for the provision and maintenance of on-site LAP and LEAP and an offsite contribution.<br>£1,110 x 228 = £253,080 off site contribution towards sport/recreation facilities within the catchment. |
| 1.15 | WODC - Tourism               | No Comment Received.   |
| 1.16 | WODC Planning Policy Manager | No Comment Received.   |
| 1.17 | WODC Legal & Estates         | No Comment Received.   |

## 2 REPRESENTATIONS

- 2.1 The application received three representations in response to the first consultation two objections and one support which are summarised as follows:

### Objection

- This application, if successful will alter the nature and character of Chipping Norton forever.
- There is little work in Chipping Norton and what there is could not possibly sustain the wages and salaries essential to obtain and pay a mortgage on the type of properties envisaged.
- A substantial increase in traffic leading on to the main A 361 Burford Road.
- The site was subject to a very brief public consultation for just 4 weeks before Xmas, the shortest of periods at a time when most people are seasonally distracted.
- Part of the site is suggested in your emerging Local Plan, but only the Northern half, to be accessed off Cotswold Crescent. This access previously restricted the scheme to a maximum of 50 units, and I have not seen anywhere a justification to increase that number using the Local.
- Plan's proposed access? Certainly the number in the local plan of 150-180 goes well beyond the capacity of the site on size alone, as the Plan's proposed tree buffer would restrict the area to c.4ha i.e. 100-120 units capacity. Either way the direction of travel of the emerging

Local Plan does not support anywhere support such numbers as proposed, or further encroachment into the AONB and open countryside on such a grand (or any) scale.

- The site also creates a new access off the Burford Road, which would not only unacceptably urbanise this highly sensitive rural lane with a large domestic housing estate off an urbanised bellmouth, but would be in a very dangerous location given the high speed of the traffic, and blind hill bends on the road.
- This scheme, is un-needed; unwanted; major development in the AONB which is virtually prohibited.
- is more than twice the scale of any development in AONB in recent history.
- is not in accordance with National or Local Policy.
- would be unsightly and dangerous, and of a substandard design for the location.

#### Support

- I am VERY anxious to return to Chippy, my home town. As my means are very limited I see this development, which includes 'affordable' housing, as my route home.
- I do not have any information regarding local opinion/objection to the development and have no wish to upset anyone, but I feel I have to write in support of this planning application.

2.2 The application has been amended and the consultation period expires on 23rd February. To date five further responses have been received, 4 objections and one support which are summarised below. Any further comments will be reported in the Additional Representations report.

#### Objections

- I want to highlight the lack of publicity of this application, I can be confident that the majority of people I have spoken to are not aware that the plan has been submitted or is materially different to the first application.
- The planning application at 6.3 attempts to suggest that this proposal does not constitute a major development. I suggest that proposing that building 220 homes in a Town of c.5900 people does not constitute a major development is facetious.
- I have a suggestion, perhaps this could also be achieved by planting trees along the Burford Rd and providing a similar approach into Chipping Norton as the London Rd rather than materially sacrificing the land to development.
- The Secretary of State when considering a similar proposal into the AONB at Tetbury considered that the loss of open fields harmed the Cotswold AONB and the loss of such fields must inevitably have a detrimental effect on the landscape and environment.
- Town parking is woefully insufficient to accommodate the increase in parking that would be required with an increase of 220 houses.
- The increase in traffic within the town will only harm the air quality in the centre of Chipping Norton.
- In summary the site proposed access routes are not within acceptable standards and would lead to potential safety hazards. Therefore the application should be refused.
- The proposed plan of development seems particularly strange in that the properties appear to back straight onto most of the existing properties. Looking at plot 48 I fail to see how our basic right of privacy would not be infringed by a property with windows at the rear of the property.
- My house is missed off the planning application and its position is significant to the development as it will be directly impacted in terms of noise and light restriction from the

- development. If it had been included it would show the close proximity of my house and garden as it sits behind number 95 sitting to the west of 97. I request the design should take into account access to natural light to my property as the house and garden is just a few metres away from the proposed houses and garages. As my house is missed off completely this won't have been considered in the proposed design.
- The area of countryside out on the Burford road will be blighted by this incorrectly placed housing estate.
  - The developer has just submitted new landscape plans and house designs. the landscape ones seem to show wide bands of new hedges and trees surrounding the site - have they already realised themselves that they need to hide their boxes from those of us who walk the countryside in the AONB?
  - Object to their house designs as they simply prove I am right that they will be repetitive boxes that should not be in the AONB.
  - Chippy is a fine Cotswold market town. Please don't turn it into a smaller version of Milton Keynes.

#### Support

- Chipping Norton Football Club fully supports this application and urges officers and councillors to approve the application.
- The benefits of the application are essential for the continued operations of the club.
- The proposal will replace the dilapidated clubhouse with excellent new facilities for footballers and other community groups.

### **3 APPLICANT'S CASE**

- 3.1 Summary Statement of Case on behalf of the applicant Bellway Homes and Archstone Chadlington Ltd.

#### Consultation

- 3.2 This planning application is the culmination of some 5 years of promotion and pre application consultation. This has included representations to the emerging Local Plan and Chipping Norton Neighbourhood Plan and engagement with West Oxfordshire District Council (WODC) and the Cotswold AONB Board.
- 3.3 We have also involved Chipping Norton Football Club to understand their current difficulties and requirements for a new modern clubhouse, to ensure their support for the proposals.
- 3.4 Importantly, this considerate approach to preparing for the planning application also involved extensive engagement with Chipping Norton Town Council and two public exhibitions.
- 3.5 This thorough pre-application consultation resulted in the AONB Board confirming that it had no in principle objection to the proposed development of the application site and receiving the support of the Town Council.
- 3.6 We have continued the cooperative approach following the submission of the planning application. We have met with WODC to discuss the consultation comments received and amended the design of the proposed development to respond to detailed comments from WODC, the AONB Board and Oxfordshire County Council.

### The Proposed Development

- 3.7 Since the submission of the planning application, we have been working with WODC to respond to comments regarding the design of the proposed development including satisfying the technical requirements of Oxfordshire County Council Highways (OCC).
- 3.8 The layout has been amended to include an enhanced landscaped edge to the development with a more natural planting scheme. Some of the house types have also been refined to better reflect the character of the local area. There has been a particular focus on the quality of the edges to the development which will include properties in natural stone.
- 3.9 The proposal will provide 228 new homes of which 40% will be affordable. These are predominantly 2, 3 and 4 bedroom houses but include 1 and 2 bedroom flats to help meet the need for smaller homes.
- 3.10 An important benefit of the planning application is the inclusion of the existing outdated football club house, which will be demolished and replaced with housing and a modern, more manageable club house better suited to the needs of the football club. The football club has confirmed that the clubhouse will also be available for use by the wider local community for toddler groups, bingo club etc. The Chipping Norton Youth Theatre Group has also expressed an interest through the planning application.
- 3.11 The context of the application site on the edge of the AONB and the opportunity to create an improved edge to the Town has been fundamental to the design of the scheme. The proposed development, including the treatment to enhance the edge of the Town has also been informed by the extensive consultations. As a result, the scheme incorporates a substantial landscaped edge with natural planting to create a new softened edge to the Town. This will also include a new pedestrian and cycle link along the strong desire line from the vicinity of the football club to the Burford Road and Greystones opposite, which will significantly improve opportunities for recreation in the area.
- 3.12 A sensitive landscape strategy has been produced for the proposed development which demonstrates a generous provision of high quality soft landscaping, including gardens, public open space, amenity areas, including additional planting.

### National Planning Policy Context

- 3.13 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals for development to be considered in accordance with the adopted development plan unless material considerations indicate otherwise. The development plan for the District comprises the saved policies of the now out of date West Oxfordshire Local Plan 2011.
- 3.14 The planning application should therefore be assessed in accordance with the NPPF and the emerging Local Plan.
- 3.15 An important consideration in relation to the proposed development is the location of the application site within the Cotswold AONB. In this sense, it is necessary to consider whether the development should be regarded as major development for the purposes of paragraph 116 of the NPPF. The NPPF itself provides no definition of 'major development' and the PPG states

that what is major development will be a matter for the relevant decision taker, taking into account the proposal in question and the local context.

- 3.16 If the proposal is regarded as major development in the AONB then the test in paragraph 116 applies. That test requires exceptional circumstances to be demonstrated.
- 3.17 Recent appeal decisions provide examples of how the exceptional circumstances test has been applied and have shown that the need for housing in a constrained area can justify major development in the AONB. For example, the Secretary of State's 13 February 2013 recovered appeal decision in respect of a planning application for up to 250 dwellings at Highfield Farm, Tetbury (PINS ref: APP/F1610/A/11/2165778), the Secretary of State stated that he considered that the pressing need for local housing coupled with the limited scope within the District to provide houses on non-AONB sites, amounted to exceptional circumstances for the purposes of paragraph 116 and permitting the scheme was in the wider public interest.
- 3.18 The Inspector determining the appeal for 100 dwellings at Land off Station Road, Bourton-on-the-Water, Gloucestershire (Ref APP/A/13/2196383, January 2014) took a similar view and stated:

In the present case, one of the material considerations is the urgent need for more housing land. In principle, it seems to me that such a need is capable of satisfying paragraph 116's requirements in these respects.

More recently, in a 1 May 2014 recovered appeal decision in respect of two applications for residential and care home development at Land at Handcross, West Sussex (PINS ref. APP/D3830/A/13/2198213), the Secretary of State stated (para 21):

Having had regard to the Inspector's reasoning at IR89-93, the Secretary of State agrees with his conclusion (IR94) that, alongside the relatively limited effect of the appeals proposals on the prevailing character of the AONB, there are adequate grounds to consider that the exceptional circumstances referred to paragraph 116 of the Framework and LP policy C4 arise in this case, and that there is not a substantial environmental reason to refuse the schemes.

The Inspector (IR88) in that appeal stated: "A limited degree of harm, or the potential for mitigation, would clearly count in favour of the proposal when establishing whether exceptional circumstances apply. Nearly half of the District falls within the AONB and there is no clear evidence that it is possible to fully satisfy the housing need on land outside this zone."

Applying this to the application site, if the proposal is regarded as major development within the AONB, the following material considerations weigh in favour of the proposal and are considered to constitute exceptional circumstances justifying development in the AONB:

- (1) For the purposes of the first bullet point of paragraph 116 of the NPPF (the need for the development), the need for the development in order to meet local housing need is attested to by WODC's reliance on the site within the emerging Local Plan including as part of its five year housing land supply.
- (2) For the purposes of the second bullet point of paragraph 116 (the scope for developing elsewhere), as noted in the 2014 Housing Consultation, 34% of the District falls within the Cotswold AONB. Similarly, the Consultation notes that most of Chipping Norton lies

within the Cotswold AONB (para 6.157). The Plan's overall strategy is that: Chipping Norton will be a focus for future housing growth in the District" (para 6.161). As is also illustrated in the Consultation, WODC are taking opportunities to progress the development of the parts of the town that do not fall within the AONB, for example the proposed Strategic Development Area east of Chipping Norton. It is therefore considered that, similarly to Cotswold and West Sussex (see appeals discussed above) some development in the AONB will need to take place in order for WODC to meet housing need in the sustainable location of Chipping Norton.

- (3) For the purposes of the final bullet point of paragraph 116 (any detrimental effect on the environment and landscape and recreational opportunities), as noted in the SHLAAs, the development provides an opportunity to enhance the unattractive edge of the Town. The submitted Landscape and Visual Impact Assessment also explains how the proposed development can successfully integrate with the landscape setting, without causing harm to the

Furthermore, the new football club house and green footpath and cycle link will also improve recreational opportunities.

These exceptional circumstances which have led to the site in the AONB being identified as appropriate for development are acknowledged by WODC, the AONB Board and the Town Council who support the principle of the proposed development.

In light of these factors, it is considered that material considerations and government policy support the principle of the proposed development.

#### The Emerging Local Plan

- 3.19 The policies relating to housing supply in the West Oxfordshire Local Plan 2011 are out of date. This has been confirmed by the recent (December 2014) appeal decision for Land at West End Farm, Chipping Norton (APP/D3125/A/14/2213853) where WODC acknowledged that it could not demonstrate a 5 year supply of housing. The Inspector therefore found that the proposed homes would provide significant benefits by assisting to address the current shortfall in housing. However, the appeal was dismissed due to the impact of proposed development on the character and appearance of the Conservation Area, AONB and the setting of the Grade II\* Listed Bliss Mill. The appeal therefore confirmed the urgent need for new homes in the District but concluded that the location was inappropriate.
- 3.20 In contrast to the Land at West End Farm, the northern part of the application site adjacent to the football club and Walterbush Road was identified in the draft Strategic Housing Land Availability Assessment (SHLAA) published March 2009 as having potential for housing with a suggested capacity of up to about 50 dwellings and a substantial landscape buffer to enhance the existing harsh urban edge to this side of the town. A similar conclusion was reached in the January 2011 draft SHLAA.
- 3.21 The most recent SHLAA published in June 2014 considered the site as Land off Cotswold Crescent (SHLAA reference 289). The site was assessed to be suitable, available and achievable with an ability to deliver 150-180 dwellings in the next 5 years. The SHLAA comments on the site as follows:

- 3.22 Sustainable location for development and would relate well to existing development. Would constitute major development within the AONB but provides an opportunity to enhance the approach to the town from the south.
- 3.23 Between 8 August 2014 and 19 September 2014 West Oxfordshire District Council held a consultation on updated housing evidence for the Local Plan. This followed the publication of the Strategic Housing Market Assessment (SHMA) for the whole of Oxfordshire which showed the need for a step change to increase the supply of new housing.
- 3.24 WODC's revised proposed strategy is to deliver at least 9,450 homes in the District over the period 2011-2029, including 1,450 in the Chipping Norton sub area. Within the Chipping Norton sub-area a requirement for 40% affordable housing is proposed.
- 3.25 The consultation identifies sources of housing supply in the Chipping Norton sub-area as including 320-350 through other potential SHLAA capacity. The text states:
- 3.26 The Council's SHLAA update has identified a good level of potential capacity within the Chipping Norton sub-area (320 - 350 homes). Sites identified as having potential include: Land south of Walterbush Road/Cotswold Crescent.
- 3.27 The preferred approach of the housing strategy paper is now reflected in the draft Pre-Submission Local Plan and accordingly the application site is included in the Assessment of Housing Land Supply Position Statement February 2015 as contributing towards the 5 year housing land supply.
- 3.28 The direction of travel of the emerging Local Plan is consistent with the planning background of the application site which has shown that it is one of the few locations in the Chipping Norton sub-area which can satisfactorily accommodate a substantial number of new homes for the Town, together with providing additional community benefits. Accordingly, the proposed development of the application site is favoured by the Town Council and AONB Board who have confirmed that it has no objection to the principle.

#### Summary and Conclusions

- 3.29 This planning application is the culmination of 5 some years of promotion of the site through the emerging Local Plan, engagement with WODC, the AONB Board, Town Council and the local community. The application site has long been identified through SHLAAs as an opportunity to deliver a substantial number of new homes for the Town while enhancing visually the edge of the Town in this location. This has most recently been confirmed by the Housing Strategy paper produced by WODC and the draft Pre-Submission Local Plan which refer to the site being a preferred location for new homes. The Town Council and AONB have recognised the constraints of providing sustainable growth at Chipping Norton and agree that the application site is an appropriate location which can deliver important wider benefits for the Town:
- It will contribute significantly to providing needed market and affordable housing in a sustainable location;
  - It will provide a new green edge and low density housing with structural landscaping enhancing the visual appearance of this edge of Chipping Norton which is at present is acknowledged to be poor;
  - It will deliver a new clubhouse for Chipping Norton Football Club; and

- It will incorporate a new pedestrian and cycle route between Walterbush Road and the Burford road/Greystones.

3.30 If the Council decides that the application is major development, there are exceptional circumstances justifying the grant of permission. Those circumstances are: the site's contribution to ensuring that WODC is able to meet housing need; the absence of scope to accommodate all of the growth needed in the District in sustainable locations outside of the AONB; and the proposal's limited impact on the environment and landscape and improved recreational opportunities.

3.31 Taken together, it is considered that material considerations strongly indicate in favour of granting permission without delay to deliver much needed housing and the additional community benefits.

#### **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

H7 Service centres

H11 Affordable housing on allocated and previously unidentified sites

NE1 Safeguarding the Countryside

NE4 Cotswolds Area of Outstanding Natural Beauty

NE6 Retention of Trees, Woodlands and Hedgerows

NE13 Biodiversity Conservation

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

#### **5 PLANNING ASSESSMENT**

##### Background Information

5.1 The site is on the south easterly edge of the town, on agricultural land which is within the Cotswolds AONB. There are residential properties to the west and north, Chipping Norton Football Club is to the south west, the A361 to the east and open countryside to the south. It is on rising ground but long views into the site are surprisingly limited.

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

Principle of development

Highways

Impact on the AONB

Siting, design and form

Residential amenities

SI06 heads of terms



### Principle of development

- 5.3 The application proposes 228 dwellings on land to the east of Walterbush Road, Chipping Norton. The site is not allocated for development and is undeveloped greenfield land currently in agricultural use. In terms of the principle of residential development in this location, there are a number of relevant considerations.
- 5.4 In terms of overall strategy, Chipping Norton is identified as a main service centre in the adopted Local Plan (2006) and is therefore intended to be a key focus for housing and economic growth. This strategy continues to be reflected in the emerging draft Local Plan. Therefore the principle of further housing development at Chipping Norton is acceptable in the broadest sense. It is a sustainable settlement, offering a wide range of services and facilities and an attractive town in which people want to live and work. The key issue is whether the application site itself is suitable for the provision of 288 homes and whether major development in the Cotswold AONB would be acceptable in this location.
- 5.5 It is relevant to note from the outset that the Council has already considered the suitability of the site for residential development in its most recent SHLAA update (June 2014). The assessment, albeit relatively high level, considered a number of different factors including accessibility, landscape impact, flood risk, ecology, impact on the AONB, heritage assets and residential amenity. The overall conclusion reached was that the site is available, suitable and achievable for residential development, albeit at a smaller scale than currently proposed (150 - 180 units).
- 5.6 With regard to the adopted Local Plan (2006) the most relevant policy in terms of the principle of development in this location is Policy H7 - Service Centres. Policy H7 allows for residential development at key settlements such as Chipping Norton in the following ways: Allocated sites, Infilling, Rounding off within the built up area, and conversion of existing buildings. As the site fulfils none of the above criteria it is contrary to Policy H7 and has been advertised as a departure from the development plan.
- 5.7 Although Policy H7 is a key consideration and still carries some weight, it is recognised that the policy pre-dates the NPPF and was drawn up at a time when it was anticipated that future housing requirements could be met exclusively on allocated sites and brownfield land with no release of greenfield sites on the edge of settlements being necessary.
- 5.8 The Council has more recently publicly acknowledged that to meet future housing requirements, some development on urban fringe Greenfield land will be necessary. As such, simply because the application proposal does not fulfil the requirements of Policy H7, does not necessarily render it unacceptable.
- 5.9 Within the Chipping Norton sub-area, there is relatively limited scope for developing large housing sites. At Chipping Norton itself, other than the land to the east of the Town which has already been identified as a strategic housing site, there are no opportunities for large-scale housing development outside the AONB. In order to meet the defined housing target, a proportion of new housing will therefore need to come forward within the AONB. The application site has been assessed through the SHLAA and is considered to be a suitable location for residential development notwithstanding the fact it falls within the AONB. It is therefore considered that the proposal is justified when considered against the criteria set out in para 116 of the NPPF insofar as there is a need for housing development at Chipping Norton that cannot

be delivered in its entirety outside of the AONB and based on the fact that this site is one of the less sensitive parts of the AONB due to the poor character of the urban edge in this location.

- 5.10 Policy H11 of the adopted Local Plan requires developments to deliver up to 50% affordable housing, on unallocated sites larger than 0.5ha or 15 dwellings in Chipping Norton. Emerging policy suggests the level of affordable housing provision required on qualifying sites in Chipping Norton would be 40%. The applicant proposes to deliver 40% affordable housing on site with a tenure split of 66% affordable rented and 33% intermediate housing. This is consistent with the emerging affordable housing policy requirement.
- 5.11 For the reasons set out above, the site is considered to be acceptable in principle.

#### Highways

- 5.12 The proposal will introduce a new access onto the A361 (Burford Road) and there will also be an access onto the Walterbush Road in the East so it is considered the development will be well connected to the existing network. A number of footpath connections are also proposed, one into Cotswold Crescent and two onto the A361 to connect with the footpaths to the town centre and to the Greystones Centre. Other highway improvements include extending the footway along the A361 to Greystones, extending the speed limits beyond the extent of the site to slow traffic arriving in the town from the west.
- 5.13 Officers consider that a development of 228 dwellings is likely to result in an increase in local traffic movements, however, the position of Chipping Norton in the settlement hierarchy is partly due to the accessibility of services and facilities by sustainable means and as such, the site should be considered sustainable in that regard.
- 5.14 Although they are broadly satisfied that the scheme can be accommodated without detrimental harm to highway safety, OCC Highways have yet to finalise their comments on the amended scheme. An update will be given in the additional representations report or verbally at committee.

#### Impact on the AONB and Landscape

- 5.15 It is considered that the landscape impacts arising from the proposed development will be localised and will not be detrimental to the aims of the AONB designation. The most immediate impact will be felt by residents living directly adjacent to the site at Walterbush Road and Cotswold Crescent. Wider impacts will be mitigated by a strong landscape framework for the development and the arrangement of open spaces within the site which have been revised as part of negotiations with officers to increase the soft edge with the countryside.
- 5.16 It is now considered that the proposed layout and landscape framework will soften the urban edge to the south of the town and strengthen the landscape structure, thereby helping to enhance rather than detract from the character of the AONB in this location.
- 5.17 The AONB board have offered their support to the scheme. The proposal is considered to accord with Policy NE4 of the Local Plan and paragraph 116 of the NPPF.

### Siting design and form

- 5.18 The scheme has been designed to minimise the impact of the development on the AONB, to soften the edge of the town and to make best use of the natural levels. The southern side of the site has been designed as a landscape buffer with re-entrant green areas and the road network and houses follow the contours and rising ground. The amended plans have also included an avenue of trees along the A361 to mirror the avenues on the London and Banbury Roads into Chipping Norton and help the town retain its distinctiveness.
- 5.19 The proposal includes a mix of dwelling types from 1 bed to 4 bed units, and they will be provided in the form of flats, terraced semi-detached and detached houses. The predominant height will be 2 storey across the site with feature 2.5 storey buildings. Chimneys, garages and car ports will help to articulate the development. The proposed materials are natural stone, recon stone, a limited amount of render and brick for detailing, with man-made tiles and slate, all of which are in accordance with the advice in the Design Guide and are considered appropriate in this location.
- 5.20 The proposed football clubhouse is a more contemporary functional design which has been subject to much consultation with the football club and locals. It is located further into the site than the existing clubhouse but has been sited away from residential properties to avoid disruption to neighbours. It will be constructed in brick, render and glass.
- 5.21 The site is not within or adjacent to the Chipping Norton Conservation Area and there are no listed buildings within or in close proximity to the site. The built environment on the southern edge of the town adjacent to the site has limited heritage value.
- 5.22 The proposal is therefore considered to accord with policies BE2 and H2 of the Local Plan and advice within the West Oxfordshire Design Guide.

### Residential Amenities

- 5.23 Some concerns have been expressed by residents whose properties are adjacent to the site concerning their residential amenities.
- 5.24 The scheme has kept all the proposed dwellings away from the boundaries of the site, so consequently there is a minimum distance of 25m between rear walls and windows and often this distance is larger (most are between 30-45m rear to rear).
- 5.25 Therefore Officers are satisfied that the proposal will not detrimentally impact on existing or proposed residential amenities, in accordance with Policies BE2 and H2 of the Local Plan.

### Ecology

- 5.26 The site is not covered by any statutory protection designations for habitats or species. An Ecological Assessment has been submitted with the application and has found no evidence of protected species on site. The ecological assessment recognises that the primary features of ecological value are the hedgerows on the site boundary, particularly those to the east. It is not considered that the development of the site will have any detrimental ecological impacts, subject to the retention of important features such as the hedgerows.

- 5.27 The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Habitats Directive which identifies 4 main offences for development affecting European Protected Species (EPS).
1. Deliberate capture or killing or injuring of an EPS
  2. Deliberate taking or destroying of EPS eggs
  3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
    - a) to impair their ability -
      - i) to survive, to breed or reproduce, or to rear or nurture their young, or
      - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
    - b) to affect significantly the local distribution or abundance of the species to which they belong.
  4. Damage or destruction of an EPS breeding site or resting place.
- 5.28 Given the above, your officers do not consider that an EPS offence is likely to be committed due to a lack of protected species on site. However, a condition is proposed to ensure that the mitigation and enhancement measures proposed in the Phase I habitat survey are carried out in accordance with a phased programme of works. The proposal is therefore considered to accord with Policy NE13 of the Local Plan.

Drainage

- 5.29 The site is located within Flood zone I (low risk) and records indicate that surface water flooding is limited to I in 1000 year chance. The site is therefore sequentially preferable for residential development. The Environment Agency has not responded as it is unlikely to be at risk of flooding. Thames Water has recommended a condition which has been included in the recommendation.
- 5.30 Officers consider that this scheme can be accommodated into the existing waste water network and will not result in flooding subject to the implementation of a sustainable drainage system.

S106 Heads of Terms

- 5.31 The proposal has attracted requests from the Town Council, County Council, Thames Valley Police and WODC. The requests are summarised as follows:

Request from  
For  
Amount  
OCC Transport  
Public transport  
£1000 per dwelling

Travel Plan monitoring  
£1250  
OCC Education  
Special Needs Education  
£49,050  
OCC Property

Libraries etc  
£153,071  
WODC Art  
Chipping Norton Theatre youth and community services  
£63,407  
WODC Leisure/Town Council  
Sport  
£253,080

Play  
£186,470  
TVP  
Policing  
£40,622

Total  
£974,950 (£4276 p/d)

### Conclusion

- 5.32 Chipping Norton is considered to be a sustainable settlement in the context of a rural area such as West Oxfordshire and the site has been previously identified as potentially suitable for development by way of the SHLAA, albeit in a slightly smaller area. Its development would be contrary to adopted policy H7 but this policy does not hold full weight and the policies of the emerging plan are more positive about development in such locations as part of the requirement to meet housing need and create a step change in housing delivery. It would also be providing 40% affordable housing. None of the identified issues are considered to fail the significant and demonstrable harm test as set out in the NPPF and as such the application is recommended for approval subject to conditions and the applicant first entering into a legal agreement, the Heads of terms for which are set out above.

## **6 CONDITIONS/REASONS FOR REFUSAL**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.  
REASON: To safeguard the character and appearance of the area.
- 4 Notwithstanding any indication contained in the application, a detailed schedule of all hard surface materials, shall be submitted to and approved in writing by the Local Planning Authority before building work commences within these areas. The surfaces shall be constructed in accordance with the approved details before occupation of any associated building.

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

- 5 The scheme shall be carried out in accordance with the landscape strategy detailed on drawing numbers PL-01-1 A and PL-01-2 A unless otherwise agreed in writing by the Local Planning Authority. The landscaping shall be implemented in accordance with a phasing plan that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (including site clearance).

REASON: In the interests of visual amenity and to protect and enhance the Cotswolds AONB.

- 6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority before commencement of the development. The approved management plan shall be fully implemented in accordance with approved phasing of the development, or the completion of the development, and maintained thereafter.

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

- 7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the use hereby permitted is commenced.

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

- 8 As soon as development is commenced, the existing means of enclosure on either side of the Walterbush Road access to the site shall be reduced to and retained at a height not exceeding 0.6 metres above the level of the highway for a distance of at least 43 metres in each direction from the centre of the said access; and the enclosure on either side of the A361 access to the site shall be reduced to and retained at a height not exceeding 0.6 metres above the level of the highway for a distance of at least 90 metres in each direction from the centre of the said access.

REASON: In the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

- 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 plots to which they relate 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. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

- 10 Prior to commencement of the development details of the junctions between the proposed road and the highway shall have been submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until those junctions have been constructed in accordance with the approved details.

REASON: In the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

- 11 The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area. (Policies BE2 and BE3 of the adopted West Oxfordshire Local Plan 2011)

- 12 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling have been constructed, laid out, surfaced, lit and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011).
- 13 Vision splays shown on the submitted plan shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.9 metres above the level of the access they are provided for.  
REASON: In the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 14 No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 15 No development shall commence until full details of a drainage scheme, for the provision of waste water drainage, including off site drainage, has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The drainage scheme shall include details of phasing of the occupation of the development and be implemented in full prior to the occupation of any buildings within the relevant phase(s) of the development.  
REASON: To ensure that sufficient capacity is made available to accommodate the wastewater discharged from the development, in order to ensure that the existing constraints associated with the local wastewater network is not exacerbated by the new development. (Paragraphs 103 and 120 of the NPPF).
- 16 No building shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:  
(i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;  
(ii) include a timetable for its implementation; and  
(iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.  
REASON: To secure an adequate and sustainable means of disposing of surface water from the site and to avoid flooding.

- 17 Prior to the commencement of the development, including any demolition or site clearance, an Archaeological Written Scheme of Investigation, relating to the application site area shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012).
- 18 Following the approval of the Written Scheme of Investigation referred to in condition 17, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.  
REASON: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).
- 19 The mitigation measures set out at Section 6 of The EDP Ecological Appraisal (September 2014) shall be carried out in accordance with a phased programme of works first agreed in writing with the Local Planning Authority.  
REASON: In the interests of biodiversity.

#### NOTE TO APPLICANT

- I Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners.  
For guidance and information on road adoptions please contact the County's Road Agreements Team on 01865815700 or email [Road.Agreements@oxfordshire.gov.uk](mailto:Road.Agreements@oxfordshire.gov.uk).



Application Number	I4/02014/HHD
Site Address	Redrobe House 9 Church Street Chipping Norton Oxfordshire OX7 5NT
Date	18th February 2015
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Chipping Norton Parish Council
Grid Reference	431233 E 227283 N
Committee Date	2nd March 2015

### Application Details:

Construction of outdoor swimming pool and associated outbuilding

### Applicant Details:

Mr & Mrs C Bell  
Redrobe House, 9  
Chipping Norton  
Oxfordshire  
OX7 5NT  
United Kingdom

## I CONSULTATIONS

- I.1 Parish Council                      The Town Council strongly objects to this planning application due to it being completely out of character with the surrounding area. The proposed plan is very close to neighbouring properties boundaries. The level of the site is a lot higher than the surrounding properties which would cause disturbances to the neighbours in privacy and noise levels.

## 2 REPRESENTATIONS

- 2.1 Four letters of representation have been received and summarised below:

Mr Tysoe - 45 Distons Lane

- Noise pollution;
- Too large;
- Too close to existing boundaries;
- Out of keeping to the area;
- Proximity to Mr Tysoe office (10 metres);
- Their garden is 2 - 2.5 metres lower than Redrobe House's garden;
- Potential wall collapse into our garden;
- Noise of the machinery (pump equipment etc);
- Plumbing of the outbuilding;
- Gym building not in keeping with the surrounding area.

Mr Richardson - The Old Tannery, 41 Distons Lane

- Too close to boundaries;
- Pump house and intrusive noise for neighbours.

Ms Leonard - 11 Church Street

- The building size and use not appropriate for the area;
- The view of the building and noise impacts for Mr and Mrs Tysoe;
- View of building and noise.

Mr Sinclair - 5 Whitehouse Lane

- Noise from pump room;
- Noise as opposed to visual impact is of concern.

- 2.2 Concerns were also raised in regards to the placement of the site notice and neighbour notification. An additional site notice was placed in a more public viewing point after this was drawn to our attention and the immediate neighbours who we hadn't received any objections from were sent a notification letter of the application and given the opportunity to comment if they wished.

### **3 APPLICANT'S CASE**

- 3.1 I would be grateful if it can be noted that the plant room will be highly insulated and any potential flue will have sound baffles. Therefore any noise break out will be absolutely minimal.
- 3.2 The proposed outdoor swimming pool will be set at ground level. There is a slight cross fall to the ground and therefore the pool has been set at the lowest point.
- 3.3 The small gym building will also provide a small changing area, WC and plant room. The building has been designed and located so as to respect the surrounding boundaries. The building is of similar height to the eastern boundary and has a flat roof.
- 3.4 Trees and hedges have been shown on the drawings and are to be retained.

### **4 PLANNING POLICIES**

BE2 General Development Standards

H2 General residential development standards

NE4 Cotswolds Area of Outstanding Natural Beauty

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 construction of outdoor swimming pool and associated outbuilding situated within the Chipping Norton Conservation Area and the Cotswold AONB.

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

Neighbouring amenity  
The Conservation Area  
The Cotswold AONB

#### Principle

- 5.3 The application proposes development ancillary to a residential property which is within a residential area.

#### Siting, Design and Form

- 5.4 The proposed development would not be visible from public viewpoints and there would be no impact on the street scene in this location. The simple, modern, flat roofed design of the proposed building would be unobtrusive and there would be no detrimental effects on the character of the Conservation Area or the Cotswold AONB. The surrounding area, although in the centre of Chipping Norton, is in a residential area and the garden is large enough to accommodate a swimming pool and gym with a reasonable amount of amenity space preserved. The proposed building would not be located in close proximity to any neighbouring buildings.

#### Residential Amenities

- 5.5 The level of the garden is somewhat higher than properties to the south and concern has been raised about noise, disturbance and privacy. However the applicant is proposing to increase the height of the boundary treatment to the southern boundary to a height of 1.9m and therefore the potential impact on neighbours would be diminished.
- 5.6 Some noise from the use of the pool could arise, but there is no reason to believe that this would be significantly different from normal residential use of the garden space. In any event, use of the pool would be in the summer months when outdoor noise is generally greater as a result of many people using their outside space and operating lawn mowers and other garden machinery. The pump would be contained within the proposed building which is not close to any neighbouring building, and separated from neighbouring gardens by stone walls. It is unlikely that operation of plant within the building would give rise to unacceptable impacts on neighbouring amenity.
- 5.7 The proposed gym is single storey and the majority of the proposed building would be screened by the existing boundary treatments. It is considered no adverse effects would be caused to neighbouring amenity through the loss of light. Concerns have also been raised by 45 Distons Lane whose property abuts the end of the garden where the swimming pool will be located. The applicant has amended the scheme to increase the boundary treatment to 1.9 metres to reduce any potential privacy issues.
- 5.8 The proposed swimming pool is located at a distance from the boundary wall to not cause harm to the existing boundary wall. Officers have consulted the WODC drainage engineers on the scheme and a condition regarding drainage is recommended.

- 5.9 Concerns were also raised in regards to the placement of the site notice and neighbour notification. An additional site notice was placed in a more public viewing point after this was drawn to our attention and the immediate neighbours were sent a notification letter of the application and given the opportunity to comment if they wished.

#### Conclusion

- 5.10 In light of these observations, having considered the relevant planning policies all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

## **6 CONDITIONS/REASONS FOR REFUSAL**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by S51 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 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.  
REASON: To ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and the supporting Technical Guidance).

Application Number	I4/02272/FUL
Site Address	Swan Lane House Swan Lane Burford Oxfordshire OX18 4SH
Date	18th February 2015
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Burford Parish Council
Grid Reference	425307 E 212023 N
Committee Date	2nd March 2015

**Application Details:**

Rebuild existing garden outbuilding and convert to residential annexe

**Applicant Details:**

Mr Drew Price  
C/O Agent

**1 CONSULTATIONS**

- 1.1 Parish Council As this is a separate dwelling not refurbishment, we object mainly on the grounds of inadequate parking, especially in view of recently granted permission, which in our opinion created further parking problems.
- 1.2 OCC Highways No objection.

**2 REPRESENTATIONS**

No representations received.

**3 APPLICANT'S CASE**

No information provided.

**4 PLANNING POLICIES**

BE2 General Development Standards  
BE3 Provision for Movement and Parking  
BE5 Conservation Areas  
H2 General residential development standards  
NE4 Cotswolds Area of Outstanding Natural Beauty  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## 5 PLANNING ASSESSMENT

### Background Information

- 5.1 The proposal is to rebuild the existing garden outbuilding and convert to a residential annexe situated within the Burford Conservation Area and the Cotswold AONB. A previous permission 14/1158/P/FP has already gained consent for the removal of a single garage to provide additional parking and the conversion of the outbuilding to form a self-contained-annexe.
- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Residential Amenity  
Design and Siting  
The Conservation Area

### Principle

- 5.3 Concerns have been raised by the Town Council in regards to inadequate parking. The proposed replacement outbuilding will have no changes to the footprint or elevations of the existing one. The current outbuilding is unfit to implement permission 14/1158/P/FP and therefore a new structure is required. The outbuilding itself is a like for like replacement of permission 14/1158/P/FP.

### Siting, Design and Form

- 5.4 The form, design, massing and siting are all considered to be acceptable in the light of the existing built form on the site.
- 5.5 The proposed replacement outbuilding is set back from the street, it is considered no further adverse effects would be caused to the Conservation Area, the Cotswold AONB or the street scene to the existing outbuilding and therefore acceptable.

### Highways

- 5.6 Given the characteristics of the carriageway, vehicular traffic and speeds are likely to be low.
- 5.7 The proposal is unlikely to result in any significant intensification of transport activity at the property. No change is proposed to the existing access arrangements. The proposal is unlikely to have a significant adverse impact on the highway network.
- 5.8 After investigation and reviewing the supplied documents, the Highway Authority has no objection subject to condition(s) being applied to any permission which may be granted on the basis of highway safety.

### Residential Amenities

- 5.9 It is considered no adverse effects would be caused to neighbouring amenity through the loss of light or loss of privacy.

## Conclusion

- 5.10 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

## **6 CONDITIONS/REASONS FOR REFUSAL**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by S51 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 self-contained annex hereby approved shall be used as a short term holiday let or for purposes ancillary to the residential use of Swan Lane House only. It shall not be used as permanent, unrestricted accommodation or as primary place of residence at any time.  
REASON: Permission is granted to meet the needs of the applicant. A permanent unrestricted dwelling would require further consideration.
- 4 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. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 5 No surface water to discharge to the highway.  
REASON: To ensure surface water does not encroach onto the adjacent highway to the detriment of road safety. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 6 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.  
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality. (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and the supporting Technical Guidance)
- 7 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.
- 8 Before 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.

- 9 Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from the Northern Area Office (Contact Steve Walker - 0845 310 1111) for this action.

REASON: To ensure a safe and adequate highway safety.

- 10 Prior to the first occupation of the development hereby approved car parking spaces shall be provided within the curtilage of the site so that motor vehicles may park off the highway. The car parking spaces shall be retained unobstructed except for the parking of motor vehicles at all times.

REASON: In the interests of highway safety and to ensure the provision of off-street car parking.

#### NOTE TO APPLICANT

It is recommended that the garage accommodation is removed so as to improve the parking provision and layout.



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Application Number	I5/00210/HHD
Site Address	6 Chapel Row Chadlington Chipping Norton Oxfordshire OX7 3NA
Date	18th February 2015
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Chadlington Parish Council
Grid Reference	433086 E 221920 N
Committee Date	2nd March 2015

**Application Details:**

Erection of single storey and two storey rear extension and detached double garage with store.

**Applicant Details:**

Mr And Mrs V Pashley  
6 Chapel Row  
Chadlington  
Chipping Norton  
Oxfordshire  
OX7 3NA

**I CONSULTATIONS**

- 1.1 Parish Council It would damage the intrinsic value of the row of cottages and their gardens.
- Over-development;
  - Invasive to neighbours;
  - Garage would change this area completely and set precedent and may then become a house.
  - Scale of the extension seems rather large, given there are no other two storey extensions in that row.
  - Contrary to policy to BE2 and BE4.
  - No clarity about the nature of the workshop and issues relating to increased traffic and possible noise to neighbours.

**2 REPRESENTATIONS**

- 2.1 One letter of representation has been received to date and summarised below.

Mr Bailey - The Manor, Chadlington

- Objection to the use of the access down Watery lane to the double garage and workshop as further development will be detrimental to the lane.

### **3 APPLICANT'S CASE**

- 3.1 With regard to the existing house, this has been in the family for many years and is to be extended and refurbished and to include the creation of better facilities and amenities.
- 3.2 The proposed extension is relatively modest and set in from side boundaries so as not to impact on adjacent properties yet complement the existing dwelling.
- 3.3 The property has an extensive garden with existing rear access and a small garage which is unfit for modern purposes. It is proposed to remove this and construct a good sized double garage and workshop/store set in from the rear and side boundaries with additional parking and turning head to allow exit in forward gear. This has been set 1.5 metres from the side boundary to number 7 to avoid affecting the boundary hedgerow.
- 3.4 The garage has been set so as to have no impact on adjacent buildings or private areas so as to be intrusive yet retain association with the existing main house. Materials hence have been selected to reflect the main house extension form.

### **4 PLANNING POLICIES**

BE2 General Development Standards  
BE3 Provision for Movement and Parking  
H2 General residential development standards  
NE4 Cotswolds Area of Outstanding Natural Beauty  
The National Planning Policy framework (NPPF) is also a material planning consideration.

### **5 PLANNING ASSESSMENT**

- 5.1 The proposal is for the erection of a single storey and two storey rear extensions and detached double garage with store situated within the Cotswold AONB.

#### Background Information

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

Residential amenity;  
The Cotswold AONB.

#### Principle, Siting, Design and Form

- 5.3 The form, design and massing of the proposed development is considered to be acceptable.

#### Highways

- 5.4 Concerns have been raised in regards to the proposed garage and the impact of the proposed garage would have on Watery Lane. However, the applicant already has right of access to their

rear garden and the existing garage and therefore it is considered no further adverse effects would be caused to Watery Lane.

### Residential Amenities

- 5.5 Concerns have been raised by the Parish Council in regards to the proposed development damaging the intrinsic value of the row of cottages and their gardens through the following:
- Over-development;
  - Invasive to neighbours;
  - Garage would change this area completely and set precedent and may then become a house.
  - Scale of the extension seems rather large, given there are no other two storey extensions in that row;
  - Contrary to policy to BE2 and BE4;
  - No clarity about the nature of the workshop and issues relating to increased traffic and possible noise to neighbours.
- 5.6 It is stated that there are no other two storey extensions along this row of cottages. However, there are an extensive range of single storey extensions located along the row of cottages. Therefore, the character and appearance of the rear of the row is not uniform and extensions are acceptable in principle.
- 5.7 The location of the two storey extension is central to the plot with significant separation to the plot boundaries at either side. The projection would be 3.4m. The single storey element has a slightly greater projection at 4m. The west boundary is marked by a substantial blockwork wall which would screen much of the extension from the neighbour on this side, at a distance of approximately 2.5m. To the east the main rear elevation is set further back and the closest part of this property would be approximately 3.5m from the extension. As the rear elevation of the row faces south, there would be no material loss of light to either neighbour. No first floor side windows are proposed and there would be no loss of privacy.
- 5.8 It also is suggested that the proposed garage would change this area and set a precedent for other development. However, at the end of Watery Lane there is a substantial garage block which is very close to the proposed double garage. The workshop is detailed as a workshop store and therefore it is considered that the garage would not be used for anything other than the ancillary uses of a normal residential dwelling. It is suggested that a condition is attached if approved to restrict the use of the garage to only uses ancillary to the existing dwelling. The garage building is single storey with a height of 4.8m. It provides two garage bays with a small storage area. It is proportionate in scale to the dwelling and would not be harmful to the character and appearance of the area.
- 5.9 Policy BE4 deals with open spaces within the adjoining settlements. As the proposed site is an enclosed private garden, it is considered that this policy would not be applicable to the proposal.

### Conclusion

- 5.10 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

## **6 CONDITIONS/REASONS FOR REFUSAL**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by S51 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 garage and workshop hereby approved shall be used for the parking of vehicles and workshop activities ancillary to the residential occupation of the dwelling and for no other purposes.  
REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.