

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 5th October 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

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Application Number	I5/02069/FUL
Site Address	Land At Rollright Stones Kings Men Little Rollright Oxfordshire
Date	23 September 2015
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Rollright
Grid Reference	429442 E 230789 N
Committee Date	5th October 2015

Application Details:

Change of use from agricultural to overflow car park and landscaping

Applicant Details:

Mr George Lambrick
c/o Picketts Heath
The Ridgeway
Boars Hill
Oxford
Oxon
OX1 5EZ

I CONSULTATIONS

- I.1 Historic England Historic England Advice
We agree with the conclusions of the Heritage and Archaeology Statement that it is very unlikely that any harm will result to the designated heritage assets (including to their setting) from the proposal. Overall, the provision of proper parking will be of benefit to the heritage assets. The archaeological monitoring of some parts of the works proposed in the same document is welcome and appropriate. As part of the proposal is within the area of a scheduled monument (The Rollright Stones, List No. 1018400), scheduled monument consent should be obtained before works commence.
- Recommendation
We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.
- I.2 OCC Archaeological Services Thank you for consulting us about this planning application. The applicant has undertaken an archaeological assessment of the site and the likely impact of the proposed development upon the archaeological resource. All works are to be undertaken under archaeological supervision in line with the conditions of the SMC. As such we have no objections to this application.

- I.3 WODC Architect A proper off-road car park here would be a real benefit - parking on the current lay-bys and on the road and verges is far from satisfactory - and probably dangerous too.
 But the current proposed site is very close indeed to the stones - and it would be separated by just one hedgerow or small plantation.
 Bearing in mind that the setting of the stones is a crucial part of the significance, and bearing in mind that the sweeping expanse of land to the east, west and south is remarkably free, visually, of development such as roads, buildings, etc., the current proposal would be a most unfortunate change. I would be very uncomfortable about relying on vegetation to mask the car park too - vegetation comes and goes, and the sound of cars maneuvering would not be blocked in any event.
- And this flies in the face of current thinking on such monuments, which attributes great importance to setting, with settings being preserved, ideally, as closely as possible to those that might have existed originally - or at the very least, protected from distracting development. A very good example is the recent project at Stonehenge, where the visitor centre and car park have been relocated to a considerable distance from the stones - and a public main road completely removed too.
- I strongly suggest that they look for another site, preferably several hundred metres from the stones, preferably connecting with the site via the existing footpath in the fields, or perhaps an extension of it.
- Even moving the car park to the west side of the field that is currently proposed would be a big improvement in terms of location.
- I.4 Parish Council No Comment Received.
- I.5 OCC Highways No Comment Received.
- I.6 WODC Env Health – Uplands No Comment Received.

2 REPRESENTATIONS

- 2.1 Five representations in support of the application have been received. The representations are summarised as follows:
 Parking in the existing lay-byes often becomes both congested and hazardous.
 It is not often that this kind of development can be carried out so close to a sensitive site while remaining as inconspicuous as this one promises to be and I am strongly in favour of it.
 It will immediately alleviate the current parking problems which manifest on particular days and busy summer weekends and maintain good relations with the nearby Kings Stone farm and other surrounding landowners.
 The new parking area is in keeping with the environment and safe. It will also not affect the neighbours.

The lack of parking and the dangers it poses to visitors who have to run their cars up on the verges once the current - very limited - parking is full.

The verges are not deep and these results in cars being part off and part on the road leading to an obvious hazard to other road users and also the person exiting the vehicle.

It would be good to see the cars off the road in summer.

- 2.2 Warwickshire County Council have been consulted on the application as the Road is in their district and have made the following comment;

OBJECTION for the following reasons;

The visibility splays indicated on the submitted layout are not commensurate with the speed of the C70 Rollright Road which is subject to the National Speed Limit (60mph). 90.0 metre splays as proposed would be consistent with a 30mph approach speed. Cars exiting a vehicular access where visibility is below the required standard and not sufficient for drivers to determine whether it is safe to manoeuvre, will result in conflicting movements at the proposed access to the detriment of highway safety. Visibility splays with 215.0 metre 'y' distances from a 2.4 metre 'x' distance set back would be required unless a speed survey is commissioned by the applicant (7 day loops/radar detector) to establish the 85%ile speed of vehicles approaching the site. If this indicates a lesser approach speed than the national speed limit then a reduced visibility splay could be considered.

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A further issue with the visibility splays is the existing lay-bys. As formal parking provision within the limits of the public highway, these create an obstruction within the visibility splay in a north-easterly direction. Although from the supporting statements it is understood that the car park is to complement the existing lay-bys, their retention would obstruct visibility from the proposed access to the detriment of highway safety.

It would be necessary for these to be removed (with the public highway verge and kerblines reinstated) with the car park providing the necessary parking in lieu of the lay-bys.

3 APPLICANT'S CASE

- 3.1 The proposed development arises from the need to address a significant lack of capacity in the existing two lay-bys at the Rollright Stones ancient monument. The Trust does not actively promote or advertise the site as it is listed in many other guides to the area.

- 3.2 The number of visitors to the Stones fluctuates from year to year.
The Trust permits circa 15-20 mostly small private events during the year. It also permits and occasionally organises 6-10 larger public or semi-public events which attract the need for overflow parking.
During 2014 problems at the site arose with overflow carparking, with visitors parked along the verge up to a hundred metres in each direction in addition parking is close to the Kings Men stone circle causing local concern.
During December 2014 and January 2015 the Trust consulted local residents and public authorities about the problem to formalise the solution of roadside parking by creating a green layby along the verge.
No alternative areas have been available to the Trust.
Proposed seasonal usage of the carpark spring and summer months with rare winter events.
The capacity of the overflow carparking is for 55 cars including up to 5 disabled places.
The proposed development would give rise to only temporary visual intrusion and involve very limited loss of agricultural land.
The proposals will address the current traffic, parking and visual and setting problems.

Design and Access

- 3.3 Two stage process of implementation. 1 for which a lease is already in place will be to provide immediate overflow parking (on a temporary reversible basis) for the remainder of 2015. Stage 2 a permanent solution for landscaping, gates and permanent features.
The landscape will be minimised in various ways to include reinforced grass rather than tarmacking, no lighting, minimum signage and a native landscaping scheme.
The proposed use of the area is for overflow parking when the existing lay-bys are full together with a landscaped area that will offer improved wildlife.
The entrance is designed to facilitate both access to the parking area and agricultural access to the field (replacing current access next to Tollhouse Cottage). The access will be Y-shaped.
The removal of part of hedge will allow for pedestrian access to the small lay-by and the main vehicular access.
The harm arising from the change in very open arable land use is compensated for by other benefits designed to fit well with local landscape character and ecology, which together with the wider public access and enjoyment benefits will enhance than harm the purposes for which the AONB was designated.

Ecological Assessment

- 3.4 The loss of existing habitats will be extremely limited and the areas affected are not of any significant intrinsic interest.
The residual risk of protected species being present is low and the potential for disturbance or harm can readily be mitigated.

Cutting vegetation outside nesting seasons

- 3.5 Care will be taken during works to not disturb any protected species that are found including any amphibians living in the remains of the wall and stone heap.

The net effects of the proposals are intended to be beneficial to wildlife. By making a small contribution to creating more ecologically diverse typical limestone habitat the benefits are not only to wildlife but also enhance this part of the AONB.

Heritage and Archaeological Statement

- 3.6 The residual harm to the fabric of the scheduled monument is considered negligible, and outweighed by benefits in other areas.
- No significant ground disturbance is envisaged for the main parking area since it only needs superficial smoothing of the topsoil surface before reseeding and laying the reinforcement mesh. The proposed hedge will also be planted within the topsoil.
- Down-slope erosion due to cultivation is not considered a serious issue given the relatively flat top of the ridge.
- The potential significant archaeological damage is thus considered remote and is readily mitigated by archaeological monitoring of ground works.

Landscape Assessment

- 3.7 The overflow carpark is located within the Cotswolds AONB adjacent to the Rollright Stones, one of its most iconic monuments.
- The detailed review of the proposals against these guidelines shows how the scheme fits within a longer term strategy that the Rollright Trust has implemented to address relevant issues.
- Respecting and enhances the setting of a group of key monuments.
- Balancing reversion of arable to pasture with retention of historic field patterns.
- Enhancing rather than harming net biodiversity.
- Retaining and enhancing key views while screening other views from intrusion.
- As such the proposed overflow car park and habitat enhancement scheme is entirely compatible with the general duty of public authorities to have regard to the purposes of the Cotswolds AONB, and of the Conservation Board in promoting those aims, as set out in its Management Plan and other guidance.

Visual Impact Assessment

- 3.8 There are no properties or locations on public roads or rights of way within 1.3km of from which the proposed car parking area can clearly be seen.
- The only nearby property is already well screened by vegetation and is likely to have only very limited views of the site.
- The site is visible from more than 3.5km away but not easily seen.
- The residual impact is occasional, temporary intrusion of cars over 1.5km away being visible for circa 6 hours per day on an estimated 50 days per year decreasing to no impact over about 5 years. Even allowing for the sensitivity of the location, this is not considered a significantly harmful effect, but rather is a significant improvement on the present situation.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking

BE12 Archaeological Monuments
 BE21 Light Pollution
 NE1 Safeguarding the Countryside
 NE4 Cotswolds Area of Outstanding Natural Beauty
 NE3 Local Landscape Character
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE13 Biodiversity Conservation
 OS2NEW Locating development in the right places
 OS1NEW Presumption in favour of sustainable development
 EH1NEW Landscape character
 T2NEW Highway improvement schemes
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application seeks planning permission for the change of use from agricultural to overflow car park, access and associated landscaping. The land in question is west of an ancient monument: The Rollright Stones. The land is outside of a Conservation Area but is situated within the Cotswolds Area of Outstanding Natural Beauty.
- 5.2 The application seeks permission for the provision of 55 car parking (including 5 disabled) spaces by way of turf reinforcement mesh over hardwearing grass, a 10m wide entrance gap from the main road and 8m wide limestone hard-standing on geotextile. A new chestnut paling fence is proposed for a section of the boundary between the site and the field in which the ancient monument is in. This fence would also extend to the front boundary with the road. In addition a landscaping planting scheme is proposed.
- 5.3 The application was deferred from the last meeting in order to consider some alternative proposals, to ascertain whether there was other land in the applicant's control, further away from the stones, which could be used to look at options for delivering a mutually acceptable solution and for members to undertake a site visit. Members were also advised that a representative of WCC could be asked to attend if a site visit was undertaken.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Siting and impact on the character of the landscape
 - Impact on the ancient monument
 - Ecological impacts
 - Highways implications
- 5.5 Policy BE2 of the west Oxfordshire Local Plan, 2011 and Policy OS2 of the emerging Local Plan, 2031 seeks for proposals to respect and where possible improve the character and quality of its surrounding. Whilst officers note the phase 2 landscaping scheme (which would comprise of native planting to the south of the site and reinforcing the hedgerow along the north of the site) it is considered the change of use of the agricultural land to enclosed car park in this location would form an incongruous feature within the open countryside.

- 5.6 Policy NE4 of the adopted West Oxfordshire Local Plan, 2011 aims to conserve and enhance the natural beauty of the Cotswolds Area of Outstanding Natural Beauty. Paragraph 115 of the National Planning Policy Framework, states that great weight should be given to conserving landscape and scenic beauty within Areas of Outstanding Natural Beauty. It is considered by officers that the location very clearly lies beyond the established boundary of any development in this location and would result in an incongruous and inappropriate intrusion in the surrounding landscape.
- 5.7 Proposals should be refused for development that fails to respect the existing scale, pattern and character of the surrounding area; and where the landscape surrounding is adversely affected. It is considered that the development would detract from the landscape qualities of the area (particularly views from the south) and represent an unwarranted urbanising intrusion into open countryside within the Cotswolds AONB. In addition officers consider that the proposal could lead to an undesirable precedent for further piecemeal development (eg to enhance security, manage visitors, provide commercial income etc)at the site which would in turn result in further visual impact in a highly sensitive location, with the potential agglomeration of other ad hoc buildings and uses compounding the harm arising from this initial proposal.

Impact on the ancient monument

- 5.8 Feedback from Historic England states that there would be little impact on the ancient monument. However your officers consider that the siting and proximity to the ancient monument will clearly affect the character and setting of the heritage asset. Whilst officers note that there are a number of mitigation measures proposed by way of landscaping and the planting of native species, it is considered to be unacceptable to construct such a form in such close proximity to the ancient monument.
- 5.9 Great weight should be attributed to preserving ancient monuments to, ideally, as close as possible to those as it originally existed. Introducing such an alien form, even with the landscaping (which indicates in itself that the development requires 'screening' to be assimilated in to the landscape) is contrary to the aims of policy BE12 and will detract from the very special and unique unspoilt character of the stones and their surrounds.
- 5.10 Members will recall that the applicant tabled a series of alternative layouts before the last meeting. Your officers have now had an opportunity to assess these in more detail. Essentially these seek to concentrate the more formal parking elements closest to the proposed access to increase the perceived separation from the monument itself. However the site area is limited by the land ownership position and the car parking still lies only 60m or so away. Ideally the car park would be significantly removed from the monument itself with the ability of the visitor to transition from the car park to the ancient monument as they walked along an informal route to it. A similar rationale has underpinned the much publicised relocation of the car parking and visitor centre from the immediate environs of Stonehenge. In that way the car park would not impinge upon the setting and experience of the monument. This is just not possible within the land comprised in the application and as such appears as an insurmountable objection notwithstanding the efforts made to try to re arrange the car parking within the site.

Ecological impacts

- 5.11 The applicant has provided an ecological survey to support the application. This has identified that the most important habitats on site were identified as the Copse, individual trees and

hedgerows. The Councils' Ecologist has confirmed there is no objection to the proposals providing any works are carried out in accordance with the Ecological assessment which has been carried out, which includes some habitat creation works.

Highways implications

- 5.12 There is no associated parking at the site, however there are two laybys off the road which are used for visitors. The applicant also states that there has been informal parking arrangement at land near the Kings Stone adjacent to the Rollrights' monument.
- 5.13 Warwickshire County Highways have been consulted on the application and confirm there is an objection to the scheme due to the submitted layout not being commensurate with the speed of the Rollright Road which is subject to the National Speed limit of 60mph. Any cars exiting an access where visibility is below the required standard is not sufficient for drivers to determine whether it is safe to move off. The visibility splays indicated are not sufficient for the speed limit.
- 5.14 The existing lay-bys also cause an issue for visibility splays as any parking here will create an obstruction within the visibility splay in the north easterly direction. The retention of the lay-bys would be to the detriment of highway safety. As such the proposal is contrary to policy BE3 of the WOLP 2011.
- 5.15 Your Officers agree that the removal of the laybys would offer both highway safety and setting of monument benefits. However that is not considered sufficient to justify alternative setting of monument and safety issues and as such it is considered that the status quo is preferable pending a more acceptable alternative solution.

Conclusions

- 5.16 Taking into account all of the above matters, and those raised in third party representations, the proposal is considered to result in a detrimental effect the setting of the ancient scheduled monument, wider landscape setting and the on the safety of the local highway network contrary to policies BE2, BE12, NE1, NE4, NE3 and BE3 of the WOLP 2011, and policies OS2, OS1 and EH7 of the Emerging Local Plan 2031 and accordingly is recommended for refusal.

6 REASONS FOR REFUSAL

- 1 The proposal fails to respect the character and special landscape qualities of the surrounding area and by way of its incongruous intrusion into the open countryside and as a result is considered to result in a detrimental effect on the setting of the ancient scheduled monument and wider landscape setting contrary to policies BE2, BE12, NE1, NE4, and NE3 of the WOLP 2011, and policies OS2, OS1 and EH1 of the Emerging Local Plan 2031 and the provisions of the NPPF.
- 2 The proposal fails to adequately show that safe access can be achieved on this site with the insufficient visibility splays proposed by virtue of the existing lay-by's and high speed limits on the adjacent road. As such the proposal would adversely impact on highway safety contrary to policies BE3 of the WOLP 2011, and policies OS2 and T2 of the Emerging Local Plan 2031 and the provisions of the NPPF.

Application Number	I5/02135/OUT
Site Address	Land Between Wychwood House And Malvern Villas Witney Road Freeland Oxfordshire
Date	23 September 2015
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Freeland
Grid Reference	440709 E 213779 N
Committee Date	5th October 2015

Application Details:

Outline application for residential development of up to 29 dwellings (means of access only)

Applicant Details:

Daniel Family Homes
C/o Agent
SF Planning Limited

I CONSULTATIONS

I.1 Parish Council

This site on the south side of the A4095 that has been proposed for development by Mr Daniel is included in the West Oxfordshire Draft Local Plan. It is identified as site reference number 269 and it is included in the updated SHLAA (dated June 2014). Within this document it states that whilst this site is available and achievable for development, the overall assessment of it was as follows:

Site 269 (land South of Witney Road) - Overall assessment = Not suitable.

Comment: Significant detrimental impact on the rural approach to Freeland from the west.

Councillors are very concerned that this proposed development will have a detrimental impact on the local area, especially in relation to access onto the A4095 which can already be difficult and dangerous at peak times.

The updated SHLAA (June 2014) notes the following about Freeland and its surrounding area:

"Although Freeland does not include a conservation area, the surrounding geography and landscape impose significant constraints upon further expansion of the village. The extensive area of woodland to the west presents a clearly defined limit to development in that direction. The landform to the east, when viewed through the gaps alongside Wroslyn Road, rises slightly before dropping again at the edge of Long Hanborough.

This gently rolling vale landscape creates an important rural outlook from the road, with views of the nearby service centre being hidden by the gradual rise in the adjacent fields. This landform also conceals Freeland from views from the A4095 to the east of the Wroslyn Road junction. Over the last 30 or so years, a number of planning applications have been submitted for residential development on this side of the road, north of the existing estate at The Blowings and Woodlands. All have been refused and, where taken further, have failed at appeal."

As you will note from the above, one of the key themes running through the assessment is that the area is visually sensitive and any development would be highly prominent and exposed which would be very detrimental to the approach to Freeland village from the A4095. Councillors believe this proposed development would be still be highly prominent and exposed along the A4095, despite the proposed landscaping which would take years to develop fully, and it would therefore be severely detrimental to the character of the village and current landscape setting.

Policy OS2 of the WODC Draft Local Plan also states that for small villages, hamlets and open countryside:

"Development in the small villages, hamlets and open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area."

The Policy goes on to state that the General Principles for development will be:

All development will be located where:

it forms a logical complement to the existing scale and pattern of development and/or the character of the area;

it protects or enhances the local landscape and the setting of the settlement/s;

it makes use of previously developed land where available, provided it is not of high environmental value (e.g. ecology) and the loss of any existing use would not conflict with other policies of this plan;

it does not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;

it can be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities.

Freeland Councillors do not feel that these policy principles are being met with the proposed development by Daniel Family Homes as a valuable open green space is being lost which makes an important contribution to the character and appearance of the approach to Freeland and the village as a whole.

Policy H5 of the Local Plan states that for medium size villages, New dwellings will be permitted in villages in the following

circumstances:

- a) infilling;
- b) rounding off within the existing built-up area; and
- c) the conversion of appropriate existing buildings.

The proposed development of site 269 does not meet with any of these circumstances and therefore the proposal is contrary to policy H5 of the Local Plan.

Councillors are also concerned about the ecological surveys that have been carried out. A local ecologist has informed the Parish Council that the ecological surveys carried out to date by Mr Daniel are not sufficient and do not meet with the standards set by DeFRA and Natural England. The Council have also been informed that there are Great Crested Newts present near the site (within 500 metres) and these are a protected species.

Another of the concerns of our Parish Councillors is that of the problems of accessing the site from the A4095.

Anyone living locally is more than aware that the A4095 is very severely congested heading from Witney towards Bladon in the morning peak hours. The cars are literally nose to tail crawling along at barely 10mph. If this new development of up to 29 houses has an estimated 2 cars per house (potentially more), this could mean another 60+ cars to enter onto the A4095 at Freeland. At peak hours in the morning and evening it is already difficult and often dangerous trying to exit Freeland and turn right onto the A4095 towards Hanborough. With even more vehicles trying to access the A4095 from the proposed site, this will prove almost impossible and will inevitably result in residents taking more chances which could lead to an increased number of accidents.

A development of up to 29 homes will potentially include a proportion of family sized homes with school age children, and Councillors are concerned about the danger to children and young people due to the opening of the proposed site onto the busy main road that is the A4095. Due to the location of the site it is highly likely that most will need to drive to the local school, otherwise they will have a long walk along the A4095 and down Wroslyn Road, with a requirement to cross the road twice. Freeland Parish Council has already received complaints from residents regarding the parking problems around the school, and problems of cars driving too fast near the school. To allow this proposed development to go ahead would add to an already difficult problem and increase the dangers to the children.

At its May meeting Freeland Parish Council was presented with a petition signed by 271 residents who were all against the proposed development on site 269.

At their June meeting Freeland Parish Council developed a Planning Policy Statement that reads:

"It is the policy of Freeland Parish Council to oppose multi-dwelling developments on green field sites unless an overwhelming benefit to the whole community can be demonstrated."

The Councillors believe that the proposed development on site 269 offers no overriding benefit to the village as a whole.

The Parish Council therefore wish to object to the planning application that has been submitted on behalf of Daniel Family Homes for this development and request that all of the above concerns are taken into account when determining this application.

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| I.2 | OCC Highways | see One Voice consultation |
| I.3 | Ecologist | <p>The main habitats identified are improved grassland, amenity grassland, species rich hedge, species poor hedge and scattered trees. Off-site there is a great crested newt breeding pond.</p> <p>All the hedgerow and trees have been retained within the proposed layout and provision is made for SUDS, tree planting and native hedgerow planting.</p> <p>An outline mitigation strategy has been submitted to show how harm to the great crested newts which may use the boundaries of the site can be avoided. However, a detailed method statement will need to be submitted as part of a management plan for the site.</p> <p>If all the recommended enhancements and mitigation for great crested newts are implemented the policy and regulatory requirements will be met.</p> <p>No objection subject to condition.</p> |
| I.4 | Thames Water | No objection with regard to sewerage infrastructure capacity. |
| I.5 | WODC Planning Policy Manager | Provided development remains at a low density with a substantial area of open space, releasing this site for housing would appear to be acceptable. |
| I.6 | WODC Head Of Housing | <p>Having regard to the Council's waiting list I can confirm that were this scheme to go ahead, then there is sufficient demand for affordable housing in Freeland to be able to let the proposed units.</p> <p>The scheme mix of 8 x 2 bed houses and 6 x 3 bed houses is a good fit with housing need. The application is therefore supported.</p> |
| I.7 | One Voice Consultations | <p>Highways - no objection to revised details for the access and footways.</p> <p>A contribution of £1,000.00 per dwelling is required towards the procurement of an improved bus service to and from Freeland.</p> |

A contribution of £8,942.64 is required towards the procurement, installation and ongoing maintenance of a new bus shelter on the south side of the A4095.

A S278 agreement is required to provide hardstanding for a bus shelter and widen the narrow section of footway along the site frontage to a minimum width of 1.8m and provide dropped kerb access onto the track onto the north side of the A4095.

Archaeology - There are no known heritage assets within or adjacent to this application. There are no archaeological constraints to this application.

Education - Freeland CE Primary School is operating at capacity and is on a small site. The school cannot absorb any additional pupil numbers physically unless additional site area can be provided. Additional school places would more probably need to be created at Hanborough Manor CE Primary School. This school is on an under-sized site but could grow if suitable land were acquired to supplement the school site. It currently operates as a 1 form entry and has a handful of surplus places in the older year groups but has recently been over-subscribed at reception age. The school has limited ability to absorb any in-catchment area additional pupils. However, the school has been identified by the County Council and the Eynsham Partnership of Schools (a multi-academy trust) as the preferred school to be expanded in this area.

A contribution of £132,614.00 is required towards the expansion of Hanborough Manor CE School by a total of 11.45 places.

CIL regulations do not allow contributions in respect of secondary education and special needs.

Property - Contributions are not being sought in relation to CIL regulations.

1.8 Environment Agency

The development has low environmental risk and no comments are made.

1.9 WODC - Sports

Sport - Off-site contributions are sought for sport/recreation facilities for residents based on the cost of provision and future maintenance of football pitches (the cheapest form of outdoor sports facility) over a 15 year period at the Fields in Trust standard of 1.2ha per 1,000 population.

Based on a football pitch of 0.742ha, a provision cost of £80,000 (Sport England Facility Costs Fourth Quarter 2013) and a commuted maintenance cost of £200,400 per pitch (Sport England Life Cycle Costings Natural Turf Pitches April 2012), this would equate to £453,477 per 1,000 population or £1,088 per dwelling (at an average

occupancy of 2.4 persons per dwelling).

Contributions

$£1,088 \times 29 = £31,552$ off site contribution towards sport/recreation facilities in Freeland. This is index linked to first Quarter 2014 using the BCIS All in Tender Price Index published by RICS.

Play Facilities

WODC endorses the Fields in Trust (FIT), formerly the National Playing Fields Association, standard of 0.8ha of children's play space for every 1,000 people. It also endorses the FIT guidance on distinct types of play areas to cater for the needs of different age groups (LAPs - Local Areas of Play, LEAPs - Local Equipped Area of Play and NEAPS - Neighbourhood Equipped Areas of Play).

Of the FIT standard of 8sq m of play space per person, we will expect 5sq m to be casual and 3sq m to be equipped. At an average occupancy rate of 2.4 persons per dwelling this equates to 12sq m of casual space and 7.2sq m of equipped space for every dwelling. We will liaise with the town/parish council to establish the most appropriate form of provision taking account of the location, scale and form of the proposed development. In particular, the type of play facility will need to reflect the minimum sizes for a Local Area for Play (LAP) (100m²), a Local Equipped Area for Play (LEAP) (400m²) and a Neighbourhood Equipped Area for Play (NEAP) (1,000m²) and the need for adequate buffer zones and minimum distances from dwellings. Generally, on developments of fewer than 60 dwellings, we will expect applicants to make provision by way of a contribution to an equipped off-site facility.

Contributions

The cost of providing and maintaining play facilities of the minimum sizes set out above is estimated to be as follows:

Facility	Provision	Maintenance
LAP	£ 16,000	£ 22,128
LEAP	£ 68,000	£ 71,916
NEAP	£143,000	£197,769

We will assess contributions towards equipped play facilities on the basis of providing and maintaining a NEAP that will meet the needs of 1,000 people. The contribution per person will therefore be £143 for provision and £198 for maintenance. This equates to an overall contribution of £818 per dwelling (at an average occupancy of 2.4 persons per dwelling).

$£818 \times 29 = £23,722$ for the provision and maintenance of play

facilities in Freeland. This is index linked to first Quarter 2014 using the BCIS All in Tender Price Index published by RICS.

- 1.10 WODC - Arts A contribution of £3,000.00 towards public art to be used to enhance public amenity spaces off-site in the village will be required. The exact nature of the works to be determined in conjunction with the Parish Council.

2 REPRESENTATIONS

2.1 Objections have been received from 71 local residents referring to the following matters:

- (i) Detrimental impact on approach to the village.
- (ii) Inadequate infrastructure to support the development.
- (iii) Parish Council is against the development.
- (iv) Increased traffic and highway safety.
- (v) No discernable benefit to the village.
- (vi) Erosion of green space.
- (vii) Freeland is a village rather than a service centre.
- (viii) Previous applications here have been refused.
- (ix) Outline permission means that something entirely different could end up being built.
- (x) Affordable housing not likely to go to Freeland residents.
- (xi) Presentations by applicant gave two options rather than nothing at all.
- (xii) Community led plan reports that 62% of respondents (166) said they did not think that Freeland needs more housing or weren't sure whether it did.
- (xiii) Impact on wildlife, including Great Crested Newts.
- (xiv) The development cannot be considered rounding off and is contrary to WOLP Policy H6.
- (xv) The development is not supported by the village, as evidenced by the petition and Parish Council objection.
- (xvi) SHLAA found the site to be unsuitable.
- (xvii) The village would become disconnected.
- (xviii) Rural landscape will be ruined.
- (xix) Public transport not frequent enough.
- (xx) The trading estate is part empty and employment opportunities are limited.
- (xxi) Affordable housing needs to be provided to meet local needs.
- (xxii) Flood risk and surface water problems.
- (xxiii) Loss of light and privacy.
- (xxiv) The petition represents the views of the village.
- (xxv) Contrary to WOLP Policy H2 and BE4.
- (xxvi) Large development should not be permitted in Freeland.
- (xxvii) Not a logical complement to the existing pattern of development and contrary to emerging Policy OS2.
- (xxviii) Imbalance of housing on the periphery of the village.
- (xxix) Contrary to village statement opposing multi-dwelling development on greenfield sites unless it is of overwhelming benefit to the village.
- (xxx) Field is actively used for haymaking.
- (xxxi) There are plenty of opportunities to develop elsewhere.
- (xxxii) The needs of the village have not been identified.
- (xxxiii) Village will become fragmented and linear aspect will be lost.

- (xxxiv) Public transport not frequent enough.
- (xxxv) Site should be used for recreation only.
- (xxxvi) Air quality affected by congestion.
- (xxxvii) Ecological reports inadequate and flawed.
- (xxxviii) The number of dwellings could be increased at a later date.
- (xxxix) Noise and disturbance.
- (xl) There may be archaeological interest on this site and a geophysical survey should be carried out.
- (xli) Impact on foul drainage capacity.
- (xlii) Not a suitable or sustainable location.
- (xliii) Quality of life would be affected.
- (xliv) Children not able to attend Freeland Primary School may be at a disadvantage in their efforts to integrate in the local community. There may be some displacement of children in Long Hanborough as a result of increased demand for school places.

A petition objecting to the proposal contains 271 names.

Long Hanborough Parish Council has objected on the following grounds:

- (i) The views of Freeland Parish Council are supported.
- (ii) It would be contrary to emerging policies OS2 and H2.
- (iii) Increase in traffic and congestion on the A4095

5 expressions of support have been received referring to the following:

- (i) There is a need for housing generally and affordable housing in Freeland.
- (ii) There has been very little development in the village since 2011.
- (iii) No new development will lead to ageing population and lack of support for local business.
- (iv) A legal agreement will address the provision of services.
- (v) Lots of green space will be retained.
- (vi) The impact on wildlife has been addressed in the submitted reports.
- (vii) The site is surrounded on three sides by development and on the last side by the A4095.
- (viii) There is easy access to bus stops to travel to Witney, Woodstock, Eynsham and Oxford.
- (ix) There is pedestrian access and cycleway.
- (x) The development would be great for younger members of the village.
- (xi) There is a housing crisis in south east England and Oxfordshire in particular. More homes need to be built and Freeland has to play its part like everywhere else.
- (xii) The scheme is moderate development on the edge of the village amongst existing development.
- (xiii) This is the best proposal to achieve new housing in the village.
- (xiv) Many objectors cannot see the site from their houses.

2.2 General comments have been provided referring to the following:

- (i) Link to Wroslyn Road essential to ensure children are able to walk to school and join in village life.
- (ii) Traffic should be directed to avoid rat run through village.

- (iii) The housing should be designed in an ecological way to complement and enhance the village.
- (iv) Adequate screening is required.
- (v) Not all villagers completed the petition or were aware of it. It is not clear what people were being asked to be signatories to. Some felt obliged to sign and there are multiple signatures from the same property. The conclusions in the covering letter with the petition are not substantiated and would require independent survey. Such a survey should be representative of village demographics and addresses.
- (vi) False information was given in connection with the petition and this should be taken into account.
- (vii) The development could bring about highways improvements.
- (viii) Surface water drainage could be improved as part of the development.
- (ix) The village does not flood.
- (x) Review of the speed limit should be considered.
- (xi) Signage should be reviewed and rationalised and a camera could be installed.
- (xii) A footpath into the village would be a desirable addition.
- (xiii) The S106 process should be used to prioritise improvements to local infrastructure.

3 APPLICANT'S CASE

- 3.1 Freeland, considered as a sustainable location for development within the adopted development plan, has only provided one dwelling towards the District's housing supply since 2011. This is a clear underperformance given the accessibility to a range of facilities within the village and in other sustainable settlements nearby.
- 3.2 The supply of brownfield land within the village has been exhausted and given the landscape/woodland constraints around the southern section of the village there does not appear to be any scope to expand. The only other available greenfield site considered through the SHLAA 2014 is undesirable given that it expands built form outside the settlement.
- 3.3 It is therefore clear that the proposed development site is the only realistic and sustainable option for residential development in Freeland to meet the growing need for housing. The provision of 50 % affordable housing on the site is also a significant benefit weighing in favour of the scheme.
- 3.4 Given that the Local Plan is now operating outside of its coverage period up to 2011, and the fact that there has been no adopted housing requirement for the District since the revocation of the Regional Strategy, it is considered that saved Policy H6, which seeks to restrict housing, should be regarded as out of date in terms of paragraph 49 of the NPPF. Notwithstanding this, it is considered that the development should be considered as "rounding off" the northern element of the village, with the brownfield requirement being out of date in NPPF terms.
- 3.5 The proposals have been prepared in consultation with the Council, the Parish Council and local residents. The applicant has listened to the comments made and designed the scheme accordingly. In particular, the scale of the development and the application site has been reduced to retain the natural buffer and approach to the village.

4 PLANNING POLICIES

BEI 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
 NE15 Protected Species
 T1 Traffic Generation
 T2 Pedestrian and Cycle Facilities
 T3 Public Transport Infrastructure
 H2 General residential development standards
 H3 Range and type of residential accommodation
 H6 Medium-sized villages
 H11 Affordable housing on allocated and previously unidentified sites
 TLC7 Provision for Public Art
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 OS5NEW Supporting infrastructure
 H1NEW Amount and distribution of housing
 H2NEW Delivery of new homes
 H3NEW Affordable Housing
 H4NEW Type and mix of new homes
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH5NEW Flood risk
 EH6NEW Environmental protection
 EW2NEW Eynsham-Woodstock sub-area
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The proposal is an outline application for the erection of up to 29 dwellings on approximately 2.8ha of land with only access to be considered at this stage. A range of supporting information and an indicative layout have been provided. It is envisaged that the development would be a mix of 1.5 storey and 2 storey. The vehicular access would be from the A4095 to the north.

The relevant planning history is as follows:

W88/1255 - outline application for residential development (indicatively 69 units) and new vehicular access - refused 09/09/88
 W91/1576 - part residential development (25 units) and part business use (1.25 acres of land) and associated road works - refused 04/02/92
 W2002/0574 - residential development (2 detached dwellings) - refused 28/05/02
 15/02740/FUL - erection of 8 dwellings - withdrawn 08/09/15

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

Principle
Siting, design and form
Highways
Trees, landscaping and ecology
Drainage
Residential amenity
Affordable housing
Infrastructure

Principle

- 5.2. The site is agricultural land, currently pasture, located to the north west of the village. It lies to the south of the A4095 and west of Wroslyn Road. To the south there is an industrial estate and to the west housing development. The surrounding development is predominantly modern, but there is older housing at Malvern Villas and 2 to 12 Wroslyn Road. None of the nearby buildings is listed. Freeland does not have a Conservation Area and the site is outside the AONB.
- 5.3 Freeland has a primary school, community building, pub, places of worship, playing field, employment and a bus service. It is recognised as an appropriate place for some new development under both adopted Policy H5 and emerging Policy OS2. Policy H5 allows for development representing infilling, but the proposed development would not conform with this policy given the site's size and relationship to existing development in this location. The emerging revised local plan Policy OS2 recognises Freeland as a "village" in the settlement hierarchy. Here, development which respects the village character and local distinctiveness, and would help to maintain the vitality of these communities will be allowed in principle. Following on from this there are a number of general principles that need to be applied to any form of development.
- 5.4 Emerging Policy H1 refers to the sub-area of Eynsham-Woodstock contributing 1,600 dwellings to the housing supply over the plan period to 2031. Although the precise locations for new housing within the sub-area have not been defined, the SHLAA provides an indication of where some of this housing is likely to be developed. The site is identified in the 2014 SHLAA as site number 269 and assessed as unsuitable for the following reason - "Significant detrimental impact on the rural approach to Freeland from the west." Nevertheless, the SHLAA, is an evolving document which is subject to regular review and update. Whilst the site has not been identified as likely to contribute housing land supply, it is necessary to consider the proposal on its merits. The extent of any visual harm will be identified in detail below. Notwithstanding the SHLAA observations about the site, it is considered that in principle the site could contribute to meeting the windfall allowance for the housing sub-area.
- 5.5 Although the site is acknowledged to be greenfield, relatively few previously developed sites come forward in the district and it is necessary to consider greenfield sites in sustainable locations. The site is not within the AONB, or Green Belt, and is outside a Conservation Area. It is not considered by your Officers to be an important area of open space that would need to

be retained for recreation or conservation reasons. It does not provide public open space or any formal recreation use. This is consistent with bullet point 8 of emerging Policy H2.

- 5.6 In Freeland, emerging local plan policy H2 allows for housing on undeveloped land within or adjoining the built up area, where the proposed development is necessary to meet identified housing needs and is consistent with a number of criteria, as well as other policies in the plan. Detailed considerations expressed in the policy will be assessed below. However, the principle is acceptable as the site does adjoin the existing settlement edge and unidentified housing sites are required to contribute to housing land supply.
- 5.7 Having regard to bullet point 1 of emerging Policy H2 the level of housing proposed is not considered disproportionate to the size of the settlement. At the last census Freeland had 587 households. The dwellings proposed would represent a 5% increase in the size of the settlement in this regard.
- 5.8 With regard to the third and fifth bullet points of emerging Policy H2, the development would not lead to the coalescence or loss of identity of separate settlements, and it would form a logical complement to the existing scale and pattern of development in this area. The site is contained between the western edge of the village along the A4095, Wroslyn Road and the industrial area to the south.

Siting, Design and Form

- 5.9 An indicative layout has been provided, and this indicates that a scheme of 29 dwellings can readily be accommodated.
- 5.10 The layout shows an intention to set the built form well back from the frontage and give over a large space alongside the A4095 to landscaping. Taking account of the depth of the existing grass verge to the front, the retained hedgerow and position of the indicative most northerly dwellings, the set-back from the carriageway would be approximately 22m. This would be behind the existing roadside elevations of the development to the east and west.
- 5.11 It is indicated that the houses would be 1.5 storey and 2 storey although the house types are for future consideration as part of a subsequent reserved matters application. The design is likely to be inspired by vernacular forms and proportion, but no detailed elevations are available as part of the application.
- 5.12 Large areas of the site are to be set aside for open space with new tree planting, paths and settlement ponds to provide for surface water drainage.
- 5.13 The SHLAA assessment suggested that the rural approach to the village from the west would be harmed by development on this site. It is acknowledged that the site represents a substantial area of open grassland on the edge of the existing settlement which has a hedgerow boundary to the road. To that extent it reflects the rural characteristics of the wider area, but it is not contiguous with wide expanses of open countryside. There is significant existing development to the west of it and it does not present a clearly identifiable transition between open countryside and existing built form at the junction of Witney Road and Wroslyn Rd, and along Wroslyn Road itself. There is nothing in the character of the site or the appearance of the edge of the settlement that would suggest any clear physical or visual attributes to militate against development in this location in principle.

- 5.14 The layout provides an appropriate balance between open space and built form, and is not high density in relation to the site area. It is considered that the retention of the hedgerow to the front, setting back of the development from the road and large areas being left undeveloped will substantially reduce any perception of an urbanisation of this part of Freeland.

Highways

- 5.15 There is an existing agricultural access onto the road. The new vehicular access would be positioned to the west of this and the existing access closed. Pedestrian access to the main road would be provided via pavements at both sides of the access.
- 5.16 The planning application is accompanied by a Transport Statement which has been considered by OCC Highways.
- 5.17 The plans as originally submitted did not show adequate dimensions and visibility at the access, but this has subsequently been addressed with revised plans, which include appropriate width of carriageway and footways, crossing points and visibility. No objection is raised by OCC in relation to vehicle movements and highway safety.
- 5.18 The development site is located adjacent to the Witney-Woodstock bus service 233. A strategy exists to improve this bus service to operate more frequently with longer operating hours, and a S106 contribution of £1000 per additional dwelling will be sought.
- 5.19 A pair of bus stops (Freeland Turn) is located very close to this development site either side of the A4095. An informal pedestrian crossing is located to the east of the junction with Wroslyn Road to assist bus users accessing the stop on the north side of the A4095. There is no shelter at the bus stop on the south side of the A4095. A S106 contribution of £8942.64 will therefore be sought towards the procurement, installation and on-going maintenance of the new shelter. The developer will be required to liaise with the Parish Council regarding the style of shelter to be procured, also its location, given the proximity of an existing residential property.
- 5.20 The site is well located to offer realistic and convenient opportunities for residents to travel by non-car modes. Facilities and services in Long Hanborough are located approximately 1 mile away and there is a footway along the length of the A4095 between Freeland and Long Hanborough. It is not considered that the proposal would have a severe impact on the operation of the highway network in this location. The proposal complies with WOLP Policy BE3, bullet point 9 of emerging Policy H2 and emerging Policy T1.

Trees, Landscaping and Ecology

- 5.21 The site currently has a significant numbers of trees and hedgerow to its periphery. With reference to the submitted arboricultural report and tree protection plan, all but one of the trees would be retained. An immature elm on the site frontage would be taken out but this would not be of significant detriment to the visual amenity of the area. The indicative layout shows that the development can be accommodated without encroaching into the root protection areas of any retained trees. Subject to conditions in relation to retention of trees and tree protection measures the proposal would be acceptable in maintaining these existing landscape features.

- 5.22 A full landscaping scheme would be required at the reserved matters stage and the combination of retained trees, new planting and boundary treatments is envisaged to provide appropriate screening and features that will assimilate the development into the local character of the village. This would accord with WOLP Policy NE6 and bullet point 6 of emerging Policy H2.
- 5.23 The submitted Ecological Appraisal identified most of the site as improved grassland/amenity grassland. There is a species rich hedgerow with trees to the west boundary and part of the south boundary. A species poor hedge is present along the north boundary and is primarily hawthorn. Cypress hedge is present along part of the south boundary and a cypress windbreak forms part of the south boundary.
- 5.24 A short section of the hedge to the north boundary will need to be removed to provide the access but this would not be detrimental to the overall ecology of the site. Other hedgerow would be retained. The indicative plans show that the development would not encroach into the peripheral areas of most value to wildlife.
- 5.25 An objector submitted a lengthy and detailed critique of the submitted ecological appraisal and Great Crested Newt survey. In addition, although not directly consulted by the Council, Natural England advised in the light of concerns of a member of the public that the Council should seek further clarification from the ecologist on the implications of the two garden ponds not surveyed to date, along with historical records from the Local Records Centre (provided within the great crested newt survey). They further recommended that the mitigation proposals should be revisited in light of this additional information. In response to these concerns, the applicant has submitted a letter from their ecologist which addressed the key areas of contention. This letter concludes that they consider their report follows standard methodologies for determining the value of habitats and their potential for protected species. The mitigation measures proposed for Great Crested Newts are proportional to the impact of development, and while the need for a licence is open to interpretation, it is not acceptable to apply for a precautionary licence when impacts to individual newts can be avoided and there is no loss of habitat. The habitats to be lost are species poor improved and amenity grassland.
- 5.26 The Council's consultant ecologist has assessed the information provided. An outline mitigation strategy has been submitted to show how harm to the Great Crested Newts which may use the boundaries of the site will be avoided. However, a detailed method statement and management plan will need to be submitted by condition. The ecological value of the site will be increased by the introduction of new landscaping, tree planting and settlement ponds. If all the recommended enhancements and mitigation are implemented, the policy and guidance requirements of the Local Plan, NPPF, and the three habitat regulations will be met.

Drainage

- 5.27 The site is in Flood Zone I and therefore at low risk of flooding. It would not therefore be reasonable to resist the development on flood risk grounds. No objection is raised by the Environment Agency.
- 5.28 A number of objections have referred to surface water drainage issues in heavy rainfall and some ingress of surface water into the foul drainage system on occasions.

- 5.29 No objection is raised by Thames Water in relation to the capacity of the foul system. In terms of surface water, the development would incorporate sustainable drainage and it is considered that localised flooding under certain conditions would not be exacerbated by the proposal.
- 5.30 Subject to approval of a sustainable drainage system, it is considered that the proposal would be acceptable when assessed against Policy EH5 of the emerging Local Plan and the NPPF. It would also be consistent with bullet point 10 of emerging Policy H2.

Residential Amenity

- 5.31 The proposed buildings, as shown on the indicative layout, would not be sited in close proximity to any neighbouring dwellings. Although the layout may be subject to change at the reserved matters stage, there is no reason to believe that an appropriate privacy distance could not be achieved in relation to all existing dwellings.
- 5.32 The distance between the development and nearby buildings is such that there would be no loss of light. This matter would be assessed in full at the reserved matters stage.
- 5.33 Although there may be some relatively short term disturbance during construction, it is considered that general amenity would not be materially affected by the development. A construction management plan can be agreed by condition. Loss of view is not a material planning consideration.
- 5.34 There is potential for future occupants of the development to be affected by noise from the A4095 and the industrial area to the south. The illustrative layout shows buildings set well back from the road and the industrial buildings, but a condition is recommended to ensure that guidelines for noise levels within gardens and houses are adhered to and factored into the design and layout at the reserved matters stage, for example, by the use of specialist glazing.
- 5.35 Insofar as amenity issues can be assessed under this outline application, the proposal would comply with WOLP BE2 (c), WOLP H2 (d), and the fourth bullet point of emerging Policy H2.

Affordable housing

- 5.36 WOLP Policy H11 requires contributions to affordable housing at a rate of up to 50% on unallocated sites. The emerging review plan Policy H3 introduces an approach on large scale schemes whereby the district is divided into zones where different proportions of affordable housing will be sought. In the case of Freeland the requirement would still be 50%. The Council's Housing Enabling Officer has commented that having regard to the Council's waiting list, were this scheme to go ahead, then there is sufficient demand for affordable housing in Freeland to be able to let the proposed units. The scheme mix of 8 x 2 bed houses and 6 x 3 bedroom houses is a good fit with housing need. Therefore the proposal is supported.
- 5.37 A number of objectors have suggested that the affordable housing will not necessarily go to people local to Freeland and therefore this should not be considered a benefit to the local community. However, the provision of affordable housing is a Council objective across the District and it would be allocated in accordance with the Council's criteria. Officers consider that delivery of affordable housing is a key benefit of the scheme and it would comply with WOLP Policy H11 and emerging policy H3.

Infrastructure

- 5.38 There is anecdotal suggestion from objectors that local services and facilities will be put under strain as a result of this proposal.
- 5.39 Oxfordshire County Council has been consulted and advises that Freeland CE Primary School is operating at capacity and is on a small site. The school cannot absorb any additional pupil numbers physically unless additional site area can be provided. Additional pupil places would more probably need to be created at Hanborough Manor CE Primary School, in the nearby area, if it is not feasible at Freeland.
- 5.40 Hanborough Manor CE Primary School is on an under-sized site, but could grow if suitable land were acquired to supplement the school site. It currently operates as 1fe, and has a handful of surplus places in older year groups, but more recently has been oversubscribed at Reception age. The school has very limited ability to absorb any in-catchment area additional pupils. However, the school has been identified by the county council and the Eynsham Partnership of Schools (a Multi-Academy Trust) as the preferred school to be expanded in this area. Notwithstanding these observations, no objection is raised by OCC. A primary school contribution in the sum of £132,614.00 will be required towards the expansion of Hanborough Manor CE School.
- 5.41 A contribution of £1000.00 per additional dwelling towards improved bus services to and from Freeland is required, as well as £8,942.64 towards the cost of procuring, installing and maintaining a new bus shelter on the south side of the A 4095.
- 5.42 In accordance with CIL regulations, other OCC contributions cannot be secured as part of this development.
- 5.43 A contribution of £3,000 towards public art to be used to enhance public amenity spaces off site in the village will be required. The exact nature of the works is to be determined in conjunction with the Parish Council. It is understood that the Parish Council has some plans to enhance public amenity and garden spaces in the village. In accordance with the NPPF and the National Planning Practice Guidance the Council can contribute to the improvement of the Cultural Wellbeing of the District by implementing such programmes and projects. Furthermore the Council supports public and private sector organisations, community groups, local residents' groups and individuals with the delivery of and their engagement with such schemes.
- 5.44 An off-site contribution of £1,088.00 x 29 =£31,552.00 will be required towards sport/recreation facilities. A contribution of £818.00 x 29 =£23,722.00 will be required for the provision and maintenance of play facilities in Freeland.
- 5.45 The capacity of the doctor's surgery in Long Hanborough is acknowledged to be an issue locally and there is a need to increase capacity to meet demand and NHS recommendations on size. Additional housing is likely to increase demands on the Long Hanborough surgery as this is the closest to the site, but residents would have the option of registering with another practice, albeit that this may be less conveniently located. This matter would not warrant refusal of the application.

Other matters

- 5.46 A number of objectors have referred to the findings of the Freeland Community Plan 2014 consultation. This reports that 30% of households in the village returned questionnaires, and of these 38% thought that Freeland needed more housing, 28% weren't sure and 34% did not think that Freeland needed more housing.
- 5.47 A petition against the proposal has been submitted and contains 271 names. This represents approximately 17% of the population of the village as a whole.

Conclusion

- 5.48 The application is seeking outline planning permission with only means of access to be considered at this stage, although some matters of detail, such as the intention regarding the retention of trees on the site, have been submitted as part of the proposal.
- 5.49 The principle of development in this location is acceptable with regard to emerging Local Plan Policies OS2 and H2, and the sustainable development objectives of the NPPF.
- 5.50 The means of vehicular access to the A4095 and new pedestrian footways are not objected to by the Highways Officer. It is considered that there would be no significant impact on highway safety and details of the provision of parking within the site can be resolved at the reserved matters stage. Accordingly the proposal is considered to comply with adopted Local Plan Policy BE3 and emerging Local Plan Policy T1.
- 5.51 There is no objection from Thames Water and sustainable drainage will be included as part of the development at the reserved matters stage.
- 5.52 There would be no unacceptable impact on residential amenity, based on the indicative layout.
- 5.53 The indicative layout, and plans for the retention of trees and new landscaping, indicate that a scheme for 29 dwellings can be comfortably accommodated on the site without significant detriment to the character and appearance of the area. A condition is included to require details of siting, scale and external appearance at the reserved matters stage.
- 5.54 Impacts of the development as regards social infrastructure will be addressed through a legal agreement.
- 5.55 Appropriate mitigation for protected species, and appropriate mitigation and enhancements for wildlife can be secured by condition. The overall ecological value of the site would be enhanced compared to the current improved grassland that covers most of the site.
- 5.56 Insofar as relevant to this outline application, the proposal complies with adopted Local Plan (2011) Policies BE2, BE3, BE4, BE13, NE3, NE6, NE13, H2, H3, H11, T3, and T8. The proposal is also consistent with emerging Local Plan (2031) Policies OS1, OS2, OS4, OS5, H1, H2, H3, H4, T1, T3, T4, EH1, EH2, EH5, EH6, and EW2. The scheme would also fulfil the sustainable development objectives expressed in the NPPF.

6 CONDITIONS

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 Details of the layout, appearance, scale, and landscaping (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.
- 3 The development shall be carried out in accordance with plans I4-I12-002 Rev A, X-2, D-5 Rev D, D-6 Rev D, and D-7 Rev C. The reserved matters submission shall be in general accordance with these plans as regards layout and landscaping. All buildings shall be no more than 2 storey.
REASON: For the avoidance of doubt as to what is permitted.
- 4 Prior to commencement of the development, details of the junction between the proposed road and the highway shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the junction has been constructed in accordance with the approved details.
REASON: In the interests of highway safety.
- 5 No dwelling shall be occupied until all the roads and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
- 6 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 highway safety.
- 7 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
 - i The parking of vehicles for site operatives and visitors
 - ii The loading and unloading of plant and materials
 - iii The storage of plant and materials used in constructing the development
 - iv The erection and maintenance of security hoarding including decorative displays
 - v Wheel washing facilities
 - vi Measures to control the emission of dust and dirt during construction
 - vii A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - viii Hours of operation

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

- 8 Prior to the occupation of any dwelling on the site, a travel information pack shall be submitted to and approved in writing by the Local Planning Authority and thereafter distributed to all new residents of the development.

REASON: To promote the use of non-car modes of travel.

- 9 Fire hydrants shall be installed in accordance with details, including the phasing of installation, which have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the safety of occupiers of the proposed dwellings.

- 10 Prior to commencement of development, including site clearance, an ecological method statement and management plan for Great Crested Newts based on the recommendations contained in Section 6.0 of the "Great Crested Newt Survey" dated May 2015 by All Ecology and Section 4.0 of the "Ecological Appraisal (Revision 1)" dated April 2015 by All Ecology shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement and management plan shall be fully implemented in accordance with an agreed timetable and mitigation works shall be retained thereafter.

REASON: To ensure that birds and Great Crested Newts and their habitat are protected in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, in accordance with the NPPF, West Oxfordshire Local Plan 2011, emerging review West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 11 1. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originates on site, the report must include a risk assessment of potential source pathway receptor linkages. If potential pollutant linkages have been identified a site investigation assessing the nature and extent of contamination will be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority.

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

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

REASON: To prevent pollution of the environment in the interests of the amenity.

- 12 A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.

The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

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

- 13 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.

- 14 The development shall be carried out in accordance with the "Report on the impact on trees of proposals for development at Witney Road, Freeland, Witney, OX29 8HG" dated 8th June 2015 by John Cromar's Arboricultural Company Limited, including all recommended tree protection measures. The tree protection fencing shall be erected prior to the commencement of development and retained until the completion of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard features that contribute to the character and appearance of the area.

- 15 Prior to the commencement of any residential development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a superfast broadband service (>24mbs) to that dwelling from a site-wide network, is in place and provided as part of the initial highway works, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a superfast broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

REASON: In the interest of improving connectivity in rural areas.

- 16 The reserved matters submission shall have regard to the potential for noise arising from the A4095 and the industrial area to the south of the site. Where dwellings are to be located on parts of the site affected by noise, that does not conform with World Health Organisation guidelines, a scheme for mitigating the impact of that noise shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before any of the permitted dwellings so affected are occupied.

REASON: To ensure the creation of satisfactory living conditions in the dwellings.

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.

Application Number	I5/02786/HHD
Site Address	Rosebank 31 Brook Hill Woodstock Oxfordshire OX20 1JE
Date	23 September 2015
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Woodstock
Grid Reference	444841 E 217057 N
Committee Date	5th October 2015

Application Details:

Erection of car port

Applicant Details:

Mr John R Stone
Rosebank
31 Brook Hill
Woodstock
Oxfordshire
OX20 1JE

1 CONSULTATIONS

- 1.1 OCC Highways No response as of 22/09/15
- 1.2 Parish Council Woodstock Town Council OBJECTS on the following grounds
WODC policy BE2(a)(b)(c)

Woodstock Town Council regards this car port as inappropriately large for the site, overbearing and unneighbourly and considers that the proposal is against Policy 054 of the Developing Local Plan.

2 REPRESENTATIONS

Two letters of objection were received from Mr and Mrs Drewett and Ivor and Sue Lloyd, the objections can be summarised as follows:

- The height of the car port is overpowering, particularly as the adjoining property (number 32) is at a lower level than 31.
- The car port should require guttering and drainage measures.
- The building would be used to store a caravan and not as a car port and the advertising is therefore not accurate.
- The car port would appear over-large and unsightly.
- The outbuilding would be forward of the principal elevation of the main dwelling and adjoining property.

- The North West corner would be 4.6 metres high accounting for the ground level and would be 0.5 metres from the boundary of 32a Brook Hill.
- There would be a 10.5 metre long and 3.3 metre high wall of unbroken featherboarding adjoining the boundary of 32a, which would be unsightly.
- There is no provision for rainfall collection or drainage.

3 APPLICANT'S CASE

The car port is of an appropriate scale and is appropriately sited and would not be detrimental to the amenity of the neighbouring properties. The car port would be used for the storage of a car as well as a caravan.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

OS4NEW High quality design

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning consent for the erection of a timber car port located forwards of the principal elevation of a detached dwelling at Brook Hill a residential street in Woodstock. The site is located outside the designated Conservation Area. The car port would be sited on an area of existing hardstanding adjacent to a driveway leading to the dwelling and would be sited 3 metres from the highway boundary. The car port would be located close to an adjoining boundary fence and private access driveway serving 32a Brook Hill.
- 5.2 The Car Port would be 10.5 metres long and 4.4 metres wide. The site is elevated in relation terms of topography with the ground level sloping upwards from the sit entrance. The structure at the highest point facing the public highway would be 4 metres in total lowering to a height of 3 metres at the east elevation. The East elevation of the car port would be open sided along with a section of the south elevation facing the driveway. The North and West elevation, which faces Brook Hill would be closed and clad in timber materials.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

The visual impact of the development on the streetscene and built form of the immediate area.

The impact on the amenity of adjoining properties.

The impact on parking and access.

Principle

- 5.4 The principle of constructing a car port forward of the principal elevation of a dwelling, within a relatively large front curtilage space is acceptable notwithstanding its compliance with relevant

planning policy namely BE2 and BE3. The development of front elevation car ports and garages is a relatively common householder planning application.

- 5.5 In reference to the objection received by the adjoining neighbours there are no planning reasons to control what type of vehicle in the structure and the application must be determined on its own merits in relation to relevant planning policy.

Siting, Design and Form

- 5.6 The structure is considered to be practically sited in a position adjoining the driveway serving No 39 Brook Hill. The car port would be set back as far as practically possible from the highway boundary as to minimise its impact on the immediate streetscene.
- 5.7 The height of the structure, which is a maximum of 4 metres is fairly regular for a domestic car port or garage and is not considered to be excessively high. The car port is relatively long; however the overall scale is not considered to be excessive and would be subservient in relation to the main dwelling and adjoining dwelling to the north of the site. The applicants have stated the intention to store an existing caravan in the structure alongside a further vehicle and the scale of the structure is considered proportionate for this use.
- 5.8 The overall design is functional and it is not considered that this would appear out of keeping in the relatively suburban context of the immediate streetscene. The proposed use of materials is considered appropriate within this location. Front views of the car port from Brook Hill would be relatively obscured by existing trees to the front of the site and in the front garden of the adjoining property, views from the north would be restricted by the large front elevation hedge of the adjoining property, 32 Brook Hill. It is considered that the car port would be sited far enough from the highway boundary as to not detract from the adjoining streetscene.

Amenity Impact

- 5.9 The car port adjoins an access road serving a dwelling to the rear of the site of the proposed structure. It is not considered that the car port would impact on the amenity of this access despite the length of the structure. 32 Brook Hill is located approximately 4 metres to the side of the proposed car port beyond the access driveway serving 32a Brook Hill. Although the adjoining property is set below No 31 it is not considered that the car port would appear overbearing in relation to this property given that the height of the section of the structure running parallel to No 32 would be slightly over 3 metres in height when measured at ground level.
- 5.10 Given the separation distance between the car port and No 32 it is not considered that the amenity impact of the proposed car port on this property would be significantly detrimental. The development would result in some overshadowing to the front curtilage of No 32 however it is not considered that the development could reasonably be refused on these grounds.

Access and parking

- 5.11 The car port would not affect existing access and would retain the two off-street parking spaces currently provided.

Conclusion

- 5.12 The development is considered to be acceptable and compliant with Local Plan Policies BE2, BE3, H2 and OS4.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by 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 carport(s) shall not be altered or enclosed and shall be used for the parking of vehicles and for purposes 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.

Application Number	I5/02620/S73
Site Address	1 Upper Brook Hill Woodstock Oxfordshire OX20 1UA
Date	23 September 2015
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Woodstock
Grid Reference	444479 E 216912 N
Committee Date	5th October 2015

Application Details:

Variation of conditions 2 and 4 of application I2/I333/P/FP. Condition 2 to be varied to reflect drawings as constructed. Condition 4 to be varied to include window W7

Applicant Details:

Mr Dennis Allen
The Coach House
40 Rectory Lane
Woodstock
Oxon
OX20 1UF

I CONSULTATIONS

- I.1 WODC Architect No Comment Received.
- I.2 Parish Council Woodstock Town Council supports this planning application.

2 REPRESENTATIONS

- 2.1 A total of 5 letters of objection were received from residents of 72, 78, 80, 82 Oxford Street. The objections can be summarised as follows:

- * Objections were raised to the initial granting of approval for the dwelling.
- * The height of the dwelling is 557 mm higher than approved as opposed to the figure of 255 mm as stated by the applicants. References made to the two surveys conducted by Midland Surveys LTD.
- * The building is a block design as opposed to a pitched roof, the design of the building with its increased height would result in 70 cubic metres of excess bulk being added to the building.
- * The comparison in height between Number 1 and numbers 3 and 5 Upper Brook Hill eluded to by the applicants is disingenuous due to differences in the siting and design of 1 Upper Brook Hill and the adjoining properties.
- * The foundations of the property should have been lowered to achieve compliance with the conditions.
- * The proposals would have an overbearing impact on Number 80 Oxford Street.
- * The extra half a metre in height, lack of obscure glazing and the terrace with low fall would overlook the garden of 72 Oxford Street resulting in a loss of privacy. The size of the building appears overbearing in relation to number 72.

- * The South Western corner of the house would have an overbearing impact on the garden on number 78 and the additional bulk would affect the resident's enjoyment of the garden.
- * All of the west facing windows of the property should be frosted glass to prevent overlooking.
- * The dwelling does not fit in with the scale of the surrounding buildings.
- * The increase in height would set a precedent for developers to build outside of approved dimensions.
- * The proposals would be non-compliant with local plan Policy BE2.

A further 3 late representations were made in objection to the application prior to the previous committee meeting.

- 2.2 Two of the residents above spoke in support of the variation of condition 4 to apply obscure glazing.
- 2.3 Two late representations were made prior to the committee in support of the application

3 APPLICANT'S CASE

- 3.1 The dwelling has been constructed inadvertently 255mm taller than the approved scheme. The additional increase in height is not material and is virtually impossible to conceive the additional increase in height.
- 3.2 The issues were technical and arose during the construction of the dwelling as a result of drainage requirements and the addition of insulation to the property.
- 3.3 There would be no undue shadowing or loss of light incurred by the additional increase in height and the property is lower than 3 and 5 Upper Brook Hill.
- 3.4 The heights of the parapet coping and flat roof ridge was checked in relation to a fixed man hole cover on Brook Hill. The vertical distance between the manhole cover and parapet coping was measured at 16.235m. The flat roof ridge was measured at 2cm lower than the parapet coping.

4 PLANNING POLICIES

BE2 General Development Standards
 BE5 Conservation Areas
 H2 General residential development standards
 H2NEW Delivery of new homes
 OS4NEW High quality design
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 BACKGROUND INFORMATION

- 5.1 The application seeks retrospective approval to vary conditions 2 and 4 of approved planning application 12/1333/P/FP. During the construction process a breach of condition 2 has occurred resulting in the dwelling being constructed 57 centimetres higher than the dwelling it replaced and approximately 255mm taller than approved. This application seeks approval for the increase in height to the dwelling along with the provision of obscure glazing to a front elevation and to a side window to a height of 1.5 metres.

- 5.2 The original application 12/1333/P/FP related to the construction of a replacement detached dwelling located within a relatively central position in Woodstock, within the designated Conservation Area. The site was previously occupied by a bungalow, which extended to a similar height to the roof ridge as the replacement dwelling. The approved dwelling is a three storey property which is of a contemporary architectural design. The property is rendered white, with a flat roof and prominent sections of glazing across the rear, north elevation of the dwelling. The frontage of the dwelling faces Upper Brook Hill and is set back slightly behind a small area of car parking serving the property. The site is steeply elevated and Upper Brook Hill is built into the gradient of the hillside. The rear of the property overlooks a set of relatively modern semi-detached dwellings in Brook Hill. The neighbouring properties in Upper Brook Hill are of varied architectural character and include a row of 19th Century Cotswold Stone dwellings close to the junction with Oxford Road along with an adjoining modern white rendered two storey dwelling and a three storey rendered property of a similarly contemporary appearance, featuring a large rear elevation terrace.
- 5.3 The approved dwelling is close to completion and the works have, with the exception of the height increase has been constructed in accordance with the approved plans of planning application 12/1333/P/FP. This was verified by the case officer who visited the site along with the plans submitted in respect of this planning application. The applicants have stated that the discrepancy in height arose during the construction of the property and was a result of both the implementation of a drainage scheme for the upper roof of the property along with the addition of insulation to the property. The applicants have stated that the increase in height was therefore an unintentional consequence and the variation of conditions is an attempt to rectify the breach of condition 2 through altering the approved height of the dwelling.
- 5.4 The applicants have stated that the increase in height in relation to the approved plans was 255mm. This figure has been contested by a number of neighbouring residents who have stated that the actual increase in height was 57 centimetres. The figure of 57 centimetres is based on two surveys conducted by Midland Survey LTD the first of which was conducted in February 2013, at which point the previous bungalow dwelling was still in place. This survey indicated the height of the bungalow was 95.60 metres to the roof ridge. A second survey was conducted in June 2015 at which point the exterior of the existing 3 storey dwelling had been constructed. The height of the existing dwelling was indicated as being 96.17 metres in height to the roof ridge, 0.57 metres higher than the previous bungalow. The approved plans had indicated that the height of the proposed three storey dwelling to the roof ridge would be broadly similar to the 95.60 metre ridge level of the previous bungalow and therefore the development is adjudged to be in breach of condition 2. Based on the findings of the two surveys conducted in February 2013 and June 2015 the height increase is being taken as between 57 centimetres and 25.5 millimetres.
- 5.5 The variation of condition 4 is to ensure that the east elevation window W7 indicated on the plans is fitted with obscure glazing, with the intention to reduce overlooking into the adjoining dwelling. Condition 4 currently specifies only that obscure glazing is fitted to the South Elevation and the window of the family room of the east elevation of the property. The amended plans additionally include the provision of obscure glass to the west facing side elevation window serving a bathroom, marked as W13. The obscure glass fitted to window W13 would be to a height of 1.5 metres and is considered as part of the variation of condition 4 along with the alterations to window W7.

- 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:

The impact of the development on the residential amenity of neighbouring dwellings;
Design, scale and siting of the development;
The impact of the development on the conservation area

Principle

- 5.7 The principle of development relates only to the alterations to the approved plans namely the height increase to the front elevation of the dwelling. It is important to state that the proposals are a variation of conditions and the principle of the dwelling itself, along with the general design has already been approved as a result of planning approval 12/1333/P/FP. For this reason the consideration relates only to the change in height and any consequences of this change.
- 5.8 The height increase of 57 centimetres takes the dwelling height beyond that of the previous bungalow located at 1 Upper Brook Hill. Despite this the addition of 57 centimetres is considered to be in principle a minimal addition to a three storey dwelling. The key considerations in this application are therefore considered to relate to the design and amenity impacts of this additional height increase.
- 5.9 The fitting of obscure glazing to window W7 and W13 is considered to be acceptable in principle.

Siting, Design and Form

- 5.10 The additional height increase is considered to be minimal from a design perspective and would have no additional impact on the appearance of the streetscene. Despite the increase in ridge height the roof of the dwelling would still sit below that of the adjoining two storey property and three storey dwelling on Upper Brook Hill alongside the neighbouring dwellings in Oxford Street. It is not considered therefore that the height increase would be detrimental to the built form of the immediate area.
- 5.11 Residents raised concerns that the dwelling appears overbearing. Given that the design of the dwelling has previously been approved it is not considered that the property as constructed would appear any more overbearing in its scale and siting than the approved design.
- 5.12 Given that the change in height is minimal and the fact that the property is relatively concealed, it cannot be considered that the variation of conditions would result in any additional harm to the conservation area setting.
- 5.13 The fitting of obscure glazing to window W7 and 13 would have no detrimental impact on the appearance of the property.

Highway

- 5.14. The additional changes have no impact on highway amenity or parking.

Residential Amenities

- 5.15. It is apparent that the dwelling is located in relatively close proximity to a number of adjoining properties in Upper Brook Hill and Oxford Street, the property also overlooks a number of dwellings in Brook Hill opposite the west elevation of the site. It is not considered that the height increase would impact significantly on the amenity of the properties in Brook Hill given the separation distance between 1 Upper Brook Hill and the properties opposite the site. As the roof ridge of the adjoining dwellings at 2 and 3 Upper Brook Hill is above that of the new dwelling at 1 Upper Brook Hill it is not considered that the height increase would have any additional impact on the amenity of these particular properties.
- 5.16 Five dwellings are located to the east and south east of the dwelling in Oxford Street, these being 70, 72, 74, 76, 78 and 80 Oxford Street. A further property, 82 Oxford Street lies to the South of the dwelling. Five letters of objection were received from adjoining residents regarding the amenity impact of the height increase on the residential amenity of these properties. Due to the topography of the immediate area 1 Upper Brook Hill is significantly lower than the 6 neighbouring dwellings even when taking into account the height increase. Given the separation distance the increased height of the building would not result in the loss of light to the windows of any of these neighbouring properties.
- 5.17 The construction of a flat roofed dwelling with additional mass to the previous bungalow has resulted in additional loss of light to parts of the rear gardens of the adjoining properties in Oxford Street, although the extent of this is considered to be relatively minimal. It is not considered however that the additional increase beyond the approved plans has resulted in any significant additional degree of light loss or overshadowing to the properties to the front and side of the constructed dwelling at 1 Upper Brook Hill.
- 5.18 As there appears to be little change to the height of the windows it is not considered that the proposals would result in any additional overlooking or loss of privacy to the neighbouring properties. The variation of condition 4 to attach obscure glazing to window W7 would significantly reduce overlooking into the rear garden of 78 Oxford Street. The further addition of obscure glass to a height of 1.5 metres to window W13 indicated within the amended plans would significantly reduce overlooking and loss of privacy to Number 82 Oxford Street.

Conclusion

- 5.17 The additional height increase is considered to be minimal in a visual sense and would not affect the appearance of the streetscene or conservation area setting. The additional height increase is considered to be relatively minimal and it is not considered that this further increase in height would result in an unacceptable loss of light or overshadowing in relation to the previously approved plans. The provision of obscure glass to windows W7 and W13 is considered to be beneficial in reducing overlooking and loss of privacy to the adjoining dwellings.
- 5.18 It is not considered that the additional height increase would be unacceptable and for this reason the scheme is considered to be compliant with Local Plan Policies BE2 and H2.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: The time condition is imposed in order to comply with the requirements of the Town and Country Planning Act 1990 (As amended)
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Class A to E of Part 1, Schedule 2 to Article 3 shall take place.
REASON: To protect the architectural interest of the building, the character of the area and the residential amenity of neighbouring properties. (Policies BE2, BE5 and H2 of the West Oxfordshire Local Plan 2011)
- 4 Before first occupation of the building hereby permitted the glazing (at first floor level) serving the gallery on the south elevation and the window in the east elevation serving the family room, along with the east elevation window marked W7 shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) and shall be retained in that condition thereafter. The window marked W13 on the approved plans shall be fitted with obscure glass to a height of no less than 1.5 metres.
REASON: To safeguard privacy in the adjacent property. (Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 5 No dwelling shall be occupied until space has been laid out within the site for two cars to be parked and such spaces shall be retained for parking purposes thereafter.
REASON: To ensure that adequate provision is made for off-street parking. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 6 That the enhancement measures set out in section 7 of the ecology report shall be carried out during the course of the development and retained as such thereafter.
REASON: In the interest of protected species (Policy NE15 of the West Oxfordshire Local Plan 2011)
- 7 The external walls of the dwelling proposed shall be constructed in accordance with a sample which shall be erected on site and approved in writing by the Local Planning Authority before development commences. The sample panel shall show the detail of the render, zinc and glazing and the junctions between each material. The sample panel shall be retained on site during the course of the development.
REASON: To safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 8 No dwelling shall be occupied until space has been laid out within the site for two cars to be parked and such spaces shall be retained for parking purposes thereafter.
REASON: To ensure that adequate provision is made for off-street parking. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

Application Number	I5/02722/FUL
Site Address	Land East Of Willoughby Fields Wroslyn Road Freeland Oxfordshire
Date	23 September 2015
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Freeland
Grid Reference	440984 E 213540 N
Committee Date	5th October 2015

Application Details:

Revised scheme for change of use from commercial to residential, demolish garage and erect 1 dwelling with associated environmental works.

Applicant Details:

Mr Gary Findlay
1 Larkspur Grove
Madley Park
Witney
Oxfordshire
OX28 1AL

I CONSULTATIONS

I.1 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.

I.2 Parish Council Freeland Parish Council

Firstly the Councillors would like to clarify who now owns this piece of land? Has Mr Willoughby now sold this land to Mr Findlay, or is Mr Willoughby still in possession of the land in question? Could this be clarified please?

In the original application for the Willoughby Fields development back in 2006 (ref:06/0478/P/FP) a proposed landscaping plan included the following statement:
"existing garages retained until completion of development". This implies that the garages will be removed on completion of the building of the houses and the land would then be made into "communal gardens" (as indicated on the approved landscaping plan).

However, Freeland Parish Councillors are very concerned that this commitment to landscape the rear of the development into communal gardens has never been honoured, or indeed enforced by WODC Planning Department. It is also clear from Mr Willoughby's recent letter to your Planning Team that it was never his intention to

landscape the rear parcel of land and he states that it was fenced off to "separate the site from the flats, parking and access and amenity areas that now exist." No amenity area currently exists around the flats for the residents to use, so Mr Willoughby's statement in his letter about an amenity area now existing is misleading and incorrect.

His statement about the paint spraying business being a commercial operation that could start up again at any time is also misleading. Councillors believe that once the change of use was granted in 2006 to build the 12 flats, then the permission for commercial use would cease, please can you clarify if this is in fact correct?

The Parish Council have also in the past received complaints from residents about cars parking on the grass verges and on the road outside of the flats, as there is insufficient parking on site; to add another dwelling to the site will only further exacerbate this problem.

The proposed development is also out of line with the existing boundary line of other properties along Wroslyn Road and Councillors are concerned that if planning permission is granted then this will set a precedent for other future backland developments.

The Parish Council therefore wish to object to the planning application reference 15/02722/FUL for the reasons stated above and request that you take all of the above concerns into account when determining this application.

2 REPRESENTATIONS

2.1 The application has been advertised by site notice. To date, eighteen letters of representation have been received, objecting on the following grounds:

- The land being proposed for development was included in application 06/0478/P/FP for the previous construction of Willoughby Fields flats. Under this previous application the area of land in question was to form part of the soft landscaping of the scheme, which has not happened. I have only recently moved to the area and it is unfortunate that no action was taken to hold the developer to this requirement at the time. I would question if it is not too late to enforce the previous planning permission and feel it should definitely be considered against this current application.
- The development is contrary to local planning policies on back land development.
- The site is at a low point with the ground slopping down to this area from surrounding fields and residential properties.
- There needs to be some consideration of if the new property might be in danger of localised flooding in heavy rain events.
- The elevation drawings are not correctly labelled as the elevation facing Willoughby Fields Flats is more West facing than North as labelled.
- While wishing to acknowledge that these plans are superior to those from the earlier application, and expressing gratitude for the consideration shown to some of the concerns previously raised, I am afraid I must still object.
- While officially designated as commercial use, this land has been abandoned and left to be reclaimed by nature for many years. I attach photographs of what can be seen of the

site from Willoughby Fields below to illustrate the current nature and condition of the site. It seems to me that there was some gross oversight in allowing this plot to be partitioned off and to remain as commercial use when Willoughby Fields was built. Given the strict planning requirements I understand Willoughby Fields itself had to meet, it seems bizarre that no consideration was given to what the intended future use of this area would be.

- The land which was originally part of the original site for Willoughby Fields, where planning was granted on the basis of sufficient parking, would be better suited to meet the original planning development needs and be used as additional car parking space.
- As I commented on the previous application significant numbers of bats can be witnessed on the site almost every evening during summer. There is a strong possibility that bats may actually roost in the abandoned garage unit itself. If a bat survey has already been done I request it be attached to this application without delay.
- With regards to the impact on residents of Willoughby Fields I still believe this structure will cast an extensive shadow over the communal garden area and result in an overall reduction in light to the back of the property where the majority of the windows are.
- While the residents of the new property will face out over the open fields, the current residents of Willoughby fields will be enclosed by it, and this will significantly change the character and atmosphere of the place, which in turn may have a knock on effect to the building's future occupancy and role within the village.
- Furthermore this development adds nothing to the village, which already has an abundance of large high value homes, and a single dwelling cannot reasonably claim to be doing anything to either reduce housing demand or provide housing for local people priced out of the market.
- My personal preference would be to see this land used for allotments. This would enhance the area and benefit the local community without having a negative impact on other properties in the immediate vicinity.
- The site risks setting a precedent for building behind the current building line which is contrary to housing policy.
- The developer has failed to comply with earlier planning consent in not creating the landscaping laid out in the Willoughby Fields development. Indeed WODC has failed to ensure compliance.
- The proposed development could create a barrier to natural land drainage to the brook to the north of the proposed development. This potentially puts neighbouring properties and particularly the Willoughby Fields residents at an increased risk of surface water flooding
- If surface water from the Willoughby Fields flats drains to soakaways, natural drainage from the soakaways could be impeded by the proposed development.
- Although, the height of the revised proposal has reduced, there remain concerns with significant overlooking of 59 and 61 Wroslyn Road properties due to a number of second storey windows on the elevation drawing.
- The area ceased to be used for any commercial reason when the commercial garage was demolished in 2006/2007.
- In particular, page 17 states the way the dwelling will be accessed will not affect nearby residents, indeed it is better than having the possibility of numerous vans and other commercial vehicles, which is the alternative and established use.
- This is an incorrect and misleading statement as no commercial activities take place in this area.

2.2 Three letters of support have been received, summarised as follows:

I see no reason for the revised scheme not to be given planning permission. The land behind the existing flats is redundant, this scheme would improve and tidy up what is already there.

The land is an eyesore so the environment will be improved

I live next door and the site is a very untidy mess doing nothing

I have no objection to the planning proposal

3 APPLICANT'S CASE

3.1 Design and Access Statement

This is a revised scheme, addressing issues relating to the original application.

1. Loss of potential amenity land;

2. Location of the dwelling;

3. Scale and form of the dwelling;

4. Relationship to neighbours;

5. Use of access.

6. The planning officer also referred to the Emerging Local Plan 2031, concentrating on the issue of "village character and distinctiveness".

Currently there are insufficient new housing sites in West Oxfordshire District to meet the planned needs to 2031. The Government pushing to get 90% of all suitable brownfield sites redeveloped by 2020. This site was forgotten about until the planning application was submitted.

Against this background, we are proposing a dwelling that meets the standards of design and amenity advised by the planning officer at the time. The proposals are therefore considered by us to be appropriate to the site and its location, when assessed in relation to the NPPF, the current Local Plan policies, and the West Oxfordshire Design Guide, and the forthcoming "emerging" Local Plan 2031.

We have now agreed that the site should be completed to all elements of Code Level 5 of the Code for Sustainable Homes, though the proposal as submitted does in our view show sufficient improvement in itself to justify planning permission.

The re-use of the site as proposed has numerous planning benefits both for the site, the surrounding area, and those living nearby.

This is a one and half storey detached dwelling, which accords with the scale and character of other nearby dwellings.

The way the dwelling will be accessed will not affect nearby residents, indeed it is better than having the possibility of numerous vans and other commercial vehicles, which is the alternative and established use. - The Highway Authority have no objections to one dwelling on this land. For the above reasons, we see this proposal as satisfying all 3 key sustainability designations (Economic, Social and Environmental), and we request the Council favourably consider the scheme under the presumption in favour of sustainable development, that runs through the NPPF.

There is insufficient parking for the residents of Willoughby Fields.

The planning application for the flats initially showed twelve parking spaces (at the front) i.e. one for each flat. This was opposed and a further six (at the rear) were allocated to the six two bedroom flats.

There is NO parking for the six one bedroom flats who have a second vehicle or for visitors of ANY of the flats.

Vehicles park on the front grass verges, on the path or in the road. This is unsightly and makes it VERY awkward for myself to turn in and out of my driveway. I also have a restricted view of the

road in both directions. Parking on the path also forces pedestrians, wheel chair users and mobility scooters onto the road.

Freeland Parish Council is aware of this as it has been ongoing for at least six years. They have written to the residents and have recently planted three memorial trees with guards on the grass verges to deter the parking on them.

I feel the above application should incorporate some extra parking for the residents. I attach a photo of the rear of the flats and of the parking at the front.

3.2 Ecology Survey

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

NE13 Biodiversity Conservation

H2 General residential development standards

H6 Medium-sized villages

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

EH2NEW Biodiversity

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

Background Information

5.1 The site is to the rear of a block of flats that were approved in 2006. (06/0478/P/FP) Currently there is a former workshop building on the land and it is fenced off and overgrown. There is open countryside to the rear. It is not within a Conservation Area or within the Cotswolds AONB. The application seeks consent for a single one and a half storey dwelling and associated amenity space and parking.

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

Siting Design and Form

Highways

Residential amenity

Ecology

Principle

5.3 A previous application for a dwelling on this site was withdrawn earlier this year (15/00727/FUL) due to concerns over land use, scale and massing and addressing neighbour concerns. This scheme proposes a smaller lower building than was previously sought.

- 5.4 Since the previous application was withdrawn, the weight to be attached to the locational policies of the Adopted WOLP has declined and the more permissive policies in the emerging WOLP are being given more weight. In that regard, small scale organic additions on brownfield sites and or on the edge of settlements is now considered policy compliant under policy H2 thus considered no longer a in principle housing policy objection.
- 5.5 As raised in the representations and Parish objection, the land in question was originally a commercial enterprise however it was intended to be amenity land for the flats approved in 2006. However this was never apparently provided and the flats were sold without the amenity space. The land is now in different ownership to that of the flat owners and therefore it is unlikely ever to come forward to serve the flats. In any event there is sufficient communal space to serve the flats and this is borne out by the fact the land not being provided prior to these applications has not been raised to the Local Authority previously by residents. With regard to the commercial use the Parish Council assert this was lost with the development of the flats. However it would appear that the partial implementation of the flat scheme may have left the residual workshop use.
- 5.6 The principle of development is considered to be acceptable, in accordance with policies BE2, BE3, H6 of the Adopted Plan and OS2, OS4 and H2 of the Emerging Plan.
- 5.7 Land ownership is not a consideration in the determination of planning applications. However Mr Willoughby has been served notice under Certificate B as landowner by the applicant.

Siting, Design and Form

- 5.8 The proposal is for a one and a half storey property, vernacular in design, using gabled forms and dormer windows and include a chimney for vertical emphasis. A schedule of materials has been conditioned and natural or artificial stone has been proposed for construction.
- 5.9 The dwelling is proposed to be side on to the rear of the flats. The scheme has reduced by 1m in height and has moved further from the boundary with the car park for the flats. It is considered that the siting is more appropriate.
- 5.10 Based on the above the proposal is now considered to be an appropriate form and design and it accords with the relevant adopted and emerging local plan policies.

Highway

- 5.11 The site will be accessed by an existing access from Wroslyn Road which is used by some of the residents from the flats to access parking spaces. There is a garage and parking proposed to the front of the property. It is considered that there is sufficient parking (3 spaces) for the four bed property.
- 5.12 The Highway Authority have been consulted and have raised no objections to a single dwelling.
- 5.13 The Parish Council and local residents have raised parking as an issue in the vicinity of the site but that does not justify a reason for refusal on highway grounds as the construction of one dwelling is not considered to exacerbate the current parking situation as sufficient on site parking is proposed.

- 5.14 The proposal is considered to accord with BE3 of the adopted plan and T4 of the emerging plan.

Residential Amenities

- 5.15 The side wall of the proposed dwelling is over 25m from the rear of the flats and there are no windows proposed on this west facing elevation so it is not considered that overlooking between windows will occur. A condition to remove the right to insert windows is included in the recommendation. Likewise the windows of the flats are over 20m from the rear garden so it is not considered to be an unacceptable level of overlooking for future occupants.
- 5.16 There are two first floor windows that face south towards the rear garden of no. 59 Wroslyn Road which is 12m away. One is a bathroom and one is a dressing room so as they are not primary living rooms they are not considered to result in an unacceptable level of overlooking of private amenity space.
- 5.17 The proposal is considered to accord with policies BE2, H2 of the adopted plan and OS4 of the emerging plan.

Ecology

- 5.18 An ecology report was submitted in response to local suggestion that there were bats present on site. The report found no evidence of bats present or roosting in the existing building or in the trees on site. However, in the interests of Biodiversity, a condition requiring some wildlife boxes has been included on the recommendation. The proposal is considered to accord with policies NE13 of the adopted plan and EH2 of the emerging plan.

Conclusion

- 5.19 The principle of residential development is therefore considered acceptable and the proposal is considered to accord with local plan policies, emerging plan policies and the provisions of the NPPF.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 The external walls shall be constructed of either artificial stone or natural stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning

Authority before any external walls are commenced and thereafter be retained until the development is completed.

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

- 5 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows/rooflights shall be constructed in the west facing elevation(s) of the building.
REASON: To safeguard privacy in the adjacent property.
- 7 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.
- 8 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling has been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety
- 9 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 Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques. 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.
- 10 Bat and bird boxes shall be installed in accordance with details including phasing that have been submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard and enhance biodiversity.

Application Number	I5/02790/FUL
Site Address	Land At The Farm Gagingwell Chipping Norton Oxfordshire
Date	23 September 2015
Officer	Joanna Lishman
Officer Recommendations	Approve
Parish	Enstone
Grid Reference	440081 E 225585 N
Committee Date	5th October 2015

Application Details:

Extension to an existing livestock building

Applicant Details:

Mr Robert Brickell
Willow Farm
Crawley Road
Witney
Oxon
OX29 9TE

1 CONSULTATIONS

- 1.1 Parish Council Enstone Parish Council feels that this application is a cause for over-development. However, there is a shortage of information as the paperwork received does not correspond with the on-line planning application. The paper records do not appear to be correct but relate to a previous application.

Officer Response: The Proposed Site Location Plan and Block Plan have now been submitted.

- 1.2 Parish Council No Comment Received.

2 REPRESENTATIONS

- 2.1 No representations at the time of writing.

3 APPLICANT'S CASE

- 3.1 The applicant has provided the following to summarise their case:

1) Mr Brickell has recently sold land at Witney and Gagingwell is to be the main farm hence the consolidation there.

2) He is looking to increase livestock numbers from the present totals

3) At present there are 77 breeding Aberdeen Angus cows and 70 calves. This is both a pedigree and commercial herd.

4) There are 776 ewes and gimmers now as lambs sold but, earlier on in the summer, there were more than 1500 sheep on the farm.

5) The farm comprises 209 acres with a further 113 acres just up the road farmed as one unit.

6) This is also a stud farm for 20 Shire horses that Mr Brickell started in 1946 and, as such, is one of the largest and oldest of its kind in Great Britain. The progeny are exported all over the world from here to South Africa, Israel, Russia, Canada, USA and all over Europe.

7) Farm crime is on the increase and sheep and machinery have been stolen from the farm recently hence the need for sufficient secure storage.

8) The building will be used for livestock and the storage of hay, straw and other feed stuffs and also to provide secure storage for items of machinery.

3.2 I firmly believe that this extension is not only urgently needed, for the farming enterprise, but would also fit in well with the surrounding buildings. Mr Brickell has also spent a considerable amount on the upkeep and appearance of the existing stone buildings on the farm and I find it incredible that there could be any objection to this extension when the whole farm is dwarfed by the feed mill at Enstone airfield where the whole site is a complete mess.

3.3 This is purely and simply a farming enterprise and the building is completely justified on that basis. In an age where so many farmers are going out of business, we should be applauding those that are continuing to look after our countryside and allow us the extreme pleasure that we get from seeing new born lambs in spring and grass fields populated with cattle, sheep and horses. Instead of objecting to this, we should be doing everything in our power to assist and encourage farmers to keep Oxfordshire as a rural and farming county.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

NE3 Local Landscape Character

OS2NEW Locating development in the right places

OS4NEW High quality design

EH1NEW Landscape character

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

5 PLANNING ASSESSMENT

The application

5.1 The applicant seeks planning permission for the erection of an extension to an agricultural building to house livestock.

Site Description

- 5.2 The site lies in open countryside to the north of the A4030. The existing farm buildings are set approximately 240m from the main road and 340m east of the Enstone Airfield Industrial Estate. The site is located outside the Cotswold AONB.

Background Information

- 5.3 The extension relates to a recently constructed agricultural building, approved by Officers under Delegated Authority in April 2015 (ref: 15/00718/FUL). The proposed use is for the same use as the existing building, referred to above.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle
Siting, Design and Form
Landscape Impact
Highway
Residential Amenities

Principle

- 5.5 Local Plan Policy BE2 states that 'in the open countryside, any appropriate development will be easily assimilated into the landscape and wherever possible, be sited close to an existing group of buildings.' It also states that extensions to buildings should be designed to respect or enhance the form, siting, scale, massing and external materials and colours of adjoining buildings. The proposal is considered acceptable in this respect as discussed against the considerations below.

Siting, Design and Form

- 5.6 The proposed extension measures 27.4m in width, the same as the existing building. It would be 19.8m in length, adjoining the north facing elevation. The additional floorspace is 542.8sqm. The extension would be subservient in height, 7.02m at the ridge, compared with the existing building at 9m to the ridge. The existing building is 49.37m in length. This would result in the building increasing in size from 1,353sqm to 1,896sqm.
- 5.7 The materials would be the same as the existing building and others in the area, a steel frame with concrete panels and timber boarding. The roof would be natural grey fibre cement panels. The external appearance is considered acceptable.

Landscape Impact

- 5.8 At the time of approving the existing building, Officers considered that although the proposed building was large in footprint, it would be well related to existing, large buildings at the site. The contours of the site and its location were also a consideration. The land slopes upwards from south to north, and again, the proposed extension would be set into the slope. It would be some distance from the road and a public footpath approximately 600m to the east. Like the original building, the proposed extension would therefore not be unduly prominent in the local

area. Of course this time, it is important to note that the extension would be significantly concealed behind the existing buildings when viewed from the public highway. With this in mind, it is not considered that the extension presents an issue of overdevelopment of the site or encroachment of development into the open countryside beyond the existing northern edge of the farm complex. The presence of large industrial buildings and structures at the industrial estate, also sets a context for development of this scale in this location, as was raised previously.

Highway

- 5.9 The existing means of access to the farm is well established and provides a large visibility splay and apron in front of the gates to the farm track. It is considered that this extension would be no adverse impact on highway safety compared to the existing use of the site in general.

Residential Amenities

- 5.10 Adopted Local Plan Policy BE2 and emerging Local Plan Policy OS4 seek to ensure that residential amenity is not harmed as a result of new development. In this instance, the nearest residential building is located over 400m away and as such the expansion of the livestock area would not have an adverse effect on their amenity.

Conclusion

- 5.11 Given the above, your officers consider this planning application to be in accordance with Policies BE2, BE3 and NE3 of the West Oxfordshire Local Plan 2011 and policies OS2, OS4 and EH1 of the Emerging Local Plan 2016. As such, your officer's recommendation is one of approval, subject to conditions.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area.