

WEST OXFORDSHIRE DISTRICT COUNCIL
UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 6th February 2017

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

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Report of Additional Representations

Application Number	16/01364/OUT
Site Address	Land East Of Woodstock Oxford Road Woodstock Oxfordshire
Date	2nd February 2017
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Woodstock Parish Council
Grid Reference	445519 E 216334 N
Committee Date	6th February 2017

Application Details:

Outline planning application (all matters reserved except for means of access in respect of new junction arrangements) comprising up to a maximum of 300 residential dwellings, up to 1100sqm of A1/A2/B1/D1 floorspace; associated infrastructure, engineering and ancillary works; provision of public open space; formation of vehicular accesses; and Full Planning Application for the development of phase 1 comprising 46 residential dwellings (46 of the 300 described above) with associated infrastructure and engineering works.

Applicant Details:

Trustees Of The Vanbrugh Unit Trust And Pye Homes (Oxford) L
C/O Agent

Additional Representations:

A further objection has been received from Mr Webley referring to the following: The funding letter submitted by the Vanbrugh Unit Trust on 23 January 2017 does nothing to clarify the overall financial situation of the Blenheim Estate nor exactly what is intended to be contributed to support the maintenance of the World Heritage Site. Are the option proceeds or any internal book profits already recorded part of the Net Relevant Proceeds? What other deductions might be made to arrive at Net Proceeds? Are there any existing reserves for WHS maintenance outside the Foundation that will now be released for other purposes? What contributions to the Foundation have already been made from other developments? Unless the Trustees are prepared to be considerably more transparent regarding their financial affairs it is not possible to attach any weight to such statements since they raise more questions than they answer. The Trustees have identified a number of different sites for potential development. If all were developed the proceeds would significantly outstrip any funding required for the WHS and with the Long Hanborough site already approved it is quite possible, as outlined in my previous letter, that this additional site in Woodstock would already produce in excess of the stated requirement. It seems quite obvious that the Trustees are pushing the most sensitive sites from a planning point of view while they can still use the argument that they have an unmet funding need for the WHS in the hope that the argument will help drive through approval of these more difficult sites. Apart from insisting on much more detailed information any consideration of the funding argument, to the extent it has any bearing, should be a review, with the Trustees, of all potential sites with a view to determining what sites might be more suitable and less sensitive and why such sites have not been selected.

Application Number	I6/0285 I/OUT
Site Address	Land South Of Milton Road Shipton Under Wychwood Oxfordshire
Date	2nd February 2017
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427281 E 217897 N
Committee Date	6th February 2017

Application Details:

Erection of up to 44 dwellings and a school car park with associated access and landscaping

Applicant Details:

Mrs J Stevenson
C/O Agent

Additional Representations:

Condition 21 to be amended to include reference to a minimum number of 22 school parking spaces as follows –

Prior to the occupation of any of the approved dwellings, the school parking area shall have been constructed, laid out, surfaced and lit in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Such details shall provide for a minimum of 22 car parking spaces. Prior to the school parking area being brought into use, it shall have been completed in accordance with the approved details, and shall be subject to a car park management plan which has also first been submitted to and approved in writing by the Local Planning Authority. The school car park shall be retained thereafter and managed in accordance with the approved details.

REASON: To ensure safe and appropriate operation of the car park.

Application Number	I6/03302/OUT
Site Address	Land North Of A44 Worcester Road Chipping Norton Oxfordshire
Date	2nd February 2017
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Chipping Norton Parish Council
Grid Reference	429819 E 227010 N
Committee Date	6th February 2017

Application Details:

Outline permission for ten self build dwellings and associated works

Applicant Details:

AWS Family Partnership AWS Family Partnership
Unit E
Elmsfield Industrial Estate
Worcester Road
Chipping Norton
OX7 5LX

Additional Representations:

Refusal Reason 1 to be amended to include policies MP7, MP8 and MPI I of the Chipping Norton Neighbourhood Plan.

The applicant has been informed that officers would expect an affordable housing contribution to be made in the form of a commuted sum, towards the provision of off-site affordable housing in line with the provisions of Policy H1 I of the Existing Local Plan and Policy H3 of the Emerging Local Plan. A commitment towards off-site affordable housing has not been forthcoming as the applicant contends that the housing would be self-build, which constitutes a form of affordable housing. Officers would contend this point, particularly given the size of the units proposed.

A further refusal reason is therefore proposed:

In the absence of any proposed provision of any off-site financial contribution towards the provision of affordable housing; or the provision of on-site affordable housing, the development as proposed would fail to provide an adequate contribution to the wider community and as such the proposals would represent socially unsustainable development. The development would be contrary to Policy H1 I of the Existing Local Plan; Policy H3 of the Emerging Local Plan and Paragraph 50 of the NPPF.

Officers note that refusal reason 2 should read “In the absence of an ecology survey it has not been demonstrated that the proposed development would not give rise to undue ecological harm.

The Following additional comments have been received from the WODC Planning Policy team in relation to the application:

As previously detailed in our consultation response, the application proposes 10 units and the site falls within the AONB where contributions towards off-site affordable housing provision should be sought (Policy H3 - Affordable Housing, of the emerging Local Plan). This is sought at a rate of £100 sqm and will therefore cost £10,000 per property based on an average house size of 100sqm. This is considered to be a relatively modest cost based on the average house price in the Chipping Norton (3.5% based on an average house price of £288,000).

The applicant maintains that as the proposal is for self-build housing, no contribution towards affordable housing is needed. However, no commitment has been made to make the plots available at less than market value and there are no safeguards in place which would require the applicant to sell at a reduced rate. Given the size of the proposed plots and the location of the site, it is highly likely that these would be sold at a premium and therefore would make no provision for the needs of those who cannot afford to buy on the open market (and may well be out of reach to those who can only afford to buy at the lower to mid end of the open market which is likely to disproportionately impact those who live and work locally).

Housing affordability is a key issue in the District with approximately 1,440 households on the Council's waiting list for affordable housing. The increasing unaffordability of housing in the County has been identified as a serious threat to society and the economy and there is a significant need for more affordable housing throughout the District. If this application were to be allowed without the appropriate provision of affordable housing, it would undermine the Council's emerging and adopted policies and, more importantly, it would undermine the Council's general approach towards affordable housing provision and set a dangerous example which other custom/self-build applicants would surely expect to be replicated.

The Council is extremely supportive of custom/self-build schemes which is evident in the emerging Local Plan (Policy H5 makes specific provision for this type of housing) but this does not offset the need for affordable housing (unless the plots are to be sold at a reduced value as set out above). Officers fully appreciate that policy requirements such as affordable housing provision should not risk undermining viability and the Council commissioned an independent consultant to complete a viability study which confirms that the affordable housing rates proposed are reasonable. In addition, Policy H3 of the emerging Local Plan and Policy H11 of the adopted Local Plan allow some flexibility in affordable housing requirements if an applicant can demonstrate that this would render a scheme unviable through a comprehensive viability assessment. In this case, the applicant has not provided any information to demonstrate that the off-site affordable housing requirement would risk viability.

Given the above, there does not appear to be any grounds to deviate from the policies of the emerging Local Plan which have been viability tested and developed in accordance with the NPPF and Planning Practice Guidance.

Application Number	I6/03601/FUL
Site Address	Land West Of Witney Road Finstock Oxfordshire
Date	2nd February 2017
Officer	Kim Smith
Officer Recommendations	Defer
Parish	Cornbury And Wychwood Parish Council
Grid Reference	435118 E 216252 N
Committee Date	6th February 2017

Application Details:

Erection of seven tree house cabins for holiday lets and new store, creation of car park and extension of existing track.

Applicant Details:

Mr Nicholas House
Cerbid
Solva
Haverfordwest
SA62 6YE

Additional Representations:

Mr C Turner has made the following comments in respect of OCC Highways response:

Regarding the two main points made in the report I would comment as follows.

The road either side of the proposed entrance has no footpath on either side of the road, although on the south side the frontage is well maintained by residents. To the west (towards Witney) this frontage gives access to a footpath which begins close to the Leafield crossroads. To the east, (towards Charlbury) the road to the Church, Village shop etc, there is no connecting footpath and once the blind corner is reached there is no more verge/frontage.

On the north side, the verge either side of the entrance is very narrow with a deep ditch behind it. It is too narrow and unsafe to walk on. Further, the trees and bushes fronting the forest have not been maintained for many years and growth in several places reaches across the ditch and covers much of the verge. The verge itself grows to several feet before the (now) once only cut by highways in mid/late summer. I have to regularly cut back some forest frontage near my gateway (50 yards to the east of the proposed entrance) to use it safely and when having visitors who are not familiar with the road it is essential that they are directed out of the gateway

The photograph included with the planning submission taken from the site entrance was clearly taken from a point well forward of an exiting driver's safe vision point.

I attach an image of the view from my gateway taken in 2015, sent to Rodney Rose, OCC when trying to get the verge attended to on safety grounds. The yellow sign was erected by contractors working in the forest using the proposed site entrance.

There is a straight stretch of road in each direction from the proposed entrance but I believe the following factors need to be considered, remembering that visitors to the site will not be familiar with it's position and also the planned absence of signs.

In general the speed limit of 40mph is not respected, especially that from the Charlbury direction. There is a long stretch between the initial village buildings and the Finstock Heath area. It may be that some drivers think they have left the speed limit, as the occasional small reminder signs can be partially obscured by hedge growth and drivers attention is more on the approaching blind bend. When we approach our house, (50 yds before the site entrance) from that direction we have found it necessary to signal before we enter the blind bend. If we do not do this some cars begin to overtake as we leave the bend.

When approaching from the Witney direction it is not possible to signal until the Leaffield turn has been passed. This will leave (at 30 - 35mph) only about 5 to 6 seconds to identify the site entrance, signal and turn in.

There are a number of other factors pertinent to the safety of this section of road that need consideration.

- * There has been a history of minor and major accidents over past years.
- * The traffic flow has grown significantly over the past decade and continues to grow both at commuter times and throughout the day.
- * The speed limit is not respected and overtaking between the blind bend (east) and Leaffield crossroads (west) is common.
- * The road is now plagued with delivery vans driving slowly to locate houses and parking on the road while delivering parcels.
- * Because of the road contour and direction, any winter mid-afternoon sun shines directly into the face of drivers passing the proposed site entrance towards the west.
- * Another winter hazard is water on the road washing away grit treatment. This is because the ditch does not have many inflow points and is blocked at some points.
- * The forest edge does not have secure fencing and deer and other animals are prone to cross the road, especially if disturbed. Deer have a regular feeding route near the road so deer proof gate arrangement would be necessary at the site entrance to ensure exiting vehicles do not drive them onto the road.
- * In 1990 I was told (informally) by WODC planning that I would waste my time applying for a second entrance to my property as it was policy not to allow any new access to the B4022. Since that time traffic and safety issues have grown significantly.

I am sure local residents could add to this list of concerns and safety factors but the purpose of this note is to question if a review of the planning application papers only is adequate to come to a reliable decision on this very important matter.

Finstock Parish Council

The Parish Council has commented further as follows:

The Council makes comments on all Planning proposals according to our general principle that: 'Finstock is a thriving and dynamic community and the Parish Council has a duty to keep it that way. Our Policy is to care for and maintain the facilities that are essential to our community and which are valued by our residents. We support new development only when it preserves and enhances the benefits we, as a community, currently enjoy.'

It is a moot point as to whether the site access is suitable, despite the 40mph traffic speed is high and there have been a number of accidents on and around the Leaffield junction in recent years;

Mr House's comment fails to recognize the historic interest of the site (Grims Ditch and the Military Camp);

The landscape of the village is treasured by residents- and considerable effort has been put into its preservation and presentation; consequently the Parish Council must reflect local views that any development in the AONB is unwelcome.

Our surveys have demonstrated the need for housing for local families; Consequently we are keen that any development should contain some accommodation that is affordable;

The Dark Lane sewage pumping station suffers from occasional and village overflow, much to the distress of the households nearby. The reasons for this are complex but not least to the flow of sewage pumped from Leaffield and Finstock High Street.

County Archaeologist

The access is existing but to be upgraded and the structures will only have very limited foundations. The proposed development involves very limited ground disturbance.

The proposed development is within an area that was used as a American Army Hospital during the nineteen forties (Finstock Hospital, Camp No 317 American General Hospital Emergency). Historic maps and photographs of it survive and provide a reasonable level of information about it. Subsequent to this all the buildings and structures were removed to their foundations and the site was planted with trees. The application site has therefore been extensively truncated and disturbed.

There is a surviving section of the North Oxfordshire Grim's Ditch adjacent to the junction of the B4022 and the Leaffield Road. There is evidence to suggest that it continues across to the **south** of the proposed new structures.

Whilst the proposed development is within the vicinity of Grim's Ditch its physical impact will be minimal and any invasive archaeological investigation is likely to cause more impact upon archaeological features than the development, not least because the likely route of Grim's Ditch appears to be south of the development itself.

It would be difficult, given proposed level of ground disturbance to justify any archaeological investigation because this would not be commensurate with the impact to be caused by the development.

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I am sure local residents could add to this list of concerns and safety factors but the purpose of this note is to question if a review of the planning application papers only is adequate to come to a reliable decision on this very important matter.

Application Number	I6/04188/FUL
Site Address	Cuckoo Wood Farm Eynsham Road Freeland Witney Oxfordshire OX29 8AD
Date	2nd February 2017
Officer	Phil Shaw
Officer Recommendations	Defer
Parish	Eynsham Parish Council
Grid Reference	441880 E 211094 N
Committee Date	6th February 2017

Application Details:

Change of use of land from agriculture to use as a site to accommodate Travelling Showpeople.

Applicant Details:

Mr John Treble-Parker
Cuckoo Wood Farm
Eynsham Road
Freeland
Witney
Oxfordshire
OX29 8AD

Additional Representations:

OCC Highways No objections
Eynsham PC No response to date

Update

Whilst the site access sits within Eynsham and Eynsham PC were consulted, the main body of the site lies within Freeland. It would appear that Freeland Parish Council may not have been consulted and as such your Officers would advise that any resolution is subject to a period of further consultation with Freeland PC before any decision is issued.

A further meeting has also been held with the applicants and their agents. Agreement has now been reached as regards to making connections to the wider footpath and sewer networks if/when the Garden Village is built out, to providing additional landscaping within the plots, to varying the size of the plots and to a phasing requirement that occupiers must have a local connection with not more than 50% of this additional area occupied (unless agreed in writing by the LPA in response to proof of local demand) within the next 5 year period. Agreement has also been reached at securing the access improvements

In light of the above it is likely that a recommendation for conditional approval be delegated to Officers, subject to a further period of consultation with Freeland PC before any decision is issued.